



Montgomery Planning | Functional Planning and Policy Division

# Schools Technical Advisory Team

Meeting #4

January 16, 2020



Welcome!

# Meeting Agenda

- I. **Welcome** | *5 minutes*
  - a. Overview of Agenda
  - b. Introductions
  - c. Review Discussion Ground Rules
  - d. Housekeeping
  
- II. **Circle Back on Previous Meetings** | *15 minutes*
  - a. Age-Restricted Student Generation
  - b. Moratoria History
  
- III. **Policy Discussion** | *95 minutes*
  - a. Overview of Existing Policy
  - b. Focused Discussion on Moratorium Policy Tool
  
- IV. **Prep for STAT Meeting #5** | *5 minutes*
  - a. School “Policy Areas”
  - b. Impact Taxes
  - c. School Facility Payments

# Introductions

Please share...

- Your name
- Your organization/employer, if applicable

# STAT Participant Ground Rules

1. Lean in. Lean out.
2. Listen to understand. Suspend your beliefs to hear someone else's experience.
3. Speak for yourself, not a group, and use "I" statements.
4. Disagree with people without being disagreeable.
  - It's okay to disagree. We are not aiming to agree. You do not have to persuade each other.
5. We have a lot to cover every meeting, therefore:
  - Try not to repeat things that others have said, simply indicate your agreement with another person's comments.
  - Stay on topic and be concise while still being a thoughtful, provocative and active participant.
- 6. You must have a microphone to talk.**

# STAT Observer Ground Rules

1. To stay on track with such a large group we ask that you do not participate directly in the STAT conversation, but rather observe and take notes.
2. Preferably, please submit comments or questions on the comment cards.
  - We will respond to you sometime after tonight's meeting.
  - If applicable, we will share your comments with the STAT membership at the next meeting or share our responses to your questions.
3. Otherwise, feel free to catch us after the meeting to share your comments or ask your questions.

# Housekeeping Items

- **Development Stakeholders Roundtable**

Friday, January 24, 8:00 to 11:00 am

Planning Headquarters

- **Parent/Student Stakeholders Roundtable**

Saturday, February 8, 9:00 am to 12:00 noon

Richard Montgomery HS

- **Community Stakeholders Roundtable**

Thursday, February 20, 7:00 to 9:00 pm

Upcounty Regional Services Center (Germantown)

# Circle Back: Age-Restricted SGRs



# Age-Restricted Housing

- Currently exempt from moratoria.
- Currently do not pay school impact taxes (do pay transportation impact taxes).
- Under federal guidelines, residential communities restricted to 55+:
  - Only require units to have one resident 55+
  - Are allowed to have a certain share of units that do not have anyone 55+
- Under federal guidelines, residential communities restricted to 62+:
  - Require all residents be 62+

