

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 21-O-16

Date Introduced:	November 8, 2021
Sponsored By:	Councilman Adam Hiob and Councilwoman Sandra Landbeck
Public Hearing:	December 6, 2021
Amendments Adopted:	None
Date Adopted:	December 13, 2021
Date Effective:	January 3, 2022

AN ORDINANCE concerning

TOD ECONOMIC DEVELOPMENT INCENTIVE PROGRAM (3)

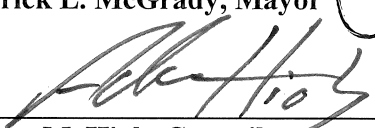
FOR the purpose of creating a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen.

SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that it hereby establishes and adopts the Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen as set forth on Exhibit 1 attached to this Ordinance and incorporated by reference.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.


COUNCIL OF THE CITY OF ABERDEEN



Patrick L. McGrady, Mayor

Adam M. Hiob, Councilman

Jason W. Kolligs, Councilman

Sandra J. Landbeck, Councilwoman

Timothy W. Lindecamp, Councilman

ATTEST:

SEAL:



Monica A. Correll, City Clerk

Date December 13, 2021

Exhibit 1 to Ordinance No. 21-O-16

**TRANSIT ORIENTED DEVELOPMENT WATER AND SEWER AREA CONNECTION
CHARGE WAIVER ECONOMIC DEVELOPMENT INCENTIVE PROGRAM**

Creation of Incentive Program

There is a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program (“Incentive Program”) for the City of Aberdeen. The purpose of the Incentive Program is to increase the City’s employment and tax bases by stimulating development and redevelopment in the City’s Transit Oriented Development District (“TOD”) as delineated by the City’s TOD Regulating Plan, by waiving Water and Sewer Area Connection Charges imposed pursuant to Chapter 450, Article II and Chapter A550 of the Code of the City of Aberdeen. Because further development and redevelopment in the TOD District is a benefit to the City’s property tax base and the City as a whole, this Incentive Program provides for payments from the General Fund’s Fund Balance to the Water Fund and Sewer Fund to recoup revenues to be lost to the Water Fund and Sewer Fund by the granting of waivers under the Incentive Program.

Duration of Incentive Program

The Incentive Program shall commence upon its approval by the City Council and shall terminate on December 31, 2023 or when the number of Credits set forth in this program are exhausted, whichever comes first.

Administration of Incentive Program

The Incentive Program shall be administered by the City Manager or the City Manager’s designee. The City Manager or the designee shall provide an Incentive Program Application form and requirements for the submittal of supporting materials to demonstrate that an applicant is eligible to participate in the Incentive Program.

Eligibility for Participation in the Incentive Program

The following are eligible to participate in the Incentive Program:

1. Owners of land in the TOD on which new commercial or residential development require new connections to the City’s water and sewer systems for which connection fees are payable.

2. Owners of land in the TOD on which commercial or residential redevelopment require connections to the City’s water and sewer systems for which additional connection fees are payable.

1 3. Any use that is prohibited in the TOD District will not be eligible for a waiver under the
2 Incentive Program (i.e., automobile carwash, automobile repair shop, construction services and
3 supplies, etc.).
4

5 4. The TOD Economic Development Incentive shall limit the total available credits for the
6 Incentive Program to one hundred (100) Equivalent Dwelling Units.
7

8 a. The Owner shall use the latest version of the Maryland Department of the
9 Environment Wastewater Guidance Manual in determining the water capacity request for
10 which the Equivalent Dwelling Unit credit will be determined.
11

12 b. One (1) Equivalent Dwelling Unit (EDU) means a measure of wastewater
13 generated from the business or residential unit whose deemed average daily flow is two
14 hundred and fifty (250) gallons.
15

16 c. No single project is eligible for a credit of more than one-third (1/3) of the total
17 available EDUs, that being one (100) hundred EDUs, in this incentive program. An
18 applicant approval shall not exceed thirty-three (33) EDUs per application.
19

20 d. Any water and sewer connection credits applied under this program are not
21 transferrable.
22

23 **Submittal of Applications**

24
25 A person who is eligible to participate in the Incentive Program may apply to the City
26 Manager or the Manager's designee for a waiver of the water and sewer area connection fees that
27 would be charged for the connection to the City's water and sewer systems. An application for a
28 connection fee waiver shall be filed before an application for a building permit is approved for
29 development or redevelopment activities. To receive a connection fee waiver, the Application and
30 supporting documents must be approved by the City Council before December 31, 2023.
31

32 **Action on Applications; Payment Schedule**

33
34 The City Manager or the Manager's designee shall review all Applications for waivers of
35 water and sewer area connection fees and all supporting documentation. The City Manager or the
36 Manager's designee may recommend to the City Council approval of a waiver request if the review
37 of the Application and supporting documentation demonstrates that the eligibility requirements for
38 participation in the Incentive Program have been satisfied and sufficient EDUs remain available
39 for the credit. The City Council may approve a waiver request, in whole or in part, upon
40 recommendation of the City Manager or the City Manager's designee.
41

42 Concurrently with review of an Application for a waiver, the City Manager or the City
43 Manager's designee shall determine the value of area connection fee revenue that would be lost
44 by the Water Fund and Sewer Fund if the waiver is granted and shall so advise the City Council.

1 The City Council shall not approve a waiver of water and sewer area connection fees for an eligible
2 project unless the Council concurrently appropriates sufficient funds from the City's General Fund
3 Fund Balance to the Water Fund and the Sewer Fund to allow the Water Fund and the Sewer Fund
4 to recoup the amount of area connection fee revenue that would be lost by the granting of the
5 waiver. Funds so appropriated from the Fund Balance shall be paid to the Water Fund and Sewer
6 Fund concurrently with the project's connection to the water and sewer systems.

7
8 Upon the City Council's approval of a waiver request the project may connect to the City's
9 water and sewer systems without the payment of water and sewer area connection fees.

10
11 **Reports to the City Council**

12
13 The City Manager or the Manager's designee will report annually prior to the fiscal budget
14 approval, all waivers granted under this Incentive Program by the City Council.