

CB 61/62-2017

Testimony from Anita Davis, 3805 Macalpine Rd., Ellicott City, 21042
September 18, 2017

Council Members,

Thank you for allowing me to testify. I work full time and have had limited time to come up to speed on all that has been involved in the APFO task force and its work, but I'm trying. Perhaps you are wondering why I've not been involved before. Basically, we all have what is called a "finite pool of worry." We only have so much time to devote to things that concern us. My family was affected by the flood last year, so my pool of worry has been pretty full lately. So, I've counted on the democratic process, the task force, the County Executive and the Council to do the right things. But when the redistricting issues came up I became more aware of the problematic APFO, and I'm dismayed that this legislation has been brought to you in its current form, without addressing solutions to some very real issues associated with providing for schools, roads and other infrastructure needs.

It is disappointing that many of the discussions and motions of the task force outlined in the task force report appendices did not receive more consideration. From what I can gather in reading the appendices of the report, it seems that motions were often voted down because some members felt that the APFO is not the mechanism to be using for addressing various growth management related concerns. But what mechanism(s) do we actually have, outside of this ordinance?

The current APFO and the amendments proposed do not adequately address the needs for managing growth or provide funding for sustaining our highly prized excellent school system. They do not address the needs for maintaining, improving and expanding other basic infrastructure needs that increasing population and housing development require.

In the proposed legislation, developers' fees and taxes remain untouched and provision for additional growth is allowed. Our quality of life will be diminished as this continues, and in a few years the very things that draw people to our community and promote the property values will decline or collapse. A truly holistic approach to intelligent urban design, planning and managed growth is needed – as acknowledged in Howard County 2030.

In looking at the proposed legislation, I am honestly confused about the thinking behind this part: Increase Established Communities annual allocation from 400 to 600, decrease Growth and Revitalization annual allocation from 1,200 to 1,000 - contingent on elimination of shared allocation pool. This seems to me to be handing to developers, new land to be more intensively developed. This is not what Howard County 2030 calls for – why would we undermine our own plan??

I actually am a proponent of intelligently considered infill, to conserve open space elsewhere and make some of that open space available for public use. We should not be fragmenting our forests and wetlands, but rather strive for keeping them intact so that ecosystem services such as control of runoff and sequestration of carbon can be maximized. But, the APFO does not ensure that the infrastructure for additional development within established communities (almost all of eastern HOCO) is actually adequate and will not be over capacity when more buildings are added.

In my own neighborhood, our schools are already at or above capacity, the storm water drainage system is literally crumbling, and it too is at capacity (or at times above). With predictions of increased frequency of microburst storms, we can expect more frequent problems county-wide, which will be

expensive to fix. Adding more impervious surface in the Established Communities will only exacerbate the problem.

All communities face these sorts of pressures. Someone has to pay for infrastructure, including new schools, and pay for needed repairs and improvements. *The APFO Workgroup of the Maryland Sustainable Growth Commission* (dated 2012, linked from the APFO FAQ) page notes, "officials are usually left to choose between three alternatives, none of which are particularly popular: 1) redistrict their schools on an almost annual basis; 2) respond to the complaints of parents by imposing a building moratoria; or 3) raise taxes and fees to pay for the additional necessary capacity. For CY 2011, no jurisdiction reported the use of redistricting as a remedy for overcrowding."

Only two of these alternatives are actually longer-term solutions and I figure the moratorium one is dead on arrival.

I do expect to pay my fair share. I also expect developers to do the same and the Council to prevent rampant growth from undermining the quality of life of our citizens.

Developers currently are paying a one-time impact fee plus excise tax per dwelling. I have paid a fee every year for the past 16 years – it's called property tax. I urge the Council to compare our developer's fees and taxes, including the transfer tax, with those in neighboring jurisdictions with comparably rated schools. I did, using the 2013 Department of Legislative Services Report document linked to from the County's APFO FAQ site, and other sources (here's a link to a list of transfer taxes by county <http://www.choicefinance.net/maryland-closing-costs.htm>).

I found that in HOCO the developers carry considerably less of the burden than in other jurisdictions. What about the MIHU costs? If developers here claim our MIHU costs are high, please also examine what is done in other locations. HOCO is not alone in requiring developers to contribute. Montgomery County for instance, does not allow developers to pay a fee if they choose to not build MIHUs – instead they must transfer land – and there are many regulations around all of that!

I note also that so far as I could determine the only people who have testified in favor of this legislation are developers. If this legislation is such a great idea for our community, where is the groundswell of support from the citizens who live here?

Thank you for listening.

Respectfully,

Anita Davis

Good evening members of the County Council. My name is Michael Herman and I live in Elkridge at XXX. I spent 6 hours last Monday and another evening today so I can testify against CB-61 and CB-62. I have committed a significant amount of time to get this opportunity because of the importance that the APFO proposal has in our lives. After hearing many hours of testimony last week, some ... actually very little ... from those that support the proposal I want to take my little time to point out the Flawed logic that was used by the supporters of this bill.

The first argument is that setting the cap at 120% still allows the schools to fall within state mandated levels of school populations. That's great and all but this community through our elected officials have decided we wanted to do more for our students. We decided what was a 100% for Howard County and we need to stick by that. If the 5 of you want to change our cap, you wield the power to submit a bill to do just that. But until then we should abide by our standards and 100% is full.

Last week the developers convinced one of their prospective clients to speak out in favor of the bill. He delivered a speech about how his parcel of land was his retirement investment and this bill would affect that. I truly feel sympathy for him; however, any investment poses certain risk. Whenever we have a bear market thousands of people have to put retirement plans on hold. And honestly, that gentleman is still in a better boat than others; no one is telling him he lost his investment, he merely needs to wait for the schools to be built.

