

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 5

Bill No. 19-24

Introduced by Ms. Pickard

and by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, March 4, 2024

Introduced and first read on March 4, 2024

Public Hearing set for April 1, 2024

Bill Expires June 7, 2024

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Requirements for Conditional Uses – Workforce
2 Housing

3
4 FOR the purpose of altering the percentage of home ownership units and rental units that
5 are required be occupied by a household with less than a certain median income for
6 workforce housing located in an R5 or R10 zoning district under certain circumstances;
7 providing for the maximum density for workforce housing located in an R5 or R10
8 zoning district under certain circumstances; and generally relating to zoning.
9

10 BY repealing and reenacting, with amendments: § 18-10-172
11 Anne Arundel County Code (2005, as amended)
12

13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
14 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
15

ARTICLE 18. ZONING

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-172. Workforce housing.

21 Workforce housing shall comply with all of the following requirements.
22

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 (1) The project shall consist of dwelling units of any type or mixture and
2 requirements applicable to dwellings in commercial and mixed use zoning districts do not
3 apply.

4
5 (2) The property shall be encumbered by recorded deed restrictions that REQUIRE:

6
7 (i) the units be restricted to occupancy by eligible households under this section
8 for at least 10 years for home ownership units and at least 30 years for rental units, except
9 that the deed restriction may be 15 years for “lease to purchase” rental units;

10
11 (ii) 1. EXCEPT AS PROVIDED IN ITEM 2:

12
13 A. at least 40% of home ownership units be occupied by a household
14 with an income that does not exceed 100% of the median income adjusted for household
15 size for the Baltimore Primary Metropolitan Statistical Area, as defined and published
16 annually by the United States Department of Housing and Urban Development; AND

17
18 ~~[[(iii)]]~~ B. at least 60% of rental units be occupied by a household with an
19 income that does not exceed 60% of the median income adjusted for household size for the
20 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
21 United States Department of Housing and Urban Development;

22
23 2. FOR WORKFORCE HOUSING LOCATED IN AN R5 OR R10 ZONING DISTRICT
24 THAT DOES NOT HAVE DIRECT VEHICULAR ACCESS TO A COLLECTOR OR HIGHER
25 CLASSIFICATION ROAD:

26
27 A. AT LEAST 25% OF HOME OWNERSHIP UNITS BE OCCUPIED BY A
28 HOUSEHOLD WITH AN INCOME THAT DOES NOT EXCEED 100% OF THE MEDIAN INCOME
29 ADJUSTED FOR HOUSEHOLD SIZE FOR THE BALTIMORE PRIMARY METROPOLITAN
30 STATISTICAL AREA, AS DEFINED AND PUBLISHED ANNUALLY BY THE UNITED STATES
31 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

32
33 B. AT LEAST 25% OF RENTAL UNITS BE OCCUPIED BY A HOUSEHOLD
34 WITH AN INCOME THAT DOES NOT EXCEED 60% OF THE MEDIAN INCOME ADJUSTED FOR
35 HOUSEHOLD SIZE FOR THE BALTIMORE PRIMARY METROPOLITAN STATISTICAL AREA, AS
36 DEFINED AND PUBLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF HOUSING
37 AND URBAN DEVELOPMENT;

38
39 ~~[[(iv)]]~~ (III) the initial transfer of a home ownership unit to the original buyer of
40 that unit shall be accompanied by a certification from Anne Arundel County or its designee
41 that the buyer’s household income does not exceed the maximum allowed for that unit; and

42
43 ~~[[(v)]]~~ (IV) if the original buyer of a home ownership unit transfers title to that
44 unit within 10 years, the transfer shall be accompanied by a certification from Anne
45 Arundel County or its designee that the transferee’s household income does not exceed the
46 maximum allowed for that unit.

47
48 (3) (I) ~~[[Maximum]]~~ EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH,
49 MAXIMUM density shall be 22 dwelling units per acre.

(II) FOR WORKFORCE HOUSING IN AN R5 ZONING DISTRICT THAT DOES NOT HAVE DIRECT VEHICULAR ACCESS TO A COLLECTOR OR HIGHER CLASSIFICATION ROAD, THE MAXIMUM DENSITY SHALL BE 10 DWELLING UNITS PER ACRE.

(III) FOR WORKFORCE HOUSING IN AN R10 ZONING DISTRICT THAT DOES NOT HAVE DIRECT VEHICULAR ACCESS TO A COLLECTOR OR HIGHER CLASSIFICATION ROAD, THE MAXIMUM DENSITY SHALL BE 15 DWELLING UNITS PER ACRE.

(4) (i) Except as provided in subparagraph (ii), maximum coverage by structures and parking may not exceed 65% of the gross area of the lot.

(ii) In R15, commercial, and industrial zoning districts, maximum coverage by structures and parking may not exceed 80% of the gross area of the lot.

(5) Setbacks and height requirements shall be governed by the bulk regulations for R22 zoning districts.

(6) Workforce housing shall be served by public water and sewer.

(7) [[In an R5 or R10 zoning district direct]] DIRECT vehicular access shall be located on a collector or higher classification road, EXCEPT FOR WORKFORCE HOUSING IN AN R5 OR R10 DISTRICT THAT MEETS THE CONDITIONS IN THIS SECTION FOR WORKFORCE HOUSING THAT DOES NOT HAVE DIRECT VEHICULAR ACCESS TO A COLLECTOR OR HIGHER CLASSIFICATION ROAD.

(8) The initial allowable maximum rental rates for rental units shall be established by the developer and approved by Anne Arundel County or its designee after obtaining and considering information and data dealing with current general market and economic conditions and the current minimum rental rates of privately produced market priced housing.

SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.