



## **LEGISLATIVE SUMMARY**

To: All Councilmembers of the Anne Arundel County Council

From: Linda M. Schuett, Legislative Counsel

Date: June 3, 2019

Subject: Bill No. 54-19 – Workforce Housing

### **CAPITAL FACILITY CONNECTION CHARGES**

Section 13-5-813 of the Code exempts various organizations and uses, such as religious facilities and housing for the elderly of moderate means, from the need to pay capital facility connection charges. Bill No. 54-19 exempts workforce housing from the need to pay 50% of the capital facility connection charge.

### **ZONING DISTRICTS IN WHICH THE USE IS ALLOWED**

Workforce housing is currently allowed in two residential zones, R10 and R15. This bill adds the use to one additional residential district (R5), to certain commercial districts (C2, C3, and C4), to one industrial district (W1), and to all mixed use districts (MXD-R, MXD-C, MXD-E, AND MXD-T).

### **CONDITIONAL USE**

Workforce housing is currently a special exception use. This bill makes the use a conditional use. The requirements for the special exception use are repealed.

### **WORKFORCE HOUSING REQUIREMENTS**

Workforce housing must meet all of the following requirements:

As is true under the special exception use, workforce housing must consist of dwelling units, of any type or mixture. With the addition of workforce housing to commercial and mixed use zoning districts, a statement is added to make it clear that requirements applicable to dwellings in commercial and mixed use districts do not apply.

The property must be encumbered by a recorded deed restriction that:

- the units be restricted to occupancy by eligible households for at least ten years for ownership units and at least 30 years for rental units, except that the deed restriction may be 15 years for “lease to purchase” rental units;
- at least 40% of home ownership units be occupied by a household with an income that does not exceed 100% of the median income and at least 60% of rental units be occupied by a household with an income that does not exceed 60% of the median income, all as adjusted for household size for the Baltimore Primary Metropolitan Statistical Area.
- the initial transfer of a home ownership unit, as well as a subsequent transfer within 10 years, be accompanied by a certificate that the buyer’s household income does not exceed the maximum allowed for the unit.

These deed restrictions are modified from the deed restrictions applicable to the special exception use.

Like the special exception requirement, density is restricted to 22 units per acre.

Maximum coverage by structures and parking may not exceed 65% (rather than 60%) of the gross area of the lot.

Setbacks and height requirements are governed by the bulk regulations of the R22 zoning district, rather than by the bulk regulations of the zoning district in which the project is located.

Like the special exception requirement, the site must be served by public water and sewer.

The project must have direct access from a collector or higher classification road (rather than a minor arterial or higher classification road).

Rental rates must be established by the developer and approved by the County or its designee.

This bill does not carry forward the following special exception requirements: (1) that the property be located in a priority funding area; (2) that certain information be given to the Administrative Hearing Officer; and (3) that the project be financed in part by federal, State, or

Arundel Community Development Services, Inc. and approved by resolution of the County Council.