

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 8

Bill No. 16-19

Mr. David Marks, Councilman

By the County Council, April 15, 2019

A BILL
ENTITLED

AN ACT concerning

Development Impact Fees

FOR the purpose of establishing Development Impact Fees; setting forth the purpose and scope; defining certain terms; providing for the calculation and amount of the fee; providing for the payment and collection of the fee; providing for adjustments to the fee; providing for the use of the funds collected; providing for the review of the fee schedule; providing for credits and exemptions; and generally relating to Development and Development Impact Fees.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY adding

Section 32-6-111
Article 32 - Planning, Zoning, and Subdivision Control
Title 6 - Adequate Public Facilities
Baltimore County Code, 2015

WHEREAS, development impact fees have been a vital tool of local governments in Maryland to provide funds for various public facilities proportionate to development; and

WHEREAS, development impact fees have been imposed in other jurisdictions in Maryland that pay for additional or expanded transportation infrastructure, and public school and public safety facilities, and debt service on bonds issued for additional or expanded infrastructure and facilities; and

WHEREAS, House Bill 449 of the Acts of the General Assembly of 2019 authorizes the Baltimore County Council, by ordinance, to impose development impact fees to finance the capital cost of certain public works, improvements, and facilities; now therefore,

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 Article 32 – Planning, Zoning, and Subdivision control

5 Title 6 – Adequate Public Facilities

6 § 32-6-111. - DEVELOPMENT IMPACT FEE.

7 (A) PURPOSE AND SCOPE.

1 (1) THIS SECTION IS ADOPTED FOR THE PURPOSE OF PROMOTING THE
2 HEALTH, SAFETY, AND GENERAL WELFARE OF THE RESIDENTS OF THE COUNTY
3 BY REQUIRING NEW RESIDENTIAL DEVELOPMENT TO PAY ITS PROPORTIONATE
4 FAIR SHARE OF THE COSTS FOR LAND, CAPITAL FACILITIES, AND OTHER
5 EXPENSES NECESSARY TO ACCOMMODATE DEVELOPMENT IMPACTS ON
6 INFRASTRUCTURE AND PUBLIC SCHOOL AND PUBLIC SAFETY FACILITIES.

7 (2) NOTHING IN THIS SECTION SHALL AFFECT, IN ANY MANNER, THE
8 PERMISSIBLE USE OF PROPERTY, DENSITY, INTENSITY OF DEVELOPMENT, DESIGN
9 AND IMPROVEMENT STANDARDS OR OTHER APPLICABLE STANDARDS OR
10 REQUIREMENTS SET FORTH IN DEVELOPMENT POLICIES, LAWS AND
11 REGULATIONS OF THE COUNTY WHERE APPLICABLE.

12 (3) NO ACTION TAKEN OR PAYMENT MADE UNDER THIS SECTION SHALL
13 ELIMINATE ANY AUTHORITY TO APPLY ANY TEST CONCERNING THE ADEQUACY
14 OF PUBLIC FACILITIES UNDER THE COUNTY'S ADEQUATE PUBLIC FACILITIES
15 ORDINANCE.

16 (B) DEFINITIONS. IN THIS SECTION THE FOLLOWING WORDS HAVE THE
17 MEANINGS INDICATED:

18 (1) "APPLICANT" HAS THE MEANING STATED IN § 32-4-101(E) OF THE CODE.

19 (2) "BUILDING" HAS THE MEANING STATED IN § 32-4-101(G) OF THE CODE.
20 BUILDING DOES NOT INCLUDE A TEMPORARY STRUCTURE, AS DEFINED IN THE
21 BALTIMORE COUNTY BUILDING CODE.

