

**Amendment 68 to Council Bill No. 32 -2013**

**BY: Chairperson at the request  
of the County Executive**

**Legislative Day No. 10  
Date: July 25, 2013**

**Amendment No. 68**

*(This amendment changes what is considered a minor modification and clarifies permissible minor deviations from certain site plan zoning petitions and plans in the MXD, CEF and PSC zoning districts. It also makes a technical correction. This amendment also clarifies that the Zoning Board cannot grant variances to density or lot size.)*

1 In the Comprehensive Zoning Plan, Zoning Regulations, as attached to the Bill as introduced;

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3 On page 11:

- 4 1. In line 25, strike “DEVELOPMENT CONCEPT PLAN” and substitute “PLAN”;
- 5 2. In lines 29 and 34, in each instance, strike “10%” and substitute “20%”; and
- 6 3. In line 53, after “Authority” insert “THE ZONING BOARD'S AUTHORITY TO GRANT  
7 VARIANCES TO THE BULK REGULATIONS SHALL NOT APPLY TO DENSITY  
8 REQUIREMENTS OR TO MINIMUM OR MAXIMUM LOT SIZES.”.

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10 On page 292, in line 8, after “Criteria.” insert “MINOR DEVIATIONS BETWEEN THE  
11 COMPREHENSIVE SKETCH PLAN /DEVELOPMENT CRITERIA AND THE APPROVED PRELIMINARY  
12 DEVELOPMENT PLAN /PRELIMINARY DEVELOPMENT CRITERIA MAY BE APPROVED BY THE  
13 PLANNING BOARD PROVIDED THERE IS NO INCREASE THE NUMBER OF RESIDENTIAL UNITS AND  
14 PROVIDED THE DEVIATION COMPLIES WITH THE FOLLOWING:

- 15 (1) MINOR MODIFICATIONS TO STRUCTURES, WITH A FLOOR AREA NO LARGER  
16 THAN 20% OF THE EXISTING FLOOR AREA OF THE MAIN FLOOR.
- 17 (2) MINOR NEW ACCESSORY STRUCTURES OR ACCESSORY USES IF THE  
18 LOCATION DOES NOT INTERFERE WITH THE EXISTING APPROVED SITE  
19 LAYOUT (E.G. CIRCULATION, PARKING, LOADING, STORM WATER  
20 MANAGEMENT FACILITIES, OPEN SPACE, LANDSCAPING OR BUFFERING).
- 21 (3) MINOR MODIFICATIONS TO PARKING LOTS COMPRISING NO MORE THAN 20%  
22 OF THE ORIGINAL NUMBER OF PARKING SPACES REQUIRED.

23                   (4)     SIMILAR MINOR MODIFICATIONS AS DETERMINED BY THE PLANNING BOARD,  
24                             INCLUDING REDUCTIONS IN THE NUMBER OF RESIDENTIAL UNITS AND THE  
25                             INTENSITY OF THE UNIT MIX.”.  
26

27 On page 303, in line 17, insert:

28 “D.     MINOR DEVIATIONS BETWEEN THE COMPREHENSIVE SKETCH PLAN/DEVELOPMENT  
29     CRITERIA AND THE APPROVED PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY  
30     DEVELOPMENT CRITERIA MAY BE APPROVED BY THE PLANNING BOARD PROVIDED THERE IS  
31     NO INCREASE THE NUMBER OF RESIDENTIAL UNITS AND PROVIDED THE DEVIATION  
32     COMPLIES WITH THE FOLLOWING:

33     (1)     MINOR MODIFICATIONS TO STRUCTURES, WITH A FLOOR AREA NO LARGER THAN  
34             20% OF THE EXISTING FLOOR AREA OF THE MAIN FLOOR.

35     (2)     MINOR NEW ACCESSORY STRUCTURES OR ACCESSORY USES IF THE LOCATION DOES  
36             NOT INTERFERE WITH THE EXISTING APPROVED SITE LAYOUT (E.G. CIRCULATION,  
37             PARKING, LOADING, STORM WATER MANAGEMENT FACILITIES, OPEN SPACE,  
38             LANDSCAPING OR BUFFERING).

39     (3)     MINOR MODIFICATIONS TO PARKING LOTS COMPRISING NO MORE THAN 20% OF THE  
40             ORIGINAL NUMBER OF PARKING SPACES REQUIRED.

41     (4)     SIMILAR MINOR MODIFICATIONS AS DETERMINED BY THE PLANNING BOARD,  
42             INCLUDING REDUCTIONS IN THE NUMBER OF RESIDENTIAL UNITS AND THE  
43             INTENSITY OF THE UNIT MIX.”.  
44

45 On page 213, in lines 28 and 35, in each instance, strike “10%” and substitute “20%”.