

1 **..Title**

2 **Moderately Priced Dwelling Units** – For the purpose of amending the eligibility
3 requirements for access to moderately priced dwelling units to include individuals
4 working within the United States Naval Academy grounds.

5 **..Body**

6
7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Ordinance 47-15**

11
12 **Introduced by: Alderman Budge, Alderman Kirby, Alderwoman Finlayson**
13 **and Alderman Arnett**

14
15 **Referred to**

16 Housing and Community Development Committee
17 Rules and City Government Committee

18
19
20 **AN ORDINANCE** concerning

21
22 **Moderately Priced Dwelling Units**

23
24 **FOR** the purpose of amending the eligibility requirements for access to moderately
25 priced dwelling units to include individuals working within the United States Naval
26 Academy grounds.

27
28 **BY** repealing and re-enacting with amendments the following portions of the Code of
29 the City of Annapolis, 2014 Edition
30 20.30.020

31
32
33 **BY** adding the following portions to the Code of the City of Annapolis, 2014 Edition
34 20.30.020

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

40
41 **Chapter 20.30 - MODERATELY PRICED DWELLING UNITS**

42
43 **20.30.020 - Definitions.**

44
45 In general, in this chapter, unless another meaning is plainly intended, the following
46 words have the meanings indicated.

1
2 "Applicant" means any person, firm, partnership, association, joint venture, corporation,
3 or any other entity or combination of entities, who either submits for subdivision
4 approval for a residential "for sale" project under this chapter or is developing rental
5 property, and which plan provides for the development of a total of ten or more dwelling
6 units in one or more stages of development regardless of whether any land has been
7 transferred to another party.

8
9 "At one location" means all adjacent land of the applicant if:

- 10
11 1. The property lines are contiguous or nearly contiguous at any point;
12 2. The property lines are separated only by a public or private street, road,
13 highway or utility right-of-way, or other public or private right-of-way at any
14 point; or
15 3. The property lines are separated only by other land of the applicant which is
16 not subject to this chapter at the time of any permit, site plan, development,
17 or subdivision application by the applicant.

18
19 "Certificate of eligibility" means a certificate issued by the Department of Planning and
20 Zoning and signed by the person seeking to own or rent an MPDU and the Planning and
21 Zoning Director that certifies that the person is qualified to buy or rent an MPDU.

22
23 "Consumer Price Index" means the latest published version of the Consumer Price Index
24 for All Urban Consumers (CPI-U) of the U.S. Department of Labor for the Baltimore
25 metropolitan area.

26
27 "Date of original rental" means the date of the first lease agreement for a MPDU.

28
29 "Date of original sale" means the date of settlement for purchase of a MPDU.

30
31 "Eligible person" means a person or household:

- 32
33 1. Whose income is one hundred percent or less than the family median income
34 for the Baltimore Metropolitan Statistical Area (MSA), with adjustments for
35 household size, as reported by the United States Department of Housing and
36 Urban Development (HUD);
37 2. Who holds a valid certificate of eligibility that entitles the person or
38 household to buy or rent an MPDU;
39 3. Who does not currently own a home; and
40 4. (a) Is a City resident or has been employed within the City for at least the
41 past twelve months prior to applying for a certificate of eligibility under
42 Section 20.30.100, or
43 (b) Is in the employ of the City of Annapolis beyond their probationary
44 period, or
45 (c) Is a teacher or staff member in an elementary, middle or high school
46 within the City limits or in any school that is included in the Annapolis

1 Senior High School district as defined by Anne Arundel County Public
2 Schools.

3 (D) WHO IS AND HAS BEEN EMPLOYED WITHIN THE UNITED
4 STATES NAVAL ACADEMY GROUNDS FOR AT LEAST THE PAST
5 TWELVE MONTHS PRIOR TO APPLYING FOR A CERTIFICATE OF
6 ELIGIBILITY UNDER SECTION 20.30.100.

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8 "Expedited review process" means an application for a planned residential development
9 containing MPDUs in conformance with Section 20.30.050 shall be processed as a
10 priority review project consistent with Section 20.30.010. Prior to the submittal of a
11 preliminary or final plan, the applicant and the Director of Planning and Zoning shall
12 agree to a proposed schedule for both the applicant's submittals of plans and the
13 Department of Planning and Zoning's reviews of those submittals. The schedule shall
14 establish reasonable timelines for all parties and all parties will endeavor in good faith to
15 meet the timelines.

16
17 "Homeownership assistance trust fund" means a fund established under this chapter in
18 order to achieve the purposes of Section 20.30.070 to be administered by the Department
19 of Planning and Zoning.

20
21 HUD's "fair market rents" (FMRs) shall mean the FMRs for the Baltimore MSA as
22 published from time to time by HUD.

23
24 "Moderately priced dwelling unit," or "MPDU," means a dwelling unit which:

- 25
26 1. Is offered for sale or rent to eligible persons or to the Department of Planning
27 and Zoning and sold or rented under this chapter;
28 2. Is offered for a maximum sales price to be determined by the Department of
29 Planning and Zoning under Section 20.30.110 of this chapter,
30 3. Is offered for a monthly rental price of:
31 a. One hundred percent of HUD's fair market rents if the landlord pays all
32 utilities (heat, water, sewer, electric, and trash); or
33 b. Eighty percent of Baltimore MSA, HUD fair market rents if the landlord
34 does not pay all utilities (heat, water, sewer, electric, and trash).
35 4. And, the monthly rental price of which shall be recalculated each year by the
36 Department of Planning and Zoning based on HUD's recalculation of fair
37 market rents.

38
39 "Occupancy period" means the time an MPDU is subject to either resale price controls
40 and owner occupancy requirements or maximum rental limits. The occupancy period is
41 ten years for sale units and twenty years for rental units, and begins on the date of initial
42 sale or rental. If a sale or rental MPDU is sold to an eligible person within ten years after
43 its initial sale or rental, the unit must be treated as a new MPDU and a new control
44 occupancy period must begin on the date of the sale or rental.

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46 "Residential development" includes:

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- 1. All proposed subdivisions, rental property, condominiums, cooperatives, and new mixed use developments with a residential component;
- 2. A development that is a rehabilitation of an existing multiple family residential structure that increases the number of residential units from the number of units in the existing structure by four or more dwelling units;
- 3. Part of the conversion of a rental property to a condominium or cooperative; and
- 4. A development that will change the use of an existing building from a nonresidential to a residential use.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.
~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates amendments