The developers point out that most new school growth comes from pre-existing homes. And on the surface that is true but misleading in this context. Over the last 10 years, on average 470 new school seats were needed per year from only 1,000 new homes, or in better terms, 47% of a new school seat is needed per new home. In comparison, over the last 10 years, on average we needed 1,100 new school seats for the 104,000 existing homes in Howard County, or about 1% of a school seat per existing home. And don't forget, the new homes of this year, will be part of the existing homes for years to come. We really should add up how many new school seats are needed over a home's lifetime. I did the math and each new home in Howard County needs 65% of a school seat over its lifetime. Given the cost of a school seat we should be asking

for over \$30,000 per new home; just to cover school development. More when you consider other things.

This bill allows developers to bypass the school capacity tests if they've been waiting for 4 years. We have to be willing to stop development until we can make room in the current school or build new schools. When new homes are built in an overcrowded school it guarantees that redistricting has to happen. I understand the arguments for the 4 year time-limit; it suggests that requiring longer periods is a "taking" of the owner's property rights to develop; however, this June the Supreme Court issued a ruling on a takings case that minimizes these arguments. In Justice Kennedy's Opinion he states: "*courts should assess the property's value under the challenged regulation, with special attention to the effect of burdened land on the value of other holdings.*" I know you've asked your office of law to analyze the impact in this case; I hope you make that analysis public. We deserve to know what information you are basing your decisions on.

Dear Council Members

My name is Ginna Rodriguez and I live in 4053 Pebble Branch Road Ellicott City MD. Tonight I would like to speak on behalf of the Latin American Council of Centennial High School and surrounding schools.

I want to start by saying that the data is clear! Overcrowded schools affect the quality of education. I know this statement is completely the opposite of what some members of the APFO review task force believe. These members associated with developers, believe that a good school is a good school regardless of overcrowding, that kids are getting a fine education in portables and that Howard County should increase class sizes¹. However, research studies² indicate that smaller classes can boost academic development and that minority and low-income students show even greater gains when placed in small classes.

The diversity of the county and the quality of our school systems are some of the main factors that make our county attractive to residents and developers alike. However, we are concerned that the changes contained in CB-61 will weaken APFO in a moment where our schools are so overcrowded and in great need of relief. We are worried about the effect that overcrowding will have in the achievement gap for minorities. Not only drafting legislation for adequate public facilities under the false belief that overcrowded schools do not have a negative impact on the quality of education is misguided, its is also short sighted because the education quality is what makes Howard County attractive. If Howard County keeps allowing growth that overcrowds schools, the county will lose its appeal and with that its tax revenue as parents that value education will choose to live in other places.

The adequate public facilities process, according to the policy document, should manage growth so that facilities can be constructed in a timely manner. Please amend CB-61 to make school tests for elementary and middle schools be at 100%. The reason we want the APFO test at 100% is because we want to make sure that we no longer find ourselves in a situation where our kids are stuffed in portables and in oversized classes because the county is not building schools to keep up with new development. We do not want to stop development but if our facilities are not keeping up with growth, development must slow down. We want the school test at 100% because even though development may only add short of 50% of the new students, these new additions are putting a lot of pressure in some of our schools. Kids get only one chance at kindergarten, only one chance at first grade and so on. Please amend CB-61 and make the school test be at 100% because APFO needs to ensure that growth does not negatively impact the education of our kids.

Please amend CB-61 to include a high school test. Although the APFO review task force voted against a high school test, when making that decision the task force did not take into consideration the high cost and lengthy timeline of building a high school³. Building a high school takes almost three times as long

¹ These comments were captured in deliberations of the APFO Review Task Force. Videos of these meetings can be found on this link: <https://www.howardcountymd.gov/About-HoCo/County-Executive/Adequate-public-facilities-ordinance-task-force>

² <http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Class-size-and-student-achievement-At-a-glance/Class-size-and-student-achievement-Research-review.html>

³ FY 2019 Capital Budget Plan presentation to the Board of Education in September 11 2016 indicated the cost of building HS#13 is \$124.1 million, almost three times the estimated cost of elementary school # 42 \$43.9 million

and costs three times as much as building an elementary school. Based on that, growth in areas where high schools are over capacity needs to slow down.

In addition to having a longer building time, finding a land site for high schools is difficult. The county as a whole has just a little bit over 10% of undeveloped land⁴. Today the county wide utilization of high schools is over 100% and we still do not have a site identified for building the next high school.

Please amend Cb-61 to ensure that there are no reductions to the current wait time for allocations and school tests and lengthen the wait time for when schools are over 120% capacity. The task force narrowly voted against a measure that would have increased the wait time for school test for schools that are over 120% capacity. Per Appendix B of the Task Force report, the reason for not passing this change is because, and I quote "heightened over capacity does not result in lower quality education, which makes further slowing down of development unwarranted."

Dear council members, you might remember from last week the vivid detail testimony of an eight year old girl that currently attends an elementary school that is at 127% utilization. Are willing you to look at that girl directly in her eyes and tell her that heightened overcapacity does not result in lower quality education?

Please prioritize the interest of our children over that of developers so that Howard County can continue to be a beacon in excellence and beyond.

⁴ <https://www.howardcountymd.gov/LinkClick.aspx?fileticket=7W75gjZn7Zg%3d&portalid=0>



FY 2019 Capital Budget Factors



Project Estimates

- State Cost of Construction up 14%
- Prevailing Wage Law
- LEED Requirements
- Industry Escalation



