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ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING

March 3, 2026, at 9:00 A.M.



Location: Dallas City Hall, Room 6ES / Virtual
Video Conference Link: <https://bit.ly/Mar032026>
Webinar Number/Access code: 2489-108-1398
Telephone: (408) 418-9388
Attendee Password: Dallas (325527 from phones/video systems)

AGENDA

- I. **Call to Order** Tipton Housewright, Chair
 - II. **Discussion:**
 - 1. DCA 256-003(MW) HB 2464 Alignment (Home Occupation) Michael Wade, Chief Planner
 - 2. DCA 256-004(MW) HB 24 Alignment (Notifications) Michael Wade, Chief Planner
 - III. **Adjournment**
-

See meeting access and handgun prohibition information on page two.
Consulte en la página dos la información sobre el acceso a la reunión y la prohibición de portar
armas de fuego.

ACCESS / ACCESO

Individuals who wish to speak on an agenda item must register by 12:00 p.m. (noon) on **Monday, December 1** by visiting <https://forms.office.com/g/bF9XCgabka>.

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Planning and Development Department by calling (214) 670-4209 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available after adjournment by visiting <https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>.

Las personas interesadas en hablar sobre un punto de orden deben registrarse aquí <https://forms.office.com/g/bF9XCgabka> o llamando al (214) 670-4209, antes de las 12:00 p.m. (mediodía) **lunes 1 de diciembre**.

La Ciudad de Dallas llevará a cabo Adecuaciones/Modificaciones Razonables a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio y/o interpretación para poder participar de forma íntegra en la reunión debe notificar a Departamento de Planificación y Desarrollo llamando al (214) 670-4209 tres (3) días laborales antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en <https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>.

HANDGUN PROHIBITION NOTICE FOR MEETINGS OF GOVERNMENTAL ENTITIES

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."



DRAFT

Zoning Ordinance Advisory Committee (ZOAC) Meeting Action Minutes

February 3, 2026

9:00 a.m.

Room 6ES /
Videoconference

ATTENDEES

ZOAC Members Present Lawrence Agu, Ryan Behring, Paul Carden, Deborah Carpenter, Tipton Housewright (Chair), Adam Lamont, Enrique MacGregor, Janet Marcum, Mark Rieves, Caleb Roberts

ZOAC Members Absent Tabitha Wheeler-Reagan (Vice Chair)

City Plan Commissioners None

City Council Members None

City Staff Emily Liu, Andreea Udrea, Megan Wimer, Michael Wade, Lori Levy, and Jacob Rojo (Planning & Development) and Laura Morrison and Kaitlin Bethay (City Attorney's Office)

AGENDA

I. Call to Order: The Chair called the meeting to order at 9:09 a.m.

II. Discussion:

a. 2026 ZOAC Calendar ([Materials](#))

Michael Wade, Chief Planner

MOTION #1: Approve the 2026 ZOAC Calendar

Motion: MacGregor

2nd: Carpenter

RESULT: PASSED (10-0)

For: Agu, Behring, Carden, Carpenter, Housewright, Lamont, MacGregor, Marcum, Rieves, Roberts

Against: None

Absent: Wheeler-Reagan



III. Presentation:

a. ZOAC Orientation

Baron Eliason, Interim Inspector General
Laura Morrison, Assistant City Attorney
Michael Wade, Chief Planner

b. Introduction to Zoning Leadership

Emily Liu, FAICP
Andreea Udrea, PhD, AICP
Megan Wimer, AICP, BO

IV. Adjournment: The meeting was adjourned at 10:40 a.m.

NOTE: For more information on this content of this meeting, please refer to the video recording on the City's [website](#).

FILE NUMBER: DCA 256-003(MW)

DATE INITIATED: February 9, 2026

TOPIC: Updating home occupation regulations in response to Texas House Bill 2464 to remove any prohibition of no-impact home-based businesses.

COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amending Dallas Development Code Sections 51-4.217(b) Specific Accessory Uses and 51A-4.217(b) Specific Accessory Uses to delete the provision prohibiting a home occupation from selling or offering products of the home occupation at or on the premises.

