

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 16

Resolution No. 50-25

Mr. David Marks, Councilman

By the County Council, October 6, 2025

A RESOLUTION of the Baltimore County Council requesting that the Director of Planning, within 60 days of the passage of this Resolution, amend the official Comprehensive 5th District Zoning Map for Baltimore County and return the zoning of the properties, or portions thereof, that are the subject of the corrective change referenced herein to the zoning classification that existed prior to the commencement of the 2024 Comprehensive Zoning Map Process (CZMP).

WHEREAS, on September 4, 2024, the Council enacted Bill 60-24, which adopted the Official Comprehensive 5th District Zoning Map for Baltimore County, superseding any previous zoning maps approved by the County Council for the 5th District, thereby concluding the 2024 Comprehensive Zoning Map Process (CZMP) for the 5th District; and

WHEREAS, at the beginning of the 2024 CZMP, the Councilmember representing the 5th District filed, among others, three zoning issues in the 5th District for consideration – Issues 5-095, 5-171, and the portion of 5-096 that is hatched in black on the attached Map identified as Exhibit A; and

WHEREAS, for each of the three referenced issues, the Final Planning Department Staff Recommendations and the Planning Board Recommendations were to retain the existing zoning, but the final Council decision, requested by the Councilmember representing the 5th District and enacted by Bill 60-24, mistakenly changed the zoning; and

WHEREAS, with the introduction of this Resolution, the Councilmember representing the 5th District affirms that the zoning assigned under Bill 60-24 to the property in Issues 5-095, 5-171, and the portion of 5-096 that is hatched in black on the attached Map identified as Exhibit A, was inadvertent or the result of the Councilmember's mistake or error of intent, or an error in the notification process to the property owner; and

WHEREAS, on September 16, 2025, the Council enacted Bill 54-25, which permits a Councilmember, by a resolution approved by the Council, to initiate a corrective change in zoning to an issue previously adopted by the Council through the CZMP for a specific property if the following circumstances are met:

(1) The corrective change is initiated by the Councilmember who filed the issue that is applicable to the specific property, or portion thereof;

(2) The corrective change must be to a property, or portion thereof, that was an issue last adopted during the CZMP held immediately prior to the proposed corrective change;

(3) The Councilmember initiating the corrective change must affirm in the resolution that the inclusion of a property, or portion thereof, as an issue or the zoning assigned was inadvertent or the result of the Councilmember's mistake or error of intent, or an error in the notification process to the property owner;

(4) The Department of Planning and the Planning Board must have recommended that the zoning for the subject property, or portion thereof, existing at the time the issue was filed by the Councilmember be retained; and

(5) The corrective change shall be subject to approval by the County Council; and

WHEREAS, with the introduction and passage of this Resolution, the Councilmember representing the 5th District seeks to initiate a corrective change for Issues 5-095, 5-171, and the

portion of 5-096 that is hatched in black on the attached Map identified as Exhibit A from the 2024 CZMP; now therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Baltimore County Council hereby requests that the Director of Planning, within 60 days of the passage of this Resolution, amend the official Comprehensive 5th District Zoning Map for Baltimore County and return the zoning of the properties, or portions thereof, that are the subject of the corrective change referenced herein to the zoning classification that existed prior to the commencement of the 2024 Comprehensive Zoning Map Process (CZMP); and

BE IT FURTHER RESOLVED, that the Councilmember representing the 5th District hereby affirms that the zoning assigned under Bill 60-24 to the property in Issues 5-095, 5-171, and the portion of 5-096 that is hatched in black on the attached Map identified as Exhibit A at the conclusion of the 2024 CZMP was inadvertent and the result of the Councilmember's mistake or error of intent, or an error in the notification process to the property owner; and

BE IT FURTHER RESOLVED, that, to correct this mistake, the Councilmember representing the 5th District hereby initiates this request for a corrective change under Bill 54-25 by introducing this Resolution; and

BE IT FURTHER RESOLVED, that the first four requirements under Bill 54-25 for such a corrective change are met, and with the approval of this Resolution by the County Council, the fifth and final requirement shall be met; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be sent to the Director of the Department of Planning for further action; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.