



June 2, 2009

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** Dan Hardy, Acting Chief, Research & Technology Center

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**FROM:** Pamela Dunn, Planner Coordinator, Research & Technology Center

**SUBJECT:** FY2010 Growth Policy: Adoption of School Test Results

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**Recommendation: Adopt FY 2010 School Test Results**

Beginning in July 2004, the Montgomery County Growth Policy is not revisited by the County Council on an annual basis. However, there continues to be an annual component of the revised growth policy: a review of the results of the school test. The school test determines if residential subdivisions in any school clusters should be subject to either a school facilities payment or a moratorium.

Staff will be requesting the Planning Board's acceptance of the attached school test results for FY10. These results find that nine school clusters exceed the 105 percent program capacity ceiling; eight clusters exceed at the elementary level and one cluster exceeds at both the elementary and middle school level. Thus, residential development in these nine clusters will be subject to a school facility payment.

In addition, three school clusters exceed the 120 percent program capacity ceiling; B-CC, Clarksburg and Seneca Valley school clusters. Residential subdivisions will be in moratorium for FY10 in these three clusters.

***Acceptance of School Test Results***

As in the past, the School Test analysis is prepared by Montgomery County Public Schools staff using the methodology adopted by the County Council. Planning staff has reviewed the results of the MCPS analysis and we endorse the findings outlined above.

The school test compares projected 2014 enrollment with 2014 classroom capacity for each of the 25 high school clusters at the elementary, middle and high school levels. At all three levels, elementary, middle, and high school, enrollment must not exceed 105 percent of program capacity and “borrowing” from adjacent clusters is not permitted. If projected enrollment at any level exceeds 105 percent of program capacity, residential subdivisions in the affected cluster will be required to make a school facility payment.

In addition, at all three levels, elementary, middle and high school, projected enrollment must not exceed 120 percent of program capacity and “borrowing” from adjacent clusters is not permitted. If projected enrollment at any level exceeds 120 percent of program capacity, residential subdivisions in the affected cluster will be under moratorium.

According to the analysis, enrollment does exceed 105 percent of capacity in eight school clusters at the elementary school level: Walter Johnson, Northwest, Northwood, Paint Branch, Quince Orchard, Rockville, Wheaton and Whitman. At the elementary and middle school level, there is one cluster where enrollment exceeds 105 percent of capacity: Richard Montgomery. Thus, residential subdivisions in the previously listed clusters will be required to make a school facility payment.

During FY2009, nine school clusters exceeded the 105 percent capacity ceiling. The new enrollment projections also indicate that nine school clusters will exceed the 105 percent ceiling. The difference between FY2009 and FY2010 is the removal of the B-CC, Kennedy, and Wootton clusters from this group and the addition of the Walter Johnson, Northwood and Paint Branch clusters.

The B-CC cluster moved out of school facility payment status and into moratorium. In addition to B-CC, development in the Clarksburg and Seneca Valley clusters will be subject to a moratorium in FY2010. In FY2009, the Clarksburg cluster was the only cluster where projected enrollment was projected to exceed the 120 percent capacity ceiling.

Planning staff recommends that Planning Board accept the results of the school test as calculated by Montgomery County Public Schools staff, for FY2010. These findings are attached on pages 3 and 4.

Once accepted by the Planning Board, this table (along with the resolution adopted by the Council in November 2007) will constitute Montgomery County’s growth policy for FY2010 as relates to school capacity.

## Cluster Percent Utilizations in 2014

Reflects BOE Requested FY 2009-2014 Amended Capital Improvements Program (CIP)

