

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:”.

4  
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”.

8  
9 On page 4, in line 16, strike “SOLUTION” and substitute “PROJECTED IMPACT AND POTENTIAL  
10 STRATEGIES”.

11  
12 Also on page 4, after line 22, insert:

13  
14 “(F) SPECIAL AFFORDABLE HOUSING OPPORTUNITIES -- STRATEGIES FOR ADDRESSING SCHOOL  
15 CAPACITY.”

16  
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

22 TYPES TO:

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

25 (II) THE DEPARTMENT OF PLANNING AND ZONING; AND

26 (III) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

27

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

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

33 B. POTENTIAL STRATEGIES TO ADDRESS THE IMPACT.

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

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

39

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

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

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

47

48 (4) THE HOUSING AND COMMUNITY DEVELOPMENT BOARD SHALL CONSIDER THE REPORT AND  
49 SUBMIT THE REPORT AND THE BOARD'S RECOMMENDATIONS TO THE COUNTY COUNCIL."

50

51 Also on page 4, beginning in line 29, strike "*and secures a reassignment or capacity solution in*  
52 *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.”.

**I certify this is a true copy of**

Am 1 to CB 9-2022

**passed on** April 4, 2022

Michelle Hester  
**Council Administrator**

**Amendment 1 to Amendment 1 to Council Bill No. 9-2022**

**BY: Christiana Rigby**

**Legislative Day No. 6**

**Date: April 4, 2022**

**Amendment No. 1 to Amendment No. 1**

*(This Amendment removes the Department of Housing and Community Development from the process.)*

1 On page 2, beginning in line 37, strike "DIRECTOR" down through and including "TO THE" in line  
2 49.

3  
4 After line 49, insert "(3) IF THE DEPARTMENT OF PLANNING AND ZONING IS UNABLE TO OBTAIN  
5 THE INFORMATION SOUGHT UNDER PARAGRAPH (2)(III) OF THIS SECTION, THE DEPARTMENT OF  
6 PLANNING AND ZONING MAY NEVERTHELESS AUTHORIZE THE PROJECT OR PHASE OF A PROJECT.".

7

**I certify this is a true copy of**

Am 1 to Am 1 CB9-2022

~~passed~~ on April 4, 2022

Michelle O'Leary  
**Council Administrator**

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