



CITY OF LAUREL, MARYLAND

ORDINANCE NO. 2052 (As of 01/07/2026)

Councilwoman Clark edits

Councilman Kole edits

Councilman Simmons edits

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND LAUREL CITY CODE, CHAPTER 11, "PLANNING AND DEVELOPMENT," ARTICLE III, "AFFORDABLE HOUSING PROGRAM," SECTION 11-53, "FOR SALE AFFORDABLE HOUSING" TO UPDATE AND SUPPLEMENT THE FOR SALE HOUSING REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by the President at the request of the Administration.

WHEREAS, the Mayor and City Council desires to promote for sale affordable housing in the City; and

WHEREAS, the Mayor and City Council also desires to update and supplement the existing provisions involving for sale affordable housing in the City, to assure that said housing is achieving the housing goals and desires of those who are not able to afford market rate housing; and

Councilwoman Clark suggested addition:

WHEREAS, this ordinance supports and aligns with the Housing Expansion and Affordability Act of 2024 (HB 538), which became effective January 1, 2025, to address Maryland's 96,000-unit housing shortage and recognizes cottage clusters as a form of middle housing; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the Laurel City Code, Chapter 11, "Planning and Development," Article III, "Affordable Housing Program," Section 11-53, "For sale affordable housing," is hereby amended as follows:

Sec.11-53. For sale affordable housing.

- a.** For residential developments that include a minimum of twenty (20)~~thirty (30)~~ single-family detached, townhouse, and/or condominium dwelling units in a multi-family building and also residential portions of mixed-use developments that include the same type and minimum number of dwelling units, eight (8) percent of the total number of dwelling units (with any fractional amount rounded up) shall be developed, built, and sold as affordable housing. If the development is constructed in phases, each phase of the development shall include its proportionate share of affordable units, unless otherwise agreed to in writing by the City's Department of Economic and Community Development.

Councilwoman Clark suggested additions:

b. For residential developments located within one-half mile of a MARC station or Metro station, the affordable housing requirement shall be increased to 12% of total units.

c. Developments where a 501(c)(3) nonprofit organization is the controlling entity and commits to at least 15% affordable units, consistent with qualified project criteria under the Housing Expansion and Affordability Act of 2024 (HB 538), shall receive expedited permitting and waived development impact fees as provided under state law.

Note: Inclusion of the two items above will require re-lettering/numbering of multiple sections and cross-referenced sections that follow. SG

- b.** Eligibility for any affordable dwelling unit shall be a household income of between fifty percent (50%) and seventy percent (70%) of the Area Median Income ("AMI") for Prince George's County ~~no greater than sixty (60) percent of the median income in Prince George's County, adjusted for household size, as determined annually by the Federal Housing and Urban Development measure for the "Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area" Maryland Department of Housing and Community Development.~~

Councilman Simmons suggested edit:

Eligibility for any affordable dwelling unit shall be a household income of between fifty percent (50%) and no greater than ~~seventy percent (70%) of the Area Median Income ("AMI") for Prince George's County~~ ~~no greater than~~

~~sixty (60) percent of the median income in Prince George's County, adjusted for household size, as determined annually by the Federal Housing and Urban Development measure for the "Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area". Maryland Department of Housing and Community Development.~~

Councilwoman Clark suggested edit:

Eligibility for any affordable dwelling unit shall be a household income of between fifty percent (50%) and ~~no greater than seventy percent (70%)~~ **eighty percent (80%)** of the Area Median Income ("AMI") for Prince George's County, ~~no greater than sixty (60) percent of the median income in Prince George's County, adjusted for household size, as determined annually by the Federal Housing and Urban Development measure for the "Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area". Maryland Department of Housing and Community Development.~~

- c.** ~~The affordable sales price of each required affordable dwelling unit shall not exceed thirty (30) percent be calculated as a thirty percent (30%) reduction from the established market-rate sales price of a dwelling unit of the same or similar model type. For example, if the market-rate sales price is five hundred thousand dollars (\$500,000), the affordable sales price shall be three hundred fifty thousand dollars (\$350,000). median price of each similar unit type in the development at the time a contract for any such affordable unit is entered into.~~

Councilman Kole suggested edit:

- c.** ~~The affordable sales price of each required affordable dwelling unit shall not exceed thirty (30) percent be~~ **calculated at least as a** ~~thirty percent (30%) below reduction from~~ the established market-rate sales price of a dwelling unit of the same or similar model type. For example, if the market-rate sales price is five hundred thousand dollars (\$500,000), the affordable sales price shall be **no more than** three hundred fifty thousand dollars (\$350,000) **and may be lower.** ~~median price of each similar unit type in the development at the time a contract for any such affordable unit is entered into.~~

- d.** Affordable dwelling units shall be interspersed throughout the development,

and the location of all lots to contain an affordable unit shall be shown on the Preliminary Plan of Subdivision for the development and approved through that process. No lot containing an affordable unit shall be adjacent to a lot containing any other affordable unit, although any lot upon which an affordable unit is constructed may be located directly across a street from another lot containing an affordable unit, or may back directly upon a lot containing another affordable unit across rear yards or common areas.

- e. All affordable units must be at least 80% of the size of the smallest base model of market unit rates within the same development (based on interior square footage). Additionally, no affordable unit shall be located on a lot that is significantly smaller or shaped much differently (as determined by the Planning Commission) from lots upon which market rate units are located within the development.
- f. The exterior of each affordable unit shall be similar in architecture, materials, color, and all other exterior design features from those of market rate units, within the development, so that they are virtually indistinguishable visually from the market rate units.
- g. The number of bedrooms and bathrooms within each affordable unit shall be no less than the number of bedrooms and bathrooms in the smallest base model of the market rate units within the development. The residents of each affordable unit shall have full and equal access to all amenities within the development as do the residents of each market rate unit.
- h. No affordable unit may be used for rental purposes during the covenant period described in paragraph (i) below.
- i. ~~as a rental unit.~~ All affordable dwelling units in a development shall remain so for a period of thirty (30) years in perpetuity, and this shall be reflected in declaration of covenants that shall run with the land and shall bind the applicant, and as signee, mortgagee, subsequent purchasers, or any of their successors or assigns, and said declaration of covenants shall be recorded among the land records of Prince George's County Maryland. Should the affordable dwelling unit be resold within the 30-year period, the sale price shall be constrained to no greater than the purchase price plus an adjustment for inflation subsequent to purchase date.

Councilman Simmons suggested edit:

~~as a rental unit.~~ All affordable dwelling units in a development shall remain so for a period of thirty (30) years ~~in perpetuity~~, and this shall be reflected in declaration of covenants that shall run with the land and shall bind the applicant, and as signee, mortgagee, subsequent purchasers, or any of their successors or assigns, and said declaration of covenants shall be recorded among the land records of Prince George's County Maryland. Should the affordable dwelling unit be resold within the 30-year period, the sale price shall be constrained to no greater than the purchase price plus an adjustment for **the inflation appreciation in assessed value** subsequent to purchase date.

Councilwoman Clark suggested edit:

~~as a rental unit.~~ All affordable dwelling units in a development shall remain so for a period of thirty (30) years ~~in perpetuity~~, and this shall be reflected in declaration of covenants that shall run with the land and shall bind the applicant, and as signee, mortgagee, subsequent purchasers, or any of their successors or assigns, and said declaration of covenants shall be recorded among the land records of Prince George's County Maryland. ~~Should the affordable dwelling unit be resold within the 30-year period, the sale price shall be constrained to no greater than the purchase price plus an adjustment for inflation subsequent to purchase date.~~ Should the affordable dwelling unit be resold within the 30-year period, the sale price shall be constrained to no greater than the purchase price plus an adjustment for inflation subsequent to the purchase date, **plus documented capital improvements verified by receipts and permits, provided the total resale price does not exceed seventy-five percent (75%) of the current market value of comparable market-rate units in the development.**

- j. i. Certificates of occupancy for at least seventy-five percent (75%) of the total number of affordable units within a development shall be issued prior to the issuance of more than seventy-five percent (75%) of the certificates of occupancy for the total number of market rate units within any development; and

ii. Certificates of occupancy for one hundred percent (100%) of the total number of affordable units within a development shall be issued prior to issuance of more than ninety percent (90%) of the certificates of occupancy for the total number of market rate units within the development.

- k. Prior to the recordation of the final plat for any development (or prior to the first final plat, if more than one), the owner of the property shall sign and have recorded among the land records of Prince George's County a covenant to run with the land, to assure that: (1) each affordable unit within the development shall remain affordable (as described herein and as may be amended from time to time) for a period of thirty (30) years; (2) any resale of the affordable unit will be subject to the covenants, restrictions and other provisions related to affordable units within the City Code at the time of the resale; (3) should any affordable unit(s) be age-restricted, a covenant shall be recorded among the land records for Prince George's County to have any such affordable unit remain age-restricted for a period of thirty (30) years; any such age-restricted affordable units shall be purchased only by individuals who meet the Federal HUD requirements for age restrictions in place at the time of the sale, and shall otherwise be subject to all covenants, restrictions and other provisions related to affordable units within the City Code; and (4) any refinancing of the affordable unit may not be for **any more than it is allowed to be sold for under section (i).** ~~the amount originally borrowed.~~

Councilman Simmons suggested:

Related to paragraph (k):

(4) any refinancing of the affordable unit may not **result in a total of outstanding loans secured by the property exceeding the resale price as described in paragraph (i) of this section** ~~be for any more than the amount originally borrowed.~~

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on the date of its passage.

Councilman Simmons suggestion:

Related to closing paragraph:

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

* * * Asterisks indicate intervening language and section unchanged.

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on the date of its passage, **except for paragraph (c) which shall be deemed to take effect retroactive to October 23, 2023.**

PASSED this _____ day of _____, 2026.

ATTEST:

SARA A. GREEN, CPM, MMC
City Clerk

BRENCIS D. SMITH
President of the City Council

APPROVED this _____ day of _____, 2026.

KEITH R. SYDNOR
Mayor

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

* * * Asterisks indicate intervening language and section unchanged.