

2016/17 Comparison of Local Capacities (K-12) and SRCs (K-12, plus PreK & Special Education rooms)

	9/30/2016 Enroll	2016/17 Local	Local Util	2016/17 SRC	SRC Util	% Diff	Tot Diff	Abs Diff
Atholton ES	435	424	102.6%	419	103.8%	1.2%	-5	5
Bellows Spring ES	667	751	88.8%	720	92.6%	4.1%	-31	31
Bollman Bridge ES	665	666	99.8%	694	95.8%	4.2%	28	28
Bryant Woods ES	379	361	105.0%	362	104.7%	0.3%	1	1
Bushy Park ES	590	788	74.9%	910	64.8%	15.5%	122	122
Centennial Lane ES	739	647	114.2%	544	135.8%	15.9%	-103	103
Clarksville ES	430	612	70.3%	581	74.0%	5.1%	-31	31
Clemens Crossing ES	531	521	101.9%	544	97.6%	4.4%	23	23
Cradlerock ES*	457	398	114.8%	556	82.2%	39.7%	158	158
Dayton ES	621	788	78.8%	910	68.2%	15.5%	122	122
Deep Run ES	738	672	109.8%	740	99.7%	10.1%	68	68
Ducketts Lane ES	826	770	107.3%	785	105.2%	1.9%	15	15
Elkridge ES	817	760	107.5%	819	99.8%	7.8%	59	59
Forest Ridge ES	703	713	98.6%	660	106.5%	7.4%	-53	53
Fulton ES	832	788	105.6%	564	147.5%	28.4%	-224	224
Gorman Crossing ES	666	735	90.6%	618	107.8%	15.9%	-117	117
Guilford ES	440	465	94.6%	522	84.3%	12.3%	57	57
Hammond ES	640	653	98.0%	525	121.9%	19.6%	-128	128
Hollifield Station ES	744	694	107.2%	564	131.9%	18.7%	-130	130
Ilchester ES	653	653	100.0%	564	115.8%	13.6%	-89	89
Jeffers Hill ES	455	421	108.1%	435	104.6%	3.3%	14	14
Laurel Woods ES	541	640	84.5%	544	99.4%	15.0%	-96	96
Lisbon ES	446	527	84.6%	504	88.5%	4.4%	-23	23
Longfellow ES	419	512	81.8%	468	89.5%	8.6%	-44	44
Manor Woods ES	759	681	111.5%	564	134.6%	17.2%	-117	117
Northfield ES	710	700	101.4%	544	130.5%	22.3%	-156	156
Phelps Luck ES	585	616	95.0%	578	101.2%	6.2%	-38	38
Pointers Run ES	735	744	98.8%	564	130.3%	24.2%	-180	180
Rockburn ES	636	653	97.4%	847	75.1%	29.7%	194	194
Running Brook ES	470	515	91.3%	471	99.8%	8.5%	-44	44
St Johns Lane ES	701	612	114.5%	619	113.2%	1.1%	7	7
Stevens Forest ES	398	399	99.7%	320	124.4%	19.8%	-79	79
Swansfield ES	601	521	115.4%	601	100.0%	15.4%	80	80
Talbot Springs ES	447	377	118.6%	500	89.4%	32.6%	123	123
Thunder Hill ES	558	509	109.6%	386	144.6%	24.2%	-123	123
Triadelphia Ridge ES	560	581	96.4%	564	99.3%	2.9%	-17	17
Veterans ES	861	821	104.9%	922	93.4%	12.3%	101	101
Waterloo ES	567	663	85.5%	726	78.1%	9.5%	63	63
Waverly ES	707	638	110.8%	678	104.3%	6.3%	40	40
West Friendship ES	326	414	78.7%	394	82.7%	4.8%	-20	20
Worthington ES	527	590	89.3%	589	89.5%	0.2%	-1	1
<b>24582</b>	<b>24993</b>	<b>98.4%</b>	<b>24419</b>	<b>100.7%</b>				<b>3124</b>
	102.35%		97.70%			12.44%		

610

596

LOCAL
ES = (# K x 22) + (# Gr1-2 x 19) + (# Gr3-5 x 25)
MS = # classroom x 20.5 x 95%
HS = # classroom x 25 x 85% (or 80%, depending on core space)

SRC
ES SRC = (# PK x 20) + (# K x 22) + (# Gr1-5 x 23) + (# SpED x 10)
MS SRC = 85% x (# General x 25) + (# Career x 20) + (# SpED x 10) + (# Alt x 15)
HS SRC = 85% x (# General x 25) + (# Career x 20) + (# SpED x 10) + (# Alt x 15)

Bonnie Branch MS	713	662	107.7%	732	97.4%	10.6%	70	70
Burleigh Manor MS	819	779	105.1%	795	103.0%	2.1%	16	16
Clarksville MS	560	643	87.1%	619	90.5%	3.7%	-24	24
Dunloggin MS	617	565	109.2%	619	99.7%	9.6%	54	54
Elkridge Landing MS	700	779	89.9%	760	92.1%	2.4%	-19	19
Ellicott Mills MS	829	701	118.3%	816	101.6%	16.4%	115	115
Folly Quarter MS	616	662	93.1%	732	84.2%	10.6%	70	70
Glenwood MS	517	545	94.9%	640	80.8%	17.4%	95	95
Hammond MS	593	604	98.2%	679	87.3%	12.4%	75	75
Harpers Choice MS	570	506	112.6%	619	92.1%	22.3%	113	113
Lake Elkhorn MS*	530	643	82.4%	765	69.3%	19.0%	122	122
Lime Kiln MS	729	701	104.0%	732	99.6%	4.4%	31	31
Mayfield Woods MS	685	798	85.8%	773	88.6%	3.1%	-25	25
Mount View MS	792	798	99.2%	760	104.2%	4.8%	-38	38
Murray Hill MS	669	662	101.1%	685	97.7%	3.5%	23	23
Oakland Mills MS	443	506	87.5%	598	74.1%	18.2%	92	92
Patapsco MS	687	643	106.8%	598	114.9%	7.0%	-45	45
Patuxent Valley MS	639	760	84.1%	770	83.0%	1.3%	10	10
Thomas Viaduct MS	633	701	90.3%	754	84.0%	7.6%	53	53
Wilde Lake MS	556	467	119.1%	590	94.2%	26.3%	123	123
<b>12897</b>	<b>13125</b>	<b>98.3%</b>	<b>14036</b>	<b>91.9%</b>				<b>1213</b>
	93.51%		106.94%					

9/30/2016 Enroll	2016/17 Local	Local Util	2016/17 SRC	SRC Util	% Diff	Tot Diff	Abs Diff	
Atholton HS	1456	1460	99.7%	1543	94.4%	5.7%	83	83
Centennial HS	1511	1360	111.1%	1091	138.5%	19.8%	-269	269
Glenelg HS	1207	1420	85.0%	944	127.9%	33.5%	-476	476
Hammond HS	1300	1220	106.6%	1434	90.7%	17.5%	214	214
Howard HS	1837	1420	129.4%	1051	174.8%	26.0%	-369	369
Long Reach HS	1554	1488	104.4%	1434	108.4%	3.6%	-54	54
Marriotts Ridge HS	1264	1615	78.3%	1434	88.1%	11.2%	-181	181
Mt Hebron HS	1582	1400	113.0%	1408	112.4%	0.6%	8	8
Oakland Mills HS	1174	1400	83.9%	1135	103.4%	18.9%	-265	265
Reservoir HS	1481	1551	95.5%	1339	110.6%	13.7%	-212	212
River Hill HS	1154	1488	77.6%	1483	77.8%	0.3%	-5	5
Wilde Lake HS	1248	1424	87.6%	1434	87.0%	0.7%	10	10
<b>16768</b>	<b>17246</b>	<b>97.2%</b>	<b>15730</b>	<b>106.6%</b>				<b>2146</b>
	109.64%		91.21%					

Absolute differences totaled: ferences totaled: **6483**

CBde1 - 2017  
handouts from  
work session  
on 9/25/17

**Exhibit 4.10**  
**County Development Impact Fee and Excise Tax Revenues**

County	FY 2015	FY 2016	FY 2017	FY 2015-2016		FY 2016-2017	
				Difference	% Difference	Difference	% Difference
Anne Arundel	\$26,322,325	\$11,729,800	\$14,850,000	-\$14,592,525	-55.4%	\$3,120,200	26.6%
Calvert	3,409,067	2,727,844	2,461,841	-681,223	-20.0%	-266,003	-9.8%
Caroline	179,944	146,958	75,000	-32,986	-18.3%	-71,958	-49.0%
Carroll	190,346	450,000	160,670	259,654	136.4%	-289,330	-64.3%
Charles	13,294,219	11,233,531	9,166,017	-2,060,688	-15.5%	-2,067,515	-18.4%
Dorchester <sup>1</sup>	0	0	0	0	0.0%	0	0.0%
Frederick	10,879,277	10,820,416	11,395,086	-58,861	-0.5%	574,670	5.3%
Harford	2,560,800	2,500,000	2,500,000	-60,800	-2.4%	0	0.0%
Howard	14,253,284	14,400,000	14,936,084	146,716	1.0%	536,084	3.7%
Montgomery	45,580,000	54,474,000	41,569,000	8,894,000	19.5%	-12,905,000	-23.7%
Prince George's	26,909,196	30,400,000	32,264,200	3,490,804	13.0%	1,864,200	6.1%
Queen Anne's	1,709,401	1,640,900	1,770,900	-68,501	-4.0%	130,000	7.9%
St. Mary's	1,731,600	1,450,000	1,450,000	-281,600	-16.3%	0	0.0%
Talbot	602,052	244,000	244,000	-358,052	-59.5%	0	0.0%
Washington	976,762	600,000	600,000	-376,762	-38.6%	0	0.0%
Wicomico <sup>2</sup>	771,142	0	0	-771,142	-100.0%	0	0.0%
<b>Total</b>	<b>\$149,369,415</b>	<b>\$142,817,449</b>	<b>\$133,442,798</b>	<b>-\$6,551,966</b>	<b>-4.4%</b>	<b>-\$9,374,652</b>	<b>-6.6%</b>

<sup>1</sup> Dorchester County's development excise tax is suspended for a four-year period ending on June 30, 2018.

<sup>2</sup> The Wicomico County Council suspended the county's development impact fee from April 23, 2015, to October 23, 2015, and from November 6, 2015, to December 31, 2016. On November 1, 2016, the council passed legislation permanently repealing the county's impact fee effective January 2, 2017.

Source: Department of Legislative Services

9/20/17

\*new growth paying for itself when factoring in G.O.S (income tax, property tax) - PH2030

**Exhibit 4.9  
County Development Impact Fees and Excise Tax Rates<sup>1</sup>  
Fiscal 2015-2017**

<u>County</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>
Anne Arundel <sup>2</sup>	\$11,896	\$12,275	\$12,473
Calvert	12,950	12,950	12,950
Caroline <sup>3</sup>	5,000	5,000	5,000
Carroll	533	533	533
Charles	13,366	14,095	16,206
Dorchester <sup>4</sup>	0	0	0
Frederick <sup>5</sup>	14,208	14,208	14,881
Harford	6,000	6,000	6,000
Howard <sup>6</sup>	\$2.37/sq. ft.	\$2.40/sq. ft.	\$2.43/sq. ft.
Montgomery <sup>7</sup>	39,450	40,793	40,793
Prince George's <sup>8</sup>	22,803	22,757	23,007
Queen Anne's	\$4.72/sq. ft.	\$4.84/sq. ft.	\$4.96/sq. ft.
St. Mary's	4,500	4,500	4,500
Talbot <sup>9</sup>	6,804	6,967	7,176
Washington	\$1.00/sq. ft.	\$1.00/sq. ft.	\$1.00/sq. ft.
Wicomico <sup>10</sup>	5,231	5,231	0

<sup>1</sup> Fees/rates listed are generally those applicable to single-family detached dwellings and are per dwelling unless otherwise indicated.

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

<sup>3</sup> A \$750 development excise tax for agricultural land preservation is also imposed on new lots created by subdivision in a "rural district."

<sup>4</sup> The county development excise tax is suspended for a four-year period ending on June 30, 2018.

<sup>5</sup> 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.

<sup>6</sup> Fiscal 2015, 2016, and 2017 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 \$1.26/sq. ft., respectively).

<sup>7</sup> Fiscal 2016 and 2017 amounts represent \$13,966 for transportation and \$26,827 for schools. Fiscal 2015 amount represents \$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.

<sup>8</sup> Fiscal 2017 amount represents \$15,628 for school facilities and \$7,379 for public safety. A lower school facilities rate (\$9,116 in fiscal 2017) applies inside the beltway and to certain development near mass transit, and a lower public safety rate (\$2,461 in fiscal 2017) applies inside the "developed tier" as defined in the 2002 Prince George's County Approved General Plan and to certain development near mass transit.

<sup>9</sup> A lower rate (\$6,199 in fiscal 2017) applies to development inside municipalities.

<sup>10</sup> The County Council placed a moratorium on the imposition and collection of the Public School Impact Fee for all new residential dwelling units from April 23, 2015, to October 23, 2015. The council subsequently extended the moratorium from November 6, 2015, to December 31, 2016. On November 1, 2016, the council passed legislation permanently repealing the county's impact fee effective January 2, 2017.

Source: Department of Legislative Services



# Howard County

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## Internal Memorandum

SUBJECT: Council APFO Questions  
TO: Carl DeLorenzo  
FROM: Mark DeLuca  
DATE: 10-17-17

The following compares our requirements, or tests, for adequate water, sewer, stormwater drainage, and solid waste level of service standards with those of the surrounding jurisdictions.

Our requirements were compared against text provided by you and found as an attachment to this memo. While only a statement is provided here, additional and more specific requirements can be found in the Howard County code sections that are referenced by that service. Please let me know if you have any further questions.

**Water/Sewer:** The code provisions for planning and allocation of these service meets or exceeds the most stringent requirements of surrounding jurisdictions.

Code References:

**Sec. 16.131. - Sewage disposal and water supply.**

**Sec. 18.100A. - Capital Improvement Master Plan (C.I.M.P.) for Water and Sewerage.** To be done every 10 years as well as updated and presented to council annually. Also, based on the County General Plan and adjusted for interim general plan amendments.

**Sec. 18.122B. - Allocation of water and wastewater capacity.**

The Department of Public Works shall tentatively allocate water or wastewater capacity when available to the subdivision, concurrent with the approval of a final subdivision plat for a subdivision to be served by a public water or wastewater system by the Office of Planning and Zoning.

**Stormwater Drainage:** The code provisions for planning and allocation of these service meets or exceeds the most stringent requirements of surrounding jurisdictions.

Code References:

**Sec. 16.133. - Storm drainage.** Extensive requirements to control storm drainage and stormwater management.

**Solid Waste:** The code provisions for planning and allocation of these service meets or exceeds the most stringent requirements of surrounding jurisdictions.

Code References:

**Sec. 18.600A. - Capital Improvement Master Plan (C.I.M.P.) for Solid Waste.** Ten- year plan updated annually. Also, based on the county General Plan and interim report updates on population growth.

## Water

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Water
Anne Arundel	A private water supply system shall be considered adequate if the source facilities, storage tanks, pumping stations and distribution system have sufficient available capacity to provide maximum day demand and peak hour demand in addition to fire flow to the proposed development.
Baltimore	For property located within the metropolitan district, residual water pressure at the public fire hydrant nearest the site of the proposed nonindustrial development must meet the standards established by the National Board of Fire Underwriters fire flow test. For property that is not served by a public water system, the minimum water well yield requirement equals a recovery rate of 1 gallon per minute.
Carroll	A water facility is adequate if the maximum day demand is less than 85% of the total system production capacity. A water facility is approaching inadequate if the projected maximum day demand is greater than or equal to 85% but less than 95% of the total system production capacity, and thereby subject to permit restrictions.
Charles	A development requiring a ground water appropriation permit must be issued a permit by the Water Resources Administration of the State Department of Natural Resources.
Frederick	A public or private community water system shall be considered adequate if: (1) the source facilities, storage tanks and local pumping stations have sufficient available capacity to provide maximum day demand to the proposed development and meet peak hour demand in addition to fire flow; and (2) the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development. Also considered adequate if improvements are scheduled in the first 2 years of the CIP.
Harford	County water system or community water system shall be considered adequate if the existing system has sufficient available capacity to provide maximum and peak hour demand in addition to the minimum required pressures for fire flows to the proposed development.
Montgomery	Applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewerage Plan, or if the applicant provides a community water system or meets Department of Permitting Services requirements for well systems. Also considered adequate if improvements are scheduled in the first 5 years of the WSSC CIP.
Prince George's	The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.
Queen Anne's	Adequate water supply, treatment, and storage capacity must be available to serve the proposed development. A development requiring a ground water appropriation permit must be issued a permit by the Maryland Department of the Environment. Determinations regarding the adequacy of water facilities shall be based on the water consumption demands adopted by the Department of Public Works. For properties not served by central water, adequacy can be found only where the proposed development can meet the standards and requirements of the Department of Environmental Health.
St. Mary's	A water supply shall be considered adequate if it meets the applicable requirements of the Maryland Department of the Environment, the St. Mary's County Health Department, and the St. Mary's County Metropolitan Commission regulations.
Washington	All new development shall be served by an adequate water supply and distribution system that provides sufficient water and service pressure for domestic consumption and fire protection. Adequacy is determined by the Planning Commission after receiving recommendation from the responsible review agency. Adequacy shall be determined according to the agency's adopted guidelines, standards and policies. All parts of the water supply and distribution system affected by the projected water needs of the new development shall be considered.

## Sewer

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Sewer
Anne Arundel	A public community sewerage system shall be considered adequate if the lateral systems, interceptors, pumping stations and force mains, and treatment plants have available capacity to accommodate expected and ultimate peak flows from the proposed subdivision.
Baltimore	The maximum level of non-Industrial development per sewage area shall not be greater than that capable of being provided with available sewerage capacity based on sewage yield standards which have been established for various types of residential and commercial uses.
Carroll	A sewer facility is adequate if the projected annual average daily flow is less than 85% of the wastewater treatment facility permitted capacity. A sewer facility is approaching inadequate if the projected annual average daily flow is greater than or equal to 85% but less than 95% of the wastewater treatment facility permitted capacity, and thereby subject to permit restrictions.
Charles	No current requirement, but a section has been reserved in the code for such purpose.
Frederick	A sewerage system shall be considered adequate if the systems designed to serve the proposed development are sufficient to accommodate ultimate peak flows. Also considered adequate if improvements are scheduled in the first 2 years of the CIP.
Harford	The County sewerage system shall be considered adequate if the collector system, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected annual average and maximum daily loadings from the proposed development.
Howard	A community sewer system is defined as adequate if the system has unused capacity available for allocation. The required improvements for the approval of lots for sewage disposal vary according to the planned service time frame designation in the county water and sewerage plan.
Montgomery	Applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewerage Plan, or if the applicant provides a community sewerage system or meets Department of Permitting Services requirements for septic systems. Also considered adequate if improvements are scheduled in the first 5 years of the WSSC CIP.
Prince George's	The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.
Queen Anne's	Adequate sewer treatment must be available to serve the proposed development. Determinations regarding the adequacy of sewer facilities shall be based on wastewater generation demands adopted by the Department of Public Works. For properties not served by central sewer adequacy can be found only where the proposed development can meet the standards and requirements of the Department of Environmental Health.
St. Mary's	A water supply shall be considered adequate if it meets the applicable requirements of the Maryland Department of the Environment, the County Health Department, and the County Metropolitan Commission regulations.
Washington	All new subdivisions shall be served by adequate sewage disposal systems. Adequacy of an individual, on-site septic disposal system or a community or multi-use sewage disposal system shall be determined by the Planning Commission after receiving the recommendation and evaluation by the responsible review agency. Adequacy shall be evaluated according to the review agency's adopted guidelines, standards and policies. All parts of the sewage disposal system affected by the projected flow shall be considered in the evaluation.

## Stormwater Drainage

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Stormwater
Anne Arundel	A storm drain system shall be considered adequate if: (1) the on-site drainage system and stormwater management system includes environmental site design to the maximum extent practicable, and is capable of conveying through and from the property the design flow of storm water runoff originating in the subdivision to an adequate outfall; and (2) the off-site drainage systems are capable of conveying to an adequate outfall the design flow of storm water originating in the subdivision.
Baltimore	The proposed drainage facilities shall be adequate to accommodate the amount of runoff that would be generated by the proposed development and the entire upstream area if the area were fully developed in accordance with County zoning regulations. Development must not increase the extent of the floodplain on neighboring properties.
Caroline	All subdivisions shall have a drainage outlet adequate in size and grade to efficiently remove stormwater and provide drainage for roads and all lots.
Charles	No current requirement, but a section has been reserved in the code for such purpose.
Prince George's	Proposed subdivisions shall demonstrate adequate control of the increased runoff due to the 10 year storm or other such standards as the State law or the County shall adopt, with stormwater control provided on-site.
St. Mary's	A storm drainage system shall be considered adequate if: (1) the on-site drainage system installed by the developer will be capable of conveying through and from the property the design flow of storm water runoff originating in the development during a 100-year flood; and (2) on-site and off-site drainage systems will be capable of conveying flows from undeveloped land upstream in the natural watershed, flows from existing and approved developments, without resulting in erosion, sedimentation or flooring of the receiving channel and downstream properties.

## Health Care

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Health Care
Montgomery	Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.



**Police**

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Police
Carroll	Police services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1000. Police services are approaching inadequate if the projected ratio of sworn law enforcement officers to population is between 1.2-1.3:1000, and thereby subject to permit restrictions.
Montgomery	Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.
Prince George's	The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision must not exceed the service capacity of existing police stations as determined by the Planning Board guidelines; or an adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with 100 percent of construction expenditures within the Capital Improvement Program.

**Solid Waste**

ADEQUATE PUBLIC FACILITIES PROVISIONS Level of Service Standards, 2012	
Jurisdiction	Solid Waste Disposal
Caroline	Solid waste facilities serving the area in which the subdivision is located shall be adequate to handle the additional waste generated by the residents of the subdivision.

Jurisdiction	Transportation	Compared with Howard County
Anne Arundel	Road facilities in the Impact area are considered adequate if they meet a minimum Level of Service (LOS) "D" and have an adequacy rating of not less than 70 as defined by the county road rating program. For Parole Town Center, intersections from site access points must have a peak hour critical lane volume of less than 1,450, or 1,600 in the core at the discretion of the Planning and Zoning Officer.	See MD APFO Road Parameters Spreadsheet
Baltimore	LOS "E" or "F" for arterial and arterial collector intersections. Adequacy standard only applies to nonindustrial development	See MD APFO Road Parameters Spreadsheet
Calvert	County roads must maintain a LOS "C", except Town Centers where a LOS "D" is acceptable; state roads must maintain a LOS "D". Traffic may be waived under extenuating circumstances by County Engineer.	See MD APFO Road Parameters Spreadsheet
Caroline	All subdivisions must have access from a county road or state highway. Any county road paved after March 18, 1980 must be at least 50 ft. in width to provide adequate access.	See MD APFO Road Parameters Spreadsheet
Carroll	LOS "C" is adequate; LOS "D" is "approaching inadequate" and subject to permit restrictions.	See MD APFO Road Parameters Spreadsheet
Charles	Minimum LOS is based on comprehensive plan designation: -Development District: LOS "C" (off-peak), LOS "C" (peak) -Village Centers: LOS "B" (off-peak), LOS "C" (peak) -Rural/Ag Conservation Areas & Others: LOS "A" (off-peak), LOS "B" (peak) -Town Centers & Urban Core: LOS "C" (off-peak), LOS "D" (off-peak)	See MD APFO Road Parameters Spreadsheet
Frederick	Signalized intersections and roundabouts within designated growth boundaries shall be considered adequate if LOS "E" or better is maintained, LOS "D" outside of designated growth boundaries. All other roadway links, unsignalized intersections and corridors shall be considered adequate if LOS "E" or better maintained.	See MD APFO Road Parameters Spreadsheet
Harford	Intersections within planned growth areas must have a minimum LOS "D". Intersections outside of planned growth areas must have a minimum LOS "C".	See MD APFO Road Parameters Spreadsheet
Howard	Minimum LOS "D" for county roads, excluding Downtown Columbia. Minimum LOS "E" for state roads. In Downtown Columbia, the intersection standard is up to 1,600 CLV for all intersections as specified in the Howard County Design Manual	See MD APFO Road Parameters Spreadsheet
Montgomery	(1) Policy Area Transportation Review is based upon a relationship between Relative Arterial Mobility and Relative Transit Mobility: -If the forecasted transit LOS is "A", the minimum acceptable arterial LOS is "D" -If the forecasted transit LOS is "B", the minimum acceptable arterial LOS is "D" -If the forecasted transit LOS is "C", the minimum acceptable arterial LOS is "D" -If the forecasted transit LOS is "D", the minimum acceptable arterial LOS is "C" -If the forecasted transit LOS is "E", the minimum acceptable arterial LOS is "B" -If the forecasted transit LOS is "F", the minimum acceptable arterial LOS is "A" (2) Local Area Transportation Review mandates intersection congestion adequacy by critical lane volume: -In rural areas, 1350-1400 -In suburban and urbanizing areas, 1425-1600 -In urban areas, 1800	See MD APFO Road Parameters Spreadsheet
Prince George's	The County Planning Board adopts minimum peak-hour service levels for major intersections and major roadways. Minimum LOS is based on comprehensive plan designation: -Developed Tier: LOS "E" -Developing Tier: LOS "D" -Rural Tier: LOS "C" -Metropolitan and Regional Centers: LOS "E"	See MD APFO Road Parameters Spreadsheet

Jurisdiction	Transportation	Compared with Howard County
Queen Anne's	<p>In designated growth areas, intersections are considered adequate with a peak hours minimum LOS "C". Outside designated growth areas, intersections are considered adequate with a peak hours minimum LOS "B".</p> <p>The established minimum LOS for intersection capacity is based on planning district:</p> <ul style="list-style-type: none"> <li>-Development Districts: LOS "D"</li> <li>-Town Centers and Village Centers: LOS "C"</li> <li>-Rural Preservation Districts: LOS "C"</li> </ul>	See MD APFO Road Parameters Spreadsheet
St. Mary's	<p>Roads serving the project must be a minimum of 18 feet wide and are or will be capable of accommodating existing traffic. Access roads are also considered adequate is the County has programmed the necessary improvements in the six year CIP.</p>	See MD APFO Road Parameters Spreadsheet
Washington	<p>The minimum LOS is acceptable for road segments in all areas shall be LOS "D". The minimum LOS acceptable for intersections in Urban and Town Growth Areas is LOS "D", and in all other areas LOS "C". If existing road is a state highway, then the State Highway Access Manual applies, which has a standard LOS "D" for intersections.</p>	See MD APFO Road Parameters Spreadsheet

Jurisdiction	Water	Compared with Howard County
Anne Arundel	A private water supply system shall be considered adequate if the source facilities, storage tanks, pumping stations and distribution system have sufficient available capacity to provide maximum day demand and peak hour demand in addition to fire flow to the proposed development.	Requirement already exists
Baltimore	For property located within the metropolitan district, residual water pressure at the public fire hydrant nearest the site of the proposed nonindustrial development must meet the standards established by the National Board of Fire Underwriters fire flow test. For property that is not served by a public water system, the minimum water well yield requirement equals a recovery rate of 1 gallon per minute.	Requirement already exists
Carroll	A water facility is adequate if the maximum day demand is less than 85% of the total system production capacity. A water facility is approaching inadequate if the projected maximum day demand is greater than or equal to 85% but less than 95% of the total system production capacity, and thereby subject to permit restrictions.	Meets or exceeds
Charles	A development requiring a ground water appropriation permit must be issued a permit by the Water Resources Administration of the State Department of Natural Resources.	Done by Health Department
Frederick	A public or private community water system shall be considered adequate if: (1) the source facilities, storage tanks and local pumping stations have sufficient capacity to provide maximum day demand to the proposed development and meet peak hour demand in addition to fire flow; and (2) the distribution system is capable of providing normal required pressure as well as minimal residual pressure to the proposed development. Also considered adequate if improvements are scheduled in the first 2 years of the CIP.	Meets or exceeds
Harford	County water system or community water system shall be considered adequate if the existing system has sufficient available capacity to provide maximum and peak hour demand in addition to the minimum required pressures for fire flows to the proposed development.	Meets or exceeds
Montgomery	Applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewage Plan, or if the applicant provides a community water system or meets Department of Permitting Services requirements for well systems. Also considered adequate if improvements are scheduled in the first 5 years of the WSSC CIP.	Requirement already exists
Prince George's	The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.	Requirement already exists
Queen Anne's	Adequate water supply, treatment, and storage capacity must be available to serve the proposed development. A development requiring a ground water appropriation permit must be issued a permit by the Maryland Department of the Environment. Determinations regarding the adequacy of water facilities shall be based on the water consumption demands adopted by the Department of Public Works. For properties not served by central water, adequacy can be found only where the proposed development can meet the standards and requirements of the Department of Environmental Health.	Requirement already exists, groundwater done by Health Department

Jurisdiction	Water	Compared with Howard County
St. Mary's	A water supply shall be considered adequate if it meets the applicable requirements of the Maryland Department of the Environment, the St. Mary's County Health Department, and the St. Mary's County Metropolitan Commission regulations.	Done by Health Department
Washington	All new development shall be served by an adequate water supply and distribution system that provides sufficient water service pressure for domestic consumption and fire protection. Adequacy is determined by the Planning Commission after receiving recommendation from the reasonable review agency. Adequacy shall be determined according to the agency's adopted guidelines, standards and policies. All parts of the water supply and distribution system affected by the projected water needs of the new developments shall be considered.	Meets or exceeds

Jurisdiction	Sewer	Compared with Howard County
Anne Arundel	A public community sewerage system shall be considered adequate if the lateral systems, interceptors, pumping stations and force mains, and treatment plants have available capacity to accommodate expected and ultimate peak flows from the proposed subdivision.	Requirement already exists
Baltimore	The maximum level of non-industrial development per sewage area shall not be greater than that capable of being provided with available sewerage capacity based on sewage yield standards which have been established for various types of residential and commercial uses.	Meets or exceeds
Carroll	A sewer facility is adequate if the projected annual average daily flow is less than 85% of the wastewater treatment facility permitted capacity. A sewer facility is approaching inadequate if the projected annual average daily flow is greater than or equal to 85% but less than 95% of the wastewater treatment facility permitted capacity, and thereby subject to permit restrictions.	Meets or exceeds
Charles	No current requirement, but a section has been reserved in the code for such purpose.	Exceeds
Frederick	A sewerage system shall be considered adequate if the systems designed to serve the proposed development are sufficient to accommodate ultimate peak flows. Also considered adequate if improvements are scheduled in the first 2 years of the CIP.	Meets or exceeds
Harford	The County sewerage system shall be considered adequate if the collector system, interceptors, pumping stations and force mains, and treatment plants have sufficient available capacity to accommodate expected annual average and maximum daily loadings from the proposed development.	Requirement already exists
Howard	A community sewer system is defined as adequate if the system has unused capacity available for allocation. The required improvements for the approval of lots for sewage disposal vary according to the planned service time frame designation in the county water and sewerage plan.	
Montgomery	Applications must be considered adequately served by water and sewer if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water and Sewage Plan, or if the applicant provides a community sewerage system or meets Department of Permitting Services requirements for septic systems. Also considered adequate if improvements are scheduled in the first 5 years of the WSSC CIP.	Requirement already exists, approval times differ
Prince George's	The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.	Requirement already exists
Queen Anne's	Adequate sewer treatment must be available to serve the proposed development. Determinations regarding the adequacy of sewer facilities shall be based upon wastewater generation demands adopted by the Department of Public Works. For properties not served by central sewer adequacy can be found only where the proposed development can meet the standards and requirements of the Department of Environmental Health.	Requirement already exists
St. Mary's	A water supply shall be considered adequate if it meets the applicable requirements of the Maryland Department of the Environment, the County Health Department, and the County Metropolitan Commission regulations.	Done by Health Department
Washington	All new subdivisions shall be served by adequate sewage disposal systems. adequacy of an individual, on-site septic disposal system or a community or multi-use sewage disposal system shall be determined by the Planning Commission after receiving the recommendation and evaluation by the responsible review agency. Adequacy shall be evaluated according to the review agency's adopted guidelines, standards and policies. All parts of the sewage disposal system affected by the projected flow shall be considered in the evaluation.	Meets or exceeds, septic done by Health Department

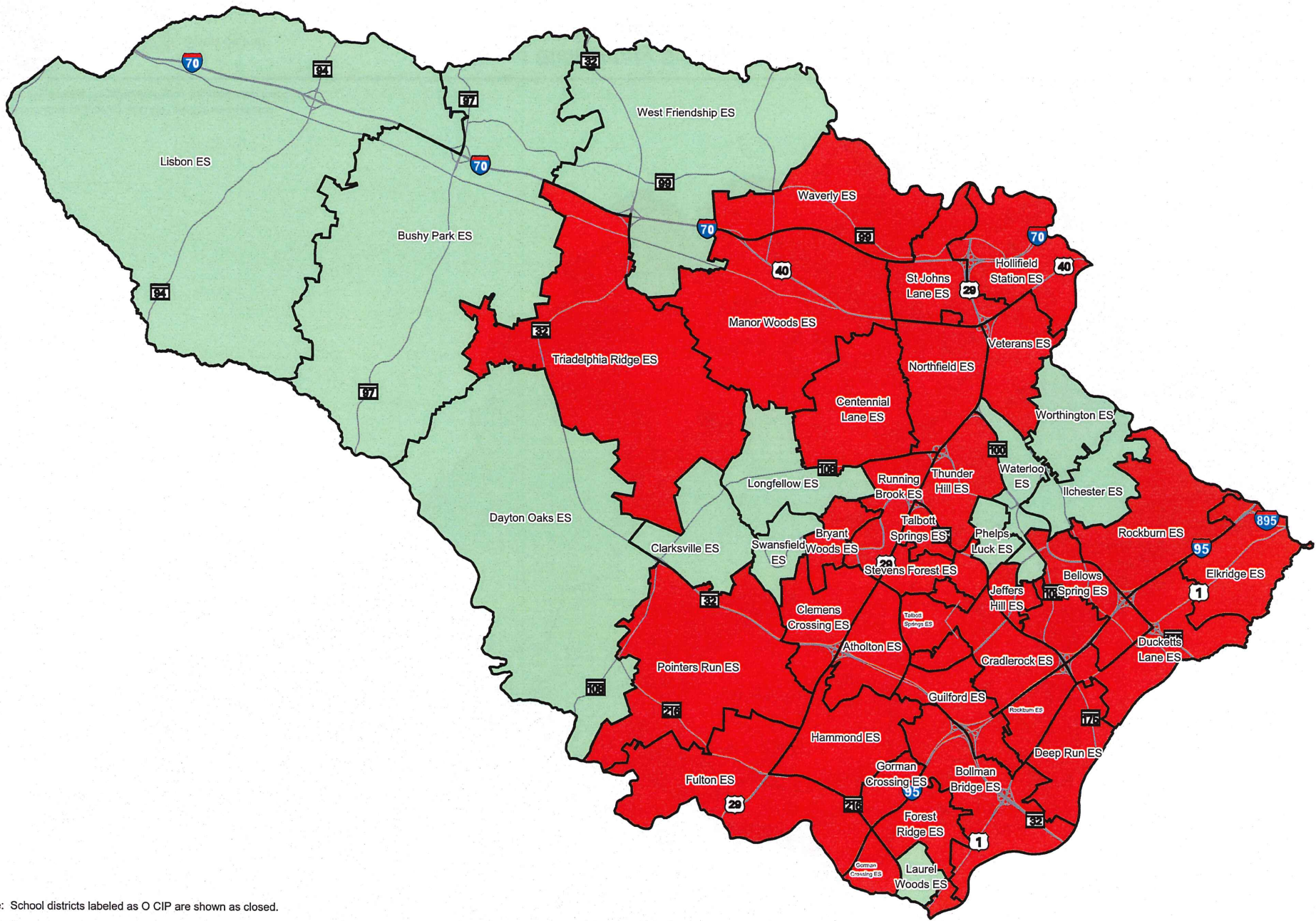
Jurisdiction	Stormwater	Compared with Howard County
Anne Arundel	A storm drain system shall be considered adequate if: (1) the on-site drainage system and stormwater management system includes environmental site design to the maximum extent practicable, and is capable of conveying through and from the property the design flow of storm water runoff originating in the subdivision to an adequate outfall; and (2) the off-site drainage systems are capable of conveying to an adequate outfall the design flow of storm water originating in the subdivision.	Requirement already exists
Baltimore	The proposed drainage facilities shall be adequate to accommodate the amount of runoff that would be generated by the proposed development and the entire upstream area if the area were fully developed in accordance with the County zoning regulations. development must not increase the extent of the floodplain on neighboring properties.	Requirement already exists
Caroline	All subdivisions shall have a drainage outlet adequate in size and grade to efficiently remove stormwater and provide drainage for roads and all lots.	Exceeds
Charles	No current requirement, but a section has been reserved in the code for such purpose.	Exceeds
Prince George's	Proposed subdivisions shall demonstrate adequate control of the increased runoff due to the 10 year storm or other such standards as the State law or County shall adopt, with stormwater control provided on-site.	Outdated standard
St. Mary's	A storm drainage system shall be considered adequate if: (1) the on-site drainage system installed by the developer will be capable of conveying through and from the property the design flow of storm water runoff originating in the development during a 100-year flood; and (2) on-site and off-site drainage systems will be capable of conveying flows from undeveloped land upstream in the natural watershed, flows from existing and approved developments, without resulting in erosion, sedimentation or flooring of the receiving channel and downstream properties.	Exceeds

Jurisdiction	Fire and Emergency Services	Compared with Howard County
Anne Arundel	A development passes the test for adequate fire suppression facilities if in the scheduled completion year of the development the public water supply system, or a private fire protection water supply system approved by the Office of Planning and Zoning after consultation with the reviewing agencies, will be capable of providing adequate fire-flow.	HCDFRS does not complete any similar measurement that is described for Anne Arundel County. Howard County DPW ensures adequate water in the metro area. For the rural areas of Howard County, there is currently no requirement, other than new homes must be sprinklered.
Caroline	Fire protection services and facilities for the area in which the subdivision is located shall be adequate to protect the lives and property of the residents of the subdivision.	The listed statement is very a generic statement and does not identify how any measurements are completed.
Carroll	Fire and emergency medical services are adequate if: (1) the projected total number of late and no responses is less than 15%, and the total number of no responses is less than 4% measures on a quarterly basis; (2) using an average over the previous 24 months, response time is 8 minutes or less from the time of dispatch to on-scene arrival with adequate apparatus and personnel; and (3) all bridges and roads for the most direct route or acceptable secondary route to the project site are adequate to support fire and emergency apparatus.	HCDFRS does not currently measure estimated response times to locations.
Charles	A major subdivision having a W6 water service category must have an existing water source with all-weather access within four round-trip miles driving distance and accessible to the fire department using no more than 20 feet of hard sleeve.	HCDFRS does not have a water source requirement. See note above in Anne Arundel County section.
Montgomery	Programmed services must be considered adequate for facilities such as police stations, firehouses, an health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.	HCDFRS does not have a current measure of Fire & Rescue infrastructure built into the plan review/approval process.
Prince George's	The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision must be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board guidelines; or an adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with 100 percent of the construction expenditures within the Capital Improvement Program, unless the construction of such improvements has not commenced within 9 years after the project is fully funded.	HCDFRS does not have a current measure of Fire & Rescue infrastructure built into the plan review/approval process.
St. Mary's	The proposed development shall be considered adequately served by fire suppression facilities if: (1) it is served by an approved public (central) water supply system or multi-user water supply system capable of providing fire flow in accordance with the County standards; or (2) proposed development is served by private wells with fire flow and storage capabilities in accordance with the NFPA 1142 standard, and water for fire suppression shall be available within 1,000 feet of all single buildings under 12,000 sq. ft. area and on site for all single buildings over 12,000 sq. ft. area.	In comparison of the two conditions in the St. Mary's County provision: 1) HCDFRS does not have a water supply requirement. See note above in Anne Arundel County section. 2) The new homes constructed in areas supplied by private well are required to be sprinklered; therefore, an adequate well source for that and a holding tank is required by Howard County Building Code.
Washington	The County requires adequate interim fire protection systems in new commercial and industrial developments which are located in designated urban or town growth areas where public water service is not anticipated within two years. This interim fire protection system must be capable of providing the same level of fire protection as if it were connected to a public water system. The adequacy of an interim fire protection system shall be determined by the Planning Commission after receiving recommendations from various County and city departments. Standards established by the Maryland State Fire Marshal shall be used in the review and approval of the interim fire protection system.	Howard County utilizes International Residential Code (IRC) and International Building Code (IBC) regulations through DILP that require adequate fire water supply for automatic sprinklers. Otherwise, HCDFRS has no requirements on the water sources being available in the western (rural) portions of Howard County. See note above in the Anne Arundel County section.



Jurisdiction	Police	Compared with Howard County
Carroll	<p>Police services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1000. Police services are approaching inadequate if the projected ratio of sworn law enforcement officers to population is between 1.2-1.3:1000, and thereby subject to permit restrictions.</p>	<p>The International Association of Chiefs of Police, in their "Patrol Staffing and Deployment Study" stated that "Ratios, such as officers-per- thousand population, are totally inappropriate as a basis for staffing decisions." The study explained the myriad of complexities involved to truly meet local development density, topography, climate, etc. Based upon the current Howard County population of 313,414 and the current authorized sworn strength of 473 Officers, the ratio of sworn law enforcement officers to population is 1.5. However, not all of our 473 Officers are assigned to police patrol. The HCPD has over 40 organizational components to address everything from our Training Division to Criminal Investigations. The ratio does not in any way represent the actual patrol response capabilities.</p>
Montgomery	<p>Programmed services must be considered adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies.</p>	<p>The description listed for Montgomery County does not seem like any type of actual testing criteria. They indicate that services will be considered adequate, "unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies." In conducting research, HCPD did outreach to Ms. Melissa A. Schulze the Planning Manager for the MCPD, Ms. Sandra Batterden, the MCPD Facilities Manager, as well as Mr. Greg Ossont, Deputy Director of General Services. They reported that Park and Planning usually took the lead and their actual involvement only occurred about 2 – 3 times per year and was more of a review with the applicable District Commander. Recently, they faced reviews related to White Flint and Wheaton, along with the Purple Line for Metro. They did not approve or disapprove developments, but identified the likely need for additional staffing. While the fire department has a response time criteria, the police department does not, guidelines simply state that it must be adequate and if a problem is identified and cannot be solved with a CIP project, "it's a problem". The MCPD District Commander, Policy and Planning – Melissa, and Facilities Manager have input at the master plan or sector plan review stage. An individual project cannot be approved unless it is consistent with the overlying area master or sector plan. The PD does send in comments on master plans as well as the potential costs to staff, outfit and house additional MCPD functions.</p>
Prince George's	<p>The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision must not exceed the service capacity of existing police stations as determined by the Planning Board guidelines; or an adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with 100 percent of construction expenditures within the Capital Improvement Program.</p>	<p>The PG text implies that the subdivision "must not exceed the service capacity of existing police stations" or the subdivision must include adding an adequate facility with 100% of construction expenditures included the Capital Improvement Program. HCPD's research included outreach to Acting Lieutenant Terrence I. Nelson, the Administrative Commander for the Office of the Chief of Police, Ms. Angela Fair of their Comptroller's Office, and Ms. Kimberly Knight of the Office of Management and Budget who were unable to articulate PGPD's experience applying the published test. The PG model could possibly be considered for use in Howard County, after further research, but we recognize that the deployment of law enforcement officers must continuously adjust to meet temporal and geographic shifts in calls for service, crime, and actual community needs and expectations. The HCPD is also closely monitoring changes within our current communities that experience shifting neighborhood demographics and changes in the types of existing residential and nonresidential buildings. In addition, our aging population is expanding which impacts calls for service county-wide. There is no current "nationwide test" for planning for adequate public safety.</p>

Jurisdiction	Solid Waste Disposal	Compared with Howard County
Caroline	Solid waste facilities serving the area in which the subdivision is located shall be adequate to handle the additional waste generated by the residents of the subdivision.	Exceeds



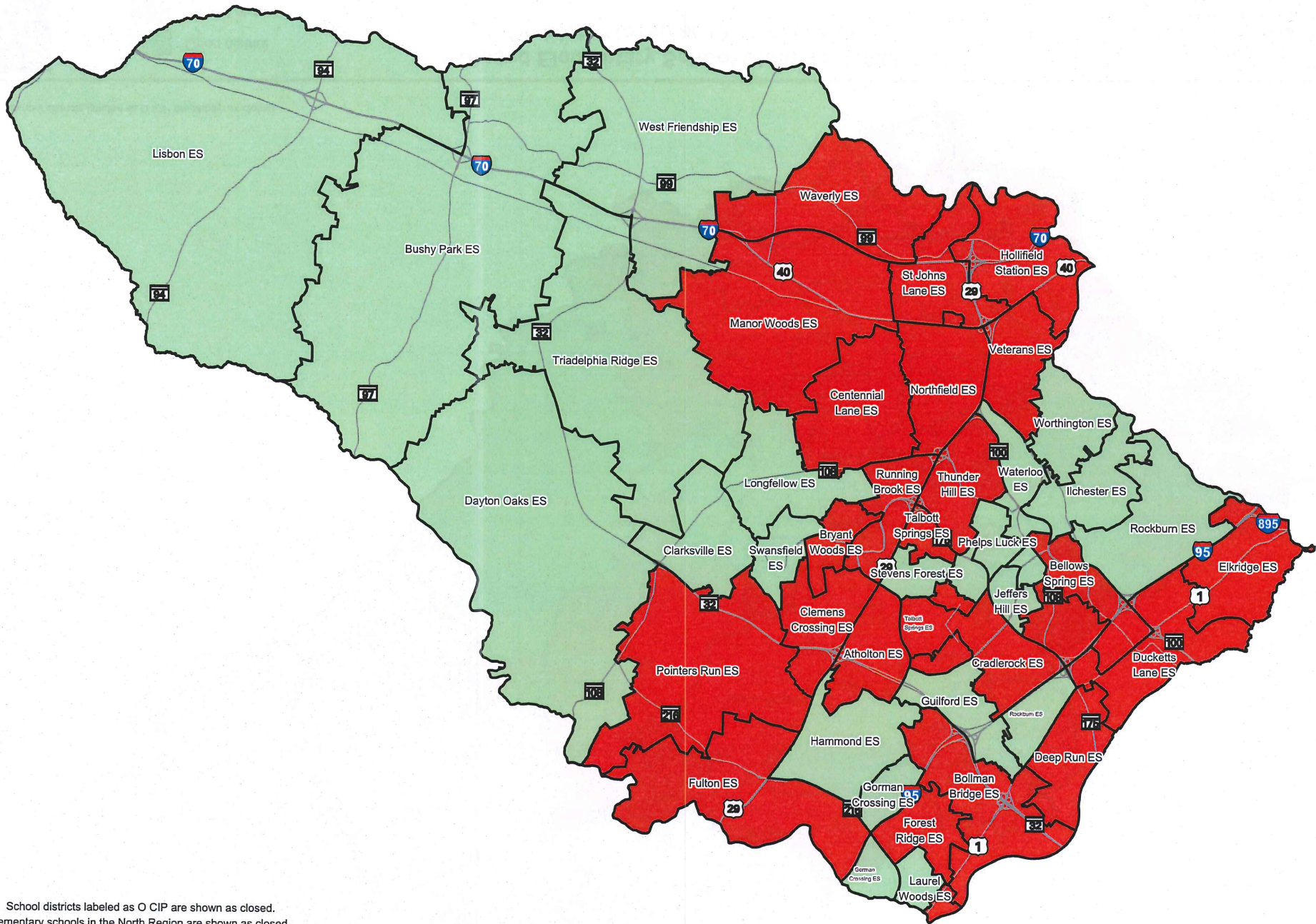
Note: School districts labeled as O CIP are shown as closed.



- Open district
- Closed district

**Closed Elementary School Districts (2020)**  
**Districts closed at 100% capacity**

Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 17, 2017



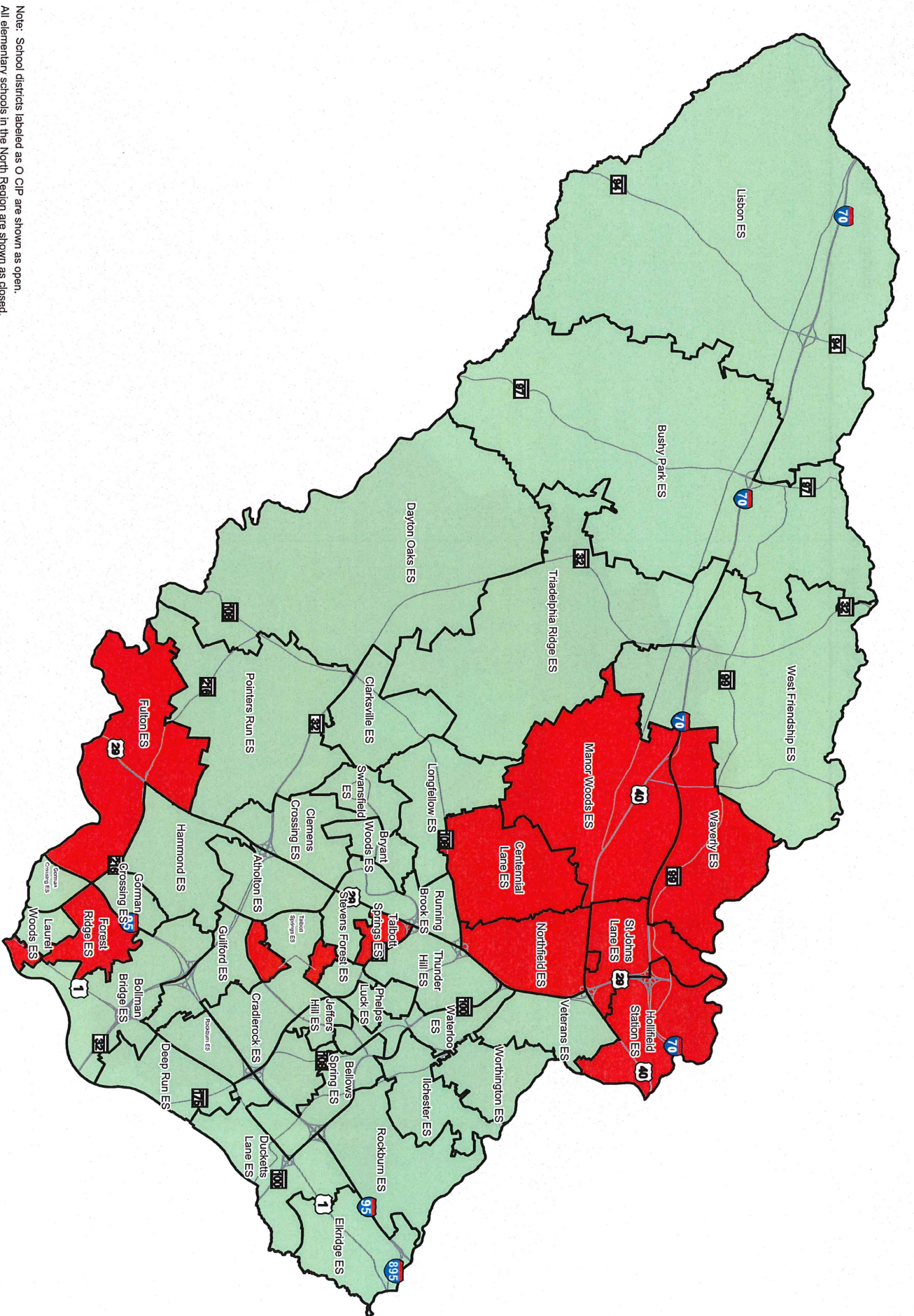
Note: School districts labeled as O CIP are shown as closed.  
 All elementary schools in the North Region are shown as closed.



