

**Amendment 1 to Amendment No. 15 to Council Bill 58-2009 (as amended)**

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**Legislative Day No: 2  
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**Amendment No. 1 to Amendment No. 15**

*(This amendment revises the housing language in the Amendment.)*

On page 1, strike the description of the Amendment and substitute:

“(This amendment revises the Plan’s section on housing.)”

Strike beginning with line 4 on page 1 through line 5 on page 2, inclusive, and substitute:

**“DOWNTOWN COLUMBIA COMMUNITY HOUSING FOUNDATION**

A full spectrum housing program for Downtown Columbia should establish a flexible model that aspires to make new housing in downtown affordable to individuals earning across all income levels. In order to create an effective, flexible means of providing a full spectrum of housing for Downtown Columbia, GGP will establish the Downtown Columbia Community Housing Foundation (“DCCHF”), as detailed below. The intent of this full spectrum housing program for Downtown Columbia is to satisfy all affordable housing requirements for downtown.

**Initial Source of Funds**

GGP will establish the DCCHF at its expense and will contribute \$1.5 million to the DCCHF upon issuance of the first building permit for new housing in Downtown Columbia. GGP will contribute an additional \$1.5 million upon issuance of a building permit for the 400th new residential unit in Downtown Columbia. Each payment will be contingent on expiration of all applicable appeal periods associated with each building permit without an appeal being filed, or if an appeal is filed upon the issuance of a final decision of the courts upholding the issuance of the permit.

**Ongoing Developer Contributions**

Each developer will provide a one-time, per unit payment to the DCCHF in the following amounts, to be imposed upon the issuance of any building permit for a building containing dwelling units. Payment will be contingent upon the expiration of all applicable appeal periods associated with each building permit without an appeal being filed, or if an appeal is filed upon the issuance of a final decision of the courts upholding the issuance of the permit:

- 1). \$2,000/unit for each unit up to and including the 1,500th unit.
- 2). \$7,000/unit for each unit between the 1,501st unit up to and including the

1 3,500th unit.

2 3). \$9,000/unit for each unit between the 3,501st unit up to and including the  
3 5,500th unit.

4  
5 The amounts to be paid under 1), 2) and 3) above will be subject to annual  
6 adjustment based on a builder's index, land value or other index provided in the  
7 implementing legislation.

8  
9 Each owner of property developed with commercial uses pursuant to the Downtown  
10 Revitalization Zoning Regulations shall provide an annual payment to the DCCHF in the  
11 amount of five cents (\$0.05) per square foot of Gross Leasable Area for office and retail  
12 uses, and five cents (\$0.05) per square foot of net floor area for hotels. The payment  
13 will be made annually by the property owner, with the initial payment being made prior  
14 to the issuance of an occupancy permit for net new commercial development on the  
15 property. The amount of the charge will be subject to annual adjustment based on a  
16 builder's index, land value, or other index provided in the implementing legislation.

#### 17 DCCHF Notice of Sale

18 The DHCCF should be notified by the developer or joint venture, via first class mail, of  
19 land for or all residential units offered for initial sale in each new residential or mixed use  
20 building in Downtown Columbia. No later than 10 days after the sale of rental housing,  
21 the owner must provide written notice of the sale. The DCCHF also should be notified  
22 by the developer, via first-class mail, of all apartment units offered for rental in each new  
23 residential or mixed-use building containing rental units. In support of these objectives,  
24 GGP should involve DCCHF in meaningful discussion with land purchasers in  
25 Downtown Columbia in order to encourage full spectrum housing in each and every  
26 neighborhood.

#### 27 DCCHF Organizational Structure.

28  
29 It is anticipated that Howard County, in consultation with GGP, will determine, by  
30 legislation, the organizational entity, organizational structure, membership, functions,  
31 and implementation of the DCCHF. The legislation should provide that, in order to be  
32 eligible to receive the funds provided for in this Plan, the DCCHF must be a non-profit  
33 entity organized for the purpose of providing full spectrum, below market housing in  
34 Downtown Columbia. Use of DCCHF funds is limited to providing full spectrum, below  
35 market housing in Downtown Columbia may include, but is not limited to, funding new  
36 construction; acquiring housing units; preserving existing homes; financing rehabilitation  
37 of rental housing; developing senior, family or special needs housing; providing  
38 predevelopment, bridge, acquisition and permanent financing; offering eviction  
39 prevention and foreclosure assistance."  
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