State/Local Cost Share

- FY16-FY18 55%
- FY19-FY21 54%



Enrollment Projections

- ~ 9,800 additional students between FY19-FY28

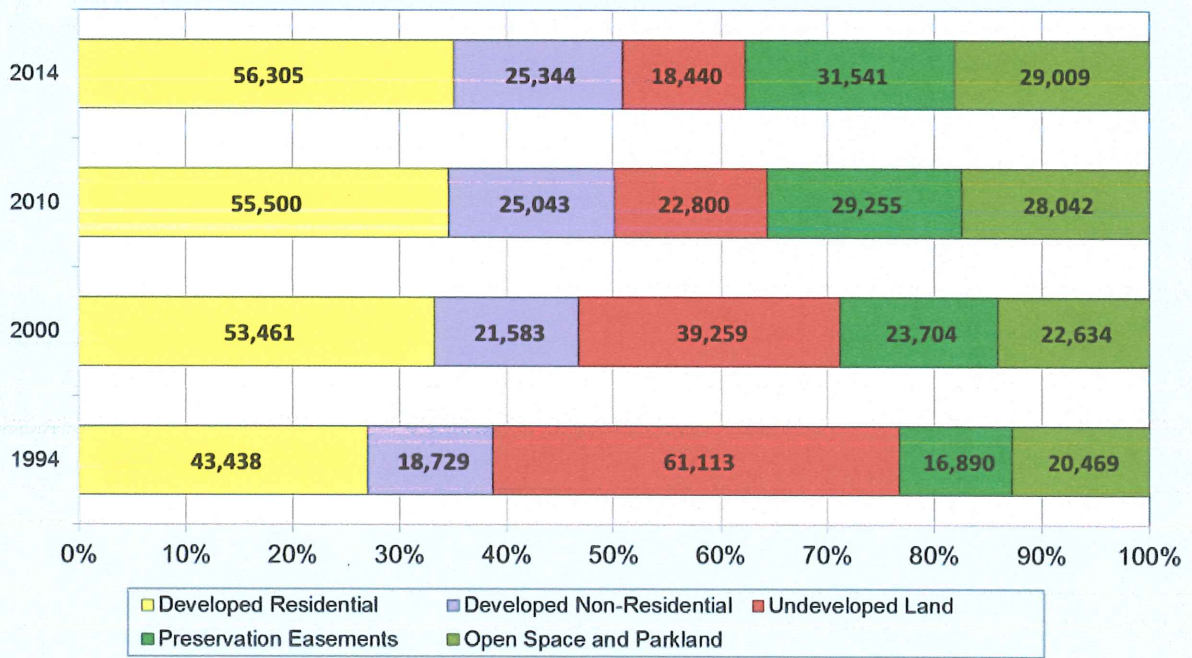


County Funding

- 22% Decrease over last 4 year

<https://www.howardcountymd.gov/LinkClick.aspx?fileticket=7W75gjZn7Zg%3d&portalid=0>

Howard County Land Use Acres, 1994 to 2014



Source: Howard County DPZ

Source: <https://www.howardcountymd.gov/LinkClick.aspx?fileticket=HmBh-bEKfzA%3d&portalid=0>

MOTION: Change years of wait for schools test - schools that are at or over 120% of capacity, the years of wait shall increase from 4 to 5 years; if during the wait period capacity drops below 120%, the years of wait shall revert back to 4 years

VOTE: 13-7

OPPOSITION VIEW: Total wait time already exceeds 4 years once development plan approval and allocation wait time are factored in; heightened overcapacity does not result in lower quality education, which makes a further slowing down of development unwarranted

Jodi Cosgrove
St. John's Lane Elementary School PTA
LETTER - Opposing CB61-2017 – Adequate Public Facilities Ordinance
9/11/2017

The SJLES PTA urges you to represent our children and create a stronger APFO that limits building and overcrowding of schools. Overall, student achievement and safety is not secondary to the developer's financial gain. Please consider the students learning and well-being and not the developer's financial gain. Please represent the youngest whose voices cannot be heard.

St. John's Lane Elementary School is currently overcapacity. St. John's Lane Elementary School was built in 1959 and was designed to accommodate 612 students. The school's enrollment is currently at 703. That is 117.3% above capacity as of now according to the feasibility study. If just ONE proposed development added 244 more students this would balloon the enrollment to 947.8 and if the school was operation at 100% capacity that number would still be 856.8 students. The 2017 feasibility study then put the school's enrollment at a projected 141%. This is how only one single development will grossly pack students into a building that can't adequately accommodate them. Please note there are other projected developments within St. John's Lane boundaries that will even further balloon the school's enrollment. Without limitations on overbuilding, you will have successfully reduced the overall quality of education for our children as well as reduced their overall stability.

In addition, overcrowded schools present safety and security concerns in relation to the hallway sizes and the portable classrooms. The portables, are supposed to be a temporary fix to an overcrowding problem. SJLES currently has 7 portables. The first three have been there roughly 10 years, the next three have been there for 3-4 years and the seventh one was installed last year- 10 years is not temporary. Any person can walk up to a portable classroom during the day without being checked in to the front office. They may be seen by closed circuit cameras but by then it could be too late before, an incident of major proportions occurs. In addition, students walk to and from the main building to the portables frequently during the day, making them a more vulnerable to a child predator and can become harmed. The office of risk management states, "10 elementary schools that have open space configurations will be modified to be more secure". Are you willing to accept the liability of a child's safety? This alone should be a reason to limit reckless building. Ultimately, the decisions to ignore the safety of children will be your hands.

Addressing the safety concerns of traffic.

It is without argument that increased traffic in already high dense areas will only increase accidents and fatalities. However, several developers have managed to put a "bandage" on this issue.

The following is an example of a developer's attempt at addressing this concern. In a proposed development, the developer plans to create a pedestrian crosswalk that crosses over an already heavily commercial and residential area where there is existing

heavy traffic. By placing this type of crosswalk the developer places the pedestrians, including young students, as well as other car passengers in a high risk to be struck by a car.

The following is another example of a developer overlooking the safety concerns of a high density area. A proposed developer wishes to place high density living spaces near a high school. Included in their plans is to build senior citizen housing which will place senior citizens driving in close proximity to high school students on an increasingly overcrowded road. Both types of drivers are considered to be high –risk. All of these new added cars from families, senior citizens and high schoolers all on an already busy road will increase the risk of car accidents and fatalities. Again, these fatalities will your liability.

