School Adequate Public Facilities Program and Funding Review Committee

AGENDA
Meeting #7
June 5, 2013
6:00 pm

- Review and Approval of the Meeting Minutes of May 15th

- Review of Key Elements of School APFO Programs and Funding Methods
    - Experience of selected MD County Jurisdictions
    - Discussion/Comparison

- Review/Discuss (latest) Draft Issue Paper - Issue #1:"Timing of providing adequate school facilities to match the planned growth in the County."
    - Review updated Findings, potential Alternative Solutions, and Alternatives Evaluation.

The next meeting is tentatively scheduled for June 19th at 6:00 PM in the County Government Conference Room.

**This agenda is tentative and is subject to adjustment at the discretion of the Committee.*

CHARLES COUNTY GOVERNMENT
Department of Planning & Growth Management

Peter Aluotto, *Director*

MEMORANDUM

TO: School APF Program and Funding Review Committee

FROM: Jason Groth, *Chief of Resource and Infrastructure Mgmt.*

SUBJECT: School APF Program/Funding Survey for Selected Counties

DATE: May 29, 2013

After reviewing the available literature on School Adequate Public Facilities Programs in Maryland, the County staff determined that the available reports did not go into sufficient detail to be helpful to the Committee. Therefore, County staff developed a set of survey questions for 7 selected Counties including Charles. The information was gathered from reviewing source documents from each county and contacting key staff to fill in information or explain how certain provisions work in actual practice. The information collected is presented in a table format for comparison purposes. (See attached table. 11"x17" copies will be provided at the June 5th meeting.) For the sake of space the descriptions needed to be brief. It is anticipated that Committee members will have questions on certain entries and may request additional research. The information is provided as a resource only and does not imply an endorsement for any approach identified. It is hoped that the information will be helpful to the Committee in the alternatives identification phase of the issue analysis.

Also provided is a list of School Impact Fees and Excise Taxes as well as other sources of revenue for all Counties levying such taxes and fees. In reviewing the dedicated fees and taxes, we need to keep in mind that each county structures their School funding differently. This overview focuses on the development related revenue sources.

Attachments: School APF/Funding Survey for Selected Counties
School Impact Fees and Excise Taxes Levied for Maryland Counties