1 (3) "DEVELOPMENT" HAS THE MEANING STATED IN § 32-4-101(P) OF THE
2 CODE. DEVELOPMENT MAY ALSO INCLUDE, BUT NOT BE LIMITED TO, DUMPING,
3 EXTRACTION, DREDGING, GRADING, PAVING, STORAGE OF MATERIALS OR
4 EQUIPMENT, LAND EXCAVATION, LAND CLEARING, LAND IMPROVEMENT,
5 LANDFILL OPERATION, OR ANY COMBINATION THEREOF, AND ANY CHANGE IN
6 THE USE OF A BUILDING FOR WHICH A BUILDING PERMIT IS REQUIRED BY LAW.

7 (4) "DEVELOPMENT IMPACT FEE" MEANS A FEE ADOPTED BY THE COUNTY
8 WHICH IS IMPOSED ON NEW DEVELOPMENT ON A PRO RATA BASIS IN
9 CONNECTION WITH AND AS A CONDITION OF THE ISSUANCE OF A BUILDING
10 PERMIT, AND WHICH IS CALCULATED TO DEFRAY ALL OR A PORTION OF THE
11 COSTS OF THE PUBLIC FACILITIES REQUIRED TO ACCOMMODATE NEW
12 DEVELOPMENT AT COUNTY-DESIGNATED LEVEL OF SERVICE (LOS) STANDARDS
13 AND WHICH REASONABLY BENEFITS THE NEW DEVELOPMENT. IT MAY ALSO BE
14 REFERRED TO AS AN IMPACT FEE.

15 (5) "NEW CONSTRUCTION" MEANS CONSTRUCTION OF A BUILDING WHICH
16 REQUIRES A BUILDING PERMIT. NEW CONSTRUCTION DOES NOT INCLUDE IF THE
17 BUILDING REPLACES AN EXISTING BUILDING, REPLACEMENT OF A BUILDING DUE
18 TO CASUALTY OR LOSS WITHIN THREE YEARS OF THAT CASUALTY OR LOSS, OR
19 REPLACEMENT OF A MOBILE HOME ON A SITE, EXCEPT TO THE EXTENT THE
20 GROSS SQUARE FOOTAGE OF THE REPLACEMENT BUILDING OR REPLACEMENT
21 MOBILE HOME EXCEEDS THE GROSS SQUARE FOOTAGE OF THE BUILDING OR
22 MOBILE HOME BEING REPLACED.

1 (6) "OCCUPIABLE" MEANS SPACE THAT IS:

2 (I) DESIGNED FOR HUMAN OCCUPANCY IN WHICH INDIVIDUALS MAY
3 LIVE, WORK, OR CONGREGATE FOR AMUSEMENT; AND

4 (II) EQUIPPED WITH MEANS OF EGRESS, LIGHT, AND VENTILATION.

5 (7) "RESIDENTIAL" MEANS A BUILDING THAT CONTAINS ONE OR MORE
6 DWELLING UNITS AND INCLUDES A BOARDING HOUSE.

7 (I) RESIDENTIAL INCLUDES ALL AREAS THAT ARE CONTAINED
8 WITHIN A RESIDENTIAL BUILDING, INCLUDING AN ATTACHED GARAGE OR AREA
9 FOR HOME OCCUPATIONS.

10 (II) RESIDENTIAL DOES NOT INCLUDE:

11 1. TRANSIENT ACCOMMODATIONS, INCLUDING A HOTEL,
12 COUNTRY INN, OR BED AND BREAKFAST INN;

13 2. NONRESIDENTIAL USES IN A MIXED-USE STRUCTURE; OR

14 3. DETACHED ACCESSORY BUILDINGS, INCLUDING A
15 DETACHED GARAGE OR SHED THAT DOES NOT CONTAIN LIVING QUARTERS.