- Open district
- Closed district

### Closed Elementary School Districts (2020) Districts closed at 110% capacity

Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 17, 2017



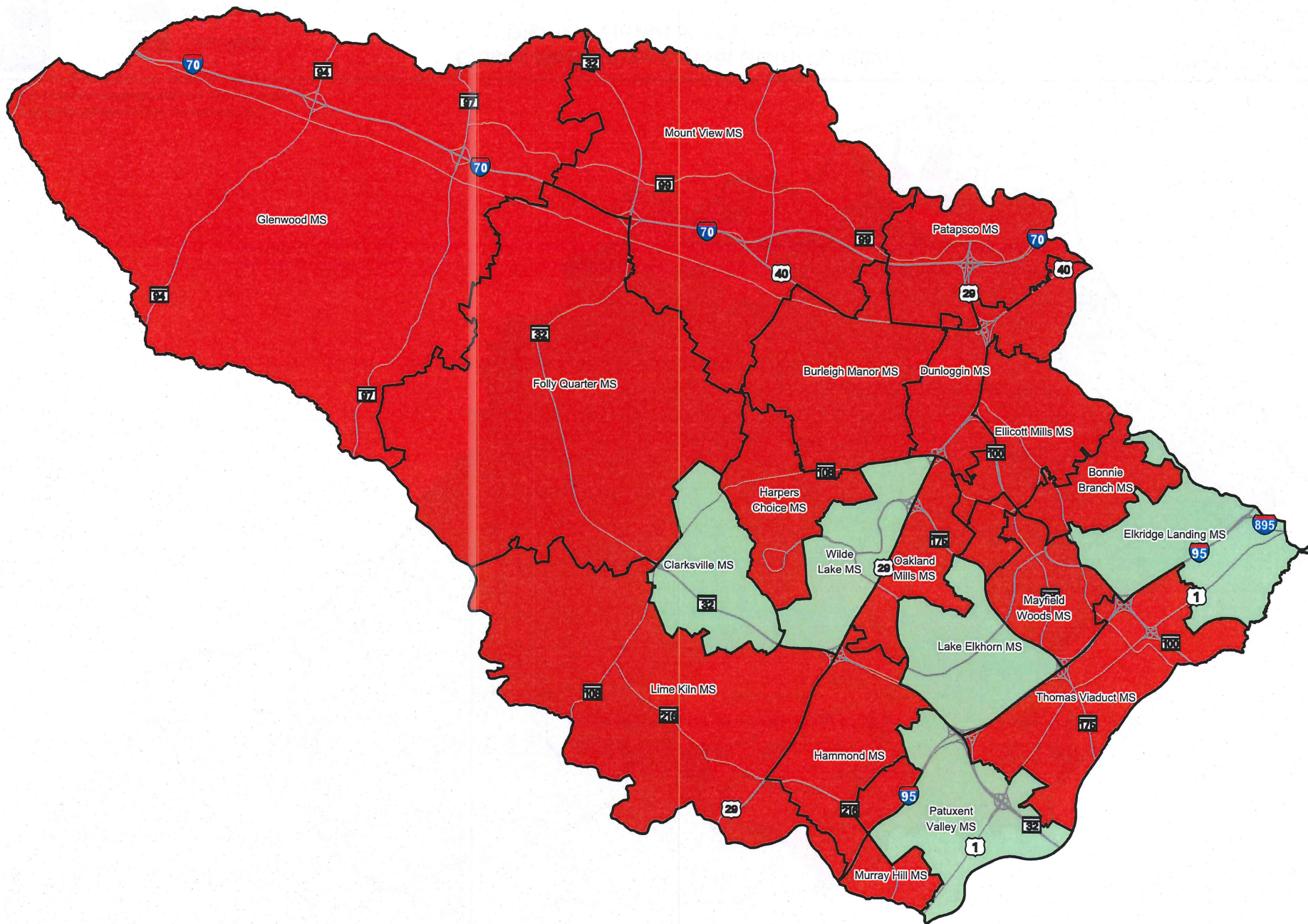
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 All elementary schools in the North Region are shown as closed.

Open district  
 Closed district

### Closed Elementary School Districts (2020) Districts closed at 115% capacity

Department of Planning  
 and Zoning  
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 Scale: 1 in = 14,000 ft  
 October 17, 2017

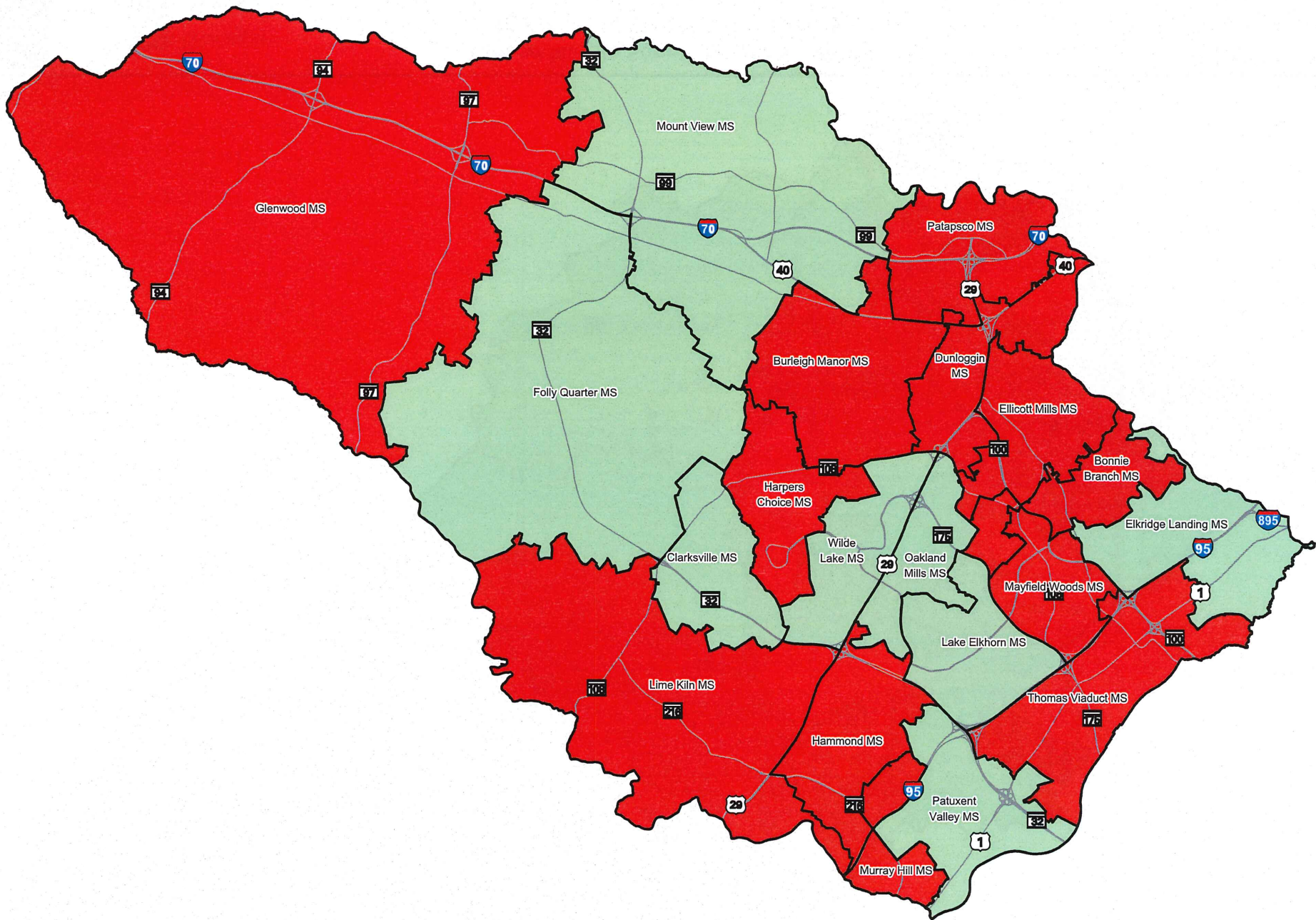




- Open district
- Closed district

**Closed Middle School Districts (2020)**  
**Districts closed at 100% capacity**

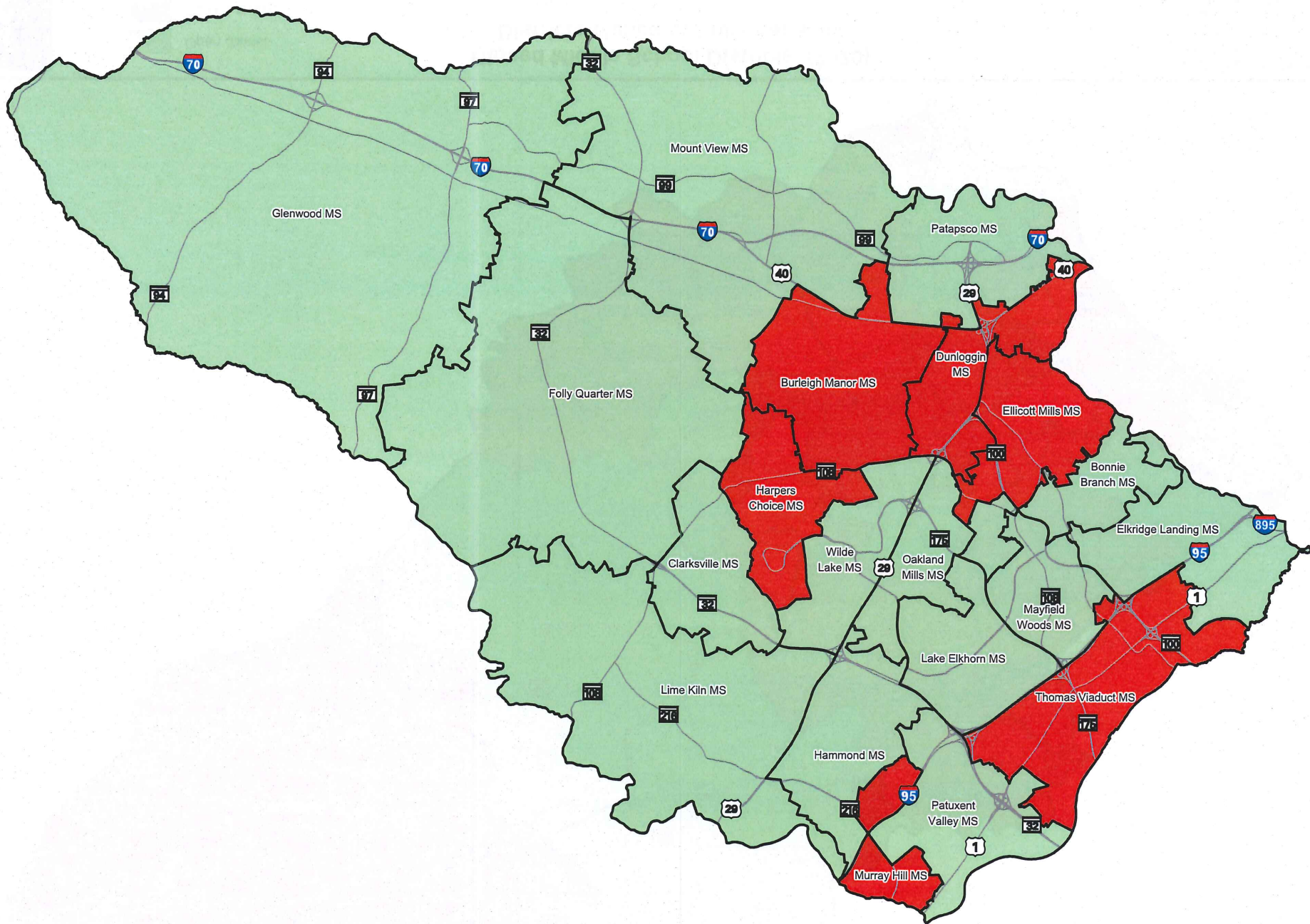
Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 17, 2017



Open district  
 Closed district

**Closed Middle School Districts (2020)**  
**Districts closed at 110% capacity**

Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 17, 2017



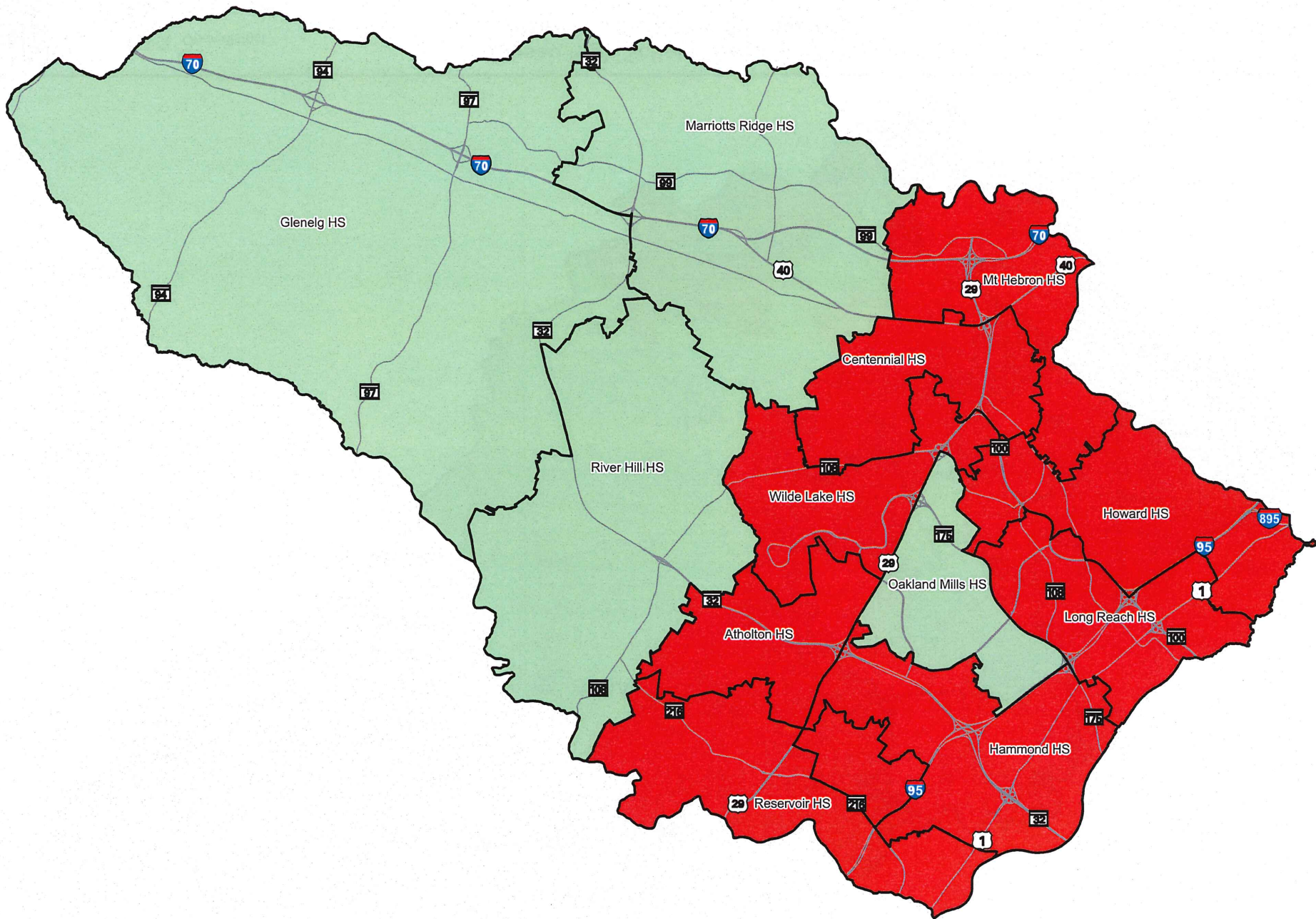
**Closed Middle School Districts (2020)**  
**Districts closed at 115% capacity**

- Open district
- Closed district



Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 17, 2017

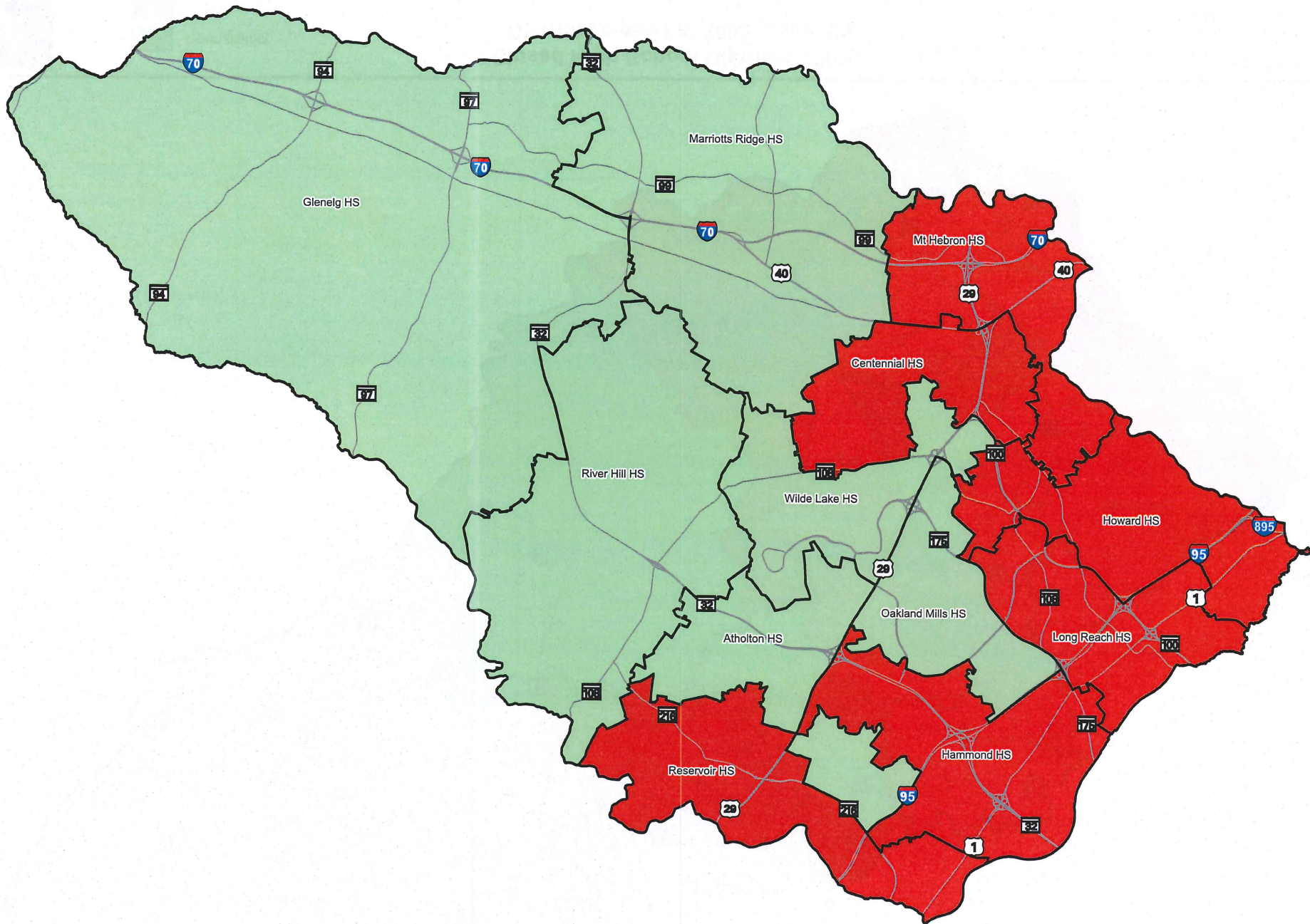




Open district  
 Closed district

**Closed High School Districts (2020)**  
**Districts closed at 100% capacity**

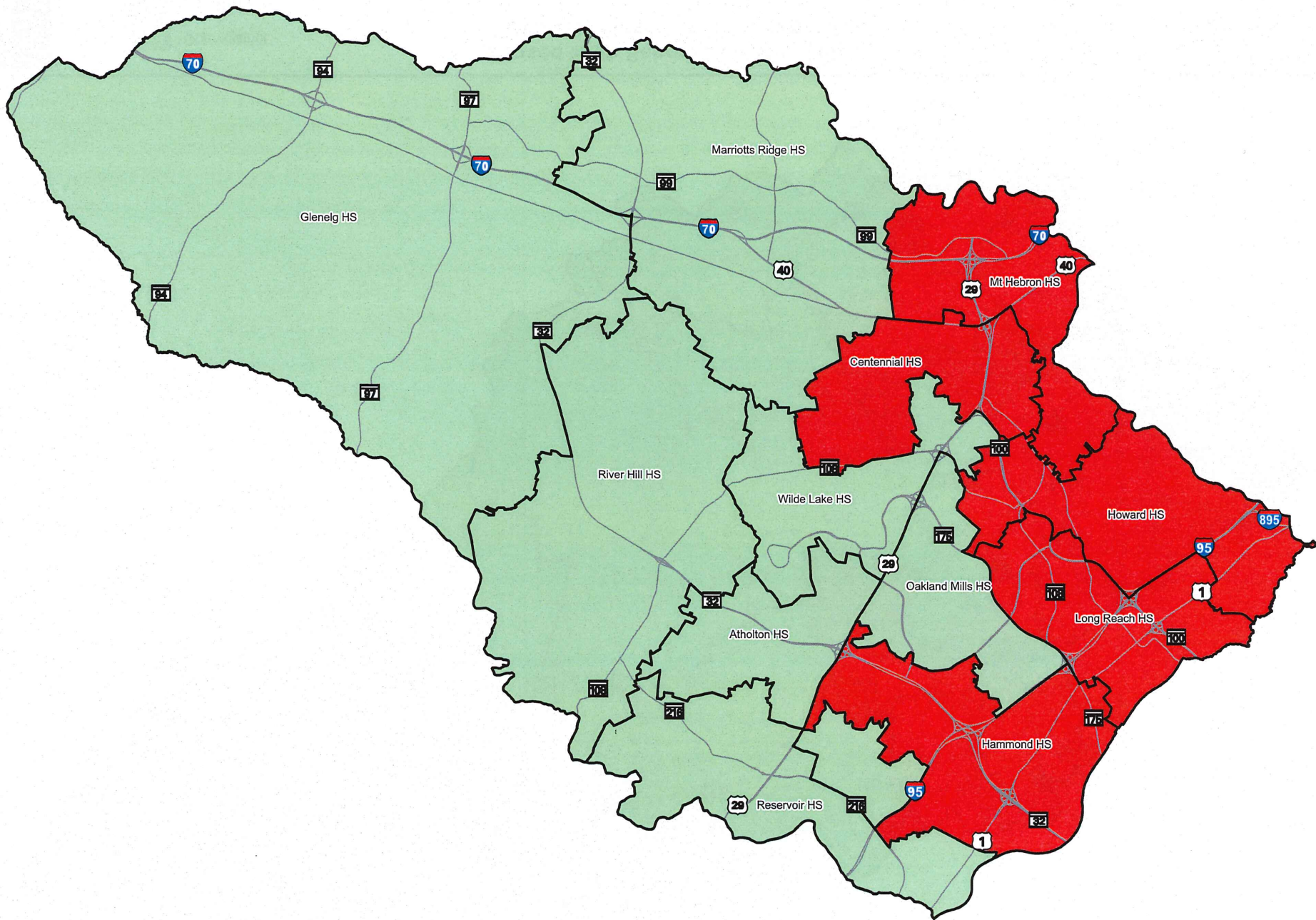
Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 13, 2017



- Open district
- Closed district

**Closed High School Districts (2020)**  
**Districts closed at 110% capacity**

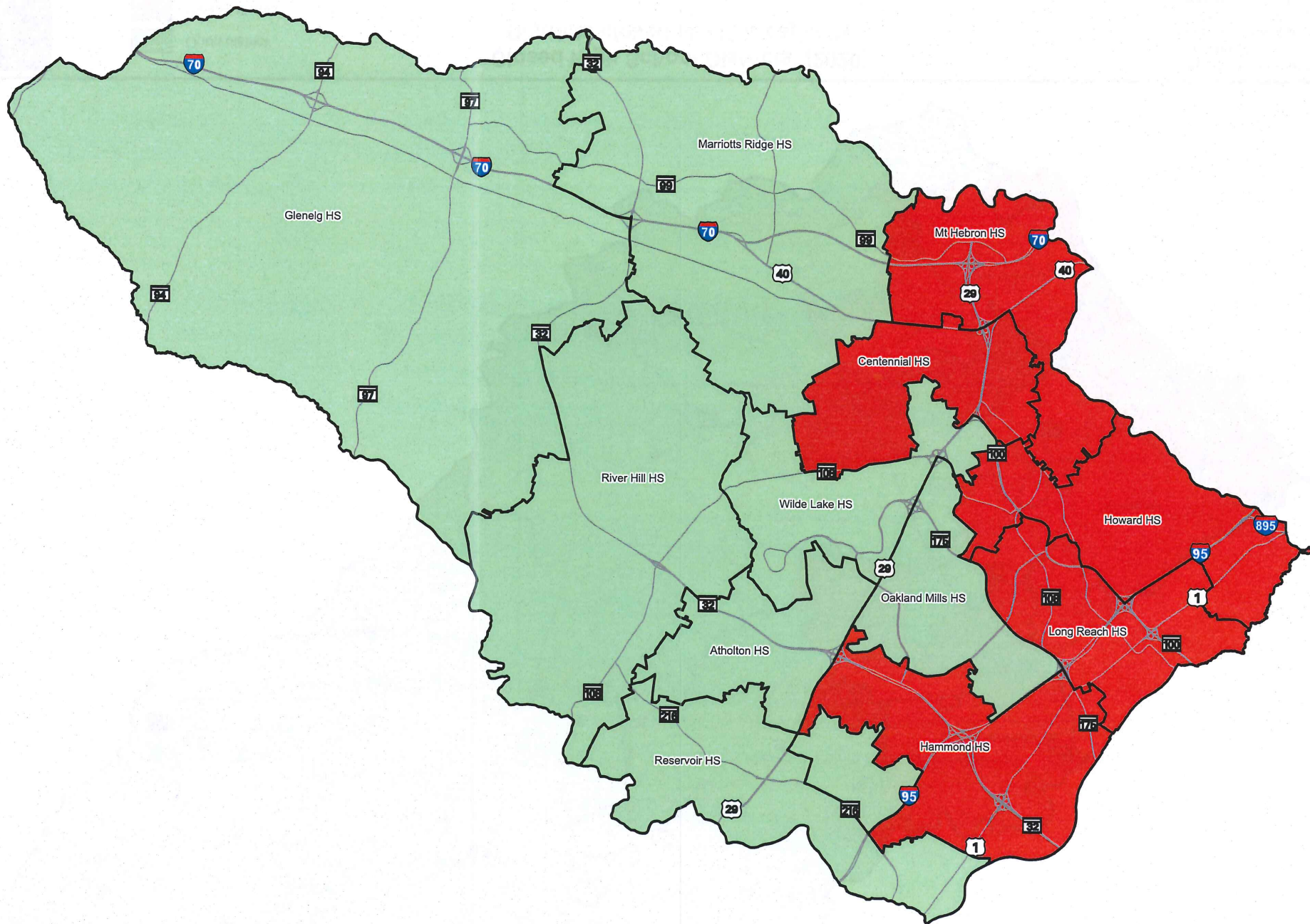
Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 13, 2017



Open district  
 Closed district

**Closed High School Districts (2020)**  
**Districts closed at 115% capacity**

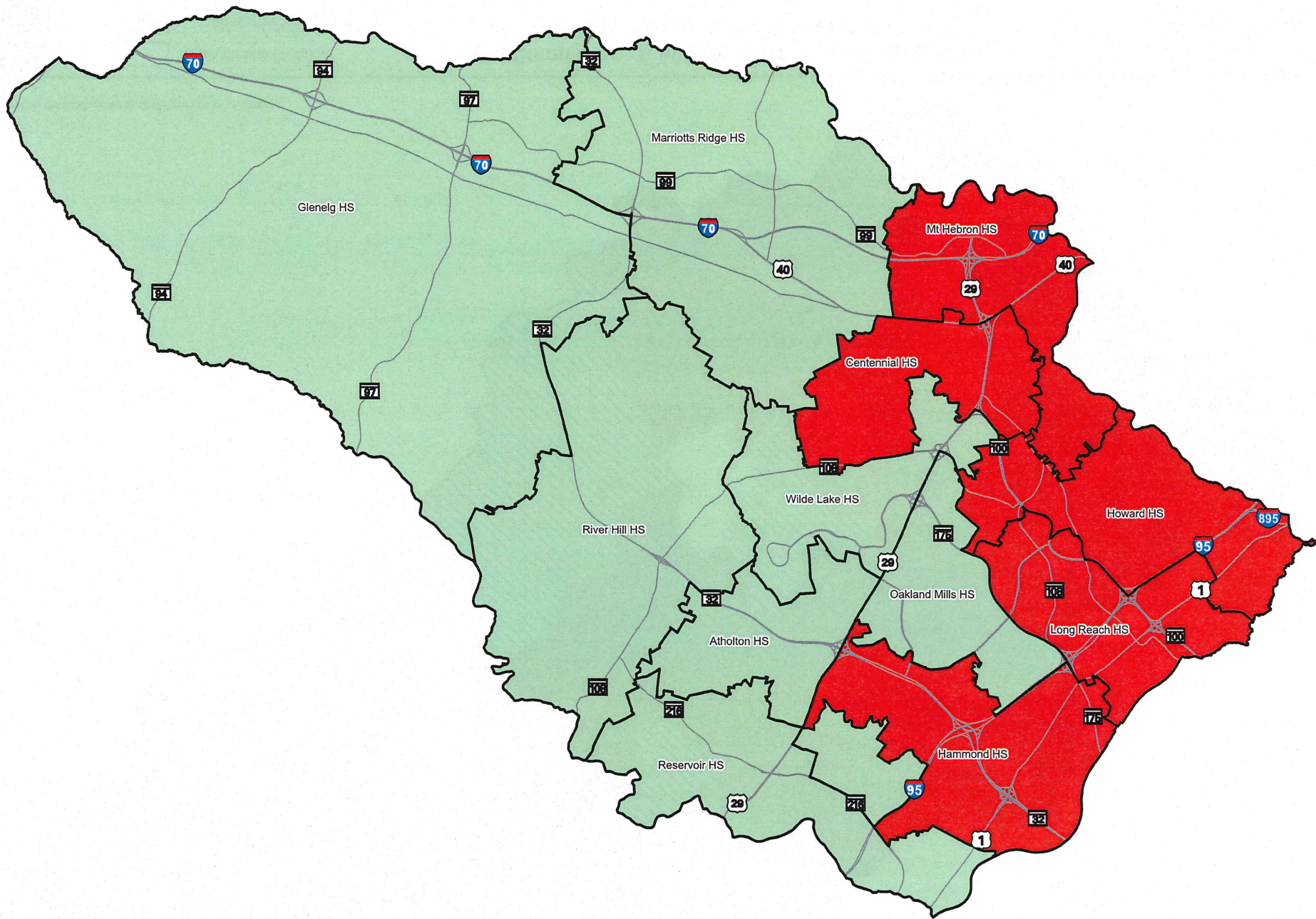
Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 13, 2017



- Open district
- Closed district

**Closed High School Districts (2020)**  
**Districts closed at 120% capacity**

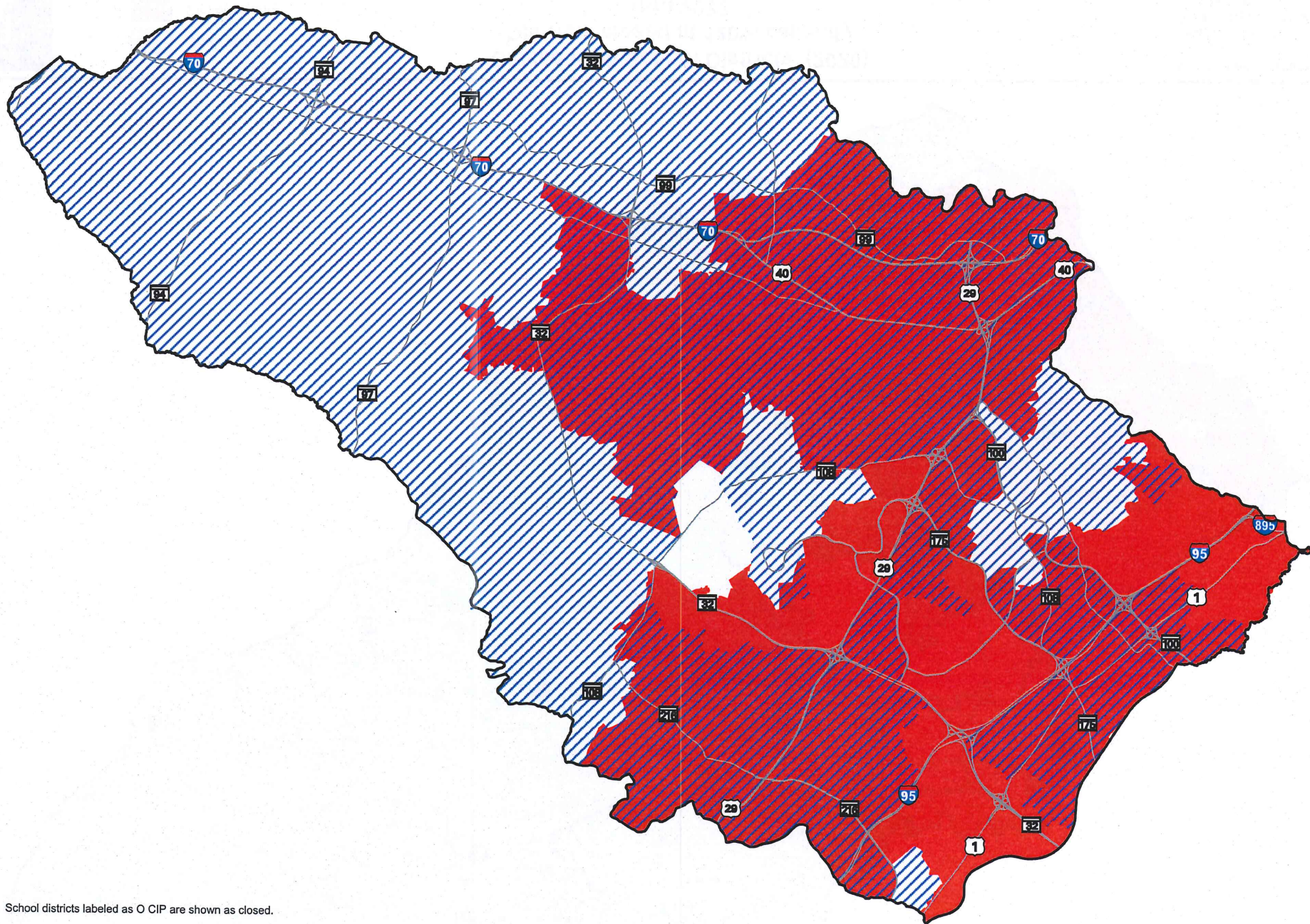
Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 18, 2017



- Open district
- Closed district

**Closed High School Districts (2020)**  
**Districts closed at 120% capacity**  
**thru 2022**

Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 18, 2017



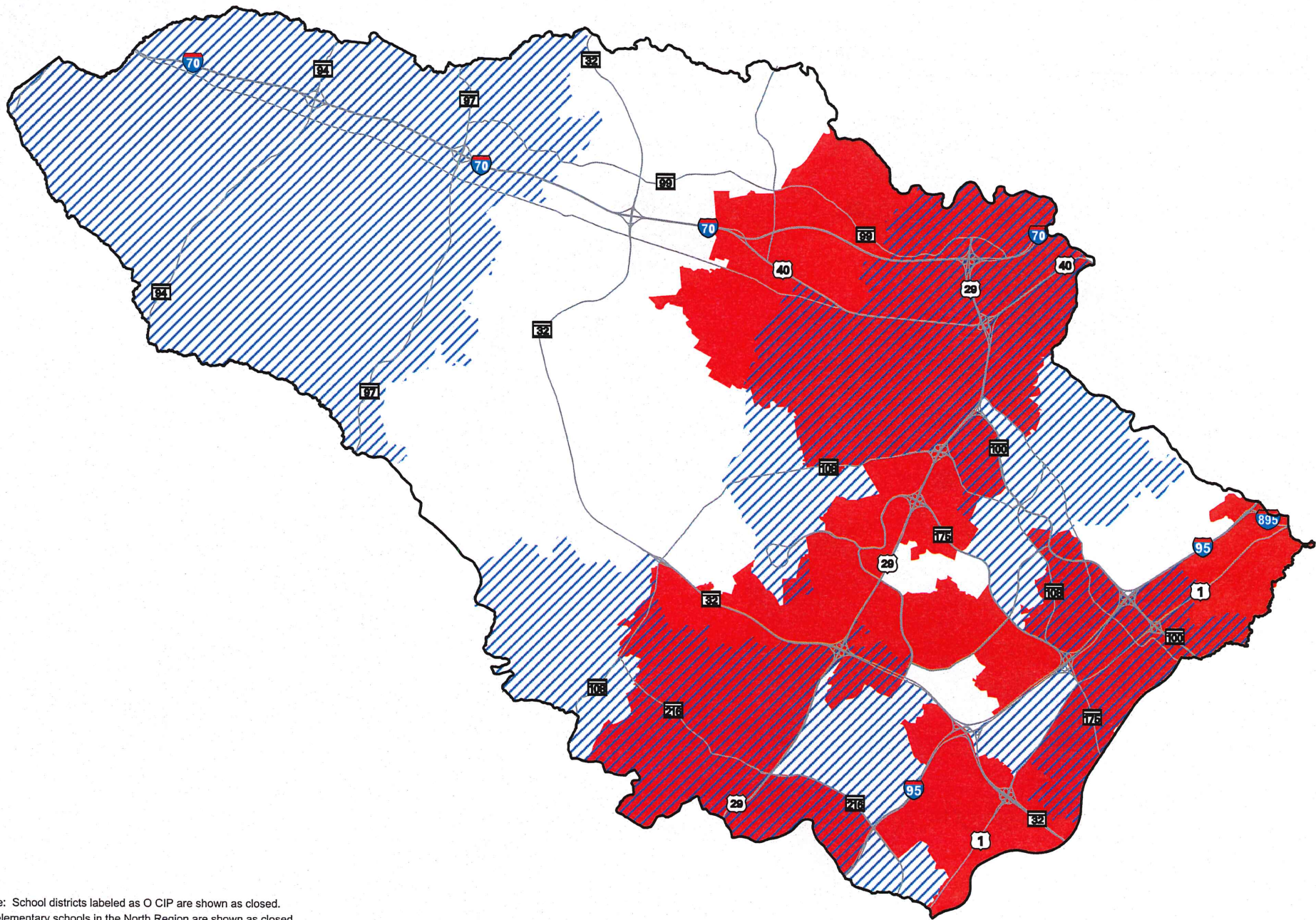
Note: School districts labeled as O CIP are shown as closed.



- Open portion of county
- Closed elementary district
- Closed middle district




**Closed Elementary & Middle School Districts (2020)**  
**Districts closed at 100% capacity**

Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 18, 2017



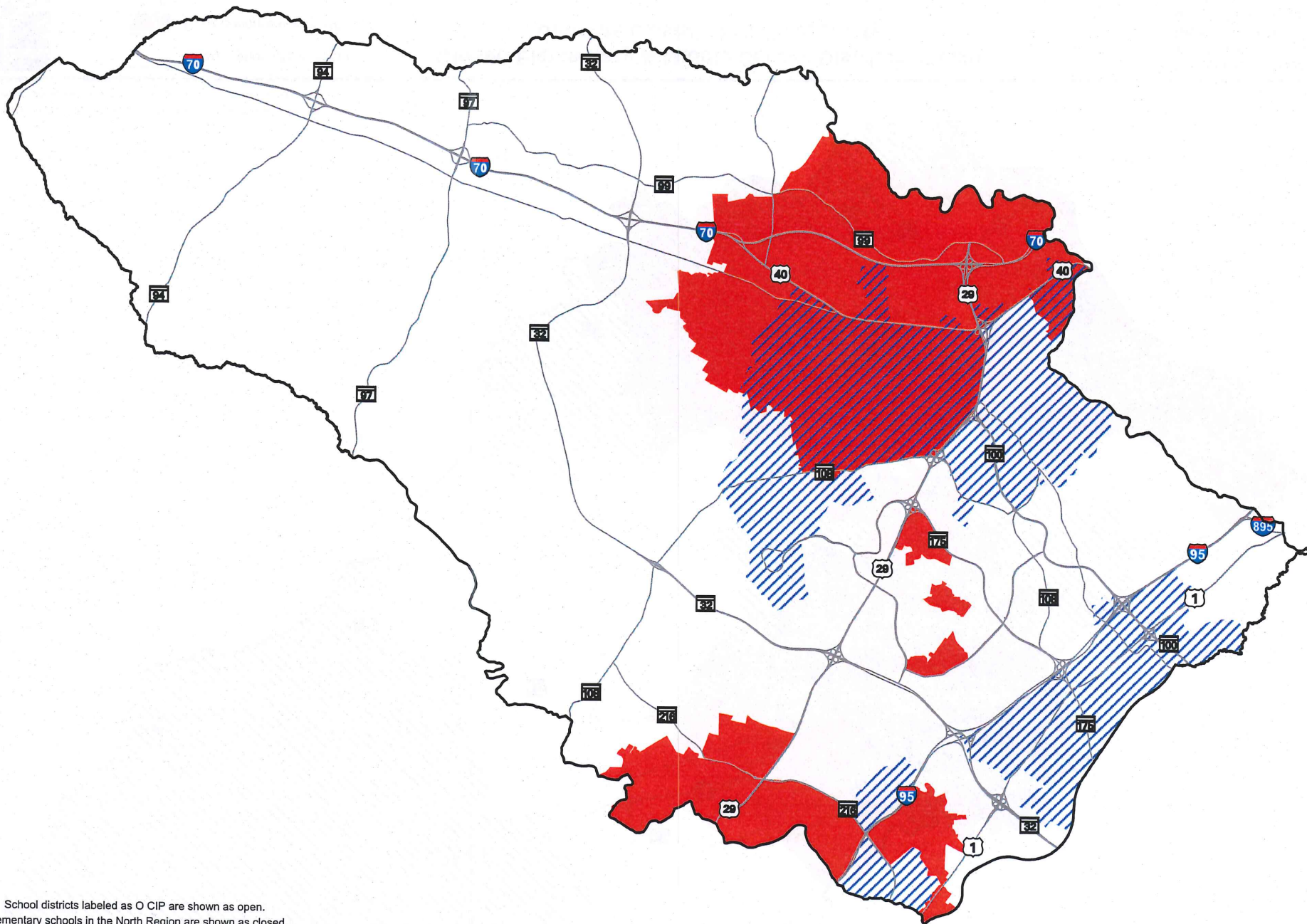
Note: School districts labeled as O CIP are shown as closed.  
 All elementary schools in the North Region are shown as closed.



-  Open portion of the county
-  Closed elementary district
-  Closed middle district

### Closed Elementary & Middle School Districts (2020) Districts closed at 110% capacity

Department of Planning and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 18, 2017



Note: School districts labeled as O CIP are shown as open.  
 All elementary schools in the North Region are shown as closed.



- Open portion of the county
- Closed elementary district
- Closed middle district

### Closed Elementary & Middle School Districts (2020) Districts closed at 115% capacity

Department of Planning  
 and Zoning  
 Division of Research  
 Scale: 1 in = 14,000 ft  
 October 18, 2017



## Comparison of County APF Road Parameters

Trigger a study*	Type of intersection studied**	Minimum LOS***
Residential	Minor Collector and higher	D
Significant impact	Arterial Highways	D
	Local roads and higher	Inside developed area D Outside the developed area C
	na	na
Streets with known LOS of E or N/A if under 25 pht	Arterial Highways	D
Non-residential	Multi-Lane Highways & Signalized/Unsignalized Intersections	Development District & Village Centers (LOS C), Rural/Ag Conservation Area & Others (LOS B), Town Centers and Urban Core (LOS D)
Non-residential	Collector and higher	E or better if within growth boundaries and D or better outside of growth boundary.
Intersecting	Major Collector and higher	Inside developed area D Outside the developed area C
Intersecting	Signalized intersections	Varies D-F
Non-residential	Collector and higher	Developed (LOS E), Developing (LOS D), Rural (LOS C), In Metropolitan & Regional Centers (LOS E)
Intersecting	Determined by a Prelim study with County	Determined by a Prelim study with County
Non-residential	Collector and higher	Urban areas D, all other areas C
Non-residential	Determined by a Prelim study with County	Urban areas D, all other areas C

(PHT).

from A-F)

# Amendments proposed to adequate-facilities law

BY KATE MAGILL  
Baltimore Sun Media Group

The proposal to update the Howard County ordinance designed to serve as a check on growth drew more than 20 amendment drafts during a County Council work session this past week.

County Executive Allan H. Kittleman and council members Calvin Ball, Jon Weinstein, Jen Terrasa and Mary Kay Sigaty introduced amendments to the bill commonly known as APFO — or adequate public facilities ordinance.

The legislation aims to ensure that the county's public infrastructure — including roads, water and sewer management and schools — keeps pace with an increase in population.

The APFO has been in place for years, but the need for potential amendments has been discussed for some time by county officials. Some residents have said the ordinance in its current form has not been effective.

Monday was the first chance for residents to see details of what changes to the bills could look like.

"What are the citizens asking for, what can pass and what makes sense?" Ball said.

Notable proposals include a change in the county's school capacity test, which determines whether there's enough space in schools to accommodate students that

would come from a new subdivision. Areas can be considered "closed" to development if the elementary and middle schools in the region are over 115 percent of their capacity; high schools are not currently included in the test.

Three separate amendments introduced by Ball, Terrasa and Weinstein addressed the school capacity test; all three would require adding high schools into the equation. The three also proposed changing the 115 percent test — making it lower, between 100 and 110 percent, for elementary and middle schools.

Ball and Terrasa also collaborated on an amendment to stipulate that a review committee meet within five years of a comprehensive general plan revision for the county, and Weinstein introduced an amendment that would require the committee to convene within four months of such a revision. The general plan generally aims to guide the county's economic, environmental and development future.

When the most recent task force began meeting in 2015, it was the first time in nearly a decade that the county's APFO legislation had been reviewed.

"There needs to be a more frequent review of APFO; what does that look like and what's the time frame that makes the most sense is where we need to tweak and get to a consensus," Ball said.

The council is scheduled to discuss the

amendments, then vote on them at a Nov. 6 legislative session.

## U.S. 29 pedestrian bridge construction resumes

Improvements to the U.S. 29 footbridge in Columbia are resuming this week after a delay in receiving materials.

Officials said the project was delayed to wait for the colored, spiraling geodesic tube material that will surround the bridge, which will be closed until early December.

New lighting and enhanced security upgrades will also be installed to improve safety features on the bridge, which connects Columbia Town Center to communities in Oaldand Mills and Long Reach.

The county will provide residents with free bus passes to travel between the Oaldand Mills Village Center and the Mall in Columbia during the project. To obtain passes, contact the Office of Transportation at 410-313-4312 or transportation@howardcountymd.gov. More information, including alternative paths, is available at howardcountymd.gov/US29 Bridge.

— Andrew Michaels

## 'Living the Dream' MLK award nominees sought

The Howard County Dr. Martin Luther King Jr. Holiday Commission is accepting

nominations for the "Living the Dream" award to honor an individual and organization that represent King's legacy through community involvement.

Winners will receive the award and \$300 during the commission's annual celebration on Sunday, Jan. 14, at Reservoir High School in Fulton.

Nominees must live, work or volunteer in Howard County, and community, civic or religious organizations must operate in the county.

Nominators must submit a typed narrative, of no more than 500 words, describing why the individual or organization deserves the award.

Submissions should include the nominee's community involvement, impact on the community, achievement and significant contributions and additional information.

Submit forms at howardcountymd.gov or contact the Office of Human Rights at 410-313-6430.

Forms must be postmarked, hand-delivered or emailed by 5 p.m. Nov. 17 to Howard County Office of Human Rights, Attn: MLK 2017 "Living the Dream" Award, 6751 Columbia Gateway Drive, Suite 239, Columbia, MD 21046, or Submission-MLK@howardcountymd.gov. For more details, contact Farheen Sheikh at 410-313-6467 or fsheik@howardcountymd.gov.

— Andrew Michaels

## SAVAGE/NORTH LAUREL

### Savage Library

The following events will be held at the Savage library, 9525 Durness Lane, Laurel. Information: 410-313-0760.

**SPOOKY STORIES & COSTUME PARADE** will be held 10:15 a.m. Tuesday, Oct. 31. Listen to stories to celebrate this spooky day. Then, show off costumes in a parade around the library. Families. No registration required.

**MIRRORS & WINDOWS** group meets 7 p.m. Wednesday, Nov. 1, to discuss "Absolutely on Music: Conversations with Seiji Ozawa" by Haruki Murakami. No registration required.

**POPCORN ART** Celebrate mixed media by creating various masterpieces with popcorn, 11:30 a.m. Thursday, Nov. 2. Also

11:30 a.m. Saturday, Nov. 4. Families. Limited space. Ticket required, available 15 minutes before class.

**AUDIO-VISUAL LAB** for ages 11 to 18 will be held 4 p.m. Thursday, Nov. 2. Includes access to the sound booth and other equipment to record and mix music or create movies during the 2017 Maryland STEM Festival. Registration preferred. Drop-in, but priority given to those who register.

**MARVELOUS MAGFORMERS** Use your imagination to create structures with geometric magnetic shapes, 11:30 a.m. Friday, Nov. 3, as part of the Maryland STEM Festival. For families with children ages 3 and older. Ticket required, available 15 minutes before class.

**ALL TOGETHER NOW** Stories, songs, and

activities for children and adults to enjoy together, 10:15 a.m. Saturday, Nov. 4. All ages. No registration required.

**NORTHERN SNAKEHEAD FISH: FACTS VS FICTION** will be presented 10:30 a.m. Saturday, Nov. 4. April Altamira, independent research biologist, discusses the history, habitats, behavior, migration patterns, baits/lures and current research on this invasive fish, which was confirmed in Howard County in 2015. Registration is required.

### 50+ Center

These programs will be held at the North Laurel 50+ Center, 9411 Whiskey Bottom Road. Information: 410-313-0380.

**FALL-O-WEEN BASH** will be held 10:30

a.m. to 11:30 a.m. Tuesday, Oct. 31. Concert featuring spooky songs as well as movie and TV themes from Alfred Hitchcock films, "The Addams Family" and "The Munsters." Prize for best costume; also light refreshment and treats.

**BLOOD PRESSURE SCREENINGS** 10:30 a.m. to 11:30 a.m. Tuesdays.

**OPEN ART STUDIO** Noon to 4 p.m. Mondays and Wednesdays.

**BILLIARDS** 9 a.m. to noon Mondays through Fridays.

**MAH-JONGG** 12:30 p.m. to 4 p.m. Fridays.

**SITTERCIZE** 12:30 p.m. to 1:30 p.m. Mondays, Wednesdays and Fridays; \$36 for 16 classes.

**LINE DANCE DROP IN** is held Tuesdays, 11:15 a.m. to 12:45 p.m. Cost \$1 per session.

## WEST HOWARD

### Glenwood Library

The following events will be held at the Glenwood Library, 2350 Route 97, Cooksville. Information: 410-313-5577.

