



Legislation Details (With Text)

**File #:** O-40-22      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** In Committee

**File created:** 6/27/2022      **In control:** City Council

**On agenda:** 1/9/2023      **Final action:**

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

**Sponsors:** Dajuan K. Gay, Brooks Schandelmeier

**Indexes:** Planning Commission, Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-40-22 First Reader, 2. Workforce Housing overview for PC\_11.17.22, 3. O-40-22 Staff Report to Planning Commission with Attachments, 4. O-40-22 Addendum to Staff Report to Planning Commission 11.18, 5. O-40-22 Planning Commission Findings, 6. O-40-22 Public Hearing Notice, 7. O-40-22 Fiscal Impact Note

Date	Ver.	Action By	Action	Result
3/27/2023	2	City Council		
3/20/2023	2	Housing and Human Welfare Committee		
2/21/2023	2	Housing and Human Welfare Committee	postpone	Pass
1/17/2023	2	Housing and Human Welfare Committee	postpone	Pass
1/9/2023	2	City Council	declare the public hearing closed	
12/12/2022	2	City Council	declare the public hearing closed	
12/12/2022	2	City Council	presented	
12/12/2022	2	City Council	declare the public hearing left open	Pass
9/29/2022	2	Housing and Human Welfare Committee	Recommend Favorably-Amendment	Pass
9/20/2022	2	Housing and Human Welfare Committee	postpone	Pass
6/27/2022	2	City Council	adopt on first reader	Pass
6/27/2022	2	City Council	refer	
6/27/2022	2	City Council	refer	
6/27/2022	2	City Council	refer	

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

**CITY COUNCIL OF THE**  
**City of Annapolis**

## Ordinance 40-22

Introduced by: Alderman Gay  
Co-sponsored by: Ald. Schandelmeier

Referred to  
Planning Commission  
Rules and City Government Committee

AN ORDINANCE concerning

### Workforce Housing

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

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

21.48.010

21.48.020

21.48.030

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

**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:

#### Title 21 - PLANNING AND ZONING

##### 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);

3. AT LEAST 60 PERCENT OF RENTAL UNITS BE OCCUPIED BY A HOUSEHOLD WITH AN INCOME THAT DOES EXCEED 100 PERCENT OF THE MEDIAN INCOME AJUSTED 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)

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

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

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

C. THE FOLLOWING BULK REGULATIONS SHALL BE APPLICABLE:

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

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

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

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

**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:**

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.