SUMMARY: In 2025, Governor Abbott signed House Bill 2464 into law, which prohibits any municipality from prohibiting a home-based business that does not impact the neighborhood beyond the typical extent of a residential property. This amendment brings the Dallas Development Code into alignment.

STAFF RECOMMENDATION: Forward amendments to the City Plan Commission with a recommendation of adoption.

Code Amendments Webpage: <https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>

1. STAFF ANALYSIS

On June 12, 2025, Governor Greg Abbott signed House Bill (“HB”) 2464, which prohibits a municipality from adopting or enforcing an ordinance, regulation, or other measure that prohibits the operation of a home-based business that is not impacting traffic or occupancy negatively, causing greater occupancy than allowed in the home, or operating with any activities that are visible from the street. A “home-based business” is defined in this bill as “a business that is operated from a residential property by the owner or tenant of the property for the purpose of manufacturing, providing, or selling a lawful good or providing a lawful service.” The Dallas Development Code regulates this under its “home occupation” accessory use in [Sections 51-4.217\(b\) and 51A-4.217\(b\)\(8\)](#).

The bill prohibits municipalities from requiring additional licenses, permits, or other approvals to start the business; requiring a zoning change for a non-residential use; or requiring the installation of a fire sprinkler protection system in a single-family home or duplex. It also requires municipalities to allow at least the total number of employees and clients or patrons that does not exceed the municipal occupancy limit for the property. Because a dwelling unit is intended “accommodate one family”, this occupancy limit is set by the definition of “Family” in Section [51A-2.102\(36\)](#), which is “not more than four individuals [who] are unrelated to the head of the household by blood, marriage, or adoption.”

However, a municipality may continue to require that the business and property be compliant with all other health, safety, and quality of life codes; and that the business be secondary to, and compatible with, the residential use of the property. A municipality may also limit or prohibit the operation of a home-based business that sells alcohol or illegal drugs, a structured sober living home, or a sexually oriented business. This bill also does not prohibit a municipality from adopted or enforcing an ordinance regulating the operation of a short-term rental. Lastly, this bill does not prohibit a person from enforcing a rule or deed restriction imposed by a homeowners’ association or by other private agreement.

Section 51A-4.217(b)(8)(E)(i) lists the limitation on home occupations, which generally only address impacts of the business such as advertising, traffic, noise, and business operations outside the building. However, four regulations that do regulate beyond mere impact are:

- (cc), (dd), and (ff), pertaining to the number of people associated with the business:
 - “a home occupation shall not...
 - (cc) employ more than one person on the premises, other than residents of the premises;

- (dd) have an employee, other than residents of the premises, who works on the premises more than four hours in any given week;
- (ff) involve more than 3 people on the premises at one time, other than residents of the premises.”

A defining characteristic of a “no-impact home-based business” is that it “has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property.” However, occupancy is limited in the zoning code by the definition of “Family”, which allows up to five people (one head of household and family, plus four unrelated people). Therefore, these notes are not in alignment with HB2464 and should instead state the echo the bill’s more general regulation – no more people on the property than the relevant occupancy limit for the residential use.

- (hh), which states that a home occupation shall not “sell or offer products of the home occupation at or on the premises”. This regulation may have originally been intended to allow services such as a barber or tax professional while prohibiting the manufacture and sale of physical products. This note is not in alignment with HB 2464 as it prevents potential no-impact home occupations, and should be deleted.

Additionally, Section 51A-4.217(b)(11) *Swimming pool (private)* prohibits an accessory swimming pool from being operated as a business unless the business is private swimming lessons. This should instead be aligned with the home occupation accessory use, which would allow the use of the swimming pool as a business under all the same impact regulations that still confine the number of people on the property, noise, etc. to that which is reasonable for a residential property.

