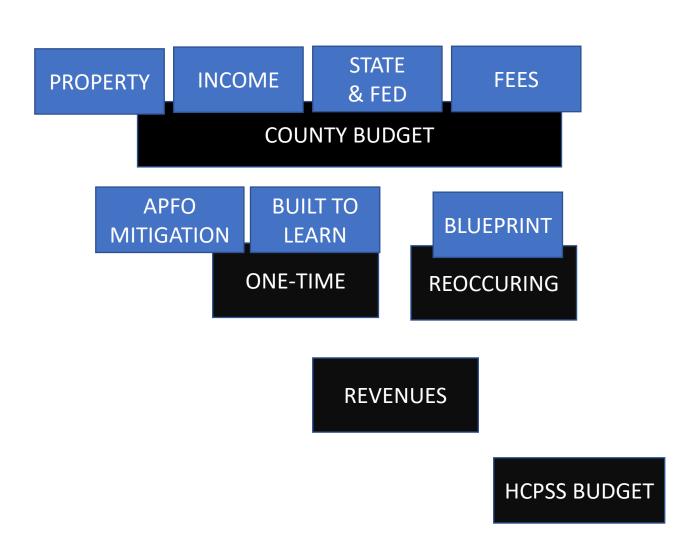
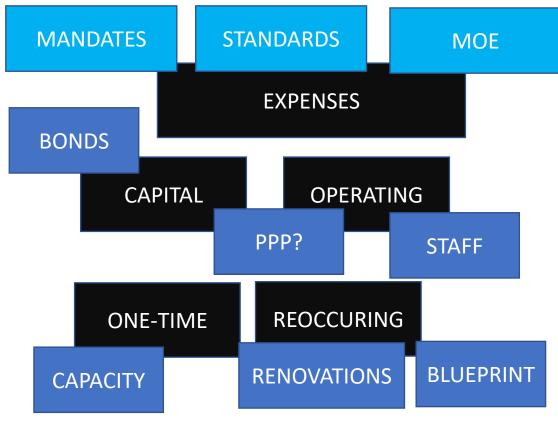
PTACHC Legislative Update – Nov 6, 2023





NOVEMBER 2023

HCPSS BOE - Nov 2, 2023 Thursday 4&7 PM HCPSS HQ PTACHC General Meeting - November 6, 2023 Monday 7:30 PM Homewood School Cafeteria

Howard County Council Legislative Session - Nov 6, 2023 Monday 7:00PM George Howard Building NEW APFO HOUSING UNIT ALLOCATIONS AND SCHOOL CAPACITY CHART INTRODUCED

Maryland IAC Monthly Meeting - Nov 9,2023 Thursday 9am

HCPSS BOE - Nov 16, 2023 Thursday 4 PM HCPSS HQ
 * POLICY 5200 – SCHOOL BUS SERVICE PUBLIC HEARING

Howard County Council Public Testimony - Nov 20, 2023 Monday 7:00 PM George Howard Building Includes CR-179-2023, CR-180-2023, CB-41-2023

NEW! Howard County Council Vote On 5 Year Capital Spending Plan Nov 27, 9:00 AM MARYLAND IAC DEADLINE NOV 30th

Howard County Council Work Session - Nov 27, 2023 Monday 7:00 PM George Howard Building

Howard County Delegation – NOV 30th 2023 – Check https://www.howardcountymd.gov/state-delegation

Source - https://conta.cc/3Fx8fh6



HOCO BY DESIGN (GENERAL PLAN; CB28-2023)

Legislative Highlights

The County Council passed HoCo By Design (the General Plan; CB28-2023) on October 13 during an extensive voting session. My office spent over 1000 hours combing through the plan to ensure that the many voices we heard from were reflected in this document.

With approximately 24,000 units approved over the next 14 years in a County that has only 2% of its land left as developable, that means significant redevelopment will take place in parking lots of shopping centers. I am concerned that our already overcrowded schools and roads will become even more so. While the General Plan is only a guide to the future, it will have a significant impact on the comprehensive rezoning process.

