

Bill No. 37-12
Concerning: Capital Improvements
Program – Affordable Housing
Assessment
Revised: 2/5/2013 Draft No. 6
Introduced: November 27, 2012
Enacted: February 5, 2013
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berliner, Riemer, Ervin, Floreen, Leventhal, Andrews, Council President
Navarro and Council Vice-President Rice

AN ACT to:

- (1) require the Office of Management and Budget to submit affordable housing assessments with certain capital projects in the Capital Improvements Program;
- (2) authorize the Council to require other County departments and agencies to supplement the assessments furnished by the Office of Management and Budget;
and
- (3) generally amend County law regarding the analysis of capital projects.

By amending

Montgomery County Code
Chapter 25B, Housing Policy
Section 25B-7

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

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

1 **Sec. 1. Section 25B-7 is amended as follows:**

2 **25B-7. [Reserved] Affordable housing assessment.**

3 (a) For each applicable capital project in the Capital Improvements
4 Program during facility planning, the Office of Management and
5 Budget must include in or transmit with the CIP an [[analysis]]
6 evaluation of:

7 (1) the feasibility of including a significant amount of affordable
8 housing in the project;

9 (2) the effect of the project on the supply of affordable housing in the
10 immediate area; [[and]]

11 (3) what capital or operating modifications, if any, would promote
12 and maximize affordable housing in the project and the
13 immediate area; and

14 (4) what operating budget modifications, if any, would be needed to
15 build and maintain affordable housing in the project.

16 (b) The affordable housing [[analysis]] evaluation submitted by OMB
17 should discuss at least the following issues related to the capital project:

18 (1) compatibility of affordable housing with the underlying project;

19 (2) conformity of affordable housing to applicable zoning and land
20 use plans;

21 (3) proximity to public transit, and availability of other transportation
22 options; and

23 (4) proximity to other community services.

24 (c) As used in this section, applicable capital project means any proposed
25 building project administered by the Department of General Services or
26 the Parking Management Division of the Department of Transportation.

27 (d) In performing its analysis, OMB should consult the Department of
28 Housing and Community Affairs, the Planning Board, the Housing
29 Opportunities Commission, and any other County department or agency
30 with expertise in affordable housing.

31 [(e) The Council may by resolution exempt from this Section a category of
32 capital projects which by their nature do not require an affordable
33 housing analysis.]]

34 (e) The Council may in the capital budget resolution, and the County
35 Executive may by Method 1 regulation, exempt from this Section a
36 category of capital projects which by their nature do not require an
37 affordable housing analysis.

38 *Approved:*

39  

Nancy Navarro, President, County Council Date

40 *Approved:*

41 _____
Isiah Leggett, County Executive Date

42 *This is a correct copy of Council action.*

43 _____
Linda M. Lauer, Clerk of the Council Date