

acquired, a site plan is prepared for the public facility and the adjacent land together, and the adjacent land made available at the proper time for private development according to that plan; and that the acquisition of private property for such public facility area development projects is necessary and is hereby declared to be for a public purpose.

26A-3. Definitions.

(d) "Public Facility Area Plan" shall mean a site development plan, as it exists from time to time, specifying generally or in exact detail, as may be judged appropriate in specific instances by the County Council and County Executive, the location and types of land uses, activities, and improvements directed or permitted to take place both on the site occupied by the public facility and on the adjacent land acquired within the Public Facility Area.

(e) "Public Facility Area Development Project" shall mean and include all of the following activities, conducted in the sequence given:

(1) Holding of a public hearing by the Montgomery County Council on the designation of a proposed Public Facility Area, *which designation may be proposed by either the County Council or County Executive*, prior to the signing of a binding contract to purchase, *provided, however, that any proposal to designate an area as a Public Facility Area shall require the affirmative vote of four members of the County Council for approval and any such proposal approved by the Council shall be subject to veto by the County Executive and reapproval over any such veto by the affirmative vote of five members of the Council as provided in Section 208 of Article 2 of the Montgomery County Charter.*

(3) Preparation of a Public Facility Area Plan, *which plan may be proposed by either the County Executive or the County Council;*

(5) Conducting a public hearing on the Public Facility Area Plan prior to disposition of any land for private development, *provided, however, that any such plan shall be approved and be subject to veto and reapproval in the same manner as provided in subsection (e)(1) of this section, provided, however, that once a Public Facility Area Plan has been approved, the County Executive shall execute that plan in accordance with its terms and conditions;* and

26A-4. Powers and Authority of the Council Executive and Council generally.

(a) The County [Council] Executive for Montgomery County is hereby authorized and empowered to carry out and effectuate the purposes and provisions of this chapter:

(e) Sale, lease, etc., of property acquired. To sell, lease, convey, transfer or otherwise dispose of or retain any land or property acquired in a Public Facility Area, regardless of whether or not it has been developed, redeveloped, altered or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity. Prior to such disposition of