



# FREDERICK COUNTY PLANNING COMMISSION

August 27, 2014

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**TITLE:** APFO Text Amendment to Update  
School Construction Fees

**FILE NUMBER:** N/A

**REQUEST:** Recommendation to Board of County  
Commissioners

**PROJECT INFORMATION:**

ADDRESS/LOCATION: N/A  
TAX MAP/PARCEL: N/A  
COMP. PLAN: N/A  
ZONING: N/A  
PLANNING REGION: N/A  
WATER/SEWER: N/A

**APPLICANT/REPRESENTATIVES:**

APPLICANT: N/A  
OWNER: N/A  
ENGINEER: N/A  
ARCHITECT: N/A  
ATTORNEY: N/A

**STAFF:** Kathy Mitchell, Assistant County Attorney

**RECOMMENDATION:** Recommend approval or denial of the proposed text  
amendments

**ATTACHMENTS:**

EXHIBIT 1- Memo from County Budget Office  
EXHIBIT 2 - Proposed Ordinance

**ISSUE:**

Should the Planning Commission recommend approval of the attached ordinance, which updates the School Construction Fees collected in accordance with §1-20-62 of the APFO?

**BACKGROUND/DISCUSSION:**

Pursuant to the authority of §7-101 of the Land Use Article (formerly §10.01 of Article 66B) of the Annotated Code of Maryland, the Board of County Commissioners of Frederick County (“Board” or “BOCC”) has adopted an Adequate Public Facilities Ordinance (“APFO”), which is codified as Chapter 1-20 of the Frederick County Code.

Section 1-20-23 of the APFO allows the Board to amend the provisions of the APFO if it determines that the amendment will be in the best interest of the citizens of the County and consistent with the general intent of the APFO.

On July 21, 2011, by Ordinance No. 11-18-584, the BOCC revised the APFO to establish a School Construction Fee option for meeting the public school adequacy requirements. The initial School Construction Fees were based on the public school impact fees collected by the County. Tischler Bise Fiscal, Economic & Planning Consultants have prepared an Impact Fee Update for Frederick County, MD dated May 27, 2014. This Impact Fee Update contains a comprehensive review and update of the impact fee calculations for Frederick County.

The Board is updating impact fees based on the Impact Fee Update, and the Board also desires to modify the School Construction Fees at this time. The current and revised fees are shown in the attached Ordinance and in chart below:

<b>School Construction Fees</b>			
Housing Unit Type	Failure at Elementary School Level	Failure at Middle School Level	Failure at High School Level
Single Family Detached	<del>3,870</del> <b><u>3,977</u></b>	<del>2,530</del> <b><u>1,752</u></b>	<del>3,646</del> <b><u>3,721</u></b>
Townhouse/Duplex	<del>4,053</del> <b><u>4,981</u></b>	<del>1,996</del> <b><u>1,533</u></b>	<del>2,584</del> <b><u>2,894</u></b>
Other Residential	<del>897</del> <b><u>2,181</u></b>	<del>336</del> <b><u>594</u></b>	<del>420</del> <b><u>1,148</u></b>

Please see the attached Memo from Kelly Weaver, County Budget Officer, for a further information with regard to these proposed changes.

**RECOMMENDATION:**

The Planning Commission should determine whether or not to recommend approval of the attached draft ordinance.