

ARTICLE 6

ZONING TEXT AMENDMENT PROCEDURE

A proposal for an amendment of the text of the Zoning Ordinance is initiated by either the Planning Commission or the City Council of the City of De Soto. A citizen may also begin the amendment process by submitting the proposed change to the Planning Department, with a request for consideration by either the Commission or City Council on the next regular meeting agenda.

- If the change is initiated by a private citizen and taken before the Planning Commission, the individual shall be allowed to present the proposed amendment at a regular meeting. The Planning Commission, based on the information presented, shall determine whether the proposal should be considered as an amendment. If it is determined that the proposal has merit, the Planning Commission may set a date for the public hearing and authorize the publication of the necessary public notice.
- If the text amendment is initiated by either the Planning Commission or the Governing Body, a public hearing may be scheduled immediately. Planning staff shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least 20 days prior to the hearing, and for following the administrative procedures for a text amendment as prescribed in the adopted zoning regulations. The notice shall fix the time and place of the hearing and describe in general terms the proposed change. At the public hearing, citizens and parties of interest shall have an opportunity to be heard.
- The public hearing may be adjourned from time to time, and upon its conclusion the Planning Commission shall prepare and adopt its recommendation to the Governing Body. The recommendation shall be submitted along with an accurate record of the public hearing.
- The Governing Body shall consider the Planning Commission's recommendation and may either approve the recommendation; override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the Governing Body; or return the proposed amendment to the Planning Commission for reconsideration, as prescribed in the adopted zoning regulations. In all zoning decisions, the mayor casts a vote as a member of the Governing Body. If received for reconsideration, the

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- Planning Commission shall consider the Governing Body's reasons for failure to approve or disapprove and may resubmit its original recommendation or a revised recommendation. Upon receipt of the recommendation, the Governing Body may approve, disapprove, or revise and approve, the proposed zoning text amendment by a simple majority.

- If the Governing Body approves the requested change, it shall adopt an ordinance to that effect.