There are still a number of steps before we get to comprehensive rezoning, with three citizen task forces which will delve deeper into the issues of Columbia zoning, the Adequate Public Facilities Ordinance and Housing initiatives. I promise to keep you informed along the way.

Deb Jung

djung@howardcountymd.com

GENERAL PLAN HIGHLIGHTS

FUN FACTS

- Passed on October 13 during a nine-hour voting session
- 132 amendments
- 41 amendments to amendments

Click here to see the full legislation.

MY AMENDMENTS

I focused on amending sections dealing with housing, New Town (Columbia) zoning, NextGen noise to/from BWI, the Adequate Public Facilities Ordinance, school-funding and capacity issues, the allocations chart (the number of units that can be built every year), and environmental protections and measures.

APPROVED ALLOCATIONS CHART

The adopted Plan recommends about 24,000 units to be built over the next 14 years, in addition to more than 7,000 units in various stages of production and thousands more that could potentially be built in Gateway following the Gateway Master Plan. The Plan's amended allocations chart includes the following totals by area:

- 3,219 planned for Downtown Columbia
- 9,000 for Activity Centers (including Village Centers)
- 5,475 in Character Areas (primarily infill in established neighborhoods)
- 1,500 in the Rural West
- · 4,760 affordable housing units as an incentive

NEXT STEPS

- APFO Taskforce to convene within one year of the passage of the General Plan and review the current growth management law
- Taskforces formed to review New Town zoning and Housing initiatives
- Comprehensive Rezoning takes place to update the Zoning Regulations, Subdivision and Land Regulations, and the Zoning Map in 2025

APFO, PUBLIC SCHOOL FACILITIES & HOSPITAL

Chapter 10 Managing Growth dealt with future growth and the growth management tool of the Adequate Public Facilities Ordinance (APFO).

SUMMARY OF MY AMENDMENTS:

My amendments included revisions in the policy statements and implementing actions that removed language directing or mandating certain changes to APFO.

- Removed prescriptive language to amend APFO (Amendment 106 & 80)
- Removed recommendation to provide exemptions for affordable housing, agerestricted, and missing middle housing (Amendment 80)
- Removed recommendation to allow developers to provide a mitigation payment to avoid the APFO waiting periods (Amendment 80)
- Removed directive to study and develop APFO fees for transportation projects (Amendment 80)
- Maximized available school construction funds from the State by offering a local match (Amendment 85)
- Increased the percentage of Transfer Tax revenue allocated to school construction (Amendment 101)
- Considered school capacity when adopting Zoning Regulation Amendments (Amendment 104)

OUTCOME

- Amendment 80: Passed (Walsh, Jung, Yungmann: yes; Jones, Rigby: no)
- Amendment 85: Failed (Walsh, Jung: yes; Jones, Rigby, Yungmann: no)
- Amendment 101: Failed (Walsh, Jung: yes; Jones, Rigby, Yungmann: no)
- Amendment 104: Failed (Walsh, Jung: yes; Jones, Rigby, Yungmann: no)
- Amendment 106: Failed (Walsh, Jung: yes; Jones, Rigby, Yungmann: no)

HOSPITALS & APFO

To address the emergency room overcrowding, I introduced an amendment to support our hospital (Amendment 129; passed; Walsh, Jung, Yungmann: yes; Jones, Rigby: no). Liz Walsh introduced an amendment to add hospital capacity to the APFO test when approving new development (Amendment 97; failed; Walsh, Jung: yes; Jones, Rigby, Yungmann: no)



ENVIRONMENT

In general, I was pleasantly surprised by some of the environmental protection recommendations identified in Chapter 3: Ecological Health. Several recommendations overlapped with previous legislation introduced by Councilmember Liz Walsh. The amendments that I introduced to this chapter and those that I supported from Councilmember Walsh would have strengthened the environmental protection language in the Plan.

