Expedited Bill No. \_\_\_\_ 59-10 Concerning: Transportation Impact Tax - Amendments - White Flint Impact Tax District Revised: 2-11-11 Draft No. 2 Introduced: December 14, 2010 February 15, 2011 Enacted: \_\_\_\_ February 24, 2011 Executive: \_\_\_ Effective: December 1, 2010 Sunset Date: None Ch. \_\_1\_\_, Laws of Mont. Co. \_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

## AN EXPEDITED ACT to:

- (1) create a White Flint impact tax district;
- (2) define the boundaries of the White Flint impact tax district;
- (3) set the rates of the transportation impact tax for the district; and
- (4) generally amending the law governing the transportation impact tax.

## By amending

Montgomery County Code Chapter 52, Taxation Sections 52-49 and 52-57

Boldface Underlining [Single boldface brackets] Double underlining	Heading or defined term.  Added to existing law by original bill.  Deleted from existing law by original bill.  Added by amendment.
[[Double boldface brackets]]  * * *	Deleted from existing law or the bill by amendment. Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec. 1. Sections 52-49 and 52-57 are amended as follows:		
2	52-49.	Imposition and applicability of development impact taxes.	
3		* * *	
4	(c)	The following impact tax districts are established[, consisting of the	
5		listed Policy Areas as defined in the Growth Policy]:	
6		(1) Metro Station: Friendship Heights, Bethesda CBD, Grosvenor,	
7		White Flint, Twinbrook, Rockville Town Center, Shady Grove	
8		Metro, Silver Spring CBD, Wheaton CBD, and Glenmont	
9		Metro station policy areas, as defined in the most recent	
10		Subdivision Staging Policy, except as modified by paragraph	
1		[[(4)]] (3) for the White Flint policy area;	
12		(2) Clarksburg: Clarksburg policy area, as defined in the most	
13		recent Subdivision Staging Policy;	
4		(3) White Flint: The [[area]] part of the White Flint Metro Station	
5		Policy Area included in the White Flint Special Taxing District	
6		in Section 68C-2; and	
7		(4) General: Any part of the County, including any municipality,	
8		not located in [a listed policy area] an area listed in paragraphs	
9		<u>(1)-(3)</u> .	
20		* * *	
21	52-57. Tax	rates.	
22	(a)	The tax rates for each impact tax district, except as provided in	
23		subsection (b), are:	
24		* * *	
25	<u>(b)</u>	For any development located in the White Flint Impact Tax District, the	
26		tax rates are:	

Tax per Dwelling Unit or per Square Foot of Gross Floor Area (GFA)		
<u>Building Type</u>	<u>White Flint</u>	
High-rise residential (per dwelling unit)	<u>\$0</u>	
Multifamily-senior residential (per dwelling unit)	<u>\$0</u>	
Office (per sq.ft. GFA)	<u>\$0</u>	
Industrial (per sq.ft. GFA)	<u>\$0</u>	
Bioscience facility (per sq.ft. GFA)	<u>\$0</u>	
Retail (per sq.ft. GFA)	<u>\$0</u>	
Place of worship (per sq.ft. GFA)	<u>\$0</u>	
Private elementary and secondary school (per sq.ft. GFA)	<u>\$0</u>	
Hospital (per sq.ft. GFA)	<u>\$0</u>	
Other nonresidential (per sq.ft. GFA)	<u>\$0</u>	

27 [(b)](c) \* \* \* \*

28 [(c)](d) \* \* \*

29 [(d)](e) \* \*

30 [(e)](f) \* \*

31 [(f)](g) \* \*

## Sec. 2. Expedited Effective Date: Applicability: Refunds.

The Council declares that this Act is necessary for the immediate protection of the public interest. This Act takes effect on the date when it becomes law, and applies to any development <u>located in the White Flint impact tax district</u> for which [[an application for]] <u>a</u> building permit is [[filed]] <u>issued</u> on or after December 1, 2010. <u>If any development impact tax was collected under Article VII of County Code Chapter 52 before this Act took effect for any development to which this Act applies, the Director of Finance must promptly refund that tax as if a refund were due and claimed under County Code Section 52-54.</u>

42	Approved:	
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44	Valerie Chini	2/16/2011
45	Valerie Ervin, President, County Council	Date
46	Approved:	
47		
48	I sial tenal	2/24/2011
49	Isiah Leggett, County Executive	Date
50	This is a correct copy of Council action.	
51		
52	Sinda M. Laurer	2/28/2011
53	Linda M. Lauer, Clerk of the Council	Date