

time and according to specifications fixed by or in accordance with the [regulations] THIS ARTICLE. For this purpose any court of competent jurisdiction has jurisdiction to issue restraining orders and temporary or permanent injunctions or mandamus or other appropriate forms of remedy or relief.

7-121.

(A) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "DEVELOPMENT" MEANS ANY ACTIVITY, OTHER THAN NORMAL AGRICULTURAL ACTIVITY, WHICH MATERIALLY AFFECTS THE EXISTING CONDITION OR USE OF ANY LAND OR STRUCTURE.

(2) "DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT" OR "AGREEMENT" MEANS AN AGREEMENT, APPROVED BY THE DISTRICT COUNCIL OR THE COUNTY EXECUTIVE, AS APPROPRIATE, MADE BETWEEN A PLANNING BOARD OF THE COMMISSION, OR ITS DESIGNEE, A REVIEWING ENTITY, AND A PERSON HAVING A LEGAL OR EQUITABLE INTEREST IN REAL PROPERTY FOR THE PURPOSE OF ESTABLISHING CONDITIONS UNDER WHICH DEVELOPMENT OF THE PROPERTY MAY PROCEED FOR A SPECIFIED TIME.

(3) "REGULATORY PLAN" MEANS AN APPLICATION PROPOSING DEVELOPMENT ON PRIVATELY OWNED LAND THAT MUST BE SUBMITTED TO A PLANNING BOARD OF THE COMMISSION FOR REVIEW AND FINAL APPROVAL UNDER THIS ARTICLE OR UNDER MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY LAWS AND REGULATIONS.

(4) "REVIEWING ENTITY" MEANS THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY, UNLESS OTHERWISE INDICATED, OR OTHER LOCAL, STATE, OR FEDERAL GOVERNMENT OR UNIT THAT AGREES TO EXECUTE AN AGREEMENT.

(B) THIS SECTION ONLY APPLIES TO MONTGOMERY COUNTY.

(C) (1) THE DISTRICT COUNCIL MAY ADOPT ORDINANCES, CONSISTENT WITH THIS SECTION, THAT ESTABLISH PROCEDURES AND REQUIREMENTS FOR THE EXECUTION OF DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENTS.

(2) AN ORDINANCE MAY SPECIFY THE CIRCUMSTANCES UNDER WHICH A PERSON MAY REQUEST THE NEGOTIATION AND EXECUTION OF AN AGREEMENT BASED UPON:

(I) THE SIZE, USE, ZONING, OR STAGING PLAN OF THE PROPOSED DEVELOPMENT; OR

(II) OTHER RELEVANT FACTORS, INCLUDING THE PROVISION OF PUBLIC BENEFITS OR AMENITIES OR GROWTH MANAGEMENT POLICIES ADOPTED BY THE COUNTY.

(3) AN ORDINANCE ADOPTED UNDER THIS SECTION BY A DISTRICT COUNCIL, ~~MUST~~ SHALL AUTHORIZE THE PLANNING BOARD OF THE COMMISSION TO: