

Draft APFO Amendments for Work Session Discussion

Draft Letter	Sponsor	Description
A	JT	<i>This amendment proposes adding the high school level to the schools test.</i>
B1	JT	<i>This amendment proposes to reduce the school capacity chart capacity utilization to 100 percent.</i>
B2	JT	<i>This amendment proposes to reduce the school capacity chart capacity utilization to 100 percent.</i>
C	JT & CB	<i>This amendment proposes including a requirement for a public work session on school facilities that reach a capacity of 95 percent with a projection of more than 110 percent.</i>
D	JT	<i>This amendment proposes to remove the Housing Unit Allocation exemption for MIHUs.</i>
E1	JT	<i>This amendment proposes to change the School Capacity wait time to 7 years.</i>
E2	JT & CB	<i>This amendment proposes to remove the combined cap on housing allocation and school capacity wait times.</i>
F	JT & CB	<i>This amendment proposes that projects take a school capacity test after a five year wait time for allocations.</i>
H	CB	<p><i>This amendment proposes to:</i></p> <ol style="list-style-type: none"> <i>1. Add the high school level to the schools test;</i> <i>2. Set the school capacity chart capacity utilization threshold at 105 percent for school facilities where regional capacity utilization is 100 percent or greater;</i> <i>3. Eliminate a separate elementary school region capacity test; and</i> <i>4. Define APFO capacity consistently with HCPSS policies.</i>
K	JW	<i>This amendment proposes to increase the number of intersections to be studied for the APFO roads test.</i>
P	JW	<i>This amendment proposes to reduce the school capacity chart capacity utilization threshold to 110 percent.</i>
Q	JW	<i>This amendment proposes to allow a project to proceed through the plan review process while waiting to pass the School Capacity test if it is adjacent to a school with a capacity utilization of less than 100% and the developer has requested redistricting.</i>
R	JW	<i>This amendment proposes to reduce the school capacity chart capacity utilization threshold to 110 percent and to allow a school area to remain open if it is adjacent to a school with a capacity utilization of less than 100%.</i>
S	JW	<i>This amendment proposes that additional information be submitted to the County to assist with its annual consideration of the School Capacity chart.</i>
T	JW	<i>This amendment proposes to eliminate a separate elementary school region capacity test and add a High School capacity test with a utilization threshold of 120 percent.</i>
U	JW	<i>This amendment proposes that an APFO Review Committee be convened within 4 months of a comprehensive general plan revision.</i>
X	CB & JT	<i>This amendment proposes that an APFO Review Committee be convened within 1 and 5 years of a comprehensive general plan revision.</i>
Y	MKS	<i>This amendment proposes to create an exception for affordable housing developments that leverage State and Federal funds.</i>
EE	AK	<i>This amendment corrects terminology to clarify that improvements are the responsibility of the developer.</i>
FF	AK	<i>This amendment clarifies that resubdivision plans that create four or fewer lots</i>

		<i>are exempt from the test for adequate road facilities. Such resubdivision plans are required to pass the allocations and adequate public school facilities tests.</i>
GG	AK	<i>This amendment clarifies language related to the five-year waiting period.</i>
HH(CB62)	AK	<i>This amendment makes inserts a cross reference.</i>

Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. A

1 *(This amendment proposes adding the high school level to the schools test.)*

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3
4 On page 7, in line 13, strike “and” and substitute a comma. In the same line,
5 immediately following “middle” insert “, AND HIGH”.

6
7 On the same page, in line 18, after “elementary schools”, strike “and” and substitute a
8 comma. In the same line, immediately following “middle schools” insert “, AND HIGH
9 SCHOOLS”.

10
11 On page 16, in line 30, strike the first “Elementary” and substitute “INDIVIDUAL”. In the
12 same line, strike the second “elementary”.

13
14 On page 17, line 18, strike “8” and substitute “12”.

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16 On page 17, strike lines 1 and 2 in their entirety.

17
18 On page 19, in line 9, strike the second “AND” and substitute a comma. In the same line,
19 immediately following “middle schools” insert “, AND HIGH SCHOOLS”.

20
21 On the same page, in line 13, after “ELEMENTARY SCHOOL”, strike “AND” and substitute
22 a comma. In the same line, immediately following “MIDDLE SCHOOL” insert “, AND HIGH
23 SCHOOL”.

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Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. B1

1 *(This amendment proposes to reduce the school capacity chart capacity utilization to 100*
2 *percent.)*

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On page 16, in lines 28 and 31, strike "115" and substitute "100".

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DRAFT

Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. B2

1 *(This amendment proposes to reduce the school capacity chart capacity utilization to 100*
2 *percent.)*

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On page 16, in lines 28 and 31, strike "115" and substitute "100".

6

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On page 17, in line 2, strike "115" and substitute "100".

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DRAFT

Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa
Calvin Ball

Legislative Day No:
Date:

Amendment No. ___ C ___

1 *(This amendment proposes including a requirement for a public work session on school*
2 *facilities that reach a capacity of 95 percent with a projection of more than 110 percent*
3 *within five years.)*

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6 On page 8, immediately following line 7, insert the following:
7 (D) SPECIAL JOINT WORK SESSION ON SCHOOLS NEARING CAPACITY.
8 UPON RECEIVING WRITTEN NOTIFICATION FROM THE HOWARD COUNTY PUBLIC SCHOOL
9 SYSTEM THAT A SCHOOL OR SCHOOL REGION HAS REACHED 95% CAPACITY
10 UTILIZATION AND IS PROJECTED TO EXCEED 110% CAPACITY UTILIZATION WITHIN FIVE
11 YEARS AS WELL AS THE BOARD OF EDUCATION’S PROPOSED SOLUTION TO ADDRESS THE
12 PROJECTED OVERCROWDING, THE COUNTY COUNCIL SHALL CONDUCT A JOINT WORK
13 SESSION WITH THE COUNTY EXECUTIVE AND THE BOARD OF EDUCATION ON SCHOOL
14 CAPACITY. THE COUNTY COUNCIL SHALL GIVE THE GENERAL PUBLIC THREE WEEKS
15 NOTICE BEFORE THE WORK SESSION TO ALLOW THE PUBLIC TO PROVIDE WRITTEN
16 COMMENTS.”.

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Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. D

1 *(This amendment proposes to remove the Housing Unit Allocation exemption for MIHUs.)*

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4 On page 3, strike line 9, in its entirety.

5

6 On pages 11 and 12, strike line 26 on page 11 through line 4 on page 12, in their entirety.

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DRAFT

Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. E1

1 *(This amendment proposes to change the School Capacity wait time to 7 years.)*

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4 On page 11, in line 2, strike “(I) If” and substitute “AFTER”.

5

6 On the same page, in lines 2 and 3, strike “WAS NEVER ON THE LIST OF APPLICATIONS
7 WAITING FOR HOUSING UNIT ALLOCATION AND”.

8

9 On the same page, in lines 7 and 14, strike “FOURTH” and substitute “SIXTH”.

10

11 On the same page, in line 10, strike “FOUR” and substitute “SIX”.

12

13 On the same page, strike lines 16 - 24, in their entirety.

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Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa
Calvin Ball

Legislative Day No:
Date:

Amendment No. E2

1 *(This amendment proposes to remove the combined cap on housing allocation and school*
2 *capacity wait times.)*

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5 On page 11, in line 2, strike “(I) If” and substitute “AFTER”.

6

7 On the same page, in lines 2 and 3, strike “WAS NEVER ON THE LIST OF APPLICATIONS
8 WAITING FOR HOUSING UNIT ALLOCATION AND”.

