

under certain circumstances; requiring that agreements include certain provisions; allowing inclusion of additional provisions; requiring that any extension be approved by the District Council; establishing that certain laws, rules, regulations, and policies govern agreements under certain circumstances; authorizing certain persons to amend or terminate agreements under certain circumstances; providing for the effect of recording of an agreement under certain circumstances; establishing the rights of parties to enforce an agreement; defining certain terms; providing that this Act is self-executing; and generally relating to development rights and responsibilities agreements in Prince George's County.

BY adding to

Article 28 - Maryland-National Capital Park and Planning Commission
Section 7-121.1
Annotated Code of Maryland
(1997 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 28 - Maryland-National Capital Park and Planning Commission

7-121.1.

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

(1) "DEVELOPER" MEANS A PERSON HAVING A LEGAL OR EQUITABLE INTEREST IN REAL PROPERTY LOCATED IN PRINCE GEORGE'S COUNTY.

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

(3) "DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT" OR "AGREEMENT" MEANS AN AGREEMENT, NEGOTIATED AND EXECUTED BY THE COUNTY EXECUTIVE OR THE COUNTY EXECUTIVE'S DESIGNEE, WITH THE APPROVAL OF THE DISTRICT COUNCIL, FOR THE PURPOSE OF ESTABLISHING CONDITIONS FOR ADVANCING SCHOOL CAPACITY.

(B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(C) ~~THE DISTRICT COUNCIL MAY:~~

~~(1) ESTABLISH PROCEDURES AND REQUIREMENTS FOR THE CONSIDERATION AND EXECUTION OF DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENTS, INCLUDING PROVISIONS FOR NEGOTIATION AND APPROVAL IN ACCORDANCE WITH THIS SECTION; AND~~

~~(2) APPROVE DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENTS NEGOTIATED BY THE COUNTY EXECUTIVE.~~