AMENDMENT 79 SUMMARY

- Added language to address health hazards caused by airplanes
- Added action to track outcomes of ecological health investments and provide maintenance and enforcement



- Added an action to develop open space percentage requirements for activity centers
 that was deleted by an amendment to amendment from the County Executive
 (Amendment 3 to 79; passed; Jones, Rigby, Yungmann; yes; Walsh, Jung; no)
- · Added 2020 bird-friendly building bill to the County's Green Building Law
- Removed Green Neighborhoods as an incentive for new development. The program has not yielded significant environmental protections and is difficult to enforce and oversee
- · Removed density bonuses for preserving environmental features
- Added recommendations for addressing water quantity, incentivizing retrofits for existing commercial centers to meet current standards and ensure that redevelopment meets new development stormwater standards

OUTCOME: PASSED AS AMENDED (WALSH, JONES, RIGBY, JUNG: YES; YUNGMANN: NO)

AMENDMENT 3 & 4 TO AMENDMENT 79: STORMWATER MANAGEMENT

The County Executive sponsored two amendments that reduced redevelopments' stormwater management requirements:

- · Removed my addition of an open space percentage requirement for activity centers
- Deleted my changes to strengthen stormwater management by requiring redevelopment to meet the same stormwater practices as new development
- Added language to incentivize and encourage redevelopment to meet current requirements and new stormwater requirements

OUTCOME: PASSED (JONES, RIGBY, YUNGMANN: YES; WALSH, JUNG: NO)

3

NEW TOWN - COLUMBIA

In Chapter 7: Quality By Design, the Plan leaves the impression that there is a desire by this Administration to do away with New Town (Columbia) Zoning through comprehensive rezoning.

AMENDMENT 76

Most of my amendments in this chapter highlighted New Town's strengths as a community that fosters diverse housing options, walkability, and access to green space. The original HoCo by Design language did not acknowledge these aspects of New Town.

SHMMARY

- Removed any attempts to dismantle New Town zoning
- · Added a section to demonstrate how Columbia is an example for the Plan's goals
- Removed reference to the 2018 Zoning Regulation assessment that was never presented to the Council
- · Initiated a new market study for the retail success of the Village Centers
- Called for a task force to evaluate New Town zoning and future growth plans

The biggest change I proposed was on page 27 in a narrative section dealing with preserving character in future development. The original language cited the need for "significant changes to the New Town Zoning District" recommended by the 2018 regulations assessment. I viewed this statement as an attempt to dismantle the internal balance of uses of New Town Zoning and

reliance on an assessment that was paused prior to the completion of a final draft and never adopted as a rezoning blueprint. My rewrite of the section was inspired by feedback shared by the Columbia Association's testimony on June 28, 2023.



OUTCOME: PASSED AS AMENDED

(WALSH, JUNG, YUNGMANN: YES; JONES, RIGBY: NO)

AMENDMENTS TO AMENDMENTS

- Added a task force to review New Town Zoning (Amendment 2 to 76 sponsored by the County Executive: passed unanimously)
- Added that Council Members and the County Executive will appoint New Town task force members (Amendment 1 to 76; sponsored by Deb Jung; passed; Walsh, Jung, Yungmann; yes; Jones, Rigby; no)
- Removed New Town as an area that could be used for density bonuses, such as relief to setbacks, as a development incentive (Amendment 75 sponsored by Deb Jung; failed; Walsh, Jung: yes; Jones, Rigby, Yungmann: no)

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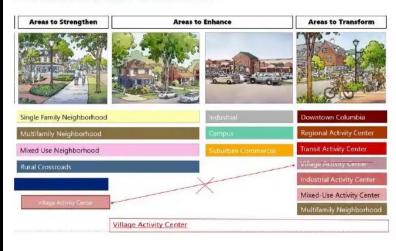
VILLAGE CENTERS

Throughout the Plan, Columbia's Village Centers were identified as areas that should be "transformed." In Chapter 2: Growth & Conservation Framework, these transformation areas are described as being reimagined with new employment, regional shopping, and entertainment as well as residential units. Columbia's Village Centers were originally designed to provide exactly these services, except for one key component: housing. The Plan clearly intended to transition the Village Centers to high-rise apartments without considering to the viability of the locally owned businesses that struggle to pay the high rents in the centers.