9

10 On the same page, strike lines 16 - 24, in their entirety.

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Amendment _____ to Council Bill 61-2017

BY: Jennifer Terrasa
Calvin Ball

Legislative Day No:
Date:

Amendment No. F

1 *(This amendment proposes that projects take a school capacity test after a five year wait time*
2 *for allocations.)*

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5 On page 11, in line 24, after "PROJECT", strike the remainder of the sentence and
6 substitute the following: "MAY PROCEED UPON PASSING A SCHOOL CAPACITY TEST. IF THE
7 PROJECT FAILS THE SCHOOL CAPACITY TEST, THEN IT MUST WAIT ONE ADDITIONAL YEAR
8 BEFORE PROCEEDING.".

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Amendment _____ to Council Bill 61-2017

BY: Calvin Ball

Legislative Day No:

Date:

Amendment No. H

1 (This amendment proposes to:

- 2 1. Add the high school level to the schools test;
- 3 2. Set the school capacity chart capacity utilization threshold at 105 percent for
- 4 school facilities where regional capacity utilization is 100 percent or greater;
- 5 3. Eliminate a separate elementary school region capacity test; and
- 6 4. Define APFO capacity consistently with HCPSS policies.)
- 7

8 On page 7, strike beginning in line 9 with the colon and continuing through “([[ii]]2)

9 The” in line 13 and substitute “THE”.

10

11 On page 7, in line 13, strike “and” and substitute a comma. In the same line,

12 immediately following “middle” insert “, AND, BEGINNING IN CALENDAR YEAR 2019 FOR THE

13 2022-23 SCHOOL YEAR, HIGH”.

14

15 On page 7, in line 18, strike “elementary school regions and which”. On the same line,

16 strike “schools and” and substitute a comma. Also in the same line, immediately following

17 “middle” insert “, AND, BEGINNING IN CALENDAR YEAR 2019 FOR THE 2022-23 SCHOOL YEAR,

18 HIGH”.

19

20 On page 7, in line 20, strike the period and substitute “, ALL BE BASED ON THE

21 DEFINITION OF PROGRAM CAPACITY DEFINED BY HCPSS POLICY.”.

22

23 On page 16, strike lines 28 and 29.

24

25 On the same page, strike lines 30 and 31, and substitute the following:

26 “(1) ELEMENTARY SCHOOL – OPEN MEANS THAT:

- 1 (I) THE PROJECTED ENROLLMENT OF THE ELEMENTARY SCHOOL IS BELOW 105
2 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL; OR
3 (II) THE PROJECTED ENROLLMENT OF THE ELEMENTARY SCHOOL REGION IS BELOW
4 100 PERCENT OF THE PROGRAM CAPACITY OF THE ELEMENTARY SCHOOLS
5 WITHIN THE REGION.”
6

7 On page 17, strike lines 1 and 2, and substitute the following:

8 “(2) MIDDLE SCHOOL – OPEN MEANS THAT:

- 9 (I) THE PROJECTED ENROLLMENT OF THE MIDDLE SCHOOL IS BELOW 105 PERCENT
10 OF THE PROGRAM CAPACITY OF THE SCHOOL; OR
11 (II) THE PROJECTED ENROLLMENT OF THE MIDDLE SCHOOL REGION IS BELOW 100
12 PERCENT OF THE PROGRAM CAPACITY OF THE MIDDLE SCHOOLS WITHIN THE
13 REGION.

14 (3) HIGH SCHOOL – OPEN MEANS THAT:

- 15 (I) THE PROJECTED ENROLLMENT OF THE HIGH SCHOOL IS BELOW 105 PERCENT OF
16 THE PROGRAM CAPACITY OF THE SCHOOL; OR
17 (II) THE PROJECTED ENROLLMENT OF THE HIGH SCHOOL REGION IS BELOW 100
18 PERCENT OF THE PROGRAM CAPACITY OF THE HIGH SCHOOLS WITHIN THE
19 REGION.”
20

21 On page 17, in line 18, after “Education”, insert “POLICIES”. In the same line, strike “8”
22 and substitute “12”. Also, in the same line, after “include”, insert “PREKINDERGARTEN”.

