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Baltimore, Maryland 21201

April 30, 2024

Baltimore County Council
400 Washington Avenue
Towson, MD 21204

RE: Baltimore Regional Housing Partnership OPPOSITION to Bill 31-24

Dear Chairman Patoka and Honorable Councilmembers:

Thank you for the opportunity to submit testimony on behalf of the Baltimore Regional Housing Partnership in opposition to Baltimore County Council Bill 31-24, Adequate Public Facilities – Overcrowded School Districts. While we understand and support the need for Baltimore County to take decisive action to address the serious issues of overcrowding experienced at some BCPS schools, Bill 31-24 creates unnecessarily burdensome requirements for new residential housing development that will make it harder for families to find safe and affordable homes in the County. At the same time, Baltimore County has not fulfilled its commitments to invest in more school facilities or fully explored redistricting options that could balance disparate school capacity utilization across the system to create more even distribution of students in all schools, options that must be fully embraced to provide long-term solutions to school overcrowding.

The result of this legislation will be to make housing development off limits to much of the County (see attached map), in direct opposition to the County's acknowledged need to increase access to affordable housing, and the recently codified [Baltimore County Master Plan 2030](#), which identifies the goal to "Establish zoning practices that remove barriers and support mixed-use and mixed-income development for a wide-range of housing options." Unfortunately, many of the areas that will be cut off from residential development are exactly the communities that need more housing the most, with crowded schools indicating a growth in population of residents already here and in need of housing options.

Baltimore County Needs More Affordable Housing

The County has a well-documented shortage of housing. According to the 2022 report of the Baltimore County Affordable Housing Workgroup, [Baltimore County, Reinvesting in the Places We Call Home](#), the County hasn't built enough housing to keep up with demand over the last decade. Numbers for new housing construction are at levels not seen since the Great Recession. In 2018, the County reported permits for 2,107 new housing units. [By 2022, that number dropped to 335](#). Currently, total home construction lags behind demand. This unmet demand drives up home prices for everyone – renters and buyers – and leaves the most vulnerable residents with a precarious home foundation for work and school.

A key finding of the [2020 Analysis of Impediments to Fair Housing Choice in the Baltimore Region](#), a planning document between local governments, public housing agencies, and the U.S. Department of Housing and Urban Development (HUD), is the significant shortage in the region of deeply affordable rentals, "resulting in cost burden, overcrowding/doubling up, an increased risk of eviction, a higher risk of homelessness, and a lack of economic opportunity." Although this shortage affects all poverty-level

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households in the region, African Americans and persons with disabilities are disproportionately likely to experience the negative consequences from this shortage of rental units. According to [data from the Maryland Department of Community Development](#), the state needs to build housing for an estimated 97,200 extremely and very low-income households between 2020 and 2030. Without further acceleration to create deeply affordable units, this shortage will only worsen.

All local governments that receive federal funding have a duty under the Fair Housing Act to Affirmatively Further Fair Housing and take meaningful actions to address significant disparities in housing needs, overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. The duty to Affirmatively Further Fair Housing extends to all County's activities and programs that impact housing and development, and the County is also obligated to provide units in Opportunity Areas as a result of a Voluntary Compliance Agreement with HUD to resolve a housing discrimination complaint. A discriminatory action by the County that cuts off the development of new affordable housing is a dangerous risk to violating the Voluntary Compliance Agreement and the Fair Housing Act.

All of this is not to say that nothing can be done to address the serious and unequitable problems with school overcrowding experienced at some schools in the county. The hard truth is that there are no easy solutions to a problem that has been decades in the making, but the good news is that the real solutions of investment in school buildings and school boundary reforms are well supported.

BCPS Families Deserve Real Change

[Baltimore County's Annual Report of Student Enrollments, School Utilization, and Enrollment Projections](#) demonstrates great disparity across the school system in the issue of school overcrowding that supports the idea of a county-wide redistricting review and data-driven boundary realignment. For example, in the Northwest Planning Area, while one school, Wellwood International School, is at an astounding 140.84% of utilization, the overall elementary school utilization for the planning area is 96.97% with some schools in the same planning area having utilization rate as low as 64.03% and 77.59%. **While the county has done numerous boundary studies in recent years, a commitment for a school system wide review and redistricting is essential to right-size school utilization.**

It cannot be forgotten that the County has known for years that families need significantly more school facilities than the school system currently has, and that a plan already exists to address the BCPS needs. Published in 2021, the [Multi-Year Improvement Plan for All Schools](#), the first comprehensive strategic plan of its kind in Baltimore County, is a county-wide plan for all 170 public schools with an extensive assessment and analysis of facility condition, capacity, enrollment, and funding. It provides a roadmap for equitably implementing public school facility projects county-wide with a \$2.5 billion capital investment plan for the school system, and recommendations to invest in more schools and redistricting to bring school capacity utilization down to 100% by 2026. The report also notes the county has the fifth oldest school building portfolio in Maryland, with most schools having been built over 50 years ago. Even without the population growth in the County, the aging school infrastructure is in need of significant investments in order to make sure that every student goes to school in a modern, safe school building.

The county's need to make significant investments in new schools has been documented for years. Published in 2018, the [BCPS High School Capacity & Conditions Study: Community Outreach Study](#) conducted by Sage Policy Group analyzed how best to address the system's impending high

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school capacity shortfall, noting the recommendation for new high schools in Sparrows Point and Towson. Six years later without further intervention, the two existing high schools in these areas are reported in the 2023 BCPS Annual Report as having reached shocking utilization levels of over 130%.

It's time for Baltimore County to get serious about making these investments for current and future families, instead of continuing to kick the can down the road on the real solutions to school overcrowding. At the same time, the County must remain committed to the goals of the regional Fair Housing Action Plan and its commitment to increasing the supply of affordable housing. Meaningful investment in needed long-term solutions and system-wide rightsizing of districts cannot be sidelined in favor of brash development restrictions that ultimately hurt Baltimore County families.

For these reasons, we respectfully oppose Bill 31-24 and ask the County Council to recommit to sustainable solutions to school overcrowding not performed at the cost to providing families safe and affordable housing options.

Sincerely,

Adria Crutchfield
Executive Director
Baltimore Regional Housing Partnership

About the Baltimore Regional Housing Partnership:

The Baltimore Regional Housing Partnership is a non-profit organization that expands housing choices for low-income families who have historically been excluded from housing in well-resourced neighborhoods by helping them access and transition successfully to safe, healthy, and economically vibrant communities. As the Regional Administrator for the Baltimore Housing Mobility Program, BRHP has been opening pathways to better futures for low-income families for over 10 years. BRHP currently provides over 4,300 low-income families rental assistance in the form of Housing Choice Vouchers coupled with counseling support for families as they move from areas of concentrated poverty to areas of opportunity in Baltimore City and the five surrounding counties, including Baltimore County, where the largest number of our families reside.