Finally, I am going to highlight some very questionable arrangements (speaking on behalf of myself here, and not the PTA)

1. The APFO allows the developer to contract their own traffic studies, therefore making it possible for the developer to choose biased person(s). As a result, can increase the chance of results being skewed or swayed to benefit the developers. Please consider discontinuing the practice of developers to handling their own traffic study.

2. One of the goals of the Maryland Building Industry Association is to make amendments for “Green Neighborhoods Programs” more flexible so that developers can take advantage of the green allocations that exist. They also target, stormwater management regulations, nutrient offsets, forest conservation requirements, process efficiencies, permit fee schedules, smart growth, building moratoriums, adequate public facilities, building codes, basically anything that limits their building.

3. APFO task force met for nearly one year after Mr. Kittleman was elected. The task force included MBIA members such as James Frasier *Chapter Chair- Howard County*, IsLAND Companies, LLC and included developer friendly recommendations, most of which MBIA supports.

- In Mr. Frasier’s testimony last week, he made “developer friendly” statements that are inaccurate. 1. That overall our schools are at 98% and %100 capacity throughout the county and we are well within operable limits at 120%- This is FALSE, too many of our schools do not fall within his quoted percentages, SJLES being one of them.

2. Mr. Frasier states that 58%of new students come from resales of homes-. If that is the case, then why the huge push for high density homes? 40% of high density housing left is a very large amount of building.

4. MBIA votes, as quoted on the MBIA website “elections represent a golden opportunity for the homebuilding industry to elect housing-friendly candidates in Maryland. Each election cycle our political action committee interviews candidates and determines their degree of support for our industry.” They fund and endorse high level political candidates for their gain. This is not all orchestrated by accident. Your council executive, and the MBIA work closely together. When I spoke to an aide in Mr. Kittleman’s office, they were quoting me the same inaccurate statements, making an argument for continued high density building.

In closing, it is telling that residents are united in their opposition and the only ones against it are those who stand to make a profit at our expense.

Please ask yourselves; Are you as a council, really representing the citizens of Howard County’s best interests or are you or are you acting on the developer's behalf? Are you, as a council, ready to claim responsibility these liabilities based on your decisions right here tonight?

Good evening ladies and gentlemen of the council, and Chairman Weinstein.

My name is Jill-Ann Mark and I live at 4054 High Point Rd. in Ellicott City.

One of the remarkable things about Howard County is how it exists as a melting pot within the larger one we take pride in as Americans. My next-door neighbors on both sides are immigrants from two different countries. My husband and I are Midwest natives settled here with the time and tides of military service. It is interesting that our three families came here from very different backgrounds, above all of our other options, for one primary thing: schools. Everyone knows, throughout Maryland, throughout the region that schools are what Howard County does extraordinarily well. Even throughout the military community, we've known for a very long time that if you can get to Ft. Meade, you can live in Howard County. And your children will have very good schools. We navigate, negotiate, and alter the course of careers to get here so that our children can be educated here. This is the kind of attractiveness that municipalities all over our country would love to have. It's what has landed Howard County on "greatest places to live" lists year after year. So I guess the golden question is: where is the breaking point? When will we out-develop our desirability if the growth continues, but the investment in infrastructure does not?

Howard County's schools are important to me, but in addition to being a parent to two teenagers, one a recent graduate of, and one a freshman in the Howard County Public School System, I am a small business owner. I've built my business here in Ellicott City, which was affected by the Main Street floods. I was moved by the show of community in the wake of that disaster and felt the great pull of a place I wanted to call "home". The aftermath of that, though, was my first awakening to the challenge of infrastructure in such a rapidly growing county. Many questioned the role of development and storm water mitigation. I'm not an engineer, but my mind has gone back to this as the current drama has unfolded. Just how much of our critical infrastructures and amenities are we challenging at the present rate of growth? What will our next emergency be?

I hear a lot of mention of the need to create growth so that businesses want to be here...how a "stagnant" population doesn't encourage new business, which doesn't bring increasing tax revenue. But here I am, at a crossroads. I am a business owner who came here with the intent on starting it here and on building it here, because I wanted to raise my children in a stable environment with a truly outstanding school system. Here I am, feeling like a bit of a fool. Had I known how little developers pay for the green light to build here, had I known how overcrowded schools had to be before even slowing the burgeoning sprawl, had I known that dirty little word called "infill" that has turned my quiet mid-century neighborhood into a patchwork of homes built in another ones backyard JUST in the five years I've been here, had I known that all of the suburban creep was about to force my child into her SEVENTH school in her life, Howard County simply would not have been my choice. I understand the politician's desire for growth. I understand economics as a significant measure of a county's success. I do not understand a politician's blind eye to the threat on quality of life for the ones who are already here. It is unethical to embrace economics without first

respecting humanity. Should the county council and the county executive choose to put dollars first, the message to me is that the money my business generates here is important, but my family's well-being is not. In my world, those two things are uncompromisingly linked, and my votes will always honor that connection.

In this vein, I am asking you to adopt the Board of Education's recommended amendments to CB-61 and to raise developer's contribution to mitigation to a rate commensurate with neighboring counties. I am also asking you to address CB-61 on the present timeline. This issue requires action now.

When you look into this room, all the yellow you see is the fiber of this community. These are the people who live here and raise their families here. They are not voters protecting their profit margin, they are voters here to advocate for Howard County's future of excellence.

Debra Jung
10913 Great Oak Way
Columbia, MD 21044

Testimony regarding CB-61 and CB-62

Good evening. Thank you for allowing the public additional time to speak on the topic of amending CB-61 and 62.

First, I agree with the many who have testified that the school capacity test should be capped at 100% of capacity and include high schools in the capacity testing. It is my hope that the Council will:

1. Revise the APFO school test and base it upon current year enrollment and projections three- to five-years into the future.
2. Exclude portables or other temporary classroom space from the school capacity test.
3. Create enough flexibility in the school capacity test that will allow the Council to grant partial approval of a project if school capacity is only available to accommodate a portion - but not all - of the students generated by a project.