16 (8) "GROSS FLOOR AREA" MEANS THE SUM OF THE GROSS HORIZONTAL
17 AREAS OF ALL FLOORS OF A BUILDING, MEASURED FROM THE EXTERIOR FACES
18 OF EXTERIOR WALLS AND FROM THE CENTER LINE OF WALLS SEPARATING TWO
19 OR MORE BUILDINGS, BUT NOT INCLUDING FLOOR SPACE USED FOR OFF-STREET
20 PARKING, OR ANY SPACE WHERE THE FLOOR-TO-CEILING HEIGHT IS LESS THAN
21 SIX FEET. THIS TERM DOES NOT INCLUDE ANY FLOOR SPACE IN A BASEMENT OR
22 CELLAR THAT IS UNFINISHED AND WHICH IS USED EXCLUSIVELY FOR STORAGE

1 OR UPON WHICH ARE SITUATED ACCESSORY HEATING OR AIR CONDITIONING
2 EQUIPMENT OR OTHER ACCESSORY MECHANICAL OR ELECTRICAL UTILITY
3 EQUIPMENT, NOR DOES IT INCLUDE ANY FLOOR SPACE IN AN ATRIUM OR LOBBY
4 WHICH IS NOT LEASABLE TO OR OCCUPIED BY INDIVIDUAL TENANTS.

5 (C) FEE IMPOSED; AMOUNT.

6 (1) THERE IS IMPOSED A DEVELOPMENT IMPACT FEE IN BALTIMORE
7 COUNTY.

8 (2) THE COUNTY SHALL IMPOSE A DEVELOPMENT IMPACT FEE ON
9 RESIDENTIAL NEW CONSTRUCTION FOR WHICH A DEVELOPMENT PLAN HAS BEEN
10 APPROVED ON OR AFTER JULY 1, 2019.

11 (3) FOR FISCAL YEAR 2020, A DEVELOPMENT IMPACT FEE IMPOSED ON
12 RESIDENTIAL NEW CONSTRUCTION SHALL BE IN THE AMOUNT OF THREE
13 DOLLARS (\$3.00) PER SQUARE FOOT OF OCCUPIABLE GROSS FLOOR AREA IN THE
14 RESIDENTIAL NEW CONSTRUCTION.

15 (4) BEGINNING IN FISCAL YEAR 2021, AND CONTINUING EVERY TWO YEARS
16 THEREAFTER, THE COUNTY ADMINISTRATIVE OFFICER SHALL SUBMIT TO THE
17 COUNTY COUNCIL, NO LATER THAN APRIL 15, A PROPOSAL FOR ANY CHANGE TO
18 THE AMOUNT OR CALCULATION OF THE FEE PAYABLE UNDER THIS SECTION,
19 AFTER CONSULTATION WITH THE PLANNING BOARD, THE OFFICE OF BUDGET
20 AND FINANCE, THE DEPARTMENT OF PLANNING, THE DEPARTMENT OF PUBLIC
21 WORKS, AND THE DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS.

22 (D) FEE CALCULATION.

1 (1) AN APPLICANT SHALL INCLUDE WITH THEIR SUBMITTED
2 DEVELOPMENT PLAN THE OCCUPIABLE GROSS FLOOR AREA OF THE
3 DEVELOPMENT.

4 (2) THE APPLICANT SHALL CALCULATE THE FEE BASED ON THE
5 DEVELOPMENT IMPACT FEE AMOUNT IN EFFECT AS OF THE DATE THE
6 APPLICATION WAS RECEIVED.

7 (3) THE FINAL CALCULATION AND FEE AMOUNT SHALL BE SET AT THE
8 HEARING OFFICERS HEARING BY THE ADMINISTRATIVE LAW JUDGE AND STATED
9 IN THE OPINION AND ORDER APPROVING THE DEVELOPMENT PLAN. NO AMOUNT
10 OF THE REQUIRED DEVELOPMENT IMPACT FEE MAY BE REDUCED OR WAIVED BY
11 THE ADMINISTRATIVE LAW JUDGE.

12 (E) PAYMENT AND COLLECTION OF THE FEE.

13 (1) THE DEVELOPMENT IMPACT FEE SHALL BE DUE WITHIN THIRTY (30)
14 DAYS OF RECORDATION OF A DEVELOPMENT PLAN PLAT. THE APPLICANT MAY
15 NOT APPLY FOR BUILDING PERMITS PRIOR TO FULL PAYMENT OF THE IMPACT
16 FEE. THE FEE SHALL BE PAID TO THE DEPARTMENT OF PERMITS, APPROVALS,
17 AND INSPECTIONS.

