



Bill No. 24-18

Concerning: Restrictions on The MPDU Payment in Lieu Option

Introduced: October 1, 2024

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: \_\_\_\_\_

Effective: \_\_\_\_\_

Expires: December 30, 2024

Frederick County Code, Chapter 1-6A

Section(s) 5.1

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

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By: Council Member Steve McKay and Council Member Mason Carter

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**AN ACT** to: require County Executive agreement for a developer to use the payment in lieu option for Moderately Priced Dwelling Units (MPDU), and to eliminate the MPDU payment in lieu option for age-restricted developments

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Date Council Approved: \_\_\_\_\_ Date Transmitted to Executive: \_\_\_\_\_

Executive: \_\_\_\_\_ Date Received: \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

Date returned to Council by County Executive with no action: \_\_\_\_\_

By amending:

Frederick County Code 1-6A Section(s) 5.1

Other: \_\_\_\_\_

<b>Boldface</b>	<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>

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The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-6A of the Frederick County Code (Moderately Priced Dwelling Units) to: (1) require County Executive agreement for a developer to choose the MPDU payment in lieu option; and (2) remove the MPDU payment in lieu option for age-restricted developments.

NOW, THEREFORE, BE IT ENACTED, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

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Brad Young, President  
County Council of Frederick County,  
Maryland

## § 1-6A: MODERATELY PRICED DWELLING UNITS

## § 1-6A-5.1. Payment in Lieu of Building MPDU's; Agreements

(A) In lieu of the option specified under § 1-6A-5, subject to the approval of the County Executive, an applicant may elect to pay a "per dwelling unit payment in lieu" calculated as described below and included in a written MPDU agreement.

(1) In determining whether the payment in lieu option shall be available to the applicant, the County Executive shall consider the proximity of the proposed development to public transportation, employment centers, public schools, and any other factor that the County Executive deems pertinent to this decision

\* \* \*

(J) The payment in lieu option described in this section shall not be available for age restricted development, as defined in § 1-20-5 of the County Code