

Ordinance No. 10-15

ORDINANCE: To amend Chapter 13.5 entitled "Moderately Priced Housing" by amending Section 13.5-7 so as to remove parking from inclusion in the maximum MPDU rent calculation and permit amenity and services fees for Moderately Priced Dwelling Units

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Chapter 13.5 entitled "Moderately Priced Housing" is hereby amended to read as follows:

Chapter 13.5 "Moderately Priced Housing"

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Sec. 13.5-7. Maximum prices and rents of moderately priced dwelling units.

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(2) Rental

- a. The rent, [including parking but] excluding utilities when they are paid by the tenant, for any MPDU must not exceed a maximum rent for the dwelling unit in accordance with the formula for calculating the maximum rent set forth in regulations adopted by the Mayor and Council. Different rents must be established for units when utility costs are paid by the owner and included in the rent. The City Manager shall adjust the maximum rent annually in accordance with the formula set forth in the regulations. Sixty (60) days prior to implementing any such annual adjustment, the City Manager shall inform the Mayor and Council of the amount of the adjustment in the maximum rent.
- b. Subject to approval as part of the MPDU agreement, the Applicant shall be permitted to charge fees to MPDU tenants for amenities and services, [[including parking]] as follows:
 - 1) Approved amenities and services must be offered to MPDU tenants in the same manner in which they are to all tenants.
 - 2) Fees charged to MPDU tenants must be equal to or less than the rates normally charged by the Applicant.
 - 3) The Applicant is not permitted to charge a fee for non-structured or surface automobile parking to MPDU tenants. The Applicant is permitted to charge a

fee for structured or garage parking to MPDU tenants. The fee for the first parking space per MPDU household must not exceed one-half the monthly rate charged to market-rate tenants. Additional parking spaces can be charged at the monthly market-rate.

c. Notwithstanding the above, within sixty (60) days of being informed of any adjustment in the maximum rent for a dwelling unit, the Mayor and Council may establish a different maximum rent than provided by the aforesaid formula. In such a case, the Mayor and Council shall consider the current cost of building MPDU[']s, available interest rates and debt service for permanent financing, current market rates of return on investments in residential rental properties, operating costs, vacancy rates of comparable properties, the value of the MPDU at the end of the control period, and any other relevant information.

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NOTE: Underlining indicates material added
[Brackets] indicate material deleted
Double Underlining indicates material added after introduction
[[Double Brackets]] indicate material deleted after introduction
Asterisks * * * indicate material unchanged by this ordinance

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of May 18, 2015.


Sara Taylor-Ferrell, Acting City Clerk