**MONSTER MASH** Wear a costume and enjoy silly monster stories, dancing, and a

food section, learn about nature's organic garbage disposal, the mighty worm, 3:30 p.m. Saturday, Nov. 4. Open to families. Registration is required.

**ALL TOGETHER NOW** Stories, songs, and activities for children and adults to enjoy together, 10:30 a.m. Friday, Nov. 3, and 10:30 a.m. Saturday, Nov. 4. All ages. Ticket required, available 15 minutes before class.

food section, learn about nature's organic garbage disposal, the mighty worm, 3:30 p.m. Saturday, Nov. 4. Open to families. Registration is required.

### 50+ Center

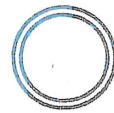
Wednesdays. Bring your own supplies. Free.

**PINOCHLE** 10 a.m. to 4:30 p.m. Mondays through Fridays.

**PICKLEBALL** The sport combines elements of tennis, badminton and ping pong. 11 a.m. to 3 p.m. Tuesdays and



# CB 61 and 62 Amendments to APFO



**COUNTY COUNCIL  
WORK SESSION**

**SEPTEMBER 25, 2017**

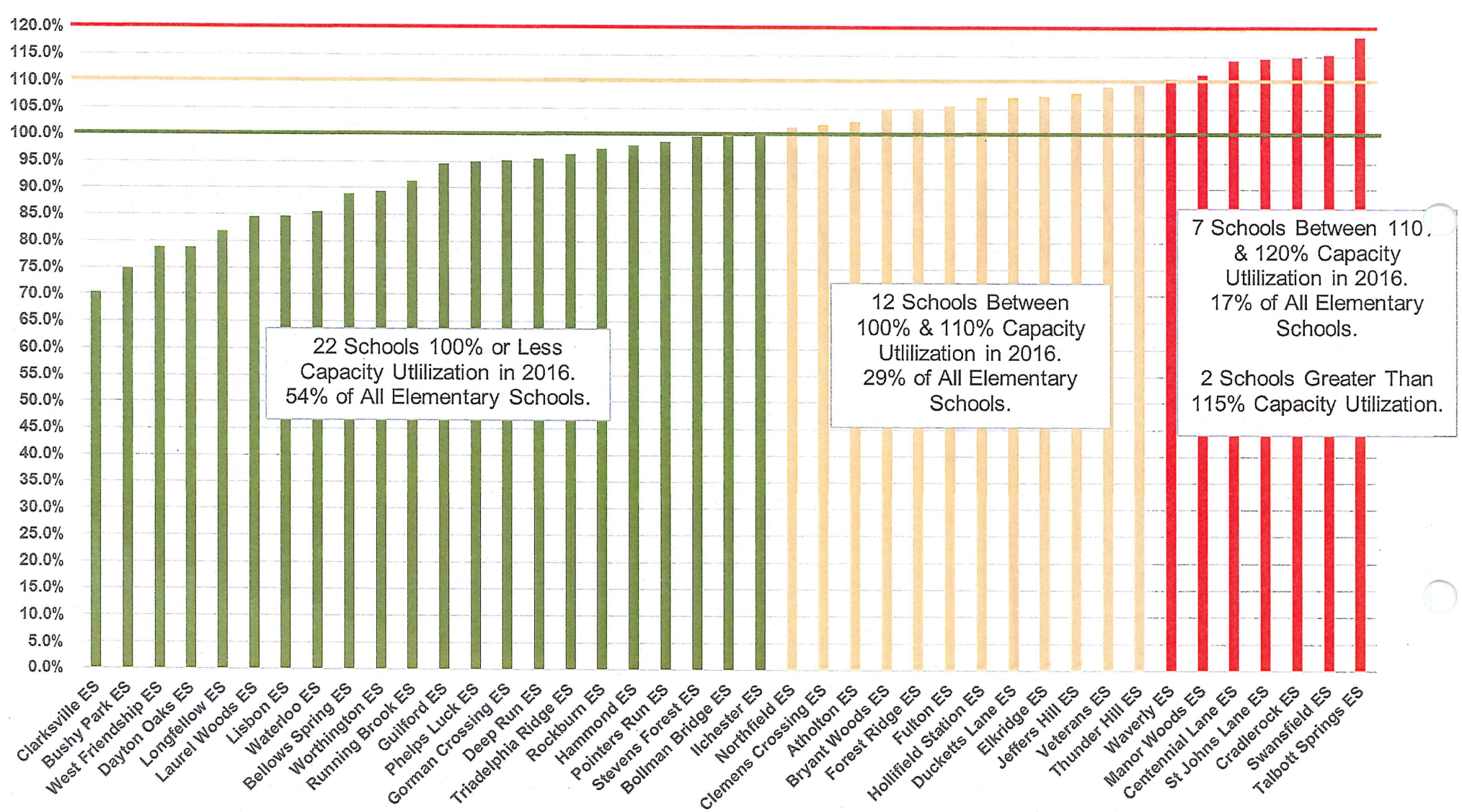


CB 61-2017

# School Capacity Utilization & New Development Trends

**FOR ELEMENTARY, MIDDLE & HIGH  
SCHOOLS IN HOWARD COUNTY**

## 2016 Actual Elementary School Capacity Utilization



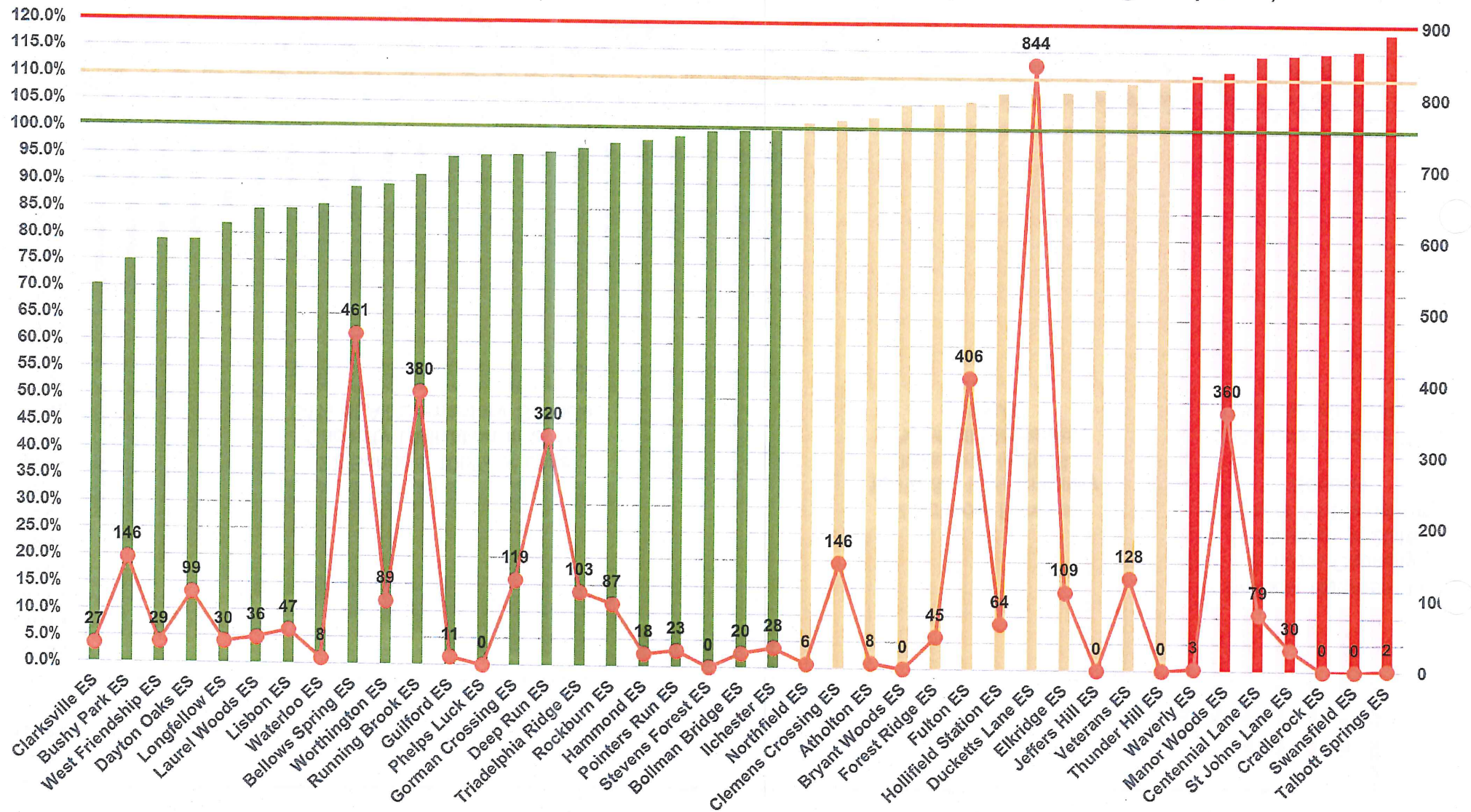
22 Schools 100% or Less Capacity Utilization in 2016. 54% of All Elementary Schools.

12 Schools Between 100% & 110% Capacity Utilization in 2016. 29% of All Elementary Schools.

7 Schools Between 110% & 120% Capacity Utilization in 2016. 17% of All Elementary Schools.  
  
2 Schools Greater Than 115% Capacity Utilization.

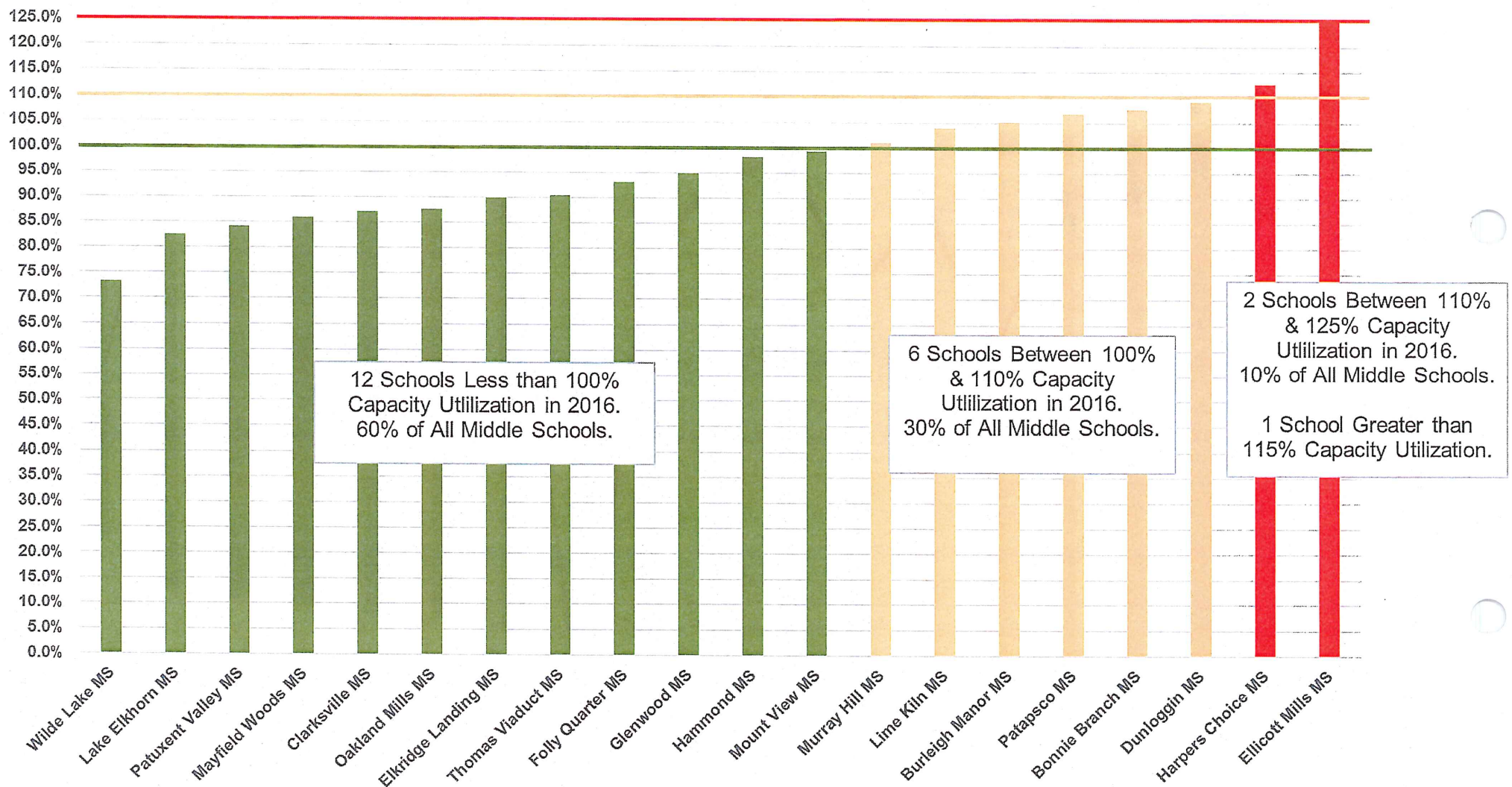
Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments.

## 2016 Actual Elementary School Capacity Utilization & Number of Residential Units Built in Previous 3 Years (Oct. '13 through Sept. '16)



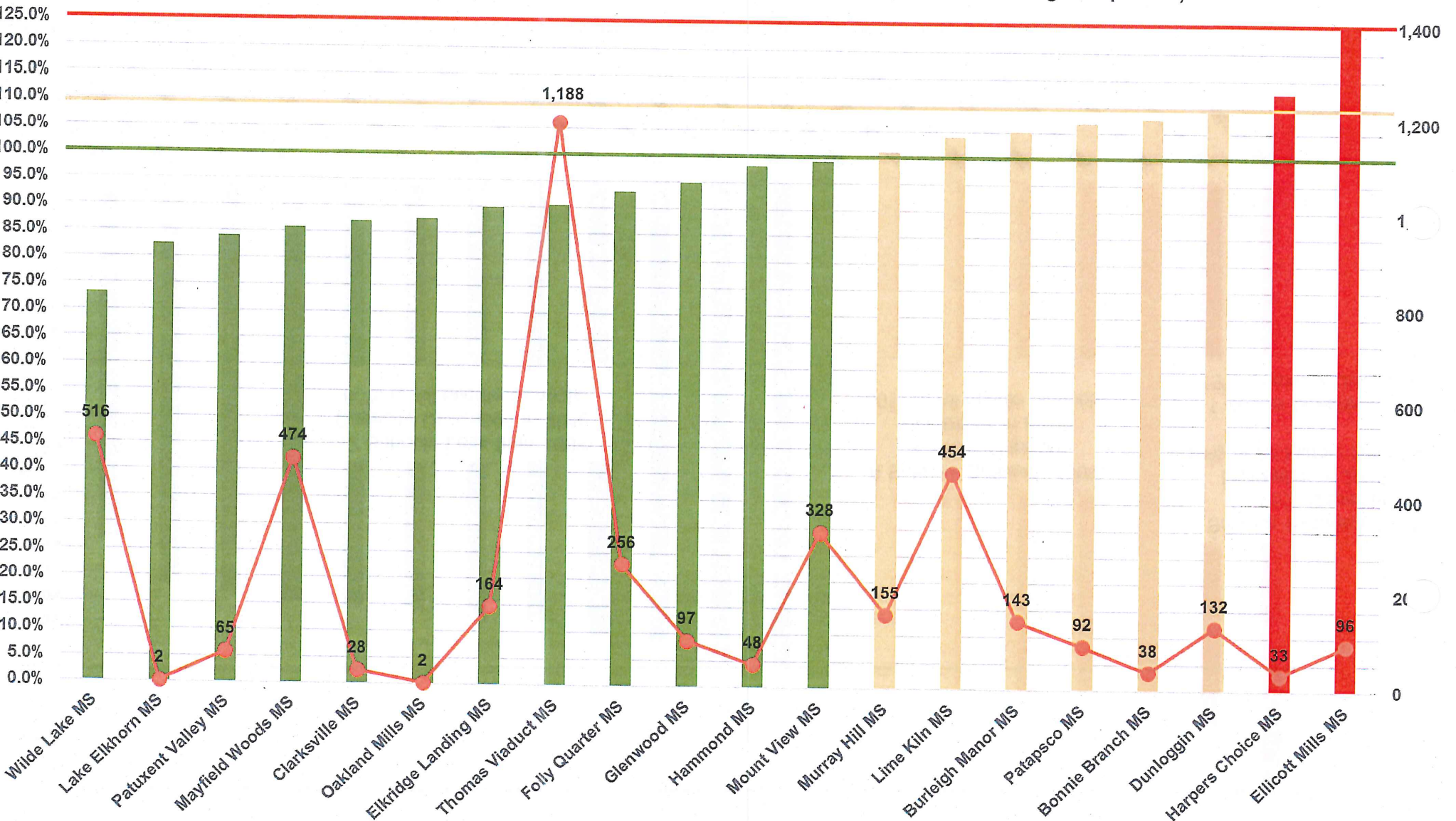
Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments. Residential units built from DPZ Research Division.

## 2016 Actual Middle School Capacity Utilization



Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments.

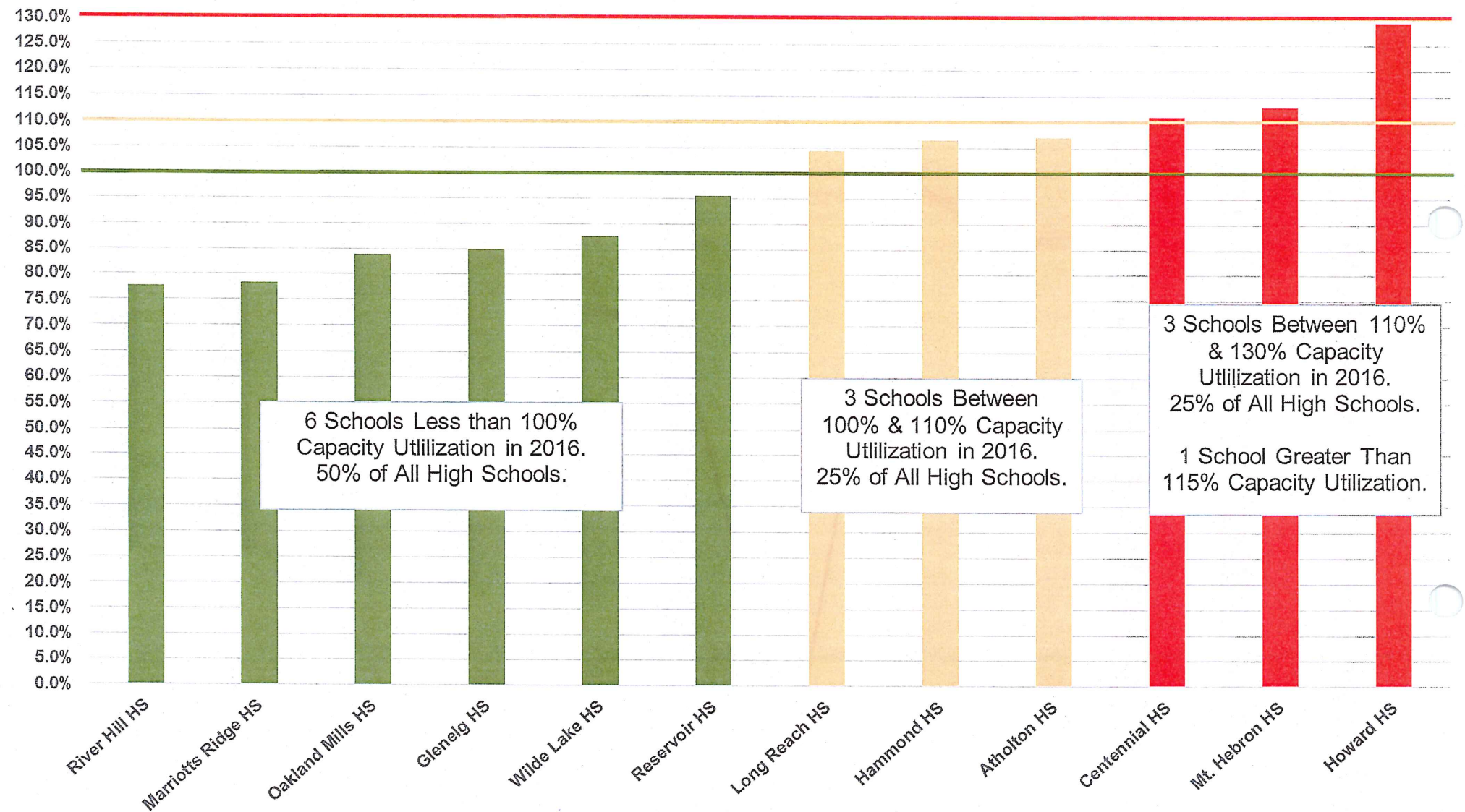
## 2016 Actual Middle School Capacity Utilization & Number of Residential Units Built in Previous 3 Years (Oct. '13 through Sept. '16)



Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments. Residential units built from DPZ Research Division.

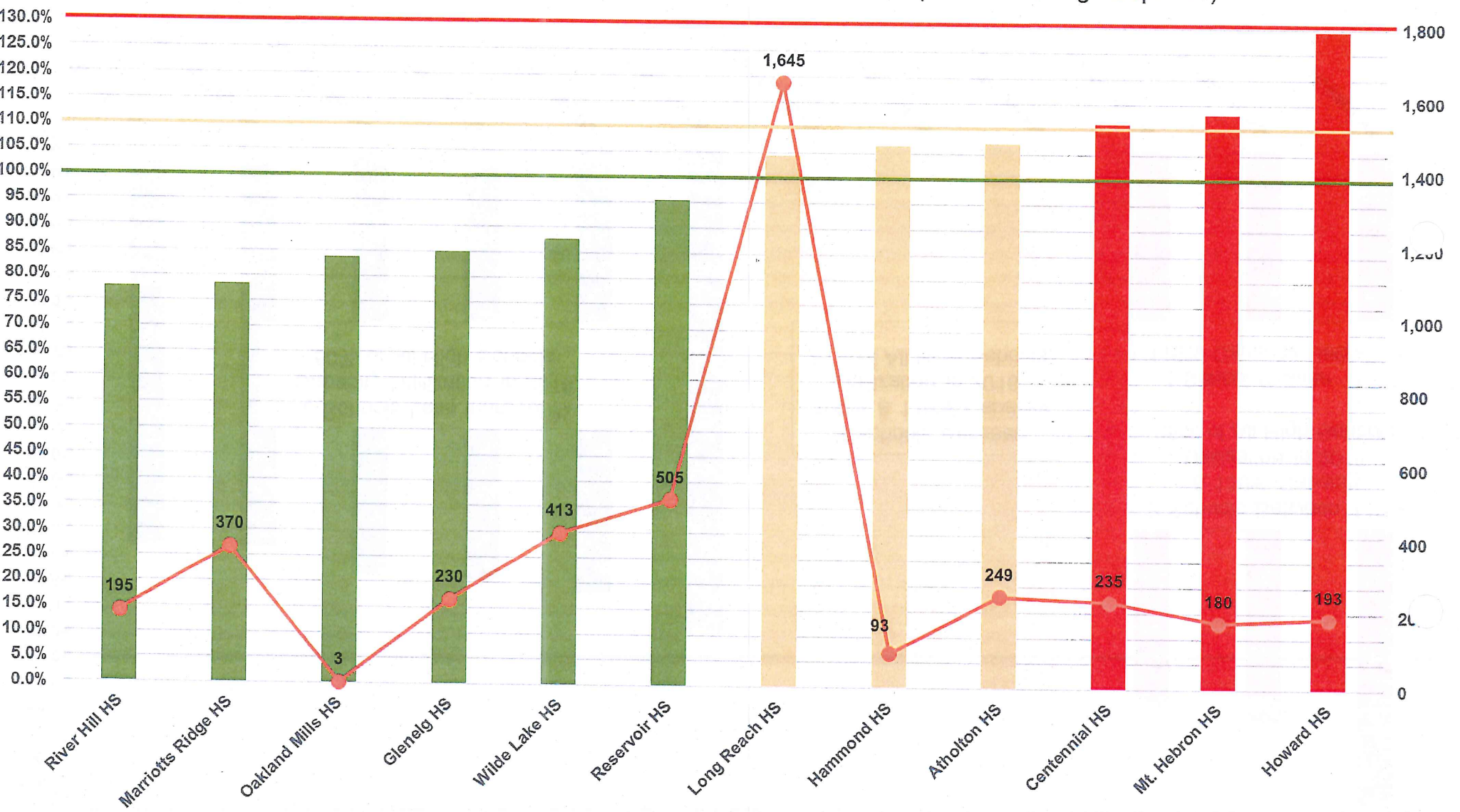


## 2016 Actual High School Capacity Utilization



Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments.

## 2016 Actual High School Capacity Utilization & Number of Residential Units Built in Previous 3 Years (Oct. '13 through Sept. '16)



Sources: School capacities from HCPSS 2017 Feasibility Study (pre-measure chart). Enrollments from September, 2016 HCPSS Official Enrollments. Residential units built from DPZ Research Division.

# New Students



## **FROM NEW HOMES & FROM RESALES OF EXISTING HOMES AS NEIGHBORHOODS TURNOVER**

**New Students added to the Howard County Public School System  
From New Construction & Resales (September enrollments)**

Year	New Construction		Resales		Total	
	Number	Percent	Number	Percent	Number	Percent
2006	601	47%	682	53%	1,283	100%
2007	370	34%	725	66%	1,095	100%
2008	430	47%	482	53%	912	100%
2009	332	42%	452	58%	784	100%
2010	384	42%	530	58%	914	100%
2011	464	38%	763	62%	1,227	100%
2012	396	37%	685	63%	1,081	100%
2013	518	42%	715	58%	1,233	100%
2014	677	50%	670	50%	1,347	100%
2015	590	42%	806	58%	1,396	100%
<b>Subtotal Past</b>	<b>4,762</b>	<b>42%</b>	<b>6,510</b>	<b>58%</b>	<b>11,272</b>	<b>100%</b>
2016	640	46%	749	54%	1,389	100%
2017	770	50%	760	50%	1,530	100%
2018	785	50%	772	50%	1,558	100%
2019	679	46%	785	54%	1,464	100%
2020	696	47%	796	53%	1,492	100%
2021	629	44%	808	56%	1,437	100%
2022	552	40%	819	60%	1,371	100%
2023	524	39%	829	61%	1,353	100%
2024	417	33%	838	67%	1,254	100%
2025	370	30%	845	70%	1,216	100%
2026	354	29%	851	71%	1,205	100%
<b>Subtotal Projected</b>	<b>6,416</b>	<b>42%</b>	<b>8,853</b>	<b>58%</b>	<b>15,268</b>	<b>100%</b>
<b>Grand Total</b>	<b>11,178</b>	<b>42%</b>	<b>15,363</b>	<b>58%</b>	<b>26,540</b>	<b>100%</b>

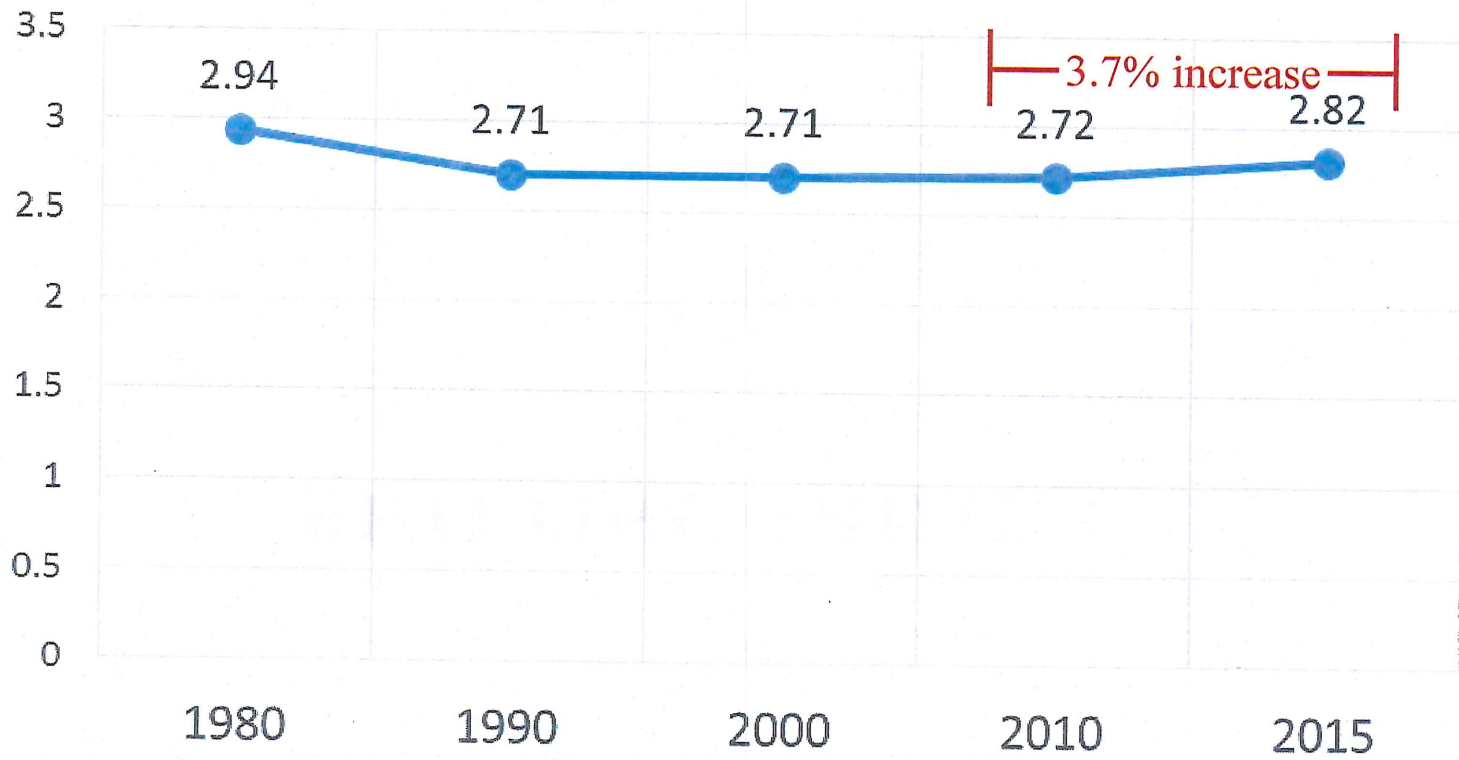
Source: HCPSS, Office of Planning, September 2016

# Increasing Household Sizes



## **SHIFTING TRENDS**

## Persons per Household in Howard County Average for All Households



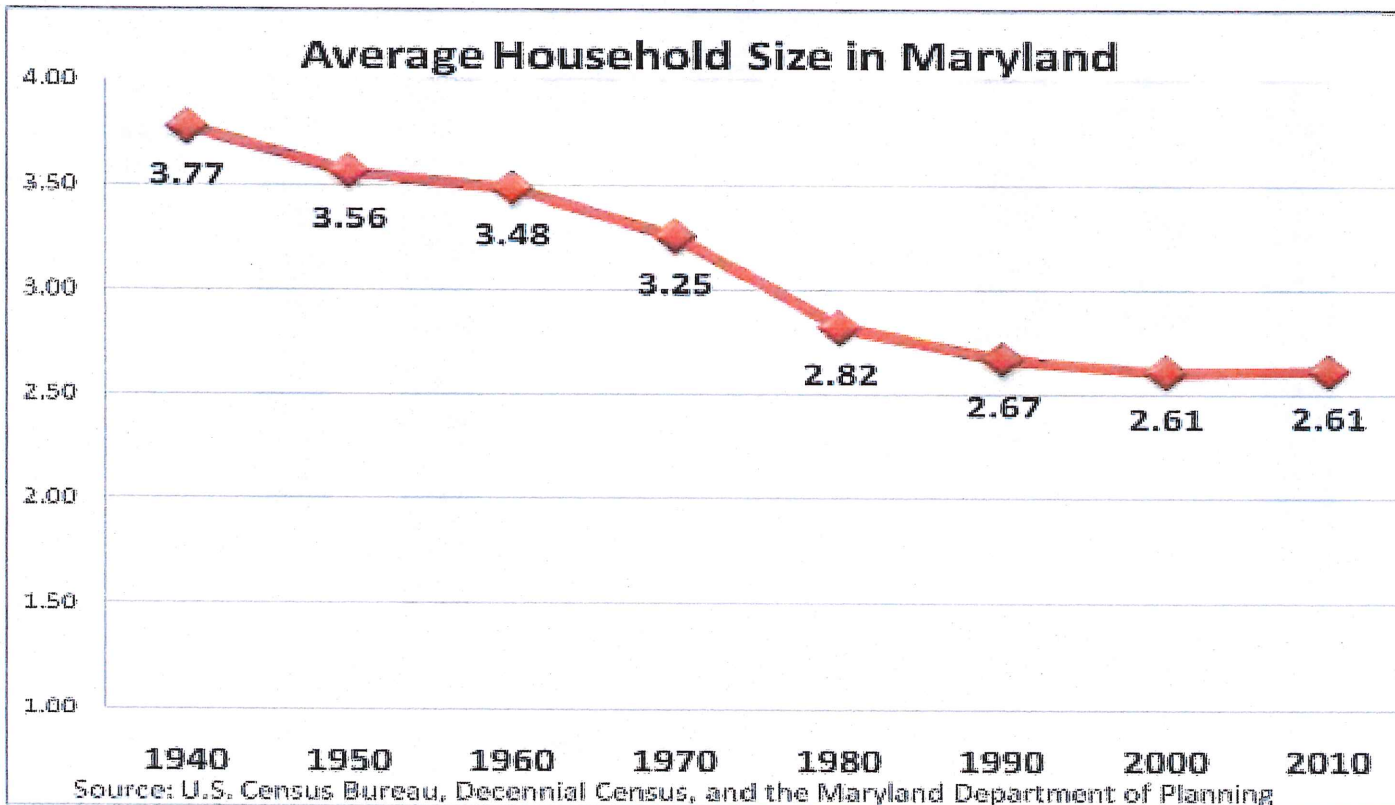
Source: U.S Census Bureau, Decennial Census, ACS for 2015. For 2015, margin of error is +/-0.04.

Includes all household types: single occupancy, family, & non-family.  
Living in all unit types: single family detached, townhouse, condo & rental apt.

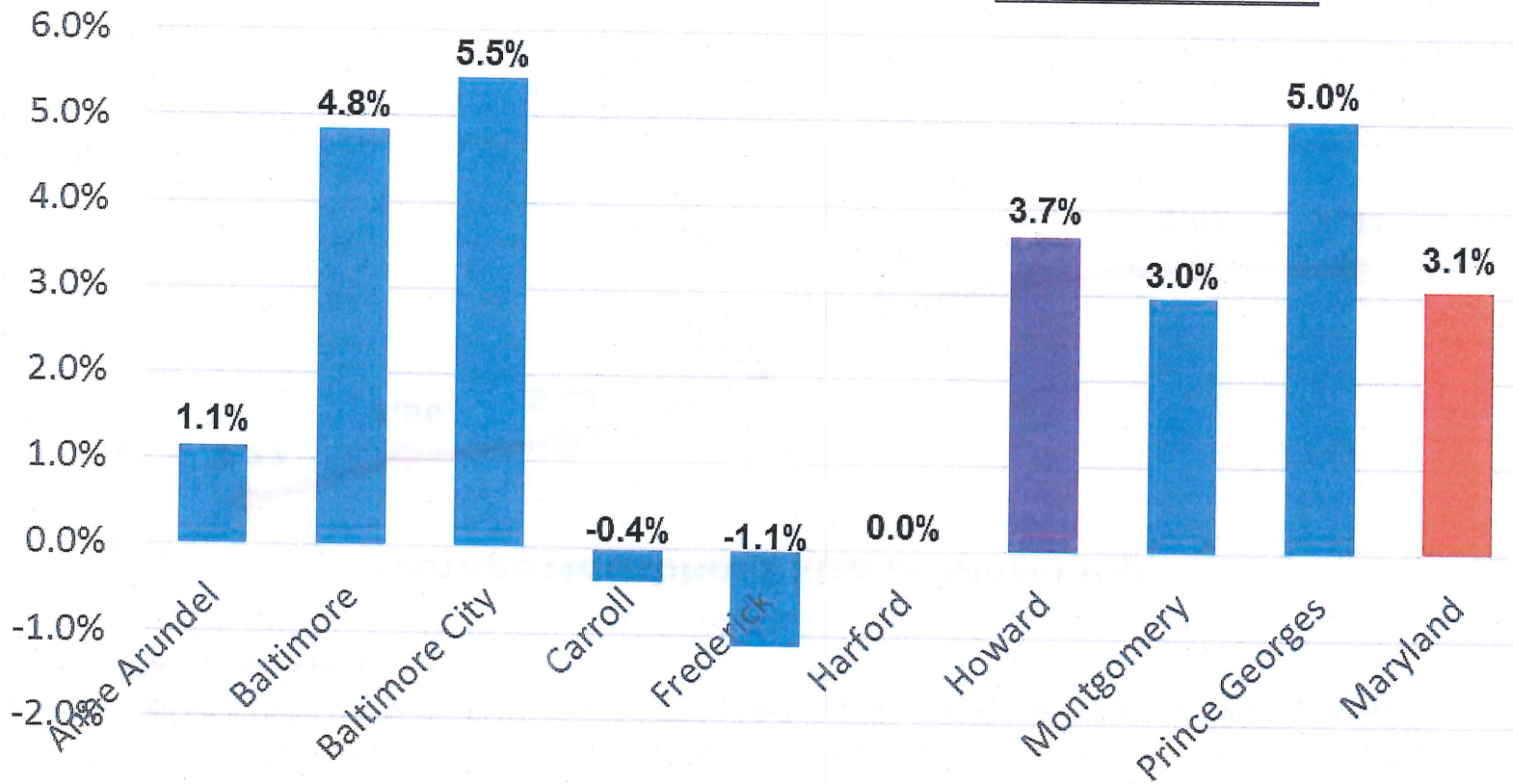
### Average Household Size Stabilizes in Maryland

The average household size remained virtually the same in Maryland between 2000 and 2010, according to calculations from the Maryland Department of Planning, ending a downward trend from at least 1940.<sup>1</sup> And for eight jurisdictions, there was even an increase in the average household size due in part to growth of the foreign born and population gains from strong domestic migration.

The average household size in Maryland in 2010 was 2.61 virtually the same as in 2000.<sup>2</sup> In 1940 the average household size in the State was at 3.77 and fell steadily over the decades until 2000, with larger declines in the earlier decades.<sup>3</sup>



## Persons per Household Percent Change 2010 to 2015 - All Households



Source: U.S Census Bureau, Decennial Census, ACS for 2015.



As of Sept. 30, 2016 there were 113,028 households in Howard County. An increase from 2.72 to 2.82 persons per household (3.7% increase) results in an additional 11,303 residents.

$$2.72 \times 113,028 = 307,436$$

$$\underline{2.82 \times 113,028 = 318,739}$$

$$\text{Difference} \quad 11,303$$

About 16.7% of all Howard County residents attend the HCPSS (53,348 students divided by 318,739 household population as of Sept. 30, 2016).

$$\underline{16.7\% \text{ of } 11,303 \text{ is } 1,888}$$

# Capital Spending



**INCREASING DOLLARS BEING  
SPENT ON SCHOOL RENOVATIONS  
AND REPLACEMENTS**

Howard County Public School System Capital Funding (X \$1,000) - PERCENTAGES (1)

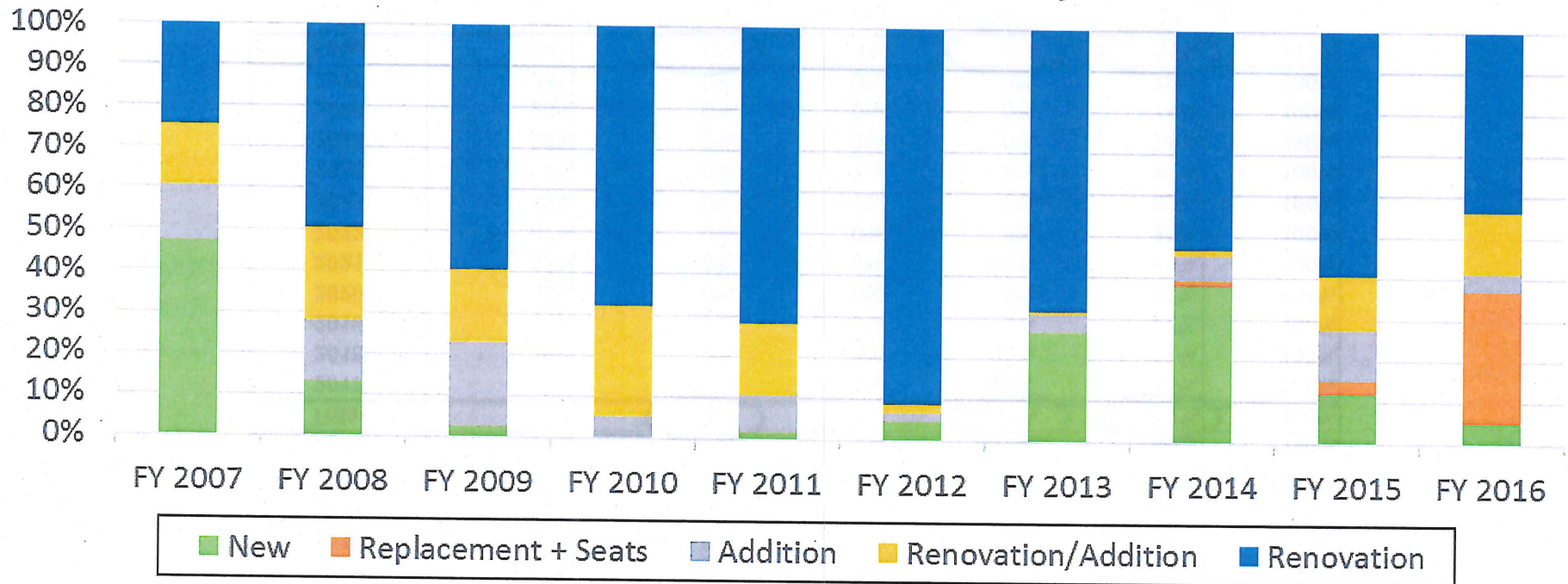
Fiscal Year (2)	Replacement		Renovation/			Total
	New	+ Seats	Addition	Addition	Renovation	
2007	47%	0%	13%	15%	25%	100%
2008	13%	0%	15%	22%	49%	100%
2009	3%	0%	20%	18%	59%	100%
2010	0%	0%	5%	27%	68%	100%
2011	2%	0%	9%	17%	72%	100%
2012	4%	0%	2%	2%	91%	100%
2013	26%	0%	4%	0%	69%	100%
2014	38%	1%	6%	1%	53%	100%
2015	12%	3%	12%	13%	59%	100%
2016	5%	32%	4%	15%	44%	100%
<b>Total</b>	<b>18%</b>	<b>4%</b>	<b>9%</b>	<b>12%</b>	<b>57%</b>	<b>100%</b>
2017	21%	20%	0%	29%	30%	100%
2018	29%	2%	0%	28%	41%	100%
2019	21%	0%	0%	2%	77%	100%
2020	53%	0%	0%	5%	42%	100%
2021	53%	0%	0%	29%	19%	100%
2022	67%	0%	0%	8%	25%	100%
2023	40%	0%	1%	0%	60%	100%
2024	7%	0%	7%	0%	87%	100%
2025	26%	0%	0%	0%	74%	100%
2026	26%	0%	0%	0%	74%	100%
2027	28%	0%	0%	0%	72%	100%
<b>Total</b>	<b>34%</b>	<b>2%</b>	<b>1%</b>	<b>9%</b>	<b>55%</b>	<b>100%</b>
<b>Grand Total</b>	<b>27%</b>	<b>3%</b>	<b>4%</b>	<b>10%</b>	<b>56%</b>	<b>100%</b>

(1) Capital dollars include individual project lines (renovations, additions, new schools, replacement schools renovations/additions), roofs, systemic renovations, Full Day K. Does not include projects grouped by type (barrier free, playgrounds, relocatables, site technology, parking lots, planning/design etc.), specific needs (MBR, etc.) special schools (Cedar Lane, etc.)

(2) FY 2007 through FY 2016 are actual expenditures, FY 2007 is funded amount and FY 2018 through FY2027 are funds requested in the Proposed FY2018 Capital Budget.

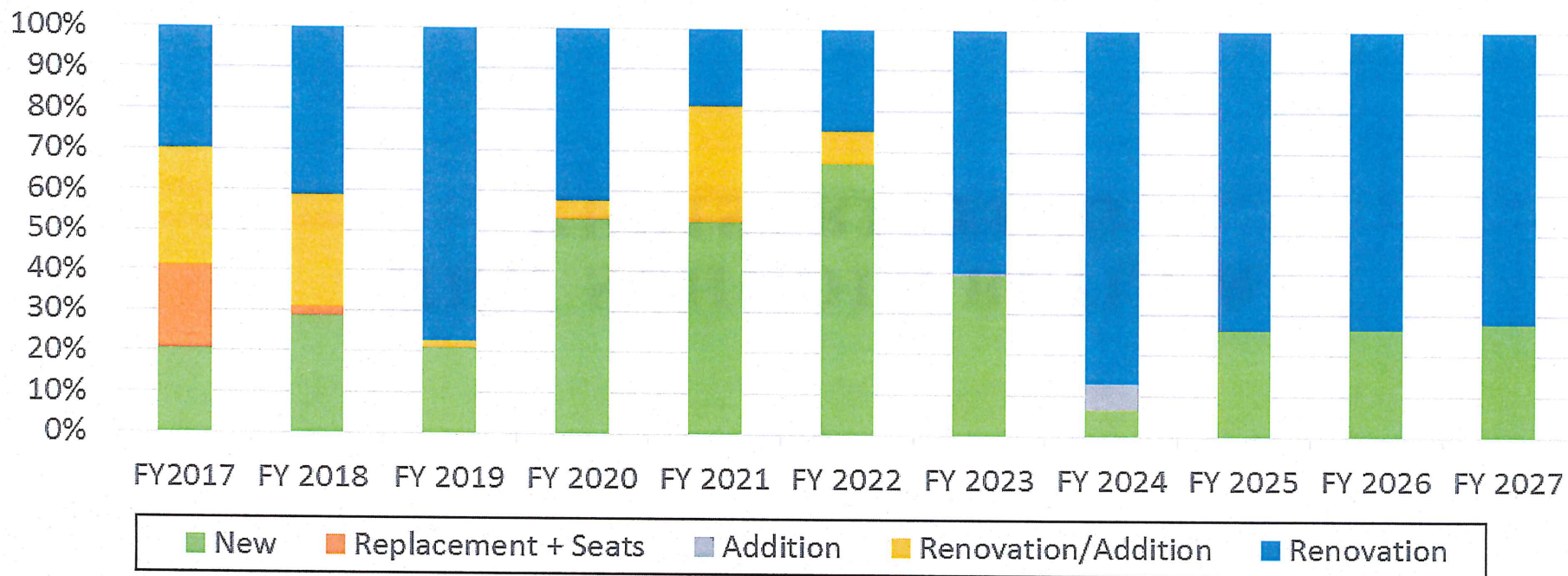
Source: Howard County Public School System, September, 2016

## Actual Capital Expenditures by Type Howard County Public School System



Source: HCPSS, Office of Planning, September 2016 - Includes individual project lines (renovations, additions, new schools, replacement schools, renovation/additions), roofs, systemic renovations, full day Kindergarten

## FY 2017 Capital Budget by Type Howard County Public School System



Source: HCPSS, Office of Planning, September 2016 - Includes individual project lines (renovations, additions, new schools, replacement schools, renovation/additions), roofs, systemic renovations, full day Kindergarten

# Accommodating Growth



## **NEW SCHOOLS BUILT & REDISTRICTING**

### Attendance Area Adjustment History

Implementation	Purpose	Elementary	Middle	High	Approx. # of Students	Approx. # of Schools	Approx. # of Polygons*	Regions
August 1992	Open Burleigh Manor MS	Elementary	Middle		1000	10	N/A	North, Southeast, Columbia East, Northeast
August 1993	Open Rockburn ES, Mount View MS	Elementary	Middle	High	N/A	9	N/A	North, West, Northeast, Columbia West
August 1994	Open Manor Woods ES	Elementary	Middle	High	N/A	10	N/A	All
August 1995	Open Elkrige Landing MS	Elementary	Middle		560	5	N/A	Northeast, Columbia East, Southeast
August 1996	Open Ilchester ES, Long Reach HS, River Hill HS	Elementary		High	N/A	13	N/A	Northeast, West, North, Columbia West
August 1997	Open Fulton ES, Hollifield Station ES, Murray Hill MS	Elementary	Middle		N/A	9	N/A	Southeast, West, North
August 1998	Open Triadelphia Ridge ES, Gorman Crossing ES	Elementary			N/A	9	N/A	Southeast, West
August 1999	Open Lime Kiln MS		Middle		N/A	2	N/A	West
August 2000	Crowding in Columbia East/Southeast	Elementary		High	N/A	7	N/A	Columbia East, Southeast, Northeast
August 2001	Open Bonnie Branch MS		Middle		660	4	N/A	Northeast
August 2002	Open Reservoir HS	Elementary	Middle	High	1500	15	N/A	All
August 2003	Open Bellows Spring ES, Folly Quarter MS	Elementary	Middle		1500	39	151	West, Columbia West, Columbia East, Northeast, Southeast
August 2004	Adjustment for new development	Elementary	Middle	High	27	11	5	Northeast, Columbia East, Southeast, North, West, Columbia West
August 2005	Open Marriotts Ridge HS			High	840	9	99	All
August 2006	Open Dayton Oaks ES	Elementary	Middle	High	1300	18	64	North, West, Columbia East, Columbia West
August 2007	Open Veterans ES	Elementary	Middle		1200	11	40	Columbia West, North, Northeastern
August 2008	<i>(no change)</i>							
August 2009	<i>(no change)</i>							
August 2010	End open enrollment			High	**	3	13	West, North
August 2011	<i>(no change)</i>							
August 2012	Crowding in Southeast	Elementary			900	10	42	Southeast
August 2013	Open Ducketts Lane ES	Elementary			1860	16	37	Northeast, North, Columbia East
August 2014	Open Thomas Viaduct MS		Middle		1200	10	64	Northeast, Southeast, West, Columbia East
August 2015	<i>(no change)</i>							
August 2016	<i>(no change)</i>							
August 2017	<i>(no change)</i>							
August 2018	<i>Under consideration, open New ES #42</i>							

This data is an approximation.

\*Number of polygons has evolved over time. Polygons were developed in 2002 and have been adjusted as needed. The number referenced was calculated based on the 2017 polygon IDs.

\*\*Students who started at a high school were allowed to remain at that school. Trailing siblings were also allowed to enroll out of district with their older sibling, if they shared at least 1 year of high school together.