23
24 On page 19, in lines 8-9, strike “WHICH ELEMENTARY SCHOOL REGIONS AND” and
25 substitute “REGIONAL UTILIZATION CAPACITIES AND”.

26
27 Also on page 19, in line 9, strike “SCHOOLS AND” and substitute a comma. In the same
28 line, immediately following “middle” insert “, AND, BEGINNING IN CALENDAR YEAR 2019 FOR
29 THE 2022-23 SCHOOL YEAR, HIGH”.

30
31 Also on page 19, in lines 12-13, strike “ELEMENTARY SCHOOL REGION AND”.

32

1 Also on page 19, in line 13, strike “SCHOOL AND” and substitute a comma. In the same
2 line, immediately following “MIDDLE” insert “, AND, BEGINNING IN CALENDAR YEAR 2019 FOR
3 THE 2022-23 SCHOOL YEAR, HIGH”.

4

5 Also on page 19, in line 17, after “ELEMENTARY” INSERT “, MIDDLE, OR HIGH”.

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DRAFT

Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. K

1 *(This amendment proposes to increase the number of intersections to be studied for the*
2 *APFO roads test.)*

3
4 On page 15, strike lines 21 – 26, and substitute the following:

5 “IMPACT AREA MEANS:

6 (I) FOR DEVELOPMENT LESS THAN 100 UNITS, AN AREA UP TO ONE AND ONE-
7 HALF ROAD MILES IN ALL DIRECTIONS FROM THE ENTRANCE TO THE
8 PROJECT ON AN EXISTING COUNTY OR STATE ROAD OR A PLANNED
9 ROADWAY OR INTERSECTION IDENTIFIED IN THE CAPITAL BUDGET OR
10 CAPITAL PROGRAM, BUT NOT BEYOND THE INTERSECTION OF A MAJOR
11 COLLECTOR OR HIGHER CLASSIFIED ROAD WITH A MAJOR COLLECTOR OR
12 HIGHER CLASSIFIED ROAD; OR

13 (II) FOR DEVELOPMENTS BETWEEN 100 AND 250 UNITS, AN AREA AT LEAST TWO
14 ROAD MILES IN ALL DIRECTIONS FROM THE PROJECT AND CONTAINING AT
15 LEAST TWO INTERSECTIONS OF A MAJOR COLLECTOR OR HIGHER CLASSIFIED
16 ROAD WITH A MAJOR COLLECTOR OR HIGHER CLASSIFIED ROAD; OR

17 (III) FOR DEVELOPMENTS OVER 250 UNITS, AN AREA AT LEAST TWO AND A HALF
18 ROAD MILES IN ALL DIRECTIONS FROM THE PROJECT AND CONTAINING AT
19 LEAST THREE INTERSECTIONS OF A MAJOR COLLECTOR OR HIGHER
20 CLASSIFIED ROAD WITH A MAJOR COLLECTOR OR HIGHER CLASSIFIED ROAD.

21 FOR DOWNTOWN COLUMBIA THE IMPACT AREA SHALL BE DETERMINED IN
22 ACCORDANCE WITH THE HOWARD COUNTY DESIGN MANUAL. ”.

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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. ___P___

1 (This amendment proposes to reduce the school capacity chart capacity utilization threshold
2 to 110 percent.)

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On page 16, in lines 28 and 31, strike "115" and substitute "110".

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On page 17, in line 2, strike "115" and substitute "110".

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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. ___ Q ___

1 (This amendment proposes to allow a project to proceed through the plan review process
2 while waiting to pass the School Capacity test if it is adjacent to a school with a capacity
3 utilization of less than 100% and the developer has requested redistricting.)
4

5 On page 11, immediately following line 25, insert the following:

6 “8. PROCESSING OF PLANS DURING THE WAITING PERIOD.

