

## Amendment 3 to Council Bill No. 18-2025

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### Amendment No. 3

*(This amendment does the following:*

- 1. adds a requirement 20% of all dwelling units constructed under the bill be built according to HoCo universal design guidelines;*
- 2. requires 5% of dwelling units to be Disability income housing units, and mix of up to 15% of housing units as moderate income housing units, low income housing units, or disability income housing units;*
- 3. establishes a sunset provision of 2037;*
- 4. and adds reporting requirements)*

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2 On page 3, line 28 strike “and PGCC (Planned Golf Course Community)”.

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4 On page 4, strike lines 1-6 and substitute the following:

5 “(1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A DEVELOPER OF A TOD  
6 (TRANSIT ORIENTED DEVELOPMENT) DISTRICT SITE SHALL INCORPORATE UNIVERSAL  
7 DESIGN FEATURES FROM THE DEPARTMENT OF PLANNING AND ZONING GUIDELINES FOR  
8 20% OF ALL UNITS DESCRIBED IN THIS SECTION AND SHALL PROVIDE EITHER:

9 (i) MODERATE INCOME HOUSING UNITS REQUIRED UNDER THE ZONING  
10 REGULATIONS, OR DISABILITY INCOME HOUSING UNITS OR LOW INCOME HOUSING  
11 UNITS AS PART OF AN OPTIONAL METHOD OF COMPLIANCE, AS PART OF THE  
12 DEVELOPMENT ON THE SITE OF THE DEVELOPMENT PROJECT; OR

13 (ii) 5% OF THE TOTAL UNITS BUILT SHALL BE DISABILITY INCOME HOUSING UNITS  
14 AND UP TO AN ADDITIONAL 15% OF THE TOTAL UNITS BUILT SHALL BE A MIX OF

MODERATE INCOME HOUSING UNITS, LOW INCOME HOUSING UNITS, OR  
DISABILITY INCOME HOUSING UNITS PER SECTION 13.402(E)(I), (II), AND (III).

On page 4 in line 13, strike “DISABILITY INCOME HOUSING UNITS;”.

On page 4, in line 16 after “ARTICLE” strike “IF 15% OF THE DWELLING UNITS ARE DISABILITY INCOME HOUSING UNITS” and substitute “. A PROJECT THAT HAS BEEN APPROVED FOR A PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT WITH THE COUNTY SHALL PROVIDE 5% OF THE TOTAL UNITS BUILT TO BE DISABILITY INCOME HOUSING UNITS AND SHALL PROVIDE UP TO 15% OF THE TOTAL UNITS BUILT TO BE A MIX OF MODERATE INCOME HOUSING UNITS, LOW INCOME HOUSING UNITS, OR DISABILITY INCOME HOUSING UNITS PER SECTION 13.402(E)(I), (II), AND (III).”.

“(4) REPORTING REQUIREMENT – THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL, BY JANUARY 1, 2035, PREPARE AND SUBMIT A REPORT TO THE COUNTY COUNCIL PROVIDING FOR THE NUMBER OF MODERATE INCOME HOUSING UNITS, LOW INCOME HOUSING UNITS, AND DISABILITY INCOME HOUSING UNITS CREATED UNDER THIS SECTION INCLUDING THE BEDROOM RATIO OF THE UNITS CREATED AND THE STUDENT GENERATION YIELDS OF EACH BUILDING CONSTRUCTED AND FULLY LEASED AT THE TIME OF THE REPORT.”.

On page 4, in line 19 insert the following:

“(o) PGCC (PLANNED GOLF COURSE COMMUNITY) — MODERATE INCOME HOUSING UNIT REQUIREMENTS.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A DEVELOPER OF A PGCC (PLANNED GOLF COURSE COMMUNITY) DISTRICT SITE SHALL PROVIDE THE MODERATE INCOME HOUSING UNITS REQUIRED UNDER THE ZONING REGULATIONS, OR DISABILITY INCOME HOUSING UNITS OR LOW INCOME HOUSING UNITS AS PART OF AN OPTIONAL METHOD OF COMPLIANCE, AS PART OF THE DEVELOPMENT ON THE SITE OF THE DEVELOPMENT PROJECT.

(2) THE DEVELOPER SHALL NOT:

(I) PROVIDE THE MODERATE HOUSING INCOME UNITS AT A DIFFERENT LOCATION;

1           (II) PAY A FEE-IN-LIEU OF TO THE DEPARTMENT OF HOUSING AND COMMUNITY  
2           DEVELOPMENT;

3           (III) USE AN OPTIONAL METHOD AS PROVIDED UNDER SUBSECTION (E)(1)(I) OF THIS  
4           SECTION; OR

5           (IV) USE ALTERNATIVE COMPLIANCE TO OPTIONAL METHODS AS PROVIDED UNDER  
6           SUBSECTION (F) OF THIS SECTION.”.

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8   On page 9, in line 22 after “APPROVAL” insert “IF APPROVED UNDER SECTION 13.402(N)(1)(II)”.

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10   On page 11, in line 29, after “ZONING”, insert “IF APPROVED UNDER SECTION 13.402(N)(1)(II)”.

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12   On page 12, immediately after line 4, insert the following:

13   “Section 2. And Be it Further Enacted by the County Council of Howard County, Maryland that  
14   this Act shall remain effective for the period of twelve years and at the end of June 30, 2037, this  
15   Act with no further action by the County Council, shall be abrogated and of no further force and  
16   effect.”.

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18   On page 12, in line 5, strike “2” and insert “3”.