

COUNCIL OF THE TOWN OF LA PLATA
Ordinance 08-6

Introduced By:	Mayor Gene Ambrogio
Date Introduced:	March 25, 2008
Planning Commission Public Hearing:	[Not Required]
Town Council Public Hearing:	April 22, 2008
Amendments Adopted:	
Date Adopted:	April 22, 2008
Date Effective:	May 8, 2008

1 **An Ordinance** concerning

2
3 **Heritage Green Development Rights and Responsibilities Agreement**

4
5 **FOR** the purpose of approving a certain Development Rights and Responsibilities Agreement to
6 apply to the development of the Heritage Green mixed use community; authorizing the Town
7 Manager to execute this Agreement on behalf of the Town; providing that the enactment and
8 taking effect of this Ordinance is contingent upon the enactment and taking effect of certain
9 other legislation; and matters generally related to the development of the Heritage Green
10 community.

11
12 **EXPLANATORY STATEMENT:** Pursuant to Section 13.01, Article 66B, Annotated Code
13 of Maryland, the Town of La Plata, Maryland and the Commissioners of Charles County, Maryland
14 are authorized to enter into binding development rights and responsibility agreements with persons
15 having legal or equitable interest in the land that is being developed for the Heritage Green mixed use
16 community. The Development Rights and Responsibilities Agreement attached to this Ordinance as
17 Exhibit 1 (“DRRA”) has been negotiated between the Town, the County Commissioners of Charles
18 County, and Heritage Green Development, LLC, the developer of the Heritage Green community.
19 The La Plata Planning Commission has reviewed the DRRA and has found its terms, provisions,
20 conditions, and obligations to be consistent with the Comprehensive Plan for the Town of La Plata.
21 The Town Council believes that the DRRA is in the interests of the Town of La Plata, its residents,
22 and the residents of Charles County. Now, therefore,

23

24 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA**
 25 that the DRRRA is hereby approved. The Town Manager is hereby authorized to execute on behalf of
 26 the Town the DRRRA in the form attached to this Ordinance or in a form substantially similar thereto
 27 containing such non-material revisions, modifications or corrections as the Town Manager deems
 28 appropriate.

29
 30 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
 31 **TOWN OF LA PLATA** that the enactment and taking effect of this Ordinance is contingent upon
 32 the La Plata Town Council enacting, and the taking effect of, Ordinance No. 08-5 (School Seat
 33 Allocation Policy Exemption Revision), and if Ordinance No. 08-5 is not enacted or does not take
 34 effect, then this Ordinance shall be null and void without any further action of the Town Council. If
 35 Ordinance No. 08-5 is enacted and takes effect, then this Ordinance shall become effective at the
 36 expiration of fifteen (15) calendar days after its approval by the Council or when Ordinance No. 08-
 37 05 takes effect, whichever is later.

38
 39 **ADOPTED** this 22nd day of April, 2008.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Gene Ambrogio, Mayor

James Goldsmith, Councilman

Scot D. Lucas, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk
Date: _____

Vic E. Newman, Councilman