7 IF A PROJECT HAS RECEIVED HOUSING UNIT ALLOCATIONS BUT FAILS THE SCHOOL
8 CAPACITY TEST, A DEVELOPER MAY PROCEED THROUGH THE PLAN REVIEW PROCESS
9 DURING THE WAITING PERIOD IF:

- 10 (I) FOR EACH LEVEL OF THE SCHOOL CAPACITY TEST WHICH THE PROJECT FAILED,
11 THERE IS AN ADJACENT SCHOOL WITH A PROJECTED ENROLLMENT BELOW 100
12 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL; AND
13 (II) THE DEVELOPER SUBMITS A WRITTEN REQUEST FOR SCHOOL REDISTRICTING TO
14 THE HOWARD COUNTY BOARD OF EDUCATION.

15 A DEVELOPER WHO CHOOSES TO EXERCISE THIS OPTION DOES SO AT HIS OR HER OWN
16 RISK. REGARDLESS OF THE BOARD’S ACTION OR INACTION WITH RESPECT TO
17 REDISTRICTING, THE PROJECT MUST PASS THE SCHOOL CAPACITY TEST BEFORE
18 BUILDING PERMITS MAY BE ISSUED.”
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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. R

1 *(This amendment proposes to reduce the school capacity chart capacity utilization threshold*
2 *to 110 percent and to allow a school area to remain open if it is adjacent to a school with a*
3 *capacity utilization of less than 100%.)*

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6 On page 16, in line 28, strike “115” and substitute “110”.

7
8 On the same page, strike lines 30 and 31, and substitute the following:

9 “2. ELEMENTARY SCHOOL – OPEN MEANS THAT:

10 (I) THE PROJECTED ENROLLMENT OF THE ELEMENTARY SCHOOL IS BELOW 110
11 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL; OR

12 (II) THERE IS AN ADJACENT ELEMENTARY SCHOOL WITH A PROJECTED ENROLLMENT
13 BELOW 100 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL.”

14
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16 On page 17, strike lines 1 and 2, and substitute the following:

17 “3. MIDDLE SCHOOL – OPEN MEANS THAT:

18 (I) THE PROJECTED ENROLLMENT OF THE MIDDLE SCHOOL IS BELOW 110 PERCENT
19 OF THE PROGRAM CAPACITY OF THE SCHOOL; OR

20 (II) THERE IS AN ADJACENT MIDDLE SCHOOL WITH A PROJECTED ENROLLMENT
21 BELOW 100 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL.”

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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. ___S___

1 (This amendment proposes that additional information be submitted to the County to assist
2 with its annual consideration of the School Capacity chart.)
3
4

5 On page 8, in line 2, after the period, insert "THE SCHOOL CAPACITY CHART SHALL BE
6 ACCOMPANIED BY A REPORT THAT CONTAINS THE FOLLOWING INFORMATION FOR EACH
7 SCHOOL:

8 (I) STATE AND LOCAL CAPACITIES OF THE FACILITY;

9 (II) THE DATE OF THE LAST REDISTRICTING WHICH IMPACTED THE ATTENDANCE
10 AREA OF THAT SCHOOL; AND

11 (III) FOR ANY PROJECTED INCREASE IN ENROLLMENT, AN INDICATION OF WHAT
12 PORTIONS OF THE INCREASE ARE ATTRIBUTED TO SALES OR RENTAL TURNOVER
13 OF EXISTING RESIDENTIAL UNITS, NEW DEVELOPMENT, AND OTHER FACTORS."
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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. T

1 *(This amendment proposes to eliminate a separate elementary school region capacity test*
2 *and add a High School capacity test with a utilization threshold of 120 percent.)*

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5
6 On page 7, strike beginning in line 9 with the colon and continuing through “([[ii]]2
7 The” in line 13 and substitute “THE”.

8
9 On page 7, in line 13, strike “and” and substitute a comma. In the same line,
10 immediately following “middle” insert “, AND HIGH”

11
12 On page 7, in line 18; strike “elementary school regions and which”. In the same line,
13 after “elementary schools”, strike “and” and substitute a comma. In the same line, immediately
14 following “middle schools” insert “, AND HIGH SCHOOLS”.

