

**FINAL**

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 35

Bill No. 105-15

Introduced by Mr. Walker

By the County Council, October 5, 2015

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Introduced and first read on October 5, 2015  
Public Hearing set for and held on November 2, 2015  
Public Hearing on AMENDED BILL set for and held on December 7, 2015  
Bill Expires January 8, 2016

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Adequate Public  
2 Facilities - Schools

3  
4 FOR the purpose of adding a provision regarding the test of adequacy of public facilities  
5 for schools; providing for the termination date of this Ordinance; and generally  
6 relating to subdivision and development.

7  
8 BY repealing and reenacting with amendments: § 17-5-501  
9 (Anne Arundel County Code, 2005 as amended)

10  
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

13  
14 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

15  
16 **TITLE 5. ADEQUATE PUBLIC FACILITIES**

17  
18  
19 **17-5-501. Standards; report to the Board of Education.**

20  
21 (A) **Standards.** A development passes the test for adequate school facilities if:

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.  
Underlining indicates amendments to bill.  
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 (1) each public elementary, middle, and high school is designated as "open" on  
2 the school utilization chart described in § 17-5-502 for the geographical attendance areas  
3 for the development in the third school year after the school year in which the  
4 determination is being made;

5  
6 (2) THE OFFICE OF PLANNING AND ZONING HAS RECEIVED WRITTEN NOTICE VIA  
7 CERTIFIED MAIL FROM THE BOARD OF EDUCATION THAT THE REQUIREMENTS FOR  
8 APPLICABLE FUTURE CAPACITY, AS DESCRIBED IN § 17-5-502(C)(2)(I) AND (II), HAVE BEEN  
9 SATISFIED, WITHOUT FORMAL ADOPTION OF A SCHOOL UTILIZATION CHART; or

10  
11 (3) [if] the developer has executed an approved School Capacity Mitigation  
12 Agreement under the provisions of § 17-5-901.

13  
14 (B) **Report to Board of Education.** If approved, the Office of Planning and Zoning  
15 shall specify the number and type of dwelling units that are approved and report the  
16 number and type to the Board of Education.

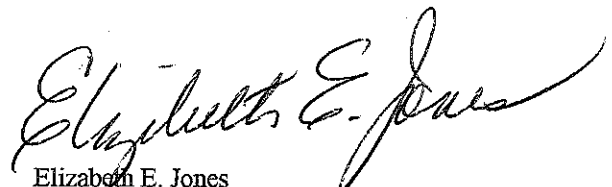
17  
18 SECTION 2. And be it further enacted, That the provisions of this Ordinance shall  
19 remain in effect for one year from the date this Ordinance becomes effective, after which  
20 it shall stand repealed and with no further action required by the County Council, be of  
21 no further force and effect.

22  
23 SECTION ~~2.~~ 3. *And be it further enacted,* That this Ordinance shall take effect 45  
24 days from the date it becomes law.

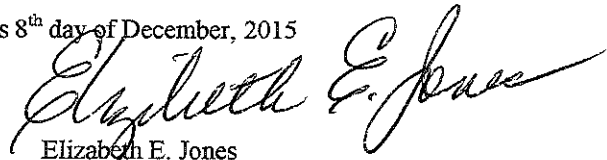
AMENDMENT ADOPTED: November 2, 2015

READ AND PASSED this 7<sup>th</sup> day of December, 2015

By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for his approval this 8<sup>th</sup> day of December, 2015

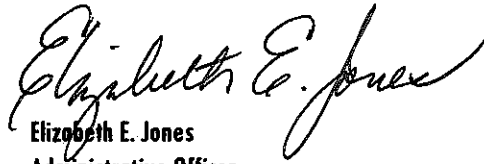
  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this 8<sup>th</sup> day of December, 2015

  
Steven R. Schuh  
County Executive

EFFECTIVE DATE: January 22, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
105-15 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer