

Office of the County Auditor
Auditor's Analysis

Council Bill No. 22-2021

Introduced: March 1, 2021

Auditor: Michael Martin

Fiscal Impact:

The potential fiscal impact of this legislation is unknown, as it is contingent upon future development within Transit Oriented Districts (TOD) and construction of Moderate-Income Housing Units (MIHU).

The Department of Planning and Zoning (DPZ) verified there is one development in the pipeline (Paddock Point) which will be in a TOD. This project is in various phases of development (see **Table 1** in Other Comments). The Department of Housing and Community Development (DHCD) determines how the MIHU requirements are fulfilled and identifies applicable fee-in-lieu payments. The DHCD confirmed that the developer will fulfill all MIHU requirements on-site. As a result, there will be no fee-in-lieu payments made to the County.

Purpose:

This zoning legislation would require the developer of a TOD site to provide the required moderate-income housing units on the TOD site.

The legislation also prohibits the developer from:

- Providing the moderate-income housing units at a different location.
- Paying a fee-in-lieu to the Department of Housing and Community Development.
- Using an optional method as provided under Section 13.402(e) of the Howard County Code.
- Using alternative compliance to optional methods as provided under Section 13.402(f).

Other Comments:

DHCD indicated there is an unintended consequence of this legislation which would prohibit the Disability-Income Housing Unit (DIHU) option on TOD parcels as is allowed under Section 13.402(e).

Table 1 - MIHU Developments in a TOD (all MIHU provided on-site)

<u>Development Name</u>	<u>Plan Number</u>	<u># Units</u>	<u># MIHUs</u>
Paddock Point	SDP-15-043	64 APT/156 SFA	34
Paddock Point	SDP-15-064	260 APT	43
Paddock Point	SDP-21-016	76 APT/76 SFA	23
Paddock Point	SDP unknown	368 units	50