

ARTICLE XXII

AMENDMENTS

SECTION 4. ACTION BY THE GOVERNING BODY.

1. Adoption of Amendments. The Governing Body shall not consider the request until their next regular meeting after the lapse of the fourteen (14) day protest period. Upon the receipt of the recommendation of the Ulysses City/County Planning Commission and any protest petitions that have been submitted, the Governing Body shall consider the application and may approve the recommendations of the Ulysses City/County Planning Commission without change or refer it back to the Ulysses City/County Planning Commission for further consideration. When a recommendation is returned to the Ulysses City/County Planning Commission for further consideration, the Governing Body shall give reasons for returning the application. Upon return of a recommendation from the Ulysses City/County Planning Commission, the Governing Body may take whatever action it deems necessary.

If a proposed amendment is not acted upon finally by the Governing Body within one hundred twenty (120) days after the recommendation of the Ulysses City/County Planning Commission is submitted to it, such proposed amendment shall be deemed to have been defeated and denied, unless the applicant for such amendment shall have consented to an extension of such period of time. Whenever a proposed amendment is defeated, either by vote of the Governing Body or by reason of the operation of this Section, such amendment shall not thereafter be passed without a further public hearing and notice thereof as provided in this Article.

2. Protest. If written protest against a proposed amendment shall be filed in the office of the City Clerk within fourteen (14) days after the date of the conclusion of the hearing on a proposed amendment, which protest is duly signed and acknowledged by the owners of twenty (20) percent or more of the property proposed to be rezoned, or area, excepting public streets and ways, which is located within two hundred (200) feet or one thousand (1,000) feet for property outside the City boundary then such proposed amendment shall not be passed except by a three-fourths (3/4) vote of the City Governing Body.

3. Publication. If the Governing Body approves an application, it shall adopt an ordinance to that effect, but said action shall not become effective until its publication in the official newspaper. If the official zoning map has been adopted by reference, the amending ordinance or resolution shall define the change or boundary as amended, shall order the official zoning map to be changed to reflect such amendment and shall amend the section of the regulations incorporating the same and shall reincorporate such map as amended.