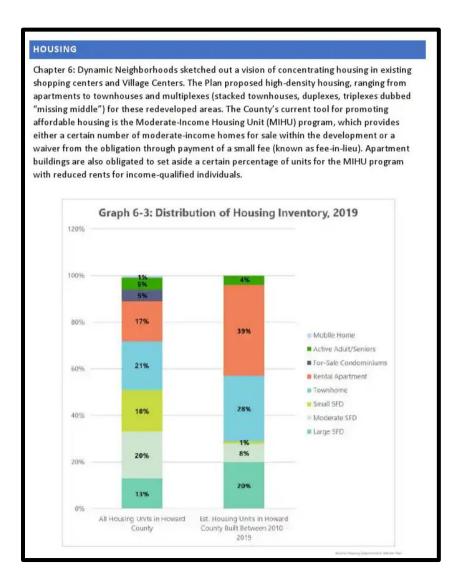
AMENDMENT 92: AREAS TO STRENGTHEN

I initially proposed to move Village Activity Centers from the "Areas to Transform" to "Areas to Strengthen" section because many of the centers need a facelift but they do not need to be gutted in order to squeeze in more housing in parking lots. The County Executive proposed an amendment to my amendment to expand Village Centers over three categories: Areas to Strengthen, Enhance, and Transform. I supported this approach because different Village Centers might have different needs.

OUTCOME: PASSED AS AMENDED UNANIMOUSLY



MY OTHER AMENDMENTS · Removed grading and vegetation clearing as a necessity at redeveloped Village Activity Centers; removed specifics about lot size and building placement for Village Center redevelopment (Amendment 60; failed; Walsh, Jung: yes; Jones, Rigby, Yungmann: no) · Removed the statement that Village Centers could have buildings up to five stories tall (Amendment 58; passed unanimously) · Removed entire redevelopment scenarios for New Town; added preservation of green space and frontage setbacks for apartment complex redevelopment; added language that parkway design is enhanced through understated commercial centers (Amendment 59; passed; Walsh, Jung, Yungmann: yes; Jones, Rigby: no) · Required grocery stores in Village Centers' Redevelopment Illustrative Concept (Amendment 61; passed; Walsh, Jung, Yungmann: yes; Jones, Rigby: no) OTHER AMENDMENTS Added that market conditions, consumer trends, and competitive position should be considered during Village Center redevelopment (Amendment 1 to 58; sponsored by the County Executive; passed unanimously) Areas to Strengthen Areas to Strengthen represent places that may need support to overcome specific hurdles preventing them from reaching their full potential. They may include certain village centers in Columbia, or rural crossroads in the West, or places that reflect Howard County's character and aspects that make it special. Physical improvements in all Areas to Strengthen should build upon, and contribute to, the continued success of these unique locations. Areas to Preserve Areas to Strengther Less Change / Lower Intensity



HOCO BY DESSIGN GENERAL PLAN PASSED NOW COMES IMPLEMENTATION APFO, COMPREHENSIVE REZONING

My primary concern in Chapter 6 was to introduce more opportunities for home ownership, incentivize affordable for-purchase and rental units, and require developers to provide more affordable rental units under the MIHU program. Low- and moderate-income families are frequently looking for a chance to own rather than rent. Home ownership has been the number one method for creating generational wealth. Of the 31,000 people who allegedly want to live in Howard County, the preference is for home ownership by 2:1. RLCCO Report.

AMENDMENT 100 SUMMARY:

- . Identified ways in which home ownership should be promoted
- · Explained ways in which Columbia upholds the General Plan's goals
- · Changed prescriptive language to suggestions
- · Better identified new housing's fiscal impacts on overall revenues
- Added consideration for redevelopments' (especially ADUs) impact on existing communities
- · Pointed out that MIHU fee in lieu has contributed to economic segregation
- · Noted that homeownership promotes generational wealth
- Stated that New Town zoning should not be undermined in exchange for profit (ie density)

OUTCOME: PASSED AS AMENDED (WALSH, JUNG, YUNGMANN: YES; JONES, RIGBY: NO)