I also support increasing the wait period for development to begin from 4 years to 6 years for developers who are seeking to build new homes in areas where schools are more than 100% capacity. Numerous local jurisdictions have longer wait periods than Howard County and it is doubtful that the desire to build in this county will dissipate during that time.

I urge the Council not to exempt age-restricted units from the allocation test with regard to road testing. Two new large continuing care treatment facilities are in the planning phases right now, one that will be located off of Route 108 behind Free State gas station, and the other on Martin Road. While I support the development of facilities that will enable us to keep our rapidly aging population in Howard County, the roads surrounding these proposed facilities are two lanes, and 108 in particular has become a traffic nightmare during certain times of the day. The proposal for Erikson Living at Limestone Valley in Clarksville includes

1200 independent living units and 240+ care units. Between the independent living units, the continuing care units, the employees of such a facility and visitors, this facility may generate thousands of additional car trips each day, greatly increasing road usage and likely requiring the expansion of 108, and perhaps Martin Road after the facilities are fully built.

This also touches upon the need to include hospital use and emergency response ability in our APFO test. With our increasing aged population and the potential attractiveness of these two new facilities being built in Howard County, there is no doubt that further stress will be put upon Howard County General Hospital and our fire department’s emergency response service.

Finally, it is time to increase our excise fees for developers in Howard County. Other Maryland Counties, particularly the fastest growing ones, impose much more significant fees on developers than Howard County. The following fees are from 2016:

Anne Arundel ¹	\$12,275
Calvert	12,950
Charles	14,095
Frederick ²	14,208
Howard ³	\$2.42/sq. ft.
	\$2.42 x 2,200 square feet = \$5,324
Montgomery ⁴	40,793
Prince George’s ⁵	22,757

There is no reason that we can’t ask developers who are able to take advantage of our wonderful schools and a number rated small city by asking higher prices for their dwellings, to share in the cost of building new schools when they are able to

¹ Rates are for a 2,000-2,499 square foot residential unit. Residential rates vary by the square footage of a unit.

² The rates shown reflect the public school and library impact fee total. A roads tax of \$0.10/sq. ft. or \$0.25/sq. ft. (depending on the square footage), with the first 700 square feet not taxed, was reduced to \$0.00 effective in November 2011.

³ Fiscal 2014, 2015, and 2016 amounts represent the total of the roads tax amount (\$1.13/sq. ft., \$1.15/sq. ft., and \$1.17/sq. ft., respectively) and the school surcharge amount (\$1.24/sq. ft., \$1.25/sq. ft., and \$1.25/sq. ft., respectively).

⁴ Fiscal 2016 amount represents \$13,966 for transportation and \$26,827 for schools. Fiscal 2014 and 2015 amounts represent \$13,506 for transportation and \$25,944 for schools. The school excise tax is increased by \$2 for each square foot between 3,500 and 8,500 gross square feet. Different transportation rates apply in the Metro Station and Clarksburg impact tax districts.

⁵ Fiscal 2016 amount represents \$15,458 for school facilities and \$7,299 for public safety. A lower school facilities rate (\$9,017 in fiscal 2016) applies inside the beltway and to certain development near mass transit and a lower public safety rate (\$2,434 in fiscal 2016) applies inside the “developed tier” as defined in the 2002 Prince George’s County Approved General Plan and to certain development near mass transit.

benefit their bottom line as a direct result of these attractive elements in Howard County.

Growth will continue in Howard County, about that there is no doubt, but we need to make sure that is controlled, sensitive to our environment, doesn't create congested roads and overcrowded schools, and allows us to maintain the quality of life that so many of us moved here to enjoy.

Thank you for the opportunity to testify.

The following is my written testimony pertaining to Council Bill 61-2017 (CB61-2017), which would amend Howard County's Adequate Public Facilities Ordinance (APFO). If enacted, APFO would be changed in a variety of ways, including the requirement of periodic reviews; completion timelines for certain types of road remediation projects; amendment of the title of certain charts and other terminology; and requiring certain waiting periods related to development.

Chairman Weinstein, Members of the County Council, good evening.

My name is Gautam Chatur, and I live at 8705 Wellford Drive, Ellicott City Md. I'm here this evening to provide testimony pertaining to Council Resolution 61 as a resident of the worst affected community in the entire Howard county

My first – and greatest – concern is regarding the permission that the Council grants Toll Brothers to build new houses in overcrowded Centennial school district while our Beazer Homes community that is still in construction is being asked to move out due to overcrowding. Both communities in Dunnlogin and Centennial 147 are being asked to move out to allow developers to build newer communities in the Centennial school district.

My second concern is that in December of this year, the Council will indirectly cause all 100 houses in our new community to go underwater on our home loans. The majority of our new community is not made up of CEOs and Business owners. When our houses go underwater, we lose our retirement savings, and some of us would be forced to foreclose our houses.

My third concern is that the families that see their mortgages go underwater, will then start promoting the hazards of buying houses in Howard County with their social circle. The council has the power to stop such financial hardships from impacting communities that will be yet to be built.

I urge the Council to close the following three loopholes that Dr. Chao Wu originally proposed.

1. Include high school in the capacity limit test.
2. Not allow a new development to skip the capacity test if they have failed it for last four years
3. Include 15% Medium and Low Income Housing (MLIH) cap for every new development

I look forward to a continuation of this conversation, and will make myself as needed to be a part of these discussions. Thank you for your time.

SUMMARY OF TESTIMONY

CB60-2017

James D. Walsh

September 11, 2017

It is clear that our current Adequate Public Facilities Ordinance (APFO) is inadequate. The clearest example of this problem is the massive and painful redistricting process now underway in the Howard County Public School System.