2. STAFF RECOMMENDATIONS

Staff recommends aligning the Home occupation and Swimming pool (private) accessory land uses to HB 2464 by:

- a. Combining (cc), (dd), and (ff) into one provision that aligns persons on the property associated with the business with the existing residential occupancy limit as defined in the “Family” definition.
- b. Deleting provision (hh) of Section 51A-4.217(b)(8)(E)(i) which would allowing home occupations to sell or offer products at or on the premises.
- c. Aligning the Swimming pool (private) land use with the Home occupation land use when the swimming pool is operated as a business.

**Proposed Chapter 51A
Amendments**

**Chapter 51A Dallas Development Code: Ordinance No. 19455,
as amended.**

**Article IV.
Zoning Regulations**

SEC. 51A-4.217. ACCESSORY USES.

...

(b) Specific uses.

...

(8) Home occupation.

(A) Definition: An occupation that is incidental to the primary use of the premises as a residence and conducted on the residential premises by a resident of the premises.

(B) Districts restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: None

(D) Required off-street loading: None

(E) Additional provisions:

(i) A person who engages in a home occupation shall not:

(aa) use any advertisement, sign, or display relating to the home occupation on the premises;

(bb) use the street address of the premises on any advertisement, sign, or display off the premises;

(cc) ~~employ more than one person on the premises, other than residents of the premises;~~ have at any time on the business property a total number of

employees and clients greater than the occupancy limit of the property established for a family as defined in Section 51A-2.102(36).

~~(dd) have an employee, other than residents of the premises, who works on the premises more than four hours in any given week;~~

~~(ee)~~ (dd) conduct any activities relating to the home occupation, including activities on any porch, deck, patio, garage, or unenclosed or partially enclosed portion of any structure, unless conducted entirely inside the main structure;

~~(ff) involve more than 3 people on the premises at one time, other than residents of the premises;~~

~~(gg)~~ (ee) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort;

~~(hh) sell or offer products of the home occupation at or on the premises;~~

~~(ii)~~ (ff) generate vehicular traffic that unreasonably disrupts the surrounding residents' peaceful enjoyment of the neighborhood; or

~~(gg)~~ (j) generate parking congestion that unreasonably reduces the availability of on-street parking spaces on surrounding streets.

(ii) A home occupation may not occupy more than 25 percent or 400 square feet of the total floor area of the main structure, whichever is less. This area restriction controls over the area restriction of Subsection (a)(3).

...

(11) Swimming pool (private).

(A) Definition: A swimming pool constructed for the exclusive use of the residents of a residential use.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) ~~No private swimming pool may be operated as a business, except that private swimming lessons may be given under the home occupation use.~~ A private swimming pool that is operated as a business shall be subject to the regulations of the Home occupation accessory use.

(ii) No private swimming pool may be maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

(iii) No private swimming pool may be constructed in the required front yard. However, a private swimming pool may be located within the required side or rear yard if it meets the requirements of Section 51A-4.217(a).

(iv) A private swimming pool must be surrounded by a fence.

(v) The area restrictions in Subsection (a)(3) do not apply to this use.

**Proposed Chapter 51
Amendments**

Chapter 51 Former Dallas Development Code

**Article IV.
Zoning Regulations**

SEC. 51-4.217. ACCESSORY USES.

...

(b) Specific accessory uses. The following accessory uses are subject to the general provisions in Subsection (a) and the regulations below:

...

(2) Swimming pool (private).

- (A) Definition: A swimming pool constructed for the exclusive use of the residents of a residential use.
- (B) District restrictions: This accessory use is not permitted in the P(A) district.
- (C) Required off-street parking: None.
- (D) Required off-street loading: None.
- (E) Additional provisions:
 - (i) ~~No private swimming pool may be operated as a business, except that private swimming lessons may be given under the home occupation use.~~ A private swimming pool that is operated as a business shall be subject to the regulations of the Home occupation accessory use.
 - (ii) No private swimming pool may be maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.
 - (iii) No private swimming pool may be constructed in the required front yard. However, a private swimming pool may be located within the required side or rear yard if it meets the requirements of Section 51A-4.217(a).
 - (iv) A private swimming pool must be surrounded by a fence.

...

