

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 7

Bill No. 24-08

Councilmembers McIntire, Kamenetz & Moxley

By the County Council, April 7, 2008

A BILL
ENTITLED

AN ACT concerning

Amendments to Development Plans

FOR the purpose of clarifying the effect of a request to amend an approved residential development plan or plat if the amendment results in a density increase; and generally relating to amendments to development plans.

BY repealing and re-enacting, with amendments

Section 32-4-262
Article 32 - Planning, Zoning and Subdivision Control
Title 4 - Development
Baltimore County Code 2003

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that Section 32-4-262 of Article 32 - Planning, Zoning and Subdivision
3 Control, Title 4 - Development, of the Baltimore County Code 2003, be and it is
4 hereby repealed and re-enacted, with amendments, to read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

1 § 32-4-262. Amendments to Development Plans.

1 (1) Any material amendment to an approved non-residential Development Plan shall be
2 reviewed and approved in the same manner as the original plan.

3 (2) Any material amendment to an approved residential Development Plan or plat shall be
4 reviewed in accordance with this title, and with respect to that portion of the original plan or plat to
5 which the amendment pertains, the amendment shall be reviewed for compliance with all current
6 law and regulations, including the development regulations and the zoning regulations. FOR
7 PURPOSES OF THIS PARAGRAPH, ANY AMENDMENT TO A PLAN OR PLAT THAT
8 RESULTS IN AN INCREASE IN DENSITY OR INCREASE IN THE NUMBER OF BUILDABLE
9 LOTS IS A MATERIAL AMENDMENT.

10 SECTION 2. AND BE IT FURTHER ENACTED, that this Act is adopted independently
11 of Section 103 of the Baltimore County Zoning Regulations so that it supersedes and abrogates the
12 rights to the vesting of a development that would otherwise accrue from the zoning regulations or
13 other County laws.

14 SECTION 3. AND BE IT FURTHER ENACTED, that this Act does not apply to any plan
15 or application for a proposed development that is accepted for filing prior to the effective date of the
16 Act.

17 SECTION 4. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
18 affirmative vote of five members of the County Council, shall take effect on May 19, 2008.