AN ACT to:
   (1) revise the requirements for location of moderately priced dwelling units; and
   (2) make conforming changes and generally amend the law governing moderately priced dwelling units.

By amending
Montgomery County Code
Chapter 25A, Housing, Moderately Priced
[[Section]] Sections 25A-2 and 25A-5

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 25A-2 and 25A-5 [[is]] are amended as follows:


* * *

The County Council hereby declares it to be the public policy of the County to:

* * *

(5) Require that all subdivisions of [[50]] 35 or more dwelling units include a minimum number of moderately priced units of varying sizes with regard to family needs, and encourage subdivisions with fewer than 35 units to do the same;

* * *

25A-5. Requirement to build MPDU's; agreements; alternatives.

* * *

(m) Nothing in this Chapter prohibits an applicant from voluntarily building [[one or more]] MPDUs, as calculated under subsection (c), in a development with [[at least 20 but]] fewer than 35 dwelling units at one location, and in so doing from qualifying for an optional method of development under Chapter 59. A development with [[at least 20 but]] fewer than 35 dwelling units where an applicant voluntarily builds MPDUs must comply with any procedures and development standards that apply to a larger development under this Chapter and Chapter 59. Subsection (e) and Section 25A-6(b) do not apply to an applicant who voluntarily builds MPDU's under this subsection and in so doing qualifies for an optional method of development.
William B. Libby

Bill No. 38-02

Approved:

/l/

2/4/03

Michael L. Subin, President, County Council

Approved:

/l/

2/17/03

Douglas M. Duncan, County Executive

This is a correct copy of Council action.

/l/

2/20/03

Mary A. Edgar, CMC, Clerk of the Council