18 (2) THE PAYMENT OF DEVELOPMENT IMPACT FEES SHALL NOT ENTITLE
19 THE APPLICANT TO A BUILDING PERMIT UNLESS ALL OTHER APPLICABLE LAND
20 USE, ZONING, PLANNING, ADEQUATE PUBLIC FACILITIES, FOREST RESOURCE,
21 PLATTING, SUBDIVISION OR OTHER RELATED REQUIREMENTS, STANDARDS AND
22 CONDITIONS HAVE BEEN MET. SUCH OTHER REQUIREMENTS, STANDARDS AND

1 CONDITIONS ARE INDEPENDENT OF THE REQUIREMENT FOR PAYMENT OF A
2 DEVELOPMENT IMPACT FEE.

3 (F) REFUND OF FEE; SUPPLEMENTAL FEE.

4 (1) WITHIN NINETY (90) DAYS OF THE ISSUANCE OF A USE AND OCCUPANCY
5 PERMIT, THE APPLICANT MAY REQUEST REVIEW BY THE DIRECTOR OF THE
6 DEVELOPMENT IMPACT FEE. UPON SUCH REQUEST THE PROPERTY SHALL BE
7 INSPECTED TO OBTAIN THE ACTUAL SQUARE FOOTAGE OF THE OCCUPIABLE
8 GROSS FLOOR AREA. WITHIN FIFTEEN (15) DAYS OF INSPECTION, THE DIRECTOR
9 SHALL RE-CALCULATE THE DEVELOPMENT IMPACT FEE USING THE ACTUAL
10 SQUARE FOOTAGE OF OCCUPIABLE GROSS FLOOR AREA.

11 (2) UPON RE-CALCULATION:

12 (I) IF THE NEW DEVELOPMENT IMPACT FEE IS LESS THAN THE
13 AMOUNT PAID BY THE APPLICANT, THE DIRECTOR SHALL AUTHORIZE A REFUND
14 FOR THE DIFFERENCE.

15 (II) IF THE NEW DEVELOPMENT IMPACT FEE IS GREATER THAN THE
16 AMOUNT PAID BY THE APPLICANT, A SUPPLEMENTAL FEE SHALL BE ISSUED AND
17 DUE FROM THE APPLICANT. IF THE APPLICANT DOES NOT PAY A SUPPLEMENTAL
18 FEE WITHIN THIRTY (30) DAYS OF ASSESSMENT, ANY USE AND OCCUPANCY
19 PERMITS ISSUED SHALL BE REVOKED UNTIL THE SUPPLEMENTAL FEE IS PAID IN
20 FULL.

21 (G) REVENUE AND APPROPRIATION.

1 (1) REVENUE COLLECTED UNDER THIS SECTION SHALL BE DEPOSITED IN A
2 SEPARATE DEVELOPMENT IMPACT FEE ACCOUNT AND IS INTENDED TO
3 SUPPLEMENT FUNDING FOR INFRASTRUCTURE AND OTHER PUBLIC FACILITIES
4 AND MAY NOT SUPPLANT OTHER COUNTY OR STATE FUNDING FOR SUCH
5 FACILITIES.

6 (2) ALL FUNDS COLLECTED FROM DEVELOPMENT IMPACT FEES SHALL BE
7 USED FOR CAPITAL IMPROVEMENTS FOR EXPANSION OF THE CAPACITY OF
8 PUBLIC SCHOOLS, ROADS, AND PUBLIC SAFETY FACILITIES OR DEBT SERVICE ON
9 BONDS ISSUED FOR SUCH IMPROVEMENTS.

10 (I) EXPANSION OF THE CAPACITY OF A ROAD INCLUDES EXTENSIONS,
11 WIDENING, INTERSECTION IMPROVEMENTS, UPGRADING SIGNALIZATION,
12 IMPROVING PAVEMENT CONDITIONS, AND ALL OTHER ROAD AND INTERSECTION
13 CAPACITY ENHANCEMENT.