(4) Home occupation.

- (A) Definition: An occupation that is incidental to the primary use of the premises as a residence and conducted on the residential premises by a resident of the premises.
- (B) Districts permitted: All residential districts and nonresidential districts except I-3 and P districts.
- (C) Required off-street parking: None
- (D) Required off-street loading: None
- (E) Additional provisions:
 - (i) A person who engages in a home occupation shall not:
 - (aa) use any advertisement, sign, or display relating to the home occupation on the premises;
 - (bb) use the street address of the premises on any advertisement, sign, or display off the premises;
 - (cc) ~~employ more than one person on the premises, other than residents of the premises;~~ have at any time on the business property a total number of employees and clients greater than the occupancy limit of the property established for a family as defined in Section 51A-2.102(36).
 - ~~(dd) have an employee, other than residents of the premises, who works on the premises more than four hours in any given week;~~
 - ~~(ee)~~ (dd) conduct any activities relating to the home occupation, including activities on any porch, deck, patio, garage, or unenclosed or partially enclosed portion of any structure, unless conducted entirely inside the main structure;
 - ~~(ff) involve more than 3 people on the premises at one time, other than residents of the premises;~~
 - ~~(gg)~~ (ee) generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort;
 - ~~(hh) sell or offer products of the home occupation at or on the premises;~~
 - ~~(ii)~~ (ff) generate vehicular traffic that unreasonably disrupts the surrounding residents' peaceful enjoyment of the neighborhood; or
 - ~~(gg)~~ (jj) generate parking congestion that unreasonably reduces the availability of on-street parking spaces on surrounding streets.
 - (ii) A home occupation may not occupy more than 25 percent or 400 square feet of the total floor area of the main structure, whichever is less. This area restriction controls over the area restriction of Subsection (a)(3).

Planner: Michael Wade

FILE NUMBER: DCA 256-004(MW)

DATE INITIATED: February 9, 2026

TOPIC: Updating regulations pertaining to notifications about, and protests of, a proposed change to a zoning regulation or zoning district boundary.

COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amending Dallas Development Code Sections 51A-1.106, "Notification Signs to be Obtained and Posted," 51A-2.102, "Definitions," and 51A-4.701, "Zoning Amendments," to update protest and notification regulations pertaining to proposed zoning changes.

SUMMARY: The Dallas Development Code currently requires that a change in zoning regulations or district boundaries that has been protested according to certain thresholds must be approved by three-fourths of the City Council rather than the typical majority. This amendment brings the Code into alignment with the House Bill 24 by requiring tiers of approvals based on whether a protested zoning change allows more residential development.

STAFF RECOMMENDATION: Forward amendments to the City Plan Commission with a recommendation of adoption.

Code Amendments Webpage: <https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx>

1. STAFF ANALYSIS

On June 20, 2025, Governor Abbott signed House Bill (“HB”) 24, which strengthened a municipality’s power to approve comprehensive zoning changes and zoning changes that allow more residential on a land.

Currently, Dallas Development Code Section 51A-4.701(c) requires that a proposal to change a zoning district, regulation, or classification must receive an affirmative vote by three-fourths of all City Councilmembers if a written protest is signed by owners of 20 percent of subject area or land within 200 feet of the subject area. Without such a protest, affirmative votes by only a majority of Councilmembers present are required. HB 24 adds a new middle tier of approval for proposed zoning changes that allow more residential development than is currently allowed: the protest threshold must hit 60 percent rather than 20 percent, and an affirmative vote by a majority of all Councilmembers is required.

HB 24 also creates the concept of a “proposed comprehensive zoning change”, which is any of three things:

1. A proposed change to an existing zoning regulation that would allow more residential development and would apply uniformly to each parcel in one or more zoning districts;
2. A proposed adoption of a new zoning code or zoning map that would apply to the entire municipality; or
3. A proposed zoning overlay district that would allow more residential development and would include an area along a major roadway, highway, or transit corridor.

The opportunity to protest comprehensive zoning changes does not extend to proposed comprehensive zoning changes.

