



To: Jon Laria, Chair, Maryland Sustainable Growth Commission  
Maryland Sustainable Growth Commissioners

From: Frank Hertsch, Chair, APFO Workgroup

Subject: Report on MSGC APFO Workgroup Review of 2014 Local Jurisdiction APFO Reports

**Workgroup Participants:** Frank Hertsch, Chair, Greg Bowen, David Dahlstrom.

The APFO Workgroup was charged with reviewing the reports of local jurisdictions on adequate public facilities development restrictions required by Land Use Article § 7-104 and assessing whether and to what extent adequate public facilities ordinances affect the achievement of the goals of the State economic growth, resource protection, and planning policy.

As requested by the Maryland Sustainable Growth Commission (MSGC), the APFO Workgroup has completed its review of the calendar year 2013 local APFO Reports. In general, as in previous reporting years 2011 and 2012, there continues to be few APFO restrictions within the Priority Funding Area reported.

There are currently fourteen counties in Maryland with adopted APFOs. Of those, nine reported on the impacts APFO on development restrictions. These restrictions are summarized below:

### **Anne Arundel**

Anne Arundel County reports that 24 schools within or partially within, the PFA are closed due to APFO. The County also reports that the Mayo Sewer service area, entirely within the PFA, is under moratorium. The County reports capacity improvements in 2013 at seven elementary schools, one middle school and one high school. Restrictions were lifted on 15 of the schools in 2013. Four schools are schedule in the Capital Improvement Program (CIP) to be resolved within 2-5 years. The remaining five schools do not have resolution dates. The Annual Report indicates that projects will remain on the waiting list until capacity is available, or six years has passed. Capital improvements are currently underway at the Mayo Water Reclamation Facility with completion estimated for 2017.

### **Baltimore County**

Baltimore County reports overcrowding, over 115% of the State Rated Capacity, at 28 of its 105 elementary schools. No middle or high schools were reported as being over 115% of State Rated Capacity. Baltimore County reports CIP funding for two new elementary schools and capacity improvements at two elementary schools which alleviated overcrowding in those districts. One sewer area is reported as over capacity, with improvements scheduled to be complete within five to ten years. Five traffic signalization zones were identified as deficient.

**Calvert County**

Calvert County reports overcrowding at one elementary school, one middle school and one high school. The high school is scheduled to be resolved by 2017. Projects will remain on waiting list until capacity is available, or seven years has passed.

**Charles County**

One sewer pump station was identified in 2012 as a limited factor for growth. A CIP improvement has been approved but a timetable for completion was not provided.

**Frederick County**

Frederick County reports fourteen elementary schools and four middle schools at or over 100% of the State Rated Capacity. If capacity is between 100% and 120%, then projects in these districts may choose the optional School Construction Fee Option in addition to the normal school impact fee. Three elementary school districts and one middle school district are over 120% of the State Rated Capacity. Seven of the affected elementary schools and two middle charter schools are in the City of Frederick. Five new elementary schools and three elementary school renovations are included in the 2013 Educational Facilities Master Plan, with an estimated increase of over 3,800 seats. A middle school addition and a high school replacement are also planned. Four elementary school and one middle school additions are programmed in the 2014-2019 CIP.

**Harford County**

No restrictions reported.

**Howard County**

Howard County reports that one, out of 41 elementary schools, was closed. Two plans and 22 residential units were immediately on hold. Two plans with 682 residential units are on future hold. Four out of eighteen middle schools are reported as closed. A new middle school was anticipated to be opened for the fall 2014.

**Montgomery County**

Montgomery County does not report any school districts to be in moratorium, over 120% of the State Rated Capacity. However, multiple schools are reported to be within the 105% - 120% School Facility Payment range. The County reports that two of its thirty Transportation Policy Area Review districts are inadequate to meet the road test (Fairland/White Oak and Gaithersburg City). Sixteen Transportation Policy Area Review districts for transit are inadequate.

**Prince George's County**

No restrictions reported.