School APF/Funding Survey for Selected Counties

Key Elements of the School APF Programs

County	APF Test Limitations are measured by attendance zone, region, or planning area.	When are schools considered over capacity? (i.e. 115% over capacity, etc.)	Exemptions or Modifications to the School APF Requirements	When are projects tested for School APF?	Do relocatables count in the avail - able capacity used in the APF Test?	Cap for projects on waiting list for school capacity.	Time Limit on Allocations or capacity reserved.	When can Planned Capacity be Counted?
Charles	School Attendance Zone	Exceed SRC	Age Restricted, 3 Lot Minor Subdivisions.	Prior to Final Plat approval	No	None	2 years with one 2 yr. extension.	January prior to the Sept Opening.
Anne Arundel	School Attendance Zone, BOE provides an Open/Closed list. Capacity is projected 3 years in future.	SRC (need to check with BOE) If a school is open by 1 student, the entire project can be approved.	Age Restricted, 3 Lot Minor Subdivisions. Exempt Odenton and Parole Growth Mgmt Areas.	Prior to Final Plat approval. Sketch Plan or Preliminary Plan Optional	No, but impact fees may fund moving relocatables.	6 years	Project must meet required milestones. 1 yr. to submit Final Plat. I yr. to approval of plat mtg.	Counts if school capacity is available within 3 year projections.
Howard	Use Elementary as the limiting level. BOE develops an open/closed list. Housing allocations are tied to the Comp Plan Districts	115% of "Program Capacity" as determined by BOE. May be over or under SRC. Projections are by individual school.	Age Restricted and Affordable by Resolution of Council, 1 Lot Minor Subdivisions if meet hardship test.	Sketch Plan or Site Development Plan	No	4 years	Project must meet required milestones. Recordation of project or Phase in 3 years. (Extensions granted during recession.	Counts if school capacity is available within 3 year projections.
St. Marys	Northern and Southern Regions	107% Elem, 109% Middle, 116% over SRC.	Age Restricted, 2 Lots Minor Subdivisions since 2008.	Prior to Preliminary Plan	No	None	No limit.	1st 3 yrs of CIP. Site must be secured.
Montgomery	School Clusters (Feeder System) For example all elementary capacity in the cluster is considered	5 year projected enrollments >105% of "Program Capacity" must make payment. >120% under moratorium (Currently none)	Age Restricted, MPDUs, 3 Lot Subdivisions if make School Facilities Payment. Exempt Enterprise Zones.	N/A	N/A	N/A	N/A	Capacity projected to be in place within 5 years.
Calvert	School Attendance Zone	100% of APF Rated Capacity. Formula in Zoning Ord.	Age Restricted, 3 Lots after 1988, 5 lots before 1988.	Prior to Final Plat approval	No	7 years	Renewed annually up to 7 years.	
Carroll	School Attendance Zone	Projected capacity including 6 year CIP to be > 120% of SRC for Elem. and High. For Middle > 120% of "Functional Capacity."	Minor subdivisions, Subdivisions of prop. with Ag. Land Preservation Easmt. Age restricted.	Preliminary test at Preliminary Plan. Retested at Final Plat	No	None	May be extended annually by Planning Director.	6 months before opening.
Frederick	School Attendance Zone	2 year projected enrollments >100% of SRC may make payment.. >120% under moratorium.	Age Restricted, Minor subdivisions of 5 lots.	Preliminary Plan approval subject to mitigation.	No	N/A	N/A	2 years prior to opening.

N/A = Not available at this time.

School APF/Funding Survey for Selected Counties

Key Elements of the School APF Programs (Continued)

County	Primary Dedicated Revenue Source	Other Sources including Supplementary Fees /Surcharges	Is Mitigation for lack of School Capacity permitted?	Is redistricting used to balance student demand?	Do you forward fund schools.
Charles	Excise Tax ($13,139 for SFD in FY 14)		Yes, through DRRA. Monetary Payment Approx. $14,500	Yes	Yes
Anne Arundel	Impact Fee($7,141 for 2,499 sq. ft. residential unit.) May be used to move relocatables.	N/A	Yes, through a School Capacity Mitigation Agmt. Developer must provide capacity, no cash payments.	Yes	N/A
Howard	Excise Tax ($1.21 per sq. ft.) $3,024 for 2499 sq. ft. residential unit.	25% of Transfer tax goes to School Construction ($27M) 37 % of G.O Bonds goes to School Construction.	No.	Yes, do readjustment redistricting. "30% in past decade." Currently doing a global redistricting. Building and redistricting 1 school per year in boom yrs.	Yes
St. Marys	Impact Fee ($3,375 for residential unit.)	N/A	Yes, but only for school site dedication.	N/A	N/A
Montgomery	Impact Fee (23,868 for SFD.)	"School Facilities Payment" $6,493 for SFD in Elementary District. May be paid when school cluster is > than 105% but < 120% over "program capacity."	Yes, through School Facilities Payment when school cluster is > than 105% but < 120% over "program capacity."	N/A	N/A
Calvert	Excise Tax ($7,800 for SFD)	N/A	N/A	N/A	N/A
Carroll	Impact Fee ($6,836 per SFD in FY 12) Currently suspended due to excess capacity.	N/A	N/A	N/A	N/A
Frederick	Impact Fee ($14,426 for SFD) Excise tax (0.25 per sq. ft.) $**625** for 2,499 sq. ft. unit.	"School Construction Fee" $3,870 for SFD in Elementary District. May be paid when school is > than 100% but < 120% over SRC.	Yes, by APFO Letter of Understanding and payment of the School Construction Fee.	Yes, If an adjoining school is at least 20% below SRC, the BOE must consider redistricting.	N/A

N/A = Not available at this time.