Lastly, HB 24 updates required posting procedures for public hearings for zoning cases:

- The City must publish a notice of a hearing on its website 15 days prior to the public hearing.

For proposed comprehensive zoning changes, HB 24 requires only that public notice of public hearings be published:

- In the official newspaper
- On the City’s website
- In writing if the zoning change will cause a conforming use to become nonconforming
- Specifically prescribed notice of meetings held jointly by the City Council and City Plan Commission

The Dallas Development Code has followed the protest procedure required by the Texas Local Government Code. Zoning cases very rarely receive protest letters reaching 20% of owners of relevant property: in 2025, 13 out of 250 zoning cases received protest letters exceeding 20%.

2. STAFF RECOMMENDATIONS

Staff recommends implementing this into Sections 51A-1.106 “Notification Signs to be Obtained and Posted,” 51A-2.102 “Definitions,” and 51A-4.701 “Zoning Amendments.” (Chapter 51 refers Sections 51-1.106 and 51-4.700 to Chapter 51A by reference and do not need to be amended.)

Specifically, staff recommends:

- Adding the specific size regulations for notification signs into Section 51A-1.106.
- Adding the definition of “proposed comprehensive zoning change” as “comprehensive zoning change” into Sections 51-2.102 and 51A-2.102;
- Updating the protest procedures for zoning changes in Section 51A-4.701.
- Updating all other provisions as necessary.

**Proposed Chapter 51A
Amendments**

**Chapter 51A Dallas Development Code: Ordinance No. 19455,
as amended.**

**Article I.
General Provisions**

SEC. 51A-1.106(a) & (d). NOTIFICATION SIGNS TO BE OBTAINED AND POSTED.

(a) In general.

(1) Notifications signs in this section are not required for a proposed comprehensive zoning change or a proposed change in zoning classification that applies to the whole city.

(2) The notification signs required in this section are intended to comply with and supplement state law and other Dallas Development Code notice requirements.

(3) Notification signs for zoning changes must measure a minimum of 24 inches long and 48 inches wide.

(4 ~~2~~) The city plan commission, landmark commission, board of adjustment, or city council shall determine if an applicant has complied with the notification sign posting requirements in this section.

(d) Posting of signs.

(1) Except as provided in Subsection 51A-1.106(e), the applicant shall post the required number of notification signs on the property no later than the 10th day before a hearing before city plan commission, landmark commission, or board of adjustment ~~within 14 days after an application is filed.~~

(2) The signs must remain posted until a final decision is made on the application.

(3) For tracts with street frontage, signs must be evenly spaced over the length of every street frontage, posted at a prominent location adjacent to a public street, and be easily visible from the street. For tracts without street frontage, signs must be evenly posted in prominent locations most visible to the public.

(4) An applicant has complied with the required posting of notification signs if any lost, stolen, or vandalized notification signs are timely replaced, and the applicant has made good faith efforts to keep the notification signs posted in accordance with this section.

Article II. Interpretations and Definitions

SEC. 51A-2.102 DEFINITIONS.

...

(25.1) COMPREHENSIVE ZONING CHANGE means a proposal to:

(A) change an existing zoning regulation that will:

- (i) have the effect of allowing more residential development than the previous regulation; and
- (ii) apply uniformly to each parcel in one or more zoning districts;

(B) adopt a new zoning code or zoning map that will apply to the entire municipality; or

(C) adopt a zoning overlay district that will:

- (i) have the effect of allowing more residential development than allowed without the overlay;
and
- (ii) include an area along a major roadway, highway, or transit corridor.

Article IV. Zoning Regulations

SEC. 51A-4.701. ZONING AMENDMENTS.

...

(b) Commission report and recommendation required.

- (1) The commission shall make a report and recommendation to the city council on all proposed amendments to this article or requests for a change in a zoning district classification or boundary.
- (2) The director shall conduct those studies necessary for the commission to make its recommendation and report to city council.
- (3) The commission or a committee of the commission shall hold a public hearing to allow proponents and opponents of an amendment to this article or request for a change in a zoning district classification or boundary to present their views.