#### In the past 26 years (1992-2017)

Adjustments to boundaries took place in 20 years

Only 4 of those years did not include the opening of a new school

#### In the past 10 years (2008-2017)

Adjustments in boundaries took place in 4 years

2 years included the opening of a new school, 2 years did not

6 years had no boundary adjustments

Source: Howard County Public School System

# APFO History



## **NUMBER OF UNITS ON HOLD**



**Total Units on Hold  
Allocations & Open/Closed Bin**

<b>Allocation Year</b>	<b>Allocations</b>	<b>Open/Clsd Schools</b>	<b>Total</b>
1995	0	0	0
1996	63	0	63
1997	832	62	894
1998	688	533	1,221
1999	869	0	869
2000	109	0	109
2001	74	51	125
2002	484	154	638
2003	360	0	360
<b>GP 2000 Adopted</b>			
2003	461	75	536
2004	497	376	873
2005	654	706	1,360
2006	676	782	1,458
2007	994	966	1,960
2008	1,002	756	1,758
2009	2,925	363	3,288
2010	553	0	553
2011	261	0	261
2012	248	16	264
2013	211	850	1,061
2014	37	13	50
2015	12	133	145
<b>PlanHoward 2030 Adopted</b>			
2015	17	151	168
2016	111	60	171
2017	485	182	667
2018	0	509	509
2019	0	849	849

# APFO History

## **PLANS IN THE WAITING BIN**

PROJECTS IN THE OPEN/CLOSED SCHOOLS BIN AT THE TIME OF THE MOST RECENT 2017 OPEN/CLOSED CHART ADOPTION IN JULY, 2017

File Number	File Name	Elementary District	School Region	Middle District	Open/Closed Test	Allocations	Failure Number				
1	F-13-116	Ellicott Woods	Worthington	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	2	4th failed test
2	F-14-074	Acra Property	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	2	4th failed test
3	F-15-014	Sunset View	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	2	4th failed test
4	SDP-14-074 (1)(2)	Long Gate Overlook	Veterans	Pass	Northeast	Pass	Ellicott Mills	Fail	Pass	73	5th failed test - PASSED
5	F-15-005	Gladys Woods	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	2	3rd failed test
6	F-15-024	Sunset Plains	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	1	3rd failed test
7	SP-15-013	Lacey Property	Veterans	Pass	Northeast	Pass	Dunloggin	Fail	Fail	12	2nd failed test
8	S-17-007	The Towns at Court Hill	Veterans	Pass	Northeast	Pass	Dunloggin	Fail	Fail	8	2nd failed test
9	SP-15-016	Hampton Hills	Worthington	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	13	3rd failed test
10	S-17-004	Dorsey Center	Ducketts Lane	Pass	Northeast	Pass	Thomas Viaduct	Fail	Fail	230	2nd failed test
11	S-17-006	Dorsey's Ridge	Veterans	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	52	2nd failed test
12	SP-16-013 (3)	Taylor Place	Worthington	Pass	Northeast	Pass	Ellicott Mills	Fail	Fail	252	3rd failed test
13	F-14-082	Dunwoody Property	Centennial Lane	Fail	North	Fail	Burleigh Manor	Fail	Fail	1	4th failed test
14	SP-14-004 (4)	Kings Forest	Centennial Lane	Fail	North	Fail	Burleigh Manor	Fail	Fail	37	4th failed test
15	F-16-095	Goldberg Property	Hollifield Station	Fail	North	Fail	Dunloggin	Fail	Fail	1	2nd failed test
16	S-16-004	Dorsey Overlook	Northfield	Pass	North	Fail	Dunloggin	Fail	Fail	75	2nd failed test
17	F-14-078	Jett Property	Waverly	Pass	North	Fail	Patapsco	Pass	Fail	1	4th failed test
18	F-14-112	Centennial Choice	Northfield	Pass	North	Fail	Dunloggin	Fail	Fail	2	3rd failed test
19	F-14-045	Goins Property	St. John's Lane	Fail	North	Fail	Patapsco	Pass	Fail	3	4th failed test
20	F-13-106 (2)	Melvin Property	Hollifield Station	Fail	North	Fail	Dunloggin	Fail	Pass	5	5th failed test - PASSED
21	SP-13-013 (2)	Tiber Woods	Northfield	Pass	North	Fail	Dunloggin	Fail	Pass	33	5th failed test - PASSED
22	F-15-057	Crestleigh Property	Northfield	Pass	North	Fail	Dunloggin	Fail	Fail	1	3rd failed test
23	F-16-034	Van Stone Property	Northfield	Pass	North	Fail	Dunloggin	Fail	Fail	1	3rd failed test
24	F-17-084	Harbin Property	Waverly	Pass	North	Fail	Mount View	Pass	Fail	1	2nd failed test
25	F-17-021	Honrao's Property	Northfield	Pass	North	Fail	Dunloggin	Fail	Fail	1	2nd failed test
26	SP-15-002	Sunell Property	Hollifield Station	Fail	North	Fail	Patapsco	Pass	Fail	38	3rd failed test
27	F-17-061	Margaret Tillman	Gullford	Pass	Southeast	Pass	Thomas Viaduct	Fail	Fail	2	2nd failed test

- ) This plan fails the school test for the fifth time (37 for year 2017 and 36 for year 2018).
- ) This project reached maximum failures so can now move forward.
- ) This plan fails the school test for the 3rd time (248 for 2018 and 4 for 2019).
- ) This plan fails for the fourth time (33 units for year 2017 and 4 units for 2018).

SUMMARY TOTAL IN OPEN/CLOSED SCHOOLS BIN

School Region	In Bin	Get Out	% Get Out
Northeast	649	73	11%
North	200	38	19%
Southeast	2	0	0%
Columbia East	0	0	0%
West	0	0	0%
Columbia West	0	0	0%
<b>Total</b>	<b>851</b>	<b>111</b>	<b>13%</b>

SUMMARY TOTAL FOR ALLOCATION AND O/C BINS

	In Bin	Get Out	Percent
<b>Total units</b>	<b>851</b>	<b>111</b>	<b>13%</b>
<b>Total plans</b>	<b>27</b>	<b>3</b>	<b>11%</b>

CB 7

Howard County Times  
2/20/92

## OPINION

# Six years is enough for new school

From: Rosemary Mortimer  
PTA Council of  
Howard County  
Maurice Kallin  
Howard County  
Public Schools

The adequate public facilities legislation package limits the allowable overcapacity in any Howard County public school to 120% of program capacity. Members of the Howard County Commission on Adequate Public Facilities have asked us to explain this aspect of the APFO legislation.

Public schools in Howard County, as elsewhere in Maryland, are funded in part by the state with a formula that utilizes a 30-to-1 student/teacher ratio. The gymnasium, cafeteria, media center and rest rooms, or core capacity, in these state-funded schools reflect the 30-to-1 ratio. However, no public school system in Maryland uses a 30-to-1 student/teacher ratio for instructional purposes at the elementary school level.

The Howard County Board of Education, prompted by con-

cerns from parents and educators several years ago, decided that our elementary schools would be staffed at a 25-to-1 student/teacher ratio. This staffing ratio allows for the effective delivery of a curriculum that prepares students for post-high-school education in competitive universities as well as the world of work in a global economy. The adequate public facilities legislation supports this position.

The current standard is to utilize 100% of program capacity in each of the public schools in Howard County. The standard under the adequate public facilities legislation is 120% of program capacity.

A school that accommodates 500 students by Howard County standards would be allowed to increase to 600 students under the adequate public facilities legislation. The extra 100 students will be accommodated with four relocatable classrooms, each staffed at a 25-to-1 teacher/student ratio.

The core capacity (cafeteria, media center, etc.) of the facility is already designed to accommodate these students.

When this 120% of program capacity ceiling is reached, all new residential construction in the area will be stopped for four years.

The commission took the po-

sition that class size is inviolate and will not compromise that position. Most parents and students agree. If we had a rallying cry as school advocates, it was "No more St. John's Lanes."

Here is an example of how APFO will help. Laurel Woods today is at 142% of program capacity. This situation will be alleviated by the opening in September 1992 of a new school, Forest Ridge Elementary. Forest Ridge will be at 85% capacity when opened in September 1992.

Developers will be asked to sit idle with their land for no more than four years at the sketch plan stage if either of these schools reaches 120% of program capacity. At the end of this time period, developers will be allowed to proceed. It will take an additional two years before children actually come into the schools from these developments.

Six years is enough time for school officials, PTA leaders and developers to lobby county officials for a new school or an addition. This provision allows building to continue in accordance with the General Plan and allows enough time for county agencies to provide the school or schools necessary to accommodate the students generated by the development.

PLN-26

HOWARD COUNTY  
COMMISSION ON ADEQUATE PUBLIC FACILITIES  
WRITTEN TESTIMONY FOR THE COUNTY COUNCIL

The Commission on Adequate Public Facilities was appointed by the County Executive in December 1990 to formulate a growth management process that would enable the County to provide adequate roads and schools in a timely manner to achieve the General Plan growth objectives. Since then it has met weekly, originally for four hours, and for the past six months for six hours per week. All members have put in substantial additional time outside of meetings.

When we were appointed, none of us anticipated either the length of time it would take to accomplish our mission, or the total number of hours that it would take to do so. Some of that is the direct result of the diversity in the membership of the Commission. It was the Executive's intent to have as broad a cross section of the County represented on the Commission as is possible. The resulting diversity of interests and points of view meant that debates on specific issues frequently were lengthy, but it also meant that we explored far more options and possible outcomes of alternative solutions than would have been the case had the diversity not been there. Finally, the members committed themselves to work through the issues and processes to the point that we achieved consensus on the final product.

We spent considerable time understanding the problem, and how other jurisdictions have dealt with adequate public facilities. In general we found that what has been done before does not work, and committed ourselves to finding a growth management process that will work for Howard County.

The General Plan is the foundation on which our proposals rest. If we plan for and manage growth so that it occurs in accordance with the General Plan, it should be possible to put the infrastructure in place in a timely manner to support that growth. However, as has become abundantly clear over the past year, resources are limited, priorities have to be set, and new revenue sources will be needed. The purpose of the adequate public facilities package, the assumptions that underlie it, and the five interconnected elements that comprise the package are described in the first section of the Adequate Public Facilities Ordinance.

We used a systems approach to develop the package; a copy of the final Growth Management Systems Flow Chart is attached to this testimony. If nothing else, we hope this flow chart makes it abundantly clear that the legislative package that is before you is a total system, and that all of the legislative pieces are needed to make it work. A copy of the Processing Residential Subdivision flow chart also is attached - we found it helpful in understanding the process and think you may also.

Legislation mandating the creation of Capital Improvement Master Plans is part of our package. These plans, which are to be updated annually, are the bridge between the General Plan, and the annual Capital Improvement Program and Budget, and allow the County to assess what the conditions will be in future years and to identify necessary road and school improvements.

The Adequate Public Facilities Ordinance provides the growth management mechanisms necessary to assure that growth will occur in accordance with the Capital Improvement Master Plans and that the infrastructure can be put in place in a timely manner. Three tests are applied ; one for roads and two for schools. Those tests are based on what conditions will exist at the time that the project puts traffic on the roads and children in the schools, not on what exists at the time of application. To implement the Adequate Public Facilities Ordinance, our package includes a resolution adopting the Housing Unit Allocation Chart, a resolution adopting the Open/Closed Chart, a resolution adopting the List of Constrained Roads, resolutions adopting Chapters 4 and 5 of the Highway Design Manual which have been revised to reflect this legislation, and legislation conforming other sections of the subdivision regulations.

As we evaluated how to deal with adequate road facilities, we concluded that Howard County is different from most of the adjoining counties. Being relatively small, an improvement to any of its major roads has a significant impact on other roads. The major improvements that will be needed in the future require the commitment of relatively large sums; spending available funds in a piecemeal fashion across the County is not going to have the desired result. Consequently, we concluded that the bulk of the funds to be paid by developers for the improvement of road facilities should go into a fund that can only be used for road improvements. The Building Excise Tax Ordinance creates this new revenue source and restricts how it can be used. To implement this ordinance, the package includes a resolution adopting the Building Excise Tax Rate Schedule, and legislation amending the Rental Housing Expense Assistance Program so as to allow grant funds for payment of the Building Excise tax and to increase the amount of the grants. We also need state legislation authorizing the County to establish the tax; a copy of what is under consideration by our state delegation is included in the package for your information.

The package we have developed is forward looking, and we are convinced that when it is fully implemented it will do the job for Howard County. However, it is not going to be an instantaneous cure for all of the current problems; these require enough time to put new school and road facilities in place. No adequate facilities bill or any other legislation could change that. The simple fact is that the bulk of the increase in school enrollments that we will see in the near term is the direct result of development that already is in place. The package we are proposing will put the mechanisms in place so that growth will occur in a controlled and predictable manner.

Since releasing our package the Monday after Thanksgiving, we have held a press conference and three public briefings. In addition, we have done eight special presentations for groups such as the Board of Education, PTA Council, Planning Board, Economic Forum, Homebuilders Association, NAIOP, and COCA. Two newspaper ads and thirty second public service announcements on Howard Cable and Channel 15 were used to alert the public to the schedule for the public briefings. The press conference was rebroadcast more than six times on Channel 15 over the course of a week, and our Video presentation was broadcast a number of times. In addition, CNN ran a four and a half minute version of the Video many times over a week long period. The Office of Public Information had three copies of the Video available for loan that were in use constantly. Cable Channel 8 has produced two programs, each one-half hour long. "PTA Monthly" aired three times a day for six days in December. "Viewpoint" will air three times a day, five days a week for a month starting on January 6. Five hundred and fifty copies of our "green brochure," containing copies of the draft legislation, were distributed. In short, we believe we gave Howard County residents ample opportunity to learn about this legislative package.

During our briefings and presentations, we invited comments and received a number of them, all of which have been reviewed by the Commission. As a result we have clarified the language concerning the Rolling Average in the Adequate Public Facilities Ordinance. The Building Excise Tax Ordinance has been modified so that residential additions of one hundred square feet or less are not required to pay the tax and we added language to make it clear that interest earned on the Development Road Improvement Fund will accrue to the Fund. We also added language to make it clear that the proceeds of this tax are not to be used to relieve the State of its responsibility to fund road improvements in Howard County. The Constrained Roads List has been amended and simplified to reflect the fact that mitigation required under the Adequate Public Facilities Ordinance is only to intersections.

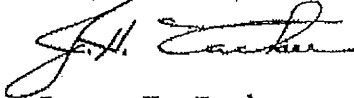
The members of the Commission, and the affiliation with the group that led to their appointment are:

Lynn S. Benton, Secretary  
Barbara M. Cook  
Lee Cunningham  
James H. Eacker, Chairman  
Scot Hoeksema  
James M. Irvin  
Maurice Kalin  
Rosemary Mortimer  
Joseph Rutter  
Alton Scavo  
James R. Schulte  
James Truby

*PTA Council  
County Solicitor  
Lee Cunningham & Assoc., Inc.  
Howard County Citizens Assoc.  
Coalition of Community Assoc.  
Director of Public Works  
Howard County Public Schools  
PTA Council  
Director of Planning & Zoning  
The Rouse Company  
Homebuilders Association  
National Assoc. of Industrial  
and Office Parks*

Because what we have developed is an integrated package, we respectfully urge that the Council consider it that way, rather than piece by piece.

Respectfully submitted,



James H. Eacker  
Chairman

December 20, 1991



## **A History of State-Rated and Howard County Program Capacity**

**September 21, 2017**

- In 1992, when APFO first began, state-rated capacity was 120 percent of county program capacity. Since school funding was tied to state-rated capacity, which reflected core school space, Howard County's APFO was based on that rate (see the attached news clip from 1992).
- In 1992, county program capacity was calculated simply (25-to-1 student/teacher ratio). State-rated capacity was also calculated simply (30-to-1 student/teacher ratio), thus the derivation of the 120 percent as shown in the first bullet – 30 divided by 25.
- In the 2003 APFO year, a middle schools test was added to APFO and middle schools were deemed closed at 115% county program capacity. Also at that time, the elementary district and elementary region tests were changed to 115 percent of county program capacity, which severed the County's use of state-rated capacity.
- Since 2003, the formulas for determining both state-rated and county program capacities became more complex by adding variables for actual space, design, use, etc. Given this complexity, program capacity calculations vary significantly from school to school—in some schools, state-rated capacity is higher than county program capacity and vice-versa.
- Therefore, the original comparison of state-rated capacity being 120 percent of county program capacity no longer applies.



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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## TECHNICAL STAFF REPORT – February 2, 2017

### **Adequate Public Facilities Task Force Recommendations**

#### **Background**

The 2015 Department of Planning and Zoning Transition Team Report recommended that County Executive Kittleman review Howard County's Adequate Public Facilities Ordinance (APFO). The County Executive signed Executive Order 2015-05 on May 26, 2015, establishing a 23 member Adequate Public Facilities Review Task Force, appointed by the County Executive and the County Council. The task force met 22 times over the course of 10 months, from June 2015 through March 2016. A final Task Force Report, submitted to the County Executive on April 1, 2016, outlined 17 recommended APFO changes. For more information on task force membership and the process, as well as a history of APFO, refer to the April 1, 2016, Adequate Public Facilities Review Task Force Report.

There were 62 motions that were voted on by the task force. This staff report analyzes and makes recommendations on the 17 that passed. Many of the 62 motions that did not pass were variations on a motion that passed, as discussed in this report, or variations on a motion that ultimately did not pass. DPZ also considered the motions that did not pass and has recommended approval of one. Details on all motions, discussions, and vote tallies are in Appendix B of the Task Force Report.

#### **Task Force Recommendations**

The task force divided the study and report into eight categories, as does this staff report: A) Administration, B) Fiscal, C) Allocations Test, D) Schools Test, E) Roads Test, F) New Metrics, G) Downtown Columbia, and H) Non-APFO Action Items. The one motion that did not pass which DPZ recommends approval of is in part I.

#### **A) Administration**

- 1. Approved Task Force Motion:** Convene an APFO review committee at a minimum at the conclusion of every General Plan cycle.

**DPZ Analysis:** It is important that APFO be periodically reviewed as the amount, pace, patterns, and capacity for development can change over time; as can infrastructure needs and capacities. A periodic evaluation of how APFO is working in relation to such changes is clearly a best practice.

Since Howard County adopts a new general plan approximately every 10 years, an APFO review committee was initially established nearly a decade after APFO's initial passage. This occurred in 2000, around the time *General Plan 2000* was adopted. However, following the most recent general plan, *PlanHoward 2030*, APFO was not reviewed. Consequently, the task force wanted to make sure that APFO was in fact reviewed at least at the conclusion of every General Plan cycle.

While there have been periodic changes to APFO adopted by the Administration and County Council outside the post general plan review process, this motion would mandate a review at least once every General Plan cycle. It would not preclude convening a review committee more often, if deemed appropriate by County leadership.

**DPZ Recommendation:** Yes

- 2. Approved Task Force Motion:** Add definition of ‘minor’ using definition in subdivision recommendation.

**DPZ Analysis:** Minor subdivisions are not defined in the APFO regulations (Sec. 16.1110), yet they refer to minor subdivisions in several places. For example, minor subdivisions in the Rural West that create the potential for only one additional lot are exempt from APFO. When administering APFO, the Department of Planning and Zoning (DPZ) uses the definition for minor in the Subdivision Regulations (Sec. 16.108): *Minor subdivision means the division of a residential or agricultural parcel that has not been part of a previously recorded subdivision, into four or few residential lots (including buildable preservation parcels but excluding open space and nonbuildable preservation parcels, either all at one time or lot by lot.* For clarity, the minor subdivision definition in the subdivision regulations should be added to Sec. 16.1110 of the APFO regulations.

**DPZ Recommendation:** Yes

## **B) Fiscal**

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Two main revenue sources fund county capital infrastructure: the building excise tax for roads and the public schools facilities surcharge (both are excise taxes on new development). Portions of a 1% real estate transfer tax also go toward capital facilities—a quarter to acquire land for public schools and their construction, a quarter to develop and construct parks, and an eighth for fire and rescue capital equipment. A quarter also goes to the Agriculture Land Preservation Program and an eighth to Housing and Community Development.

The task force discussed whether these revenues were adequate or if they needed to be supplemented. The task force learned that current revenues are not adequate to address all of the Howard County Public School System’s (HCPSS) capital needs, particularly given the growing need to renovate or replace older schools. The task force discussed the FY2016 Spending Affordability Committee report, which recommended the transfer tax be increased by 50 basis points and dedicated to school capital needs.

Ultimately, the task force passed a recommendation regarding the county’s current fee structure for new development. This was done in conjunction with a recommended change to the school program capacity, APFO requirements, and project wait time. Several different amendments were combined into one motion and are discussed under the “Schools Test” category on page 6 of this report.

## **C) Allocations Test**

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- 3. Approved Task Force Motion:** Exempt moderate income housing units (MIHU) from the allocations test. The schools and roads test would still apply. This exemption does not apply in Downtown Columbia. The exemption would be capped at the amount of required MIHUs per the zoning regulations.

**DPZ Analysis:** The task force reached consensus that a continued need for affordable housing exists in Howard County. Therefore, the task force passed the MIHU exemption, believing that it would allow affordable units to be built faster than otherwise possible. However, DPZ believes potential consequences, beneficial or not, should be more fully discussed:

- Rather than concentrating affordable housing in a single development, MIHU goals advocate integrating them into mixed income housing projects. Given this goal, for any mixed income project that includes MIHUs the market rate units would still require housing allocations. If allocations were not available then the entire project would stall, including MIHUs. Despite the exemption, affordable units may not necessarily be delivered any faster.
- Taking a longer view, since MIHUs would not require allocations it could free up housing allocations for market rate units, thus speeding the pace of all residential development, including MIHUs. The unintended consequence could be a rate of residential development that exceeds *PlanHoward 2030* goals.
- Instead of providing MIHUs, many townhouse and single family developers choose to pay a fee. An increase in the pace of development, due to an MIHU exemption, could generate fee in lieu payments sooner, allowing the Housing Commission to provide affordable housing more quickly. While this would be beneficial, the overall pace of residential development could exceed that envisioned in *PlanHoward 2030*.
- The Downtown Columbia Plan establishes a 6,244 unit allocation cap, which includes all required MIHUs. Because it has its own pool of allocations, including required MIHUs, the task force chose not to exempt downtown Columbia from allocations. Sec. 16.1101(b)(6)(v) currently allows allocations to be borrowed from the future anyway, thereby addressing any downtown MIHU allocation concerns. If downtown MIHU allocations were to be exempt, more residential units could be developed than planned for in the Downtown Columbia Plan.
- If adopted, the MIHU exemption should be capped at the amount required by zoning regulations, otherwise an unlimited number of MIHUs could be built. However, given demand for other types of market rate housing units in Howard County this is highly unlikely.

**DPZ Recommendation:** Yes. An overarching goal of providing affordable housing has been expressed by affordable housing proponents and evidenced by past actions of the Administration and the County Council. These include expanding affordable housing requirements to all residential zones during the last comprehensive rezoning. These actions suggest that, despite potential risks, this recommendation should be included.

**4) Approved Task Force Motion:** Apply APFO tests at Environmental Concept Plan (ECP) stage rather than at the sketch plan stage of the subdivision regulations.

**DPZ Analysis:** APFO was adopted in 1992 and established that residential allocations are granted upon initial plan approval, as defined in the Howard County Subdivision and Land Development Regulations. This is generally at the Sketch Plan (S) or Preliminary Equivalent Sketch Plan (SP) phase. For plans not requiring subdivision allocations are granted at the Site Development Plan (SDP) stage and for minor subdivisions (4 lots or less) at Final Plan (F). After allocations are granted the Open/Closed Schools test is then taken.

The Maryland Department of the Environment (MDE) stormwater management requirements became effective in May 2009. Shortly after, in 2010, Howard County began requiring an Environmental Concept Plan (ECP). An ECP is a concept plan depicting the general location of stormwater management, water/sewer connections, forest conservation, and environmental areas, such as wetlands and floodplains. Rather than adding the ECP process and requirements to the Subdivision and Land Development regulations they were incorporated into the Howard County Design Manual, which details engineering specifications and requirements. As a result, allocations are not granted upon ECP approval since, per the Subdivision and Land Development Regulations, an ECP is not the initial plan submission. An argument can be made that testing and granting allocations at the ECP stage begins the APFO process sooner, thus providing time savings if allocations are not currently available and/or the schools test is not passed. This is especially true for minor subdivisions, which do not receive allocations until the Final Plan is deemed technically complete.

To test for APFO at the ECP stage would require moving ECP requirements from the Design Manual to the Subdivision and Land Development Regulations (see related recommendation—Task Force Motion 12, page 11). However, a number of issues arise:

- Since ECPs are at a concept level, full development details and final residential unit counts may be unknown and housing unit allocations may be just estimates.
- Since ECPs may be submitted concurrently with initial subdivision plans the result could be little to no time savings.
- Presubmission community meetings are required before an initial plan can be submitted to the county, which would require a public meeting prior to ECP submission. Since plan details may not be known at this stage the information presented to the public could be incomplete.
- MDE requires a three-step review so any changes to the ECP process, such as combining ECPs with S or SP plans, must ensure that a three-step process is maintained. Making such changes could have a ripple effect, requiring other changes to subdivision regulations.
- Testing APFO at the ECP stage would apply key milestone dates to ECP submissions that currently apply to initial plan submissions. This issue was not discussed by the task force and could have unintended consequences.

Given its complexity and because the task force did not discuss many of the potential issues, additional study is necessary before such a change is made. DPZ is embarking on a full rewrite of county land development regulations and this recommendation could be assessed at that time. Should it be a more pressing issue, DPZ could look at it sooner and initiate a change following a more public process.

**DPZ Recommendation:** This issue requires further review with two possible options:

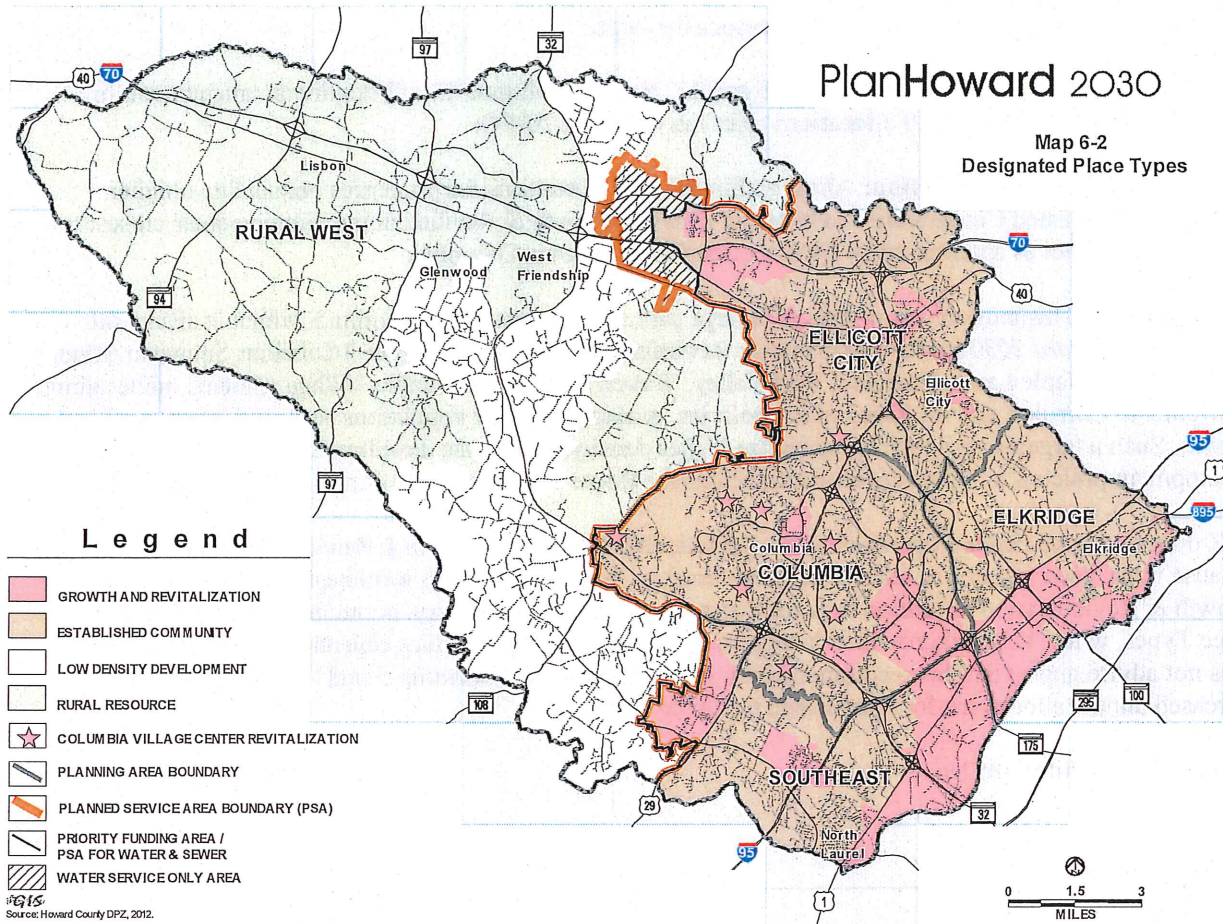
- Wait to incorporate changes into the broader comprehensive review and update of the Zoning and Subdivision and Land Development Regulations.
- Convene a small technical work group to evaluate the proposed changes and adopt them sooner.

**5) Approved Task Force Motion:** Remove the allowance to share allocations across the Established Communities and the Growth & Revitalization allocation areas.

**DPZ Analysis:** Housing unit allocations are currently distributed among five categories: Growth & Revitalization, Established Communities, Rural West, Downtown Columbia, and Green Neighborhood. The map shown on page 5 below, Map 6-2 from *PlanHoward 2030*, depicts the geography of these categories. The Growth and Revitalization and Established Communities areas were first established when *PlanHoward 2030* was adopted to incorporate Designated Place Types as called for in the 2011 State Development Plan, known as *PlanMaryland*. The Rural West area consists of 60% of the county lying outside the Planned Service Area (PSA) and it includes two Designated Place Types—Low Density Development and Rural Resources. The Downtown Columbia area is defined by the Downtown Columbia Plan. Green Neighborhood allocations can be applied anywhere in the county as long as the project qualifies as a Green Neighborhood project, as defined in the Howard County Subdivision and Land Development Regulations.

When APFO was revised in early 2013 the new allocation categories from *PlanHoward 2030* were incorporated and housing unit allocations are currently distributed among them. However, the County Council added a late amendment that allowed a shared Established Communities and Growth & Revitalization allocation category. This was done because some had argued that the annual Established Communities allocations were insufficient. The *PlanHoward 2030* allocations chart includes 400 annual Established Communities allocations and 1,200 annual Growth & Revitalization allocations. Proponents of the change asserted that given current and expected development, 400 annual allocations in Established Communities was too little and the shared pool was added to remedy this. However, the shared pool has grown over time and continues to grow because many of the 1,200 Growth & Revitalization allocations are

not being used. An ever-increasing shared pool that can be used in either the Established Communities or the Growth & Revitalization area—essentially anywhere in the eastern portion of the county—renders the geographic distribution and intended phasing meaningless.



The 400 annual units in the *PlanHoward 2030* allocations chart for Established Communities was based on an estimated new residential unit capacity, measured at that time to 2030. It recognized instances where projects in the Established Communities area could be delayed a year or two if more than 400 units were to come forward annually. However, to provide a more even pace of new development over the life of *PlanHoward 2030*, the 400 annual allocations were adopted.

While APFO anticipates that some projects may have to wait a year or two before moving forward, the shared pool potentially allows development to occur faster than proposed in *PlanHoward 2030*. Furthermore, the shared pool could allow large numbers of units to be concentrated, rather than geographically spread out. Of the 1,200 annual Growth & Revitalization allocations, APFO stipulates that no more than 35% can be built in a single Planning Area (see Map 6-2 for the eastern planning areas—ElkrIDGE, Southeast, Columbia, and Ellicott City). There is no such restriction for the shared pool.

The task force recommended increasing the annual Established Communities allocations from 400 to 600 and reducing the annual Growth & Revitalization allocations from 1,200 to 1,000 (see approved Motion 13 on page 11, categorized as a “Non-APFO Action Item” because it amends the *PlanHoward 2030* allocations chart, not APFO). The changes to the allocations chart in Motion 13 were, however, contingent on

eliminating the shared pool. By increasing the annual Established Communities allocations by 200 and eliminating the shared pool the task force thought it would remedy the perception that 400 annual allocations was too limiting. Some on the task force thought that development capacity in the Established Communities area would also increase over time due to piecemeal rezoning, as evidenced by recent, relatively large projects rezoned to CEF. The task force felt this was not an unreasonable assertion and the compromise was fair. It would not unduly hinder new development in the Established Communities area and would eliminate the shared pool, which is likely to grow unreasonably large.

**DPZ Recommendation:** Yes, for Motions 5 and 13. Note that Motion 13 will require an amendment to *PlanHoward 2030* (Figure 6-10 allocations chart) as well as to APFO.

**6) Approved Task Force Motion:** Allow additional new allocations for properties rezoned to a higher density in Established Communities to be taken from the Growth & Revitalization planning areas closest to the rezoned project as determined by DPZ, except for Downtown Columbia.

**DPZ Analysis:** This motion was proposed in large part as an alternative to Motion 5, which is discussed above. *PlanHoward 2030* identifies Growth & Revitalization areas in the Route 1 Corridor, Snowden River Parkway area, Maple Lawn, Emerson, Turf Valley, Waverly Woods, Columbia Village Centers, nodes along the Route 40 Corridor, and locations where policies, zoning, and other regulations seek to focus most future growth. Such a targeted approach helps realize higher density, mixed-use development based on zoning, development policies, and plan documents, such as the Route 1 and Route 40 Corridor Design Manuals.

DPZ does not agree that a property should automatically qualify for Growth & Revitalization allocations just because it has been rezoned to allow increased densities. Such an approach would essentially create a new Growth & Revitalization allocation area for that property, which is contrary to predetermined Designated Place Types, where targeted growth is in alignment with General Plan policy objectives. Furthermore, DPZ does not advise approving this recommendation in conjunction with Motions 5 and 13, which already allow increased annual allocations for Established Communities.

**DPZ Recommendation:** No

#### **D) Schools Test**

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##### **7) Approved Task Force Motion:**

- (1) Change program capacity at which a school is deemed to open to 110%;
- (2) If projected enrollment lies between 110% and 115% of program capacity then developer can move forward if it pays a public school facilities surcharge double the amount in current law; if projected enrollment is over 115% and up to 120% of program capacity then developer can move forward if it pays a public school facilities surcharge triple the amount in current law;
- (3) The developer's wait time for the allocations and schools test combined shall not exceed 5 years contingent on the receipt of allocations within the 5-year time period; the last development plan shall be allowed to be processed at the developer's risk;
- (4) All existing Howard County dwelling units excluding MIHU and age-restricted dwelling units shall pay an annual fee (\$25 for apartment/condominium, \$50 for townhouse, \$75 for single family) detached that is dedicated to public school capital budget;
- (5) In an effort to identify efficiencies and better utilize existing space, HCPSS shall reduce its capital budget request by 2% per year for the next 5 fiscal years excluding revenue from the surcharge and the household fee in this motion.

**DPZ Analysis:** This is the most complex and comprehensive motion approved by the task force. They spent a lot of time deliberating and crafting this motion and many alternatives were considered before the final version was approved. The overall intent in approving this motion was for all parties to contribute their fair share toward a common solution. Consensus was achieved only because it included all components deemed by the task force to be associated with school crowding and capital funding issues. These include:

- a) Student population growth due to new construction.
- b) Student population growth due to the resale of existing homes in some districts and neighborhoods, and concerns that an increasingly large portion of the school capital budget is going toward renovating and replacing existing schools that are near the end of their useful lives.
- c) School construction costs that have increased at a relatively rapid rate over the last decade and which are expected to continue to increase.

Motion items (1) and (2) are related to points (a) and (b) above. Motion item (3) is also related to (a) and (b). Motion item (4) is related to (b) only, and motion item (5) is related to (c) only. These are discussed below:

#### Motion Items (1) and (2)

The task force concluded that increased school capital funding needs are not solely caused by new development, and they also believed it was appropriate to lower the school capacity threshold from the current 115% to 110%. The task force further recognized that developers should have the ability to move forward with a project (at the higher school capacity threshold) if they paid a higher school facility surcharge. This would provide flexibility for developers willing to pay to move forward and it could generate additional funds for school capital projects. However, it is difficult to estimate how much additional revenue would be generated because of the following:

- The number of schools at various capacity thresholds can change from year to year.
- The amount of development in each district can vary.
- The number of developers who choose the surcharge option is unknown.

**DPZ Recommendation:** Since more revenue could potentially be generated for capital projects by lowering capacity thresholds, DPZ believes the approach to be rational and supports the task force recommendation. Note that that state enabling legislation is required to collect a higher amount of school facility surcharge fees.

#### Motion Item (3)

##### *Part One*

The first part of this recommendation indicates that it is unfair for developers to wait several years for allocations and then wait again, for up to four more years, because schools are closed. Under APFO, there is a maximum wait time of 4 years due to closed schools, but there is no maximum wait time for allocations. There have been occasions, particularly during the time of strong housing growth in the mid-2000s, where a project would have to wait several years for allocations and then again for several more years due to closed schools. Given current development trends and the number of available housing allocations, such a wait scenario is unlikely in the near term. However, if the pace of development were to increase, then projects could be held up for more than one year in the allocations waiting bin once again. And then if schools were to also be closed, the total wait time could exceed 4 years. DPZ supports this recommendation of a total wait time of up to 5 years contingent on the receipt of allocations within the 5-year time period. This will allow for better predictability for developers and homebuilders while also allowing for ample time for planning and implementation of necessary public infrastructure.

**DPZ Recommendation:** Yes, for the first part of Item (3).



*Part Two*

The second part of this recommendation would enable a developer to submit final project plans for DPZ to review, even while a project is in the APFO waiting bin. Under APFO, projects are tested and put on hold if they fail the APFO allocations or the APFO schools test at *initial plan* stage. Plan processing beyond this stage, which is a sketch plan (S) or preliminary-equivalent sketch plan (SP) for major subdivisions, or a final plan (F) for minor subdivisions or a site development plan (SDP) for plans that do not undergo subdivision, cannot resume until the plan receives allocations and passes the school test. Implementing this clause would allow a developer to resume processing a plan even when the project has failed APFO. Allowing continued processing, as this recommendation suggests, opens a developer to “risk” in that significant engineering/planning costs could be incurred up to that point, but the project could still be on hold.

**DPZ Recommendation:** DPZ does not support this recommendation as it impacts the fundamental design of APFO. APFO is designed and works well in terms of predictability by testing and delaying development progress, if necessary, at the initial plan stage. Allocations that are granted are always three years out; for example, the first allocation year in the most recent chart adopted in July 2016 is for 2019. This is because it takes about three years for a project to move from the initial plan stage to when the development is fully built. Allowing a development to move through the review process sooner (while still in a hold bin) would allow projects to be built sooner than intended and it could alter the fundamental design and pacing of APFO.

Motion Item (4)

The task force acknowledged that in addition to students coming from new construction, student growth is also generated by the resale of existing homes in some neighborhoods. They also recognized that increasing capital dollars are being spent on major renovations and to replace those schools that are approaching or exceeding their useful life. (See Appendix, page 15, for details on student growth and HCPSS capital spending trends.). The task force concluded that every household in Howard County should share in addressing this reality by contributing an annual fee to raise capital funds.

DPZ discussed this annual fee option with the Howard County Office of Law which indicated that it is not clear if such a fee would be legal, since it would seem to be an impact fee charged to every household in the county without having a direct impact nexus required for the funding of capital infrastructure. Impact fees are typically charged to new construction only at time of building permit, as new growth creates a demand for new public infrastructure. Another option, instead of the proposed countywide fee for capital funding, would be to raise property taxes to generate additional revenues. Such an approach would be aligned with the goal of having all property owners participate—not just the developers of new homes. However, a property tax increase would not necessarily have to be dedicated to school capital funding, and the task force had envisioned a dedicated funding source. Furthermore, the administration is not amenable to raising taxes or instituting new fees at this time.

**DPZ Recommendation:** No.

Motion Item (5)

The task force recognized school construction costs have increased significantly over the last decade. This is evident when costs for the most recent high school, Marriotts Ridge, built in 2005 for \$46.1 million, are compared to the estimated \$138.5 million proposed in the FY18 HCPSS capital budget for the next high school, to be completed in 2023.

School design and facility standards and material and construction labor costs all continue to increase, which is not unique to Howard County. As a statewide issue, the 21<sup>st</sup> Century School Facilities Commission was recently appointed and asked to convene by the General Assembly in April 2016. A report is due back to the General Assembly by December 2016. Among other things, this commission has been charged with looking for efficiencies and cost savings in school construction and maintenance costs.

Recognizing that costs continue to increase, the task force added to this overall motion a stipulation that HCPSS reduce its capital budget request by 2% per year for the next 5 fiscal years. While this is a laudable goal, it is not entirely clear how it could be mandated and implemented.

**DPZ Recommendation:** DPZ recommends that the county and the HCPSS together come up with innovative ways to reduce costs. The results of the 21<sup>st</sup> Century Schools Facilities Commission should be a starting point for those discussions.

**8) Approved Task Force Motion:** Refer to 'Open/Closed Chart' as 'School Capacity Chart', use the term 'constrained' for those schools above the threshold percentage, and 'adequate' for those schools below the threshold.

**DPZ Analysis:** The task force found that the terms 'open' and 'closed' were confusing. It was indicated that some residents thought that a 'closed' school district, for example, meant that the school was closed to new students. They believed that calling the chart a 'School Capacity Chart' is better than an 'Open/Closed Chart'. Likewise, referring to schools that are over the capacity threshold as 'constrained' and those below as 'adequate' are more accurate descriptions.

**DPZ Recommendation:** Yes

#### **E) Roads Test**

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**9) Approved Task Force Motion:** Amend the following provision: "A facility owned by Howard County or any agency thereof where essential County Government services are provided, ~~including~~ LIMITED TO police services, fire prevention and suppression services, emergency medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal.

**DPZ Analysis:** The goal was to clarify the definition for exempt governmental facilities. The full definition from the code is:

(i) *Exempt governmental facility* means:

- (1) A facility to be owned or operated by the Federal Government, State Government, Howard County Public Schools, or any agency thereof;
- (2) A facility owned by Howard County or any agency thereof where essential County Government services are provided, including police services, fire prevention and suppression services, emergency medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal.

Changing the word "including" to "limited to" in (2) above clarifies that the term '*exempt governmental facility*' only applies to the listed essential services. For example, park and library facilities, which are not listed in the above definition, are not considered essential in terms of APFO and are therefore not exempt. These non-essential county-owned facilities have always been subject to APFO, and the proposed change helps clarify this.

**DPZ Recommendation:** Yes

## F) New Metrics

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**10) Approved Task Force Motion:** Exempt age-restricted projects that incorporate continuing care and/or intermediate care services from the allocation test as these projects help our elderly population and reduce the need for other medical facilities.

**DPZ Analysis:** The task force referred to the newly built Lutheran Village at Miller's Grant, located adjacent to the Miller Library, as an example of a continuing care facility. These types of facilities accommodate independent living, as well as providing continuing care, ranging from assisted living to skilled nursing care.

Currently, age-restricted units are not required to take the Open/Closed Schools test and allocations are only required for new senior units with kitchens. This was the case for Lutheran Village at Miller's Grant, where allocations were required only for independent living units with kitchens, while assisted living and nursing home units without kitchens did not require any. The task force concluded that exempting continuing care facilities from the allocations test would "...help our elderly population and reduce the need for other medical facilities." Since allocations are currently not required for assisted living and nursing home units—those without kitchens—then this goal is already met for a significant portion of continuing care facilities.

Applying such an exemption to independent living units that are exclusively part of a continuing care facility raises equity concerns. Should not other age-restricted units (that are not part of a continuing care facility) qualify, since they also serve an elderly population? About one in five units built in Howard County since 2004 have been age-restricted and they have all required allocations. In addition, such units count toward the growth targets established by *PlanHoward 2030*.

**DPZ Recommendation:** DPZ does not recommend exempting independent living units in continuing care facilities from the allocation test. Senior populations do have an impact on public infrastructure other than just medical facilities. By not requiring allocations *PlanHoward 2030* growth targets could be exceeded. However, DPZ believes the biggest issue is one of equity and consistency. It is best to maintain consistency by treating all independent living units the same under APFO and in alignment with General Plan projections.

## G) Downtown Columbia

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**11) Approved Task Force Motion:** Exempt Downtown Columbia from the 300 unit annual allocation limit for a single elementary school district if the school region within which the school district resides is over 100% capacity.

**DPZ Analysis:** This motion was recommended because the Downtown Columbia Plan already has mechanisms in place to address school infrastructure. These include the initial and subsequent joint DPZ and HCPSS feasibility reports to address school crowding and the Community Enhancement, Programs, and Public Amenities (CEPPA). CEPPAs are development obligations specified in the Downtown Columbia Plan and CEPPA 17 states that before the 1,375<sup>th</sup> new residential unit can be approved, the developer has to reserve an adequate school site, or provide an equivalent location within downtown Columbia, if the Board of Education so determines.

These current requirements already ensure that adequate school infrastructure will be available in downtown through redistricting and by constructing new school capacity within the region. Consequently, a regional cap is not necessary and would potentially hinder planned downtown development. The 300 unit annual cap is not appropriate given that large residential buildings are planned in downtown, many with more units than the annual cap would allow. This could force a single building with more than 300 units to split development between two years—which is not feasible for a single building. It is important to note that units in downtown would still require allocations. They would also have to pass the Open/Closed Schools test, and the

development phasing chart in the Downtown Plan would also apply. This amendment was proposed as part of the Joint Recommendations for Affordable Housing for the same reasons and was recently approved by the County Council as part of CB55-2016.

**DPZ Recommendation:** Yes

## **H) Non-APFO Action Items**

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**12) Approved Task Force Motion:** Include ECP in subdivision regulations.

**DPZ Analysis:** See related Motion 4 on page 3.

**DPZ Recommendation:** This issue requires further review with two possible options:

- Wait to incorporate changes into the broader comprehensive review and update of the Zoning and Subdivision and Land Development Regulations.
- Convene a small technical work group to evaluate the proposed changes and adopt them sooner.

**13) Approved Task Force Motion:** Increase Established Communities annual allocations from 400 to 600 and decrease Growth and Revitalization annual allocations from 1,200 to 1,000—contingent on elimination of shared allocation pool (Task Force Motion 5).

**DPZ Analysis:** The task force considered this a non-APFO item because it is not in the APFO regulations and would require an amendment to the General Plan (Figure 6-10, the Howard County APFO Allocation Chart, would need to be amended). This motion is directly related to Motion 5 on page 4 of this report, which eliminates the shared allocation pool. Please refer to that motion for a further discussion.

**DPZ Recommendation:** Yes, for both Task Force Motions 5 and 13. Note that Motion 13 will require an amendment to *PlanHoward 2030* (Figure 6-10 allocations chart) as well as to APFO.

**14) Approved Task Force Motion:** Require the county to develop a plan of action to address the Department of Fire and Rescue Service's (DFRS) public water supply/cistern needs in the western portion of the county.

**DPZ Analysis:** The motion was adopted after a presentation by and further discussions with Fire Chief Butler. The task force determined that while it was not appropriate to address under APFO, further attention was warranted. The following summarizes the history and current state of the county's Rural Water Supply program, based on information from DFRS:

In FY2008 a capital project to install 100 underground cisterns in areas not served by public water and, therefore, without hydrants, was approved. It fulfilled a strategic need to provide reliable public water sources for fire suppression in areas outside the Planned Service Area (PSA) that had experienced residential development before 2012, after which sprinklers were required in all new single family homes. However, sprinklers are not feasible or required in all parts of a home, nor do they fully extinguish fires in all cases. Sprinklers can certainly reduce the spread of fire and ultimate loss of property and life, but other water sources are still required to terminate a fire and fight fires in a non-sprinklered area, such as the exterior of a home, barns, outbuildings, and brush fires. The Rural Water Supply program remains an important strategic initiative for DFRS.

DFRS utilized several GIS maps to organize western Howard County into one square mile grids to prioritize cistern needs and locations based on population density, existing alternate private water sources, and locations of dependable natural water supplies. To date, \$6.6 million has been allocated to the project, which has provided 24 cisterns with another 10 in progress. The plan is reviewed annually,

or as new demographic information becomes available, to ensure that site selection priorities are up to date. At this point funding has come from a hybrid of fire and rescue tax funds and DFRS's 12.5% share of the county's transfer tax. Because it can take some time to identify a site, acquire land if a purchase is necessary, and bid the project, funds and installations can typically carry over from one fiscal year to the next. In partnership with the Department of Public Works, new funding requests are made only if it is deemed likely that additional sites will move to action in an upcoming year.

Although there is a sound plan and funding stream in place, DFRS has welcomed DPZ's help in identifying sources outside APFO to provide land for cisterns in new developments where there is a need. Dedicated water sources for fire suppression is one of the more important criteria used by the Insurance Services Office to establish the county's Public Protection Classification rating, which impacts property insurance premiums.

**DPZ Recommendation:** DPZ will review this issue with DFRS and work together during the subdivision review process to help enable potential cistern installations where they are most needed.

**15) Approved Task Force Motion:** Raise critical lane volume (CLV) from 1500 to 1600 for Downtown Columbia in the Design Manual to be consistent with APFO.

**DPZ Analysis:** Section 16.1101(f)(1) of APFO states: "For all final development plan applications proposing downtown revitalization and all subdivision and site development plan applications in Downtown Columbia, the intersection standard is up to 1600 CLV for all intersections as specified in the Howard County Design Manual."

The Howard County Design Manual Volume III, Chapter 4.9.1(B)(3)(A) states: "The intersection standard within the cordon line, as defined in Section 4.9.5 shall not exceed CLV 1600 for the overall intersection. This standard is subject to a transitional CLV requirement. During this transition phase to CLV 1600, all downtown intersection testing and mitigation will be subject to the following: (A) All Downtown intersections must be evaluated and, if necessary, mitigated per Section 4.9.2 using an initial CLV of 1500. (1) In the event the sum of existing and projected background traffic volumes (total projected background traffic) results in a CLV exceeding 1500 before the addition of site generated net peak hour trips, then the acceptable CLV standard for mitigation at the subject intersection will be the CLV as determined by total projected background traffic. (2) If it is determined by DPZ/DPW that: (I) an intersection cannot be improved to the applicable CLV standard as described above or, (II) the proposed improvement to attain the applicable CLV standard does not satisfy the design balance as further discussed in section 4.9.2 or, (III) mitigation of the intersection to the applicable CLV standard would require the construction of an improvement which DPZ, in consultation with DPW, finds not to be necessary to maintain an intersection CLV of no more than 1600 at the time of full buildout of the Downtown Columbia Plan, then the applicable CLV standard will increase by increments of 50 until the conditions identified in both (I) and (II) above are no longer true. Therefore, the adjusted intersection CLV will then become the new accepted CLV standard for that intersection and will be used as the initial CLV for subsequent evaluations of that intersection under paragraphs (A)(1) and (2) of this subsection, 4.9.1(B)(3)."

Based on the above APFO and Design Manual regulations it is clear that there is no inconsistency. APFO regulations take the Design Manual into account by indicating that the standard can go up to CLV 1600. The CLV standard starts at 1500, but if this cannot be achieved for the reasons given, then the CLV may increase by increments of 50, from 1500 to 1600, with 1600 being the maximum. As a result, the task force motion is unnecessary because while the two regulations may appear to be inconsistent, they are crafted as intended. The goal for downtown is to achieve CLVs as close to 1500 as possible, while recognizing there may be a need, as well as a logical rationale, to go higher when necessary. However, in no case would CVLs be higher than 1600.

**DPZ Recommendation:** No

**16) Approved Task Force Motion\*:** Request the County to review the feasibility of a public infrastructure test that contains a mitigation requirement based on optimal cost-to-efficiency ratios.

