

**Amendment to 22-0426: Concerning Grandfathered Linkage Fee Correction**

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Councilmembers,

I move that 22-0426 be amended to reflect the following changes:

On page 33, line 23, strike “circumstances:” and replace with “circumstances and an applicant shall be subject to the provisions of chapter 27, D.R.M.C. in effect as of June 30, 2022:”; and

On page 35, strike subsection 4., lines 1-4, and renumber the subsequent subsection accordingly.

**Purpose of the Amendment**

The amendment clarifies that grandfathered development projects are subject to all aspects of the current affordable housing law in effect today, specifically that they will continue to pay a linkage fee that is indexed annually to inflation at the time of receiving a building permit. The amendment is consistent with the original intent of the affordable housing linkage fee legislation passed in 2016 and consistent with how the city has previously approached grandfathering, which is to maintain and apply requirements under existing law rather than altering them.