

Amendment 3 to Council Bill 1-2018

BY: Mary Kay Sigaty

**Legislative Day No: 2
Date: February 5, 2018**

Amendment No. 3

1 *(This amendment would create a process to balance the County’s policy goals to provide*
2 *adequate school facilities and affordable housing.)*

3

4 On page 10, immediately following line 28, insert the following:

5 “(E) SPECIAL AFFORDABLE HOUSING OPPORTUNITIES.

6 TO BALANCE THE COUNTY’S POLICY GOALS TO PROVIDE ADEQUATE SCHOOL FACILITIES

7 AND AFFORDABLE HOUSING IN ACCORDANCE WITH SECTION 7-101 OF THE LAND USE

8 ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND THE COUNTY’S GENERAL

9 PLAN, IF AN AFFORDABLE HOUSING PROJECT OR PHASE OF A PROJECT IS LOCATED IN THE

10 ATTENDANCE AREA OF A SCHOOL THAT IS CLOSED FOR DEVELOPMENT DUE TO

11 PROJECTED ENROLLMENT IN THE SCHOOL CAPACITY CHART, THE DIRECTOR OF THE

12 DEPARTMENT OF PLANNING AND ZONING SHALL AUTHORIZE THE AFFORDABLE

13 HOUSING PROJECT TO PROCEED SUBJECT TO ALL OTHER PROVISIONS OF THIS SUBTITLE,

14 PROVIDED THAT:

15 (1) AT LEAST 40% OF THE UNITS SHALL BE AFFORDABLE TO HOUSEHOLDS EARNING 60%

16 OR LESS OF THE METROPOLITAN STATISTICAL AREA MEDIAN INCOME;

17 (2) THE PROJECT OR PHASE OF A PROJECT IS LED BY OR IN PARTNERSHIP WITH A LOCAL

18 NONPROFIT OR THE HOUSING COMMISSION;

19 (3) THE PROJECT OR PHASE OF A PROJECT IS SEEKING OR HAS RECEIVED AN

20 ALLOCATION OF LOW-INCOME HOUSING TAX CREDITS OR OTHER STATE OR

21 FEDERAL FINANCIAL ASSISTANCE FOR AFFORDABLE HOUSING;

22 (4) THE PROJECT OR PHASE OF A PROJECT HAS OBTAINED A LETTER OF SUPPORT

23 FROM THE COUNTY EXECUTIVE; AND

24 (5) THE COUNTY COUNCIL AND COUNTY EXECUTIVE HAVE APPROVED EITHER A

25 PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT FOR THE PROJECT OR A

26 RESOLUTION AUTHORIZING THE PROJECT TO PROCEED. AS PART OF THE

1 APPROVAL OF THE PILOT OR RESOLUTION, THE COUNCIL SHALL HOLD A PUBLIC
2 HEARING AND CONSIDER:

3 (I) THE CAPACITY UTILIZATION AT THE SCHOOL OR SCHOOLS IMPACTED
4 BY THE PROJECT AND AT ADJACENT SCHOOLS, INCLUDING LIMITING
5 THE POTENTIAL IMPACT ON ANY ELEMENTARY OR MIDDLE SCHOOL
6 WITH A CAPACITY UTILIZATION RATE GREATER THAN 115% UNLESS
7 AN ADJACENT SCHOOL WITH THE SAME GRADE LEVELS HAS A
8 CAPACITY UTILIZATION RATE OF 100% OR LESS;

9 (II) ESTIMATED STUDENT GENERATION FROM THE PROJECT;

10 (III) ANY POTENTIAL FOR THE BOARD OF EDUCATION TO ADD CAPACITY
11 TO THE IMPACTED SCHOOL OR SCHOOLS THROUGH REDISTRICTING,
12 FACILITY EXPANSION, OR OTHER PROGRAMS; AND

13 (~~III~~ IV) THE NEED FOR AFFORDABLE HOUSING IN THE COUNTY,
14 INCLUDING FACTORS SUCH AS THE HOUSING COST BURDEN ON
15 FAMILIES FAMILIES, THE AVAILABILITY OF HOUSING FOR
16 INDIVIDUALS WITH DISABILITIES, AND THE EXTENT OF
17 HOMELESSNESS AMONG FAMILIES AND SCHOOL CHILDREN.”.