

1 **..Title**

2 **Workforce Housing** – For the purpose of the purpose of allowing workforce housing as a
3 permitted use subject to standards in certain residential, commercial, office and mixed use districts;
4 establishing the standards for workforce housing; and generally related to zoning.

5 **..Body**

6 **CITY COUNCIL OF THE**

7 **City of Annapolis**

8
9 **Ordinance 40-22**

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11 **Introduced by: Alderman Gay**
12 **Co-sponsored by: Ald. Schandelmeier**

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14 **Referred to**
15 **Planning Commission**
16 **Rules and City Government Committee**

17
18 **AN ORDINANCE** concerning

19
20 **Workforce Housing**

21
22 **FOR** the purpose of allowing workforce housing that is affordable to households earning 60 to
23 100 percent of the area median income.as a permitted use subject to standards in certain
24 residential, commercial, office and mixed use districts; establishing the standards for
25 workforce housing; and generally related to zoning.

26
27 **BY** repealing and reenacting with amendments the following portions of the Code of the City
28 of Annapolis, 2022 Edition

29 21.48.010

30 21.48.020

31 21.48.030

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33 **BY** adding the following portions to the Code of the City of Annapolis, 2022 Edition
34 21.64.675

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36 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
37 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

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39 **Title 21 – PLANNING AND ZONING**

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Chapter 21.48 – Use Tables

P = Permitted Uses; S = Special Exception Use; Std = Use Subject to Standards (Chapter 21.64);
A = Accessory Use; Blank = Not Permitted

Section 21.48.010 Table of Uses—Residential Zoning Districts

ADD WORKFORCE HOUSING AS PERMITTED USE SUBJECT TO STANDARDS in the R1, R1A, R1B, R2, R2-NC, R3, R3-NC, R3-NC2, R4, R4-R, C1, C1A

21.48.020 Table of Uses—Commercial and Industrial Zoning Districts.

ADD WORKFORCE HOUSING AS PERMITTED USE SUBJECT TO STANDARDS in the B1,B2, B3, B3-CD, BCE, BR, C2, C2A and PM2 (all except I1)

21.48.030 Table of Uses—Office and Mixed Use Zoning Districts.

ADD WORKFORCE HOUSING AS PERMITTED USE SUBJECT TO STANDARDS in P, MX, PM, C2P

**Chapter 21.64 - STANDARDS FOR USES SUBJECT TO STANDARDS
SECTION 21.64.645 WORKFORCE HOUSING.**

- A. THE PROPERTY SHALL CONSIST OF ANY MIX OR TYPE OF DWELLING UNITS.
- B. THE PROPERTY SHALL BE ENCUMBERED BY RECORDED DEED RESTRICTIONS THAT STATE THE FOLLOWING:
 - 1. THE UNITS BE RESTRICTED TO OCCUPANCY BY ELIGIBLE HOUSEHOLDS UNDER THIS SECTION FOR AT LEAST 30 YEARS FOR HOME OWNERSHIP UNITS AND AT LEAST 40 YEARS FOR RENTAL UNITS
EXCEPT THAT THE DEED RESTRICTIONS MAY BE 15 YEARS FOR "LEASE TO PURCHASE" UNITS;
 - 2. AT LEAST 40 PERCENT OF HOME OWNERSHIP UNITS BE OCCUPIED BY
A
HOUSEHOLD WITH AN INCOME THAT DOES NOT EXCEED 100 PERCENT OF THE MEDIAN INCOME ADJUSTED FOR HOUSEHOLD SIZE FOR THE BALTIMORE PRIMARY METROPOLITAN STATISTICAL AREA. AS DEFINED AND PUBLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD);

77 3. AT LEAST 60 PERCENT OF RENTAL UNITS BE OCCUPIED BY A
 78 HOUSEHOLD WITH AN INCOME THAT DOES EXCEED 100 PERCENT OF
 79 THE MEDIAN INCOME AJUSTED FOR HOUSEHOLD SIZE FOR THE
 80 BALTIMORE PRIMARY METROPOLITAN STATISTICAL AREA AS
 81 DEFINED AND PUBLISHED ANNUALLY BY THE UNITED STATES
 82 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

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 84 4. THE INITIAL TRANSFER OR RENTAL OF A HOME OWNERSHIP UNIT TO
 85 THE ORIGINAL BUYER OF THAT UNIT SHALL BE ACCOMPANIED BY A
 86 CERTIFICATION FROM THE CITY OF ANNAPOLIS THAT THE BUYER'S
 87 HOUSEHOLD INCOME DOES NOT EXCEED THE MAXIMUM ALLOWED
 88 FOR THAT UNIT; AND

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 90 5. IF THE ORIGINAL BUYER OF A HOME OWNERSHIP UNIT TRANSFERS
 91 TITLE TO THAT UNIT WITHIN 10 YEARS, THE TRANSFER SHALL BE
 92 ACCOMPANIED BY A CERTIFICATION FROM THE CITY OF ANNAPOLIS
 93 THAT THE TRANSFEREE'S HOUSEHOLD INCOME DOES NOT EXCEED
 94 THE MAXIMUM ALLOWED FOR THAT UNIT.

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 96 6. A PROPERTY THAT MEETS THE REQUIREMENTS FOR WORKFORCE
 97 HOUSING SET BY THESE STANDARDS SHALL BE EXEMPT FROM THE
 98 MPDU REQUIREMENTS AS DEFINED BY SECTION 20.30.030 OF THE
 99 CITY OF ANNAPOLIS CODE OF ORDINANCES.

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 101 C. THE FOLLOWING BULK REGULATIONS SHALL BE APPLICABLE:

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 103 1. DENSITY, SETBACKS, AND HEIGHT REQUIREMENTS SHALL BE
 104 GOVERNED BY THE BULK REGULATIONS FOR THE R4 ZONING DISTRICT.

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 106 2. COMMON OPEN SPACE. PERMANENT USABLE COMMON OPEN SPACE
 107 SHALL BE IDENTIFIED AND DEDICATED FOR PASSIVE RECREATIONAL
 108 ACTIVITIES OR LIMITED ACTIVE RECREATION, SUBJECT TO THE
 109 FOLLOWING REQUIREMENTS. THE AREA REQUIRED FOR PARKING LOT
 110 LANDSCAPING OR BUFFERS SHALL NOT BE INCLUDED IN THE COMMON
 111 OPEN SPACE CALCULATION.

112 D. THE INITIAL ALLOWABLE MAXIMUM RENTAL RATES FOR RENTAL UNITS
 113 SHALL BE ESTABLISHED BY THE DEVELOPER AND APPROVED BY THE CITY
 114 OF ANNAPOLIS DEPARTMENT OF PLANNING AND ZONING .

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 116 E. SITE DESIGN PLAN REVIEW IN ACCORDANCE WITH REQUIREMENTS OF
 117 CHAPTER 21.22 OF THE CITY CODE IS REQUIRED.

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 119 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**

120 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

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Explanation:

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UPPERCASE indicates matter added to existing law.

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~~Strikethrough~~ indicates matter stricken from existing law.

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Underlining indicates amendments.

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