# Age-Restricted Housing

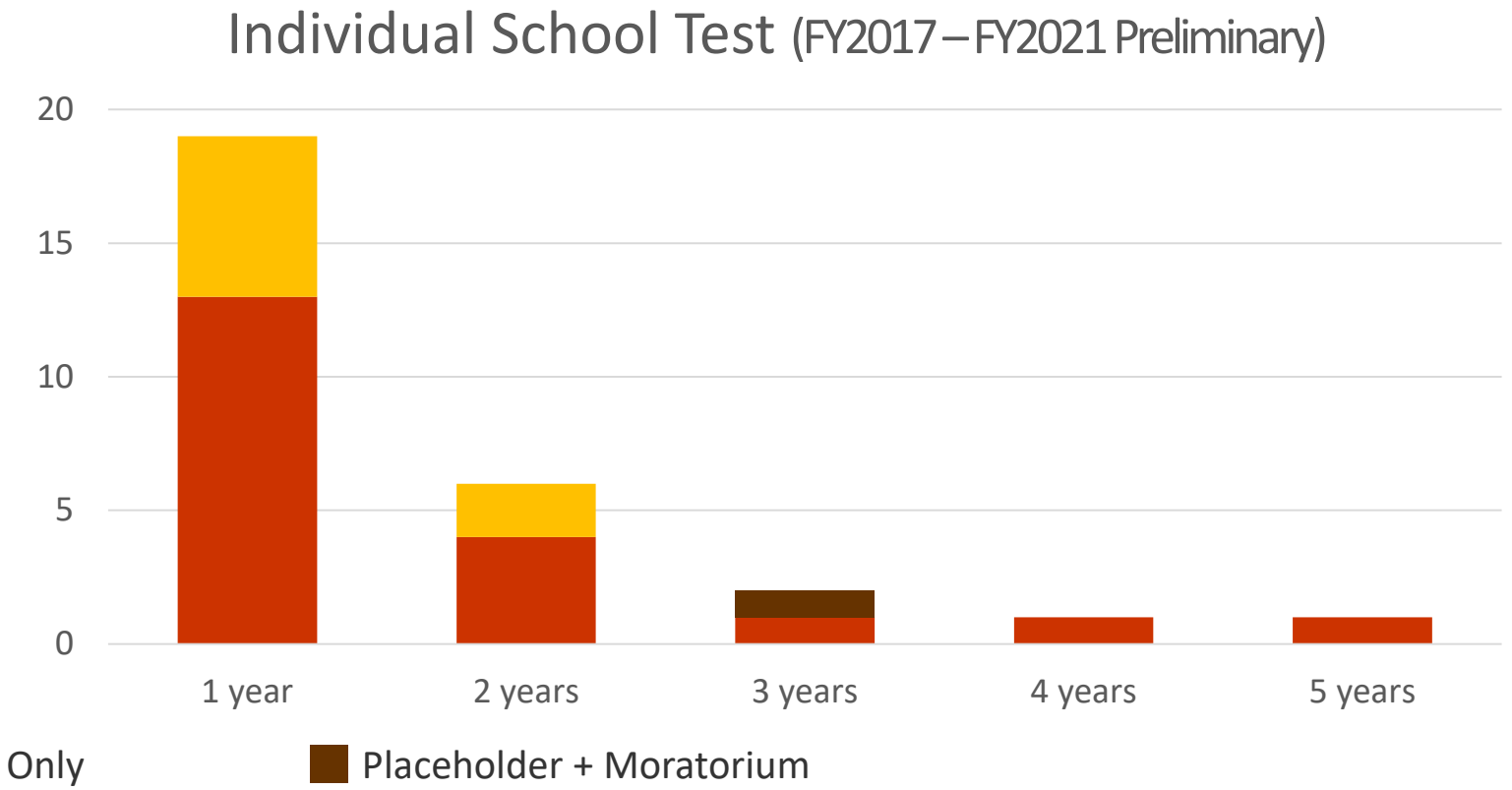
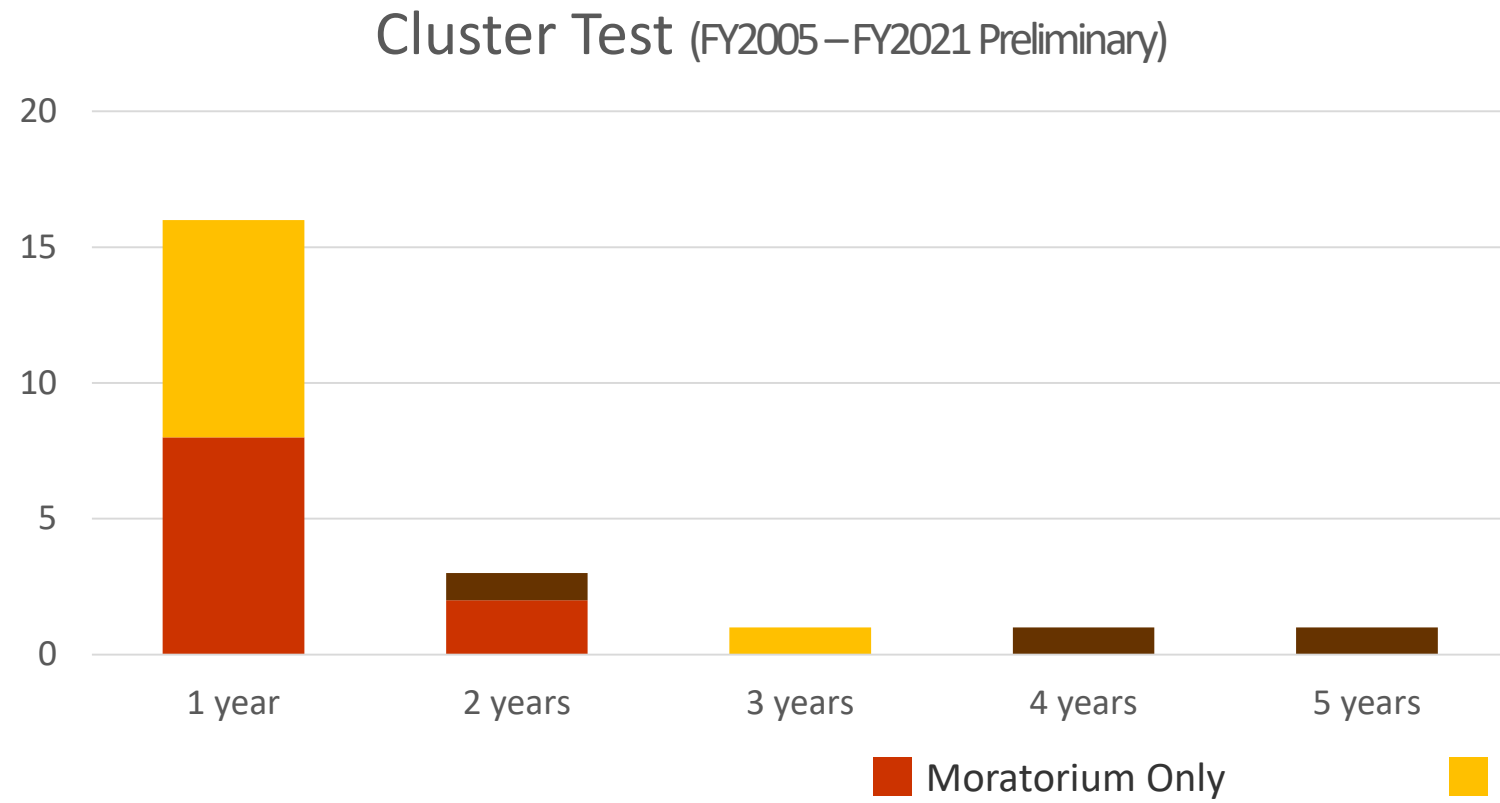
- Based on 2018 enrollment data, age-restricted multifamily housing in Montgomery County generates students at a rate that would carry an impact tax of \$669.

