COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2020 Legislative Session

BILL NO. 2020-06

Introduced by Charles County Commissioners

Chapter 297: Zoning Regulations Article XVI, §258 Schools.

Date introduced: 09/29/2020

Public Hearing: 10/20/2020 @6:00 p.m.

Commissioners Action: 12/15/2020


Pass/Fail: Pass

Effective Date: 01/29/2021

Remarks: __________________________________________________________

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.
2020 Legislative Session

Bill No. 2020-06
Chapter. No. 297
Introduced by Charles County Commissioners
Date of Introduction September 29, 2020

BILL

AN ACT concerning
School Adequate Public Facilities

FOR the purpose of
Amending the Zoning Ordinance provisions governing adequate public facilities for schools to revise school capacity allocation processes and ensure consistency with the Adequate Public Facilities Manual.

BY amending:
CHAPTER 297- Zoning Regulations
Article XVI, §258. Schools.

Code of Charles County, Maryland

SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

§297-258. Schools.

* * * * * * * * * * * *

C. The annual School Capacity Allocation Committee, composed of the Charles County Commissioners and the Charles County Board of Education, and/or their designated representatives, will meet AND CONFER [to decide] on the appropriate allocations for the
upcoming year PRIOR TO THE APPROVAL OF ALLOCATIONS BY THE COUNTY COMMISSIONERS. This Committee will consider the following factors, as well as any other information deemed pertinent, in establishing the allocatable school capacity for the upcoming year:

(1) Current enrollments.
(2) Projected enrollments.
(3) Current capacities of individual schools.
(4) STUDENT YIELD FOR EACH DWELLING TYPE BY SCHOOL LEVEL

D. When determining the amount of allocatable school capacity, allocation may be made [only] if school capacity currently exists, [or] is programmed to exist under the then applicable capital improvement projects program, OR IF THE DEVELOPMENT PROJECT QUALIFIES FOR THE GRANT OF SCHOOL CAPACITY ALLOCATIONS AS A PRIORITY DEVELOPMENT PROJECT OR HAS MET THE TIME LIMIT FOR THE SCHOOL ALLOCATION ELIGIBILITY WAITING LIST, IN ACCORDANCE WITH THE SPECIFICATIONS CONTAINED IN THE ADEQUATE PUBLIC FACILITIES MANUAL [as specified in the adopted Adequate Public Facilities Manual].

E. [Allocation amounts may not exceed the amount of capacity available in the allocatable school capacity currently in effect. These allocation amounts shall be determined by the County Commissioners using the factors listed in Subsection C above as guidance.] THE DIRECTOR OF PLANNING AND GROWTH MANAGEMENT IS AUTHORIZED TO GRANT ALLOCATIONS CONSISTENT WITH SUBSECTION C AND D, AND WITH THE PROVISION OF THE ADEQUATE PUBLIC FACILITIES MANUAL.

SECTION 2. BE IT FURTHER ENACTED that this act shall take effect forty-five (45) calendar days after it becomes law.

ADOPTED this 15th day of December 2020.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., President
Asterisks *** mean intervening code language remaining unchanged
CAPITALS mean language added to the law [Brackets] mean language
deleted from the law

Thomasina O. Coates, M.S.

ATTEST:

Carol DeSoto, Clerk to the Commissioners

Amanda M. Stewart, M.Ed.

Declined to Sign