

Anne Arundel County Housing Attainability Act Bill 72-24 Fact Sheet

Sponsors

Councilwoman Pickard, Councilwoman Rodvien, Councilwoman Hummer, Councilman Pete Smith and County Executive Pittman

Summary

The Housing Attainability Act (HAA) creates an inclusionary housing policy requiring developers to make a percentage of new units affordable to moderate income residents under certain circumstances. This legislation sets forth specific code changes that allows maximizing land use while balancing the character of communities and increasing the availability of housing.

Applicability

The Housing Attainability Act would be mandated for new housing developments with 20 or more units (with the exception of RA-Rural Agricultural and RLD-Residential Low Density districts). Projects with 9 or fewer units are not required to provide moderately priced units. Development projects with 10-19 units have the option to pay a fee instead of providing the moderately priced units.

Eligibility

Arundel Community Development Services, Inc. (ACDS) will manage and determine resident eligibility for the moderately priced units. Renters must earn 75% or below the Area Median Income (AMI), adjusted for household size, and meet the rental company's customary requirements (e.g., credit score and background check). Homebuyers must earn 100% or below the AMI adjusted for household size, and provide a pre-approval letter from a recognized lender.

Income Limits for Anne Arundel County Programs Administered by ACDS

Family Size	60%	75%	80%	100%
1	\$51,360	\$64,172	\$68,450	\$85,563
2	\$58,680	\$73,313	\$78,200	\$97,750
3	\$66,000	\$82,500	\$88,000	\$110,000
4	\$73,320	\$91,641	\$97,750	\$122,188
5	\$79,200	\$99,000	\$105,600	\$132,000
6	\$85,080	\$106,313	\$113,400	\$141,750
7	\$90,960	\$113,672	\$121,250	\$151,563
8	\$96,840	\$120,984	\$129,050	\$161,313

75% and 100% AMI Limits are calculated by ACDS based on the 80% AMI Income Limits as published by HUD. Both the 80% and 60% AMI limits are calculated by HUD for the Baltimore-Columbia-Towson MSA and adjusted for household size and became effective June 1. They are published here:

https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_IncomeLmts_State_MD_2024.pdf

Per 2022 Census Data: 64% of Anne Arundel County Households earn \$150,000 or less and 32% earn \$75,000 or less.

ISSUE	HOUSING ATTAINABILITY ACT
Mandatory or Voluntary	Mandatory
MPDU % of Units	<ul style="list-style-type: none"> • 10% for Homeownership units (20 year control period) • 15% for Rental units (40 year control period)
Income Threshold	<ul style="list-style-type: none"> • 75% AMI or Below for Rental • 100% AMI or Below for Homeownership
Development Size	<ul style="list-style-type: none"> • 1-9 Excluded from MPDU requirement • 10-19 – Subject to MPDU requirement or may utilize the Fee-In-Lieu Option (under certain conditions) • 20+ Units – Must provide MPDUs per the percentages indicated
Housing Types	Adds supplemental housing types in some residential areas including: triplexes, fourplexes, multiplexes, and townhomes
Other Development Incentives (e.g., Impact Fee waiver, water/sewer connection fees)	<p>Impact fees credits for MPDU units</p> <p>50% reduction in Capital Facility Connection Charges for water and wastewater for MPDU units</p>

Environmental & Infrastructure Considerations

This legislation does not change or provide exemptions from environmental regulations such as: stormwater management, forest conservation and critical area. This bill also does not change or exempt projects from the County’s Adequate Public Facilities Ordinances (APFOs). APFO’s provide a growth management process that enable the County to provide adequate public schools, roads and other infrastructure facilities in a timely manner and achieve General Development Plan growth objectives.

Housing Types

The Housing Attainability Act adds a diversity of housing types to the code. Supplemental housing types added in some zoning districts include triplexes, fourplexes, multiplexes, and townhomes. Flexibility in dwelling types allows development sites to be reimaged with a mix of house scale structures, while maintaining the character of the community. These house scale buildings provide solutions along a spectrum of attainability.



Bonus Density and Additional MPDU Unit Requirements

The Housing Attainability Act provides a tiered system for bonus development density to allow projects that provide MPDUs to achieve additional dwelling units.

- If you are achieving underlying base density (according to the Zoning District of the property) or less– then you provide the baseline percentages of MPDU units (10% for Homeownership, 15% for Rentals)
- If >100% up to 115% of underlying base density is achieved, then of the additional “bonus” units created above base density, 25% of those bonus units must be MPDU.
- If >115% base density is achieved, then the bonus units created between 100% up to 115% remain at the 25% MPDU requirement and the next tier of bonus units created above 115% must include 40% MPDU units.
- In Zones R1 & R2, bonus density is capped at 125%.
- In Zones R5 thru R22, bonus density is capped at 150%.

Bulk Regulations

Adjustments to several bulk requirements are included to allow more flexibility in site design. Recalibrating items like lot size and setbacks will allow for more efficient land use to increase attainable housing units across the county. Open space, open area and recreation area requirements have been consolidated and adjusted to allow creativity in site layout. This creates better opportunities to achieve allowable density and the possibility of bonus density. Additionally, an option has been included for nearby public parks to fulfill recreation requirements when certain criteria are met. Minimum parking requirements are adjusted for multifamily developments to avoid excessive parking.

Timeline

The Housing Attainability Act was introduced to the Anne Arundel County Council on September 3, 2024. If passed, the proposed legislation will go into effect July 1, 2025.