<b>Residential (per unit)</b>	<b>Countywide</b>
Single Family Detached	\$26,207
Single Family Attached	\$27,598
Multifamily Low-rise	\$21,961
Multifamily High-rise	\$6,113

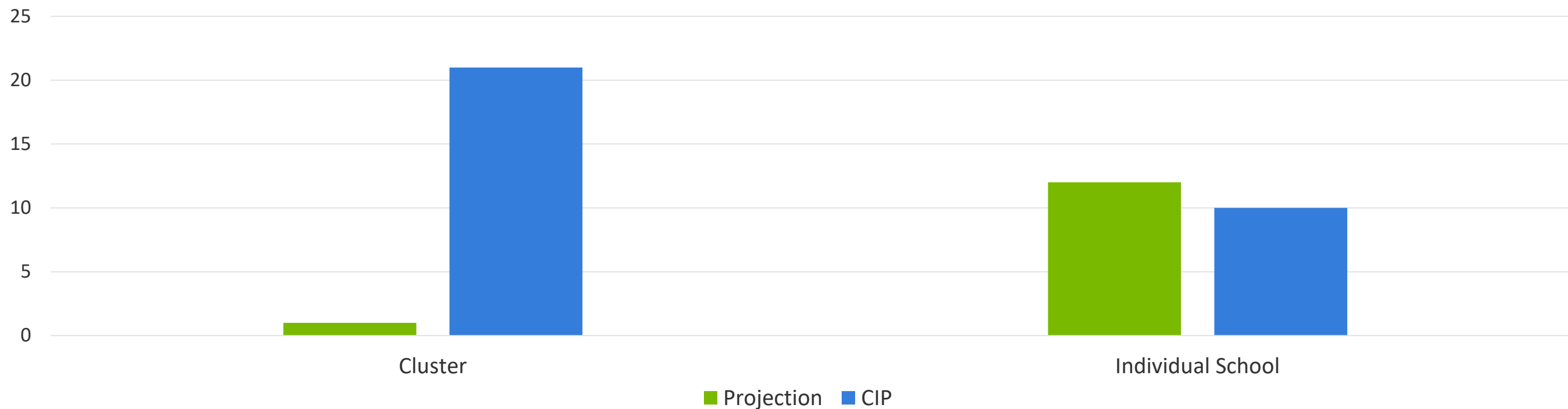
# Circle Back: Moratorium Tracking

# Moratorium/Placeholder Tracking Summary

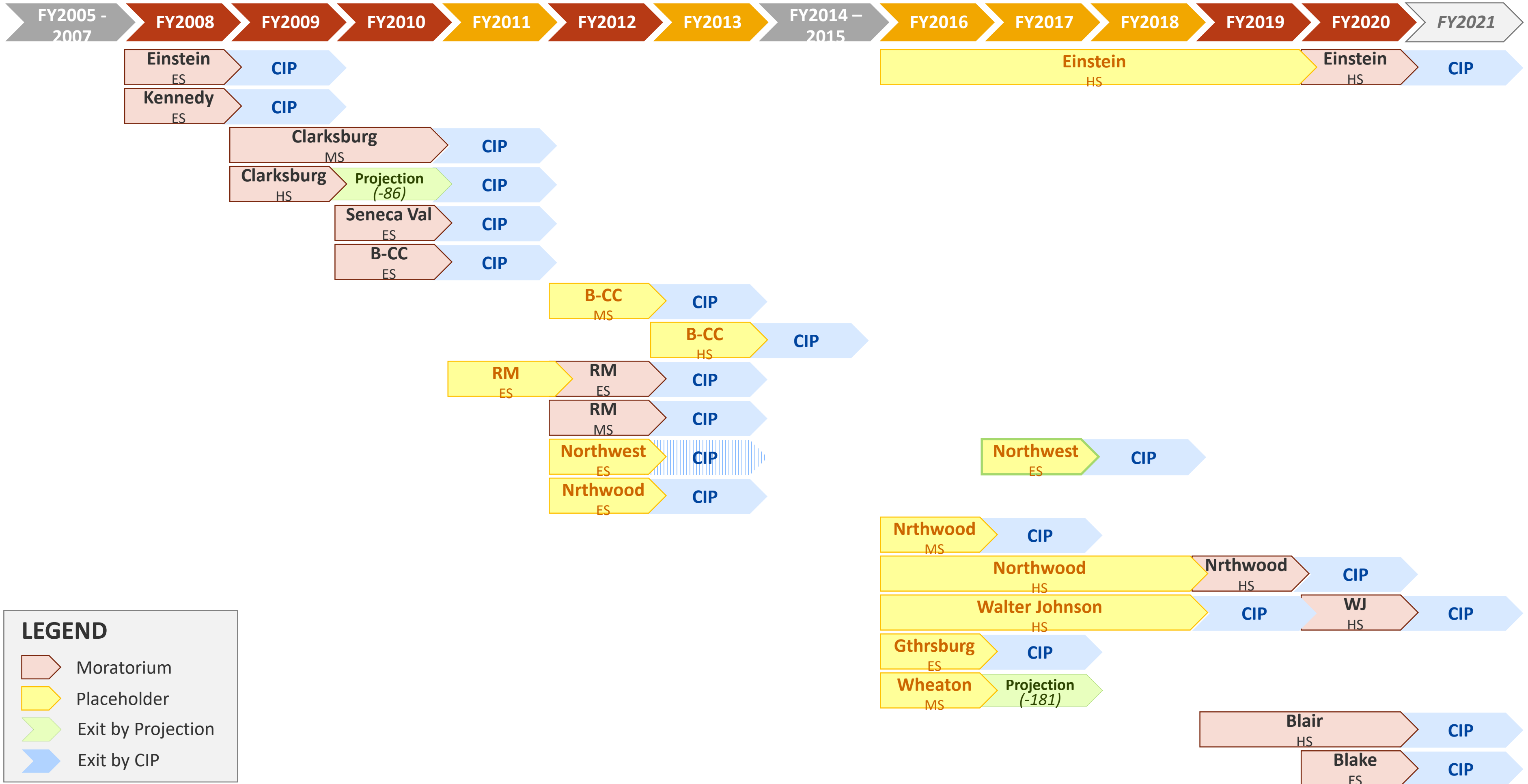
## Duration of Status



## Method of Exit



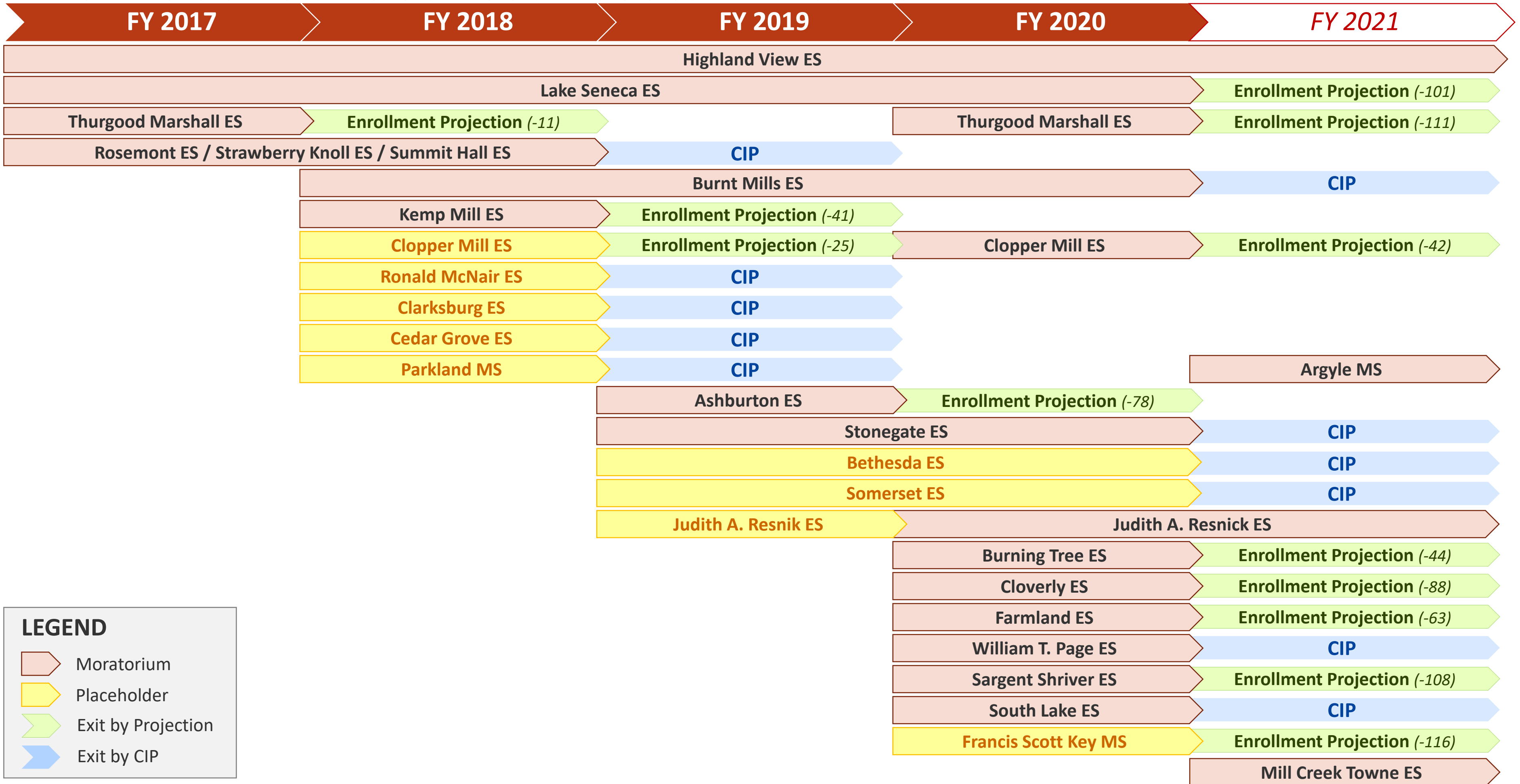
# Cluster Test Result Timeline



**LEGEND**

- Moratorium
- Placeholder
- Exit by Projection
- Exit by CIP

# Individual School Test Result Timeline



**LEGEND**

- Moratorium
- Placeholder
- Exit by Projection
- Exit by CIP

# Overview of Existing SSP

## **S Guidelines for Public School Facilities**

### **S1 Geographic Areas**

For the purposes of public school analysis and local area review of school facilities at time of subdivision, the County has been divided into 25 areas called high school clusters. These areas coincide with the cluster boundaries used by the Montgomery County Public School system. Also for these purposes, the County has been divided into middle school service areas and elementary school service areas, which coincide, respectively, to the middle school and elementary school boundaries used by the Montgomery County Public School system.

The groupings used are only to administer the Adequate Public Facilities Ordinance and do not require any action by the Board of Education in exercising its power to designate school service boundaries.

