

(1) ADMINISTER AND ENFORCE ANY ADOPTED GROWTH POLICY OR FOREST CONSERVATION PROGRAM; AND

(2) PROVIDE STAFFING ASSISTANCE TO ANY BOARD OR COMMISSION THAT ADMINISTERS COUNTY LAWS, ORDINANCES, OR RESOLUTIONS PROMOTING ON MATTERS RELATING TO THE PROMOTION OF HISTORIC PRESERVATION.

7-116.

(a) In exercising the powers granted to it by § 7-115 of this [article] TITLE, the Commission or the governing body of either county may prepare regulations and amendments governing the subdivision of land within the regional district or the respective portions of the regional district within Montgomery or Prince George's County. The regulations and amendments shall be adopted by the respective governing bodies of the counties, with whatever changes they consider appropriate, and shall be effective from the date of adoption or from such other date the governing body designates provided that such adoption does not affect in any manner the administration of the regulations by the Commission or its functions under § 7-115 [hereof] OF THIS TITLE. In Montgomery County, on the adoption of any subdivision regulation or amendment by the district council, the regulation or amendment shall be delivered within 3 days to the County Executive who within 10 days thereafter shall approve or disapprove the regulation or amendment. If the County Executive disapproves the regulation or amendment, it shall be returned to the council with the reasons for the disapproval stated in writing. The council, by the affirmative vote of 6 members, may enact the regulation or amendment over the disapproval of the County Executive. Failure of the County Executive to act within 10 days constitutes approval of the regulation or amendment. The regulations may provide for (1) the harmonious development of the district; (2) the coordination of roads within the subdivision with other existing planned or platted roads or with other features of the district or with the Commission's general plan or with any road plan adopted or approved by the Commission as part of the Commission's general plan; (3) adequate open spaces for traffic, recreation, light, and air, by dedication or otherwise, and the dedication to public use or conveyance of areas designated for dedication under the provisions of the zoning and subdivision regulations and for the payment of a monetary fee, in lieu of dedication, not to exceed 5 percent of the total new market value of the land, as stated on the final assessment notice issued by the State Department of Assessments and Taxation, that is the subject of an approved preliminary plan of subdivision to be used by the Commission to purchase open spaces for the use and benefit of the subdivision in cases where dedication would be impractical, provided that when, in the judgment of the Commission, suitable land is not available for acquisition to serve the subdivision from which a fee has been exacted, or if adequate open space has heretofore been acquired and is available to serve the subdivision, then the Commission may use the fee collected in lieu of dedication to develop or otherwise improve land or recreational facilities that will assist in supplying the overall recreational needs of the subdivision, and further provided that if the subdivision is in a municipality in Prince George's County that is not within the metropolitan district but is within the regional district and when requested by the municipality the mandatory fee in lieu of dedication received by the Commission shall be paid to and used by the municipality either to purchase open space for the use and