

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

Meeting Date: 6/17/2003

Reference No.: CR-23-2003

Proposer: Harrington

Draft No.: 1

Sponsors: Harrington, Shapiro, Dean, Dernoga Peters

Item Title: A Resolution stating the County Council's intention to revise the criteria for the school facilities adequacy test in accordance with the General Plan for Prince George's County.

Drafter: Jackie Brown, Director
PZED Committee

Resource Kenneth Williams
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__

Committee Referral: 5/6/2003 PZED

Effective Date: __/__/__

Committee Action: 6/4/2003 HELD

Date Introduced: 5/6/2003

Public Hearing: __/__/__ :__ __

Council Action: 6/17/2003 ADOPTED

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

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

6/11/03

Committee Vote: Favorable with recommended amendments, 4-0 (In favor: Council Members Harrington, Dean, Dernoga and Knotts)

A Proposed Draft-2 (DR-2) of CR-23-2003 was distributed along with new drafts of CB-30-2003 and CB-31-2003. Staff summarized the changes to Draft-2. Council Member Harrington also explained the additional language that was included to indicate the Council's commitment to become involved with and to build on past experiences for planning, construction, and management of public school construction.

Staff advised that if the committee supported the recommended amendments in DR-2, an amendment sheet would be prepared to incorporate the language prior to adoption of the resolution scheduled for June 17.

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**6/4/03**

Held in committee.

This resolution was discussed in conjunction with CB-30-2003 and CB-31-2003, legislation concerning school facilities adequacy test and the school facilities surcharge, respectively. Staff explained that CB-30-2003, also introduced on the same day as CR-23 (May 6) removes a provision in the current law allowing payment of a per-dwelling unit fee (pay-and-go) pursuant to a school facilities agreement. Deletion of the pay-and-go provision would result in a 3- or 6-year wait period for those applications in areas where schools are overcrowded (cluster capacity is greater than 105%). The purpose of CR-23 is to indicate the County Council's intention to develop new policies concerning the school facilities adequacy test that would alleviate any wait period so that applicants can move forward in the development process, obtain building permits and pay the increased school facilities surcharge proposed in CB-31-2003 in order for the County to build needed schools.

The Legislative Officer and the Office of Law found the resolution to be in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of adopting CR-23.

The committee discussed the preference of holding CR-23 for further discussion at the next scheduled meeting to allow time for the sponsor to propose a draft bill containing the new criteria for the school facilities adequacy test described in the resolution.

BACKGROUND INFORMATION/FISCAL IMPACT**(Includes reason for proposal, as well as any unique statutory requirements)**

CB-30-2003, introduced by the County Council on May 6, 2003, eliminates the provision for payment of a per-dwelling unit fee pursuant to a school facilities agreement authorized by CB-40-2001. With the elimination of the fee alternative, an applicant will be subject to a 3- or 6-year wait before obtaining building permits. This resolution indicates the Council's intent to present additional legislation revising the criteria for the school facilities adequacy test.

CODE INDEX TOPICS: