

**Amendment No. 1 to Council Bill No. 7-2021**

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**Amendment No. 1**

*(This amendment requires that Moderate Income Housing Units be developed on the site of a TOD development and prohibits a developer from providing Moderate Income Housing Units at a different location or paying fees-in-lieu of Moderate Income Housing Units.)*

1 On the title page, in the purpose paragraph, after “circumstances;”, insert “requiring that  
2 certain moderate income housing units be developed on the site of a TOD development;  
3 prohibiting a developer from providing Moderate Income Housing Units at a different  
4 location or paying fees-in-lieu of to the Department of Planning Zoning for certain  
5 moderate income housing units;”.

6 On page 1, in line 9, insert:

7 “By Amending:

8 Section 127.4: “TOD (Transit Oriented Development) District”

9 Subsection F. “Requirements for TOD Development”

10 Number 2. “Area Requirements for Residential Uses”

11 Letter c.”.

12 On page 1, in line 28, insert:

1           “F. Requirements for TOD Development

2                   2. Area Requirements for Residential Uses”

3                   a. Residences are permitted only within a development project encompassing at  
4                           least 3 gross acres of TOD-zoned land.

5                   b. No more than 50% of the developable acreage, excluding road right-of-way and  
6                           open space, shall be devoted to residential buildings and parking. For parcels  
7                           that are 5 acres or less, no more than 50% of the developable acreage, excluding  
8                           road-right-of-ways, open space, and structured parking, shall be devoted to  
9                           residential buildings and surface parking lots.

10                  c. Moderate Income Housing Units

11                   At least 15% of the dwelling units shall be Moderate Income Housing Units  
12                   AND SHALL BE DEVELOPED ON THE SITE. THE DEVELOPER SHALL NOT PROVIDE  
13                   THE MODERATE INCOME HOUSING UNITS AT A DIFFERENT LOCATION OR PAY A  
14                   FEE-IN-LIEU TO THE DEPARTMENT FOR THE MODERATE INCOME HOUSING UNITS  
15                   REQUIRED UNDER THIS SUBSECTION.”.