
A G E N D A I T E M S U M M A R Y

Reference No: CB-12-1990

Draft No: 2

P r i n c e G e o r g e ' s

Meeting Date:

C o u n t y C o u n c i l

Requestor: P

Item Title: An Act establishing a Moderately Priced Dwelling Unit Program; providing for the applicability of the program, etc.; and establishing an Advisory Board

Sponsors P B

Date Presented 1/30/90 **Executive Action** __/__/__
Committee Referral (2) 6/26/90 C.O.W. **Effective Date** __/__/__
Committee Action (1) 4/17/90 FAV(A)
Date Introduced 5/1/90
Pub. Hearing Date (1) 6/5/90 7:00 PM

Council Action (2) 6/26/90 Recommitted
Council Votes B_: A_, CA: N_, C_: A_, CI: __, MC: A_, M_: A_,
P_: A_, W_: A_, WI: N_, __: __, __: __, __: __

Pass/Fail P

Remarks See CB-83-1990

	Resource
Drafter: Ralph E. Grutzmacher Legislative Officer	Personnel: Joyce Beck

LEGISLATIVE HISTORY

COMMITTEE OF THE WHOLE

DATE: 4/17/90

Committee Vote: Favorable, 6-0 (In favor: Council Members Bell, Castaldi, Casula, Pemberton, Wilson and Wineland)

The Committee reviewed a proposed draft 2 of the legislation summarized below:

- 1) MPDUs shall be required for all new residential developments of 50 or more units in the C-D-Z, M-X-T, T-D-O, and development of 50 or more dwelling units in the R-P-C, R-R, R-80, R-55, R-35, R-20, R-T, R-30, R-30C, R-18C, R-10A, and R-10H.
- 2) An alternative method of compliance shall be considered by the Director of HCD if the number of units to be created are not economically feasible, not compatible with other developed dwellings,

it is likely that the MPDUs will be unaffordable by eligible households, alternative compliance will achieve significantly more MPDUs, or the public benefit outweighs the benefit of constructing MPDUs.

NOTE: The procedure for considering and implementing alternative offers will be included in the Program Regulations. An alternative method of compliance may be deemed appropriate upon a submission of an Executive and Council joint signature letter, based on a recommendation from the Director of HCD prior to review of the preliminary plan.

- 3) Alternative methods of compliance include donating land to the housing authority, contributing to the CHOICE Fund, building or providing significantly more MPDUs in the same or an adjoining planning area or a combination of the above.
- 4) Alternative methods of compliance included donating land to the housing authority, contributing to the CHOICE Fund, building or providing significantly more MPDUs in the same or an adjoining planning area or a combination of the above.
- 5) Establishes a 15 member Choice Fund Advisory Board that will make recommendations regarding the fund to the County Executive and County Council. The Board will be chaired by the Director of HCD. The remaining 14 members will consist of a County resident representative of the following: development community, financial community, religious organization, nonprofit organization, the Prince George's County Municipal Association and nine (9) members from the community at large.
- 6) 30% of the MPDUs will be available to the Housing Authority for its programs. Any remaining units, up to 30%, will be available to a designated nonprofit organization.
- 7) Eligible persons 60 of age or older shall have the right of first refusal to lease up to 10% of all rental units produced in development.
- 8) MPDUs cannot be resold during the first 10 years after the date of original sale, the seller will pay to the CHOICE FUND an amount determined by the regulations and will receive a fair and reasonable equity return. The County will be given a first right of refusal for any unit sold. The regulations will address the process for units sold within the first 10 years.
- 9) Rental rates for MPDUs will not increase greater than that established by the program regulations for 10 years after the date of original rental.
- 10) Bulk transfer or sale of rental MPDUs within 20 years of original rental will be allowed, providing the new owner is bound by all covenants and control on the MPDUs.
- 11) Program regulations will be proposed by the County Executive and adopted by the County Council annually.
- 12) Owners or renters of MPDUs who falsely execute an affidavit shall be guilty of a misdemeanor, fined \$1,000 and be subject to lease termination and eviction procedures. Owners of MPDUs must live in their units and if this information is falsified, they shall be

subject to mandamus or other suit to require the owner to sell the unit to an eligible person.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This bill will establish a Moderately Priced Dwelling Unit Program for the County and establishing an Advisory Board for program. It is companion legislation to two other bills amending the zoning ordinance and establishing a special purpose fund ("CHOICE").