Because of our quality of life as well as our location, Howard County is an attractive community and development is inevitable. However, in the not-so-long run, over-development threatens our quality of life, particularly our first-rate school system, which is one of the principal reasons that many potential residents find Howard County to be so attractive in the first place. Over-development could well end up killing the goose that laid the golden egg. We cannot (and should not) stop development completely, but we must do a better job of managing it so that our infrastructure can catch up to our growth.

There are several revisions that I believe Council should make to our APFO:

- (1) Decrease the trigger point from 115% of school over-capacity to 110% in 2018, 105% in 2019 and 100% beginning in 2020.
- (2) Include high schools in the APFO analysis.
- (3) Increase the maximum building moratorium period to five years.
- (4) Include fire and rescue service availability in the APFO analysis.

I believe that these proposals set a more appropriate balance between the needs of the citizens of Howard County and developers and property owners. In fact, I believe the development community and property owners will actually benefit from a stronger APFO, because keeping Howard County a desirable place to live is in everyone's best interests.

Market Statistics – Detailed Report

January thru August 2017 YTD
Howard County, MD

Sold Summary

	2017	2016	% Change
Sold Dollar Volume	\$1,455,904,573	\$1,331,543,266	9.34%
Avg Sold Price	\$447,420	\$434,152	3.06%
Median Sold Price	\$412,000	\$400,000	3.00%
Units Sold	3,254	3,067	6.10%
Avg Days on Market	51	58	-12.07%
Avg List Price for Solds	\$453,622	\$439,792	3.14%
Avg SP to OLP Ratio	97.5%	96.8%	0.70%
Ratio of Avg SP to Avg OLP	97.4%	97.2%	0.17%
Attached Avg Sold Price	\$320,861	\$308,274	4.08%
Detached Avg Sold Price	\$547,511	\$528,884	3.52%
Attached Units Sold	1,437	1,317	9.11%
Detached Units Sold	1,817	1,750	3.83%

Financing (Sold)

Assumption	1	0	122
Cash	352	1 to 10	1,133
Conventional	1,873	11 to 20	422
FHA	421	21 to 30	260
Other	383	31 to 60	503
Owner	2	61 to 90	254
VA	222	91 to 120	158
		121 to 180	185
		181 to 360	178
		361 to 720	35
		721+	4

Days on Market (Sold)

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Active Detail

Price Ranges	Residential						Condo/Coop	Active Listings		
	2 or Less BR		3 BR		4 or More BR		All	Residential		Condo/Coop
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached	Detached	Attached/TH	Attached
< \$50,000	1	0	1	0	0	0	0	0	1	0
\$50K to \$99,999	2	0	3	0	0	0	9	2	0	0
\$100K to \$149,999	2	0	2	0	1	0	59	1	0	9
\$150K to \$199,999	7	6	8	15	2	0	96	5	0	23
\$200K to \$299,999	11	47	57	182	27	27	197	18	54	45
\$300K to \$399,999	10	10	144	271	143	99	119	61	65	31
\$400K to \$499,999	3	0	107	109	309	32	61	88	46	15
\$500K to \$599,999	1	1	35	36	303	12	14	99	13	4
\$600K to \$799,999	0	1	14	11	451	20	2	205	5	2
\$800K to \$999,999	0	0	0	0	119	1	0	102	1	0
\$1M to \$2,499,999	0	0	0	0	53	0	0	114	0	0
\$2.5M to \$4,999,999	0	0	0	0	1	0	0	5	0	0
\$5,000,000+	0	0	0	0	0	0	0	1	0	0
Total	37	65	371	624	1,409	191	557	701	185	129
Avg Sold Price	\$258,393	\$262,860	\$382,847	\$350,410	\$598,460	\$394,166	\$269,389			
Prev Year - Avg Sold Price	\$259,934	\$250,372	\$370,425	\$338,523	\$578,444	\$378,478	\$262,756			
Avg Sold % Change	-0.59%	4.99%	3.35%	3.51%	3.46%	4.15%	2.52%			
Prev Year - # of Solds	30	71	371	534	1,349	176	536			

2016

Howard County, MD

Sold Summary

	2016	2015	% Change
Sold Dollar Volume	\$1,992,904,908	\$1,781,059,723	11.89%
Avg Sold Price	\$436,084	\$430,624	1.27%
Median Sold Price	\$396,022	\$396,750	-0.18%
Units Sold	4,570	4,136	10.49%
Avg Days on Market	57	64	-10.94%
Avg List Price for Solds	\$441,269	\$438,396	0.66%
Avg SP to OLP Ratio	96.8%	96.2%	0.71%
Ratio of Avg SP to Avg OLP	97.3%	96.3%	1.03%
Attached Avg Sold Price	\$306,472	\$299,116	2.46%
Detached Avg Sold Price	\$536,681	\$531,360	1.00%
Attached Units Sold	1,997	1,794	11.32%
Detached Units Sold	2,573	2,342	9.86%

Financing (Sold)

Assumption	1	0	163
Cash	535	1 to 10	1,193
Conventional	2,369	11 to 20	624
FHA	575	21 to 30	390
Other	766	31 to 60	802
Owner	4	61 to 90	446
VA	320	91 to 120	310
		121 to 180	304
		181 to 360	290
		361 to 720	46
		721+	2

Days on Market (Sold)

