

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 11/19/2001

**Reference No.:** CB-40-2001

**Proposer:** Russell

**Draft No.:** 3

**Sponsors:** Russell, Shapiro, Scott, Wilson, Estep

**Item Title:** An Act amending the provisions for determining school facilities adequacy at the time of preliminary plat of subdivision and building permit

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**Drafter:** Kimberly Shearin-Cotton  
M-NCPPC  
Legislative Coordinator

**Resource** Jackie Brown  
**Personnel:** Director  
PZED Committee

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**LEGISLATIVE HISTORY:**

**Date Presented:** 6/12/2001

**Executive Action:** 12/12/2001 S

**Committee Referral:** 6/12/2001 C.O.W.

**Effective Date:** 1/14/2002

**Committee Action: 1** 6/19/2001 HELD

**Committee Action: 2** 10/15/2001 FAV(A)

**Date Introduced:** 10/16/2001

**Public Hearing:** 11/19/2001 1:30 P.M.

**Council Action:** 11/19/2001 ENACTED

**Council Votes:** RVR:N, DB:A, JE:A, IG:N, TH:A, AS:A, PS:A, MW:A

**Pass/Fail:** P

**Remarks:** See also CR-23-2001

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11/19/2001: Amended on the floor; DR-3 enacted

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**COMMITTEE OF THE WHOLE**

**DATE: 10/15/2001**

Committee Vote: Favorable with amendments, 5-2 (In favor: Council Members Bailey, Estep, Scott, Shapiro and Wilson; Opposed: Council Members Gourdin and Maloney)

The legislation follows CB-3-1997 and CB-15-1999, to change the process for testing residential subdivisions for school facilities adequacy. The bill adopts recommendations in the report of

Commission 2000, with modifications. School clusters are used for the adequacy testing, rather than individual schools; 105% of State-rated capacity is used as the primary standard; school funding through the CIP process is taken into account, in the testing; and developer agreements to advance school capacity are authorized.

Council and Planning Department staff revised substantially the first draft of CB-40-2001, to incorporate changes proposed at Committee of the Whole sessions in October.

### **BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

This legislation changes the method of testing proposed development for adequate public facilities for schools. The new test includes the use of school clusters and actual school enrollment, changes the capacity threshold and requires three-year and six-year waits where applicable. Developments of significant impact may proffer a school facilities agreement with the County as an alternative to a wait and to alleviate the inadequacy by advancing the capacity.

### **CODE INDEX TOPICS:**