### Elementary School Enrollment

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Percent Utilization in 2014	Growth Policy Test Result Capacity is:	Moratorium - Red
					School Facility Payment - Yellow
B- CC	3,588	2,617	137%	Inadequate	Yes
Blair	3,932	4,282	92%	Adequate	No
Blake	2,462	2,556	96%	Adequate	No
Churchill	2,552	2,784	92%	Adequate	No
Clarksburg	3,712	3,303	112%	Inadequate	Yes
Damascus	1,889	2,105	90%	Adequate	No
Einstein	2,487	2,587	96%	Adequate	No
Gaithersburg	3,855	3,932	98%	Adequate	No
Walter Johnson	3,649	3,444	106%	Inadequate	Yes
Kennedy	2,601	2,593	100%	Adequate	No
Magruder	2,610	2,493	105%	Adequate	No
R. Montgomery	2,586	2,171	119%	Inadequate	Yes
Northwest	4,178	3,478	120%	Inadequate	Yes
Northwood	2,968	2,657	112%	Inadequate	Yes
Paint Branch	2,452	2,309	106%	Inadequate	Yes
Poolesville	571	754	76%	Adequate	No
Quince Orchard	2,889	2,691	107%	Inadequate	Yes
Rockville	2,570	2,237	115%	Inadequate	Yes
Seneca Valley	2,296	1,901	121%	Inadequate	Yes
Sherwood	2,136	2,416	88%	Adequate	No
Springbrook	2,894	3,200	90%	Adequate	No
Watkins Mill	2,561	2,807	91%	Adequate	No
Wheaton	2,816	2,407	117%	Inadequate	Yes
Whitman	2,272	2,061	110%	Inadequate	Yes
Wootton	2,910	3,072	95%	Adequate	No

**Middle School Enrollment**

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Percent Utilization in 2014	Growth Policy Test Result Capacity is:	Moratorium - Red
					School Facility Payment - Yellow
B- CC	1,187	1,037	114%	Inadequate	Yes
Blair	2,015	2,261	89%	Adequate	No
Blake	1,165	1,332	87%	Adequate	No
Churchill	1,458	1,550	94%	Adequate	No
Clarksburg	1,508	1,138	133%	Inadequate	Yes
Damascus	908	941	96%	Adequate	No
Einstein	1,209	1,461	83%	Adequate	No
Gaithersburg	1,583	1,771	89%	Adequate	No
Walter Johnson	1,675	1,863	90%	Adequate	No
Kennedy	1,246	1,384	90%	Adequate	No
Magruder	1,110	1,607	69%	Adequate	No
R. Montgomery	1,123	973	115%	Inadequate	Yes
Northwest	2,036	1,966	104%	Adequate	No
Northwood	1,136	1,391	82%	Adequate	No
Paint Branch	1,271	1,308	97%	Adequate	No
Poolesville	284	472	60%	Adequate	No
Quince Orchard	1,300	1,648	79%	Adequate	No
Rockville	898	972	92%	Adequate	No
Seneca Valley	1,229	1,471	84%	Adequate	No
Sherwood	1,202	1,475	81%	Adequate	No
Springbrook	1,068	1,216	88%	Adequate	No
Watkins Mill	1,074	1,247	86%	Adequate	No
Wheaton	1,546	1,646	94%	Adequate	No
Whitman	1,208	1,267	95%	Adequate	No
Wootton	1,407	1,598	88%	Adequate	No

**High School Enrollment**

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Percent Utilization in 2014	Growth Policy Test Result Capacity is:	Moratorium - Red
					School Facility Payment - Yellow
B- CC	1,735	1,656	105%	Adequate	No
Blair	2,327	2,876	81%	Adequate	No
Blake	1,700	1,715	99%	Adequate	No
Churchill	1,928	1,972	98%	Adequate	No
Clarksburg	1,844	1,593	116%	Inadequate	Yes
Damascus	1,291	1,589	81%	Adequate	No
Einstein	1,553	1,613	96%	Adequate	No
Gaithersburg	1,906	2,067	92%	Adequate	No
Walter Johnson	2,087	2,275	92%	Adequate	No
Kennedy	1,565	1,838	85%	Adequate	No
Magruder	1,606	1,958	82%	Adequate	No
R. Montgomery	1,969	1,949	101%	Adequate	No
Northwest	2,173	2,151	101%	Adequate	No
Northwood	1,474	1,517	97%	Adequate	No
Paint Branch	1,956	1,899	103%	Adequate	No
Poolesville	1,054	1,107	95%	Adequate	No
Quince Orchard	1,788	1,774	101%	Adequate	No
Rockville	1,263	1,584	80%	Adequate	No
Seneca Valley	1,320	1,478	89%	Adequate	No
Sherwood	1,790	2,022	89%	Adequate	No
Springbrook	1,572	2,095	75%	Adequate	No
Watkins Mill	1,438	1,913	75%	Adequate	No
Wheaton	1,222	1,398	87%	Adequate	No
Whitman	1,650	1,891	87%	Adequate	No
Wootton	2,170	2,086	104%	Adequate	No

## **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.

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**

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

### **S3 Determination of Adequacy**

Each year, not later than July 1, the Planning Board must evaluate available capacity in each high school cluster and compare enrollment projected by Montgomery County Public Schools for each fiscal year with projected school capacity in 5 years.

