

Sec. 10-21. - Map amendment (rezoning).

(c) *Approval process.*

(4) *City council action.*

- d. *Effect of protest to proposed amendment.* In accordance with V.T.C.A., Local Government Code § 211.006¹, ~~if a written protest that meets the conditions in this subsection is presented to the city secretary prior to the public hearing for the map amendment, the amendment shall become effective only with the favorable vote of three-fourths of all members of the city council. The valid~~ protest to a proposed change to a zoning regulation or district boundary must be written and signed by the owners of ~~at least 20 percent of either:~~

1. At least 20 percent of ~~The the~~ area of the lots or land covered by the proposed change;
or
2. At least 20 percent of ~~The The~~ area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or-
3. At least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

In computing the percentage of land area under this subsection, the area of streets and alleys shall be included~~- and the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.~~

If a written protest that meets the conditions described by subsection (d)(1) or (d)(2) is presented to the city secretary prior to the public hearing for the map amendment, the amendment shall become effective only with the favorable vote of three-fourths of all members of the city council.

If a written protest that meets the conditions described by subsection (d)(3) is presented to the city secretary prior to the public hearing for the map amendment, the amendment shall become effective only with the favorable vote of a majority of all members of the city council.