MY OTHER AMENDMENTS

- Increased MIHU percentage by 5% (Amendment 77; failed; Walsh, Jung: yes; Jones, Rigby, Yungmann: no)
- Expanded the County's landlord-tenant department (Amendment 78; passed; Walsh, Jung, Jones, Rigby: yes; Yungmann: no)
- Added an action to allow MIHU homeowners to realize market appreciation in order to build generational wealth. Councilmember Dr. Jones amended this amendment to strike "market" from "market appreciation" and strike "as a means to build generational wealth." (Amendment 114; passed as amended by unanimous vote)
- Added a narrative section to reevaluate the fee-in-lieu program and use missing middle
 housing as a way to meet MIHU to promote more socioeconomic diversity. The County
 Executive amended my amendment by deleting my changes and inserted language
 about finding ways that missing middle housing can complement the MIHU program.
 (Amendment 115; passed as amended; Walsh, Jung, Jones, Rigby; yes; Yungmann: no)
- Added housing demographic data for rentals and home ownership in the real estate submarkets. Columbia has some of the highest concentrations of apartments and total units in the County. (Amendment 1 to Amendment 100). The County Executive amended my amendment (Amendment 3 to Amendment 100; passed unanimously)
- Increased the affordable housing allocations to 500 units per year evenly split between affordable for-purchase and affordable rental units (Amendment 82; failed)

BWI AIRPLANE NOISE

Noise associated with air traffic to and from Baltimore/Washington International (BWI) Thurgood Marshall Airport was recognized as far back as the 1982 General Plan, which described an objective "to ensure that general aviation activity does not produce excessive noise in residential areas." Three years after the adoption of PlanHoward 2030, the Federal Aviation Administration (FAA) implemented NextGen, creating an airspace in which planes are flying lower and longer over residential areas resulting in more noise impacts to residents in Howard County than ever before. Hundreds of thousands of noise complaints have been filed with the Maryland Aviation Administration (MAA) by residents impacted by these changes to flight paths and procedures.

AMENDMENT 108

Amendment 108 added an entirely new section that detailed the health impacts of air traffic noise on Howard County communities and called for evaluation and collaboration with State and Federal agencies to mitigate impacts of BWI flight paths to Howard County communities. I also added the following implementing actions:

- Continue participating on the BWI Roundtable to track the proposed technical changes requested by the BWI Roundtable and agreed to by the Federal Aviation Administration (FAA).
- Continue to encourage the MAA and FAA to identify and develop additional and necessary changes to NextGen that reduce airplane noise disturbances.
- 3. Continue to advocate for State and Federal policies to help communities monitor the airplane particulate matter in communities within state or federally defined zones associated with BWI flight paths (existing height and noise) Support efforts by State and Federal partners to develop environmental policies and strategies to mitigate the impacts of particulate matter.
- Research national trends and implement requirements for innovative building designs that reduce airplane noise in areas highly impacted by BWI operations.
- Work with our State and Federal partners to have them develop environmental strategies to mitigate the impacts of particulate matter.

OUTCOME: PASSED AS AMENDED UNANIMOUSLY

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- Research national trends and implement requirements for innovative building designs that reduce airplane noise in areas highly impacted by BWI operations.
- Work with our State and Federal partners to have them develop environmental strategies to mitigate the impacts of particulate matter.

OUTCOME: PASSED AS AMENDED UNANIMOUSLY

NOVEMBER 2023 CB-41-2023 35% Rule

(o)	Housing unit allocation chart means a chart indicating the projected number of housing unit
	allocations available to be granted in the County each year for a ten-year period. [[The chart
_	divides the available housing unit allocations into geographic areas and may provide for
	green neighborhood and Downtown Columbia units. In a given year, no more than 35
	percent of the allocations available in the growth and revitalization region may be granted to
	projects in a particular planning area, as established by PlanHoward 2030, Map 6-2
	"Designated Place Types".]] The number of housing unit allocations on the chart shall be as
	follows:

NOVEMBER 2023 ITEMS

- *October meetings Considering formation of a Capital Project "Prioritization" Committee Similar to the OBRC for Operating Expenses. Details TBD. PTACHC Representation of Inclusion TBD
- *Adequate Public Facilities Ordinance TASK FORCE Early indications of quick announcement and conclusion. PTACHC Board sent request for PTACHC inclusion. No response as of Nov 6.
- *Accessory Dwelling Unit Policy Task Force Underway
 Potential impacts to growth patterns, demographics, budget, redistricting
 https://planning.maryland.gov/Pages/OurWork/ADUTF/ADU.aspx

^{*}The amended version of HOCO BY DESIGN General Plan is still not publicly available.