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Price Ranges	Residential						Condo/Coop
	2 or Less BR		3 BR		4 or More BR		All
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached
< \$50,000	0	0	1	0	0	0	0
\$50K to \$99,999	2	0	2	1	0	0	34
\$100K to \$149,999	4	2	9	1	2	0	86
\$150K to \$199,999	12	11	11	31	5	2	148
\$200K to \$299,999	17	76	99	269	55	79	287
\$300K to \$399,999	9	17	223	312	229	98	171
\$400K to \$499,999	2	1	141	139	457	28	81
\$500K to \$599,999	0	1	48	38	427	27	18
\$600K to \$799,999	1	0	16	13	559	24	2
\$800K to \$999,999	0	0	1	0	158	0	0
\$1M to \$2,499,999	0	0	1	0	79	0	0
\$2.5M to \$4,999,999	0	0	1	0	2	0	0
\$5,000,000+	0	0	0	0	0	0	0
Total	47	108	553	804	1,973	258	827
Avg Sold Price	\$245,083	\$251,880	\$380,096	\$339,527	\$587,516	\$375,241	\$260,011
Prev Year - Avg Sold Price	\$237,989	\$246,019	\$369,892	\$330,833	\$584,386	\$367,399	\$256,069
Avg Sold % Change	2.98%	2.38%	2.76%	2.63%	0.54%	2.13%	1.54%
Prev Year - # of Solds	52	70	495	749	1,795	197	778

2015

Howard County, MD

Sold Summary

	2015	2014	% Change
Sold Dollar Volume	\$1,781,059,723	\$1,497,474,759	18.94%
Avg Sold Price	\$430,624	\$431,300	-0.16%
Median Sold Price	\$396,750	\$389,945	1.75%
Units Sold	4,136	3,472	19.12%
Avg Days on Market	64	58	10.34%
Avg List Price for Solds	\$438,396	\$439,516	-0.25%
Avg SP to OLP Ratio	96.2%	96.3%	-0.18%
Ratio of Avg SP to Avg OLP	96.3%	95.8%	0.44%
Attached Avg Sold Price	\$299,116	\$299,780	-0.22%
Detached Avg Sold Price	\$531,360	\$531,341	0.00%
Attached Units Sold	1,794	1,500	19.60%
Detached Units Sold	2,342	1,972	18.76%

Financing (Sold)

Assumption	2	0	147
Cash	506	1 to 10	941
Conventional	2,579	11 to 20	496
FHA	587	21 to 30	379
Other	155	31 to 60	721
Owner	1	61 to 90	490
VA	306	91 to 120	290
		121 to 180	323
		181 to 360	287
		361 to 720	59
		721+	3

Days on Market (Sold)

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Price Ranges	Residential						Condo/Coop
	2 or Less BR		3 BR		4 or More BR		All
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached
< \$50,000	2	0	2	0	0	0	1
\$50K to \$99,999	4	0	5	0	0	0	35
\$100K to \$149,999	5	5	10	2	1	0	109
\$150K to \$199,999	12	4	12	39	3	2	136
\$200K to \$299,999	14	52	92	280	70	63	253
\$300K to \$399,999	10	8	182	255	212	74	137
\$400K to \$499,999	4	1	136	129	416	21	84
\$500K to \$599,999	0	0	38	38	364	21	20
\$600K to \$799,999	1	0	17	6	499	15	2
\$800K to \$999,999	0	0	1	0	160	1	1
\$1M to \$2,499,999	0	0	0	0	70	0	0
\$2.5M to \$4,999,999	0	0	0	0	0	0	0
\$5,000,000+	0	0	0	0	0	0	0
Total	52	70	495	749	1,795	197	778
Avg Sold Price	\$237,989	\$246,019	\$369,892	\$330,833	\$584,386	\$367,399	\$256,069
Prev Year - Avg Sold Price	\$261,822	\$238,470	\$367,499	\$327,501	\$586,803	\$369,674	\$258,706
Avg Sold % Change	-9.10%	3.17%	0.65%	1.02%	-0.41%	-0.62%	-1.02%
Prev Year - # of Solds	43	49	435	639	1,494	168	644

2014

Howard County, MD

Sold Summary

	2014	2013	% Change
Sold Dollar Volume	\$1,497,474,759	\$1,460,374,125	2.54%
Avg Sold Price	\$431,300	\$419,407	2.84%
Median Sold Price	\$389,945	\$385,000	1.28%
Units Sold	3,472	3,482	-0.29%
Avg Days on Market	58	55	5.45%
Avg List Price for Solds	\$439,516	\$426,082	3.15%
Avg SP to OLP Ratio	96.3%	97.1%	-0.77%
Ratio of Avg SP to Avg OLP	95.8%	96.7%	-0.86%
Attached Avg Sold Price	\$299,780	\$291,187	2.95%
Detached Avg Sold Price	\$531,341	\$519,907	2.20%
Attached Units Sold	1,500	1,530	-1.96%
Detached Units Sold	1,972	1,952	1.02%

Financing (Sold)

Assumption	1
Cash	456
Conventional	2,288
FHA	365
Other	83
Owner	4
VA	275

Days on Market (Sold)

0	142
1 to 10	814
11 to 20	437
21 to 30	320
31 to 60	646
61 to 90	394
91 to 120	262
121 to 180	247
181 to 360	175
361 to 720	30
721+	5

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Price Ranges	Residential						Condo/Coop
	2 or Less BR		3 BR		4 or More BR		All
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached
< \$50,000	1	0	1	0	0	0	1
\$50K to \$99,999	3	0	5	0	0	0	36
\$100K to \$149,999	4	0	3	3	4	1	67
\$150K to \$199,999	4	9	17	30	2	2	111
\$200K to \$299,999	18	38	69	253	48	44	221
\$300K to \$399,999	8	2	185	216	198	77	120
\$400K to \$499,999	2	0	118	97	328	16	68
\$500K to \$599,999	3	0	24	37	322	13	20
\$600K to \$799,999	0	0	12	3	410	13	0
\$800K to \$999,999	0	0	1	0	126	1	0
\$1M to \$2,499,999	0	0	0	0	54	1	0
\$2.5M to \$4,999,999	0	0	0	0	2	0	0
\$5,000,000+	0	0	0	0	0	0	0
Total	43	49	435	639	1,494	168	644
Avg Sold Price	\$261,822	\$238,470	\$367,499	\$327,501	\$586,803	\$369,674	\$258,706
Prev Year - Avg Sold Price	\$280,073	\$245,583	\$365,188	\$311,402	\$571,099	\$354,041	\$256,919
Avg Sold % Change	-6.52%	-2.90%	0.63%	5.17%	2.75%	4.42%	0.70%
Prev Year - # of Solds	37	66	433	632	1,482	193	639

