Amendment 3 to Council Bill No. 52-2016

BY: The Chairperson at the   **Legislative Day No. 17**
request of the County Executive   **Date: November 7, 2016**

Amendment No. 3

(This amendment:

1. *Clarifies that developments built with Low-Income Housing Tax Credit financing are exempt from the 5,500 dwelling unit cap;*

2. *Clarifies the types of units reflected in the Downtown Revitalization Phasing Progression; and*

3. *Makes technical corrections to Section headers in the Downtown Community Enhancements, Programs and Public Amenities Implementation Chart.)*

1   On page 3, in line 5, insert:

2   ***"Section 4. And Be it Further Enacted** by the County Council of Howard County, Maryland*

3   *that if any provision of this Act or the application thereof to any person or circumstance is held*

4   *invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect other*

5   *provisions or any other application of this Act which can be given effect without the invalid*

6   *provision or application, and for this purpose the provisions of this Act are severable.".*

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8   On page 3, in line 6, strike "*4*" and substitute "*5*".

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10   "In Exhibit A, attached to the Bill as filed:

11   1.   On page 2, in item 1.:

12   a.   Under the heading "Downtown Columbia Affordable Housing Program" strike

13   "10%" and substitute "12%" and, in the same line, strike "13%" and substitute

14   "15%"; and

15   b.   In the same item 1., in the third line strike beginning with ", OF WHICH" down

16   through and including "DEVELOPMENT" in the fifth line.".

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2.   On page 3, under the heading "Methods for the Development of Affordable Housing:

      a.   In the first line, strike "10%" and substitute "12%" and, in the same line, strike "13%" and substitute "15%";

      b.   In the third line strike beginning with ", of which" down through and including "development" in the fifth line;

      c.   In the second paragraph, second line, strike "10%" and substitute "12%" and, in the same line, strike "13%" and substitute "15%";

      d.   Strike the third paragraph that begins "IN AN EFFORT" in its entirety.

3.   On page 4, in the heading entitled "• Ongoing Developer Contributions - Dwelling Units Offered For Sale", strike "- Dwelling Units Offered For Sale" and the next two paragraphs, in their entirety.".

In Exhibit B, attached to the Bill as filed:

1. On page 1, in the first paragraph under the heading titled "More Downtown Columbia Residential Units", in the second line:

    a. After "additional" insert "MARKET RATE AND AFFORDABLE DWELLING"; and

    b. After "EXCLUDING", strike "AFFORDABLE DWELLING UNITS" and substitute "UP TO ~~900~~ 744 UNITS IN DEVELOPMENTS FINANCED WITH LOW-INCOME HOUSING TAX ~~CREDITS~~ CREDITS, INCLUDING BOTH MARKET RATE AND AFFORDABLE UNITS".

~~In Exhibit C:~~

~~1. Add a footnote as follows:~~

~~"****THE CHART EXCLUDES UP TO 900 UNITS IN DEVELOPMENTS FINANCED WITH LOW-INCOME HOUSING TAX CREDITS.";~~

~~2. In Phase I, in the Column titled "Use Type", strike "- Market Rate"; and~~

~~3. In Phase II Cumulative and Phase III Completion, in the Column titled "Use Type", in each instance, strike " Market".~~

In Exhibit D, attached to the Bill as filed:

1. <u>1.</u> <u>On page 1, in the first paragraph, in the tenth line, strike "or (ii)" and substitute "(II)</u>

2. <u>RESIDENTIAL DEVELOPMENT INCLUDING AT LEAST 40% AFFORDABLE UNITS; OR (III)</u>".

3. ~~1~~<u>2</u>. On page 6, in the header that reads "PRIOR TO ISSUANCE OF A BUILDING PERMIT

4. FOR THE 1,300,00TH SF OF DEVELOPMENT", strike "1,300,00TH" and substitute

5. "<u>1,300,000TH</u>".

6. ~~2~~<u>3</u>. On page 7, in the header that reads "PRIOR TO ISSUANCE OF A BUILDING PERMIT

7. FOR THE 2,600,000TH SF OF DEVELOPMENT", strike "2,600,000TH" and substitute

8. "<u>2,600,000TH</u>".

9. <u>3.</u> <u>On pages 8 and 9, strike CEPPA #26, in its entirety, including the heading "UPON</u>

10. <u>ISSUANCE OF ANY BUILDING PERMIT FOR A BULDING CONTAINING</u>

11. <u>DWELLING UNITS OFFERED FOR SALE" and substitute "CEPPA #26 was removed by</u>

12. <u>passage of Council Bill No. 52-2016.</u>