School Impact Fees and Excise Taxes Levied for Maryland Counties

County	Primary Dedicated Revenue Source	Other Sources including Supplementary Fees /Surcharges	Is Mitigation for lack of School Capacity permitted?
Charles	Excise Tax **($13,139** for SFD FY 14)		Yes, through DRRA. Monetary Payment Approx. **$14,500**
Anne Arundel	Impact Fee**($7,141** for 2,499 sq. ft. residential unit) Sliding scale by sq. ft. category.	N/A	Yes, through a School Capacity Mitigation Agmt. Developer must provide capacity, no cash payments.
Howard	Excise Tax ($1.21 per sq. ft.) $**3,024** for 2499 sq. ft. residential unit.	25% of Transfer tax goes to School Construction ($27M) 37 % of G.O Bonds goes to School Construction.	No.
St. Mary's	Impact Fee **($3,375** for residential unit.)	N/A	Yes, but only for school site dedication.
Montgomery	Impact Fee ($**23,868** for SFD.)	"School Facilities Payment" **$6,493** for SFD in Elementary District. May be paid when school cluster is > than 105% but < 120% over "program capacity."	Yes, through "School Facilities Payment" when school cluster is > 105% but less than 120%.
Calvert	Excise Tax **($7,800** for SFD)	N/A	N/A
Carroll	Impact Fee ($**6,836** per SFD in FY 12) Currently suspended due to excess capacity.	N/A	N/A
Frederick	Impact Fee **($14,426** for SFD). Excise tax (0.25 per sq. ft.) $**625** for 2,499 sq. ft. unit.	"School Construction Fee**" $3,870** for SFD in Elementary District. May be paid when school is > than 100% but < 120% over SRC.	Yes, by APFO Letter of Understanding and payment of the School Construction Fee.
Caroline	Excise tax **$5,000** per Residential unit	N/A	N/A
Dorchester	Excise tax **$3,555** per SFD	N/A	N/A
Harford	Impact fee **$6,000** per unit (not specified for schools only).	N/A	N/A

County	Primary Dedicated Revenue Source	Other Sources including Supplementary Fees /Surcharges	Is Mitigation for lack of School Capacity permitted?
Prince George's	School Surcharge **$14,682** Outside Beltway. **$8565** Inside Beltway	N/A	N/A
Queen Anne's	Impact Fee ($3.68 per sq. ft.) **$9,196** for 2499 sq. ft. residential unit.	N/A	N/A
Talbot	Impact Fee **$2,804** per SFD	N/A	N/A
Washington	Excise tax ($3.00 per sq. ft.) **$7,497** for a 2,499 sq. ft. dwelling.	N/A	N/A
Wicomico	Impact fee **$5,231** per unit (not specified for schools only).	N/A	N/A

N/A = Not Available at this time.

Source: Primary source is "County Development Impact Fees and Building Excise Tax in Maryland" Department of Legislative Services. January 2012. Anne Arundel and Howard Counties have been updated to FY 13 levies. Charles represents the FY 14 Excise Tax levy.

School Adequate Public Facilities Regulation

Issue 1--Timing of providing adequate school facilities to match the planned growth in the County. School capacity provision in specific school districts has not kept pace with residential growth.

Summary of Findings

The Committee identified18 schools over State Rated Capacity. The elementary school level has 12 schools over state rated capacity which equals 418 students countywide. The middle school level has 3 schools over state rated capacity, however there is an excess of capacity countywide. The high school level has 3 schools over state rated capacity which equals 724 students countywide. The attached maps show the regions of the county in current need of school capacity to alleviate the condition of operating in excess of state rated capacity.