14 (II) EXPANSION OF THE CAPACITY OF A PUBLIC SCHOOL INCLUDES
15 ALL CONSTRUCTION AND REMODELING TO THE EXTENT THAT THE
16 CONSTRUCTION INCREASES THE CAPACITY OF THE PUBLIC SCHOOLS.

17 (III) EXPANSION OF THE CAPACITY OF PUBLIC SAFETY FACILITIES
18 INCLUDES THE CONSTRUCTION OF NEW OR EXPANDED POLICE STATIONS, FIRE
19 STATIONS, AND HEADQUARTERS BUILDINGS, EXPANSION AND UPGRADING OF
20 COMMUNICATIONS EQUIPMENT, AND NEW ADDITIONS TO THE INVENTORIES OF
21 POLICE PATROL VEHICLES, FIRE FIGHTING VEHICLES, AND PARAMEDIC
22 EMERGENCY VEHICLES.

1 (H) DISTRICTS; APPROPRIATION.

2 (1) THE BOUNDARIES OF THE DEVELOPMENT IMPACT FEE DISTRICTS SHALL
3 BE ESTABLISHED AS THE MAPPED BOUNDARIES OF THE SOUTHWEST AREA,
4 NORTHWEST AREA, CENTRAL AREA, NORTHEAST AREA, AND SOUTHEAST AREA
5 ACCORDING TO THE BALTIMORE COUNTY PUBLIC SCHOOLS FACILITIES MAP IN
6 EFFECT FOR THE SCHOOL YEAR.

7 (2) DEVELOPMENT IMPACT FEE FUNDS FOR CAPITAL IMPROVEMENTS
8 SHALL BE APPROPRIATED ONLY IN THE DEVELOPMENT IMPACT FEE DISTRICT
9 WHERE THE DEVELOPMENT OCCURRED AND FROM WHICH THE DEVELOPMENT
10 IMPACT FEE WAS COLLECTED.

11 (I) CREDITS.

12 (1) (I) ANY CONVEYANCE OF LAND OR CONSTRUCTION RECEIVED AND
13 ACCEPTED BY THE COUNTY OR THE BOARD OF EDUCATION OF BALTIMORE
14 COUNTY FROM A DEVELOPER, INCLUDING CONSTRUCTION OF A SCHOOL BY A
15 DEVELOPER OR A DEVELOPER'S AGENT PURSUANT TO AN AGREEMENT WITH THE
16 BOARD OF EDUCATION, MAY BE CREDITED AGAINST THE DEVELOPMENT IMPACT
17 FEE DUE IF THE CONVEYANCE OR CONSTRUCTION MEETS THE SAME NEEDS AS
18 THE DEVELOPMENT IMPACT FEE IN PROVIDING EXPANDED CAPACITY OVER AND
19 ABOVE THE REQUIREMENTS OF THIS TITLE.

20 (II) IF THE DEVELOPER WISHES TO RECEIVE CREDIT AGAINST THE
21 AMOUNT OF THE DEVELOPMENT IMPACT FEE DUE FOR SUCH CONVEYANCE OR
22 CONSTRUCTION, THE DEVELOPER SHALL ENTER INTO A WRITTEN IMPACT FEE

1 CREDIT AGREEMENT WITH THE COUNTY PRIOR TO SUCH CONVEYANCE OR
2 CONSTRUCTION. THE IMPACT FEE CREDIT AGREEMENT SHALL PROVIDE FOR
3 ESTABLISHMENT OF CREDITS AND THE PROCEDURE AND TIME ALLOWED FOR
4 REDEMPTION OF SUCH CREDITS.