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

In considering whether a moratorium on residential subdivisions must be imposed, the Planning Board must use 120% of Montgomery County Public Schools program capacity as its measure of adequate school capacity. This capacity 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% of capacity, the Board must not approve any residential subdivision in that cluster during the next fiscal year.

Table 3 shows the result of this test for November 15, 2007, to July 1, 2008. Table 3 also shows the remaining capacity, in students, at each grade level in each cluster. Using average student generation rates developed from the most recent Census Update Survey, 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 for students at any grade level in that cluster.

## **S5 Imposition of School Facilities Payment**

In considering whether a School Facilities Payment must be imposed on a residential subdivision, the Planning Board must use 105% of Montgomery County Public Schools' program capacity as its measure of adequate school capacity. This capacity 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 105% of capacity but not exceed 120%, the Board may approve a residential subdivision in that cluster during the next fiscal year if the applicant commits to pay a School Facilities Payment as provided in County law before receiving a building permit for any building in that subdivision.

Table 4 shows the result of this test for November 15, 2007, to July 1, 2008. Table 4 also shows the remaining capacity, in students, at each grade level in each cluster. Using average student generation rates developed from the most recent Census Update Survey, 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 for students at any grade level in that cluster.

## **S6 Senior Housing**

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

## **S7 De Minimis Development**

If public school capacity is inadequate in any cluster, the Planning Board may nevertheless approve a subdivision in that cluster if the subdivision consists of no more than 3 housing units and the applicant commits to pay a School Facilities Payment as otherwise required before receiving a building permit for any building in that subdivision.

## **S8 Development District Participants**

The Planning Board may require any development district for which it approves a provisional adequate public facilities approval (PAPF) to produce or contribute to infrastructure improvements needed to address inadequate school capacity.

## **S9 Allocation of Staging Ceiling to Preliminary Plans of Subdivision**

The Planning Board must allocate available staging ceiling capacity in a high school cluster based on the queue date of an application for preliminary plan of subdivision approval.

### **S9.1 Assignment of queue date**

The queue date of a preliminary plan of subdivision is the date:

- a complete application is filed with the Planning Board; or
- 6 months after the prior queue date if the prior queue date expires under **S9.4**.

### **S9.2 Calculation of available staging ceiling capacity**

The Planning Board must determine whether adequate staging ceiling capacity is available for a project by subtracting the capacity required by projects with earlier queue dates from the remaining capacity on Table 3 as updated periodically. Based on this calculation, the Planning Board may:

- approve a project for which there is sufficient capacity;
- approve part of a project for which there is sufficient capacity, leaving the remainder of the project in the queue until additional capacity becomes available;
- deny an application for a project for which there is insufficient capacity; or
- defer approval of a project and leave the project in the queue until sufficient capacity becomes available for all or part of the project. If insufficient capacity is available, the Board must not schedule a hearing on the application unless the applicant requests one.

If sufficient capacity is available for a project based on the queue date, the Planning Board must not deny an application based on pipeline (but not staging ceiling) changes while the queue date is in effect.

### **S9.3 Applicability of School Facilities Payment**

The Planning Board must determine whether a project is required to pay a School Facilities Payment by subtracting the capacity required by projects with earlier queue dates from the remaining capacity on Table 4 as updated periodically. Based on this calculation, the Planning Board may:

- approve a project for which there is sufficient capacity;
- approve part of a project for which there is sufficient capacity, requiring the remainder of the project to pay the applicable School Facilities Payment until additional capacity becomes available; or
- defer approval of a project and leave the project in the queue until sufficient capacity becomes available for all or part of the project. If insufficient capacity is

available, the Board must not schedule a hearing on the application unless the applicant requests one.

If a project must pay a School Facilities Payment, the Planning Board must not deny an application based on pipeline (but not staging ceiling) changes while the Payment requirement is in effect.

#### **S9.4 Expiration of queue date**

A queue date for an application for preliminary plan of subdivision approval expires:

- 6 months after the queue date if sufficient staging ceiling capacity was available for the entire project on the queue date and the Planning Board has not approved the application or granted an extension of the queue date; or
- 6 months after sufficient capacity becomes available for the entire project.

The Planning Board may grant one or more 6-month extensions of a queue date if the applicant demonstrates that a queue date expired or will expire because of governmental delay beyond the applicant's control.