2013

Howard County, MD

Sold Summary

	2013	2012	% Change
Sold Dollar Volume	\$1,460,374,125	\$1,279,337,574	14.15%
Avg Sold Price	\$419,407	\$404,598	3.66%
Median Sold Price	\$385,000	\$374,975	2.67%
Units Sold	3,482	3,162	10.12%
Avg Days on Market	55	85	-35.29%
Avg List Price for Solds	\$426,082	\$414,871	2.70%
Avg SP to OLP Ratio	97.1%	94.7%	2.57%
Ratio of Avg SP to Avg OLP	96.7%	94.4%	2.42%
Attached Avg Sold Price	\$291,187	\$275,301	5.77%
Detached Avg Sold Price	\$519,907	\$495,936	4.83%
Attached Units Sold	1,530	1,309	16.88%
Detached Units Sold	1,952	1,853	5.34%

Financing (Sold)

Assumption	0	0	119
Cash	398	1 to 10	1,108
Conventional	2,308	11 to 20	528
FHA	442	21 to 30	312
Other	65	31 to 60	529
Owner	4	61 to 90	274
VA	265	91 to 120	175
		121 to 180	186
		181 to 360	190
		361 to 720	56
		721+	5

Days on Market (Sold)

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Price Ranges	Residential						Condo/Coop
	2 or Less BR		3 BR		4 or More BR		All
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached
< \$50,000	1	0	3	0	1	0	0
\$50K to \$99,999	2	1	4	0	1	0	41
\$100K to \$149,999	2	1	3	3	1	0	44
\$150K to \$199,999	6	9	9	40	3	9	125
\$200K to \$299,999	12	46	81	268	36	62	228
\$300K to \$399,999	7	6	190	221	192	76	122
\$400K to \$499,999	5	3	111	84	337	14	57
\$500K to \$599,999	1	0	20	14	342	22	22
\$600K to \$799,999	1	0	11	2	428	9	0
\$800K to \$999,999	0	0	1	0	97	1	0
\$1M to \$2,499,999	0	0	0	0	44	0	0
\$2.5M to \$4,999,999	0	0	0	0	0	0	0
\$5,000,000+	0	0	0	0	0	0	0
Total	37	66	433	632	1,482	193	639
Avg Sold Price	\$280,073	\$245,583	\$365,188	\$311,402	\$571,099	\$354,041	\$256,919
Prev Year - Avg Sold Price	\$222,790	\$232,409	\$341,161	\$299,082	\$544,828	\$323,014	\$237,168
Avg Sold % Change	25.71%	5.67%	7.04%	4.12%	4.82%	9.61%	8.33%
Prev Year - # of Solds	41	55	380	608	1,432	146	500

2012

Howard County, MD

Sold Summary

	2012	2011	% Change
Sold Dollar Volume	\$1,279,337,574	\$1,095,791,385	16.75%
Avg Sold Price	\$404,598	\$404,500	0.02%
Median Sold Price	\$374,975	\$365,760	2.52%
Units Sold	3,162	2,709	16.72%
Avg Days on Market	85	92	-7.61%
Avg List Price for Solds	\$414,871	\$416,715	-0.44%
Avg SP to OLP Ratio	94.7%	93.5%	1.28%
Ratio of Avg SP to Avg OLP	94.4%	93.4%	1.04%
Attached Avg Sold Price	\$275,301	\$280,206	-1.75%
Detached Avg Sold Price	\$495,936	\$496,603	-0.13%
Attached Units Sold	1,309	1,153	13.53%
Detached Units Sold	1,853	1,556	19.09%

Financing (Sold)

		Days on Market (Sold)	
Assumption	0	0	76
Cash	383	1 to 10	648
Conventional	1,849	11 to 20	409
FHA	586	21 to 30	266
Other	53	31 to 60	500
Owner	1	61 to 90	322
VA	290	91 to 120	208
		121 to 180	291
		181 to 360	338
		361 to 720	86
		721+	16

Notes:

- SP = Sold Price
- OLP = Original List Price
- LP = List Price (at time of sale)
- Garage/Parking Spaces are not included in Detached/Attached section totals.

Sold Detail

Price Ranges	Residential						Condo/Coop
	2 or Less BR		3 BR		4 or More BR		All
	Detached	Attached/TH	Detached	Attached/TH	Detached	Attached/TH	Attached
< \$50,000	0	0	3	0	1	0	0
\$50K to \$99,999	3	1	4	1	1	0	54
\$100K to \$149,999	5	2	6	7	1	3	49
\$150K to \$199,999	11	11	22	48	5	8	91
\$200K to \$299,999	14	36	102	291	60	69	177
\$300K to \$399,999	7	3	138	173	244	34	80
\$400K to \$499,999	1	1	76	80	345	17	43
\$500K to \$599,999	0	1	20	8	336	10	6
\$600K to \$799,999	0	0	8	0	314	5	0
\$800K to \$999,999	0	0	1	0	80	0	0
\$1M to \$2,499,999	0	0	0	0	45	0	0
\$2.5M to \$4,999,999	0	0	0	0	0	0	0
\$5,000,000+	0	0	0	0	0	0	0
Total	41	55	380	608	1,432	146	500
Avg Sold Price	\$222,790	\$232,409	\$341,161	\$299,082	\$544,828	\$323,014	\$237,168
Prev Year - Avg Sold Price	\$237,043	\$219,343	\$337,015	\$307,101	\$544,303	\$330,042	\$238,517
Avg Sold % Change	-6.01%	5.96%	1.23%	-2.61%	0.10%	-2.13%	-0.57%
Prev Year - # of Solds	25	56	321	515	1,210	151	431