The Committee received testimony that certain schools have not been able to accommodate the number of students enrolled during lunch periods resulting in more than the typical 3 lunch periods. The Projected Enrollment and Capacity analysis (Step Charts) indicates the need to open a new elementary school by 2018. Based on the Enrollment and Capacity analysis, the need for a new Middle School will occur approximately in the years 2020-21.

Regarding residential growth, the 2006 Comprehensive Plan envisioned a managed growth rate of 1.95 % per year increase in residential housing unit to the year 2025. Since 2005 the housing unit growth rate has maintained an average of 1.7 % per year. The actual rate or housing growth has been less than the planned growth rate; however, the Committee recognized that certain areas of the County are growth areas. This was evidenced by reviewing building permit activity by major subdivision in the County since 1995. The Committee identified the projects with the highest probability of building out and generating students.

Alternatives Identification

1. Redistrict school attendance zones to balance student attendance.
2. Increase the number of schools serving the student population by forward funding schools.
3. Expand critical elements of the school such as classrooms and cafeterias to accommodate growth.
4. Build new schools on the same site, where feasible.
5. Target school capacity to geographic areas with the projected need.
6. Consider developer built schools or additions/renovations. (Board of Ed. Staff cautions that additions may trigger the need for retrofitting and doing required renovations to gain State Board of Education approval. These improvements would likely have to come from other funding sources)

7. Consider Temporary reassignments of new projects not yet built to schools with projected capacity. A similar approach that was taken with the 2009 Redistricting.

Alternatives Evaluation

1. **Redistrict school attendance zones to balance student attendance**. Using redistricting of school attendance zones to balance student demand is a common practice among Counties. Charles County, as well as other counties, has used this method of matching school capacity to residential growth. One limitation is that redistricting too often can be disruptive to the continuity of instruction for the students affected.

2. **Increase the number of schools serving the student population by forward funding schools.** This alternative would mean that the County would, through the necessity of better matching school capacity to growth areas, fund schools even though the projected enrollments may not warrant State School Construction Funding at this time. Fiscal Services Staff cautions that forward funding every other school may inadvertently relieve the State Government from funding responsibilities. It is recommended that County School Construction needs to use a strategy that maximizes State funding. Spreading County forward funding over two schools may better maximize State participation.

3. **Expand critical elements of the school such as classrooms and cafeterias to accommodate growth.** Expanding the number of classrooms and supporting facilities could stretch limited resources and more quickly target capacity where the projected need is apparent. Board of Ed. Staff cautions that additions may trigger the need for retrofitting and doing required renovations to gain State Board of Education approval. This would add to the cost of the project.

4. **Build new schools on the same site, where feasible**. This alternative would negate the need to find suitable school sites. It should minimize site development costs. It should also minimize the disruption caused by redistricting for a newly located school. This technique is only feasible when adequate land area exists on site or can be expanded to adjoining properties. Anne Arundel County has experience with this technique. In one case the new high school was built on the stadium and the new stadium was located on the site of the old school. This means that the ball games needed to relocated during construction.

5. **Target school capacity to geographic areas with the projected need.** This strategy has been clearly used by Charles County in recent years. The key to successfully using this technique is to refine methods of enrollment projections based on school growth trends

