COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No.   CB-58-1996

Chapter No.

Proposed and Presented by   Council Member Maloney

Introduced by

Co-Sponsors

Date of Introduction

SUBDIVISION BILL

AN ACT concerning

Adequate Public Facilities

For the purpose of establishing an adequate public facilities test for schools at the time of preliminary plat of subdivision.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Sections 24-122.01,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 24-122.01 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.

DIVISION 3. REQUIREMENTS: PLANNING, DESIGN, AND PUBLIC FACILITIES.

Sec. 24-122.01. Adequacy of public facilities.

(a) The Planning Board may not approve a subdivision plat if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities," "Guidelines for the Analysis of Development Impact on Police Facilities" [and], "Guidelines for the Analysis of the Traffic Impact of Development

Proposals[.]," and subsection (e) below.

<p style="text-align:center">*   *   *   *   *</p>

(e) School facilities.

(1) Before any preliminary plat may be approved, the Planning Board shall find adequacy in accordance with subsection (A), (B), or (C) below:

(A) The number of students generated by the proposed subdivision at each stage of the proposed subdivision will not exceed one hundred percent (100%) of the rated capacity of the affected elementary, middle, and high schools, as determined by the Planning Board pursuant to the guidelines provided in (I) through (IV), below.

(I) The number of elementary, middle, and high school students generated by the proposed subdivision shall be determined in accordance with the pupil yield factors for each dwelling unit type provided by the Board of Education.

(II) The elementary, middle, and high schools serving the property at the time of review of the subdivision shall be determined and shall be considered the "affected" schools.

(III) The Board of Education's five-year projected enrollment, which shall include the cumulative yield from all approved preliminary and record plats, for each affected school, shall be added to the number of students generated by the proposed subdivision, as determined in subsection (I) above.

(IV) The total projected number of students for each affected school, as determined in subsection III, above, shall be compared to the rated capacity of each affected school.

(B) An addition to the affected school or a new school to serve the students generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for construction of the facility included in the adopted Capital Improvement Program, and the projected enrollment of the new or expanded school will not exceed one hundred percent (100%) of its rated capacity.

(C) Improvements participated in or funded by the subdivider will alleviate any inadequacy as determined under subsection (A), above. The developer contribution to

alleviate an inadequacy shall be five thousand dollars ($5,000) per seat, which represents the average capital cost of the addition of one classroom seat.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect thirty (30) calendar days from the date it becomes law.

Adopted this _____ day of _____ , 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____   BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.