

BY THE PLANNING BOARD OR COUNTY AND, IF APPLICABLE, THOSE ADOPTED, ENACTED, OR PROMULGATED BY A REVIEWING ENTITY AND IN EFFECT WHEN THE PROJECT WAS REVIEWED AND APPROVED BY THE BOARD AND REVIEWING ENTITY; AND

(2) THE PROJECT MAY BE CONSTRUCTED WITHOUT EFFECT BY AND REGARD TO MODIFICATIONS THAT MAY SUBSEQUENTLY OCCUR TO SUCH APPLICABLE LAWS, RULES, AND REGULATIONS, EXCEPT AS PROVIDED IN SUBSECTION (K) OF THIS SECTION.

~~(H)~~ (J) (1) AFTER A PUBLIC HEARING, THE PARTIES TO AN AGREEMENT MAY AMEND THE AGREEMENT BY MUTUAL CONSENT, PROVIDED THAT ANY SUBSTANTIAL MODIFICATION MUST BE APPROVED BY THE DISTRICT COUNCIL OR COUNTY EXECUTIVE, AS APPROPRIATE.

(2) A PLANNING BOARD MAY NOT AMEND AN AGREEMENT, UNLESS IT MAKES A DETERMINATION THAT THE PROPOSED AMENDMENT TO THE AGREEMENT IS CONSISTENT WITH THE COMMISSION'S GENERAL PLAN.

~~(H)~~ (K) (1) THE PARTIES TO AN AGREEMENT MAY TERMINATE THE AGREEMENT BY MUTUAL CONSENT.

(2) AFTER A PUBLIC HEARING, THE PLANNING BOARD WITH THE APPROVAL OF THE DISTRICT COUNCIL OR COUNTY EXECUTIVE, AS APPROPRIATE, MAY SUSPEND OR TERMINATE AN AGREEMENT IF IT DETERMINES THAT SUSPENSION OR TERMINATION IS ESSENTIAL TO ENSURE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

~~(K)~~ (L) AN AGREEMENT MAY NOT PREVENT A PLANNING BOARD, DISTRICT COUNCIL, COUNTY EXECUTIVE, OR OTHER LOCAL, STATE, OR FEDERAL GOVERNMENT FROM REQUIRING A PERSON TO COMPLY WITH THE LAWS, RULES, REGULATIONS, AND POLICIES, ADOPTED, ENACTED, OR PROMULGATED AFTER THE DATE OF THE AGREEMENT, IF EITHER THE DISTRICT COUNCIL OR COUNTY EXECUTIVE, AS APPROPRIATE, ~~DETERMINE~~ DETERMINES THAT IMPOSITION AND COMPLIANCE WITH THESE LAWS AND REGULATIONS IS ESSENTIAL TO ENSURE THE PUBLIC HEALTH, SAFETY, OR WELFARE OF RESIDENTS OF ALL OR PART OF THE JURISDICTION.

~~(L)~~ (M) (1) AN AGREEMENT SHALL BE VOID IF NOT RECORDED IN THE LAND RECORDS OFFICE OF THE JURISDICTION WITHIN 20 DAYS AFTER THE DATE ON WHICH THE PARTIES EXECUTE THE AGREEMENT.

(2) WHEN AN AGREEMENT IS RECORDED, THE PARTIES TO THE AGREEMENT AND THEIR SUCCESSORS IN INTEREST ARE BOUND TO THE AGREEMENT.

~~(M)~~ (N) UNLESS TERMINATED UNDER SUBSECTION ~~(H)~~ (K) OF THIS SECTION, AN AGREEMENT MAY BE ENFORCED BY THE PARTIES TO THE AGREEMENT OR THEIR SUCCESSORS IN INTEREST, UTILIZING ALL REMEDIES AVAILABLE BY LAW. NO RIGHT TO AN ADMINISTRATIVE APPEAL ARISES FROM THE NEGOTIATION OR ENFORCEMENT OF AN AGREEMENT.