*\* The above 16<sup>th</sup> motion is the one that passed; however, it is different than the 16<sup>th</sup> approved motion in the April 1, 2016, Adequate Public Facilities Review Task Force Report submitted to the County Executive. After reviewing task force deliberations, that one was found to be incorrect.*

**DPZ Analysis:** This motion is focused on measuring an optimal cost-to-efficiency ratio for new capital infrastructure investments. The task force discussed an example—installing solar facilities on schools and school sites. While the initial investment may be relatively large, the long term cost savings could more than offset it.

**DPZ Recommendation:** Yes, worth exploring such cost/benefit analyses during the county's capital budget process.

**17) Approved Task Force Motion:** Support DPZ's process to review infill regulations that include such things as stormwater management and the density exchange program; urge that process is complete in 2016; fast track this motion if the County Council considers legislation on the subject prior to submission of the APF Task Force Report.

**DPZ Analysis:** This motion reflects two efforts that were in process while the task force met. Zoning Regulation Amendment (ZRA 158), submitted by Councilmember Jon Weinstein, proposed amending Section 128.0.K. of the Supplementary Zoning District Regulations related to the Neighborhood Preservation Density Exchange Program option. ZRA 158 was heard by the Planning Board on May 19, 2016, and both DPZ and the Planning Board recommended approval. To date, the Council has not introduced a bill related to this ZRA.

Amendments to Section 12.127 of the Subdivision and Land Development Regulations related to infill development were also underway during the APFO study. Changes to infill development regulations were reflected in Council Bill 15-2016, adopted by the County Council on April 14, 2016, and it went into effect on June 14, 2016. For more information and the adopted legislation refer to this link on the County Council website: <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=1633>.

**DPZ Recommendation:** Infill Regulations—completed. Neighborhood Density Exchange Program—DPZ's role in the process has been completed and the legislation is pending.

#### **D) Motion that Did Not Pass Task Force – DPZ Recommends Approval**

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**18) Task Force Motion:** Require that a planned traffic remediation project must be in construction before being able to be used as a remediation of a failed traffic test at or near its location.


**DPZ Analysis:** The intent of this motion is to ensure that road mitigation projects required under APFO are complete or substantially complete before the development has been completely built. There have been instances when required road mitigation projects are not finished until after the development is fully built and occupied.

The county does have leverage through secured surety bonds that developers must acquire through the developer's agreement process before final plans are recorded. The county has the option to default on the bonds and use the money to pay for the mitigation project if the developer fails to do so. However, if the default option is used, which is rare, the process often takes much time, and it does not solve the problem of ensuring that the road mitigation project is complete before the development project is built. Furthermore, the county would prefer not to have to use the default option unless absolutely necessary—the county prefers not to have to manage and build capital mitigation projects that are the responsibility of a developer and

agreed to by the developer through the developer's agreement process. The surety bond process is really intended to safeguard the county in cases of developer bankruptcies or other significant financial or managerial problems.

Ensuring the timely construction of road mitigation projects cannot be addressed directly in the APFO regulations. This is because the APFO regulations only apply at the initial plan stage and are associated with how traffic studies are conducted and what projects need to be added to traffic studies to ensure adequate traffic. This is all done several years before the project construction even begins.

**DPZ Recommendation:** Add language to the APFO and/or other appropriate place in the subdivision regulations to ensure that developers agreements include language specifying that road mitigation projects need to be complete at a time before the development project is complete, and furthermore tie such requirements to the issuance of building permits.

	2/2/17
Valdis Lazdins, Director	Date
Department of Planning and Zoning	

## APPENDIX

### Howard County Public School System Capital Spending & New Student Enrollments

The task force recognized that a significant number of new students in the HCPSS were generated by the resale of existing homes (see page 6 under the discussion of Task Force Motion 7). Many well-established neighborhoods in Howard County are aging, and as empty nesters retire and move away new families with children are coming in. This natural turnover of existing housing is adding more students and this will continue as neighborhoods continue to age. Much of Howard County is moving into “middle age” and neighborhoods built in the 1960s and 70s are experiencing this change. The table below is based on data provided by the HCPSS summarizing net new student growth from new construction versus from home resales. For the past 10 years an average of 42% of new students came from newly constructed housing, while 58% came from resales. This same ratio is expected in the decade ahead, based on projected new housing growth and assuming similar historical resale patterns.

**New Students added to the Howard County Public School System  
From New Construction & Resales (September enrollments)**

Year	New Construction		Resales		Total	
	Number	Percent	Number	Percent	Number	Percent
2006	601	47%	682	53%	1,283	100%
2007	370	34%	725	66%	1,095	100%
2008	430	47%	482	53%	912	100%
2009	332	42%	452	58%	784	100%
2010	384	42%	530	58%	914	100%
2011	464	38%	763	62%	1,227	100%
2012	396	37%	685	63%	1,081	100%
2013	518	42%	715	58%	1,233	100%
2014	677	50%	670	50%	1,347	100%
2015	590	42%	806	58%	1,396	100%
<b>Subtotal Past</b>	<b>4,762</b>	<b>42%</b>	<b>6,510</b>	<b>58%</b>	<b>11,272</b>	<b>100%</b>
2016	640	46%	749	54%	1,389	100%
2017	770	50%	760	50%	1,530	100%
2018	785	50%	772	50%	1,558	100%
2019	679	46%	785	54%	1,464	100%
2020	696	47%	796	53%	1,492	100%
2021	629	44%	808	56%	1,437	100%
2022	552	40%	819	60%	1,371	100%
2023	524	39%	829	61%	1,353	100%
2024	417	33%	838	67%	1,254	100%
2025	370	30%	845	70%	1,216	100%
2026	354	29%	851	71%	1,205	100%
<b>Subtotal Projected</b>	<b>6,416</b>	<b>42%</b>	<b>8,853</b>	<b>58%</b>	<b>15,268</b>	<b>100%</b>
<b>Grand Total</b>	<b>11,178</b>	<b>42%</b>	<b>15,363</b>	<b>58%</b>	<b>26,540</b>	<b>100%</b>

*Source: HCPSS, Office of Planning, September 2016*

The task force also recognized that much of the recent and expected future capital spending has been and will continue to be for renovations and the replacement of existing schools. The average school in Howard County is about 34 years old and the useful life of such a capital facility is typically 40 years. Money for future renovations will need to be allocated as schools and other facilities continue to age. At the same time funding for new schools must be maintained. Both are recognized challenges facing the HCPSS.



The tables below summarize past and projected school capital costs by category. The first table summarizes dollar amounts and the second percentages by category. For the past 10 years 57% has been spent on renovations, another 12% on renovations with additions, and 4% on replacement schools with seats added. A total of 18% was spent on new schools and 9% on additions. Similar renovation percentages are projected into the next decade as well. The new school percentage is higher in the coming decade compared to the past at 34%. This is in large part because a new high school is needed—with a big price tag.

The charts below the tables show the percentages by year graphically. It is clear from these charts that renovations (along with renovations/additions) have been and will continue to be a significant percentage of the HCPSS capital budget.

**Howard County Public School System Capital Funding (X \$1,000) (1)**

Fiscal Year (2)	Replacement		Renovation/			Total
	New	+ Seats	Addition	Addition	Renovation	
2007	37,797	0	10,669	11,901	19,633	80,000
2008	8,419	0	9,631	14,352	31,598	64,000
2009	1,191	0	9,574	8,349	27,887	47,000
2010	11	0	2,791	13,526	34,672	51,000
2011	836	0	4,380	8,527	35,257	49,000
2012	2,366	0	1,212	1,019	48,403	53,000
2013	23,035	0	3,897	420	59,648	87,000
2014	28,695	775	4,764	1,016	39,751	75,000
2015	8,629	2,303	8,916	9,428	42,724	72,000
2016	3,691	22,952	3,198	10,683	31,475	72,000
<b>Total</b>	<b>114,670</b>	<b>26,030</b>	<b>59,031</b>	<b>79,221</b>	<b>371,048</b>	<b>650,000</b>
2017	14,526	14,285	0	20,311	20,834	69,956
2018	23,958	2,000	0	23,303	34,250	83,511
2019	17,082	0	0	1,500	62,928	81,510
2020	40,630	0	0	3,557	32,200	76,387
2021	47,366	0	0	25,703	17,000	90,069
2022	58,625	0	0	7,136	21,686	87,447
2023	33,449	0	544	0	50,575	84,568
2024	5,380	0	5,404	0	71,409	82,193
2025	23,099	0	0	0	64,793	87,892
2026	23,286	0	0	0	64,927	88,213
2027	24,576	0	0	0	63,169	87,745
<b>Total</b>	<b>311,977</b>	<b>16,285</b>	<b>5,948</b>	<b>81,510</b>	<b>503,771</b>	<b>919,491</b>
<b>Grand Total</b>	<b>426,647</b>	<b>42,315</b>	<b>64,979</b>	<b>160,731</b>	<b>874,819</b>	<b>1,569,491</b>

(1) Capital dollars include individual project lines (renovations, additions, new schools, replacement schools renovations/additions), roofs, systemic renovations, Full Day K. Does not include projects grouped by type (barrier free, playgrounds, relocatables, site technology, parking lots, planning/design etc.), specific needs (MBR, etc.) special schools (Cedar Lane, etc.)

(2) FY 2007 through FY 2016 are actual expenditures, FY 2007 is funded amount and FY 2018 through FY2027 are funds requested in the Proposed FY2018 Capital Budget.

Source: Howard County Public School System, September, 2016

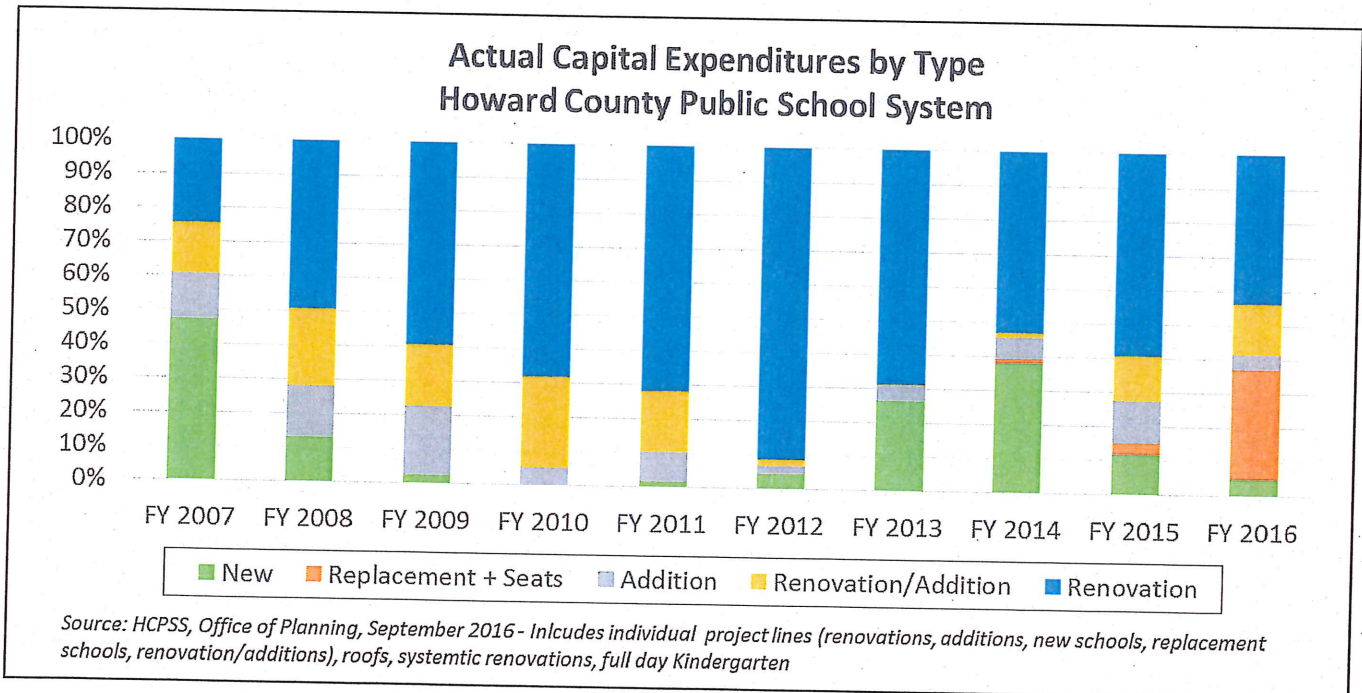
Howard County Public School System Capital Funding (X \$1,000) - PERCENTAGES (1)

Fiscal Year (2)	Replacement		Renovation/			Total
	New	+ Seats	Addition	Addition	Renovation	
2007	47%	0%	13%	15%	25%	100%
2008	13%	0%	15%	22%	49%	100%
2009	3%	0%	20%	18%	59%	100%
2010	0%	0%	5%	27%	68%	100%
2011	2%	0%	9%	17%	72%	100%
2012	4%	0%	2%	2%	91%	100%
2013	26%	0%	4%	0%	69%	100%
2014	38%	1%	6%	1%	53%	100%
2015	12%	3%	12%	13%	59%	100%
2016	5%	32%	4%	15%	44%	100%
<b>Total</b>	<b>18%</b>	<b>4%</b>	<b>9%</b>	<b>12%</b>	<b>57%</b>	<b>100%</b>
2017	21%	20%	0%	29%	30%	100%
2018	29%	2%	0%	28%	41%	100%
2019	21%	0%	0%	2%	77%	100%
2020	53%	0%	0%	5%	42%	100%
2021	53%	0%	0%	29%	19%	100%
2022	67%	0%	0%	8%	25%	100%
2023	40%	0%	1%	0%	60%	100%
2024	7%	0%	7%	0%	87%	100%
2025	26%	0%	0%	0%	74%	100%
2026	26%	0%	0%	0%	74%	100%
2027	28%	0%	0%	0%	72%	100%
<b>Total</b>	<b>34%</b>	<b>2%</b>	<b>1%</b>	<b>9%</b>	<b>55%</b>	<b>100%</b>
<b>Grand Total</b>	<b>27%</b>	<b>3%</b>	<b>4%</b>	<b>10%</b>	<b>56%</b>	<b>100%</b>

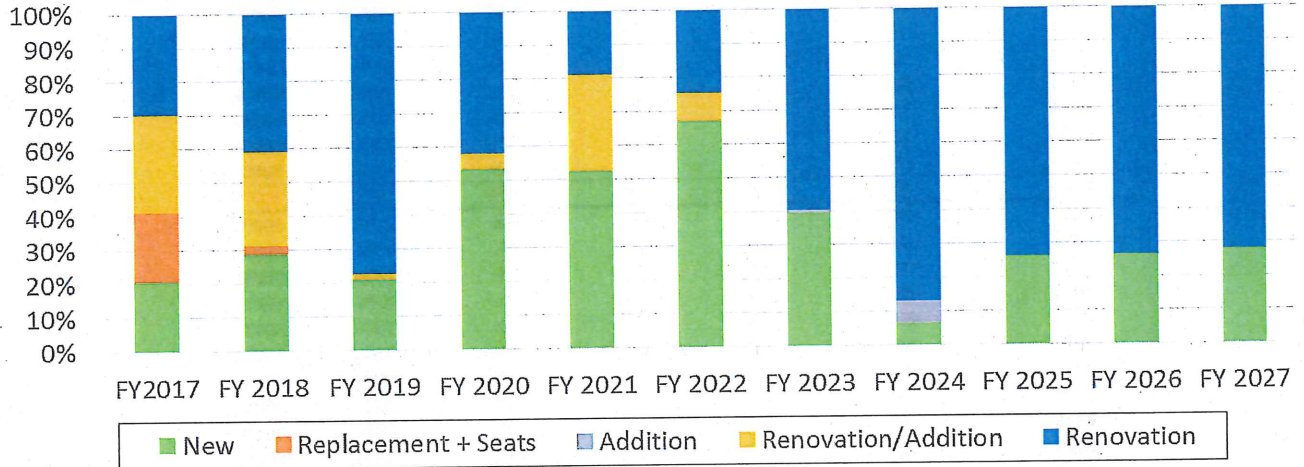
(1) Capital dollars include individual project lines (renovations, additions, new schools, replacement schools renovations/additions), roofs, systemic renovations, Full Day K. Does not include projects grouped by type (barrier free, playgrounds, relocatables, site technology, parking lots, planning/design etc.), specific needs (MBR, etc.) special schools (Cedar Lane, etc.)

(2) FY 2007 through FY 2016 are actual expenditures, FY 2007 is funded amount and FY 2018 through FY2027 are funds requested in the Proposed FY2018 Capital Budget.

Source: Howard County Public School System, September, 2016



### FY 2017 Capital Budget by Type Howard County Public School System



Source: HCPSS, Office of Planning, September 2016 - Includes individual project lines (renovations, additions, new schools, replacement schools, renovation/additions), roofs, systemic renovations, full day Kindergarten

## Sayers, Margery

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**From:** Kate Hudkins <khudkins@gmail.com>  
**Sent:** Thursday, August 24, 2017 1:16 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** APFO Concerns

As a member of the Dunloggin Community, I ask that the following be added to APFO:

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best Regards,  
Kate Hudkins  
3728 Chatham Road  
Ellicott City, MD 21042

Best,  
Melissa Kistler

9417 Aston Villa  
Ellicott City, MD 21042  
410-370-2162

## Sayers, Margery

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**From:** Melissa Kistler <melissa.kistler@me.com>  
**Sent:** Tuesday, August 29, 2017 1:56 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

To Howard County Council and County Executive:

I have lived in Howard County now for 8 years. My husband and I were attracted to the area due to location and the wonderful parks, paths, and schools. Our son just started kindergarten this past fall and had a tremendous experience. Within the last several months, however, we became aware of issues in the county stemming from weak APFO. We are seeing how allowing development to occur in areas where schools are overcrowded after only 4 years has led to some area schools being grossly overcrowded. This, in turn, led to a proposal for massive school redistricting this year that undermines the stability students need to be successful. Meanwhile, buildings and developments have been popping up everywhere and there has been noticeable impacts on traffic in the area. What used to be a five minute drive across town now takes 15 minutes or even longer depending on the time of day.

I am concerned that should the county continue down the path of weak APFO, that schools will continue to need to shuffle students around uprooting their sense of stability; that roads- particularly in Town Center- will be overcome with traffic; that home values will decrease due to the uncertainty about what schools are associated with particular neighborhoods and inadequate infrastructure all around. I'm concerned that what attracted us to live in this county initially will be gone without a much better APFO. I find it inexcusable for Howard County to continue down a path of a weak APFO.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1.) School capacity limits- INCLUDING HIGH SCHOOLS- to be set at 100%. Schools are closed to new development at that level.
- 2.) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3.) NO reductions to the current wait time for housing allocations or school tests. I would advocate for INCREASING the current wait time.
- 4.) APFO needs to reviewed every 4 years.
- 5.) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

While I know many of the current council members are at the end of their terms, my vote will absolutely be influenced by how those who are up for re-election address these concerns. Howard county's future is at a tipping point, and I hope you will amend CB61 to tip it in the right direction.

I know redistricting and the way development has been done through the years in this county has just, in a way, always been like that. With that in mind, I leave you with this quote from Thomas Paine "A long habit of not thinking a thing wrong gives it a superficial appearance of being right."

I hope to see the right thing done for Howard County and its current and future residents. The right thing is a much stronger APFO- not more if the same inadequacy.

For CB 62 I am against developing even more in "established" communities. if we don't have room to build then we should not build. Changing the allocations is not the answer. Established communities are already over crowded, over capacity on schools and roads have become over crowded.

I urge you to "**Do the right thing**" for the voters of this county. I have never seen such momentum on any issue in this county. This will not stop until the policies are corrected. Residents, parents and voters are paying attention and realize we have a problem in this county. Be a part of the solution and not part of the problem.

Sincerely,

Jim Reynolds

6001 Bee Court

Elkridge, MD 21075

## Sayers, Margery

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**From:** Jim Reynolds <jb.reynolds32@gmail.com>  
**Sent:** Saturday, September 02, 2017 4:08 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for CB 61 & CB 62

Dear County Council,

I write to you as a concerned parent and resident of Howard County regarding the proposed bills CB 61 & CB 62. Despite the high cost of living in this county my wife and I moved here in 2003 to be part of a better school district, growing county, safe place to live and put our roots down for the future. We worked hard to get here and stay here. We now have two children and are hopefully here to stay and be a part of this community.

However, I am concerned that Howard is not the utopia it is portrayed sharing titles such as "Best places to live", "Best Schools", and many more. For the first time in 14 years we are considering leaving the county because it has become obvious the growth is severely mis-managed. If the county doesn't do a better job of controlling the APFO to fund the appropriate facilities as they are needed then we are failing the future Howard County residents. Knowing that Howard County was ranked the lowest among 14 comparable counties regarding how we handle APFO is appalling. Developers need to pay their fair share (not pennies they are paying now).

The current policies have created a never ending loop of over crowding in this county and it will not slow until the open/closed and APFO are brought in line. Roads are over crowded, Schools are over crowded, storm water has become an issue, and much more. Why would 115% be acceptable anywhere. How about you let 15% more people into restaurants, hospitals or even your homes. Portable classrooms have become the norm in this county where we pay so much to live. Why? **Do the right thing and fix this problem.** Smart Growth is the main aspect you as a council can control. It is obvious the current policies are not working. This problem will not go away.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0% or propose a tiered rate structure so that those who can afford will pay their fair share.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.



- Revise archaic guidelines to determine projected student enrollment from new developments.

I hope that concerns from residents like me will be heard and acted on to maintain our trust with the County council and its members.

Regards  
Pankaj Patil  
8795 WELLFORD DR ELLICOTT CITY 21042

## Sayers, Margery

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**From:** Pankaj Patil <pankaj\_patil20@yahoo.com>  
**Sent:** Saturday, September 02, 2017 5:48 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Council Council Members

When I moved to Howard County a couple of years back, I was proud to become a resident of neighborhoods that are often featured in '*Money magazine's best places to live*'.

My family was happy with our move to Columbia, we had great neighbors, trails backing into parks and all amenities within a short driving distance. As my kid got ready for joining school, we made a decision of moving to Ellicott City so my child can attend the '*accomplished schools*' usually highlighted in County's own press briefings sourced from Niche / U.S News sites.

As we are settling down with the move and adjusting to the new school system, we get to know that due to *fundamental flaws within the county's development process and how it interacts with the school system*, our neighborhood is nominated for redistricting.

*Our assigned schools had utilization ratios that are concerning to the Board of Education, however under existing Adequate Public Facilities Ordinance (APFO), approval was granted for construction of our neighborhood.* The projected student enrollment numbers quoted by developer in seeking approval were based on county guidelines that are no longer practical. Projecting and getting official approval for 4 school going kids in a neighborhood of 50+ houses seems impractical and illogical in an populous and developing county like ours. It almost seems like the county development process expects residents moving in to new communities to bring revenue in terms of home sales and higher taxes to fund various county plans but then subsequently forces them to be in a situation where they are deprived of things they originally moved for.

As a responsible, law abiding, tax paying resident, I am deeply concerned that lack of planning and oversight, collaboration with school system, negatively impacts us and most importantly our faith in the whole county system.

I am requesting that **Council Bill 61** is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- NO reductions to the current wait time for housing allocations or school tests.
- Make developers pay for School repairs and capacity addition
- APFO needs to be reviewed every 4 years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

## Sayers, Margery

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**From:** Garvin and Ruth <gcrkc1@verizon.net>  
**Sent:** Saturday, September 02, 2017 6:46 PM  
**To:** Weinstein, Jon; Kittleman, Allan; CouncilMail  
**Subject:** AFPO Written testimony regarding Council Bill 61

Hello,

Our family settled down in Howard County largely for its well known education system. We still believe it is a good one, but the recent information regarding AFPO plans is concerning, and honestly makes me double think if we made the right decision for our family.

Continued growth is necessary, but it's time to step back and have a fresh look at a more balanced approach for all AFPO stakeholders (schools, education, transportation, emergency services, developers, etc). The composite effect of the proposed AFPO amendments are biased towards economic growth and developer growth. It is time to review the big picture again to ensure other facets of AFPO are not getting left behind. I want to highlight a some key points that should be considered for CB-61:

- Take a fresh look at AFPO planning with education, public safety and emergency services as the highest priorities. See what plans come up with this approach.
- We need to let school capacity solutions catch up to all growth from the past years. In a way, this mean you all did too good of a job with growth for many years, and its time to get other things (education, public safety, emergency services, etc) to catch up! This will lead to a more balanced Howard County.
- High school capacity limits need to be included in AFPO criteria. This would make the assessment criteria more comprehensive.
- Re-shuffling/Redistricting students for school capacity numbers to be "balanced on paper" so further development can occur is not acceptable. Current residents should not be continually shafted for developer interests. That is not why so many young families want to move here.
- Review/refresh AFPO more often (every 3-5 years?). Not updating the AFPO for many years has led to a significant disconnect between the county and citizens. More regular updates will allow better course correction if priorities become unbalanced.

Please consider the above points strongly. I am proud to live in this county, but this pride will erode if the focus is continually on economic/developer growth, and not on the education and general well-being of the citizens. We need and demand better balance in Howard County.

Thank you for your attention and consideration.

Garvin Cung  
5003 Cobble Stone Ct.  
Ellicott City, MD 21043

## Sayers, Margery

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**From:** Harikrishna Devalapally <hdevalapally@gmail.com>  
**Sent:** Sunday, September 03, 2017 6:23 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Sir/ Madam,

We are submitting this testimony for a stronger APFO that imposes more regulations on new developments.

Our story:

More than 13 years ago we came to this county with lot of dreams and big ambitions. My self and my wife worked very hard and directly involved in many life saving research projects. We made a commitment to live in this historic Howard county and promised our 2 boys a safe & nurturing environment to thrive. But this unexpected & unpleasant decision to re-district is really unfair and very disappointing. We left our friends, family to make a home of our own and our kids have to move again now? How unfair that county officials gave permits to built new homes despite knowing there are no resources to accommodate (specially schools and other emergency services)! Our builder was very open why they are selling the same exact house for a much lower price out side of Howard county (because our community has all 10 scored schools so it is more pricy). Very disappointing to know that the builders win and hard working families loose. We invested a lot (time & money) and its not fair to move our kids just after 2 years because county officials couldn't figure out things right upfront! Over the past few years, there are some unpleasant changes we are dealing with (congestion everywhere with growing population, our commute has doubled), but not ready to put our kids under unnecessary stress by changing schools every couple of years. We sincerely request at least now the county officials have to come up with better solutions (fund for critical infrastructure needed) to address this over crowding issue so there wont be another re-districting in couple of years from now. Please don't just focus on easy way outs by moving our kids and breaking our communities. This affects our quality of life and this is not what we expected from this historic county. Please please help us stay together & stronger.

We are requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Please help us grow stronger together in this beautiful county.

Sincerely,  
Harikrishna Devalapally and Swapna Pamu  
8659 Wellford Dr, Elliott City, MD 21042

redistricting. To resolve school overcrowding issue through this massive school redistricting is the cheapest way to the county, but has the most disruptive consequences to the communities and students. It is unfair to let the kids to carry the burden of county's flawed policies.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Howard county is one of the richest counties in the nation, but probably has the highest frequency of school districting in the nation and currently is planning the largest scale of school redistricting in the history. Howard county can do better than this with tax payers' money!

Sincerely,  
Dong Zhao  
8721 Wellford Dr.  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Doug Zhao <dzhao88@hotmail.com>  
**Sent:** Sunday, September 03, 2017 9:09 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Consucilmen/women,

I'm writing to raise my concern that the county have failed funding the critical infrastructure (school, fire, police and emergency services, etc.) necessary to support a growing population and protect our quality of life. As a result, residents have been forced to undergo school redistricting once every few years. This is outrageous to me since school redistricting was considered the last option to solve school capacity issue in the places (Wisconsin, Michigan, Illinois) I lived previously.

I am a new resident in Howard County as my wife and I moved here from Chicago due to job changes a year and half ago. After an exhaustive house hunting, we decided to buy a new house in Centennial Overlook because of its convenient location to the park and award-winning schools. Due to the location and the quality of the schools, the developer (Beazer Homes) charged a premium price for the houses in Centennial Overlook, way higher than comparable new houses in surrounding communities. Now every house has been sold (the last one is still being built). Residents just settled and have built connections to the surrounding Centennial neighborhoods. The kids just got out of the stress caused by the previous school change and are enjoying new friendship in their new schools. Our peaceful life was suddenly disrupted by the news that the AAC-draft plan is redistricting us to Columbia schools which are further away from us in order to alleviate the overcrowding of the centennial schools. My 9- and 12-year-old daughters burst into tears after they heard the news. They have just made a lot of friends in their new schools after quite a period of lonely and unhappy time. If we were redistricted, they would be forced out of the current schools and had to start over to build their social connection in a completely new environment in three years.

As a new resident in Howard County, I was puzzled and was wondering why Beazer Homes was permitted to build a new community in a school district whose schools were already overcrowded. I learned through my research that the development plan of this new community in Polygon 147 passed the school capacity test done for development, under a policy called the APFO allowing school utilization rates of up to 115%, which is well above the utilization limit of 110% allowed by the school system under their redistricting policy. I also heard the surrounding neighborhood strongly opposed to the development plan due to the concern of school overcrowding. But the county gave the developer a green light to develop this new community in Centennial School District. How can the county's policies be so contradicting to each other? If you think 115% is the threshold for a new residential development to pass the school capacity test, why a lower limit is applied to the school redistricting later on? As a matter of fact, the major reason for us to be redistricted out is the utilization number for Centennial Elementary School, 114%. Obviously, both of the county government and the developer have benefited from charging a premium price for the location of Centennial Overlook. But later on, we became a target of redistricting which would mean a huge loss for the families in Centennial communities, especially for the kids. I completely understand that the school overcrowding needs to be solved. What I don't understand is why the county zoned Centennial Overlook to the Centennial Schools based upon one policy, and two years later they told the Centennial communities that your schools are overcrowded and some of your kids need to move out based upon another policy. Isn't this an act of irresponsibility to tax-paying residents? The flawed policies of APFO and school planning create never-ending cycle of school

## Sayers, Margery

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**From:** H Kan <hongjuncan@gmail.com>  
**Sent:** Sunday, September 03, 2017 9:53 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony for Council Bill 61

Dear Howard County Council Members,

It is becoming clear, surprisingly though, that we have some issues with APFO Bill 61 that may have contributed to school overcapacity over the past years. As a new resident in Howard County, I am surprised with some loopholes in the Bill such as allowing new developments even when school is at up to 115% capacity. The cost of overdeveloping without an appropriate level of school capacity is born by everyone directly and indirectly, especially by our kids, which is not acceptable. I am writing to all you to request amending Council Bill 61 in order to avoid future school disruptions:

- School capacity limits - including high schools - to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- No reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed more frequently, eg, every four years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities

I would really appreciate you taking the suggestions into consideration when revising Bill 61. Thank you.

Sincerely,

Hongjun Kan  
11722 Trotter Point Ct  
Clarksville, MD 21029

could lead to lawsuits. However, a recent U.S. Supreme Court ruling defines taking as causing no economic benefit to a property, not defining it as being held up from its maximum profit. The county thus has legal opportunity to increase this waiting period, allowing more time to construct needed school buildings. Howard County's own Capital Improvement Master Plan (CIMP) establishes a six-year schedule for planning and constructing facilities and infrastructure needed to support the delivery of County services (Plan Howard 2030 p. 102). Why should developers not be required to wait a corresponding 6 years?

### Capacity means 100%

Something is at capacity when it is filled 100%. If a bucket is filled more than 100% it overflows. When a school is filled at greater than 100% capacity it also overflows. Teachers must force instruction into closets and hallways. Expensive portable classrooms must be added (**over \$20 million** requested for this through FY2018 in BOE's Capital Budget). High school students must eat lunch before 10am because the huge number of students require extra cafeteria shifts. Developers are allowed to build when schools are up to 115% capacity! Look at it this way. It's raining, the electricity cuts out and your basement sump pump stops working. The water level is even with your floor and is at 100% capacity. Now add 15% more water and then keep on adding more. You are now faced with a long, time-consuming and expensive clean-up project.

### Action

I am requesting that CB 61-2017 be amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure:

1. School capacity tests:
  - a. must include **high schools** to fully reflect the impact of development on all students.
  - b. need to be set at **100%** from the current 115%.
  - c. must be **reduced NOW** – do not need to wait for state legislative action.
2. Mitigation costs:
  - a. must reflect the **full cost** for added school space necessary to accommodate growth.
  - b. must be **shouldered primarily by developers** by increasing excise taxes, impact fees and surcharges.
  - c. Should also be reflected in an increase in the real estate **transfer tax** by 1.0%.
3. The **wait time** for housing allocations plus schools should be increased from 4 years to 5 or 6 years.
4. APFO should be **reviewed** every 4 years.
5. APFO needs to include measures for **Fire, Police, Healthcare and Stormwater Drainage** similar to surrounding counties.

### Conclusion

As elected officials, your responsibility is to your constituents – who vote! – to represent our interests and not that of developers, protect our top-rated educational system, and be stewards of responsible growth without overwhelming existing resources. Like that flooding basement, if we don't work to contain the overflow we will be faced with a time-consuming and expensive clean-up project. The current situation does not pass the common-sense test.

Please support your constituents and take the above actions in amending CB 61-2017.

Respectfully,

Caroline Bodziak  
cbodziak@aol.com



## Sayers, Margery

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**From:** Caroline Bodziak <cbodziak@aol.com>  
**Sent:** Monday, September 04, 2017 7:30 AM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** Written Testimony on CB 61-2017 for Sept. 11, 2017 re APFO

APFO Written Testimony  
Sept. 11, 2017

To: councilmail@howardcountymd.gov, akittleman@howardcountymd.gov

Subject: Council Bill 61-2017

### Introduction

My name is Caroline Bodziak and have been intimately involved in the local PTAs at the elementary, middle, and high school levels for the last 14 years. My four children are all attending or have graduated from Howard County schools and have already gone through two rounds of redistricting. The county's seemingly unfettered support of residential development has created a tsunami of school overcrowding that is forcing students west. These dividing lines have now been drawn so close to my home schools that neighborhoods abutting the high school are being ripped in two and WALKERS are expected to ride a bus past their neighborhood school to attend one eight miles further west.

The question my community continues to ask is, "Why are developers allowed to continue building homes when the schools they feed into are already overcrowded?"

**The county council should support their constituents and amend CB 61-2017 to answer the above question by recognizing capacity is reached at 100% and requiring developers to pay their fair share of the cost of creating new school capacity.**

### The Cost of Growth in Howard County

In Howard County's general growth plan housing allocations are set at 2,000 units (or 2,300 when moderate income units are not required to be counted) annually (per the APFO Allocations chart). Developers assume 0.5 students per housing unit. The average size of an elementary school is 700 students. This means that the county is knowingly adding 1,000 students to the existing school system annually – more than an entire school's worth! – without adding additional corresponding school capacity.

A 700-student elementary school costs roughly \$35 million (per BOE 2018 Capital Budget) to build, at a cost of \$50,000/student. Current impact fees and excise and transfer taxes don't come close to covering the costs of building the required educational infrastructure. The average new home contributes about \$5,000 towards that cost (2000 new homes yields \$10 million – less than a third of the money required to build a new elementary school). Who pays the difference? Your constituents. Developers are being allowed to take advantage of Howard County's loose and generous APFO rules and the community is paying the price, literally by subsidizing school construction and figuratively in terms of community upheaval during school redistricting.

Besides money we also need to consider time. Currently in Howard County developers are allowed to build homes if they have waited a maximum of 4 years and schools continue to be overcapacity. Developers argue that anything longer than the current 4 year waiting period constitutes a "taking" of property rights, which

- School capacity limits – including high schools- to be set at 100%. Schools are closed to new development at that level.

- Mitigation (funding, additional time, or both) begins when a schools reaches 95% capacity.

- No reductions to the current wait time for housing allocations or school tests.

- APFO needs to be reviewed every 4 years.

- Increase real estate transfer tax by 1.0%.

-APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

In conclusion, my vote will be influenced by a number of factors, but mostly the outcome of this APFO legislation. I am not affiliated with a party and voted for Mr. Kittleman because of his moderate approach. Let's not lose sight of why you all were put into office – to serve the citizens/families of this county and not developers.

Christine Hinds  
(410)489-5658  
1465 Coventry Meadows Dr.  
Sykesville, MD. 21784

## Sayers, Margery

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**From:** Christine Hinds <cmhinds@verizon.net>  
**Sent:** Monday, September 04, 2017 10:31 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

My name is Christine Hinds and I've lived in Howard County since 1991. I currently live along the route 32 corridor north of I-70 (Sykesville zip code) and have one child enrolled at Marriotts Ridge and my 20 year old graduated from Marriotts Ridge and now attends college. Both attended West Friendship and Mt. View Middle Schools.

I am truly concerned about the current level of development in the east that is now impacting the western rural areas of Howard County. The citizens along the route 32 corridor have fought for years to mitigate further hazards to the already treacherous route 32. Both Mr. Kittleman and the governor, as well as past politicians have recognized this route to be one of the most dangerous routes in our state. We have fought to make Route 32 "safe again" in this area after loss of life on this road, including a friend of my son's while he was in middle school. Lost a prominent physician as well. We've also fought against industrial mulch facilities and their attorney's finding loopholes in agricultural preservation regulation to bring industrial mulch facilities to our area. Developers overreach into Howard County's rural areas need to stop.

You can ride north or south on route 32 and you will come across signs warning drivers "Pay Attention! Left Turning Vehicles Ahead!". While we have a "suicide lane" added many years ago, the development to the north in Carroll County and now to the East in our own county have added to the overcrowding on this road. SHA has not kept up. Commute times and congestion have continued to creep with no signs of addressing the real problems – development without consideration of the current infrastructure.

Now my daughter may be redistricted in her junior year to Glenelg High School, adding to doubling her commute time (and even longer for children on Day Road) onto route 32 including parts of route 32 (I-70 to Linden Church) that SHA will not begin improving upon until 2019! If any of these students are killed on this route because they have had to commute outside of their neighboring schools and farther out to friends houses, I believe County Council and Executive will have blood on their hands as development in the east has only pushed out school redistricting to the west.

I am requesting that that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

HCCA was a member of both Task Forces relating to these legislative matters. They comprised of 22 and 24 meetings respectively. Thus far I have been very disappointed with the outcomes of the Task Force recommendations. The only way it will be rectified is if the Council takes the initiative to go way beyond the continuance of "Business as Usual" attitude. Yes – major amendments would be appropriate. I am sure the overwhelming majority of their constituents would be most appreciative for their actions.

I have Cc'd both the Council and the Administration in hopes that something positive will be accomplished in these most important pieces of legislation.

Sincerely,

Stu Kohn  
HCCA, President

## Sayers, Margery

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**From:** Stu Kohn <stukohn@verizon.net>  
**Sent:** Monday, September 04, 2017 9:36 PM  
**To:** howard-citizen@yahoogroups.com  
**Cc:** CouncilMail; Kittleman, Allan; Wilson, B Diane  
**Subject:** Special Legislative Public Hearing -- 11 Sept 2017 at 6PM

FYI,

Next Monday, 11 September 2017 is a continuation of a County Council Public Legislation Hearing starting at 6PM at the George Howard building. It is extremely important as there are two major proposed Bills that the Howard County Citizens Association (HCCA) testified on 17 July. Please go to <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to read our testimony.

They are **CB61/62 - Adequate Public Facilities Ordinance (APFO)** – AN ACT amending the Adequate Public Facilities (APFO) Act requiring certain periodic review; specifying completion timelines for certain types of road remediation projects; requiring that certain agreements contain certain provisions with regard to the timing of road mitigation projects; amend the title of certain charts and other terminology; requiring certain waiting periods; clarifying certain exemptions; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to the Adequate Public Facilities Act of Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2890> to see the Public and Written Testimony.

**CB62** is an ACT amending PlanHoward 2030, the general plan for Howard County, to reduce the number of allocations in the Growth and Revitalization category and to increase the number of allocations in the Established Communities category, beginning in 2020; and generally relating to planning, zoning and land use in Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2891> to see Public Testimony. As of the beginning of last week there were 17 additional individuals who had signed up to testify. In addition to the 15 who have already testified. We anticipate a large number to testify on Monday. This is especially true because citizens are very concerned with many aspects of the current APFO especially now hearing of the potential nearly 9000 students being redistricted. APFO simply needs to change. We only hope the Council will use their discretion and do something about placing more than adequate measures to ensure the proper balance is in place regarding quality of life issues which includes all infrastructure – Schools, Roads, Hospital, EMS, Police, Fire, and Stormwater, etc.

**CB60** - AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts. This subject has been a very concerned issue for mainly the residents of western Howard County. However it affects all of us to ensure in the east that the proper facilities are protected to ensure the health and welfare of any residents nearby are protected. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2892> to see both the Public and Written Testimony. As of the beginning of last week there were 50 additional individuals who had signed up to testify. In addition to the 15 who have already testified. There will be many more besides these 50 to publically testify.

## Sayers, Margery

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**From:** min Zhang <minzhang5@yahoo.com>  
**Sent:** Tuesday, September 05, 2017 8:16 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized that the flawed APFO, the loose criteria for developers to pass the school capacity test, contributes to the never-ending cycle of school redistricting. As a matter of fact, our community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity, this community wouldn't have been zoned to centennial schools three years ago, and we wouldn't have the chaos we are facing.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Regards

Min Zhang  
8721 Wellford Dr., Ellicott City, MD, 21042

Sincerely  
Laura Forrest  
10305 Greenbriar Ct  
Ellicott City, MD 21042  
Forrest\_121@verizon.net

## Sayers, Margery

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**From:** Forrest Family <forrest\_121@verizon.net>  
**Sent:** Tuesday, September 05, 2017 9:59 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony For CB 61

My name is Laura Forrest and I reside at 10305 Greenbriar Ct, Ellicott City MD 21042. I have lived at this address for 9 years after living overseas for 5+ years. Prior to living in the UK for 5 years, I resided in the Elkridge section of Howard County for 5 years. It is safe to say I have seen lots of changes in the Howard County. My concern today is that we are not choosing to grow our county responsibly. I commend Mr. Kittleman for setting up a task force to look at APFO as it has been long overdue.

Let me give you some background on where my concerns stem. As I mentioned, my family has lived in Ellicott City for some time. My husband works in Annapolis. We choose Howard County as this is a midway point for the different directions we take to make a living. We choose Howard County because our previous experience living here....to put it simply we were coming home. We choose Howard County because of the school system and we knew our son would be given a good foundation for life. Today unfortunately we now deal with what was a 45-60 minute drive home for my husband to most evenings being closer to 90mins. The traffic at the intersections 100, 29, 40, 70 can now take 30+ minutes. My son attends Manor Woods Elementary School. In 2014 his 1<sup>st</sup> grade year, capacity was at 672, just below school capacity of 681. Last year we ended the year just at 115% of capacity, so we have lived through the growth numbers represented in APFO. Unfortunately the development does not stop because we have met this number....we will continue to grow with new developments being delivered as we speak. From a personal experience, this quick a growth for a school is difficult for the administration, the teacher, and the students. Mr. Kittleman you attended our Blue Ribbon ceremony in May, you could see how uncomfortable and perhaps unsafe it may have been to have that many students in the cafeteria. There is a separate issue related to how the school system responds to development they should know is coming. The answer can't be to just add portables. This a temporary fix. More money needs to be available to the school system and better communication needs to happened between DPZ and HCPSS to understand capacity impacts.

The recommendations from the APFO task force which do not go deep enough are reflected in CB-61. We need to amend CB-61:

- School capacity limits need to be set at 100%.
- School capacity must include High Schools. We are telling our 13-18 years olds they don't matter by not including a HS test in APFO. All stages of school are important and should be represented when making development decisions.
- No reductions to the wait times.
- Impact fees need to realistically cover the cost of an additional family. School, roads, fire, police, recreation all need some of these funds. Current impact fee does not come close to covering the cost of a school age child in the system.
- Real estate transfer tax needs to increase by at least 1.0%.
- APFO testing needs to include fire, police, recreation (quality of life factors). Our fire and police are ready to serve, let's listen to their needs so they can serve effectively.
- APFO legislation needs to be reviewed on a regular interval. Every 4-5 years would provide time to see how the county is fairing with current legislation. As with most things we need to adapt more quickly to needs as they appear.

I appreciate your time to consider my feedback. I hope you will help create a future for Howard County that will have the next generation proud to say they are from Howard County and that we have chosen to build responsibly.



## Sayers, Margery

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**From:** Williams, Jamie <Jamie.Williams@fisglobal.com>  
**Sent:** Wednesday, September 06, 2017 11:06 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for council Bill 61

Dear County Council Members:

I have lived in Howard County for the past 25 years and have seen many changes in the county over that time. I feel that we need to take a step back at this point and re-assess the growth and over-crowding of our roads and schools and the impact to our infrastructure. We need to match growth to services that are required – not just schools, but hospitals, roads, fire and emergency services, traffic control, environmental and water management, and overall quality of life. I have had personal experience several times with over-crowding at Howard County hospital. The wait times in the emergency room were incredibly long, many gurneys lined up in hallways, and inability to admit my family member due to lack of beds.

The growth tests used by the county are weak and favor developers not residents. In comparison to other counties in the state, Howard County is listed as one of the worst managing APFO according to the report by the APFO Workgroup of the Maryland Sustainable Growth Commission published in March 2012. The schools policy needs to be changed to include high schools in the test and the school capacity “closed” percentage should be reduced to 100%. The hospital must be able to handle the patient capacity whether it is in the ED or an inpatient setting. The hospital support across the County should be part of the test for allotments. Environmental factors should also be included, including the need to develop buffers for our rivers and streams. Water management and sanitary solutions must be in place to handle proposed new development. There should be no reductions to the wait time for housing allocations or school tests.

I strongly support more controls on growth, and amendment of Bill 61 to include the recommendations of the Howard County Citizens Association (HCCA) and the APFO task force report. In my opinion, this is the most important issue before the county council.

Sincerely,  
Jamie Williams  
5927 Meadow Rose  
Elkridge, MD 21075

The information contained in this message is proprietary and/or confidential. If you are not the intended recipient, please: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately. In addition, please be aware that any message addressed to our domain is subject to archiving and review by persons other than the intended recipient. Thank you.

## Sayers, Margery

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**From:** Julie Chang <juliazhang10@gmail.com>  
**Sent:** Wednesday, September 06, 2017 1:58 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council members,

I am a Howard County resident with two kids at the Centennial Lane Elementary School. The reason we chose Howard County to our new home relocating from Minnesota two years ago is the diverse culture, nice school districts, and convenient commute time to the DC metro area. However, we have seen significant miscommunication between development and the lack of infrastructure needed in the area. For instance, our brand new neighborhood was approved by the county two years ago with current school assignment. However, only after two years, we are proposed to be redistricted at all three school levels due to the overcrowding issue. I see significant disconnection between development and the school system. Base on my living experience in four states of the nation, this is the most ridiculous I have seen in last over ten years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1) School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- 2) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3) NO reductions to the current wait time for housing allocations or school tests.
- 4) APFO needs to be reviewed every 4 years.
- 5) Increase real estate transfer tax by 1.0%.
- 6) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best regards,  
Julie Chang  
9814 Tenney Ct  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Changrung Chen <changrungchen@gmail.com>  
**Sent:** Wednesday, September 06, 2017 2:24 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council Members:

Two and half years ago I moved my family from Boston, MA to Maryland to pursue a new life. We decided to build our dream home in Ellicott City because of its great community and school system. When our two kids finally fit into the new schools after two years of hard work, I was shocked to learn that Howard County has decided to initiate another round of school redistricting that potentially could move my kids to new schools. I began to research on the cause of school redistricting and realized that the cause of school redistricting was due to Howard County's weak APFO that resulted in overcrowded schools.

I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years. As a parent, it is very hard to watch our kids to go through school changes every 2-3 year. They would need time to adopt to the new teachers, new peers and new facilities which would take away the time they could use to learn, to study and to have fun. Not to mention they will be forced to leave their beloved friends and teachers behind.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

It is time to address the overdue problems created by Howard County's weak APFO. The people in Howard County need your help to make it a sustainable community. The changes need to happen right away to prevent further damage to our already fragile community.

Sincerely yours,

Chang-Rung Chen

9706 Edmond Court

Ellicott City, MD 21042

Polygon #147

## Sayers, Margery

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**From:** hongyu xu <hongyuxu@yahoo.com>  
**Sent:** Wednesday, September 06, 2017 8:13 PM  
**To:** CouncilMail  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen:

I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Sincerely,  
Hongyu Xu  
11730 Trotter Point Ct.  
Clarksville, MD, 21029

## Sayers, Margery

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**From:** Daniel Diep <dandiep.mtl@gmail.com>  
**Sent:** Wednesday, September 06, 2017 8:21 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Howard County is one of the best places in MD to raise a family in a diverse community and give our children the best educational opportunities. These are the main reasons why so many families like mine moved here two years ago. However, our dreams are quickly turning into a nightmare as we are suddenly facing comprehensive school redistricting just as our two boys got settled in their new schools. After four weeks of frantically trying to understand it all, I still find it is incomprehensible that our elected county and school officials are putting the interests of developers and profits ahead of our children's education and well being by using redistricting as a political tool to keep overcrowded "schools open" to new developments. In my view, the current situation mirrors that caused the Great Recession where incredible growth was lauded while risks were ignored until the system finally crashed and wrecked economic havoc. It is imperative for all school and county officials to learn from past lessons, work together and lead us on a slower and sustainable growth path rather than siding with developers and sacrificing our most vulnerable residents, our children.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

As a resident of Howard County, voter and father of two, ensuring that all children are the top priority for our politicians is my only voting concern. I sincerely hope that the County Council and Executive give serious consideration to this testimony as they debate and amend CB61 to strengthen APFO and help ensure our children's success in Howard County schools.

Daniel Diep

9823 Tenney Ct

Ellicott City, MD 21042

## Sayers, Margery

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**From:** Wentao Fu <wentaofu@hotmail.com>  
**Sent:** Wednesday, September 06, 2017 9:26 PM  
**To:** CouncilMail  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Wentao Fu  
11730 Trotter Point Ct.  
Clarksville, MD, 21029

## Sayers, Margery

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**From:** Wendy Lessels <wlessels@gmail.com>  
**Sent:** Wednesday, September 06, 2017 9:37 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear All,

I have lived in Howard County for 50 years and have seen this county change dramatically with over development. I'm contacting you to express my frustration with the Howard County's APFO and my opinion on Council Bill 61.

I am very concerned by several factors, but the one that bothers me the most is that we are continuing to build all over the county, but not doing anything to adequately prepare the infrastructure necessary to support a growing population. However, at the same time - our roads cannot take any more traffic. I also think the way the county will increase our property taxes to make-up for the extremely low fees that the developers are charged.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure. School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

The outcome of the APFO legislation will be a deciding factor as I consider my election options in 2018.

Respectfully,  
Wendy Lessels  
10040 Waterford Drive  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** C Steib <steibs@gmail.com>  
**Sent:** Wednesday, September 06, 2017 9:53 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

All,

We were born and raised in Howard County and now currently have a student at Northfield Elementary School and another child in a local preschool. We are contacting you to express our frustration with the Howard County's APFO.

We are very concerned by several factors, but the one that bothers us the most is that we are continuing to allow developers to build all over the county, but not adequately preparing the infrastructure necessary to support this increase in population. Not to mention, our quality of life decreases with the increase of traffic, school overcrowding, our emergency services (police, fire, hospital, etc.) are strained, etc..

We are currently in the middle of a huge school redistricting effort that is tearing communities apart and we are concerned that if the county doesn't do a better job of controlling and planning for development, we will be forced to go through this stressful cycle in another few years. On top of that, since the developers only have to pay low fees to build here, our property taxes will most likely increase to help make the difference. Something drastic needs to change here!

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

We are part of a large family within Howard County and the outcome of the APFO legislation will be a deciding factor as we consider our election options in 2018.