- (4) Before the commission holds the public hearing on an amendment to this article or on a request for a change in a zoning district classification or boundary, the director shall give notice of the public hearing in the official newspaper of the city at least 10 days before the hearing.
- (5) [Except for a comprehensive zoning change,](#) ~~t~~he director shall send written notice of a public hearing on a city council, city plan commission, or landmark commission authorized hearing for a change in a zoning district classification or boundary to all owners of real property according to the following table:

Authorized Hearing Area	Area of Notification for Hearing
0-1 acre	200 feet
over 1 acre to 5 acres	300 feet
over 5 acres to 15 acres	400 feet
over 15 acres to 25 acres	400 feet
over 25 acres	500 feet

See Section 51A-1.105 for the notification area for other applications. The measurement of the notification area includes streets and alleys. The notice must be given not less than 10 days before the date set for the city plan commission hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved tax roll. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census. The applicant may not alter, change, amend, enlarge, or withdraw a portion of an application after notices have been mailed for the public hearing.

(c) City Council Action.

- (1) [Except for a comprehensive zoning change,](#) ~~t~~he director shall send written notice of a public hearing on a city council, city plan commission, or landmark commission authorized hearing for a change in a zoning district classification or boundary to all owners of real property according to the following table:

Authorized Hearing Area	Area of Notification for Hearing
0-1 acre	200 feet
over 1 acre to 5 acres	300 feet
over 5 acres to 15 acres	400 feet
over 15 acres to 25 acres	400 feet
over 25 acres	500 feet

See Section 51A-1.105 for the notification area for other applications. The measurement of the notification area includes streets and alleys. The notice must be given not less than 15 days before the date set for the city council hearing by depositing the notice properly addressed and postage

paid in the United States mail to the property owners as evidenced by the last approved tax roll. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census. The applicant may not alter, change, amend, enlarge, or withdraw a portion of an application after notices have been mailed for the public hearing.

- (2) Before the city council holds the public hearing on an amendment to this article or on a request for a change in a zoning district classification or boundary, the city secretary shall give notice of the public hearing in the official newspaper of the city and on the city's website at least 15 days before the hearing.
- (3) ~~Except as provided in Paragraphs (4) and (5), approval~~ ~~An amendment to this article and requests for a change in a zoning district classification or boundary must be approved~~ by the affirmative vote of a majority of city council members present is required for a comprehensive zoning change and for an amendment to this article or a request for a change in zoning district classification or boundary; ~~except, the favorable vote of three-fourths of all members of the city council is required if:~~
 - ~~(A) the request for a change in a zoning district classification or boundary has been recommended for denial by the commission; or~~
 - ~~(B) a written protest against a change in a zoning district boundary or classification has been signed by the owners of 20 percent or more of either the land in the area of request or land within 200 feet, including streets and alleys, measured from the boundary of the area of request and the protest has been filed with the director.~~
- (4) Approval by the affirmative vote of a majority of all members of city council is required for an amendment to this article or a request for a change in zoning district classification or boundary if:
 - (A) 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 commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development; and
 - (B) a written protest has been signed by the owners of at least 60 percent of the area of request or land within 200 feet, including streets and alleys, measured from the boundary of the area of request, and the protest has been filed with the director.
- (5) Approval by the affirmative vote of three-fourths of all members of city council is required if:
 - (A) the subject area does not fit the description in subparagraph (4); and
 - (B) a written protest against a change in a zoning district boundary or classification has been signed by the owners of 20 percent or more of either the land in the area of request or the

land within 200 feet, measured from the boundary of the area of request and the protest has been filed with the director.

- (6) When computing the percentage of land area in Paragraphs (3) and (4), streets and alleys are included. The land area is not calculated individually for each tract of land 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 change.
- (7) When city council passes an amending ordinance, the city secretary shall file the amending ordinance in the official city records. Unless the amending ordinance expressly indicates otherwise, the area of request is presumed to include the area to the centerline of an adjacent street or alley.
- (8) A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.