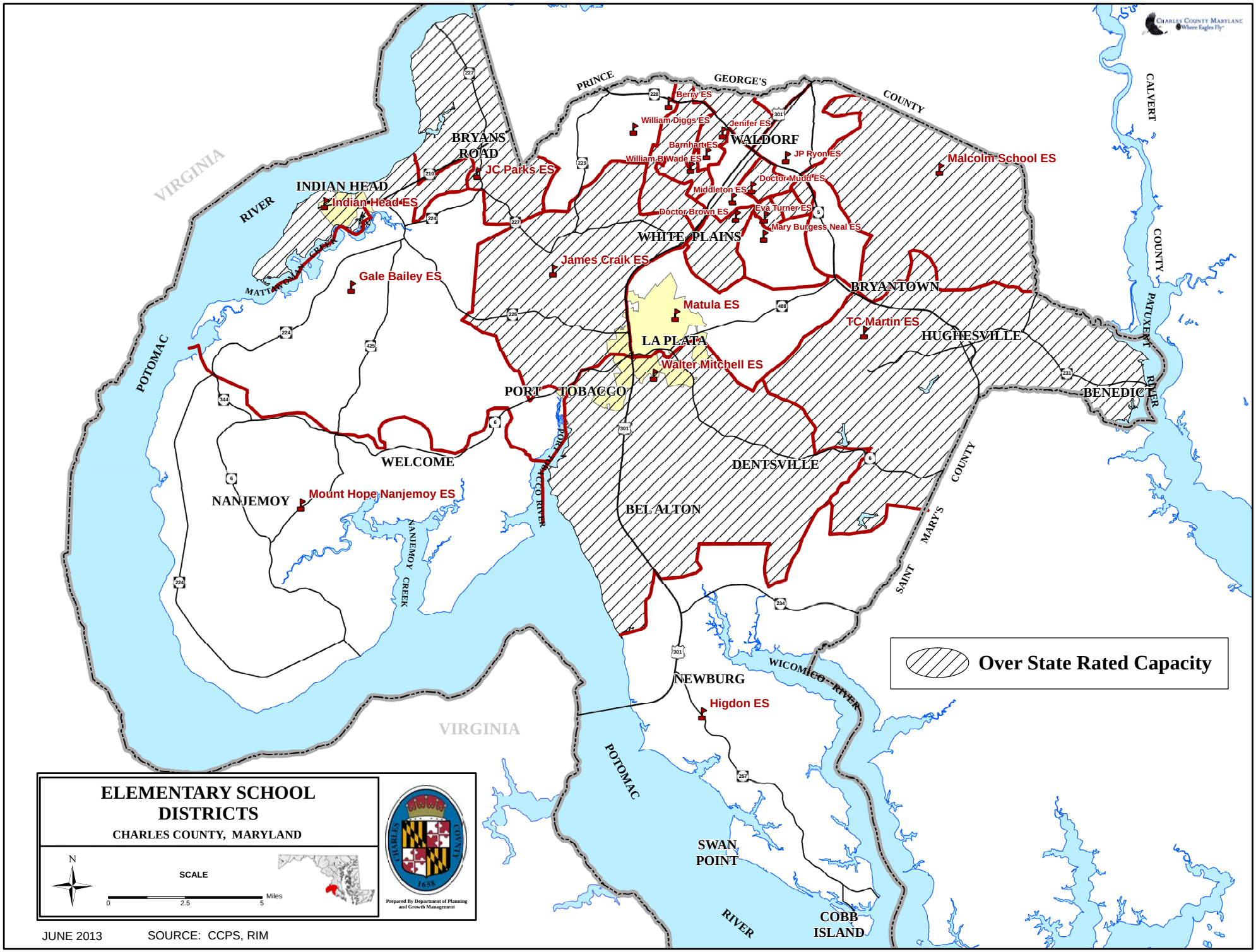
and the probability of buildout of approved subdivisions. A refinement to the student yield factors may help in projecting student enrollment.