STATE - Maryland General Assembly TESTIMONY ON LOCAL BILLS NOV 30th







Department of Legislative Services

General Assembly of Maryland **Dates of Interest**

2024 SESSION

446th Session (Preliminary)

	`		1632	/				,,
		IAN	NUA	ρv				
	1	2	2	Λ1 Δ	-	6	January 10	GENERAL ASSEMBLY CONVENES (noon, Wednesday)
	н	-	,	_	1	ľ	17	Final date for the Governor to introduce budget bill.
7	8	9	10	11	12	13	17	Final Date for the Governor to introduce capital budget bill.
14	15 H	16	17	18	19	20	19	10th Day – Final date for submission of Executive Orders reorganizing the Executive Branch of State Government; either Chamber may disapprove resolution within 50 days.
21	22	23	24	25	26	27	19	10th Day - SENATE AND HOUSE BILL REQUEST GUARANTEE
					╙	┺		DATE
28	29	30	31				22	13th Day –Administration bills introduced in the Senate after this date referred Senate Rules Committee
							TBD	Governor delivers State of the State Address
_		FEB	RUA	RY				
				1	2	3	February 5	27th Day – SENATE BILL INTRODUCTION DATE
4	5	6	7	8	9	10		Senate bills introduced after this date referred to the Senate Rules Committee
11	12	13	14	15	16	17	8	In order to meet the bill introduction date, House bills must be filed with the Chief Clerk's office by 5:00 P.M.
18	19	20	21	22	23	24	9	31st Day – HOUSE BILL INTRODUCTION DATE
25	H 26	27	28	22	23	24		House bills introduced after this date referred to the House Rules and Executive Nominations Committee
	20		20	/			18	40th Day – "Green Bag" appointments submitted by Governor (Delivered on Friday, February 16)
		M	ARC	Н				
					1	2	March 4	55th Day - Final date for introduction of bills without suspension of Rules
							12	63rd Day – Committee Reporting Courtesy Date
3	4	5	6	7	8	9		Each Chamber's committees to report their own bills by this date.
10	11	12	13	14	15	16	18	69th Day - Opposite Chamber Bill Crossover Date
17	18	19	20	21	22	23		Each Chamber to send to other Chamber those bills it intends to pass favorably.
		-						Opposite Chamber bills received after this date subject to referral to Rule
24	25	26	27	28	29	30		Committees (Senate Rule 32(c), House Courtesy Date)
							April 1	83rd Day - Budget bill to be passed by both Chambers.
		A	PRII	L			8	90th Day - ADJOURNMENT "SINE DIE" (Monday)
	1	2	3	4	5	- 6		
						$ldsymbol{oxed}$	May 8	Final date for an extended session (Wednesday)
7	8	9	10	11	12	13	14	Maryland Presidential Primary Election
14	15	16	17	18	19	20		-
21	22	23	24	25	26	27		
		2.5	~ "		20	~ /		
20	20	20						POST-SESSION

POST-SESSION

April	28	20th Day after adjournment — Final date for presentment of bills to the Governo
	20	204 D A

30th Day after presentment — Governor to sign/veto bills by this date. Other than emergency bills and as otherwise provided, earliest date for bills to take effect. Budgetary, tax, and revenue bills to take effect.

