

BUSINESS DISTRICT AS DESIGNATED IN THE LOCAL ZONING ORDINANCE]] AND IN WHICH IS LOCATED A RAPID RAIL TRANSIT STATION SITE WHICH HAS RECEIVED FINAL APPROVAL, OR A PORTION OF SUCH SITE. A DESIGNATION MAY NOT BE MADE UNTIL AFTER THE EFFECTIVE DATE OF A NONEMERGENCY LAW ENACTED BY MONTGOMERY COUNTY ESTABLISHING A PROCESS BY WHICH EACH DEVELOPMENT DISTRICT SHALL BE DESIGNATED. THAT PROCESS SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING REQUIREMENTS:

(A) THE MONTGOMERY COUNTY EXECUTIVE OR MONTGOMERY COUNTY COUNCIL, PRIOR TO PROPOSING AN AREA FOR DESIGNATION AS A DEVELOPMENT DISTRICT, SHALL MAKE A GOOD FAITH EFFORT TO CONSULT WITH ALL OWNERS AND LEASEHOLDERS OF PROPERTIES WITHIN THE PROPOSED DEVELOPMENT DISTRICT AND WITH EACH MUNICIPALITY SUBJECT TO ARTICLE XI-A OF THE CONSTITUTION, ANY PORTION OF WHICH IS WITHIN THE PROPOSED DEVELOPMENT DISTRICT AND WITH EACH SPECIAL TAXING AREA WITH AN ELECTED GOVERNING BODY, ANY PORTION OF WHICH IS WITHIN A PROPOSED DEVELOPMENT DISTRICT, FOR THE PURPOSE OF EXPLAINING THE PROPOSAL AND EXPLORING ALTERNATIVE METHODS OF ACCOMPLISHING THE DESIRED GOALS.

(B) A DEVELOPMENT DISTRICT MAY BE PROPOSED BY EITHER THE COUNTY EXECUTIVE OR COUNTY COUNCIL BY RESOLUTION ADOPTED BY THE COUNTY COUNCIL AND APPROVED BY THE COUNTY EXECUTIVE. THE RESOLUTION SHALL INCLUDE:

(1) A STATEMENT, INCLUDING REASONS IN SUPPORT OF THE STATEMENT THAT THE AREA OF THE PROPOSED DISTRICT HAS NOT BEEN DEVELOPED, REDEVELOPED, RENOVATED OR REHABILITATED BECAUSE OF OBSOLETE PLATTING, SMALL LOTS, DIVERSITY OF OWNERSHIP OR INADEQUACY OF PUBLIC FACILITIES OR AMENITIES, OR ANY COMBINATION OF THESE FACTORS;

(2) A STATEMENT, INCLUDING REASONS IN SUPPORT OF THE STATEMENT, THAT EFFORTS OF THE PRIVATE SECTOR TO ASSEMBLE LAND OR PROPERTY WITHIN THE PROPOSED DEVELOPMENT DISTRICT, IN ACCORDANCE WITH APPROVED AND ADOPTED MASTER PLANS FOR THE AREA, HAVE BEEN UNSUCCESSFUL;

(3) A STATEMENT, INCLUDING REASONS IN SUPPORT OF THE STATEMENT, OF THE PUBLIC NEED FOR EXERCISING THE AUTHORITY CONTAINED IN ARTICLE [[XI-H]] XI-I OF THE CONSTITUTION WITHIN THE PROPOSED DEVELOPMENT DISTRICT;

(4) A STATEMENT OF THE EXPECTED IMPACT, INCLUDING, BUT NOT LIMITED TO, ENVIRONMENTAL AND ECONOMIC IMPACT, OF THE PROPOSED DISTRICT ON PUBLIC FACILITIES AND ON THE COMMUNITY;