### **S2 Grade Levels and School Service Areas**

Each cluster must be assessed separately at each of the 3 grade levels -- elementary, intermediate/middle, and high school. In addition, each elementary and middle school must also be assessed.



### **S3            Determination of Adequacy**

Each year, not later than July 1, the Planning Board must evaluate available capacity in each high school cluster, as well as each middle school and elementary school service area, and compare enrollment projected by Montgomery County Public Schools for each fiscal year with projected school capacity in 5 years (the “annual school test”). If at any time during a fiscal year the County Council notifies the Planning Board of any material change in the Montgomery County Public Schools Capital Improvements Program, the Planning Board may revise its annual school test to reflect that change.

## **S4            Moratorium on Residential Subdivision Approvals**

In considering whether a moratorium on residential subdivisions must be imposed across a high school cluster, the Planning Board must use 120% utilization rate based on of Montgomery County Public Schools program capacity as its measure of adequate school capacity. This utilization measure must not count relocatable classrooms in computing a school's permanent capacity. If projected enrollment at any grade level in that cluster will exceed 120% utilization, the Board must not approve any residential subdivision in that cluster during the next fiscal year.

In considering whether a moratorium on residential subdivisions must be imposed across a middle school service area, the Planning Board must use a 180-seat deficit and 120% utilization rate based on Montgomery County Public Schools program capacity as its measures of adequate school capacity. Both measures must not count relocatable classrooms in computing a school's permanent capacity. If projected enrollment in any middle school service area will exceed program capacity by 180 seats or more and will exceed 120% utilization, the Board must not approve any residential subdivision in that middle school service area during the next fiscal year.

In considering whether a moratorium on residential subdivisions must be imposed across an elementary school service area, the Planning Board must use a 110-seat deficit and 120% utilization rate based on Montgomery County Public Schools program capacity as its measures of adequate school capacity. Both measures must not count relocatable classrooms in computing a school's permanent capacity. If projected enrollment in any elementary school service area will exceed program capacity by 110 seats or more and will exceed 120% utilization, the Board must not approve any residential subdivision in that elementary school service area during the next fiscal year.

If the Planning Board revises its measures of adequacy during a fiscal year because of a material change in projected school capacity, that revision must be used during the rest of that fiscal year in reviewing residential subdivisions.

Table 2 shows the result of this test for July 1, 2019, to June 30, 2020. Table 3 shows the projected cluster grade level student capacity and enrollment data used in the annual school test. Table 4 shows the projected individual elementary and middle school student capacity and enrollment data used in the annual school test. Using average student generation rates developed biennially from the most recent Montgomery County Public Schools' enrollment data, the Planning Board must limit residential subdivision approvals in any cluster during the fiscal year so that the students generated by the housing units approved do not exceed the remaining capacity up to 120% utilization for students at any grade level in that cluster, nor do they exceed the individual elementary and middle school seat deficit caps of 110 and 180 seats, respectively, in addition to a 120% school level utilization rate.

## **S5 Senior Housing**

If public school capacity is inadequate in any cluster or school service area, the Planning Board may nevertheless approve a subdivision in that cluster, or school service area, if the subdivision consists solely of housing and related facilities for elderly or handicapped persons or housing units located in the age-restricted section of a planned retirement community.

## **S6 De Minimis Development**

If public school capacity is inadequate in any cluster, or school service area, the Planning Board may nevertheless approve a subdivision in that cluster, or school service area if the subdivision consists of no more than 3 housing units.

## **S7.3 Condemned Buildings or Affordable Housing**

If public school capacity is inadequate in any cluster or school service area, the Planning Board nevertheless may approve a subdivision in that cluster or school service area if the subdivision generates 10 or less students in any given impacted school, and:

- (1) Replaces or remediates a condemned, or previously condemned and currently vacant structure located within, abutting or confronting a state-designated Opportunity Zone, or
- (2) Is a project having more than 50% affordable housing units for households earning 60% or less of area median income.

These provisions may be used so that a school's enrollment forecast is affected by no more than one such development per year.

# Focused Discussion on Moratorium Policy Tool

# Preview of STAT Meeting #5

# STAT Meeting #5

- Scheduled for Tuesday, January 28 at 7:00 pm
- Topics:
  - School “Policy Areas”
  - Impact Taxes (Review Articles IV and V of County Code Chapter 52)
  - School Facility Payments