Respectfully submitted,

Cara Steib - 3602 Underoak Drive Ellicott City, MD 21042

Christopher Steib - 3602 Underoak Drive, Ellicott City, MD 21042



## Sayers, Margery

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**From:** Jian Xu <jian.xu01@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:24 PM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Jian Xu. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely  
Jian Xu

8684 Wellford Dr.  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Na Chen <nachen818@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:27 PM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Na Chen. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely  
Na Chen

8684 Wellford Dr.  
Ellicott City, MD 21042

My name is Josyula R. Rao. I am not a US citizen but my wife and son are. My wife votes and soon my son will too. I expect to become a US citizen in the future. My address is 6453 Swimmer Row Way, Columbia, MD 20144. I hope you will do what's right to keep up the quality of life and services in Howard County. We want to make it home for as long as possible but worry about the future.

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Best regards,

JR

satyaM brUyAt priyaM brUyAt ma brUyAt satyam apriyam | priyaM ca nAnRRitaM brUyAt eSha dharmaH  
sanAtanaH ||

Speak truth in such a way that it is pleasing to others. Please never speak truth in an unpleasant way. Never speak untruth, even if it sounds pleasant. This is the path of eternal morality, sanatana dharma.

## Sayers, Margery

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**From:** Josyulas <darsanaandjr@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:42 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony for Council Bill 61

Dear Council Members,

We moved to Howard County 10 years ago only for the schools and the green spaces. We have one child. We are active in the community and do our bit to help out. We clean roads, support local businesses, teach local kids, support the food banks etc. I am seeing the amount of new building and I am aghast when I note that the County collects \$1.2 per sq. ft as impact tax for county school construction (of the \$2.4, more than half goes towards transportation) and the cost of a new school. I ran some quick numbers and I see that impact tax per medium size home must be at least \$50,000 for school building and only \$3,000 is being collected from developers. The difference has to be paid from my taxes!

Developers need to pay \$50,000 per house for school capital costs. They can pass that on to buyers. We will get higher income residents, higher taxable income and higher property valuation.

The County Council needs to charge at least that amount. We all win! The \$3,000 that they currently pay is a pittance.

I am concerned that our property taxes will be increased to make up for the low fees that developers pay in our county.

I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

In the past 10 years my commute to Savage Marc Station has increased from 10 minutes to 25 minutes due to increased congestion.

I support the Feasibility Plan for redistricting.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 3.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

**Sayers, Margery**

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**From:** Jiayun Lu <lujiay@hotmail.com>  
**Sent:** Wednesday, September 06, 2017 10:42 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Howard County Council members,

I am a resident of Howard County. Recently, the ongoing school redistricting process brought chaos in our community. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely,

Jiayun Lu  
8757 wellford drive  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Wednesday, August 16, 2017 2:58 PM  
**To:** CouncilMail  
**Subject:** APFO issues, including a tech edit needed

Hello Council Members,

I hope you are enjoying the recess. Thank you to those with whom I have already spoken, and I thank you all for attention to some issues herein, which you may or may not have already sought to address.

In CB61, an edit is needed in the section that addresses when APFO will be reviewed in the future. On page 5, line 30, after "of this code" maybe add "or sooner", because the recommendation was to place a maximum timeframe to review it, not a minimum. :)

It is my opinion that it is grossly unfair to include the allocations/schools max wait of 5 years in CB61, page 11, without the counter compromises made in the SAME motion/recommendation by the task force. The "grand deal" had 3 main pieces. Having to hold off on 2 due to State jurisdictional needs is understandable, but why give the developers the benefit of the third with no counter balance now? The only fair thing to do, if you desire to implement the task force recommendation here, is to either put in the 110% overcapacity reduction now, OR take out the allocations/school wait cap. Developers were well-represented on the task force and agreed to this. Several felt that was the largest benefit to them of all.

For example, if a developer gets allocations and it took 5 years, or more, they would, according to CB61, not even take the school test at all, when currently they could have to wait up to 4 more years. There's a sliding scale of benefit to the developer depending on how long the wait was for allocations. Having a benefit in there without the compromise issue on the slow growth advocate side of the deal is not appropriate.

Thank you for your consideration of these issues, and I apologize to those for whom this is repetitive.

Take care,

Lisa

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Ellie <ptellie@aol.com>  
**Sent:** Tuesday, August 15, 2017 7:56 PM  
**To:** CouncilMail  
**Subject:** APFO legislation

I would like to raise my concern with our current AFPO rules. From what I understand some changes must be made to continue to keep HoCo the best county in Maryland.

1. I want the council members to consider raising the amount developers have to pay per expected child their development is expected to bring to HoCo.
2. I want the capacity levels of high schools to be considered when planning developments not just the elem. and middle schools. I also want the capacity level to be only 100%, not 115%.
3. Lastly, please try to have the AFPO include the hospital and emergency services counted to make sure we have the capacity for more houses and more People. PG and Montgomery counties already do This. It makes sense.

Thank you for your time and please, Please consider these issues.  
With gratitude,  
Ellie Paczkowski  
HoCo resident

Sent from my iPad

## Sayers, Margery

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**From:** Rebecca Roberts <rebecca.shopland.roberts@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:52 PM  
**To:** Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; CouncilMail  
**Subject:** Fwd: APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

1. Keep the community together a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice. b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability". c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues. d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work. e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us. 2. Keep kids together as they feed from one school to the next a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move. b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families. 3. Commute; Transportation; Distance; Safety a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development. b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours. c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia. 4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5) 4 5. Process; Information; Comprehensiveness of AAC Draft Plan a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting. b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study i. We received the new AAC Draft Plan without benefit of full analysis and data. ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or "band-aid" AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

Rebecca Roberts  
4217 Club Court  
EC, MD 21042  
410.465.2824



## Sayers, Margery

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**From:** KEITH ROBERTS <karoberts812@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:48 PM  
**To:** Weinstein, Jon; Ball, Calvin B; Sigaty, Mary Kay; Fox, Greg; CouncilMail; gterrasa@howardcountymd.gov  
**Subject:** Fwd: APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

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Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or “band-aid” AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

## Sayers, Margery

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**From:** Rebecca Roberts <rebecca.shopland.roberts@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:44 PM  
**To:** Weinstein, Jon; Ball, Calvin B; jtterr@howardcountymd.govasa; Sigaty, Mary Kay; Fox, Greg; CouncilMail  
**Subject:** APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

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## Sayers, Margery

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**From:** KEITH ROBERTS <karoberts812@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:31 PM  
**To:** CouncilMail  
**Subject:** APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

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## Sayers, Margery

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**From:** Kris Maciorowski <komaciorowski@yahoo.com>  
**Sent:** Friday, August 11, 2017 8:11 AM  
**To:** Weinstein, Jon; Kittleman, Allan  
**Cc:** CouncilMail  
**Subject:** APFO concern

As a resident of District 1, I am appalled at what I'm learning about APFO and developers and overcrowding. You should be working for the citizens, not the developers. My concerns:

Mitigation needs to start at 95% capacity. Schools need to be closed at 100%

APFO should be reviewed every 4 years

High schools should be part of testing

Both the school and allocation test should have a 7 year timeframe

Howard County residents are mobilizing and realizing what is happening in this County. Please fight for us, not against us.

Thank you,  
Kris Maciorowski

Sent from my iPhone

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Sunday, July 30, 2017 7:17 PM  
**To:** CouncilMail  
**Subject:** Forgot to mention

On that last link, to compare apples to apples, you have to know an average square footage of a residential unit in Howard County. You can then do the math, to compare to other county charges. Other counties charge per unit. We charge per square foot.

I asked the developers on the APFO task force what a good number was to use, and they agreed that 2000 square feet was appropriate to use.

:)  
Lisa

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Sunday, July 30, 2017 7:15 PM  
**To:** CouncilMail  
**Subject:** APFO charts

Dear Council Members,

As you are likely aware, there is a lot of discussion online regarding APFO, and comparing ours to those of other counties. I have provided these links to people who ask about that subject.

This is a report with a lot of reference links, that I have publicized as having a chart of other counties' APFO information, especially on pages 12-15.

<http://ceds.org/bcp/SchoolOvercrowding.pdf>

A more recent chart of fees and taxes on development in other counties is here, page 59, from 2016.

[http://dls.state.md.us/data/polanasubare/polanasubare\\_intmatnpubadm/polanasubare\\_intmatnubadm\\_annrep/2016-Overview-of-Maryland-Local-Governments.pdf](http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/polanasubare_intmatnubadm_annrep/2016-Overview-of-Maryland-Local-Governments.pdf)

FYI  
Lisa



Virus-free. [www.avast.com](http://www.avast.com)



**Sayers, Margery**

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**From:** Chao Wu <superbwu@gmail.com>  
**Sent:** Wednesday, July 26, 2017 10:57 PM  
**To:** CouncilMail; Kittleman, Allan; BoE Email; superintendent@hcpss.org  
**Subject:** Concerns over the APFO update

Dear County Council Members, County Executive, BOE board members and superintendent,

I wrote an article talking about the school redistricting, APFO update. The link is here:  
<https://chaowu.org/2017/07/26/we-are-in-need-adequate-public-facilities/>

**I wish all stakeholders work together to fix this issue both in short term and long term.**

Thanks.

Chao

## **We Are in Need of Adequate Public Facilities**

**Dr. Chao Wu**

**This article will be published on River Hill “The Villager” August 2017 Issue.**

We are facing probably one of the largest school redistricting efforts in the Howard County Public School System’s (HCPSS) history. The current HCPSS redistricting proposal aims to move 8,800 students, the equivalent of 16% of the total student population county-wide, where the River Hill community is greatly impacted as follows:

**Elementary Schools:** Clarksville sends 42 students to Triadelphia Ridge; Pointers Run sends 160 to Clarksville, 38 to Dayton Oaks and receives 196 from Clemens Crossing.

**Middle School:** Clarksville Middle sends 28 students to Folly Quarter; and receives 123 from Lime Kiln Middle and 33 from Wilde Lake Middle;

**High Schools:** Atholton sends 337 students to Hammond High and 614 to River Hill; Atholton receives 325 from Hammond High and 420 from Oakland Mills; River Hill receives 227 from Glenelg High.

This redistricting is urgent and needed because of over-capacity issue in some schools. However, such a large-scale redistricting creates unnecessary burdens and pressures on our students, who are the primary focus of our educational system. This over-capacity problem was created by the imbalance between housing development, public facility development, and insufficient funding of our school system. The urgency of school capacity issues could be greatly mitigated in the future if the to-be-revised HoCo Adequate Public Facility Ordinance (APFO) is modified accordingly.

The balance between school capacity and community development is not so difficult to fix. Just as when we see water leaking, the first thing we do is close the faucet. The overcapacity in our schools is caused by over-

development. We need to reduce the speed of development first, and reducing the existing over-capacity now . Otherwise, over-capacity in our schools is like a leaking facet.

With the Adequate Public Facility Ordinance (APFO) is currently being reviewed and planned to be updated by the Howard County Council, we need ask the county council to decrease the ratio for school capacity limits from 120% to 100% and remove the maximum wait times but freeze new project developments when projects fail APFO adequacy tests. Currently when a project fails APFO test first time, it will be automatically pass after three years without another test. When capacity is permitted to be higher than 100%, it means we cannot smooth out the current school over-capacity issue. The result is that we will probably see another large-scale school redistricting in five years.

Adequate means “enough school capacity” to handle the additional students generated by development. Portable classrooms once used become quasi-permanent. A new high school has not been built in the County for a while. Considering that each year HCPSS gains another 1000 students, we need plan ahead. The average elementary school has around 800 students. The annual increase of total students will fill a new elementary school each year. These students will eventually go to high school.

Adequate means “enough road capacity” to handle the additional vehicles generated by development. With many new houses and other facilities being constructed, I do not see much improvement to the local roads. One very example in our community is the intersection at Ten Oaks Road and Clarksville Pike, in front of commercial development under construction. The traffic is both congested and dangerous during peak traffic times. At least, there should be some work to widen both MD 108 and Ten Oaks Road in this location. Please also notice, there are two schools in the vicinity.

Furthermore, we need to be forward-thinking with our roads which means we need to build roads anticipating higher traffic volumes in the future. One example is Route 29. The State Highway Administration is replacing many intersections with overhead bridges which greatly improves the traffic situation. In fact, they should build those bridges when they first design/widen the roads. Planning ahead on the traffic patterns and traffic volumes while building a road may cost more money, but it is really worth the extra money. This upfront investment could be used to build a bridge, widen access to intersection, better signal control system, etc.

I am looking forward to your thoughts on how we ensure there are adequate public facilities.

Chao Wu, *Ph.D.*

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Chao Wu, *PhD*  
Council Representative and Board of Director  
Columbia Association  
Tel: [240-481-9637](tel:240-481-9637), Website: <http://chaowu.org>

Note: The opinion in the email does not represent the opinion of the Board of Columbia Association unless it is clearly stated.

## Sayers, Margery

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**From:** lindaleslie@verizon.net  
**Sent:** Monday, July 17, 2017 4:00 PM  
**To:** CouncilMail  
**Subject:** Delay CB61-2017

Dear Elected Representatives,

I am reaching out to join the PTA of Howard County and many of my fellow citizens in requesting that debate of CB61-2017 be delayed until the fall when our school groups and other citizens can fully participate in the legislative process. This is a very complex topic and it is unfair to expect that impacted citizens can effectively participate without education and prep time. Given the interdependencies between adequate public facilities and school redistricting, which will potentially impact 1 in 5 students in HoCo, it is critical that we address this topic thoughtfully. Rushing it through over the summer is not the right course of action.

Thank you for your support. - Linda Leslie

## Sayers, Margery

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**From:** Joshua Greenfeld <jgreenfeld@marylandbuilders.org>  
**Sent:** Monday, July 17, 2017 3:24 PM  
**To:** Feldmark, Jessica; Ball, Calvin B; Smith, Gary; Weinstein, Jon; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Knight, Karen; Pruum, Kimberly; Clay, Mary; CouncilMail; Delorenzo, Carl; Siddiqui, Jahantab; Wilson, B Diane; allan.kittleman@gmail.com; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy  
**Cc:** Steve Breeden; Lori Graf; Angelica Bailey; James Fraser; Kelly Grudziecki  
**Subject:** MBIA Letters of Support for APFO Bill and Green Neighborhoods Resolution  
**Attachments:** MBIA Letter of Support for CR112 Green Neighborhoods Program.pdf; MBIA Letter of Support for CB61 Adequate Public Facilities.pdf

Dear Chairman Weinstein and Members of the Howard County Council:

In advance of this evening's hearings on CB61 and CR112 on APFO and Green Neighborhoods, respectively, please find attached letters of support from the Maryland Building Industry Association (MBIA) on both pieces of legislation.

**The MBIA asks the Council to pass CB61 intact and without substantive amendment (please note one amendment request to correct a drafting error) and to support CR112 to make the Green Neighborhoods program more flexible and workable for the development community.**

Specifically related to CB61, this bill represents many months of hard work and compromise by a representative group of 23 County residents including numerous community, environmental, good governance and education advocates. While the MBIA believes there are likely better growth management tools than adequate public facilities ordinances, the work this group should be respected and adopted as a reasonable compromise among many stakeholders.

Thank you for your support of these legislative initiatives and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Esq.  
[jgreenfeld@marylandbuilders.org](mailto:jgreenfeld@marylandbuilders.org)  
Vice President of Government Affairs  
Maryland Building Industry Association  
11825 W. Market Place  
Fulton, MD 20759  
Ph: 443-515-0025



Golf Outing & Reception at MACO - August 17  
Come for one or join us for both. [Register here.](#)

Southern Maryland Crab Feast - August 23  
At the Historic Olde Breton Inn. [Register here.](#)

The PROS Awards - September 7  
Party with the PROs at Smokey Glen Farm. [Register here.](#)

Check out NAHB's Member Advantage Program at [www.nahb.org/ma](http://www.nahb.org/ma)

July 17, 2017

**Re: LETTER OF SUPPORT FOR CR112-2017 – Green Neighborhoods Program Amendments**

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CR112-2017, which amends certain categories of points in the Green Neighborhoods development program originally passed by this Council as CB48-2007 designed to incentivize more sustainable development practices. The Green Neighborhoods program creates 150 housing allocations a year for projects that meet the standards of a “green neighborhood.” To date, only two (2) projects have qualified for Green Neighborhoods with hundreds of Green Neighborhoods housing allocations remaining unused with no plans in the development pipeline currently qualifying. After ten years of trial and error, the program is now in need of slight alterations to better align the Green Neighborhoods allocation incentives with the ability of developers and builders to create more sustainable development projects.

Specifically, this resolution alters the Site Design portion of the Green Neighborhoods Checklist to provide added flexibility to meet the rigorous demands of the program. The changes raise the total points available for Green Neighborhoods from 167 to 180 but retain the threshold at which a neighborhood is considered “green” at 90 out of 180 points. Among the 13 points added, 4 points have been added for implementing “innovative” green technologies not considered by the points system that may be implemented in the future as technologies and techniques advance. Points have also been added for creating 5% or more additional MIHU units, for improving flood controls over and above 100 year flood levels, specifically in flood prone areas such as Ellicott City, for the adaptive re-use of non-historic properties such as warehouse or industrial sites, and points for placing land within the Green Infrastructure Network into permanently protected open space.

These changes benefit the entire County by helping retain additional protected open space, encouraging the re-use rather than tear down of older structures, allowing new and innovative solutions to be implemented, increasing overall flood protections and by providing additional moderately priced housing. The MBIA believes these changes are a step in the right direction and asks for your support in passing this resolution.

Thank you for your support of this resolution and for the home building industry in Howard County. If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman  
Councilmember Greg Fox  
Councilmember Mary Kay Sigaty  
Councilmember Jen Terrassa  
Councilmember Calvin Ball

Jessica Feldmark  
Diane Wilson

July 17, 2017

**Re: LETTER OF SUPPORT FOR CB61-2017 – Adequate Public Facilities Ordinance**

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CB61-2017, which alters provisions of Howard County's Adequate Public Facilities Ordinance. This legislation represents a compromise bill after more than a year of work on the Adequate Public Facilities Task Force, a Technical Staff Report by DPZ, and presentations to the County Council and Howard County School Board. The task force included 23 county residents from a broad cross section of stakeholders including no less than six (6) community representatives with additional representation from education, affordable housing and progressive government advocates, representatives from emergency services and the school system, one commercial developer and four (4) residential developers or home builders.

While the home building industry believes there are better growth control mechanisms than APF ordinances and that this ordinance too strictly limits overall county economic development, this bill strikes a reasonable balance between controlling growth, encouraging economic development and respecting private property rights. The MBIA urges the County Council to adopt this legislation as **drafted and without substantive amendment** as the embodiment of the labors of a broad cross section of the community over a period of one year and countless hours of discussion, debate and consideration.

The only change the MBIA is requesting is a technical one to correct a drafting error. The text, on Page 3, line 27 Section 16.147e and Page 4, line 17 of Section 16.156k should say "on site road improvements" rather than "offsite road improvements." This change, recommended by the task force, is intended to better hold developers accountable for completing their onsite infrastructure work on schedule. The MBIA supports this additional change for onsite development work, which is within the developer's control as opposed to offsite development work, which is outside of the developer's control.

Thank you for your support of this legislation and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman  
Councilmember Greg Fox  
Councilmember Mary Kay Sigaty  
Councilmember Jen Terrassa  
Councilmember Calvin Ball

Jessica Feldmark  
Diane Wilson

## Sayers, Margery

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**From:** Kim Eck <kim.eck@verizon.net>  
**Sent:** Monday, July 17, 2017 1:03 PM  
**To:** CouncilMail  
**Cc:** boe@hcpss.org; Les Chasen  
**Subject:** Western Howard County citizen position request on CB-61 & CB-62

Dear Mr. Fox

I live in Western Howard County (district 5) and you represent my jurisdiction. I am requesting that you postpone voting on CB-61 and CB-62. I feel the summer vacation timing of the release of the school district's Feasibility Study requires more time for parents to educate themselves on the issues in order to voice an informed decision that impact our children's lives.

Also, I believe the APFO threshold capacity percentages school's use should (1) NOT exceed 100%!!!! The capacity threshold percentages (2) should also proactively reflect anticipated growth, like future residential development, for future years (ex. 3 and 5 years) and not just based on the current year's school population. The capacity ratios (3) high schools should also be included. I honestly can't understand why Howard County uses their current methodologies; I've lived here for 20 years and this is the fifth time my neighborhood has been redistricted! I have a child in elementary school, so it now affects me personally.

Please feel free to contact me if you have any questions.

Thank you in advance!  
Les Chasen and Kimberly Eck

Sent from [BlueMail](#)

## Sayers, Margery

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**From:** Jim Reynolds <jb.reynolds32@gmail.com>  
**Sent:** Monday, July 17, 2017 12:26 PM  
**To:** CouncilMail  
**Subject:** Against New Residential Development 61 & 62

Hello,

I would like to urge we halt all new residential construction until we can address the underlying issue of the lack of schools for existing residents and established communities. We need an immediate **moratorium on new construction**. We as residents did not move here to be shuffled like cards every three years because county is failing to plan accordingly. Shuffling families, destroying students relationships all to make the numbers fall between 90-110% is not what we signed up for when we all moved here.

Fix the right problem and serve the voters not the developers.

Sincerely,

Jim Reynolds



## Sayers, Margery

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**From:** Vicky Bernal <vickylbernal@gmail.com>  
**Sent:** Saturday, July 15, 2017 10:07 PM  
**To:** CouncilMail; Ball, Calvin B  
**Subject:** Howard County APFO

My name is Vicky Bernal. I am a constituent of Councilman Calvin Ball and my address is 5801 Lois Lane Ellicott City, MD. I live in Shipley's Grant.

My family has been living in Howard County for four years now. And we love it here. Like many families, we were drawn to Howard County because of the quality of schools here. But we've grown increasingly concerned at the level of overcrowding at schools. My daughter is about to enter kindergarten. As of now, we are one of the neighborhoods slated to be redistricted. The level of overcrowding and concerns of redistricting has been a call of action.

I'm calling to ask Councilman Ball to make changes to current APFO legislation to reflect the community needs. Pertaining to CB61 and CB62:

- Change program capacity at which a school is deemed open to **100%**
- Include High Schools
- Hold developers financially responsible for mitigating their developments' effects on our county's infrastructure
- Review APFO yearly NOT every ten years

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Saturday, July 15, 2017 2:26 PM  
**To:** CouncilMail  
**Subject:** APFO re: New Supreme Court "taking" ruling

Dear Council Members,

In June of this year, the US Supreme Court issued a ruling on a "takings" case that started as a disagreement on how to define the relevant amount of land in question in a parcel; however, the issues at hand go beyond that initial case subject matter.

In light of this ruling, the County may want to review this ruling to be informed about its rights. It was a Wisconsin case, party Murr.

I copied excerpts of the opinion below. The last paragraph herein is interesting indeed, and could have ramifications on just how long APFO can halt things, as it seems the "4 years is a taking" argument may no longer apply. One can certainly opine on what is fair or not, but County officials should know what legal rights exist regardless of goals.

I brought this to the attention of the Administration as well, and requested the Office of Law look into it.

FYI,

Lisa

Excerpts from US SC Murr Opinion:

"The Court has, however, identified two guidelines relevant for determining when a government regulation constitutes a taking. First, "with certain qualifications . . . a regulation which 'denies all economically beneficial or productive use of land' will require compensation under the Takings Clause." *Palazzolo v. Rhode Island*, 533 U. S. 606, 617 (quoting *Lucas v. South Carolina Coastal Council*, 505 U.

S. 1003, 1015). Second, a taking may be found based on "a complex of factors," including (1) the economic impact of the regulation on the claimant; (2) the extent to which the regulation has interfered with distinct investment-backed expectations; and (3) the character of the governmental action. *Palazzolo*, supra, at 617 (citing *Penn Central Transp. Co. v. New York City*, 438 U. S. 104, 124). Yet even the complete deprivation of use under *Lucas* will not require compensation if the challenged limitations "inhere . . . in the restrictions that background principles of the State's law of property and nuisance already placed upon land ownership." *Lucas*, 505 U. S., at 1029. A central dynamic of the Court's regulatory takings jurisprudence thus is its flexibility.

This is a means to reconcile two competing objectives central to regulatory takings doctrine: the individual's right to retain the interests and exercise the freedoms at the core of private property ownership, cf. *id.*, at 1027, and the government's power to "adju[s]t rights for the public good," *Andrus v. Allard*, 444 U. S. 51, 65. Pp. 6–9.

.....Considering petitioners' property as a whole, the state court was correct to conclude that petitioners cannot establish a compensable taking. They have not suffered a taking under *Lucas*, as they have not been deprived of all economically beneficial use of their property. See 505 U. S., at 1019. Nor have they suffered a taking under the more general test of *Penn Central*, supra, at 124. Pp. 17–20. 2015 WI App 13, 359 Wis. 2d 675, 859 N. W. 2d 628, affirmed."

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Forrest Family <forrest\_121@verizon.net>  
**Sent:** Thursday, July 13, 2017 6:26 PM  
**To:** Fox, Greg  
**Cc:** CouncilMail  
**Subject:** CB61 and CB62

My name is Laura Forrest. I am a constituent of Councilman Greg Fox and my address is 10305 Greenbriar Court.

I am asking our Councilman, to vote to table CB61-2017 and CB62-2107 until September. These bills are very important to the future of Howard County. Voting on these bills during the summer does not give the community adequate time to review, understand and propose meaningful amendments to the bills.

Below please find my concerns with the current bills being presented:

### CB61-2017

In regards to CB61, I believe that the open/closed school test needs to be below 115%. It should be 100%. The school system starts to degrade at any point after this 100%. My son attends Manor Woods Elementary school where we saw enrollment throughout the year jump from 759 to 784. Our school capacity is 681. Yes we started the school year 111% of capacity and ended the year OVER 115% of capacity. Our staff and children made the best of the situation, but I can tell you first hand it is not an ideal learning environment. The children where on top of each other and there is no way learning was not impacted with the new children enrolling every week. **Open/Close limits need to be lower than 115% and should be 100% to allow time for the schools to prepare population increases. Lastly, the open/close list does not account for a High School test and it should.** These are formative years for young adults that are being prepared to be sent off into the community to be productive citizens. By not having this test as part of the Open/Close limits, I think we are sending a very poor message to these young adults. They do matter and they should be accounted for in Open/Close test.

### CB62-2017

In regard CB62, I believe the attempt to amend allocation rollovers is a good attempt to level some of the development within Howard County. My concern about shifting allocations to Established Communities is that our infrastructure and services will not be able to keep up. The current road test is not sufficient and we do not take into account emergency service needs and quality of life impact for these new allocations. Many of the schools in established areas are running at or above capacity. **Instead of moving allocations, allocation should be reduced.**

Please do the right thing for Howard County, and table CB61 and CB62 until September.

Thanks for your time and consideration.

Laura Forrest  
10305 Greenbriar Ct  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** angela@thefreitags.net  
**Sent:** Tuesday, July 11, 2017 10:50 AM  
**To:** CouncilMail; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg  
**Subject:** Howard County Adequate Public Facilities Ordinance

Dear Howard County Council Members,

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% -- at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.
- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable. The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Angela R. Freitag  
12312 Ericole Court  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** no-reply@howardcountymd.gov  
**Sent:** Saturday, July 08, 2017 2:36 PM  
**To:** lattimertp@gmail.com  
**Subject:** CB-61 and CB-62

**First Name:** Deborah

**Last Name:** Lattimer

**Email:** [lattimertp@gmail.com](mailto:lattimertp@gmail.com)

**Street Address:** 8452 Each Leaf Court

**City:** Columbia

**Subject:** CB-61 and CB-62

**Message:** Please vote against CB-61 and CB-62 as they are now. We want roads that are not congested, and schools that are not over-capacity. If we wanted to be like Northern VA., we would move there! Currently, developers are not paying a fair share for the impact of new developments to our county. We are paying attention and will hold our elected officials accountable. Smart growth only, please.

## Sayers, Margery

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**From:** Carol Kressen <kressen5@verizon.net>  
**Sent:** Friday, July 07, 2017 10:11 AM  
**To:** CouncilMail  
**Subject:** APFO

July 7, 2017

**TO:** Allan Kittleman, Howard County Executive  
Jonathan Weinstein, Council Member, District 1  
Dr. Calvin Ball, Council Member, District 2  
Jennifer Terrasa, Council Member, District 3  
Mary Kay Sigaty, Council Member, District 4  
Gregory Fox, Council Member, District 5

**FROM:** Carol J. and N. Parker Kressen

**SUBJECT:** Howard County Adequate Public Facilities Ordinance

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% -- at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.

- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable.

- The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Carol J. and N. Parker Kressen  
3218 Evergreen Way  
Ellicott City, MD 21042



## Sayers, Margery

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**From:** Melissa Metz <melissametz725@gmail.com>  
**Sent:** Monday, July 03, 2017 5:49 PM  
**To:** CouncilMail  
**Subject:** Comments on APFO

Dear County Council,

I see that tonight you will be voting on changes to the Adequate Public Facilities Ordinance. This ordinance is extremely important for the quality of life in our county. I would like to submit comments for your consideration. I see that you are not accepting testimony on this item, but do hope that these comments will be useful as you deliberate how to best represent the interests of your constituencies.

### Motivation

**Quality of life:** The quality of life in our county is high – we were attracted here by the quality of schools, green space, public infrastructure, and community. The process of updating the development regulations can help ensure that this quality of life is maintained over time.

**Concerns and costs:** We are concerned about maintaining the quality of our school system, and dealing with traffic on our roads. Schools in the north and east of our county are already overcrowded. Traffic on Route 99 is an issue. The risk of flooding puts our properties and a treasures of our county (including Ellicott City's historic district) at risk. New development brings in revenue for our county, in terms of fees paid by developers and property taxes. However, we are concerned that such revenues may not offset the substantial costs of building new schools, building transportation infrastructure, and building infrastructure to mitigate flood risk.

**Pressures on County budget:** This is especially important in light of the Spending Affordability Advisory Committee report that found that moderate revenue growth will require fiscal discipline to keep up with the county's increasing financial demands. From the County's press release on the report: "The report expressed concerns on potentially higher service demands and slower tax revenues associated with the changing demographics and housing development patterns in the County. Moreover, uncertainties at the Federal level, including potential reductions in federal spending, will likely impact income, spending and job growth in the region, the report said." (See: <https://www.howardcountymd.gov/News/ArticleID/818/News030317b> and <https://www.howardcountymd.gov/Departments/County-Administration/Budget/Spending-Affordability-FY-2018>)

### Specific Comments on APFO

1. The **Adequate Public Facilities Ordinance** should be revised to:
  - a. Include a test for stormwater quantity (flood mitigation). Developers should be required to mitigate to 120% the impact of a 500-year storm, as proven by a 2D model.
  - b. Remove the ability for developers to move forward with their projects if certain existing tests (schools, roads) are not met for 4-5 years from the date of submission. This undermines the entire spirit of APFO.
  - c. Revise the special APFO rules for 50-55+ communities. These communities are not currently subject to the APFO schools test. However, current residents who move into these communities and sell their homes contribute to increased students in the school system. Approximately 60% of new students in the school system come from sales of existing homes. Further, as demographics change, there is a possibility that the market could be oversaturated with 55+ communities which could therefore lead to revisions in the rules governing 55+ communities that may allow them to be sold to younger residents
2. The **development allocations** should be revised to:

- a. Incentivize stormwater quantity control (flood mitigation) and low density development by giving developments that go beyond what is required in the regulations, first priority for allocations.
- b. Remove the Tiber-Hudson watershed from the highest tier (Growth and Revitalization) of development allocations. Examine the allocations for the Plumtree watershed and remove the areas from the highest tier depending on flood risk.

Thank you for your attention.

Kind regards,

Melissa Metz

3101 Chatham Rd.

**Sayers, Margery**

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**From:** Jiayun Lu <lujiay@hotmail.com>  
**Sent:** Wednesday, September 06, 2017 10:42 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Howard County Council members,

I am a resident of Howard County. Recently, the ongoing school redistricting process brought chaos in our community. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely,

Jiayun Lu  
8757 wellford drive  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Josyulas <darsanaandjr@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:42 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony for Council Bill 61

Dear Council Members,

We moved to Howard County 10 years ago only for the schools and the green spaces. We have one child. We are active in the community and do our bit to help out. We clean roads, support local businesses, teach local kids, support the food banks etc. I am seeing the amount of new building and I am aghast when I note that the County collects \$1.2 per sq. ft as impact tax for county school construction (of the \$2.4, more than half goes towards transportation) and the cost of a new school. I ran some quick numbers and I see that impact tax per medium size home must be at least \$50,000 for school building and only \$3,000 is being collected from developers. The difference has to be paid from my taxes!

Developers need to pay \$50,000 per house for school capital costs. They can pass that on to buyers. We will get higher income residents, higher taxable income and higher property valuation.

The County Council needs to charge at least that amount. We all win! The \$3,000 that they currently pay is a pittance.

I am concerned that our property taxes will be increased to make up for the low fees that developers pay in our county.

I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life. I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years.

In the past 10 years my commute to Savage Marc Station has increased from 10 minutes to 25 minutes due to increased congestion.

I support the Feasibility Plan for redistricting.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 3.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

My name is Josyula R. Rao. I am not a US citizen but my wife and son are. My wife votes and soon my son will too. I expect to become a US citizen in the future. My address is 6453 Swimmer Row Way, Columbia, MD 20144. I hope you will do what's right to keep up the quality of life and services in Howard County. We want to make it home for as long as possible but worry about the future.

--  
Best regards,  
JR

satyaM brUyAt priyaM brUyAt ma brUyAt satyam apriyam | priyaM ca nAnRRitaM brUyAt eSha dharmah  
sanAtanaH ||

Speak truth in such a way that it is pleasing to others. Please never speak truth in an unpleasant way. Never speak untruth, even if it sounds pleasant. This is the path of eternal morality, sanatana dharma.

## Sayers, Margery

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**From:** Na Chen <nachen818@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:27 PM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Na Chen. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely  
Na Chen

8684 Wellford Dr.  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Jian Xu <jian.xu01@gmail.com>  
**Sent:** Wednesday, September 06, 2017 10:24 PM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Madam/Sir:

My name is Jian Xu. My family has been living in Howard county for over 17 years. I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population (fire, police and emergency services) and protect our quality of life.

I'm also very worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years, like AAC's decision on 08/22 of moving our Centennial Overlook community (Polygon 147) out of Centennial school district. We were just assigned by APFO to the Centennial school district in the end of 2015. AAC's decision violated the Howard county policy 6010. It greatly damages the stability of our community. It hurts our kids the most. My daughter has been worried for almost two months since she knew the redistricting chaos. It took her a lot of efforts to adjust to the new community and new school a year ago. It is nor fair to move us again after APFO assigned us less than two years ago.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Sincerely  
Jian Xu

8684 Wellford Dr.  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** C Steib <steibs@gmail.com>  
**Sent:** Wednesday, September 06, 2017 9:53 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

All,

We were born and raised in Howard County and now currently have a student at Northfield Elementary School and another child in a local preschool. We are contacting you to express our frustration with the Howard County's APFO.

We are very concerned by several factors, but the one that bothers us the most is that we are continuing to allow developers to build all over the county, but not adequately preparing the infrastructure necessary to support this increase in population. Not to mention, our quality of life decreases with the increase of traffic, school overcrowding, our emergency services (police, fire, hospital, etc.) are strained, etc..

We are currently in the middle of a huge school redistricting effort that is tearing communities apart and we are concerned that if the county doesn't do a better job of controlling and planning for development, we will be forced to go through this stressful cycle in another few years. On top of that, since the developers only have to pay low fees to build here, our property taxes will most likely increase to help make the difference. Something drastic needs to change here!

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

We are part of a large family within Howard County and the outcome of the APFO legislation will be a deciding factor as we consider our election options in 2018.

Respectfully submitted,

Cara Steib - 3602 Underoak Drive Ellicott City, MD 21042

Christopher Steib - 3602 Underoak Drive, Ellicott City, MD 21042



**Sayers, Margery**

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**From:** Wendy Lessels <wlessels@gmail.com>  
**Sent:** Wednesday, September 06, 2017 9:37 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear All,

I have lived in Howard County for 50 years and have seen this county change dramatically with over development. I'm contacting you to express my frustration with the Howard County's APFO and my opinion on Council Bill 61.

I am very concerned by several factors, but the one that bothers me the most is that we are continuing to build all over the county, but not doing anything to adequately prepare the infrastructure necessary to support a growing population. However, at the same time - our roads cannot take any more traffic. I also think the way the county will increase our property taxes to make-up for the extremely low fees that the developers are charged.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.

Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.

NO reductions to the current wait time for housing allocations or school tests.

APFO needs to be reviewed every 4 years.

Increase real estate transfer tax by 1.0%.

APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

The outcome of the APFO legislation will be a deciding factor as I consider my election options in 2018.

Respectfully,  
Wendy Lessels  
10040 Waterford Drive  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Wentao Fu <wentaofu@hotmail.com>  
**Sent:** Wednesday, September 06, 2017 9:26 PM  
**To:** CouncilMail  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Wentao Fu  
11730 Trotter Point Ct.  
Clarksville, MD, 21029

## Sayers, Margery

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**From:** Daniel Diep <dandiep.mtl@gmail.com>  
**Sent:** Wednesday, September 06, 2017 8:21 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Howard County is one of the best places in MD to raise a family in a diverse community and give our children the best educational opportunities. These are the main reasons why so many families like mine moved here two years ago. However, our dreams are quickly turning into a nightmare as we are suddenly facing comprehensive school redistricting just as our two boys got settled in their new schools. After four weeks of frantically trying to understand it all, I still find it is incomprehensible that our elected county and school officials are putting the interests of developers and profits ahead of our children's education and well being by using redistricting as a political tool to keep overcrowded "schools open" to new developments. In my view, the current situation mirrors that caused the Great Recession where incredible growth was lauded while risks were ignored until the system finally crashed and wrecked economic havoc. It is imperative for all school and county officials to learn from past lessons, work together and lead us on a slower and sustainable growth path rather than siding with developers and sacrificing our most vulnerable residents, our children.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

As a resident of Howard County, voter and father of two, ensuring that all children are the top priority for our politicians is my only voting concern. I sincerely hope that the County Council and Executive give serious consideration to this testimony as they debate and amend CB61 to strengthen APFO and help ensure our children's success in Howard County schools.

Daniel Diep

9823 Tenney Ct

Ellicott City, MD 21042

## Sayers, Margery

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**From:** hongyu xu <hongyuxu@yahoo.com>  
**Sent:** Wednesday, September 06, 2017 8:13 PM  
**To:** CouncilMail  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen:

I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized by the citizens of Howard County that the flawed APFO which has the loose criteria for developers to pass the school capacity test contributes to the never-ending cycle of school redistricting. As a matter of fact, my friend's community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity limit, this community wouldn't have been zoned to centennial schools three years ago, and the residents in Centennial Overlook wouldn't have to face the possibility of being redistricted. I am sure you are all aware that school redistricting breaks up communities and is so disruptive to students' social connections.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Sincerely,  
Hongyu Xu  
11730 Trotter Point Ct.  
Clarksville, MD, 21029

## Sayers, Margery

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**From:** Changrung Chen <changrungchen@gmail.com>  
**Sent:** Wednesday, September 06, 2017 2:24 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council Members:

Two and half years ago I moved my family from Boston, MA to Maryland to pursue a new life. We decided to build our dream home in Ellicott City because of its great community and school system. When our two kids finally fit into the new schools after two years of hard work, I was shocked to learn that Howard County has decided to initiate another round of school redistricting that potentially could move my kids to new schools. I began to research on the cause of school redistricting and realized that the cause of school redistricting was due to Howard County's weak APFO that resulted in overcrowded schools.

I'm worried that if the county doesn't do a better job controlling and planning for development the schools will be forced to redistrict again in 2-3 years. As a parent, it is very hard to watch our kids to go through school changes every 2-3 year. They would need time to adopt to the new teachers, new peers and new facilities which would take away the time they could use to learn, to study and to have fun. Not to mention they will be forced to leave their beloved friends and teachers behind.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

It is time to address the overdue problems created by Howard County's weak APFO. The people in Howard County need your help to make it a sustainable community. The changes need to happen right away to prevent further damage to our already fragile community.

Sincerely yours,

Chang-Rung Chen

9706 Edmond Court

Ellicott City, MD 21042

Polygon #147

## Sayers, Margery

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**From:** Julie Chang <juliazhang10@gmail.com>  
**Sent:** Wednesday, September 06, 2017 1:58 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear County Council members,

I am a Howard County resident with two kids at the Centennial Lane Elementary School. The reason we chose Howard County to our new home relocating from Minnesota two years ago is the diverse culture, nice school districts, and convenient commute time to the DC metro area. However, we have seen significant miscommunication between development and the lack of infrastructure needed in the area. For instance, our brand new neighborhood was approved by the county two years ago with current school assignment. However, only after two years, we are proposed to be redistricted at all three school levels due to the overcrowding issue. I see significant disconnection between development and the school system. Base on my living experience in four states of the nation, this is the most ridiculous I have seen in last over ten years.

Therefore, I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1) School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- 2) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3) NO reductions to the current wait time for housing allocations or school tests.
- 4) APFO needs to be reviewed every 4 years.
- 5) Increase real estate transfer tax by 1.0%.
- 6) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best regards,  
Julie Chang  
9814 Tenney Ct  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Williams, Jamie <Jamie.Williams@fisglobal.com>  
**Sent:** Wednesday, September 06, 2017 11:06 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for council Bill 61

Dear County Council Members:

I have lived in Howard County for the past 25 years and have seen many changes in the county over that time. I feel that we need to take a step back at this point and re-assess the growth and over-crowding of our roads and schools and the impact to our infrastructure. We need to match growth to services that are required – not just schools, but hospitals, roads, fire and emergency services, traffic control, environmental and water management, and overall quality of life. I have had personal experience several times with over-crowding at Howard County hospital. The wait times in the emergency room were incredibly long, many gurneys lined up in hallways, and inability to admit my family member due to lack of beds.

The growth tests used by the county are weak and favor developers not residents. In comparison to other counties in the state, Howard County is listed as one of the worst managing APFO according to the report by the APFO Workgroup of the Maryland Sustainable Growth Commission published in March 2012. The schools policy needs to be changed to include high schools in the test and the school capacity “closed” percentage should be reduced to 100%. The hospital must be able to handle the patient capacity whether it is in the ED or an inpatient setting. The hospital support across the County should be part of the test for allotments. Environmental factors should also be included, including the need to develop buffers for our rivers and streams. Water management and sanitary solutions must be in place to handle proposed new development. There should be no reductions to the wait time for housing allocations or school tests.

I strongly support more controls on growth, and amendment of Bill 61 to include the recommendations of the Howard County Citizens Association (HCCA) and the APFO task force report. In my opinion, this is the most important issue before the county council.

Sincerely,  
Jamie Williams  
5927 Meadow Rose  
Elkridge, MD 21075

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## Sayers, Margery

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**From:** Forrest Family <forrest\_121@verizon.net>  
**Sent:** Tuesday, September 05, 2017 9:59 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony For CB 61

My name is Laura Forrest and I reside at 10305 Greenbriar Ct, Ellicott City MD 21042. I have lived at this address for 9 years after living overseas for 5+ years. Prior to living in the UK for 5 years, I resided in the ElkrIDGE section of Howard County for 5 years. It is safe to say I have seen lots of changes in the Howard County. My concern today is that we are not choosing to grow our county responsibly. I commend Mr. Kittleman for setting up a task force to look at APFO as it has been long overdue.

Let me give you some background on where my concerns stem. As I mentioned, my family has lived in Ellicott City for some time. My husband works in Annapolis. We choose Howard County as this is a midway point for the different directions we take to make a living. We choose Howard County because our previous experience living here....to put it simply we were coming home. We choose Howard County because of the school system and we knew our son would be given a good foundation for life. Today unfortunately we now deal with what was a 45-60 minute drive home for my husband to most evenings being closer to 90mins. The traffic at the intersections 100, 29, 40, 70 can now take 30+ minutes. My son attends Manor Woods Elementary School. In 2014 his 1<sup>st</sup> grade year, capacity was at 672, just below school capacity of 681. Last year we ended the year just at 115% of capacity, so we have lived through the growth numbers represented in APFO. Unfortunately the development does not stop because we have met this number....we will continue to grow with new developments being delivered as we speak. From a personal experience, this quick a growth for a school is difficult for the administration, the teacher, and the students. Mr. Kittleman you attended our Blue Ribbon ceremony in May, you could see how uncomfortable and perhaps unsafe it may have been to have that many students in the cafeteria. There is a separate issue related to how the school system responds to development they should know is coming. The answer can't be to just add portables. This a temporary fix. More money needs to be available to the school system and better communication needs to happened between DPZ and HCPSS to understand capacity impacts.

The recommendations from the APFO task force which do not go deep enough are reflected in CB-61. We need to amend CB-61:

- School capacity limits need to be set at 100%.
- School capacity must include High Schools. We are telling our 13-18 years olds they don't matter by not including a HS test in APFO. All stages of school are important and should be represented when making development decisions.
- No reductions to the wait times.
- Impact fees need to realistically cover the cost of an additional family. School, roads, fire, police, recreation all need some of these funds. Current impact fee does not come close to covering the cost of a school age child in the system.
- Real estate transfer tax needs to increase by at least 1.0%.
- APFO testing needs to include fire, police, recreation (quality of life factors). Our fire and police are ready to serve, let's listen to their needs so they can serve effectively.
- APFO legislation needs to be reviewed on a regular interval. Every 4-5 years would provide time to see how the county is fairing with current legislation. As with most things we need to adapt more quickly to needs as they appear.

I appreciate your time to consider my feedback. I hope you will help create a future for Howard County that will have the next generation proud to say they are from Howard County and that we have chosen to build responsibly.



Sincerely  
Laura Forrest  
10305 Greenbriar Ct  
Ellicott City, MD 21042  
Forrest\_121@verizon.net

## Sayers, Margery

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**From:** min Zhang <minzhang5@yahoo.com>  
**Sent:** Tuesday, September 05, 2017 8:16 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for council bill 61

Dear Councilmen or Councilwomen: I moved here from Chicago about one and half year ago. I lived in Chicago area for over 14 years and never had a school redistricting over there. Now I am seeing an ongoing massive school redistricting effort and people told me a school redistricting happens once every several years in Howard county. It has been well recognized that the flawed APFO, the loose criteria for developers to pass the school capacity test, contributes to the never-ending cycle of school redistricting. As a matter of fact, our community, Centennial Overlook whose construction is being completed, is on the AAC plan for being redistricted to Wilde Lake Schools. If the APFO had a stringent criteria for school capacity, this community wouldn't have been zoned to centennial schools three years ago, and we wouldn't have the chaos we are facing.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1: School capacity limits-including high schools-to be set at 100%. Schools are closed to new development at that level.
- 2: Mitigation (funding, additional time or both) begins when a school reaches 95% capacity.
- 3: No reductions to the current wait time for housing allocations or school tests.
- 4: APFO needs to be reviewed every 4 years.

Regards

Min Zhang  
8721 Wellford Dr., Ellicott City, MD, 21042

## Sayers, Margery

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**From:** Stu Kohn <stukohn@verizon.net>  
**Sent:** Monday, September 04, 2017 9:36 PM  
**To:** howard-citizen@yahooogroups.com  
**Cc:** CouncilMail; Kittleman, Allan; Wilson, B Diane  
**Subject:** Special Legislative Public Hearing -- 11 Sept 2017 at 6PM

FYI,

Next Monday, 11 September 2017 is a continuation of a County Council Public Legislation Hearing starting at 6PM at the George Howard building. It is extremely important as there are two major proposed Bills that the Howard County Citizens Association (HCCA) testified on 17 July. Please go to <http://howardcountyhcca.org/member-info/reports-documents-and-testimonies/> to read our testimony.

They are **CB61/62 - Adequate Public Facilities Ordinance (APFO)** – AN ACT amending the Adequate Public Facilities (APFO) Act requiring certain periodic review; specifying completion timelines for certain types of road remediation projects; requiring that certain agreements contain certain provisions with regard to the timing of road mitigation projects; amend the title of certain charts and other terminology; requiring certain waiting periods; clarifying certain exemptions; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to the Adequate Public Facilities Act of Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2890> to see the Public and Written Testimony.

**CB62** is an ACT amending PlanHoward 2030, the general plan for Howard County, to reduce the number of allocations in the Growth and Revitalization category and to increase the number of allocations in the Established Communities category, beginning in 2020; and generally relating to planning, zoning and land use in Howard County. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2891> to see Public Testimony. As of the beginning of last week there were 17 additional individuals who had signed up to testify. In addition to the 15 who have already testified. We anticipate a large number to testify on Monday. This is especially true because citizens are very concerned with many aspects of the current APFO especially now hearing of the potential nearly 9000 students being redistricted. APFO simply needs to change. We only hope the Council will use their discretion and do something about placing more than adequate measures to ensure the proper balance is in place regarding quality of life issues which includes all infrastructure – Schools, Roads, Hospital, EMS, Police, Fire, and Stormwater, etc.

**CB60** - AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts. This subject has been a very concerned issue for mainly the residents of western Howard County. However it affects all of us to ensure in the east that the proper facilities are protected to ensure the health and welfare of any residents nearby are protected. You can go to <https://apps.howardcountymd.gov/olis/PrintSummary.aspx?LegislationID=2892> to see both the Public and Written Testimony. As of the beginning of last week there were 50 additional individuals who had signed up to testify. In addition to the 15 who have already testified. There will be many more besides these 50 to publically testify.

HCCA was a member of both Task Forces relating to these legislative matters. They comprised of 22 and 24 meetings respectively. Thus far I have been very disappointed with the outcomes of the Task Force recommendations. The only way it will be rectified is if the Council takes the initiative to go way beyond the continuance of "Business as Usual" attitude. Yes – major amendments would be appropriate. I am sure the overwhelming majority of their constituents would be most appreciative for their actions.

I have Cc'd both the Council and the Administration in hopes that something positive will be accomplished in these most important pieces of legislation.

Sincerely,

Stu Kohn  
HCCA, President

## Sayers, Margery

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**From:** Christine Hinds <cmhinds@verizon.net>  
**Sent:** Monday, September 04, 2017 10:31 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

My name is Christine Hinds and I've lived in Howard County since 1991. I currently live along the route 32 corridor north of I-70 (Sykesville zip code) and have one child enrolled at Marriotts Ridge and my 20 year old graduated from Marriotts Ridge and now attends college. Both attended West Friendship and Mt. View Middle Schools.

I am truly concerned about the current level of development in the east that is now impacting the western rural areas of Howard County. The citizens along the route 32 corridor have fought for years to mitigate further hazards to the already treacherous route 32. Both Mr. Kittleman and the governor, as well as past politicians have recognized this route to be one of the most dangerous routes in our state. We have fought to make Route 32 "safe again" in this area after loss of life on this road, including a friend of my son's while he was in middle school. Lost a prominent physician as well. We've also fought against industrial mulch facilities and their attorney's finding loopholes in agricultural preservation regulation to bring industrial mulch facilities to our area. Developers overreach into Howard County's rural areas need to stop.

You can ride north or south on route 32 and you will come across signs warning drivers "Pay Attention! Left Turning Vehicles Ahead!". While we have a "suicide lane" added many years ago, the development to the north in Carroll County and now to the East in our own county have added to the overcrowding on this road. SHA has not kept up. Commute times and congestion have continued to creep with no signs of addressing the real problems – development without consideration of the current infrastructure.

