

(1983 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 28 - Maryland-National Capital Park and
Planning Commission

8-104.

(a) (1) After duly advertised public hearing each district council from time to time may amend its regulations or any regulation, including the maps or any map, in accordance with procedures established in the respective zoning ordinances. The procedures and ordinances may include, but not be limited to: (1) procedures limiting the times during which amendments may be adopted; (2) provisions for hearings and preliminary determinations by an examiner, board or other agency; (3) procedures for quorums, number of votes required to enact amendments and variations or increases therein based upon such factors as master plans, recommendations of the hearing examiner, planning board, municipality, or other body, and petitions of abutting property owners, and the evidentiary value which may be accorded to any or all of these; and (4) procedures for hearing, notice, costs, and fees, amendment of applications, stenographic records, reverter, lapse, and reconsideration de novo of undeveloped zoning amendments. The existing provisions of the Regional District Law and of the ordinances enacted by the respective district councils relating to the foregoing matters shall remain in full force and effect unless or until specifically superseded or amended in accordance with the power and authority granted herein, but no such amendment may be made by a district council, in a year in which the council is elected, after the 31st day of October and until the newly elected council is duly qualified and has taken office.

(2) In Montgomery County, [in] all applications which seek a ZONING classification, EITHER EUCLIDEAN OR FLOATING, other than that which is [attached to the subject properties on a local] DESIGNATED--AS INDICATED TO BE APPROPRIATE OR SUITABLE ON IN THE TEXT OR ON THE LAND USE MAP OF AN ADOPTED master plan, approved by the district council, under the provisions of § 7-108(e) of this article, [these applications] shall be granted only by the affirmative vote of five members of the district council. If the application for reclassification is recommended for approval by the Commission or if the application is for a zoning classification created after the approval of the master plan by the council, then an affirmative vote of four members of the district council is required to grant the application or applications. In all other cases, an application may not be granted except by affirmative vote of at least four members of the district council.