15
16 On page 16, strike lines 28 and 29.

17
18 On the same page, in line 30, strike “(2)” and substitute “(1)”.

19
20 On page 17, in line 1, strike “(3)” and substitute “(2)”.

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23 On page 17, immediately following line 2, insert the following:

24 “3. HIGH SCHOOL – OPEN MEANS THAT:

- 25 (I) THE PROJECTED ENROLLMENT OF THE HIGH SCHOOL IS BELOW 120 PERCENT OF
26 THE PROGRAM CAPACITY OF THE SCHOOL; OR

1 (II) THE PROJECTED ENROLLMENT OF THE OF THE HIGH SCHOOL REMAINS BELOW
2 125 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL FOR THREE
3 CONSECUTIVE YEARS ON THE SCHOOL CAPACITY CHART, INCLUDING THE
4 INITIAL TEST YEAR; OR

5 (III) THERE IS AN ADJACENT HIGH SCHOOL WITH A PROJECTED ENROLLMENT BELOW
6 100 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL.”.

7
8 On page 17, in line 18, strike “8” and substitute “12”.

9
10 On page 19, in lines 8-9, strike “WHICH ELEMENTARY SCHOOL REGIONS AND” and
11 substitute “REGIONAL UTILIZATION CAPACITIES AND”.

12
13 On page 19, in line 9, strike the second “AND” and substitute a comma. In the same line,
14 immediately following “middle schools” insert “, AND HIGH SCHOOLS”.

15
16 Also on page 19, in lines 12-13, strike “ELEMENTARY SCHOOL REGION AND”.

17
18 On page 19, in line 13, after “ELEMENTARY SCHOOL”, strike “AND” and substitute a
19 comma. In the same line, immediately following “MIDDLE SCHOOL” insert “, AND HIGH
20 SCHOOL”.

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Amendment _____ to Council Bill 61-2017

BY: Jon Weinstein

Legislative Day No:
Date:

Amendment No. ___U___

1 (This amendment proposes that an APFO Review Committee be convened within 4 months of
2 a comprehensive general plan revision.)
3

4
5 On page 5, in line 29, strike "AFTER REVISION OF THE" and substitute "WITHIN FOUR
6 MONTHS FOLLOWING THE ENACTMENT OF A COMPREHENSIVE".
7

8 On the same line, strike "FOR THE COUNTY", and substitute "REVISION".
9

10 On the same page, in line 31, after "SHALL", insert "BE CONVENED TO".
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Amendment _____ to Council Bill 61-2017

BY: Calvin Ball
Jennifer Terrasa

Legislative Day No:
Date:

Amendment No. X

1 *(This amendment proposes that an APFO Review Committee be convened within 1 and 5*
2 *years of a comprehensive general plan revision.)*

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5 On page 5, in line 29, strike "AFTER" and insert "WITHIN THE FIRST YEAR AND THE
6 FIFTH YEAR AFTER A".

7

8 On the same line, strike "FOR THE COUNTY".

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Amendment _____ to Council Bill 61-2017

BY: Mary Kay Sigaty

Legislative Day No:
Date:

Amendment No. ____Y____

1 (This amendment proposes to create an exception for affordable housing developments that
2 leverage State and Federal funds.)
3

4 On page 11, immediately following line 25, insert the following:

5 “8. SCHOOL CAPACITY TEST EXCEPTION FOR SPECIAL AFFORDABLE HOUSING
6 OPPORTUNITIES.