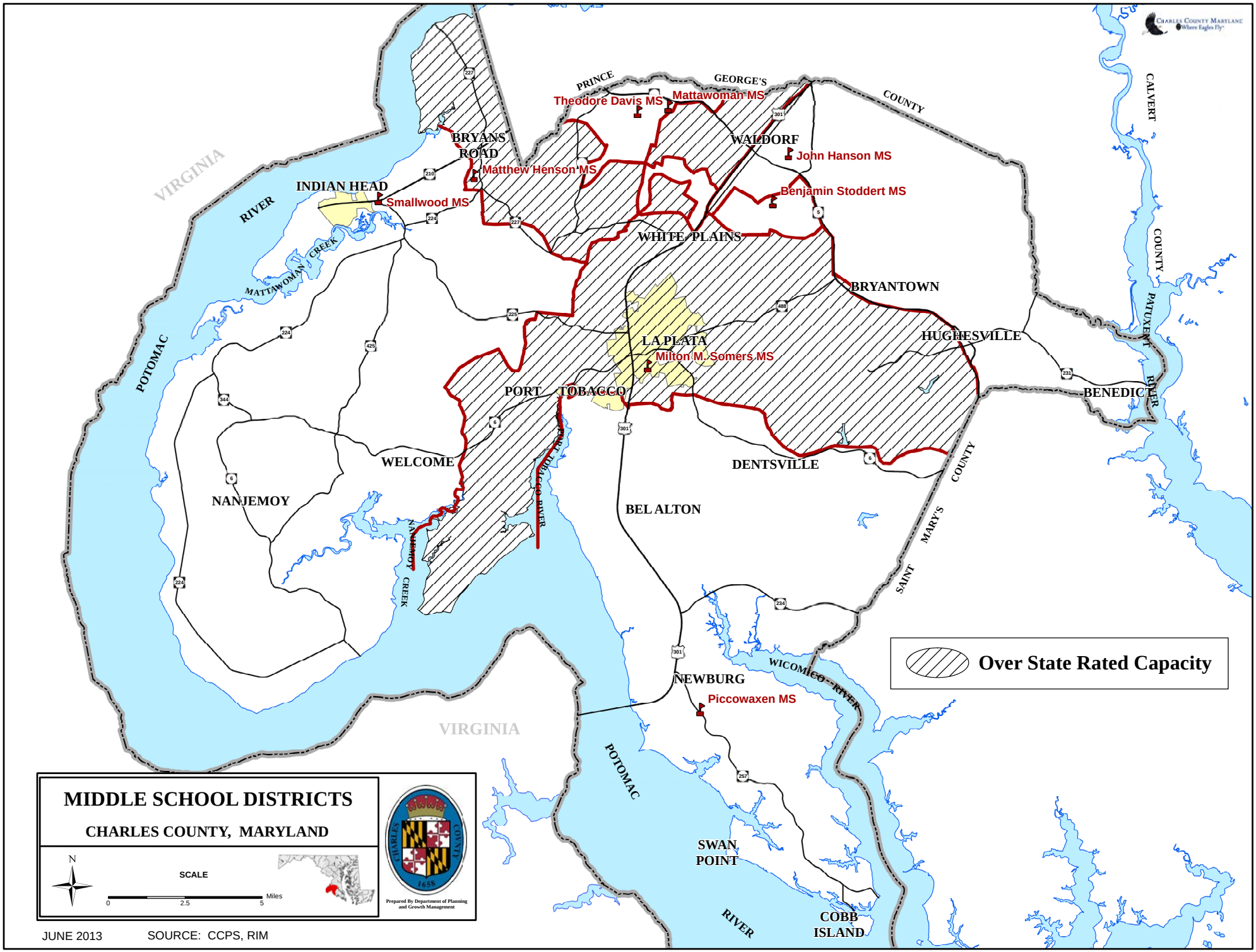
6. **Consider developer built schools or additions/renovations that add capacity.** Allowing developers to mitigate for their impacts by expanding the number of classrooms and supporting facilities or even building schools would provide capacity directly associated with impact of development. It would also stretch County and State funds by permitting those funds to be used for other projects. Anne Arundel County has experience with developer built school capacity since they do not allow mitigation through cash payments.

7. **Consider Temporary reassignments of new projects not yet built to schools with projected capacity.** A similar approach that was used in Charles County with the 2009 Redistricting. One caution with this technique is that it could significantly increase transportation costs if the projects reassigned are located too far from the school. One limitation of this approach is that the impact on school overcrowding may take many years as the project build out and the students enroll in the school with capacity. A clear benefit is that students attending existing schools would not have to be redistricted.