Now my daughter may be redistricted in her junior year to Glenelg High School, adding to doubling her commute time (and even longer for children on Day Road) onto route 32 including parts of route 32 (I-70 to Linden Church) that SHA will not begin improving upon until 2019! If any of these students are killed on this route because they have had to commute outside of their neighboring schools and farther out to friends houses, I believe County Council and Executive will have blood on their hands as development in the east has only pushed out school redistricting to the west.

I am requesting that that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits – including high schools- to be set at 100%. Schools are closed to new development at that level.
  
- Mitigation (funding, additional time, or both) begins when a schools reaches 95% capacity.
  
- No reductions to the current wait time for housing allocations or school tests.
  
- APFO needs to be reviewed every 4 years.
  
- Increase real estate transfer tax by 1.0%.
  
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

In conclusion, my vote will be influenced by a number of factors, but mostly the outcome of this APFO legislation. I am not affiliated with a party and voted for Mr. Kittleman because of his moderate approach. Let's not lose sight of why you all were put into office – to serve the citizens/families of this county and not developers.

Christine Hinds  
(410)489-5658  
1465 Coventry Meadows Dr.  
Sykesville, MD. 21784

## Sayers, Margery

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**From:** Caroline Bodziak <cbodziak@aol.com>  
**Sent:** Monday, September 04, 2017 7:30 AM  
**To:** CouncilMail; Kittleman, Allan  
**Subject:** Written Testimony on CB 61-2017 for Sept. 11, 2017 re APFO

APFO Written Testimony  
Sept. 11, 2017

To: councilmail@howardcountymd.gov, akittleman@howardcountymd.gov

Subject: Council Bill 61-2017

### Introduction

My name is Caroline Bodziak and have been intimately involved in the local PTAs at the elementary, middle, and high school levels for the last 14 years. My four children are all attending or have graduated from Howard County schools and have already gone through two rounds of redistricting. The county's seemingly unfettered support of residential development has created a tsunami of school overcrowding that is forcing students west. These dividing lines have now been drawn so close to my home schools that neighborhoods abutting the high school are being ripped in two and WALKERS are expected to ride a bus past their neighborhood school to attend one eight miles further west.

The question my community continues to ask is, "Why are developers allowed to continue building homes when the schools they feed into are already overcrowded?"

**The county council should support their constituents and amend CB 61-2017 to answer the above question by recognizing capacity is reached at 100% and requiring developers to pay their fair share of the cost of creating new school capacity.**

### The Cost of Growth in Howard County

In Howard County's general growth plan housing allocations are set at 2,000 units (or 2,300 when moderate income units are not required to be counted) annually (per the APFO Allocations chart). Developers assume 0.5 students per housing unit. The average size of an elementary school is 700 students. This means that the county is knowingly adding 1,000 students to the existing school system annually – more than an entire school's worth! – without adding additional corresponding school capacity.

A 700-student elementary school costs roughly \$35 million (per BOE 2018 Capital Budget) to build, at a cost of \$50,000/student. Current impact fees and excise and transfer taxes don't come close to covering the costs of building the required educational infrastructure. The average new home contributes about \$5,000 towards that cost (2000 new homes yields \$10 million – less than a third of the money required to build a new elementary school). Who pays the difference? Your constituents. Developers are being allowed to take advantage of Howard County's loose and generous APFO rules and the community is paying the price, literally by subsidizing school construction and figuratively in terms of community upheaval during school redistricting.

Besides money we also need to consider time. Currently in Howard County developers are allowed to build homes if they have waited a maximum of 4 years and schools continue to be overcapacity. Developers argue that anything longer than the current 4 year waiting period constitutes a "taking" of property rights, which

could lead to lawsuits. However, a recent U.S. Supreme Court ruling defines taking as causing no economic benefit to a property, not defining it as being held up from its maximum profit. The county thus has legal opportunity to increase this waiting period, allowing more time to construct needed school buildings. Howard County's own Capital Improvement Master Plan (CIMP) establishes a six-year schedule for planning and constructing facilities and infrastructure needed to support the delivery of County services (Plan Howard 2030 p. 102). Why should developers not be required to wait a corresponding 6 years?

Capacity means 100%

Something is at capacity when it is filled 100%. If a bucket is filled more than 100% it overflows. When a school is filled at greater than 100% capacity it also overflows. Teachers must force instruction into closets and hallways. Expensive portable classrooms must be added (**over \$20 million** requested for this through FY2018 in BOE's Capital Budget). High school students must eat lunch before 10am because the huge number of students require extra cafeteria shifts. Developers are allowed to build when schools are up to 115% capacity! Look at it this way. It's raining, the electricity cuts out and your basement sump pump stops working. The water level is even with your floor and is at 100% capacity. Now add 15% more water and then keep on adding more. You are now faced with a long, time-consuming and expensive clean-up project.

Action

I am requesting that CB 61-2017 be amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure:

1. School capacity tests:
  - a. must include **high schools** to fully reflect the impact of development on all students.
  - b. need to be set at **100%** from the current 115%.
  - c. must be **reduced NOW** – do not need to wait for state legislative action.
2. Mitigation costs:
  - a. must reflect the **full cost** for added school space necessary to accommodate growth.
  - b. must be **shouldered primarily by developers** by increasing excise taxes, impact fees and surcharges.
  - c. Should also be reflected in an increase in the real estate **transfer tax** by 1.0%.
3. The **wait time** for housing allocations plus schools should be increased from 4 years to 5 or 6 years.
4. APFO should be **reviewed** every 4 years.
5. APFO needs to include measures for **Fire, Police, Healthcare and Stormwater Drainage** similar to surrounding counties.

Conclusion

As elected officials, your responsibility is to your constituents – who vote! – to represent our interests and not that of developers, protect our top-rated educational system, and be stewards of responsible growth without overwhelming existing resources. Like that flooding basement, if we don't work to contain the overflow we will be faced with a time-consuming and expensive clean-up project. The current situation does not pass the common-sense test.

Please support your constituents and take the above actions in amending CB 61-2017.

Respectfully,

Caroline Bodziak  
cbodziak@aol.com



## Sayers, Margery

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**From:** H Kan <hongjuncan@gmail.com>  
**Sent:** Sunday, September 03, 2017 9:53 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written Testimony for Council Bill 61

Dear Howard County Council Members,

It is becoming clear, surprisingly though, that we have some issues with APFO Bill 61 that may have contributed to school overcapacity over the past years. As a new resident in Howard County, I am surprised with some loopholes in the Bill such as allowing new developments even when school is at up to 115% capacity. The cost of overdeveloping without an appropriate level of school capacity is born by everyone directly and indirectly, especially by our kids, which is not acceptable. I am writing to all you to request amending Council Bill 61 in order to avoid future school disruptions:

- School capacity limits - including high schools - to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- No reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed more frequently, eg, every four years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities

I would really appreciate you taking the suggestions into consideration when revising Bill 61. Thank you.

Sincerely,

Hongjun Kan  
11722 Trotter Point Ct  
Clarksville, MD 21029

## Sayers, Margery

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**From:** Doug Zhao <dzhao88@hotmail.com>  
**Sent:** Sunday, September 03, 2017 9:09 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Consucilmen/women,

I'm writing to raise my concern that the county have failed funding the critical infrastructure (school, fire, police and emergency services, etc.) necessary to support a growing population and protect our quality of life. As a result, residents have been forced to undergo school redistricting once every few years. This is outrageous to me since school redistricting was considered the last option to solve school capacity issue in the places (Wisconsin, Michigan, Illinois) I lived previously.

I am a new resident in Howard County as my wife and I moved here from Chicago due to job changes a year and half ago. After an exhaustive house hunting, we decided to buy a new house in Centennial Overlook because of its convenient location to the park and award-winning schools. Due to the location and the quality of the schools, the developer (Beazer Homes) charged a premium price for the houses in Centennial Overlook, way higher than comparable new houses in surrounding communities. Now every house has been sold (the last one is still being built). Residents just settled and have built connections to the surrounding Centennial neighborhoods. The kids just got out of the stress caused by the previous school change and are enjoying new friendship in their new schools. Our peaceful life was suddenly disrupted by the news that the AAC-draft plan is redistricting us to Columbia schools which are further away from us in order to alleviate the overcrowding of the centennial schools. My 9- and 12-year-old daughters burst into tears after they heard the news. They have just made a lot of friends in their new schools after quite a period of lonely and unhappy time. If we were redistricted, they would be forced out of the current schools and had to start over to build their social connection in a completely new environment in three years.

As a new resident in Howard County, I was puzzled and was wondering why Beazer Homes was permitted to build a new community in a school district whose schools were already overcrowded. I learned through my research that the development plan of this new community in Polygon 147 passed the school capacity test done for development, under a policy called the APFO allowing school utilization rates of up to 115%, which is well above the utilization limit of 110% allowed by the school system under their redistricting policy. I also heard the surrounding neighborhood strongly opposed to the development plan due to the concern of school overcrowding. But the county gave the developer a green light to develop this new community in Centennial School District. How can the county's policies be so contradicting to each other? If you think 115% is the threshold for a new residential development to pass the school capacity test, why a lower limit is applied to the school redistricting later on? As a matter of fact, the major reason for us to be redistricted out is the utilization number for Centennial Elementary School, 114%. Obviously, both of the county government and the developer have benefited from charging a premium price for the location of Centennial Overlook. But later on, we became a target of redistricting which would mean a huge loss for the families in Centennial communities, especially for the kids. I completely understand that the school overcrowding needs to be solved. What I don't understand is why the county zoned Centennial Overlook to the Centennial Schools based upon one policy, and two years later they told the Centennial communities that your schools are overcrowded and some of your kids need to move out based upon another policy. Isn't this an act of irresponsibility to tax-paying residents? The flawed policies of APFO and school planning create never-ending cycle of school

redistricting. To resolve school overcrowding issue through this massive school redistricting is the cheapest way to the county, but has the most disruptive consequences to the communities and students. It is unfair to let the kids to carry the burden of county's flawed policies.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Howard county is one of the richest counties in the nation, but probably has the highest frequency of school districting in the nation and currently is planning the largest scale of school redistricting in the history. Howard county can do better than this with tax payers' money!

Sincerely,  
Dong Zhao  
8721 Wellford Dr.  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Harikrishna Devalapally <hdevalapally@gmail.com>  
**Sent:** Sunday, September 03, 2017 6:23 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Sir/ Madam,

We are submitting this testimony for a stronger APFO that imposes more regulations on new developments.

Our story:

More than 13 years ago we came to this county with lot of dreams and big ambitions. My self and my wife worked very hard and directly involved in many life saving research projects. We made a commitment to live in this historic Howard county and promised our 2 boys a safe & nurturing environment to thrive. But this unexpected & unpleasant decision to re-district is really unfair and very disappointing. We left our friends, family to make a home of our own and our kids have to move again now? How unfair that county officials gave permits to built new homes despite knowing there are no resources to accommodate (specially schools and other emergency services)! Our builder was very open why they are selling the same exact house for a much lower price out side of Howard county (because our community has all 10 scored schools so it is more pricy). Very disappointing to know that the builders win and hard working families loose. We invested a lot (time & money) and its not fair to move our kids just after 2 years because county officials couldn't figure out things right upfront! Over the past few years, there are some unpleasant changes we are dealing with (congestion everywhere with growing population, our commute has doubled), but not ready to put our kids under unnecessary stress by changing schools every couple of years. We sincerely request at least now the county officials have to come up with better solutions (fund for critical infrastructure needed) to address this over crowding issue so there wont be another re-districting in couple of years from now. Please don't just focus on easy way outs by moving our kids and breaking our communities. This affects our quality of life and this is not what we expected from this historic county. Please please help us stay together & stronger.

We are requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0%.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Please help us grow stronger together in this beautiful county.

Sincerely,  
Harikrishna Devalapally and Swapna Pamu  
8659 Wellford Dr, Elliott City, MD 21042

## Sayers, Margery

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**From:** Garvin and Ruth <gcrkc1@verizon.net>  
**Sent:** Saturday, September 02, 2017 6:46 PM  
**To:** Weinstein, Jon; Kittleman, Allan; CouncilMail  
**Subject:** AFPO Written testimony regarding Council Bill 61

Hello,

Our family settled down in Howard County largely for its well known education system. We still believe it is a good one, but the recent information regarding AFPO plans is concerning, and honestly makes me double think if we made the right decision for our family.

Continued growth is necessary, but it's time to step back and have a fresh look at a more balanced approach for all AFPO stakeholders (schools, education, transportation, emergency services, developers, etc). The composite effect of the proposed AFPO amendments are biased towards economic growth and developer growth. It is time to review the big picture again to ensure other facets of AFPO are not getting left behind. I want to highlight a some key points that should be considered for CB-61:

- Take a fresh look at AFPO planning with education, public safety and emergency services as the highest priorities. See what plans come up with this approach.
- We need to let school capacity solutions catch up to all growth from the past years. In a way, this mean you all did too good of a job with growth for many years, and its time to get other things (education, public safety, emergency services, etc) to catch up! This will lead to a more balanced Howard County.
- High school capacity limits need to be included in AFPO criteria. This would make the assessment criteria more comprehensive.
- Re-shuffling/Redistricting students for school capacity numbers to be "balanced on paper" so further development can occur is not acceptable. Current residents should not be continually shafted for developer interests. That is not why so many young families want to move here.
- Review/refresh AFPO more often (every 3-5 years?). Not updating the AFPO for many years has led to a significant disconnect between the county and citizens. More regular updates will allow better course correction if priorities become unbalanced.

Please consider the above points strongly. I am proud to live in this county, but this pride will erode if the focus is continually on economic/developer growth, and not on the education and general well-being of the citizens. We need and demand better balance in Howard County.

Thank you for your attention and consideration.

Garvin Cung  
5003 Cobble Stone Ct.  
Ellicott City, MD 21043

## Sayers, Margery

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**From:** Pankaj Patil <pankaj\_patil20@yahoo.com>  
**Sent:** Saturday, September 02, 2017 5:48 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

Dear Council Council Members

When I moved to Howard County a couple of years back, I was proud to become a resident of neighborhoods that are often featured in *'Money magazine's best places to live'*.

My family was happy with our move to Columbia, we had great neighbors, trails backing into parks and all amenities within a short driving distance. As my kid got ready for joining school, we made a decision of moving to Ellicott City so my child can attend the *'accomplished schools'* usually highlighted in County's own press briefings sourced from Niche / U.S News sites.

As we are settling down with the move and adjusting to the new school system, we get to know that due to *fundamental flaws within the county's development process and how it interacts with the school system*, our neighborhood is nominated for redistricting.

*Our assigned schools had utilization ratios that are concerning to the Board of Education, however under existing Adequate Public Facilities Ordinance (APFO), approval was granted for construction of our neighborhood.* The projected student enrollment numbers quoted by developer in seeking approval were based on county guidelines that are no longer practical. Projecting and getting official approval for 4 school going kids in a neighborhood of 50+ houses seems impractical and illogical in an populous and developing county like ours. It almost seems like the county development process expects residents moving in to new communities to bring revenue in terms of home sales and higher taxes to fund various county plans but then subsequently forces them to be in a situation where they are deprived of things they originally moved for.

As a responsible, law abiding, tax paying resident, I am deeply concerned that lack of planning and oversight, collaboration with school system, negatively impacts us and most importantly our faith in the whole county system.

I am requesting that **Council Bill 61** is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity
- NO reductions to the current wait time for housing allocations or school tests.
- Make developers pay for School repairs and capacity addition
- APFO needs to be reviewed every 4 years
- Increase real estate transfer tax by 1.0%
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

- Revise archaic guidelines to determine projected student enrollment from new developments.

I hope that concerns from residents like me will be heard and acted on to maintain our trust with the County council and its members.

Regards  
Pankaj Patil  
8795 WELLFORD DR ELLICOTT CITY 21042

## Sayers, Margery

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**From:** Jim Reynolds <jb.reynolds32@gmail.com>  
**Sent:** Saturday, September 02, 2017 4:08 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** Written testimony for CB 61 & CB 62

Dear County Council,

I write to you as a concerned parent and resident of Howard County regarding the proposed bills CB 61 & CB 62. Despite the high cost of living in this county my wife and I moved here in 2003 to be part of a better school district, growing county, safe place to live and put our roots down for the future. We worked hard to get here and stay here. We now have two children and are hopefully here to stay and be a part of this community.

However, I am concerned that Howard is not the utopia it is portrayed sharing titles such as "Best places to live", "Best Schools", and many more. For the first time in 14 years we are considering leaving the county because it has become obvious the growth is severely mis-managed. If the county doesn't do a better job of controlling the APFO to fund the appropriate facilities as they are needed then we are failing the future Howard County residents. Knowing that Howard County was ranked the lowest among 14 comparable counties regarding how we handle APFO is appalling. Developers need to pay their fair share (not pennies they are paying now).

The current policies have created a never ending loop of over crowding in this county and it will not slow until the open/closed and APFO are brought in line. Roads are over crowded, Schools are over crowded, storm water has become an issue, and much more. Why would 115% be acceptable anywhere. How about you let 15% more people into restaurants, hospitals or even your homes. Portable classrooms have become the norm in this county where we pay so much to live. Why? **Do the right thing and fix this problem.** Smart Growth is the main aspect you as a council can control. It is obvious the current policies are not working. This problem will not go away.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- Increase real estate transfer tax by 1.0% or propose a tiered rate structure so that those who can afford will pay their fair share.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.



For CB 62 I am against developing even more in "established" communities. if we don't have room to build then we should not build. Changing the allocations is not the answer. Established communities are already over crowded, over capacity on schools and roads have become over crowded.

I urge you to "**Do the right thing**" for the voters of this county. I have never seen such momentum on any issue in this county. This will not stop until the policies are corrected. Residents, parents and voters are paying attention and realize we have a problem in this county. Be a part of the solution and not part of the problem.

Sincerely,

Jim Reynolds

6001 Bee Court

Elkridge, MD 21075

## Sayers, Margery

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**From:** Melissa Kistler <melissa.kistler@me.com>  
**Sent:** Tuesday, August 29, 2017 1:56 PM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** WRITTEN TESTIMONY FOR COUNCIL BILL 61

To Howard County Council and County Executive:

I have lived in Howard County now for 8 years. My husband and I were attracted to the area due to location and the wonderful parks, paths, and schools. Our son just started kindergarten this past fall and had a tremendous experience. Within the last several months, however, we became aware of issues in the county stemming from weak APFO. We are seeing how allowing development to occur in areas where schools are overcrowded after only 4 years has led to some area schools being grossly overcrowded. This, in turn, led to a proposal for massive school redistricting this year that undermines the stability students need to be successful. Meanwhile, buildings and developments have been popping up everywhere and there has been noticeable impacts on traffic in the area. What used to be a five minute drive across town now takes 15 minutes or even longer depending on the time of day.

I am concerned that should the county continue down the path of weak APFO, that schools will continue to need to shuffle students around uprooting their sense of stability; that roads- particularly in Town Center- will be overcome with traffic; that home values will decrease due to the uncertainty about what schools are associated with particular neighborhoods and inadequate infrastructure all around. I'm concerned that what attracted us to live in this county initially will be gone without a much better APFO. I find it inexcusable for Howard County to continue down a path of a weak APFO.

I am requesting that Council Bill 61 is amended with the following provisions to more fairly and equitably balance well-planned growth and effective mitigation for our public infrastructure.

- 1.) School capacity limits- INCLUDING HIGH SCHOOLS- to be set at 100%. Schools are closed to new development at that level.
- 2.) Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- 3.) NO reductions to the current wait time for housing allocations or school tests. I would advocate for INCREASING the current wait time.
- 4.) APFO needs to be reviewed every 4 years.
- 5.) APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

While I know many of the current council members are at the end of their terms, my vote will absolutely be influenced by how those who are up for re-election address these concerns. Howard county's future is at a tipping point, and I hope you will amend CB61 to tip it in the right direction.

I know redistricting and the way development has been done through the years in this county has just, in a way, always been like that. With that in mind, I leave you with this quote from Thomas Paine "A long habit of not thinking a thing wrong gives it a superficial appearance of being right."

I hope to see the right thing done for Howard County and its current and future residents. The right thing is a much stronger APFO- not more if the same inadequacy.

Best,  
Melissa Kistler

9417 Aston Villa  
Ellicott City, MD 21042  
410-370-2162

**Sayers, Margery**

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**From:** Kate Hudkins <khudkins@gmail.com>  
**Sent:** Thursday, August 24, 2017 1:16 AM  
**To:** CouncilMail  
**Cc:** Kittleman, Allan  
**Subject:** APFO Concerns

As a member of the Dunloggin Community, I ask that the following be added to APFO:

- School capacity limits -- INCLUDING high schools -- to be set at 100%. Schools are closed to new development at that level.
- Mitigation (funding, additional time, or both) begins when a school reaches 95% capacity.
- NO reductions to the current wait time for housing allocations or school tests.
- APFO needs to be reviewed every 4 years.
- APFO needs to include measures for public safety, emergency services, recreation, and other community facilities.

Best Regards,  
Kate Hudkins  
3728 Chatham Road  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Wednesday, August 16, 2017 2:58 PM  
**To:** CouncilMail  
**Subject:** APFO issues, including a tech edit needed

Hello Council Members,

I hope you are enjoying the recess. Thank you to those with whom I have already spoken, and I thank you all for attention to some issues herein, which you may or may not have already sought to address.

In CB61, an edit is needed in the section that addresses when APFO will be reviewed in the future. On page 5, line 30, after "of this code" maybe add "or sooner", because the recommendation was to place a maximum timeframe to review it, not a minimum. :)

It is my opinion that it is grossly unfair to include the allocations/schools max wait of 5 years in CB61, page 11, without the counter compromises made in the SAME motion/recommendation by the task force. The "grand deal" had 3 main pieces. Having to hold off on 2 due to State jurisdictional needs is understandable, but why give the developers the benefit of the third with no counter balance now? The only fair thing to do, if you desire to implement the task force recommendation here, is to either put in the 110% overcapacity reduction now, OR take out the allocations/school wait cap. Developers were well-represented on the task force and agreed to this. Several felt that was the largest benefit to them of all.

For example, if a developer gets allocations and it took 5 years, or more, they would, according to CB61, not even take the school test at all, when currently they could have to wait up to 4 more years. There's a sliding scale of benefit to the developer depending on how long the wait was for allocations. Having a benefit in there without the compromise issue on the slow growth advocate side of the deal is not appropriate.

Thank you for your consideration of these issues, and I apologize to those for whom this is repetitive.

Take care,

Lisa

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Ellie <ptellie@aol.com>  
**Sent:** Tuesday, August 15, 2017 7:56 PM  
**To:** CouncilMail  
**Subject:** APFO legislation

I would like to raise my concern with our current AFPO rules. From what I understand some changes must be made to continue to keep HoCo the best county in Maryland.

1. I want the council members to consider raising the amount developers have to pay per expected child their development is expected to bring to HoCo.
2. I want the capacity levels of high schools to be considered when planning developments not just the elem. and middle schools. I also want the capacity level to be only 100%, not 115%.
3. Lastly, please try to have the AFPO include the hospital and emergency services counted to make sure we have the capacity for more houses and more People. PG and Montgomery counties already do This. It makes sense.

Thank you for your time and please, Please consider these issues.

With gratitude,  
Ellie Paczkowski  
HoCo resident

Sent from my iPad

## Sayers, Margery

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**From:** Rebecca Roberts <rebecca.shopland.roberts@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:52 PM  
**To:** Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; CouncilMail  
**Subject:** Fwd: APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

1. Keep the community together a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice. b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability". c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues. d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work. e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us. 2. Keep kids together as they feed from one school to the next a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move. b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families. 3. Commute; Transportation; Distance; Safety a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development. b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours. c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia. 4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5) 4 5. Process; Information; Comprehensiveness of AAC Draft Plan a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting. b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study i. We received the new AAC Draft Plan without benefit of full analysis and data. ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or "band-aid" AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

Rebecca Roberts  
4217 Club Court  
EC, MD 21042  
410.465.2824

## Sayers, Margery

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**From:** KEITH ROBERTS <karoberts812@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:48 PM  
**To:** Weinstein, Jon; Ball, Calvin B; Sigaty, Mary Kay; Fox, Greg; CouncilMail; gterrasa@howardcountymd.gov  
**Subject:** Fwd: APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

1. Keep the community together a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice. b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability". c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues. d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work. e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us. 2. Keep kids together as they feed from one school to the next a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move. b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families. 3. Commute; Transportation; Distance; Safety a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development. b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours. c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia. 4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5) 4 5. Process; Information; Comprehensiveness of AAC Draft Plan a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting. b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study i. We received the new AAC Draft Plan without benefit of full analysis and data. ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC



Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or “band-aid” AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

## Sayers, Margery

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**From:** Rebecca Roberts <rebecca.shopland.roberts@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:44 PM  
**To:** Weinstein, Jon; Ball, Calvin B; jterr@howardcountymd.govasa; Sigaty, Mary Kay; Fox, Greg; CouncilMail  
**Subject:** APFO

Dear Council Members-

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. the following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away. b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that. c. Developers and the County have played a big role in creating this mess.

1. Keep the community together a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice. b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability". c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues. d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work. e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us. 2. Keep kids together as they feed from one school to the next a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move. b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families. 3. Commute; Transportation; Distance; Safety a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development. b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours. c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia. 4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5) 4 5. Process; Information; Comprehensiveness of AAC Draft Plan a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting. b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study i. We received the new AAC Draft Plan without benefit of full analysis and data. ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC Draft Plan. iii. An extension to review and respond to the AAC Draft Plan is needed. c. The AAC Draft Plan as it affects Dunloggin is a narrow or "band-aid" AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

## Sayers, Margery

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**From:** KEITH ROBERTS <karoberts812@gmail.com>  
**Sent:** Tuesday, August 15, 2017 7:31 PM  
**To:** CouncilMail  
**Subject:** APFO

Dear Council -

We have significant concerns about the continuous building in Howard County and the negative impacts it has on our existing infrastructure. The builders are not held accountable to support the new requirements for infrastructure. This is especially apparent with the new recommendations to redistrict our schools. The following are my concerns -

On a broader basis, County spends funds on studies, time and much effort, concluding that it's better for our sleepy high school students to start school later. Moving our students to a high school twice the distance away is directly contrary to the conclusions and goals of that effort. Any benefit of a starting time delay would be minimized because students have to leave earlier to get to a school twice the distance away.

b. On a broader basis, County spends funds and advocates for bike and pedestrian plans / walkability / bikeability and ACC Draft Plan is contrary to that.

c. Developers and the County have played a big role in creating this mess.

1. Keep the community together

a. For more than 50 years, Dunloggin has historically been a well-defined neighborhood with clear and clean boundaries, is considered "established" even within other County policies, and is well-respected for its community voice.

b. Dunloggin is definitely older and more established than other communities that are being left intact under the policy goal of "community stability".

c. Dunloggin has always been able to speak with one voice. The County is undercutting our ability to advocate as a full community on high school and other education issues.

d. The number of children affected should not directly be related to whether or not to split a community; communities should be kept intact and other adjustments made if necessary to make the numbers work.

e. The fact itself that Dunloggin is divided into 8 polygons is not consistent with the well-established nature of our neighborhood with clear, historical boundaries as a neighborhood unit. It should never have been split up to begin with and this use of the polygons divides us.

2. Keep kids together as they feed from one school to the next

a. There is already difficult splitting off of friends as students are moved from NES to DMS and Burleigh, and then from DMS to different high schools. Our kids have historically had the ability to stay together as a unit which has benefitted them socially, emotionally, and academically. Separating neighborhood friends at the high school level after they have been together, many for 8 years, has the same constructive effect as a family moving, when the family plan is purposefully not to move.

b. The community stability is a known key aspect of and welcome relief to families who have moved frequently in the past such as military families.

3. Commute; Transportation; Distance; Safety

a. Congestion is already difficult around downtown Columbia/Town Center and it is only going to get worse with the planned development.

b. Any possibility of our kids being able to walk or bike to high school has been eliminated. A walk would take 1.5 hours.

c. We bought our homes in Ellicott City to go to school in Ellicott City, not in Columbia.

4. High risk of frequent redistricting as County changes unfold. The redistricting seems premature given significant events on the horizon – new high school being built, downtown Columbia plan coming to fruition, etc. (see also #5)

4 5. Process; Information; Comprehensiveness of AAC Draft Plan

a. High school redistricting is a new idea; original focus of redistricting was on elementary school. As such, why can't high school redistricting be taken off the table until the new high school is built and the downtown Columbia development plans unfold? The whole effort seems premature and likely to lead to future redistricting.

b. High school redistricting for Dunloggin is a new idea, surfaced because others were not happy with the original Feasibility Study

i. We received the new AAC Draft Plan without benefit of full analysis and data.

ii. Dunloggin community has not been afforded the same amount of time as other communities to react and respond to AAC Draft Plan.

iii. An extension to review and respond to the AAC Draft Plan is needed.

c. The AAC Draft Plan as

it affects Dunloggin is a narrow or “band-aid” AAC response to concerns raised by other communities about the original Feasibility Study. The AAC response has a negative effect on our particular community while the original Feasibility Plan, completed by HCPSS staff and experts, concluded that our neighborhood should not shift.

## Sayers, Margery

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**From:** Kris Maciorowski <komaciorowski@yahoo.com>  
**Sent:** Friday, August 11, 2017 8:11 AM  
**To:** Weinstein, Jon; Kittleman, Allan  
**Cc:** CouncilMail  
**Subject:** APFO concern

As a resident of District 1, I am appalled at what I'm learning about APFO and developers and overcrowding. You should be working for the citizens, not the developers. My concerns:

Mitigation needs to start at 95% capacity. Schools need to be closed at 100%

APFO should be reviewed every 4 years

High schools should be part of testing

Both the school and allocation test should have a 7 year timeframe

Howard County residents are mobilizing and realizing what is happening in this County. Please fight for us, not against us.

Thank you,  
Kris Maciorowski

Sent from my iPhone

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Sunday, July 30, 2017 7:17 PM  
**To:** CouncilMail  
**Subject:** Forgot to mention

On that last link, to compare apples to apples, you have to know an average square footage of a residential unit in Howard County. You can then do the math, to compare to other county charges. Other counties charge per unit. We charge per square foot.

I asked the developers on the APFO task force what a good number was to use, and they agreed that 2000 square feet was appropriate to use.

:)  
Lisa

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Sunday, July 30, 2017 7:15 PM  
**To:** CouncilMail  
**Subject:** APFO charts

Dear Council Members,

As you are likely aware, there is a lot of discussion online regarding APFO, and comparing ours to those of other counties. I have provided these links to people who ask about that subject.

This is a report with a lot of reference links, that I have publicized as having a chart of other counties' APFO information, especially on pages 12-15.

<http://ceds.org/bcp/SchoolOvercrowding.pdf>

A more recent chart of fees and taxes on development in other counties is here, page 59, from 2016.

[http://dls.state.md.us/data/polanasubare/polanasubare\\_intmatnpubadm/polanasubare\\_intmatnubadm\\_annrep/2016-Overview-of-Maryland-Local-Governments.pdf](http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/polanasubare_intmatnubadm_annrep/2016-Overview-of-Maryland-Local-Governments.pdf)

FYI  
Lisa



Virus-free. [www.avast.com](http://www.avast.com)

**Sayers, Margery**

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**From:** Chao Wu <superbwu@gmail.com>  
**Sent:** Wednesday, July 26, 2017 10:57 PM  
**To:** CouncilMail; Kittleman, Allan; BoE Email; superintendent@hcpss.org  
**Subject:** Concerns over the APFO update

Dear County Council Members, County Executive, BOE board members and superintendent,

I wrote an article talking about the school redistricting, APFO update. The link is here:  
<https://chaowu.org/2017/07/26/we-are-in-need-adequate-public-facilities/>

**I wish all stakeholders work together to fix this issue both in short term and long term.**

Thanks.

Chao

## **We Are in Need of Adequate Public Facilities**

**Dr. Chao Wu**

**This article will be published on River Hill “The Villager” August 2017 Issue.**

We are facing probably one of the largest school redistricting efforts in the Howard County Public School System’s (HCPSS) history. The current HCPSS redistricting proposal aims to move 8,800 students, the equivalent of 16% of the total student population county-wide, where the River Hill community is greatly impacted as follows:

**Elementary Schools:** Clarksville sends 42 students to Triadelphia Ridge; Pointers Run sends 160 to Clarksville, 38 to Dayton Oaks and receives 196 from Clemens Crossing.

**Middle School:** Clarksville Middle sends 28 students to Folly Quarter; and receives 123 from Lime Kiln Middle and 33 from Wilde Lake Middle;

**High Schools:** Atholton sends 337 students to Hammond High and 614 to River Hill; Atholton receives 325 from Hammond High and 420 from Oakland Mills; River Hill receives 227 from Glenelg High.

This redistricting is urgent and needed because of over-capacity issue in some schools. However, such a large-scale redistricting creates unnecessary burdens and pressures on our students, who are the primary focus of our educational system. This over-capacity problem was created by the imbalance between housing development, public facility development, and insufficient funding of our school system. The urgency of school capacity issues could be greatly mitigated in the future if the to-be-revised HoCo Adequate Public Facility Ordinance (APFO) is modified accordingly.

The balance between school capacity and community development is not so difficult to fix. Just as when we see water leaking, the first thing we do is close the faucet. The overcapacity in our schools is caused by over-



development. We need to reduce the speed of development first, and reducing the existing over-capacity now . Otherwise, over-capacity in our schools is like a leaking facet.

With the Adequate Public Facility Ordinance (APFO) is currently being reviewed and planned to be updated by the Howard County Council, we need ask the county council to decrease the ratio for school capacity limits from 120% to 100% and remove the maximum wait times but freeze new project developments when projects fail APFO adequacy tests. Currently when a project fails APFO test first time, it will be automatically pass after three years without another test. When capacity is permitted to be higher than 100%, it means we cannot smooth out the current school over-capacity issue. The result is that we will probably see another large-scale school redistricting in five years.

Adequate means “enough school capacity” to handle the additional students generated by development. Portable classrooms once used become quasi-permanent. A new high school has not been built in the County for a while. Considering that each year HCPSS gains another 1000 students, we need plan ahead. The average elementary school has around 800 students. The annual increase of total students will fill a new elementary school each year. These students will eventually go to high school.

Adequate means “enough road capacity” to handle the additional vehicles generated by development. With many new houses and other facilities being constructed, I do not see much improvement to the local roads. One very example in our community is the intersection at Ten Oaks Road and Clarksville Pike, in front of commercial development under construction. The traffic is both congested and dangerous during peak traffic times. At least, there should be some work to widen both MD 108 and Ten Oaks Road in this location. Please also notice, there are two schools in the vicinity.

Furthermore, we need to be forward-thinking with our roads which means we need to build roads anticipating higher traffic volumes in the future. One example is Route 29. The State Highway Administration is replacing many intersections with overhead bridges which greatly improves the traffic situation. In fact, they should build those bridges when they first design/widen the roads. Planning ahead on the traffic patterns and traffic volumes while building a road may cost more money, but it is really worth the extra money. This upfront investment could be used to build a bridge, widen access to intersection, better signal control system, etc.

I am looking forward to your thoughts on how we ensure there are adequate public facilities.

Chao Wu, *Ph.D.*

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Chao Wu, *PhD*  
Council Representative and Board of Director  
Columbia Association  
Tel: [240-481-9637](tel:240-481-9637), Website: <http://chaowu.org>

Note: The opinion in the email does not represent the opinion of the Board of Columbia Association unless it is clearly stated.

## Sayers, Margery

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**From:** lindaleslie@verizon.net  
**Sent:** Monday, July 17, 2017 4:00 PM  
**To:** CouncilMail  
**Subject:** Delay CB61-2017

Dear Elected Representatives,

I am reaching out to join the PTA of Howard County and many of my fellow citizens in requesting that debate of CB61-2017 be delayed until the fall when our school groups and other citizens can fully participate in the legislative process. This is a very complex topic and it is unfair to expect that impacted citizens can effectively participate without education and prep time. Given the interdependencies between adequate public facilities and school redistricting, which will potentially impact 1 in 5 students in HoCo, it is critical that we address this topic thoughtfully. Rushing it through over the summer is not the right course of action.

Thank you for your support. - Linda Leslie

## Sayers, Margery

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**From:** Joshua Greenfeld <jgreenfeld@marylandbuilders.org>  
**Sent:** Monday, July 17, 2017 3:24 PM  
**To:** Feldmark, Jessica; Ball, Calvin B; Smith, Gary; Weinstein, Jon; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg; Knight, Karen; Pruum, Kimberly; Clay, Mary; CouncilMail; Delorenzo, Carl; Siddiqui, Jahantab; Wilson, B Diane; allan.kittleman@gmail.com; Kittleman, Allan; Lazdins, Valdis; Gowan, Amy  
**Cc:** Steve Breedon; Lori Graf; Angelica Bailey; James Fraser; Kelly Grudziecki  
**Subject:** MBIA Letters of Support for APFO Bill and Green Neighborhoods Resolution  
**Attachments:** MBIA Letter of Support for CR112 Green Neighborhoods Program.pdf; MBIA Letter of Support for CB61 Adequate Public Facilities.pdf

Dear Chairman Weinstein and Members of the Howard County Council:

In advance of this evening's hearings on CB61 and CR112 on APFO and Green Neighborhoods, respectively, please find attached letters of support from the Maryland Building Industry Association (MBIA) on both pieces of legislation.

**The MBIA asks the Council to pass CB61 intact and without substantive amendment (please note one amendment request to correct a drafting error) and to support CR112 to make the Green Neighborhoods program more flexible and workable for the development community.**

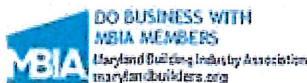
Specifically related to CB61, this bill represents many months of hard work and compromise by a representative group of 23 County residents including numerous community, environmental, good governance and education advocates. While the MBIA believes there are likely better growth management tools than adequate public facilities ordinances, the work this group should be respected and adopted as a reasonable compromise among many stakeholders.

Thank you for your support of these legislative initiatives and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Esq.  
[jgreenfeld@marylandbuilders.org](mailto:jgreenfeld@marylandbuilders.org)  
Vice President of Government Affairs  
Maryland Building Industry Association  
11825 W. Market Place  
Fulton, MD 20759  
Ph: 443-515-0025



Golf Outing & Reception at MACO - August 17  
Come for one or join us for both. [Register here.](#)

Southern Maryland Crab Feast - August 23  
At the Historic Olde Breton Inn. [Register here.](#)

The PROS Awards - September 7  
Party with the PROs at Smokey Glen Farm. [Register here.](#)

Check out NAHB's Member Advantage Program at [www.nahb.org/ma](http://www.nahb.org/ma)

July 17, 2017

**Re: LETTER OF SUPPORT FOR CR112-2017 – Green Neighborhoods Program Amendments**

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CR112-2017, which amends certain categories of points in the Green Neighborhoods development program originally passed by this Council as CB48-2007 designed to incentivize more sustainable development practices. The Green Neighborhoods program creates 150 housing allocations a year for projects that meet the standards of a “green neighborhood.” To date, only two (2) projects have qualified for Green Neighborhoods with hundreds of Green Neighborhoods housing allocations remaining unused with no plans in the development pipeline currently qualifying. After ten years of trial and error, the program is now in need of slight alterations to better align the Green Neighborhoods allocation incentives with the ability of developers and builders to create more sustainable development projects.

Specifically, this resolution alters the Site Design portion of the Green Neighborhoods Checklist to provide added flexibility to meet the rigorous demands of the program. The changes raise the total points available for Green Neighborhoods from 167 to 180 but retain the threshold at which a neighborhood is considered “green” at 90 out of 180 points. Among the 13 points added, 4 points have been added for implementing “innovative” green technologies not considered by the points system that may be implemented in the future as technologies and techniques advance. Points have also been added for creating 5% or more additional MIHU units, for improving flood controls over and above 100 year flood levels, specifically in flood prone areas such as Ellicott City, for the adaptive re-use of non-historic properties such as warehouse or industrial sites, and points for placing land within the Green Infrastructure Network into permanently protected open space.

These changes benefit the entire County by helping retain additional protected open space, encouraging the re-use rather than tear down of older structures, allowing new and innovative solutions to be implemented, increasing overall flood protections and by providing additional moderately priced housing. The MBIA believes these changes are a step in the right direction and asks for your support in passing this resolution.

Thank you for your support of this resolution and for the home building industry in Howard County. If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman  
Councilmember Greg Fox  
Councilmember Mary Kay Sigaty  
Councilmember Jen Terrassa  
Councilmember Calvin Ball

Jessica Feldmark  
Diane Wilson

July 17, 2017

**Re: LETTER OF SUPPORT FOR CB61-2017 – Adequate Public Facilities Ordinance**

Dear Chairman Weinstein and Members of the Howard County Council:

The MBIA writes in support of CB61-2017, which alters provisions of Howard County's Adequate Public Facilities Ordinance. This legislation represents a compromise bill after more than a year of work on the Adequate Public Facilities Task Force, a Technical Staff Report by DPZ, and presentations to the County Council and Howard County School Board. The task force included 23 county residents from a broad cross section of stakeholders including no less than six (6) community representatives with additional representation from education, affordable housing and progressive government advocates, representatives from emergency services and the school system, one commercial developer and four (4) residential developers or home builders.

While the home building industry believes there are better growth control mechanisms than APF ordinances and that this ordinance too strictly limits overall county economic development, this bill strikes a reasonable balance between controlling growth, encouraging economic development and respecting private property rights. The MBIA urges the County Council to adopt this legislation as **drafted and without substantive amendment** as the embodiment of the labors of a broad cross section of the community over a period of one year and countless hours of discussion, debate and consideration.

The only change the MBIA is requesting is a technical one to correct a drafting error. The text, on Page 3, line 27 Section 16.147e and Page 4, line 17 of Section 16.156k should say "on site road improvements" rather than "offsite road improvements." This change, recommended by the task force, is intended to better hold developers accountable for completing their onsite infrastructure work on schedule. The MBIA supports this additional change for onsite development work, which is within the developer's control as opposed to offsite development work, which is outside of the developer's control.

Thank you for your support of this legislation and of the home building industry in Howard County.

If you have any questions about these comments and would like to discuss our position further, please do not hesitate to contact me at 443.515.0025.

Best regards,

Josh Greenfeld, Vice President of Government Affairs

Cc: County Executive Allan Kittleman  
Councilmember Greg Fox  
Councilmember Mary Kay Sigaty  
Councilmember Jen Terrassa  
Councilmember Calvin Ball

Jessica Feldmark  
Diane Wilson

## Sayers, Margery

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**From:** Kim Eck <kim.eck@verizon.net>  
**Sent:** Monday, July 17, 2017 1:03 PM  
**To:** CouncilMail  
**Cc:** boe@hcpss.org; Les Chasen  
**Subject:** Western Howard County citizen position request on CB-61 & CB-62

Dear Mr. Fox

I live in Western Howard County (district 5) and you represent my jurisdiction. I am requesting that you postpone voting on CB-61 and CB-62. I feel the summer vacation timing of the release of the school district's Feasibility Study requires more time for parents to educate themselves on the issues in order to voice an informed decision that impact our children's lives.

Also, I believe the APFO threshold capacity percentages school's use should (1) NOT exceed 100%!!!! The capacity threshold percentages (2) should also proactively reflect anticipated growth, like future residential development, for future years (ex. 3 and 5 years) and not just based on the current year's school population. The capacity ratios (3) high schools should also be included. I honestly can't understand why Howard County uses their current methodologies; I've lived here for 20 years and this is the fifth time my neighborhood has been redistricted! I have a child in elementary school, so it now affects me personally.

Please feel free to contact me if you have any questions.

Thank you in advance!  
Les Chasen and Kimberly Eck

Sent from [BlueMail](#)

**Sayers, Margery**

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**From:** Jim Reynolds <jb.reynolds32@gmail.com>  
**Sent:** Monday, July 17, 2017 12:26 PM  
**To:** CouncilMail  
**Subject:** Against New Residential Development 61 & 62

Hello,

I would like to urge we halt all new residential construction until we can address the underlying issue of the lack of schools for existing residents and established communities. We need an immediate **moratorium on new construction**. We as residents did not move here to be shuffled like cards every three years because county is failing to plan accordingly. Shuffling families, destroying students relationships all to make the numbers fall between 90-110% is not what we signed up for when we all moved here.

Fix the right problem and serve the voters not the developers.

Sincerely,

Jim Reynolds

## Sayers, Margery

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**From:** Vicky Bernal <vickylbernal@gmail.com>  
**Sent:** Saturday, July 15, 2017 10:07 PM  
**To:** CouncilMail; Ball, Calvin B  
**Subject:** Howard County APFO

My name is Vicky Bernal. I am a constituent of Councilman Calvin Ball and my address is 5801 Lois Lane Ellicott City, MD. I live in Shipley's Grant.

My family has been living in Howard County for four years now. And we love it here. Like many families, we were drawn to Howard County because of the quality of schools here. But we've grown increasingly concerned at the level of overcrowding at schools. My daughter is about to enter kindergarten. As of now, we are one of the neighborhoods slated to be redistricted. The level of overcrowding and concerns of redistricting has been a call of action.

I'm calling to ask Councilman Ball to make changes to current APFO legislation to reflect the community needs. Pertaining to CB61 and CB62:

- Change program capacity at which a school is deemed open to **100%**
- Include High Schools
- Hold developers financially responsible for mitigating their developments' effects on our county's infrastructure
- Review APFO yearly NOT every ten years



## Sayers, Margery

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**From:** Lisa Markovitz <lmarkovitz@comcast.net>  
**Sent:** Saturday, July 15, 2017 2:26 PM  
**To:** CouncilMail  
**Subject:** APFO re: New Supreme Court "taking" ruling

Dear Council Members,

In June of this year, the US Supreme Court issued a ruling on a "takings" case that started as a disagreement on how to define the relevant amount of land in question in a parcel; however, the issues at hand go beyond that initial case subject matter.

In light of this ruling, the County may want to review this ruling to be informed about its rights. It was a Wisconsin case, party Murr.

I copied excerpts of the opinion below. The last paragraph herein is interesting indeed, and could have ramifications on just how long APFO can halt things, as it seems the "4 years is a taking" argument may no longer apply. One can certainly opine on what is fair or not, but County officials should know what legal rights exist regardless of goals.

I brought this to the attention of the Administration as well, and requested the Office of Law look into it.

FYI,

Lisa

Excerpts from US SC Murr Opinion:

"The Court has, however, identified two guidelines relevant for determining when a government regulation constitutes a taking. First, "with certain qualifications . . . a regulation which 'denies all economically beneficial or productive use of land' will require compensation under the Takings Clause." *Palazzolo v. Rhode Island*, 533 U. S. 606, 617 (quoting *Lucas v. South Carolina Coastal Council*, 505 U.

S. 1003, 1015). Second, a taking may be found based on "a complex of factors," including (1) the economic impact of the regulation on the claimant; (2) the extent to which the regulation has interfered with distinct investment-backed expectations; and (3) the character of the governmental action. *Palazzolo*, supra, at 617 (citing *Penn Central Transp. Co. v. New York City*, 438 U. S. 104, 124). Yet even the complete deprivation of use under *Lucas* will not require compensation if the challenged limitations "inhere . . . in the restrictions that background principles of the State's law of property and nuisance already placed upon land ownership." *Lucas*, 505 U. S., at 1029. A central dynamic of the Court's regulatory takings jurisprudence thus is its flexibility.

This is a means to reconcile two competing objectives central to regulatory takings doctrine: the individual's right to retain the interests and exercise the freedoms at the core of private property ownership, cf. *id.*, at 1027, and the government's power to "adju[s]t rights for the public good," *Andrus v. Allard*, 444 U. S. 51, 65. Pp. 6–9.

.....Considering petitioners' property as a whole, the state court was correct to conclude that petitioners cannot establish a compensable taking. They have not suffered a taking under *Lucas*, as they have not been deprived of all economically beneficial use of their property. See 505 U. S., at 1019. Nor have they suffered a taking under the more general test of *Penn Central*, supra, at 124. Pp. 17–20. 2015 WI App 13, 359 Wis. 2d 675, 859 N. W. 2d 628, affirmed."

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

## Sayers, Margery

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**From:** Forrest Family <forrest\_121@verizon.net>  
**Sent:** Thursday, July 13, 2017 6:26 PM  
**To:** Fox, Greg  
**Cc:** CouncilMail  
**Subject:** CB61 and CB62

My name is Laura Forrest. I am a constituent of Councilman Greg Fox and my address is 10305 Greenbriar Court.

I am asking our Councilman, to vote to table CB61-2017 and CB62-2107 until September. These bills are very important to the future of Howard County. Voting on these bills during the summer does not give the community adequate time to review, understand and propose meaningful amendments to the bills.

Below please find my concerns with the current bills being presented:

### CB61-2017

In regards to CB61, I believe that the open/closed school test needs to be below 115%. It should be 100%. The school system starts to degrade at any point after this 100%. My son attends Manor Woods Elementary school where we saw enrollment throughout the year jump from 759 to 784. Our school capacity is 681. Yes we started the school year 111% of capacity and ended the year OVER 115% of capacity. Our staff and children made the best of the situation, but I can tell you first hand it is not an ideal learning environment. The children where on top of each other and there is no way learning was not impacted with the new children enrolling every week. **Open/Close limits need to be lower than 115% and should be 100% to allow time for the schools to prepare population increases. Lastly, the open/close list does not account for a High School test and it should.** These are formative years for young adults that are being prepared to be sent off into the community to be productive citizens. By not having this test as part of the Open/Close limits, I think we are sending a very poor message to these young adults. They do matter and they should be accounted for in Open/Close test.

### CB62-2017

In regard CB62, I believe the attempt to amend allocation rollovers is a good attempt to level some of the development within Howard County. My concern about shifting allocations to Established Communities is that our infrastructure and services will not be able to keep up. The current road test is not sufficient and we do not take into account emergency service needs and quality of life impact for these new allocations. Many of the schools in established areas are running at or above capacity. **Instead of moving allocations, allocation should be reduced.**

Please do the right thing for Howard County, and table CB61 and CB62 until September.

Thanks for your time and consideration.

Laura Forrest  
10305 Greenbriar Ct  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** angela@thefreitags.net  
**Sent:** Tuesday, July 11, 2017 10:50 AM  
**To:** CouncilMail; Weinstein, Jon; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg  
**Subject:** Howard County Adequate Public Facilities Ordinance

Dear Howard County Council Members,

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% -- at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.
- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable. The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Angela R. Freitag  
12312 Ericole Court  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** no-reply@howardcountymd.gov  
**Sent:** Saturday, July 08, 2017 2:36 PM  
**To:** lattimertp@gmail.com  
**Subject:** CB-61 and CB-62

**First Name:** Deborah

**Last Name:** Lattimer

**Email:** [lattimertp@gmail.com](mailto:lattimertp@gmail.com)

**Street Address:** 8452 Each Leaf Court

**City:** Columbia

**Subject:** CB-61 and CB-62

**Message:** Please vote against CB-61 and CB-62 as they are now. We want roads that are not congested, and schools that are not over-capacity. If we wanted to be like Northern VA., we would move there! Currently, developers are not paying a fair share for the impact of new developments to our county. We are paying attention and will hold our elected officials accountable. Smart growth only, please.

## Sayers, Margery

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**From:** Carol Kressen <kressen5@verizon.net>  
**Sent:** Friday, July 07, 2017 10:11 AM  
**To:** CouncilMail  
**Subject:** APFO

July 7, 2017

**TO:** Allan Kittleman, Howard County Executive  
Jonathan Weinstein, Council Member, District 1  
Dr. Calvin Ball, Council Member, District 2  
Jennifer Terrasa, Council Member, District 3  
Mary Kay Sigaty, Council Member, District 4  
Gregory Fox, Council Member, District 5

**FROM:** Carol J. and N. Parker Kressen

**SUBJECT:** Howard County Adequate Public Facilities Ordinance

As a resident and taxpayer of Howard County, I am concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines my support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% -- at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.

- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable.

- The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

I call on you, as elected officials, to support changes to the Howard County APFO that better address the impacts of growth. I also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Sincerely,

Carol J. and N. Parker Kressen  
3218 Evergreen Way  
Ellicott City, MD 21042

## Sayers, Margery

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**From:** Melissa Metz <melissametz725@gmail.com>  
**Sent:** Monday, July 03, 2017 5:49 PM  
**To:** CouncilMail  
**Subject:** Comments on APFO

Dear County Council,

I see that tonight you will be voting on changes to the Adequate Public Facilities Ordinance. This ordinance is extremely important for the quality of life in our county. I would like to submit comments for your consideration. I see that you are not accepting testimony on this item, but do hope that these comments will be useful as you deliberate how to best represent the interests of your constituencies.

### Motivation

**Quality of life:** The quality of life in our county is high – we were attracted here by the quality of schools, green space, public infrastructure, and community. The process of updating the development regulations can help ensure that this quality of life is maintained over time.

**Concerns and costs:** We are concerned about maintaining the quality of our school system, and dealing with traffic on our roads. Schools in the north and east of our county are already overcrowded. Traffic on Route 99 is an issue. The risk of flooding puts our properties and a treasures of our county (including Ellicott City's historic district) at risk. New development brings in revenue for our county, in terms of fees paid by developers and property taxes. However, we are concerned that such revenues may not offset the substantial costs of building new schools, building transportation infrastructure, and building infrastructure to mitigate flood risk.

**Pressures on County budget:** This is especially important in light of the Spending Affordability Advisory Committee report that found that moderate revenue growth will require fiscal discipline to keep up with the county's increasing financial demands. From the County's press release on the report: "The report expressed concerns on potentially higher service demands and slower tax revenues associated with the changing demographics and housing development patterns in the County. Moreover, uncertainties at the Federal level, including potential reductions in federal spending, will likely impact income, spending and job growth in the region, the report said." (See: <https://www.howardcountymd.gov/News/ArticleID/818/News030317b> and <https://www.howardcountymd.gov/Departments/County-Administration/Budget/Spending-Affordability-FY-2018>)

### Specific Comments on APFO

1. The **Adequate Public Facilities Ordinance** should be revised to:
  - a. Include a test for stormwater quantity (flood mitigation). Developers should be required to mitigate to 120% the impact of a 500-year storm, as proven by a 2D model.
  - b. Remove the ability for developers to move forward with their projects if certain existing tests (schools, roads) are not met for 4-5 years from the date of submission. This undermines the entire spirit of APFO.
  - c. Revise the special APFO rules for 50-55+ communities. These communities are not currently subject to the APFO schools test. However, current residents who move into these communities and sell their homes contribute to increased students in the school system. Approximately 60% of new students in the school system come from sales of existing homes. Further, as demographics change, there is a possibility that the market could be oversaturated with 55+ communities which could therefore lead to revisions in the rules governing 55+ communities that may allow them to be sold to younger residents
2. The **development allocations** should be revised to:



- a. Incentivize stormwater quantity control (flood mitigation) and low density development by giving developments that go beyond what is required in the regulations, first priority for allocations.
- b. Remove the Tiber-Hudson watershed from the highest tier (Growth and Revitalization) of development allocations. Examine the allocations for the Plumtree watershed and remove the areas from the highest tier depending on flood risk.

Thank you for your attention.

Kind regards,

Melissa Metz

3101 Chatham Rd.

**Sayers, Margery**

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**From:** Paul Revelle <paul.revelle@gmail.com>  
**Sent:** Tuesday, July 18, 2017 11:11 AM  
**To:** CouncilMail  
**Subject:** Council Bill 61-2017  
**Attachments:** CB 61-2017 testimony.docx

I will be unable to attend the Special Legislative Hearing on September 11 for this bill as I will be on vacation. I have attached my testimony.

Paul Revelle

**Paul Revelle**  
**7017 Meandering Stream Way**  
**Fulton MD 20759**

**Testimony to the County Council on July 10, 2017**  
**about Council Bill 61-2017**

Proposed new language in Section 16.147, 16.156 and 16.1101 contradict what the Task Force recommended about road improvements. This language should apply to on-site road improvements and road frontage improvements only.

Section 16.1103 C 3- says the "... School Capacity chart shall be revised for consistency concurrent with any amendments to the housing unit allocation chart." There no longer is a link between School Capacity and Allocation charts. In the early days of APFO allocations were assigned to regions that roughly resembled School Regions but that is no longer the case. For example, Established Community allocations are distributed over nearly 40% of the County's land mass and over several school regions.

Section 16.1107 exempts MIHU's from the allocation test but limits the number of MIHU's to the Zoning Code requirement. I am not sure why any limit is proposed because such a restriction could prevent an alternative compliance proposal such as the successful Riverwatch project which has 50% MIHU.

Section 16.110 (e)- shouldn't R-APT be a comprehensive zoning district?

Section 16.1110 (l)- this section refers to Senior East set aside and 250 housing units for Route 1 revitalization which are no longer in the General Plan.

Lisa Markovitz

President, The People's Voice

3205 B Corporate Court Ellicott City MD 21042

CB 61 – APFO – Support with amendments

I sat on the APFO task force. It was a long and contentious endeavor. I didn't miss any meetings. It was near the end of the almost year-long process before we even came close to starting to pass anything substantive. There were many stakeholders of every type, and a high quorum and voting requirement. Compromises had to be made to get anything meaningful done.

What has been referred to as "the grand deal" of lowering the capacity percentage that halts development in a school district to 110% from the current 115% in return for allowing to pay out of that with larger school charges of two and three times more, passed for a reason. APFO can only hold up development for 4 years. That may sound like a lot, but the Howard County development process takes up to three years already, for what I like to call compliant development, meaning no requests for a new use, or new zone, or waiver. Add those issues and it is even longer, and many have those issues. So, that amount of time is already planned and worked into projects. Thus, developers are waiting 1 extra year max, before proceeding regardless of how crowded a school district is.

The notion was, why not get more money, since it is going to proceed anyway? Many feel that the money put up for schools by developers is woefully small. It certainly is much less than surrounding counties. See this link, page 59 for a chart:

[http://dls.state.md.us/data/polanasubare/polanasubare\\_intmatnpubadm/polanasubare\\_intmatnpubadm\\_annrep/2016-Overview-of-Maryland-Local-Governments.pdf](http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/polanasubare_intmatnpubadm_annrep/2016-Overview-of-Maryland-Local-Governments.pdf)

The link noted is a chart as of 2016 of MD Counties' impact fees. Discussing raising impact fees was a non-starter on the task force. We couldn't even get a voluntary fee increase, to shorten a wait, passed because of fear of precedent. The "grand deal" took, I believe, 7 hours to hammer out on one of our last meeting dates on the subject.

I support the task force recommendations; however, I do not think it is fair to wait until the State possibly allows the surcharge change, as is their jurisdiction, to get the lower capacity percentage. That should happen now for obvious reasons, and there's a big new one coming, redistricting.

When the APFO task force met, there was a known School System policy that no redistricting would occur unless a new school opened. Schools are so over-crowded now that the new Superintendent is faced with having to redistrict in a countywide way, which is going to be painful. It is necessary, but considering how many people are going to be affected, we really owe it to them to not have it be very temporary. Redistricting is going to lower school capacities and open many new districts to development immediately. We are just going to fill right back up again, unless we see 110% immediately, preferable 105%. So, please put that in there, now.

As for that 4 year max wait, in June of this year, the US Supreme Court issued a ruling on a "takings" case that started as a disagreement on how to define the relevant amount of land in question in a parcel; however, the issues at hand go beyond that initial case subject matter.

The Office of Law needs to review this ruling, as it appears to give local jurisdictions more rights regarding "takings" claims. I emailed you the case info.

The last paragraph of the opinion summary states

"They have not suffered a taking under Lucas, as they have not been deprived of all economically beneficial use of their property. See 505 U. S., at 1019. Nor have they suffered a taking under the more general test of Penn Central, supra, at 124. Pp. 17–20. 2015 WI App 13, 359 Wis. 2d 675, 859 N. W. 2d 628, affirmed."

Seems the argument that "more than 4 years is a taking" no longer applies, so that's something to consider.

One last comment, regarding allocations, the Growth and Revitalization area allows 1200 per year, and the trade-off was made there to reduce that to 1000, and increase Established Communities from the current 400 to 600. That area is extremely larger than Growth and Revitalization. If you feel Established Communities should not have an increase, I request you still reduce the 1200 to 1000.

**Sayers, Margery**

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**From:** joel hurewitz <joelhurewitz@gmail.com>  
**Sent:** Tuesday, July 18, 2017 12:45 PM  
**To:** CouncilMail  
**Subject:** CB59-2017 Conditional Use for Country Inns

Dear Council Members,

I feel that an additional condition should be added regarding country inns to prohibit a conditional use for an inn located in a floodplain. I think this is important for the health, safety, and welfare, especially of guests who may not be aware of their proximity to a flood prone area. If Ellicott City were to flood in the middle of the night, the concentration of sleeping guests in a flooding building will complicate rescue efforts.

Sincerely,

Joel Hurewitz

JW  
JF  
MS  
CB61-2017

July, 2017

TO: Allan Kittleman, Howard County Executive  
Jon Weinstein, Council Member (District 1) ✓

FROM: Greater Pine Orchards Fairways neighborhood, Ellicott City

SUBJECT: Howard County Adequate Public Facilities Ordinance

2017 JUL 14 PM 12: 54

HOWARD COUNTY COUNCIL  
RECEIVED

As residents and taxpayers of Howard County, we are concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines our neighborhood's support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% – at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.
- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable.

- The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

We call on you, as our elected officials, to support changes to the Howard County APFO that better address the impacts of growth. We also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Signed:

Name	Address
Stacey Lyons	10224 Tuscany Rd Ellicott City
Johan Ullou	10223 Globe Drive Ellicott City
JAMES LYONS	10224 Tuscany Rd Ellicott City
WILFRIED BECKMANN	10206 SAND TRAP CT ELICOTT CITY 21042
Kelly Ullou	10223 Globe Drive Ellicott City 21042
Yipeng Wu	10227 Tuscany Rd Ellicott City
Ying Chen	11186 Globe Dr. Ellicott City
W. L.	10216 Tuscany Rd Ellicott City
ZIM PACHA	10283 GLOBE DR, ELLICOTT CITY, MD 21042
Matthew Rankin	10271 Globe Dr, Ellicott City



Name

Address

Michael S. KANTON 10371 Globe Drive, ELlicott City, MD 21042

EMAN PARK 10320 Tinsbury Rd. ELlicott City MD 21044

Yuxiong TAO 10262 Globe Dr. ELlicott City, MD 21042

Joseph Chen 10266 Globe D. ELlicott City, MD 21042

Soo Jin Hwang 10231 Fairway Park, ELlicott City, MD 21042

Lu-Hsuan Chen 10266 Globe D, ELlicott City, MD 21042

Joyan Tsech 10279 Globe drive ELlicott City MD 21042

Andrew Song 10208 Fairway Dr. ELlicott City, MD 21042

Beverly Song 10208 Rainy Dr. EC, MD 21042

Steve Ryan 3354 Country Ct. D, EC MD 21042

Harren Manlove 3406 Coventry Court Dr ELlicott City, MD 21042

PETER MANLOVE 3406 Coventry Court Dr EC, MD 21042

Jing Dai 3346 Coventry Court Drive, MD, 21042

Jian Du 3346 Coventry Court Drive, MD, 21042

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# Howard County

## Internal Memorandum

**Subject:** Testimony on Council Bill No. 61-2017, a Bill amending the Adequate Public Facilities Act; and Council Bill No. 62-2017, a Bill amending *PlanHoward 2030* housing unit allocations

**To:** Lonnie R. Robbins,  
Chief Administrative Officer

**From:** Carl DeLorenzo,  
Director of Policy and Programs

**Date:** July 11, 2017

The Administration has filed to Council Bills reflecting recommendations made by the Adequate Public Facilities Task Force. The Task Force, established by County Executive Kittleman by Executive Order, met 22 times over a 10-month period in 2015 and 2016. The Task Force's actions culminated in a series of recommendations for amendments to Howard County's Adequate Public Facilities Ordinance. The Task Force's makeup, process, and recommendations are documented in a report presented to the County Executive in April 2016. After the Task Force report's completion, the County Executive instructed the Department of Planning and Zoning (DPZ) to analyze the recommendations and produce a Technical Staff Report (TSR) on them. The Administration drafted legislation based on the Task Force report and the TSR.

Council Bill No. 61-2017 reflects recommendations for amendments to the Adequate Public Facilities Ordinance, including:

- Convene an APFO review committee at a minimum at the conclusion of every General Plan cycle;

- Add definition of 'minor' using definition in subdivision regulations;
- Exempt MIHU units from allocations test; schools and roads test still applies; exemption does not apply in Downtown Columbia; cap exemption at the amount of required MIHUs per zoning district;
- Remove the allowance of shared allocations across Established Communities and Growth & Revitalization allocation areas;
- The developer's wait time for the allocations and schools test combined shall not exceed 5 years contingent on the receipt of allocations within the 5-year time period;
- Refer to 'Open/Closed Chart' as 'School Capacity Chart', use the term 'constrained' for those schools above the threshold percentage, and 'adequate' for those schools below the threshold;
- Amend the following provision: "A facility owned by Howard County or any agency thereof where essential County Government services are provided, including LIMITED TO police services, fire prevention and suppression services, emergency medical services, highway maintenance, detention facilities, water treatment and supply, sewage disposal and treatment and solid waste disposal."; and,
- Require that a planned traffic remediation project must be in construction before being able to be used as remediation of a failed traffic test at or near its location.

The Administration is holding two additional recommendations made to the Adequate Public Facilities Ordinance pending state-enabling legislation authorizing the County to adjust the Public School Facilities Surcharge. The County will pursue the state-enabling legislation with the Howard County Delegation and Maryland General Assembly during its 2018 legislative session. These recommendations are as follows:

- Change program capacity at which a school is deemed open to 110%; and,
- If projected enrollment lies between 110% and 115% of program capacity then developer can move forward if it pays a public school facilities surcharge double the amount in current law; if projected enrollment is over 115% and up to 120% of program capacity then developer can move forward if it pays a public school facilities surcharge triple the amount in current law.

Council Bill No. 62-2017 reflects a recommendation made by the Task Force to the County's General Plan, *PlanHoward 2030*. The recommendation adjusts the number of housing unit allocations to the Established Communities and Growth and Revitalization allocation areas and

was made by the Task Force as a companion measure to the recommendation eliminating the shared Growth and Revitalization and Established Communities allocation pool.

The Task Force's work was presented to the County Council at its monthly meeting on April 10, 2017, and to the Howard County Board of Education on June 8, 2017. Council Bill No. 62-2017 was submitted to the Planning Board for a recommendation on March 30, 2017.

The Administration looks forward to working with the County Council on Council Bill No. 61-2017 and Council Bill No. 62-2017.

17 July 2017

Subject: CB 61-2017APFO Testimony to County Council

Good evening my name is Stu Kohn and I reside at 8709 Yellow Bird Court Laurel, MD. 20723. I am the President of the Howard County Citizens Association, HCCA and was a member of the APFO Task Force where we met 22 times. HCCA's position is that we are in no way satisfied with the contents of CB61 as it is not ready for prime time. We cannot and should not continue to do business as usual. It is time we take the necessary measurements to include categories relating to Quality of Life issues such as Fire, Police, EMS, and the Hospital. If APFO was really working then why do we see road signs which state, "Stay Alert – Traffic Congestion next 3 to 4 miles?" Why is it that a Level of Service of an "E" used to measure the safety of our roads is passing? Why is it that the latest regarding our schools is there is a good possibility that as many as 9000 children will be redistricted to other schools? Based on this the existing APFO is simply not working! Something is drastically wrong to the point we do not have APFO but instead ALPO – A Lousy Protective Ordinance that no one in the County should be proud.

We cannot get this wrong especially with the vast number of units in the future. All one has to do is refer to the Development Monitoring System Report from DPZ, dated April 2017 on pages 27 and 28 which you now have. It lists projects that have 50 or more units. This comprises a total of 8,537 additional units. Which increases the population approximately an additional 20,500 individuals and over 15,000 more vehicles? Are we really prepared for the future?

Infrastructure includes the aforementioned Quality of Life issues found in PlanHoward2030, Chapter 8 – Public Facilities and Services. The question is why aren't they included as part of our APFO? All one has to do is look at the document titled, "APFO Inventory for Maryland Jurisdictions" that I have provided you. It is a chart of the 14 Counties in Maryland who use APFO as their tests for development. The major question from this chart is why of the 14 counties does 8 of them have Fire as an APFO category and Howard County does not. This includes Anne Arundel, Montgomery, and Prince George's. Why are the Police being measured in Carroll, Montgomery, and Prince George's? In 2014 the annual Police Report showed we had 188,000 "911" calls. Why is Health Care measured in Montgomery, why is Stormwater Drainage being measured in Anne Arundel, Baltimore, Carroll, Charles, Prince George's and St. Mary's?

Chief Butler, whom I have the utmost respect, was so concerned with Cisterns in western Howard County that on several occasions he attended our APFO Task Force on his own to voice his concerns. He even introduced a couple of motions suggested by the developers in our Task

Force, but unfortunately failed to pass. Perhaps if his voice was really heard the concern of citizens regarding CB60 would be less regarding safety. You can go to the video to see his testimony.

Today, APFO is not providing appropriate management of growth in the County and our infrastructure should be more than just Roads and Schools. For example, Howard County General Hospital reports they average 78,000 plus patients going to the Emergency Department (ED) on a yearly basis as displayed on their website. All one has to do is go to the ED and experience the wait time and the number of patients lined-up on gurneys. We too often hear from our elected officials there is nothing we can do regarding the hospital's situation because it is a private entity. If this is the case then why is our County providing \$1.2 million dollars over the next four years to the hospital. It isn't enough.

It is high time to take the necessary action whereby Quality of Life issues are included and our Roads and School measurements are drastically improved before thinking about passing this Bill in its current state. You are responsible for the safety, health and welfare of your constituents. Let's do something worthwhile to once and for all ensure that APFO stands for not "Adequate" but an "Awesome" Protective Facilities Ordinance! How about once and for all making the appropriate revisions to APFO where it would be a major part of your legacy. I am sure your constituents would appreciate this effort.

Thank You.

A handwritten signature in black ink, appearing to read "Stu Kohn".

Stu Kohn  
HCCA, President

Table 14  
Number of Potential Units from Subdivision Plans in Process by Unit Type, 12/31/16

Planning Area	Sketch				TOTAL	Preliminary Equivalent Sketch				TOTAL
	SFD	SFA	APT	MH		SFD	SFA	APT	MH	
Downtown Columbia	0	0	0	0	0	0	0	882	0	882
All Other Columbia	103	81	0	0	184	30	0	0	0	30
Elkridge	19	0	1,621	0	1,640	37	19	0	0	56
Ellicott City	46	302	266	0	614	327	163	349	0	839
Rural West	0	0	0	0	0	97	0	0	0	97
Southeast	48	208	844	0	1,100	18	17	0	0	35
<b>TOTAL</b>	<b>216</b>	<b>591</b>	<b>2,731</b>	<b>0</b>	<b>3,538</b>	<b>509</b>	<b>199</b>	<b>1,231</b>	<b>0</b>	<b>1,939</b>

Planning Area	Preliminary				TOTAL	Final				TOTAL	TOTAL - 12/31/16				TOTAL
	SFD	SFA	APT	MH		SFD	SFA	APT	MH		SFD	SFA	APT	MH	
Downtown Columbia	0	0	0	0	0	0	0	1,620	0	1,620	0	0	2,502	0	2,502
All Other Columbia	0	0	0	0	0	143	0	0	0	143	276	81	0	0	357
Elkridge	40	0	0	0	40	37	290	736	0	1,063	133	309	2,357	0	2,799
Ellicott City	30	42	0	0	72	159	270	53	0	482	562	777	668	0	2,007
Rural West	0	0	0	0	0	116	0	0	0	116	213	0	0	0	213
Southeast	0	0	0	0	0	232	0	0	0	232	298	225	844	0	1,367
<b>TOTAL</b>	<b>70</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>112</b>	<b>687</b>	<b>560</b>	<b>2,409</b>	<b>0</b>	<b>3,656</b>	<b>1,482</b>	<b>1,392</b>	<b>6,371</b>	<b>0</b>	<b>9,245</b>

Number of Acres

As of December 31, 2016, a total of 3,400 acres of residential land were in the subdivision process. This is 216 less acres compared to the previous year, at which time there were 3,616 acres in process (Table 15).

Major Projects

Table 16 shows a list of potential units from larger projects with 50 units or more. This list includes comprehensive and phased projects. Map 5 shows the location of these projects. Some of the larger projects in this list include The Crescent Property, Toby's redevelopment, Simpson Oaks, The Enclave at Tierney Farm, Oxford Square, The Overlook at Blue Stream, The Park at Locust Thicket, Howard Square, Dorsey Center, Turf Valley, Shipley's Grant, Westmount, Taylor Place, and Laurel Park Station. These major projects with 50 or more units total 8,537 units which account for about 92% of the total 9,245 units in the subdivision process.

Table 15  
Acreage of Residential Subdivision Plans in Process, 12/31/16  
(With comparisons to Countywide total as of 12/31/15)

Planning Area	Preliminary Equivalent				TOTAL ADRES
	Sketch	Sketch	Preliminary	Final	
Downtown Columbia	0	30	0	38	68
All Other Columbia	67	89	0	166	322
Elkridge	237	31	15	112	396
Ellicott City	31	380	24	525	961
Rural West	0	282	0	1,067	1,349
Southeast	69	8	0	228	305
<b>TOTAL</b>	<b>404</b>	<b>821</b>	<b>40</b>	<b>2,098</b>	<b>3,400</b>
As of 12/31/15	467	867	37	2,245	3,616

**Table 16  
In-Process Residential Subdivision Plans, Projects With More Than 50 Units, 12/31/16**

Region	File Number	Plan Name	Unit Type	Units	TOTAL
Downtown Columbia	FDP-DC-CRSCNT-1A, SP-16-009 FDP-DC-CRSCNT-2	Downtown Columbia - Crescent Toby's Redevelopment	APT - 184 MIHU APT - 101 MIHU	2,300 202	<b>2,502</b>
All Other Columbia	S-15-007 F-15-110, F-17-003, SP-15-006	Simpson Oaks Enclave at Tierney Farm - Phases 1,2,& 3	SFD, SFA - 19 MIHU SFD	184 148	<b>332</b>
Elkridge	S-15-001 S-06-018 F-17-022 F-15-081 S-17-004 F-17-005 F-16-128, F-16-116 S-15-002	Oxford Square - Remaining Phases The Overlook at Blue Stream - Remaining Phases The Park at Locust Thicket Howard Square Dorsey Center - Parcel R Oxford Square - River Overlook Shipley's Grant Trotter's Knoll - Section 1	APT - 108 MIHU APT - 98 MIHU APT - 40 MIHU APT - 78 MIHU APT - 35 MIHU SFA - 19 MIHU SFA - 7 MIHU SFA - 8 MIHU	723 668 392 336 230 126 87 77	<b>2,639</b>
Ellicott City	S-86-013, PB 386 F-15-087, F-16-046, 061, SP-14-008 SP-16-013 SP-16-010 F-07-158, F-10-084, F-10-086 SP-16-011 F-15-018, F-16-048 S-16-004 P-16-001 F-08-85 S-11-003 F-17-053 S-11-003	Turf Valley - Remaining Phases Westmount Taylor Place - Phase 1 Caperton Village at Turf Valley (Clubhouse) Fairways at Turf Valley Ravenwood at Turf Valley (Bluffs) Long Gate Overlook Dorsey Overlook Turf Valley - Pod E Villages at Turf Valley - Phase 3 Turf Valley Clubhouse 2 Burgess Mill Station, Phase 2 Apartments Turf Valley Clubhouse 2	SFA, APT SFD SFA, APT - 26 MIHU SFA, APT SFA APT SFA SFA SFD, SFA SFA SFD, SFA APT - 6 MIHU SFD, SFA	486 325 252 130 97 90 84 75 72 59 53 53 53	<b>1,829</b>
Southeast	S-10-004 F-16-021, SP-15-014 S-17-002, S-17-003	Laurel Park Station - All Phases Maple Lawn South, Phases 1 & 2 Magnolia Manor & Magnolia Manor West	APT, SFA - 150 MIHU SFD SFD, SFA	1,000 175 60	<b>1,235</b>
<b>TOTAL</b>					<b>8,537</b>



# Appendix A: County APFO Summary Tables

## Summary

FACILITIES EVALUATED IN ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND County Regulations, 2012									
Jurisdiction	Schools	Roads	Water	Sewer	Stormwater Drainage	Health Care	Fire	Police	Solid Waste Disposal
Anne Arundel	x	x	x	x	x		x		
Baltimore	x	x	x	x	x				
Calvert	x	x							
Caroline	x	x			x		x		x
Carroll	x	x	x	x			x	x	
Charles	x	x	x	*	*		x		
Frederick	x	x	x	x					
Harford	x	x	x	x					
Howard	x	x	x	x					
Montgomery	x	x	x	x		x	x	x	
Prince George's	x	x	x	x	x		x	x	
Queen Anne's	x	x	x	x					
St. Mary's	x	x	x	x	x		x		
Washington	x	x	x	x			x		

\* = section reserved

## Sources

ADEQUATE PUBLIC FACILITIES ORDINANCES IN MARYLAND County Regulations, 2012	
Jurisdiction	Source
Anne Arundel	Anne Arundel County Code, Article 17, Title 5
Baltimore	Baltimore County Code, Article 32, Title 6
Calvert	Calvert County Zoning Ordinance, Article 7, Title 5 *
Caroline	Caroline County Code, Chapter 162, Article VII
Carroll	Carroll County Code of Ordinances, Part II, Chapter 71
Charles	Charles County Code, Chapter 297, Article XVI
Frederick	Frederick County Code, Part I, Chapter 1-20
Harford	Harford County Code, Chapter 267, Article XV
Howard	Howard County Code, Title 16, Subtitle 11
Montgomery	Montgomery County Growth Policy
Prince George's	Prince George's County Code, Part II, Title 17, Subtitle 24, Subdivisions 3 & 4
Queen Anne's	Queen Anne's County Code, Part III, Chapter 28
St. Mary's	St. Mary's County Zoning Ordinance, Article 7, Chapter 70
Washington	Washington County Adequate Public Facilities Ordinance

Lisa Markovitz

President, The People's Voice

3205 B Corporate Court Ellicott City MD 21042

## CB 61 – APFO – Support with amendments

I sat on the APFO task force. It was a long and contentious endeavor. I didn't miss any meetings. It was near the end of the almost year-long process before we even came close to starting to pass anything substantive. There were many stakeholders of every type, and a high quorum and voting requirement. Compromises had to be made to get anything meaningful done.

What has been referred to as "the grand deal" of lowering the capacity percentage that halts development in a school district to 110% from the current 115% in return for allowing to pay out of that with larger school charges of two and three times more, passed for a reason. APFO can only hold up development for 4 years. That may sound like a lot, but the Howard County development process takes up to three years already, for what I like to call compliant development, meaning no requests for a new use, or new zone, or waiver. Add those issues and it is even longer, and many have those issues. So, that amount of time is already planned and worked into projects. Thus, developers are waiting 1 extra year max, before proceeding regardless of how crowded a school district is.

The notion was, why not get more money, since it is going to proceed anyway? Many feel that the money put up for schools by developers is woefully small. It certainly is much less than surrounding counties. [See this link, page 59 for a chart:](#)

[http://dls.state.md.us/data/polanasubare/polanasubare\\_intmatnpubadm/polanasubare\\_intmatnpubadm\\_annrep/2016-Overview-of-Maryland-Local-Governments.pdf](http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/polanasubare_intmatnpubadm_annrep/2016-Overview-of-Maryland-Local-Governments.pdf)

The link noted is a chart as of 2016 of MD Counties' impact fees. Discussing raising impact fees was a non-starter on the task force. We couldn't even get a voluntary fee increase, to shorten a wait, passed because of fear of precedent. The "grand deal" took, I believe, 7 hours to hammer out on one of our last meeting dates on the subject.

I support the task force recommendations; however, I do not think it is fair to wait until the State possibly allows the surcharge change, as is their jurisdiction, to get the lower capacity percentage. That should happen now for obvious reasons, and there's a big new one coming, redistricting.

When the APFO task force met, there was a known School System policy that no redistricting would occur unless a new school opened. Schools are so over-crowded now that the new Superintendent is faced with having to redistrict in a countywide way, which is going to be painful. It is necessary, but considering how many people are going to be affected, we really owe it to them to not have it be very temporary. Redistricting is going to lower school capacities and open many new districts to development immediately. We are just going to fill right back up again, unless we see 110% immediately, preferable 105%. So, please put that in there, now.



As for that 4 year max wait, in June of this year, the US Supreme Court issued a ruling on a "takings" case that started as a disagreement on how to define the relevant amount of land in question in a parcel; however, the issues at hand go beyond that initial case subject matter.

The Office of Law needs to review this ruling, as it appears to give local jurisdictions more rights regarding "takings" claims. I emailed you the case info.

The last paragraph of the opinion summary states

"They have not suffered a taking under Lucas, as they have not been deprived of all economically beneficial use of their property. See 505 U. S., at 1019. Nor have they suffered a taking under the more general test of Penn Central, supra, at 124. Pp. 17–20. 2015 WI App 13, 359 Wis. 2d 675, 859 N. W. 2d 628, affirmed."

Seems the argument that "more than 4 years is a taking" no longer applies, so that's something to consider.

One last comment, regarding allocations, the Growth and Revitalization area allows 1200 per year, and the trade-off was made there to reduce that to 1000, and increase Established Communities from the current 400 to 600. That area is extremely larger than Growth and Revitalization. If you feel Established Communities should not have an increase, I request you still reduce the 1200 to 1000.



## TESTIMONY On CB61-2017

August 17, 2017

Jennifer Youtz Grams  
HCPSS Polygon # 303

Representing myself and Mobilize HoCo Schools, a very concerned group of more than 825 parents and residents with members from every single Howard County School - 41 elementary, 20 middle, and 12 high school.

Good evening. I'd like to begin by sharing a magazine article:

*"Money Magazine Names Worst Places to Live"*

*Howard County, Maryland, once touted as Money Magazine's "Best Place to Live" in the United States was recently placed on the endangered communities list. Bitterly torn apart by school redistricting fights resulting from the county's inadequate adequate public facilities ordinance that failed to control development, this community where residents who once sported bumper stickers declaring "choose civility" has turned into a scene reminiscent of the Hunger Games where residents call each other by their polygon number, a reference to the zones that define which schools their children attend.*

*This community is clearly a victim of its own success. The county's master plan does a paltry job at managing housing allocations and the elected officials clearly value development deals over the county's educational system and public infrastructure needs. We cannot with good conscience recommend that anyone move to this community until the leaders recalibrate their priorities to ensure the common good.*

So, obviously that was a fabricated article, but sadly, it could easily become our reality if you allow this bill to pass as written. Is this the future you want for our county? I can absolutely say it's not what I want for my family or community.

Lots of people have asked me how redistricting and APFO are related. I tell them that our county is stuck in a dysfunctional cycle of development that brings tax revenue and new residents but doesn't adequately fund the critical infrastructure necessary to support a growing population. The unwillingness of our elected officials to adequately manage development has created the mess that our schools are facing with regard to overcrowding. And in case you haven't noticed, redistricting is literally tearing our community apart.

Only changes to tighten up Howard County's APFO can prevent us from having to go through the school redistricting process all over again in 3-5 years.

We are advocating for 4 specific actions:

(1) First and foremost: This bill must be tabled. This legislation will have a tremendous impact on Howard County's reputation as a desirable place to live and work and it merits thorough vetting, consideration, and community process; not just one public hearing during the summer when many residents are away on vacation.

(2) The adjustment to the school capacity threshold must be unbundled from the financial mitigation piece and voted on as a stand-alone amendment to CB61. These two issues were artificially paired together as a "compromise" by the APFO committee. As parents we are not willing to compromise for our children. We want the school capacity to be set at 100% at the elementary, middle, AND high school levels NOW. There is no need to wait on lowering the school capacity threshold until fall because that piece does not require state legislature approval.

(3): The mitigation cost for new development must reflect the full cost for added school space necessary to accommodate growth. It costs \$20,000 - \$50,000 per student to build a new school. The average new home contributes about \$5,000 toward that cost. Who makes up the difference? We do! Howard County taxpayers are subsidizing the new residential development that creates our overcrowded schools, then paying again for the solution. Not to mention the amount of time it takes to plan for and build a new school, even if you have the money in hand. This inequity must be addressed by increasing the amount of money paid by new developments and/or increasing the number of years that development may be halted in areas where schools are already closed.

(4): Finally, while our focus is primarily on schools, we also believe that the APFO should include additional public facilities tests to measure the adequacy of fire and other public safety services, hospitals, water and sewer, libraries, and recreation facilities.

We are so very fortunate to live in one of the most desirable counties in the country. There is absolutely no reason for us to give away our land at the expense of our children's education and our quality of life.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated APFO that pairs responsible growth with adequate funding to support our infrastructure.

Thank you.

###

Good evening, my name is Danylo Leshchyshyn, and I shall be speaking on CB-61 and CB-62. I would like to begin by reaffirming the respect I have for the honourable members of this Council, and express my gratitude for allowing residents to share their opinion on matters affecting them. I side with my honourable friends in arguing for the strengthening of the Adequate Public Facilities Ordinance out of logic. To be frank, it is my humble opinion that allowing developers to build new residences until schools reach over 110% capacity is misguided, and allowing that threshold to increase to 120%, as developers argued in the 2014 Maryland Business Industry Association letter (attached in your packet), is plainly irresponsible.

The developers who want to build here are not investing in Howard County because they have some interest in its continuing prosperity. They are businesses, and they seek to increase their profits, which is purely logical. But their profit does not equal our benefit. We can see this in the MBIA letter in your packet. It blithely argues that raising our school capacity threshold to 120% would result in an increased capacity of 1235 students at the elementary school level “without making any capital improvements” - as if those 1235 students were mere numbers on a page, and not actual children who need physical space to occupy. Our schools were



not designed to be overcrowded. The elementary, middle, and high schools were built for 100% capacity, not 110%, and certainly not 120%.

These developers may argue that the new developments will be good for everyone, but think about this logically. If we do not reform the proposed APFO legislation, schools will not have the resources to provide the high quality education HCPSS is famous for to the vastly increased number of students in our county. Our students, as a consequence, will graduate as less skilled and less valuable economic contributors. Over the years, the quality of graduates will tarnish the reputation of Howard County schools, one of Howard County's greatest sources of economic prosperity. Ultimately the local economy will deteriorate, as Howard County will no longer be a desirable place to resettle and raise a family. To put it simply, *it does not bode well*.

Please amend the proposed APFO legislation to a 100% capacity threshold, and include high schools in these considerations. Do what is best for your constituents, not for outside developers.

Thank you.

November 20, 2014

Dear County Council Members:

Thank you for the opportunity to present on the 'Adequacy of Facilities' Panel at the Council Retreat. We appreciate being included in your retreat agenda and allowing our voice to be heard with the Council-elect and other panelists. With a new County Executive promising a review of the APF law, this is a timely and important discussion to be having now. We look forward to working with the new council and county executive to improve this ordinance. Although APF has 3 components: Roads, Schools, and Housing Allocations, our comments will focus on the school open/ closed chart and housing allocations.

As with any planning tool, APF works best when it is consistent, reliable, accurate and predictable. In the early 1990's when APF was introduced, growth in the county looked much different than it does now. Large plans and new communities brought many new homes and people to the county, in search of good schools and resources. There was concern that new development would bring congestion to the roads, overcrowding to the schools, and strain county resources. APF has been used to guide growth and its impacts for the better part of 20 years, but the county is now facing a new type of growth, a growth from within.

#### **School Overcrowding From Resales of Existing Homes vs New Homes**

More young families with children are moving into existing homes rather than into new, more expensive homes. People want to live in Howard County because of the schools and resources, but the prices of new homes are driving many of these new residents to the existing housing stock. For instance, the county has added roughly 1,000 new housing units a year (a 1% increase) for the past 5 years, while resale's in 2013 totaled 3,441 units and in 2012 totaled 3,128 units. With new housing, planners can estimate the number of new school aged children based on past experience, however, growth in the existing housing stock proves to be much more difficult to forecast. Because of this, we see wild swings in the open/ closed school chart year after year, and APF is becoming less and less predictable, useful and relevant as a planning tool.

#### **Open/ Closed Chart Not Predictable**

To be relevant as a planning tool, APF needs to adapt to the changing growth patterns facing Howard County, with the first priority making the open/ closed school chart predictable and consistent. This annual chart, produced by the School Board based on DPZ projections, controls

[<https://1.bp.blogspot.com/-YmmHfJ6rf4/WWjL46qETul/AAAAAAAAAC50/TVkmP5ePFt4q6YiZUOetByRncmT2qSrGACEwYBhgL/s1600/MBIA-11-20-2014-1.jpg>]

the fate of new applications and can hold them up for 4 years. In the time it takes a new development to submit concept plans, hold community input meetings, then take the schools APP test at sketch plan submittal, a new chart can be released that has a school going from open to closed – effectively putting the brakes on a project application that was moving forward. A case in point is a new community in the Centennial Elementary School district. In the chart passed by the Council in 2013, the school was projected to be open for 10 years, yet the chart that passed in 2014 had the same school projected to be closed for the next 10 years.

Development plans submitted in 2013 with the expectation that Centennial ES would be open were suddenly and expectantly held up when the new chart came out. Now the applicant must wait 4 years, not only adding carrying costs but confounding the infrastructure planning efforts which is the basis for APP.

#### **Recommendations to Provide Flexibility to Open/ Closed Chart**

Several potential options are available to provide consistency and predictability to the APP process independent of the School Board redistricting. First, the Council could change the school capacity threshold from 115% to 120%. The state of Maryland sets capacity at 120%, yet Howard County lowered the threshold to 115% in the late 1990's, bringing class size from 30 (state rated capacity) to 28. Taking Centennial Lane ES as an example, with a capacity of 628 students, 115% of capacity is 722 students and 120% of capacity is 754, a difference of 32 students. On a county wide scale where capacity is 24,700 ES students, 115% of capacity is 28,405 and 120% of capacity is 29,640, a difference of 1,235. Without making any capital improvements and just adopting the state standard, the county could increase capacity by 1,235 students, the equivalent of two Centennial Lane schools.

Second, the county could adopt the Baltimore County model, where if a development is proposed in a closed school district but the adjoining school is open, then the project can move forward. This model provides consistency and predictability and projects in Baltimore County are not held up because of school over-crowding.

Third, projects that have to wait 4 years in a closed district, which is really 6 years as it takes a year to develop the property and a year or more to build and sell the new homes, should only have to wait one year – enough time for the School Board to redistrict. APP does not require redistricting, and in fact of the eleven factors that go into redistricting decisions APP is not one of them, however, one year is enough time to make redistricting decisions and plan for growth, despite the Boards unwillingness to do so. For example, during the last redistricting process, Ellicott Mills MS was not redistricted despite capacity in the Region, and is projected to be closed for the next 10 years. Adopting these recommendations could alleviate pressure on the Board to redistrict and provide predictability for APP, but the real solution is for the Council to relieve the Board of growth management responsibilities which they have demonstrated a reluctance to undertake anyways.

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KZGCPikqmVg/WWjL2\_8JG0I/AAAAAAAC5w/bijsn8SCU9UoVvARKWt0OzyXeWs5FFSwCEwYBhg  
L/s1600/MBIA-11-20-2014-2.jpg]

## Housing Unit Allocations

Although very little time has passed since the Housing Unit Allocations chart was changed and updated in the last General Plan, our comments from then are still relevant today. Namely, the County did not set aside enough allocations in the Established Communities (EC) district, and set aside too many in the Growth and Revitalization (G&R) district, and we are already seeing the negative effect of this now. Surplus allocations from G&R are placed in a shared use pool for EC projects to use, a provision established in the General Plan to address this specific issue, but even with these surplus allocations the county is running woefully short of demand. To further compound this problem, EC projects in the pipeline not on DPZ's official radar (BCP projects and Community Meetings) yet are going to consume all available allocations within 2-3 years, effectively creating a moratorium.

In Howard County as in most counties, roughly 80% of the projects create just 10% of the units, and 10% of the projects create 80% of the units. This is especially true in the EC district, where most new developments are minor subdivisions and single lot developments, most often mom and pop landowner who want to subdivide for their retirement or child's college fund. These landowners will soon realize they may have to wait up to 5 years to get an allocation, then to compound the problem, once they get an allocation they could be in a closed school district and have to wait another 4 years. This uncertainty could be largely avoided with an increase in EC allocations along with a corresponding decrease in G&R allocations as to not increase the total available as permitted in the General Plan.

Again, thank you for the opportunity to present on the panel at your retreat. If you have any questions about these issues, please feel free to contact me at [MHarrison@marylandbuilders.org](mailto:MHarrison@marylandbuilders.org) or (410) 960-9232.

Thank You,

Michael Harrison  
VP, Government Affairs  
Maryland Building Industry Association

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[[https://4.bp.blogspot.com/-KZGCPikqmVg/WWjL2\\_8JG0I/AAAAAAAAAC5w/fCvSizdyuh89mf3LTbssInHNFmucBUpaQLcBGAs/s1600/MBIA-11-20-2014-2.jpg](https://4.bp.blogspot.com/-KZGCPikqmVg/WWjL2_8JG0I/AAAAAAAAAC5w/fCvSizdyuh89mf3LTbssInHNFmucBUpaQLcBGAs/s1600/MBIA-11-20-2014-2.jpg)]

[<https://3.bp.blogspot.com/-YmmHfFj6rf4/WWjL46qETuI/AAAAAAAAAC50/pQ0zS0QhYDloqiD27vurSCT4IF54qNLggCLcBGAs/s1600/MBIA-11-20-2014-1.jpg>]

[[https://3.bp.blogspot.com/-YmD7aYZTG\\_o/WWjLv7UuLnI/AAAAAAAAAC5s/AfjY0IT1nkQZsQzGvVW7JUeYILLx4BkAQCLcBGAs/s1600/MBIA-11-20-2014-3.jpg](https://3.bp.blogspot.com/-YmD7aYZTG_o/WWjLv7UuLnI/AAAAAAAAAC5s/AfjY0IT1nkQZsQzGvVW7JUeYILLx4BkAQCLcBGAs/s1600/MBIA-11-20-2014-3.jpg)]

Lada Onyshkevych

Howard County Council Meeting – July 17, 2017

Testimony regarding CB-61 and CB-62

Members of the County Council:

I am testifying tonight regarding CB-61 and CB-62, and I hope you will table these bills till fall so that more people may testify.

There is nothing more important to Howard County parents than our schools. But, as you are aware, we are currently facing a massive school redistricting of nearly 9000 students at every level, throughout the county. Many students who currently walk to their neighborhood schools will be bussed further away, as HCPSS struggles to cope with rapid population growth. Schools such as Atholton High, which my children attend, face a turnover of 2/3 of their student body.

The reason why thousands of Howard County families will have their lives disrupted is, of course, rampant overdevelopment. Since there is even more development already in the pipeline, we are sure to see more and more extensive redistricting in the coming years. Is this the legacy you wish to leave behind from your years of public service here?

In CB-61, you have the opportunity to at least limit the damage that has been done. Both the current APFO law and its proposed replacement are much too weak. APFO should protect citizens rather than developers.

Our school capacity threshold should be set at **100%**, not 115%, not 110% - we teach our children that 100% means “full”, after all. **High school capacities** should be included in APFO too, not just elementary and middle schools. No new development should be allowed in areas

where schools are over 100% until new schools can be built there – we cannot keep redistricting our way out of this rapid population growth.

Yes, building new schools is expensive and takes time – this is why the burden for paying for these new schools should fall on the developers, not on the rest of us. Current financial mitigation measures come nowhere close to covering the true cost of new seats in our schools. The proposed **public school facilities surcharges** are also insufficient, and should be sharply increased.

We should not be trading reduced capacity thresholds for increased **allocations** in established neighborhoods in CB-62. Schools in those established neighborhoods are already strained – thus the radical redistricting we are facing. Our guiding principle should be what’s good for our schools and our children, not what’s easier for developers.

Please listen to the citizens who elected you, not the developers. Please limit the damage being done to our schools and our communities. Strengthen the APFO legislation that is before you in CB-61, and do not allow the trading or increase in allocations in our General Plan in CB-62. Our future, and your own legacy, is in your hands.

Thank you.

Good evening Chairman Weinstein and members of the Council:

My name is Kelly Balchunas and I am a resident of District 5. I am here tonight not just on behalf of myself and my family, but also in my role as PTA President of Waverly Elementary, to speak out against CB61 and CB62. I urge you all to vote no to these bills in their current form, as they do not adequately address critical updates needed to Howard County's Adequate Public Facilities Ordinance (APFO). While all updates to APFO are necessary and overdue, I will specifically address changes to APFO that are needed as it relates to schools.

It is important to note both of these bills give FAR too much unnecessary consideration to developers and not enough to the students, families, and taxpayers of Howard County. WE as your constituents are the ones who matter.

It also needs to be noted changes to the school capacity threshold are not even included in CB61. Our elected officials have made the choice to link school capacity to financial mitigation by developers. In linking these two together, you are deferring necessary reductions in school capacity thresholds until the fall because the financial mitigation piece requires state legislature approval. Changes to capacity thresholds do not, and they need to be addressed NOW. Because of this alone, these proposed bills should be tabled until school capacity concerns be added as an amendment to CB61.

The primary interest of the taxpayers in this county is the stellar reputation of the Howard County Public School System. Development is negatively impacting this well-deserved reputation. You can see it in schools that are bursting at the seams. You can see it in students attempting to learn in portable

classrooms. You can see it in teachers who are doing their professional best to teach 30 second-grade students in a single class. The signs of overdevelopment are evident everywhere and they are not good. When the school system begins to show this continued pressure of overcrowding, all of us will feel the effects, which includes the very real potential for lower property values. Every county resident cares about this, and it is intricately linked to the success of HCPSS.

It is because of the county's incredibly weak and outdated APFO guidelines, guidelines that heavily favor developers, that HCPSS is experiencing a dire overcrowding crisis.

First, our current APFO guidelines state that schools are not closed to neighboring development until they reach 115% of capacity. Worse, high school capacity is not even included in APFO.

Let me proffer some simple math for the people in this room. Council members: when was the last time you could spend 115% of the funds in your bank account? When was the last time you could use 115% of the fuel in your car before running out of gas? Or eat 115% of a pizza? Or fill 115% of the seats with passengers on an airplane?

It's a ridiculous notion. 100% is 100%. It is for me, it is for your constituents in this room, and it should be for each and every one of you and developers too. Every elementary, middle, and high school should reach maximum capacity at 100%.

In addition to eliminating these inflated capacity thresholds, developers need to be accountable for their actions in this process. They need to pay their fair share of funds toward public



infrastructure. That means we need to stop allowing them to build using fancy tax incentives and TIFs. To ensure the necessary funds are available to construct schools from continued residential growth, developer mitigation fees should be increased to reflect the actual per student cost required to build a school. Right now, hard-working taxpayers are subsidizing these costs for developers while developers are maximizing their profits, and children in overcrowded schools are paying the price.

With all of these conditions being favorable for development, it's no wonder developers can't wait to build here.

Do not think for one moment that school overcrowding rests solely on the shoulders of HCPSS. All parties and officials owe it to the taxpayers and students of this county to do their part to strengthen APFO, and that includes the County Council, County Executive, Planning & Zoning.

Let me remind you what Mr. Michael Harrison, VP for Government Affairs with the Maryland Building Industry Association (MBIA) thinks is appropriate for developers:

1. He is lobbying the County Council and County Executive to raise the capacity threshold to 120%!
2. He is lobbying the County Council and County Executive to decrease the amount of time a developer has to wait to build in a closed school district to only 1 year, because in his words, "1 year is enough time to make redistricting decisions and plan for growth, despite the Board's unwillingness to do so."
3. He says that growth from within the county, rather than new growth to the county, is the real problem. That is quite the notion when you look at the explosion of growth along the Route 1 corridor and in sprawling developments like Turf

Valley. And it is the schools in these areas that are the most overcrowded.

My guess is that developers are here in this room tonight as are representatives from MBIA. But who do you represent? Do you represent their interests? Or do you represent ours?

You see before you a packed room of constituents who have the means and confidence to participate in this process. The people here tonight represent the enormous amount of others who couldn't be here. WE are your constituents. Not developers. Not the MBIA. WE voted for you to represent our interests, and our interests are not paying for overcrowded schools. Our interests are not the development of every available blade of grass.

In summary:

1. Each and every one of you were elected by us, the voters, to represent the best interests of us, your constituents.
2. Your constituents are telling you the current APFO is totally inadequate and need to be strengthened in favor of students and schools.
3. Your constituents want schools that are not overcrowded, which means 100% capacity, not the magic math put forth by developers of 115% or 120%.
4. Your constituents want developers to stop maximizing their profits on the backs of the taxpayers of this county. This means that developers need to pay fees that actually match the costs of adding new seats to schools when their actions create overcrowding.

It's time that you, as our elected officials, do the right thing by us.

Thank you for your time and consideration.

JW  
JF  
MS

July, 2017

TO: Allan Kittleman, Howard County Executive  
Jon Weinstein, Council Member (District 1) ✓

FROM: Greater Pine Orchards Fairways neighborhood, Ellicott City

SUBJECT: Howard County Adequate Public Facilities Ordinance

2017 JUL 14 PM 12:54

HOWARD COUNTY COUNCIL  
RECEIVED

As residents and taxpayers of Howard County, we are concerned about the current level of development that brings tax revenue, businesses, and new residents to our county but doesn't adequately fund the critical infrastructure necessary to support a growing population. This letter outlines our neighborhood's support for an Adequate Public Facilities Ordinance (APFO) that fairly and equitably balances well-planned growth and effective mitigation for our public infrastructure.

The current APFO includes a schools test. However, we believe that stronger measures are needed around the following components:

- School capacity should be set at 100% – at the elementary, middle, AND high school levels. The school capacity calculation must not include portable or other temporary classroom space. A school should be closed to new development when its capacity reaches 100%.
- The schools component of Howard County's APFO should reflect capacity measurements that include existing and projected enrollment numbers, as well as proposed and approved development projections, AND a reasonable timeframe under which capacity can be added without unfair consequences on other HCPSS CIP priorities.
- Howard County should use impact fees, excise taxes, and/or other funding mechanisms to ensure that development pays its full fair share of creating the added school space needed to accommodate growth.

The current APFO does not consider the adequacy of public safety services, hospitals, water and sewer, or recreation facilities and services to support new residential and commercial development. These services are critical to maintaining a community that is family-friendly, business-friendly, and economically viable.

- The Howard County APFO should include a response time adequacy test for public safety and emergency services. It should also include measurements for emergency room wait times, water pressure, sewer services, and recreational facilities.

If we want to continue to keep Howard County a desirable place to live and work, we need an updated, county-wide comprehensive plan for responsible growth paired with adequate funding from developers, among others, for infrastructure support, development, and maintenance. We also need stronger relationships between the county government and the Howard County School Board to adequately plan for, and fund, necessary school construction projects.

We call on you, as our elected officials, to support changes to the Howard County APFO that better address the impacts of growth. We also expect more effective partnerships with the Howard County School Board to make sure that capital projects are funded and completed to meet student needs.

Signed:

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