

Prince George's County Council Agenda Item Summary

Meeting Date: 11/16/2004
Reference No.: CB-089-2004
Draft No.: 3
Proposer(s): Peters, Dean, Dernoga, Exum, Harrington, Knotts, Bland
Sponsor(s):
Item Title: A Subdivision Bill amending the test for adequate public facilities at the time of preliminary plat of subdivision and establishing a new adequate public safety facilities test

Drafter: Karen T. Zavakos, Assistant Legislative Officer
Resource Personnel: Richard J. Santos, Legislative Aide

LEGISLATIVE HISTORY:

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|------------------------|-----------------------|--------------------------|--------------|
| Date Presented: | 9/14/2004 | Executive Action: | 11/22/2004 S |
| Committee | 9/14/2004 - PSFM | Effective Date: | 12/23/2004 |
| Referral: | | | |
| Committee | 9/22/2004 - FAV(A) | | |
| Action: | | | |
| Date | | | |
| Introduced: | 10/5/2004 | | |
| Public Hearing: | 11/16/2004 - 10:00 AM | | |

Council Action
(1) 11/16/2004 - ENACTED

Council Votes: MB:A, SHD:A, TD:A, CE:A, DCH:A, TH:-, TK:A, DP:A

Pass/Fail: P

Remarks: The provisions of CB-89-2004 (DR-3) shall not apply to those applications filed and accepted by the Planning Board as of the close of business November 16, 2004.

AFFECTED CODE SECTIONS:

24-122.01

COMMITTEE REPORTS:

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE

Date 9/22/2004

Committee Vote: Favorable as amended, 4-1, (In Favor: Councilmembers Peters, Exum, Harrington and Knotts. Opposed: Hendershot.)

This bill will amend the test for adequate public facilities (APF) at the time of the preliminary plat of subdivision, establishing a new APF test and requiring submission of data by the Chief of Police and Fire Chief to the Office of Audits and Investigations, Office of Management and Budget and the Planning Board.

The City of Bowie, the Prince George's County Professional Fire Fighters Association, and Stan Fetter submitted letters expressing their concerns and support for this legislation.

The Prince George's Chamber of Commerce expressed their concerns with the methodology proposed to arrive at the goals intended. They are opposed to CB-89-2004 as drafted.

The Chairman of the Prince George's County Liaison Committee for the Maryland-National Capitol Building Industry Association (MNCBIA) expressed the concerns of the Association and submitted a list of comments on the proposed bill.

Richard Schroder, of the Citizens Association of South Bowie, Tom Hood from the Croom Citizens Association and Percel Alston, President of the Fraternal Order of Police, expressed support for this legislation and suggested ways to enhance the bill.

Henry Turner, Turner and Associates; Larry Taub, O'Malley and Miles; Leo Brusio, Land and Commercial, expressed their concerns with the legislation and requested that it be held for additional input from the various entities.

The County Police and Fire Departments, the County Executive, and members of the building and business communities provided input for consideration by the Public Safety and Fiscal Management (PSFM) committee.

On page 2, line 30, the number of years were changed from eight to nine. In response to suggestions by the building industry, the requirement for provisions of water was expanded to include "other sources of water." (See page 3, line 8.) At the recommendation of the County Executive, the County Office of Management and Budget and the Planning Board were added as recipients of statements submitted by the Police and Fire regarding adequacy of public safety facilities. (See page 3, lines 10 and 13.)

The statement reflecting adequate equipment in the vicinity of the proposed subdivision was amended to require that the measured standards for fire such as NFPA1710, the Tri-data study conducted by the County or the Public Safety Master Plan be included. (See page 3, line 30.)

After receiving input from the Fire Department the language in Section (D) was amended and a new Section (E) added to state that the rolling twelve month average or fractile time be used to calculate the response time for Police and Fire. The response time should be specified for Fire and Rescue inside and outside the rural tier of the County. Also, the current response time for emergency and non-emergency calls for police service was amended by changing the time from sixteen minutes to twenty-five minutes for non-emergency calls and from eight to ten minutes for emergency calls for service. (See page 4, lines 1-8.)

A sunset provision was added to require review of this legislation prior to January 31, 2007.

There may be a negative fiscal impact on the County as a result of enacting CB-89-2004. The criteria established for the new adequate public facilities test may limit development, therefore reducing or eliminating potential revenue. An amount cannot be determined at this time.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This bill will amend the County subdivision ordinance by adding a new adequate public safety facilities test as a requirement for applications for preliminary plat approval.

CODE INDEX TOPICS:

INCLUSION FILES:
