



Housing and Economic Development  
Committee Report

Date: June 17, 1991

Committee Vote: Favorable, as amended, 3-0 (In favor: Council Members Fletcher, Bell and MacKinnon)

Ralph Grutzmacher, Council Legislative Officer, made an overview presentation of the Opportunity Housing program. CB-66-1991 is a zoning bill which defines "Opportunity Housing"; makes such dwelling units "permitted uses" in all residential zones on land conveyed by Prince George's County to a qualified non-profit organization; outlines administrative procedures; and provides for Council review and approval.

CB-67-1991, companion legislation, amends the Housing and Property Standards subtitle of the Code to define the Opportunity Housing Program, its applicability, and the requirements for certification of non-profit organizations.

Gail Wheat, Esq., representing the Prince George's County Municipal Association, addressed property taxes, densities, compatibility with surrounding neighborhoods, and compliance with the "adequate public facility" test. She also submitted a written statement. There was general agreement among the Committee members that APF requirements should be satisfied and the government should not exempt itself from compliance. A policy question arises in regard to who is responsible for paying the costs, the government or other sources.

Jim Whitley, representing the IAC, and Chickie Grayson, representing Enterprise Construction Corp., presented statements regarding accomplishments of the Nehemiah housing program in Baltimore. Both suggested changing the median income limitation on page 3, lines 18-21 of CB-67, to specify 80% of the median income in the Washington area since the D.C. area has such high income levels.

Discussion also centered on approving the program without having the regulations for its administration available. It was noted that this placed the Council in an uncomfortable position and was "putting the cart before the horse." Emelda Johnson of the Department of Housing and Community Development indicated that the regulations would be similar to those for the MPDU program, and would be transmitted to the Council very soon.

Tom Haller, Esq., addressed the Committee and raised questions regarding notification requirements and the posting of properties. He suggested that the same procedures applicable to site plan review should apply to Opportunity Housing. He further noted that the Planning Board might face difficulty in making a finding of conformance with the Master Plan when it approves a subdivision. This point was brought up because the bill allows Opportunity Housing in the O-S, R-A, R-E, and R-R zones.

The Council noted that it was the intent to find properties that would be compatible with the program.

The Committee voted the bills out with a favorable recommendation, with the following amendments being applicable to CB-67:

- a) On page 3, lines 18-21, the income requirement would be revised to read "80% of the median household income" in the Washington, D.C. area (and reference to family size is to be deleted;
- b) On page 4, delete lines 20-23, so as to not include capital funding decisions in the bill;
- c) Add a provision calling for the County Executive to submit the administrative regulations to the Council by December 1, 1991, for review and approval.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

This legislation provides for the construction of Opportunity Housing on certain residentially-zoned sites. The District Council will be required to approve each development to ensure compatibility with existing surrounding residential uses.