

(1) A FINDING THAT THE AREA OF THE DEVELOPMENT DISTRICT HAS NOT BEEN RENOVATED, DEVELOPED, REDEVELOPED 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 FINDING 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 FINDING THAT THERE IS A PUBLIC NEED FOR THE DEVELOPMENT DISTRICT;

(4) A STATEMENT OF THE GEOGRAPHIC BOUNDARIES OF THE DISTRICT;

(5) A FINDING THAT DESIGNATION OF THE DISTRICT WILL ASSIST IN THE IMPLEMENTATION OF THE APPROVED AND ADOPTED MASTER PLAN OR PLANS FOR THE AREA; AND

(6) A STATEMENT OF THE TERMS AND CONDITIONS ACCOMPANYING THE CONSENT OF EACH MUNICIPAL CORPORATION SUBJECT TO ARTICLE ~~[[XI-H]]~~ XI-E OF THE MARYLAND CONSTITUTION INCLUDED, IN WHOLE OR IN PART, IN THE PROPOSED DISTRICT.

(D) A RESOLUTION DESIGNATING A DEVELOPMENT DISTRICT MAY BE ADOPTED ONLY IN THE FOLLOWING MANNER: THE COUNTY COUNCIL, WITH THE AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS, MAY ADOPT SUCH A RESOLUTION WHICH, WITHIN THREE DAYS, SHALL BE DELIVERED TO THE COUNTY EXECUTIVE, WHO WITHIN 30 DAYS OF RECEIPT, MAY APPROVE OR DISAPPROVE IT. IF THE COUNTY EXECUTIVE DISAPPROVES THE RESOLUTION, HE SHALL RETURN IT TO THE COUNCIL WITH THE REASONS FOR HIS DISAPPROVAL STATED IN WRITING. THE COUNCIL MAY THEN READOPT THE RESOLUTION OVER THE DISAPPROVAL OF THE COUNTY EXECUTIVE BY THE AFFIRMATIVE VOTE OF FIVE MEMBERS. ANY SUCH RESOLUTION WHICH IS NEITHER APPROVED NOR DISAPPROVED BY THE COUNTY EXECUTIVE SHALL TAKE EFFECT ON THE THIRTY-FOURTH DAY AFTER ADOPTION BY THE COUNTY COUNCIL.

28A-2.

IN DULY DESIGNATED DEVELOPMENT DISTRICTS, MONTGOMERY COUNTY MAY:

(A) ACQUIRE LAND OR PROPERTY, OR BOTH, OF ANY KIND, AND ANY RIGHT, INTEREST, EASEMENT OR PRIVILEGE THEREIN, BY PURCHASE, LEASE, GIFT, CONDEMNATION OR ANY OTHER LEGAL MEANS, FOR OR IN CONNECTION WITH THE