

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL NO. 1465

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Imposition of"; strike beginning with "altering" in line 3 down through "fees" in line 6, and substitute "clarifying that a certain impact fee amount does not apply to mitigation of impacts to provide additional school capacity pursuant to the Charles County Adequate Public Facilities Ordinance; providing that a certain ordinance may not be imposed on certain lots; requiring an annual review and update of certain ordinance standards".

AMENDMENT NO. 2

On page 1, in line 22, strike the bracket.

On page 2, in line 1, strike the bracket.

On page 2, in line 13, in each instance, strike the bracket; and strike beginning with the colon in line 13 down through "UNIT." in line 16.

AMENDMENT NO. 3

On page 2, strike beginning with the first "AS" in line 29 down through "ANALYSIS" in line 36 and substitute "THE PURPOSE OF THE IMPACT FEE FOR SCHOOL CONSTRUCTION IN THIS SECTION IS TO PROVIDE A PARTIAL AMOUNT OF THE FUNDS NECESSARY FOR SCHOOL CONSTRUCTION TO OFFSET A PORTION OF THE SCHOOL COSTS ATTRIBUTABLE TO THE PROPOSED DEVELOPMENT OF THE LAND INVOLVED. WHERE CURRENT SCHOOL CAPACITY IS NOT SUFFICIENT TO ACCOMMODATE NEW STUDENTS GENERATED BY A DEVELOPMENT PROPOSAL, THE COUNTY'S ADEQUATE PUBLIC FACILITIES ORDINANCE PROVIDES AN OPPORTUNITY FOR A DEVELOPER TO CONTRIBUTE THE DEVELOPER'S PROPORTIONATE SHARE OF THE BURDEN THE PROPOSED DEVELOPMENT GENERATES IN EXCESS OF EXISTING CAPACITY BY OFFERING MITIGATION IN AN AMOUNT DETERMINED TO BE NECESSARY TO OFFSET

(Over)

THE COST OF PROVIDING THAT ADDITIONAL CAPACITY. ACCORDINGLY, THE AMOUNT STATED IN SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO AN OFFER OF MITIGATION MADE BY A DEVELOPER OF NEW RESIDENTIAL CONSTRUCTION IN ACCORDANCE WITH THE COUNTY'S ADOPTED PUBLIC FACILITIES PROVISIONS IN ORDER TO ALLOW THE DEVELOPER TO PROCEED TO CONSTRUCT NEW RESIDENTIAL DWELLING UNITS WHICH OTHERWISE WOULD NOT BE ALLOWED DUE TO INADEQUATE CURRENT CAPACITY IN COUNTY EDUCATIONAL FACILITIES.

(2) THE ADEQUATE PUBLIC FACILITIES ORDINANCE MAY NOT BE IMPOSED ON FAMILY SUBDIVISIONS OF TWO LOTS OR LESS".

On page 3, strike beginning with "THE" in line 1 down through "INDEPENDENTLY" in line 2 and substitute "THE ADEQUATE PUBLIC FACILITIES ORDINANCE SHALL REQUIRE AN ANNUAL REVIEW AND UPDATE OF THE ADOPTED ORDINANCE STANDARDS".