

Amendment 1 to Council Resolution No. 78 - 2022

BY: Liz Walsh

Legislative Day 8

Date: May 25, 2022

Amendment No. 1

(This amendment alters the method for calculating the fee-in-lieu for moderate income housing.)
(This amendment alters the rate for the fee-in-lieu for moderate income housing based upon the most recent calculation of the percentage increase in the ENR Cost Index for the Baltimore Region as reported in ENR, Engineering News Record as of May 2022.)

1 On the title page, in the title, strike “setting the fee-in-lieu rate” and substitute “altering the
2 calculation of the fee-in-lieu”.

3
4 On page 1, strike lines 4 through 15 in their entirety and substitute:

5
6 “WHEREAS, the current fee-in-lieu of building moderate income housing units vastly
7 underrepresents the cost per square foot of constructing housing in Howard County; and

8
9 WHEREAS, as a result, there is a financial disincentive to build moderate income
10 housing units under the current fee-in-lieu rate schedule.

I certify this is a true copy of

Am 1 to CR 78-2022
passed on May 25, 2022

Michaela Hebert
Council Administrator

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
2 Maryland this ____ day of _____, 2022 that the fee-in-lieu for moderate income housing shall be
3 calculated according to the language originally proposed in Council Bill 35-2013 as follows:

4
5 (1) The fee-in-lieu shall be calculated as the difference between the prevailing market
6 price and the moderate income housing unit price of a three-bedroom single-family attached unit;
7 provided, however, the fee-in-lieu shall not be less than seven and one-half percent of the sale
8 price for the moderate income housing unit;

9
10 (2) The prevailing market price shall be determined by a survey of sales prices of three-
11 bedroom single-family attached units sold county-wide within the previous 6 months as reported
12 by the Metropolitan Regional Information System (MRIS);

13
14 (3) Sales of the following units shall be excluded from the survey:

15
16 (i) Townhomes less than 1,200 square feet and more than 2,000 square feet;

17
18 (ii) Units in poor condition or in need of significant repair or renovation; and

19
20 (iii) The three highest and three lowest sales prices;

21
22 _____ (4) The Department shall conduct the survey as of June 1 and December 1 of each year.
23 The fee-in-lieu shall be reviewed and approved by the Housing and Community Development
24 Board and published on the County's website together with the base sales prices and rents for
25 moderate income housing units.

26
27 (5) If the calculation to determine the number of moderate income housing units required
28 by a development under the Zoning Regulations results in a fraction of a unit, the fee-in-lieu

1 shall be pro-rated for the fractional unit.”.

2

3 On page 1, in line 17, strike “schedule of rates” and substitute “the method for calculating the
4 fee in lieu for moderate income housing in this Council Resolution”; and strike beginning with
5 “and” in line 18 down through “Council” in line 19 and substitute “through June 30, 2023.”.

6 Strike in its entirety the Fee-In-Lieu for Moderate Income Housing Rate Schedule attached to
7 Council Resolution No. 78-2022.

8 On the Rate Schedule for the Fee-In-Lieu for Moderate Income Housing attached to this Council
9 Resolution, strike “\$2.96” and substitute “\$3.22”

Amendment 1 to Amendment 1 to Council Resolution No. 78 - 2022

BY: Liz Walsh

Legislative Day 8

Date: May 25, 2022

Amendment No. 1

(This amendment adjusts the rate for the fee-in-lieu for moderate income housing using the most recent data for the percentage of increase in the ENR Construction Cost Index for the Baltimore Region as reported in ENR, Engineering News Record as of May 2022.)

1 Strike the parenthetical and substitute "*This amendment alters the rate for the fee-in-lieu for*
2 *moderate income housing based upon the most recent calculation of the percentage increase in*
3 *the ENR Cost Index for the Baltimore Region as reported in ENR, Engineering News Record as*
4 *of May 2022).*"

5

6 On pages 1 through 3, strike beginning with line 1 on page 1 down through line 5 on page 3 in
7 their entirety and substitute "On the Rate Schedule for the Fee-In-Lieu for Moderate Income
8 Housing attached to this Council Resolution, strike "\$2.96" and substitute "\$3.22"."

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1
LEG1473

Am 1 to Am 1 to CR78-2022
passed on May 25, 2022

Michelle Barron
Council Administrator

Amendment 2 to Amendment 1 to Council Resolution No. 78 - 2022

BY: Liz Walsh

Legislative Day 8

Date: May 25, 2022

Amendment No. 2

(This amendment alters the rate for the fee-in-lieu for moderate income housing based upon the difference between the prevailing market price and the moderate income housing unit price of a three-bedroom single-family attached unit.)

1 Strike the parenthetical and substitute "*This amendment alters the rate for the fee-in-lieu for*
2 *moderate income housing based upon the difference between the prevailing market price and the*
3 *moderate income housing unit price of a three-bedroom single-family attached unit.*".

4

5 On pages 1 through 3, strike beginning with line 1 on page 1 down through line 5 on page 3 in
6 their entirety and substitute "On the Rate Schedule for the Fee-In-Lieu for Moderate Income
7 Housing attached to this Council Resolution, strike "\$2.96" and substitute "\$32.59".

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Am 2 to Am 1 to CR 78-2022

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LEG1474

passed on

May 25, 2022

Michele Adams

Council Administrator

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