

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
1998 Legislative Session

Bill No. CB-104-1998
 Chapter No. 80
 Proposed and Presented by Council Member Scott
 Introduced by Council Member Scott
 Co-Sponsors _____
 Date of Introduction September 22, 1998

BILL

1 AN ACT concerning

2 Adequate School Facilities

3 For the purpose of exempting certain subdivisions from the requirement for a school facilities
 4 test.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 24. SUBDIVISIONS.

7 Section 24-122.02,

8 The Prince George's County Code

9 (1995 Edition, 1997 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 11 Maryland, that Section 24-122.02(c) of the Prince George's County Code be and the same is
 12 hereby repealed and reenacted with the following amendments:

13 SUBTITLE 24. SUBDIVISIONS.

14 DIVISION 3. REQUIREMENTS: PLANNING, DESIGN,

15 AND PUBLIC FACILITIES.

16 Section 24-122.02. School Facilities Tests.

17 * * * * *

18 (c) Notwithstanding the above requirements, building permits may be approved without
 19 the payment of an adequate school facilities fee for the following:

20 (1) A subdivision which is a redevelopment project that replaces existing dwelling
 21 units.

1 (2) A subdivision for less than thirty-six (36) dwelling units which will be developed
 2 in a Revitalization Tax District as provided in Subtitle 10 of this Code where the proposed
 3 subdivision is not included in a larger Comprehensive Design or Mixed Use Zone development.

4 (3) A subdivision for less than thirty-six (36) dwelling units, which will not be served
 5 by public water and sewerage systems, is not included in a larger Comprehensive Design or
 6 Mixed Use Zone development, and for which the applicant/owner, or their predecessors in
 7 interest and/or title, did not own any property adjacent to the proposed subdivision as of May 31,
 8 1997. For purposes of this Section, land is considered adjacent if the property lines are
 9 contiguous at any point; are separated only by a public or private street, road, highway, utility
 10 right-of-way, or other public or private rights-of-way at any point; or are separated only by other
 11 land of the applicant/owner or their predecessors in interest and/or title which is not subject to
 12 this Section at the time the applicant submits a preliminary plat of subdivision for approval.

13 (4) A subdivision for elderly housing operated in accordance with State and Federal
 14 Fair Housing law.

15 (5) A subdivision containing no more than three (3) lots on less than five (5) gross
 16 acres of land and for which the lots, except for one to be retained by grantor, are to be conveyed
 17 to a son or daughter or lineal descendant of the grantor.

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

Adopted this 28th day of October, 1998.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
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.