

780 of the Acts of 1959, as amended by Chapter 630 of the Acts of 1963, relating to the procedure to be followed in amending the zoning regulations and map in Montgomery County and to provide for District Council waiver of the time required for submission of the Park and Planning Commission's recommendations thereon; and to provide further that the District Council may disregard the recommendations of the Park and Planning Commission, on zoning applications only by the affirmative vote of five of its members. THAT THE DISTRICT COUNCIL SHALL WAIVE THE TIME REQUIRED FOR SUBMISSION OF THE PARK AND PLANNING COMMISSION'S RECOMMENDATIONS THEREON UPON PETITION; AND TO PROVIDE FURTHER THAT THE DISTRICT COUNCIL SHALL ACCEPT THE RECOMMENDATION OF THE PARK AND PLANNING COMMISSION ON ZONING APPLICATIONS, UNLESS BY AFFIRMATIVE VOTE OF FIVE (5) MEMBERS SUCH RECOMMENDATIONS ARE FOUND CONTRARY TO THE EVIDENCE OF RECORD; AND TO PROVIDE FURTHER THAT APPLICATIONS SEEKING PROPERTY CLASSIFICATION OTHER THAN THOSE WHICH ARE SHOWN ON A DETAILED WATERSHED OR PLANNING AREA MASTER PLAN APPROVED BY THE DISTRICT COUNCIL SHALL BE GRANTED ONLY BY AFFIRMATIVE VOTE OF FIVE (5) DISTRICT COUNCIL MEMBERS; AND TO PROVIDE FURTHER THAT IN THE EVENT OF A COMMISSION RECOMMENDATION FOR APPROVAL OF AN APPLICATION CONTRARY TO THE RECOMMENDED ZONING SHOWN ON A PLAN APPROVED BY THE DISTRICT COUNCIL, THE DISTRICT COUNCIL MAY DENY THE APPLICATION BY A SIMPLE MAJORITY VOTE, UNLESS SAID CLASSIFICATION IS RECOMMENDED BY THE PLANNING COMMISSION OR THE APPLICATION IS FOR A ZONING CLASSIFICATION ADOPTED AFTER THE APPROVAL OF SAID MASTER PLAN IN WHICH EVENT OR EVENTS THE AFFIRMATIVE VOTE OF FOUR MEMBERS SHALL BE SUFFICIENT TO GRANT ANY SUCH APPLICATION; AND TO PROVIDE FURTHER THAT, IN ALL OTHER CASES, AN APPLICATION SHALL NOT BE GRANTED EXCEPT BY AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE DISTRICT COUNCIL.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 78(a) of Chapter 780 of the Acts of 1959, as amended by Chapter 630 of the Acts of 1963, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

78(a) Authorized; procedure. Each District Council may from time to time amend its regulations or any regulation, including the maps or any map. No such amendment shall be passed until it first be submitted, at least *thirty-five* (35) days prior to the hearing required by sub-section (c) hereof, to the Commission for approval, disapproval or suggestions; the Commission's recommendations shall be submitted to the District Council at least five (5) days prior to the public hearing held by said District Council on said amendment; if the Commission shall fail to submit its recommendation within the aforementioned time, it and its staff shall be deemed to have approved such amendment. *Provided, however, in Montgomery*