7 IF A PROJECT LEVERAGES STATE OR FEDERAL FUNDING THAT ADVANCES THE
8 COUNTY’S AFFORDABLE HOUSING GOALS AND IS LOCATED IN A SCHOOL AREA THAT IS
9 CLOSED FOR DEVELOPMENT DUE TO PROJECTED ENROLLMENT IN THE SCHOOL
10 CAPACITY CHART, THE COUNTY COUNCIL MAY, BY RESOLUTION, AFTER PUBLIC
11 HEARING, AUTHORIZE THE SPECIAL AFFORDABLE HOUSING PROJECT TO PROCEED
12 SUBJECT TO ALL OTHER PROVISIONS OF THIS SUBTITLE. THE DEVELOPER MUST
13 DEMONSTRATE TO THE COUNCIL THAT THE PROJECT MAY LOSE THE STATE OR
14 FEDERAL FUNDING, IF THE PROJECT IS DELAYED;”.
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Amendment ____ to Council Bill No. 61-2017

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No.
Date: November 6, 2017**

Amendment No. EE

(This amendment corrects terminology to clarify that improvements are the responsibility of the developer.)

1 On page 3, in line 21, after “improvements,” insert “INCLUDING APFO IMPROVEMENTS,”.

2
3 On page 3, in line 26, after “WHEN” insert “EITHER” and, in the same line, after the last “THE”
4 insert “ONSITE OR”.

5
6 On page 3, in line 27, after “IMPROVEMENTS” insert “THAT ARE THE RESPONSIBILITY OF THE
7 DEVELOPER TO BUILD”.

8
9 On page 4, in line 13, after “improvements” insert “, INCLUDING APFO IMPROVEMENTS,”.

10
11 On page 4, in line 17:
12 1. After “WHEN” insert “EITHER”;
13 2. Before “OFFSITE” insert “ONSITE OR”; and
14 3. After “IMPROVEMENTS” insert “THAT ARE THE RESPONSIBILITY OF THE DEVELOPER TO
15 BUILD”.

Amendment ____ to Council Bill No. 61-2017

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No.
Date: November 6, 2017**

Amendment No. FF

(This amendment clarifies that resubdivision plans that create four or fewer lots are exempt from the test for adequate road facilities. Such resubdivision plans are required to pass the allocations and adequate public school facilities tests.)

1 On page 3, in line 9, after “By” insert “amending paragraph (2) and by” and, in that same line
2 strike “to” and substitute “both to”.

3
4 On page 11, after line 27, insert:
5 “(2) Partially exempt residential subdivision plans. Minor subdivision plans AND
6 RESUBDIVISION PLANS THAT CREATE FOUR OR FEWER LOTS are exempt from the requirement to
7 pass the test for adequate road facilities as a condition of plan approval. However, minor
8 subdivision plans AND RESUBDIVISION PLANS THAT CREATE FOUR OR FEWER LOTS are required
9 to pass the tests for allocations and adequate public school facilities as a condition of
10 subdivision approval. FOR PURPOSES OF THIS PARAGRAPH, A SUBDIVISION OR RESUBDIVISION
11 CAN HAVE NO FURTHER SUBDIVISION POTENTIAL THAT COULD CREATE MORE THAN A TOTAL OF
12 FOUR LOTS.”.

13

Amendment ____ to Council Bill No. 61-2017

**BY: Chairperson at the
request of the County Executive**

**Legislative Day No.
Date: November 6, 2017**

Amendment No. __GG__

(This amendment clarifies language related to the five-year waiting period.)

- 1 On page 11, strike lines 19, 20 and 21, inclusive and in their entirety and substitute:
2 “HOWEVER, IN CASES WHERE A PROJECT OR PHASE OF A PROJECT RECEIVES HOUSING UNIT
3 ALLOCATIONS WITHIN FIVE YEARS, THE COMBINED NUMBER OF YEARS A PROJECT OR PHASE OF A
4 PROJECT WAITS TO RECEIVE HOUSING UNIT ALLOCATIONS AND TAKES THE SCHOOL CAPACITY
5 TEST SHALL NOT EXCEED FIVE YEARS.”.
6
7 On page 11, in line 23, after “YEARS” insert “OR MORE”.

Amendment ____ to Council Bill No. 62-2017

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No.
Date: November 6, 2017**

Amendment No. HH

(This amendment makes inserts a cross reference.)

1 On page 1, in line 9 and 21, in each instance insert "61" in the blank.

DRAFT