

COUNTY ORDINANCE NO. 05-08

A BILL ENTITLED

AN ACT CONCERNING a Reduction of the Threshold Requirement for Existing and Projected School Population for Determination of Adequacy under the Interim Adequate Public Facilities Ordinance of Queen Anne s County, Maryland (IAPFO), Title 28 of the Code of Public Local Laws of Queen Anne s County (1996 Ed.).

FOR THE PURPOSE of reducing the threshold for adequacy under the IAPFO from 120% to 100% of the state-rated capacity per school affected and creating a specific mitigation plan;

BY AMENDING Section 28-502(a) of the Code of Public Local Laws of Queen Anne s County, (1996 Ed.).

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE S COUNTY, MARYLAND That Section 28-502(a) of the Code of Public Local Laws of Queen Anne s County (1996 Ed.) be amended to read as follows:

28-502. Threshold requirements.

(a) Public Schools

Public schools in the service area of the proposed development shall be considered adequate if:

- (1) The existing and projected school population, together with the school population projected to be generated from the proposed development, is 100% or less of the state-rated capacity per school affected or the Board of Education determines that exceeding capacity will not be detrimental to the curriculum or quality of education; or
- (2) The County is scheduled to initiate construction within the first two years of the adopted six-year CIP, such additional schools or school improvements as are

necessary in combination with existing schools to comply with paragraph (1) above; or

- (3) The applicant agrees to undertake school construction or improvements necessary to meet paragraph (1) above; or
- (4) The applicant agrees to contribute to the financing of specific improvements by paying mitigation calculated by the following formula: The cost per year for a student in Queen Anne's County multiplied by the number of students above 100% the project moves effected schools.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Gene Ransom

DATE: April 5, 2005

PUBLIC HEARING HELD: April 26, 2005 @ 6:15 p.m.

VOTE: _____ Yea _____ Nay

DATE OF ADOPTION: Ordinance Tabled