5 (III) THE VALUE OF LAND CONVEYED BY A DEVELOPER AND
6 ACCEPTED BY THE COUNTY FOR PURPOSES OF THIS SUBSECTION SHALL BE
7 DETERMINED BY AN APPRAISAL BASED ON THE FAIR MARKET VALUE OF THE
8 LAND. THE VALUE OF FACILITIES CONSTRUCTED BY A DEVELOPER AND
9 ACCEPTED BY THE COUNTY FOR PURPOSES OF THIS SUBSECTION SHALL BE
10 ESTABLISHED BY THE COUNTY. CONSTRUCTION OF FACILITIES SHALL BE IN
11 ACCORDANCE WITH COUNTY AND STATE DESIGN STANDARDS AND
12 SPECIFICATIONS.

13 (2) IMPACT FEE CREDITS SHALL BE ALLOWED FOR TRANSPORTATION
14 IMPROVEMENTS PROVIDING TRANSPORTATION CAPACITY OVER AND ABOVE THE
15 ADEQUATE ROAD FACILITIES REQUIREMENTS FOR A DEVELOPMENT PROJECT SET
16 FORTH IN THIS ARTICLE. THE DEVELOPMENT PROVIDING THE CAPITAL
17 IMPROVEMENTS SHALL BE ALLOWED IMPACT FEE CREDITS IN THE AMOUNT
18 PROVIDED IN THE IMPACT FEE CREDIT AGREEMENT. CREDIT MAY NOT BE GIVEN
19 FOR SITE-RELATED TRANSPORTATION IMPROVEMENTS.

20 (3) IN THE EVENT THAT A DEVELOPER PROVIDES CAPITAL IMPROVEMENTS
21 TO CREATE ADDITIONAL SCHOOL CAPACITY, INCLUDING CONSTRUCTION OF A
22 SCHOOL, THE DEVELOPER SHALL BE ENTITLED TO A CREDIT IN THE AMOUNT

1 PROVIDED IN THE IMPACT FEE CREDIT AGREEMENT. CREDITS MAY NOT BE GIVEN
2 FOR CAPITAL IMPROVEMENTS NECESSARY TO MEET EXISTING SCHOOL
3 CAPACITY DEFICIENCIES.

4 (4) (I) ANY LAND AWARDED CREDIT UNDER THIS SUBSECTION SHALL BE
5 CONVEYED NO LATER THAN THE TIME AT WHICH DEVELOPMENT IMPACT FEES
6 ARE REQUIRED TO BE PAID.

7 (II) THE PORTION OF THE DEVELOPMENT IMPACT FEE REPRESENTED
8 BY A CREDIT FOR CONSTRUCTION SHALL BE DEEMED PAID WHEN THE
9 CONSTRUCTION IS COMPLETED AND ACCEPTED BY THE COUNTY FOR
10 MAINTENANCE OR WHEN ADEQUATE SECURITY FOR THE COMPLETION OF THE
11 CONSTRUCTION HAS BEEN PROVIDED.

12 (5) A DEVELOPMENT CONTAINING AFFORDABLE HOUSING MAY RECEIVE A
13 CREDIT OF 35 PERCENT OF THE DEVELOPMENT IMPACT FEE IMPOSED FOR EACH
14 AFFORDABLE HOUSING UNIT.

15 (6) IMPACT FEE CREDITS ARE NOT TRANSFERABLE OR ASSIGNABLE UNLESS
16 EXPRESSLY PERMITTED IN AN IMPACT FEE CREDIT AGREEMENT. UNUSED OR
17 UNCLAIMED CREDITS MAY NOT BE REFUNDED.

18 (J) EXEMPTIONS. TYPE OF DEVELOPMENT NOT AFFECTED.

19 (1) NO DEVELOPMENT IMPACT FEE SHALL BE IMPOSED ON NEW
20 DEVELOPMENT FOR WHICH A DEVELOPMENT PLAN CONFERENCE HAS BEEN HELD
21 PRIOR TO THE EFFECTIVE DATE OF THIS ACT.

