

## MONTGOMERY COUNTY

THE AGREEMENT SHALL BE SIGNED BY THE APPLICANT AND ALL OTHER NECESSARY PARTIES WHOSE SIGNATURES ARE REQUIRED BY LAW FOR THE EFFECTIVE AND BINDING EXECUTION OF CONTRACTS DEALING WITH REAL PROPERTY. IF THE APPLICANT IS A CORPORATION, THE AGREEMENT SHALL BE SIGNED BY THE PRINCIPAL OFFICERS OF THE CORPORATION INDIVIDUALLY AND ON BEHALF OF THE CORPORATION. IT IS THE INTENT OF THIS REQUIREMENT TO PREVENT PARTNERSHIPS, ASSOCIATIONS, OR CORPORATIONS FROM EVADING THE REQUIREMENTS OF THIS CHAPTER THROUGH VOLUNTARY DISSOLUTION. THE AGREEMENT MAY BE ASSIGNED, SUBJECT TO COUNTY APPROVAL, PROVIDED THAT THE ASSIGNEES FULFILL THE REQUIREMENTS OF THIS CHAPTER.

THE APPLICANT SHALL ALSO FILE WITH THE FIRST APPLICATION FOR A BUILDING PERMIT HEREUNDER A STATEMENT OF ALL LAND OWNED BY THE APPLICANT AVAILABLE FOR BUILDING DEVELOPMENT WITHIN THE COUNTY AS DEFINED IN SECTION 25A-3 HEREOF. FOR SUBSEQUENT APPLICATIONS, ONLY SUBMISSION OF CHANGES IN OWNERSHIP SHALL BE REQUIRED SHOWING ADDITIONS AND DELETIONS TO THE ORIGINAL STATEMENT OF LANDHOLDINGS AVAILABLE FOR BUILDING DEVELOPMENT WITHIN THE COUNTY.

THE WRITTEN AGREEMENT SHALL INDICATE THE NUMBER, TYPE, LOCATION AND PLAN FOR STAGING CONSTRUCTION OF ALL DWELLING UNITS AND SUCH OTHER INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF DETERMINING THE APPLICANT'S COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER. THE STAGING PLAN FOR ALL DWELLING UNITS UNDER THE BUILDING PERMIT SHALL BE SO ARRANGED THAT MODERATELY PRICED DWELLING UNITS WILL BE CONSTRUCTED ALONG WITH OR PRECEDING OTHER DWELLING UNITS, IT BEING THE INTENT OF THIS PROVISION THAT ALL HIGHER PRICED DWELLING UNITS SHALL NOT FIRST BE CONSTRUCTED BEFORE THE APPLICANT CONSTRUCTS ANY MODERATELY PRICED DWELLING UNITS.

IN THE EVENT THAT AN APPLICANT DOES NOT CONSTRUCT THE MODERATELY PRICED DWELLING UNITS CONTAINED IN THE STAGING PLAN ALONG WITH OR PRECEDING OTHER DWELLING UNITS, THE DIRECTOR IS AUTHORIZED TO WITHHOLD THE ISSUANCE OF SUBSEQUENT BUILDING PERMITS TO THAT APPLICANT UNTIL SUCH TIME AS THE MODERATELY PRICED DWELLING UNITS CONTAINED IN THE STAGING PLAN ARE CONSTRUCTED.

25A-5. OPTIONAL ZONING PROVISIONS; WAIVER OF REQUIREMENT.

(A) OPTIONAL ZONING PROVISION. CONTEMPORANEOUSLY WITH THE ENACTMENT OF THIS CHAPTER, THE COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND, SITTING AS A DISTRICT COUNCIL FOR THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN MONTGOMERY COUNTY, MARYLAND, HAS ENACTED OR WILL ENACT REVISIONS TO THE TEXT OF THE ZONING ORDINANCE FOR THE COUNTY TO PROVIDE IN CERTAIN ZONES OPTIONAL DENSITY