



Bill No. 18-17

Concerning: Impact Fees for Accessory Dwelling

Units

Introduced: June 19, 2018

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: September 17, 2018

Frederick County Code, Chapter 1-22

Section(s) 15 (new)

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Bud Otis and Council Member Jessica Fitzwater

AN ACT to: exempt accessory dwelling units equal to or less than 800 square feet in size from payment of public school development impact fees.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-22 Section(s) 15

Other: _____

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

LEGISLATIVE FINDINGS

Recent reports related to housing costs in Frederick County have revealed significant challenges for many elderly and other members of the community. One approach to providing more affordable housing is to encourage the construction of Accessory Dwelling Units (ADUs). One of the limiting factors related to construction of ADUs is the cost of the public school development impact fees.

Currently, the County collects the same fees for ADUs as for multi-family dwelling units. However, ADUs equal to or less than 800 square feet in size are very unlikely to generate public school students. Therefore, this Bill exempts ADUs that are equal to or less than 800 square feet in size from payment of the public school development impact fees. Since ADUs greater than 800 square feet in size are more comparable to an apartment or condominium unit, this Bill retains the current requirements for payment of the public school development impact fees for these larger ADUs.

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the Frederick County Code to allow an exemption of public school development impact fees for accessory dwelling units not greater than 800 square feet in size.

NOW, THEREFORE, BE IT ENACTED, BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

Harold F. (Bud) Otis, President
County Council of Frederick County,
Maryland

ARTICLE II: PUBLIC SCHOOL DEVELOPMENT IMPACT FEE

§ 1-22-12. AMOUNT OF IMPACT FEE.

All new residential development in the service area shall be subject to the payment of a public school development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22, as follows:

<i>Residential Development</i>	<i>Impact Fee Per Dwelling Unit (As of 7/1/16)</i>	<i>Impact Fee Per Dwelling Unit (As of 7/1/17)</i>
Single-Family Detached	\$14,112.50	\$14,747.00
Townhouse/Duplex	\$14,207.00	\$15,002.00
All Other Residential	\$5,942	\$6,291.00

§1-22-15. EXEMPTION FOR ACCESSORY DWELLING UNITS LESS THAN 800 SQUARE FEET.

(A) Accessory dwelling units that do not exceed 800 square feet in size are exempt from payment of public school development impact fees.

(B) The public school development impact fee for accessory dwelling units greater than 800 square feet in size shall be the impact fee amount indicated above in §1-22-12 for “All Other Residential”.

Underlining indicates matter added to existing law.
[Single boldface brackets] indicates matter deleted from existing law.
*** - indicates existing law unaffected by bill.