1 (2) NO DEVELOPMENT IMPACT FEE SHALL BE IMPOSED ON ANY NEW
2 RESIDENTIAL DEVELOPMENT WHICH DOES NOT ADD A NEW DWELLING UNIT. NO
3 IMPACT FEE SHALL BE IMPOSED FOR ALTERATION OR EXPANSION OF AN
4 EXISTING DWELLING UNIT WHERE NO ADDITIONAL DWELLING UNIT IS CREATED.

5 (3) NO DEVELOPMENT IMPACT FEES SHALL BE IMPOSED ON THE
6 DEVELOPMENT OF PUBLIC FACILITIES BY THE STATE OF MARYLAND, THE
7 COUNTY, OR THE FEDERAL GOVERNMENT.

8 (K) BI-ANNUAL REPORT.

9 (1) BEGINNING ON JULY 1, 2020 AND EVERY TWO YEARS THEREAFTER, THE
10 COUNTY ADMINISTRATIVE OFFICER, IN CONSULTATION WITH THE DIRECTORS OF
11 THE OFFICE OF BUDGET AND FINANCE, DEPARTMENT OF PUBLIC WORKS,
12 DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS, AND DEPARTMENT OF
13 PLANNING, SHALL PROVIDE AN ANNUAL REPORT TO THE COUNTY COUNCIL OF:

14 (I) THE AMOUNT OF DEVELOPMENT FEES ASSESSED AND COLLECTED
15 BY DEVELOPMENT IMPACT FEE DISTRICT; AND

16 (II) THE AMOUNT OF REFUNDS, SUPPLEMENTAL FEES, AND REBATES
17 GIVEN OR COLLECTED.

18 (2) THE REPORT SHALL INCLUDE:

19 (I) THE NAME OF EACH DEVELOPMENT PROJECT;

20 (II) THE ADDRESS AND COUNCILMANIC DISTRICT AND
21 DEVELOPMENT FEE DISTRICT IN WHICH THE PROJECT IS LOCATED;

1 (III) THE NUMBER AND TYPE OF DEVELOPMENT UNITS TO BE
2 CONSTRUCTED;

3 (IV) THE AMOUNT OF FEE COLLECTED FOR SUCH PROJECTS; AND

4 (VI) AN ACCOUNTING OF REVENUES FOR EACH COUNCILMANIC
5 DISTRICT AND DEVELOPMENT IMPACT FEE DISTRICT AND CORRESPONDING
6 APPROPRIATIONS.

7 (3) THE BI-ANNUAL REPORT MAY ALSO INCLUDE ANY OR ALL OF THE
8 FOLLOWING:

9 (I) RECOMMENDATIONS FOR AMENDMENTS, IF APPROPRIATE, TO
10 THIS SECTION IN ORDER TO IMPROVE THE DEVELOPMENT IMPACT FEES PROGRAM
11 IN THE COUNTY;

12 (II) PROPOSED CHANGES TO THE COUNTY'S CAPITAL
13 IMPROVEMENTS PROGRAM, INCLUDING THE IDENTIFICATION OF ADDITIONAL
14 PUBLIC FACILITY PROJECTS ANTICIPATED TO BE FUNDED WHOLLY OR
15 PARTIALLY WITH DEVELOPMENT IMPACT FEES;

16 (III) PROPOSED CHANGES TO THE BOUNDARIES OF DEVELOPMENT
17 IMPACT FEE DISTRICTS, IF APPLICABLE;

18 (IV) PROPOSED CHANGES TO THE AMOUNT OF THE DEVELOPMENT
19 IMPACT FEE;

20 (V) PROPOSED CHANGES TO THE CALCULATION OF THE
21 DEVELOPMENT IMPACT FEE; AND

1 (VI) ANY OTHER DATA, ANALYSIS OR RECOMMENDATIONS RELATED
2 TO THE DEVELOPMENT IMPACT FEE PROGRAM.

3 (4) THE REPORT SHALL BE POSTED ON THE COUNTY COUNCIL INTERNET
4 WEBSITE.

5
6 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
7 the affirmative vote of five members of the County Council, shall take effect on June 5, 2019.