

**AMENDMENT 1a to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:**

Council Member McKay (District 2)

**Introduction Date:**

May 7, 2019

**Adopted/Rejected/Withdrawn:**

6-1; Y: KA,SM,JF,MB,KH,PD; N: JD

Page 2 – § 1-25-3. Petition, paragraph (C) is amended as follows:

**(C) A PROPOSED DEVELOPMENT WITH A RESIDENTIAL COMPONENT MUST CONTAIN AT LEAST ~~[1,500]~~900 DWELLING UNITS TO BE ELIGIBLE FOR A DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT, UNLESS THE DEVELOPMENT IS A MIXED USE DEVELOPMENT DISTRICT, IN WHICH CASE A MINIMUM OF 600 DWELLING UNITS ARE REQUIRED FOR ELIGIBILITY.**

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EXPLANATION:

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRR BILL.**

[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRR Bill.

**AMENDMENT 1b to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:**

Council Member McKay (District 2)

**Introduction Date:**

May 7, 2019

**Adopted/ Rejected/Withdrawn:**

4-3; Y: SM,MB,KH,PD; N: KA,JD,JF

Page 5 – § 1-25-12. Time Limits, is amended as follows:

THE TERM OF AN AGREEMENT SHALL NOT EXCEED ~~FIVE (5)~~ **EIGHT (8)** YEARS FROM THE DATE OF EXECUTION OF THE AGREEMENT.

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EXPLANATION:

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRRA BILL.**

[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRRA Bill.

**AMENDMENT 2 to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:** Council Member McKay (District 2)  
**Introduction Date:** May 7, 2019  
**Adopted/Rejected/Withdrawn:** 7-0; Y: KA,JD,SM,JF,MB,KH,PD

Page 2 – § 1-25-4. Contents of Development Rights and Responsibilities Agreement, paragraph (12) is amended as follows:

**(12) AN ESTIMATED COST OR VALUE OF THE ENHANCED PUBLIC BENEFITS PROVIDED BY THE APPLICANT TO THE COUNTY IN EXCHANGE FOR THE BENEFITS RECEIVED BY THE APPLICANT, AND THE TIMEFRAME WITHIN WHICH THE APPLICANT WILL PROVIDE THE ENHANCED PUBLIC BENEFITS[ ~~WILL BE PROVIDED;~~], IN ACCORDANCE WITH THE FOLLOWING:**

- (A) IF AN ENHANCED PUBLIC BENEFIT OF LAND IS TO BE PROVIDED, THE LAND SHALL BE TRANSFERRED TO THE COUNTY PRIOR TO THE EXPIRATION DATE OF THE AGREEMENT; AND**
- (B) IF AN ENHANCED PUBLIC BENEFIT IS TO BE PROVIDED IN THE FORM OF CONSTRUCTION OF OR IMPROVEMENT TO A PUBLIC FACILITY, IT SHALL BE ASSURED BY THE APPLICANT SUBMITTING A FINANCIAL GUARANTEE (E.G., A LETTER OF CREDIT OR A PERFORMANCE BOND), AND SUCH GUARANTEE SHALL BE PROVIDED PRIOR TO THE EXPIRATION DATE OF THE AGREEMENT;**

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**EXPLANATION:**

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRRA BILL.**

**[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRRA Bill.**

**AMENDMENT 3 to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:**

Council Member McKay (District 2)

**Introduction Date:**

May 7, 2019

**Adopted/Rejected/Withdrawn:**

5-2; Y: KA,SM,JF,MB,KH; N: JD,PD

Page 3 – § 1-25-4. Contents of Development Rights and Responsibilities Agreement, paragraph (F) is amended as follows:

(F) Any superior interest with a power of sale must be subordinated to the position of the county [~~or acceptable finance guarantees must be provided~~].

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EXPLANATION:

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRA BILL.**

[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRA Bill.

**AMENDMENT 4 to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:** Council Member McKay (District 2)  
**Introduction Date:** May 7, 2019  
**Adopted/Rejected/Withdrawn:** 6-1; Y: KA,JD,SM,JF,MB,KH; N: PD

Page 5 – § 1-25-14. Appeals, is amended as follows:

(A) Any person aggrieved by an agreement [~~OR AN AMENDMENT TO AN AGREEMENT~~] may file an [appeal in the Circuit Court for Frederick County, Maryland] **ADMINISTRATIVE APPEAL AS SET FORTH IN § 9-1005 OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND.**

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**EXPLANATION:**

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRRA BILL.**

[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRRA Bill.

**AMENDMENT 5 to Bill 19-05 on Development Rights and Responsibilities Agreements (DRRAs)**

**Introduced By:** Council Member McKay (District 2)

**Introduction Date:** May 7, 2019

**Adopted/Rejected/Withdrawn:** 7-0; Y: KA,JD,SM,JF,MB,KH,PD

Page 5 – § 1-25-1. Definitions, is amended as follows:

**AGREEMENT.** A development rights and responsibilities agreement, **INCLUDING ANY AMENDMENT.**

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EXPLANATION:

**BOLD CAPITALS INDICATE MATTER ADDED TO THE DRRA BILL.**

[Brackets and ~~strikethrough~~] indicate matter deleted from the DRRA Bill.