

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2020, Legislative Day No. 17

Resolution No. 76-20

All Councilmembers

By the County Council, July 6, 2020

A RESOLUTION of the Baltimore County Council establishing the Baltimore County Adequate Public Facilities Ordinance (“APFO”) Task Force.

WHEREAS, the Baltimore County APFO was instituted to help the County adapt to the pressure that growth places on school capacity and for the purpose of providing a predictable planning environment for the provision of adequate infrastructure and public school facilities by requiring development projects to pass certain tests as a condition of development approval; and

WHEREAS, through years of administrative and judicial decisions that have interpreted the APFO, the County Master Plan, and the development code, the purposes and legislative intent of the APFO have often not come to fruition; and

WHEREAS, the Baltimore County School system has strained to handle increases in the allowable number of students in existing schools as a result of increased development, with insufficient brick and mortar changes to the foot print of schools or new schools to deal with the higher number of students being placed in the schools; and

WHEREAS, it is well known that demographics play a role in school overcrowding as established neighborhoods are refreshed with new families with school age children; and

WHEREAS, in order to address growth and overcrowding concerns over the APFO’s effectiveness and its relevance to present day realities, the County Council wishes to assemble a

diverse group of stakeholders with the intent of balancing areas of expertise, opinions, and interest in order to conduct a thorough review of the existing APFO particularly as it relates to school overcrowding; now therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, that the Baltimore County APFO Task Force is hereby established; and

BE IT FURTHER RESOLVED THAT, the Task Force consists of 7 members:

- A representative of the Baltimore County Planning Department who shall serve as Chair of the APFO Task Force and provide technical support;
- A representative of the PTA Council of Baltimore County;
- A representative of the Baltimore County Board of Education;
- A representative from the Maryland Building Industry Association;
- A representative from the League of Women Voters;
- A representative from the Teachers Association of Baltimore County (TABCO); and
- A representative from the Council of Administrative and Supervisory Employees (CASE); and

BE IT FURTHER RESOLVED THAT, the Director of the Department of Planning shall designate the Department of Planning member, subject to approval of the County Council, and the remaining members of the Task Force shall be appointed by the County Council; and

BE IT FURTHER RESOLVED THAT, the Task Force shall meet at least once per month beginning in August, 2020; and

BE IT FURTHER RESOLVED THAT, the Task Force shall study and report on methods to significantly improve the Baltimore County APFO as it relates to development and the need for

adequate infrastructure and public school facilities, and its study shall include:

- Relevant materials, documents, and reports from the Maryland Department of Planning, the Maryland Sustainable Growth Commission, and other relevant state agencies
- The structure and efficacy of APFOs in other Maryland jurisdictions
- Relevant data on student enrollment and school capacity from Baltimore County Public Schools
- Census data on projected population trends
- Economic and development projections within the County and the greater Baltimore region
- The Master Plan for Baltimore County
- Regional Transportation plans developed by the Maryland agencies and regional planning councils

BE IT FURTHER RESOLVED THAT, the Task Force shall report its findings and recommendations on the results of its studies, to the County Executive and County Council on or before November 1, 2020 and shall include a recommendation as to whether the Task Force should be continued or its scope or membership amended; and

BE IT FURTHER RESOLVED THAT, the Task Force shall include in its report an accurate assessment of projected public school enrollment from proposed and approved development and a table that summarize and compare the Baltimore County APFO to APFOs in other Maryland counties; and

BE IT FURTHER RESOLVED THAT, the Task Force shall dissolve without further action by the County Council by December 31, 2020; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the County Council.