

# NOTICE

Issued by:

## Office of Planning & Zoning

Notice #:

OPZ-23-01

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Contact:

[www.aacounty.org/  
planning-and-  
zoning/support](http://www.aacounty.org/planning-and-zoning/support)

Phone #:

(410) 222-7717

### ADEQUATE SCHOOL FACILITIES TESTING

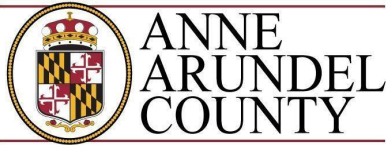
County Council Bill No. 52-23 provides new standards for development to pass the adequacy test for school facilities. This Bill became effective on August 27, 2023. The purpose of this Green Notice is to provide guidance on how adjacent available school capacity is determined for a residential development application.

The full text of Executive County Council Bill No. 52-23 is available online: [Bill No. 52-23](#)

Jenny B. Jarkowski

*Planning & Zoning  
Officer*





M A R Y L A N D

Office of Planning and Zoning

Jenny B. Jarkowski, Planning and Zoning Officer

## MEMORANDUM

TO: MBIA, Review Agencies, and the General Public

FROM: Jenny B. Jarkowski, Planning and Zoning Officer J.J.

SUBJECT: Adequate School Facilities Testing

DATE: October 30, 2023

County Council Bill No. 52-23 provides new standards for development to pass the adequacy test for school facilities. This Bill became effective on August 27, 2023. The purpose of this Green Notice is to provide guidance on how available adjacent school capacity is determined for a residential development application.

### School Utilization Chart By Feeder System

The 2024 projected student generation numbers, adopted with Council Bill No. 90-22 and as shown on the May 1, 2023 School Utilization Chart, will be used for testing until a new chart is passed by the County Council in accordance with Section 17-5-502(a)(1).

An Available Capacity chart will be updated and posted to the OPZ website weekly.

[School Utilization Available Capacity Chart](#)

### Adjacent Attendance Area (Section 17-5-501(a)(5))

Section 17-5-501(a)(5) states that a development can pass the test for adequate school facilities if a “geographical school attendance area”, adjacent to the “geographical attendance area” in which the development is located, has “available capacity sufficient to render the closed school of the corresponding educational level less than 100% of the state-rated capacity”.

The Office of Planning and Zoning has determined that an adjacent “geographical attendance area”:

- 1) contains the same type of school (elementary, middle, or high school)
- 2) has a shared boundary with the “geographical attendance area” in which the development is located

Section 17-5-501(a)(1) states “A public elementary, middle or high school adjacent to a geographical attendance area with a closed public elementary, middle or high school has available capacity sufficient to render the closed school of the corresponding education level less than 100% of the state-rated capacity.” As this Section of the Code references “a... school” and not “schools”, multiple schools cannot be used to satisfy capacity requirements for a single closed school.

Attendance area maps prepared by the Board of Education can be accessed here:  
[Elementary](#) [Middle](#) [High](#)