

1 **..Title**

2 **Adequate Public Facilities - Adequate School Facilities – Standards** – For the purpose
3 of amending the test for additional school capacity by requiring schools with enrollment
4 greater than ninety five percent of the State-Rated Capacity to be listed as closed on the
5 annual school utilization chart; and matters generally relating to adequate school
6 facilities.

7 **..Body**

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9 **CITY COUNCIL OF THE**

10 *City of Annapolis*

11
12 **Ordinance 8-18**

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14 **Introduced by: Aldermen Arnett, Rodriguez and Savidge**

15
16 **Referred to**

17 Rules and City Government Committee
18 Transportation Committee

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20
21 **AN ORDINANCE** concerning

22
23 **Adequate Public Facilities - Adequate School Facilities - Standards**

24
25 **FOR** the purpose of amending the test for additional school capacity by requiring
26 schools with enrollment greater than ninety five percent of the State-Rated
27 Capacity to be listed as closed on the annual school utilization chart; and matters
28 generally relating to adequate school facilities.

29
30 **BY** repealing and re-enacting with amendments the following portions of the Code of
31 the City of Annapolis, 2018 Edition
32 22.25.040

33
34
35 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
36 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
37 follows:

38
39 **TITLE 22 – ADEQUATE PUBLIC FACILITIES**

40
41 **Chapter 22.25 – REVIEW CRITERIA AND CERTIFICATION FOR ADEQUATE**
42 **SCHOOL FACILITIES**

43
44 **Section 22.25.040 - Standards.**
45

- 1 A. The creation of a school utilization chart in accordance with paragraph D. of this
2 section, shall occur on January 1 and July 1 of each year. The Director of Planning
3 and Zoning shall prepare a school utilization chart for use on both of these dates each
4 year.
5
- 6 B. Testing for adequate school capacities is prepared by the Director of Planning and
7 Zoning and is based on the school utilization chart, as described in paragraph D.
8 below.
9
- 10 C. Notwithstanding the definition of "proposed project" in Section 22.04.010,
11 residential developments exceeding eleven dwelling units shall not be approved at
12 locations where:
13
- 14 1. The enrollment at the elementary and middle schools that serve the site, plus
15 from the development proposed by the application the number of elementary
16 and middle schools students expected to attend based on the school pupil
17 generation factors yield per unit contained in the Anne Arundel County
18 Educational Facilities Master Plan, is currently or projected to be equal to or
19 greater than ~~one hundred~~ ninety five percent of the ~~sState-Rated~~ eCapacity
20 within three years; ~~and/or~~
 - 21 2. The enrollment at the high school that serves the site, plus from the development
22 proposed by the application the number of high school students expected to
23 attend based on the school pupil generation factors yield per unit contained in
24 the Anne Arundel County Educational Facilities Master Plan, is currently or
25 projected to be equal to or greater than ~~one hundred twenty~~ ninety five percent of
26 the ~~sState-Rated~~ eCapacity within three years.
27
- 28 D. The school capacity used in the school utilization chart shall include the following
29 and shall not vary in substance from the information included in the Anne Arundel
30 County Educational Facilities Master Plan, unless the variation is confirmed in
31 writing by the Superintendent of the School Board, or his designee, or approved by
32 resolution of the City Council:
33
- 34 1. The existing capacity of the school based on the program requirements of the
35 Anne Arundel County Board of Education; and
 - 36 2. Enrollment as of September 30; and
 - 37 3. Projected enrollment for the subsequent three years as provided by Anne
38 Arundel County Schools; and
 - 39 4. Any applicable future capacity if:
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 - 41 a. A contract for construction of the school or an addition to the school
42 necessary to achieve the future capacity has been awarded; and
 - 43 b. The Board of Education estimates that the construction will be completed in
44 time to be used for the beginning of classes in the school year in which the
45 future capacity is included in the school utilization chart; and
 - 46 c. Does not include capacity based on temporary or relocatable structures.

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SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

EXPLANATION

Underlining indicates matter added to existing law.
[~~Strikethrough~~] indicates matter stricken from existing law.