

adoption of an ordinance establishing certain impact fees and credits; ~~providing for the effective date of this Act~~; and generally relating to impact fees in Charles County.

BY repealing and reenacting, with amendments,
 Article 66B - Zoning and Planning
 Section 5.08
 Annotated Code of Maryland
 (1995 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 66B - Zoning and Planning

5.08.

(a) Notwithstanding any other provision of this article, if an application or permit or series of applications or permits is granted within Charles County to an owner or owners of land which allows the applicant to proceed with the development of land for purposes of constructing residential dwelling units, [other than affordable housing for families of limited income as defined in Article 83B, § 2-302 of the Code] whether single or multiple, detached or attached, in a manner that the county or the State will have to provide additional school sites or school facilities for the use and benefit of new residents who will populate the developed land, the owner or owners of the land, in accordance with regulations or procedures which may be promulgated by the County Commissioners, shall compensate the county for the burden the development will impose in terms of the additional public school facilities which will have to be provided in an amount equal to the cost attributable to the proposed development of the land involved.

(b) (1) The costs to be compensated by the land owner or owners shall be determined ANNUALLY by the County Commissioners AFTER A PUBLIC HEARING. Proportionate division and provisions for payment of these costs shall be made according to reasonable schedules approved by the County Commissioners. However, in no case may this amount exceed [\$3,500] ~~\$5,450~~ \$5,000 per unit.

(2) (I) THE COUNTY COMMISSIONERS SHALL CONDUCT AN ANNUAL STUDY TO DETERMINE THE REASONABLENESS OF THESE COSTS BEFORE THE PUBLIC HEARING.

(II) THE STUDY SHALL INCLUDE AN ANALYSIS OF THE EFFECT OF THE IMPACT FEE ON THE COST OF HOUSING IN THE COUNTY. THE ANALYSIS SHALL BE MADE AVAILABLE TO THE PUBLIC AT THE TIME OF THE PUBLIC HEARING.

(III) ANY NEW OR INCREASED COSTS MAY NOT TAKE EFFECT UNTIL AT LEAST 90 DAYS AFTER THE PUBLIC HEARING.