

Amendment 1 to Council Bill No. 9-2022

BY: Deb Jung

Legislative Day No. 6

Date: April, 4, 2022

Amendment No. 1

(This Amendment alters who must meet to discuss projected impact of the development on the school system and strategies to address the impact; clarifies that the strategies are not binding; and requires the strategies to be reported to the County Council.)

1 On the title page, in the purpose paragraph after “solutions;” insert “requiring a certain
2 submission from specified entities; requiring a certain report and specifying who must create the
3 report and submit it to the County Council:”.

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5 Beginning on page 3, strike from line 30 down through and including line 2 on page 4 and
6 substitute:

7 “(5) THE REQUIREMENTS OF SUBSECTION (F) OF THIS SECTION HAVE BEEN MET; AND”.

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9 On page 4, in line 16, strike “SOLUTION” and substitute “PROJECTED IMPACT AND POTENTIAL
10 STRATEGIES”.

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12 Also on page 4, after line 22, insert:

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14 “(F) SPECIAL AFFORDABLE HOUSING OPPORTUNITIES -- STRATEGIES FOR ADDRESSING SCHOOL
15 CAPACITY.”

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17 (1) WHEN A REPRESENTATIVE OF A PROJECT OR PHASE OF A PROJECT APPLIES FOR STATE LOW
18 INCOME TAX CREDITS OR FUNDS AND THE PROJECT OR PHASE OF A PROJECT IS, AT THE TIME OF
19 SUCH APPLICATION, LOCATED IN AN AREA IN WHICH A SCHOOL IS DESIGNATED AS CLOSED FOR
20 DEVELOPMENT DUE TO PROJECTED ENROLLMENT IN THE SCHOOL CAPACITY CHART, THE
21 REPRESENTATIVE SHALL SEND NOTICE OF ESTIMATES OF THE NUMBER OF UNITS AND UNIT

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TYPES TO:

(I) THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM, OFFICE OF THE SUPERINTENDENT AND THE OFFICE OF SCHOOL PLANNING;

(II) THE DEPARTMENT OF PLANNING AND ZONING; AND

(III) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(2) (I) PROMPTLY AFTER THE TAX CREDITS OR FUNDS ARE AWARDED, THE DEPARTMENT OF PLANNING AND ZONING SHALL REQUEST THAT THE DESIGNEE OF THE SUPERINTENDENT OR THE OFFICE OF SCHOOL PLANNING PROVIDE:

A. THE PROJECTED IMPACT OF THE DEVELOPMENT ON THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM; AND

B. POTENTIAL STRATEGIES TO ADDRESS THE IMPACT.

(II) THE STRATEGIES ARE NOT BINDING ON THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM OR THE COUNTY.

(III) THE DEPARTMENT OF PLANNING AND ZONING SHALL COLLECT THE INFORMATION PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AND SHARE IT WITH THE DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT.

(3) THE DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PREPARE A WRITTEN REPORT THAT:

(I) DESCRIBES THE POTENTIAL IMPACTS AND STRATEGIES TO ADDRESS SCHOOL CAPACITY ISSUES BASED ON INFORMATION PROVIDED BY THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM; OR

(II) EXPLAINS THAT THE INFORMATION REQUIRED TO FULFILL ITEM (I) OF THIS PARAGRAPH WAS NOT PROVIDED.

(4) THE HOUSING AND COMMUNITY DEVELOPMENT BOARD SHALL CONSIDER THE REPORT AND SUBMIT THE REPORT AND THE BOARD’S RECOMMENDATIONS TO THE COUNTY COUNCIL.”

Also on page 4, beginning in line 29, strike “*and secures a reassignment or capacity solution in writing before construction begins.*” and substitute “*and a representative from the Department of*

53 Planning and Zoning and the Department of Housing and Community Development to facilitate
54 discussion of the projected impact of the development on the school system and potential
55 strategies to address the identified impact, with the understanding that such strategies are not
56 binding on the Board of Education and the County.”.