Recommendations

The Committee finds that all the identified alternative solutions have merit in the appropriate circumstance. Therefore, all the techniques should be considered in the County's efforts to match the provision of school capacity to the residential growth planned for the geographic regions of the County.


ELEMENTARY SCHOOL DISTRICTS
CHARLES COUNTY, MARYLAND
SCALE
0
2.5
5
Miles
N
Prepared By Department of Planning and Growth Management
JUNE 2013
SOURCE: CCPS, RIM
Over State Rated Capacity
PRINCE GEORGE'S COUNTY
CALVERT COUNTY
ST. MARY'S COUNTY
VIRGINIA
POTOMAC RIVER
PATUXENT RIVER
WICOMICO RIVER
MATTAWOMAN CREEK
NANJEMOY CREEK
PORT TOBACCO RIVER
BRYANS ROAD
INDIAN HEAD
WALDORF
WHITE PLAINS
BRYANTOWN
HUGHESVILLE
LA PLATA
PORT TOBACCO
BENEDICT
WELCOME
NANJEMOY
DENTSVILLE
BEL ALTON
NEWBURG
SWAN POINT
COBB ISLAND
Berry ES
William Diggs ES
Jenifer ES
Barnhart ES
William B Wade ES
JP Ryon ES
Malcolm School ES
JC Parks ES
Doctor Mudd ES
Middleton ES
Doctor Brown ES
Eva Turner ES
Mary Burgess Neal ES
Indian Head ES
James Craik ES
Gale Bailey ES
Matula ES
TC Martin ES
Walter Mitchell ES
Mount Hope Nanjemoy ES
Higdon ES


