



160 Duke of Gloucester Street  
Annapolis, MD 21401

Signature Copy  
O-47-15 Amended

---

**..Title**

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

**..Body**

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 47-15 Amended**

**Introduced by: Alderman Budge  
Co-sponsored by: Alderman Kirby, Alderwoman Finlayson  
Alderman Arnett and Mayor Pantelides**

**Referred to**

Housing and Community Development Committee  
Rules and City Government Committee

**AN ORDINANCE** concerning

**Moderately Priced Dwelling Units**

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

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

**BY** adding the following portions to the Code of the City of Annapolis, 2014 Edition  
20.30.020

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

**Chapter 20.30 - MODERATELY PRICED DWELLING UNITS**  
**20.30.020 - Definitions.**

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

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

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

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

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

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

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

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

"Eligible person" means a person or household:

1. Whose income is one hundred percent or less than the family median income for the Baltimore Metropolitan Statistical Area (MSA), with adjustments for household size, as reported by the United States Department of Housing and Urban Development (HUD);
2. Who holds a valid certificate of eligibility that entitles the person or household to buy or rent an MPDU;
3. Who does not currently own a home; and

4. (a) Is a City resident or has been employed within the City for at least the past twelve months prior to applying for a certificate of eligibility under Section 20.30.100, or
  - (b) Is in the employ of the City of Annapolis beyond their probationary period, or
  - (c) Is a teacher or staff member in an elementary, middle or high school within the City limits or in any school that is included in the Annapolis Senior High School district as defined by Anne Arundel County Public Schools.
  - (D) WHO IS AND HAS BEEN EMPLOYED WITHIN THE UNITED STATES NAVAL ACADEMY ~~GROUNDS~~ OR THE ANNAPOLIS NAVAL BASE FOR AT LEAST THE PAST TWELVE MONTHS PRIOR TO APPLYING FOR A CERTIFICATE OF ELIGIBILITY UNDER SECTION 20.30.100.

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

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

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

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

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

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

"Residential development" includes:

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

ADOPTED this 23rd day of November, 2015.

Aye: Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby and Alderman Arnett.

Absent: Alderman Pfeiffer

THE ANNAPOLIS CITY  
COUNCIL

*Michael Pantelides*

Date: 12-7-2015

Michael J. Pantelides, Mayor

ATTEST

*Regina Watkins-Eldridge*

Date: 12/7/15

Regina Watkins-Eldridge, MMC,  
City Clerk