Usual effective date for bills October

CR-179-2023 (NEW)

HOWARD COUNTY HOUSING UNIT ALLOCATION CHART SUMMARY OF ALLOCATION AREAS

Allocation Chart

Region	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Activity Centers	600	600	600	600	600	600	600	600	600	600
Other Character Areas	365	365	365	365	365	365	365	365	365	365
Rural West	100	100	100	100	100	100	100	100	100	100
Affordable Housing	340	340	340	340	340	340	340	340	340	340
Total	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405

DOWNTOWN COLUMBIA ALLOCATIONS BASED ON GENERAL PLAN AND ZONING REQUIREMENTS*

	(Continua	ation of	Phase		Phase III					Remaining Phase
	2027	2028	2029	2030	2031	2032	2033	2034	2035		
Downtown											
Columbia	335	335	335	335	335	155	155	155	155	154	1,214

^{*} Implementation of the residential component of the Downtown Columbia Plan extends beyond the horizon of this housing unit allocations chart. It includes the rolling averages from previously adopted allocation charts to maintain the downtown revitalization as adopted in the Downtown Columbia Plan.

EXEMPTIONS (REMAIN)

Sec 116.1103 Adequate Schools Sec 116.1104 Housing Units



Reference Material

Schedule C

Howard County, Maryland School Facilities Surcharge As of June 30, 2023

Fiscal Year	Beginning Balance	Surcharge Collected	Debt Service Surcharge Bonds*	Pay Go	Ending Balance		
2005	\$ -	\$ 5,946,543	\$ -		\$ 5,946,543		
2006	5,946,543	6,814,269	-		12,760,812		
2007	12,760,812	6,371,054	2,204,998		16,926,868		
2008	16,926,868	4,749,863	4,313,639		17,363,092		
2009	17,363,092	3,796,822	5,801,401		15,358,513		
2010	15,358,513	5,890,008	6,167,534		15,080,987		
2011	15,080,987	4,875,886	6,911,415		13,045,458		
2012	13,045,458	5,660,948	7,000,115		11,706,292		
2013	11,706,292	6,581,536	7,764,529		10,523,299		
2014	10,523,299	6,765,059	8,066,618		9,221,740		
2015	9,221,740	6,883,468	7,500,572		8,604,636		
2016	8,604,636	7,268,211	7,246,418		8,626,429		
2017	8,626,429	5,944,674	7,255,368		7,315,735		
2018	7,315,735	6,219,580	7,065,629		6,469,686		
2019	6,469,686	5,650,869	7,108,644		5,011,911		
2020	5,011,911	4,542,354	7,141,574		2,412,691		
2021	2,412,691	9,409,794	6,466,201	3,000,000	2,356,283		
2022	2,356,283	16,049,851	5,930,855	4,000,000	8,475,280		
2023	16,146,362 *	* 18,411,198	4,931,535	9,070,864	20,555,162		

^{*} Principal and Interest

The County sold \$31,000,000 of School Facilities Surcharge Bonds in January 2006, \$27,470,454 in March 2007, \$16,533,546 in February 2008, \$7,950,000 in March 2009, \$5,940,534 in February 2010, \$40,000 in February 2011, \$19,466 in November 2011, \$5,000,000 in April 2014, \$471,000 in April 2015, \$1,933,910 in March 2016, \$3,595,090 in April 2017, \$1,000,000 in April 2018, \$858,000 in May 2019 and \$142,000 in May 2020. The outstanding debt service on those bonds is \$27,469,378. The surcharges collected annually will be used to fund those future debt service payments.

School Surcharge Status

- *A One Time Payment For One Time Expense (CAPACITY)
- *Frees up available funding for reoccurring expenses (Operations/Renovations)
- *Can be used for Non-Capacity Projects (Backfill Issues)
- *Should fund PAY-GO expenses (Revenues should closely pace capacity needs and expenses)
- *Was (and still is) used to repay a revolving line of debt for past expenses now at \$27 Million
- *2023 Only \$9M used for capacity projects of \$18M Collected
- *Charged in \$ Per Square Foot of new residential development (I.E. Already is "progressive" charging less for small affordable unit types and more for large Single-Family homes)
- *Even with 2018 Increase phased in, amount is far below actual costs needed to cover expenses. (See Oakland Mills, Dunloggin, Turf Valley and others for real-life examples)
- *There is NO current legislative effort by the HCPSS, Council, Executive Office, State or other to rectify.
- *OUR shared school system is falling behind as a result.

^{**} Beginning balance was restated to report actual Pay Go expenditures instead of budgeted.