

DRAFTER'S NOTE: In subsection (a)(1) of this section, the former reference to "of a county or municipal corporation, including Baltimore City," is deleted as included within the defined term "local legislative body".

Development Rights and Responsibilities Agreements

13.01. Agreements.

(a) (1) In this section[,] the following words have the meanings indicated.

(2) "Agreement" means A development rights and responsibilities agreement.

[(3) "Commission" means a planning and zoning commission or similar body.]

[(4)] (3) "Governing body" means the local legislative body, the local executive, or other elected governmental body that has zoning powers under this article.

[(5)] (4) "Public principal" means the governmental entity of a LOCAL jurisdiction that has been granted the authority to enter agreements under subsection (b)(1) of this section.

(b) (1) Subject to subsections (c) through (l) of this section, the governing body of a LOCAL jurisdiction may:

(i) By ordinance, establish procedures and requirements for the consideration and execution of agreements; and

(ii) Delegate all or part of the authority established under the ordinance to a public principal within the jurisdiction of the governing body.

(2) The public principal may:

(i) Execute agreements for real property located within jurisdiction of the governing body with a person having a legal or equitable interest in the real property; and

(ii) Include a federal, State, or local government or unit as an additional party to the agreement.

(c) Before entering an agreement, a person having a legal or equitable interest in real property or the [representative of a person having a legal or equitable interest in real property] PERSON'S REPRESENTATIVE shall petition [to] the public principal of the LOCAL jurisdiction in which the property is located.

(d) (1) After receiving a petition and before entering an agreement, the public principal shall conduct a public hearing.

(2) [If a] A public hearing THAT is [already] required for approval of the development[, that public hearing may satisfy] SATISFIES the public hearing [provisions under paragraph (1) of this subsection] REQUIREMENTS.