

**Amendment 3 to Council Resolution No. 49-2019**

**BY: Deb Jung**

**Legislative Day 6  
Date: May 6, 2019**

**Amendment No. 3**

*(This amendment:*

- 1. Deletes provisions of the Development Rights and Responsibilities Agreement (“DRRA”) that prohibit Howard County, with certain exceptions, without the prior written consent of the Petitioner from taking specified actions to affect the Petitioner’s current rights to own, develop, redevelop, operate, and use the Undeveloped Petitioner Property in accordance with laws, rules, regulations, and policies in effect on the effective date of the Agreement;*
- 2. Specifies that the review of any development approvals requested by the Petitioner regarding the Petitioner property are to be performed consistent with Howard County’s development review process and in accordance with the applicable laws, rules, and regulations in effect at the time that the development approvals are requested; and*
- 3. Deletes provisions of the DRRA concerning the Undeveloped Petitioner Property that require the application of the laws, rules, regulations, and policies in force on the effective date of the DRRA.)*

1 In the DRRA, attached to the Council Resolution as Exhibit 1:

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3 1. On page 4, strike in its entirety Section 1.3.

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2. On page 4, strike in its entirety Section 1.4 and substitute:  
“1.3 Development Review. Howard County shall use its best efforts to ensure that (A) the processing and review of any development approvals requested by Petitioner regarding the Petitioner Property, including, without limitation, subdivision plans; site development plans; zoning and similar applications; and the issuance of grading, building, and occupancy permits, are performed consistent with Howard County’s development review process and in accordance with the applicable laws, rules, and regulations in effect at the time that the development approvals are requested.”.

3. On pages 4 and 5, strike “1.5”, “1.6”, and “1.7”, respectively, and substitute “1.4”, “1.5”, and “1.6”, respectively.

4. On page 7, strike in its entirety Section 4.1.B. and substitute:  
“B. Except as provided in Section 4.1.C herein, the laws, rules, regulations, and policies that govern the ownership, development, redevelopment, operation, use, density, and intensity of the Quarry and the Quarry Property shall be the laws, rules, regulations, and policies, if any, in force on the Effective Date of this Agreement, including, without limitation, the Special Exception Approval as regards the Quarry and the Quarry Property.”.

5. On page 7, strike in its entirety Section 4.1D. and substitute:  
“D. In the event Howard County takes any action to subject the Quarry and/or the Quarry Property to any new or modified laws, rules, regulations, or policies after the Effective Date of this Agreement under Section 4.1C, Petitioner shall be relieved of any and all obligations under this Agreement.”.