

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 8

Resolution No. 128 -2023

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the elementary school regions, and the elementary schools, middle schools, and high schools constrained for new residential development during each of the following ten years as based on the definition of program capacity as defined by Howard County Public School System policy and requiring a certain joint special work meeting in accordance with Section 16.1103(d) of the Howard County Code.

Introduced and read first time _____, 2023.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2023.

By order _____
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted __, Adopted with amendments __, Failed __, Withdrawn __, by the County Council on _____, 2023.

Certified By _____
Michelle Harrod, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Title 16, Subtitle 11 of the Howard County Code sets forth the
2 Adequate Public Facilities Act of Howard County (the “Act”); and

3
4 **WHEREAS**, Section 16.1103(c) of the Act provides for a School Capacity Chart
5 that is consistent with the Housing Unit Allocation Chart and that indicates the elementary
6 school regions, and the elementary schools, middle schools, and high schools that are open
7 for new residential development and those that are constrained for new residential
8 development during each of the following ten years as based on the definition of program
9 capacity as defined by Howard County Public School System policy; and

10
11 **WHEREAS**, the Department of Planning and Zoning has received the School
12 Capacity Chart, the basis of which is the assumptions used by the Board of Education in
13 predicting capacity utilization, such as school capacity, current enrollment, demographic
14 and growth trends, and the Housing Unit Allocation Chart, from the Board of Education
15 and has submitted it to the Council for adoption.

16
17 **WHEREAS**, Section 16.1103(c) also provides that the School Capacity Chart shall
18 be accompanied by a report (the “Report”) that contains information related to capacities,
19 redistricting, any projected increases in enrollment and related reasons for the increase, and
20 information related to proposed redistricting or a capital improvement project’s impact on
21 a school’s “open” designation; and

22
23 **WHEREAS**, the Report has been provided by the Howard County Public School
24 System to the Department of Planning and Zoning in accordance with Section 16.1103(c);
25 and

26
27 **WHEREAS**, the Report also serves the purposes of providing the notice required
28 by 16.1103(d) that a school or school region has reached 95 percent capacity utilization
29 and is projected to exceed 110 percent capacity utilization within five years and, as required
30 by Section 16.1103(d), the County Council shall hold a joint special work meeting in
31 accordance with Section 16.1103(d); and

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WHEREAS, Section 16.1103(c) further provides that the County Council shall adopt or amend the School Capacity Chart by Resolution whenever the Council adopts or amends the Housing Unit Allocation Chart; and

WHEREAS, immediately preceding adoption of this Resolution, the County Council has adopted the Housing Unit Allocation Chart.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland this ____ day of _____, 2023 that the County Council adopts the School Capacity Chart, attached as Exhibit A, and incorporated herein.

AND BE IT FURTHER RESOLVED, that notice has been provided in accordance with Section 16.1103(d) of the Howard County Code and a joint special work meeting shall be held.