MIDDLE SCHOOL DISTRICTS
CHARLES COUNTY, MARYLAND
SCALE
0
2.5
5
Miles
N
Prepared By Department of Planning and Growth Management
JUNE 2013
SOURCE: CCPS, RIM
Over State Rated Capacity
Theodore Davis MS
Mattawoman MS
Matthew Henson MS
Smallwood MS
John Hanson MS
Benjamin Stoddert MS
Milton M. Somers MS
Piccowaxen MS
PRINCE GEORGE'S COUNTY
CALVERT COUNTY
SAINT MARY'S COUNTY
VIRGINIA
POTOMAC RIVER
MATTAWOMAN CREEK
PATUXENT RIVER
WICOMICO RIVER
PORT TOBACCO RIVER
BRYANS ROAD
INDIAN HEAD
WALDORF
WHITE PLAINS
BRYANTOWN
LA PLATA
HUGHESVILLE
BENEDICT
PORT TOBACCO
WELCOME
NANJEMOY
DENTSVILLE
BEL ALTON
NEWBURG
SWAN POINT
COBB ISLAND
227
301
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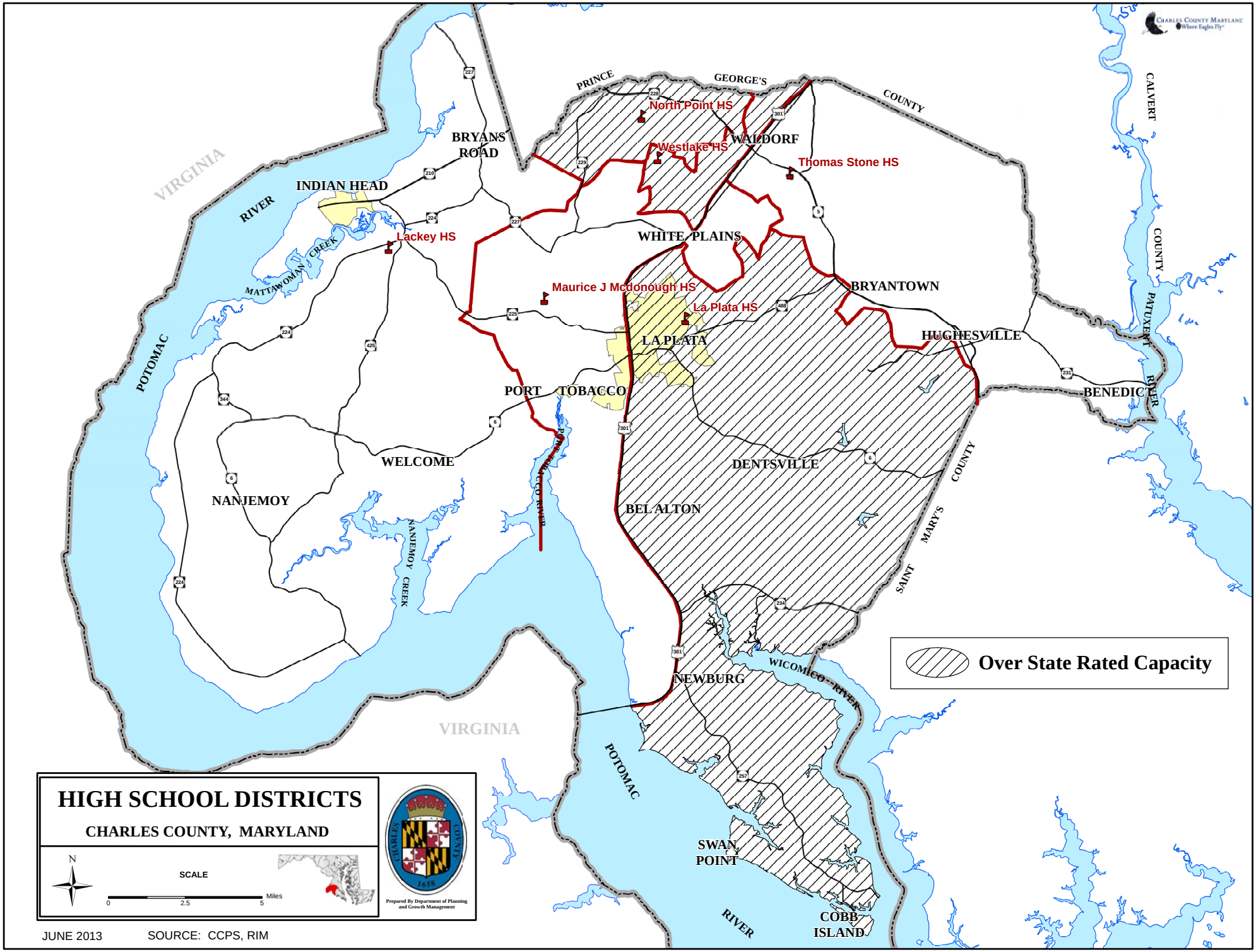
425
231
344
6
234
257


HIGH SCHOOL DISTRICTS
CHARLES COUNTY, MARYLAND
SCALE
0
2.5
5
Miles
N
Prepared By Department of Planning and Growth Management
JUNE 2013
SOURCE: CCPS, RIM
Over State Rated Capacity
North Point HS
Westlake HS
Thomas Stone HS
Lackey HS
Maurice J Mcdonough HS
La Plata HS
PRINCE GEORGE'S COUNTY
CALVERT COUNTY
PATUXENT RIVER
SAINT MARY'S COUNTY
VIRGINIA
POTOMAC RIVER
MATTAWOMAN CREEK
NANJEMOY CREEK
PORTOBACCO RIVER
WICOMICO RIVER
BRYANS ROAD
INDIAN HEAD
WALDORF
WHITE PLAINS
BRYANTOWN
HUGHESVILLE
LA PLATA
PORT TOBACCO
BENEDICT
WELCOME
NANJEMOY
DENTSVILLE
BEL ALTON
NEWBURG
SWAN POINT
COBB ISLAND