**I M P R O V E M E N T A S S O C I A T I O N, I N C .**

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Recently there has been discussion on creating development fees for new development. The issue of charging development fees to support County capital project costs generated as a result of the development (roads, parks, schools etc.) although laudable should NOT be tied to schools that are currently overcrowded (over 115%) and currently subject to development restrictions.

The Baltimore County, Adequate Public Facilities Regulations for schools can be found at

<https://www.baltimorecountymd.gov/Agencies/planning/devrevandlanduse/adequatepublicschoolfacilities.html>. In summary, the existing regulations impose restrictions on residential development:

 1. if a school exceeds 115% of the State rated capacity, and

 2. if there is no capacity in an adjoining school (within a cluster).

 The existing regulations specify that the Board of Education can implement a variety of mechanisms to create capacity in schools such as grade realignments, schedule changes, magnet schools, work-study, etc. These changes however, must be made within one school year in order to become effective. More structural solutions include new schools, modular construction etc. which can also be used to alleviate school over-crowding.

The existing law also requires that the Board of Education and County prepare a study – showing school boundaries, enrollment and overcrowding and a Plan that addresses any overcrowding issues.

The existing regulations adopted in 2006 have worked well in making the school enrollments, projections and overcrowding transparent and effective. Development cannot be approved in over-crowded school districts until appropriate measures to address the overcrowding have been put in place.

Any consideration for the creation of development fees for new development should NOT be tied to school overcrowding and should take into consideration preserving the existing school over-crowding law and restrictions. Simply, paying a development fee should not be a pass to proceed with development. Development fees although helpful should NOT be tied to school overcrowding and will not begin to address the total costs associated with solving school overcrowding.

If you have any questions, please don’t hesitate to contact me.

Very truly yours,

Jack Amrhein, President

Perry Hall Improvement Association