

ORDINANCE NO. 0-10-09

AN ORDINANCE TO AMEND CHAPTER 24 OF THE
CITY CODE (CITY ZONING ORDINANCE), ARTICLE XVI, ENTITLED
"AFFORDABLE HOUSING REQUIREMENTS", TO MODIFY THE INCOME
RESTRICTIONS FOR PARTICIPATION IN THE PROGRAM

Text Amendment: T-391

BE IT ORDAINED, by the City Council of the City of Gaithersburg, in public meeting assembled, that Chapter 24 of the City Code, (City Zoning Ordinance) Article XVI entitled "Affordable Housing Requirements" is hereby amended to modify the purpose and intent of the Article, Section 24-249 and Section 24-250 to read as follows:

ARTICLE XVI: AFFORDABLE HOUSING REQUIREMENTS

Sec. 24-249. Purpose and intent.

It is the purpose and intent of this Article to ensure that affordable housing opportunities are created for both homeownership and rental units within the City of Gaithersburg for households earning 50 to 120 percent of Area Median Income.

Sec. 24-250. Definitions.

For the purposes of this Article, the following definitions shall apply:

Area Median Income (AMI): the median income for the Washington Metropolitan Area, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development (HUD).

Approved Sale Price: price at which a for-sale unit is determined to be affordable. For Moderately Priced Dwelling Units, the approved sales price will be affordable to households earning 70 percent of Area Median Income adjusted for household size. For Workforce Housing Units, the approved sales price will be affordable to households earning 90 percent of Area Median Income adjusted for household size.

Approved Rental Price: price at which rental units are determined to be affordable. The approved rental price will be affordable to households earning 60 percent of Area Median Income adjusted for household size.

Affordable: as defined in the Administrative Regulations adopted pursuant to Section 24-256 of this Article.

Affordable Housing Fund: a fund established to support the creation and maintenance of affordable housing in the City of Gaithersburg and to which payments will be made by developers in lieu of construction of units required but not built.

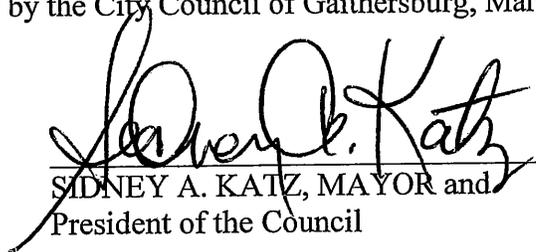
Moderately Priced Dwelling Unit (MPDU): MPDU that is offered to eligible participants under the terms of the affordable housing program and is affordable to households earning at least fifty (50) percent of AMI, but not more than eighty (80) percent of AMI, adjusted for household size.

Undue Economic Hardship: the deprivation of all viable economic use of land.

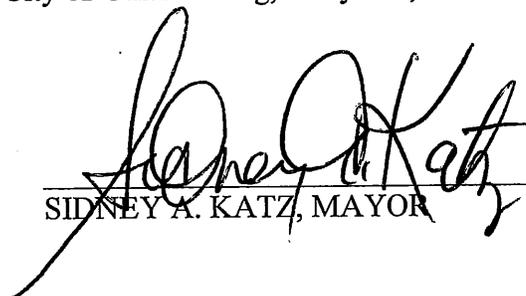
Work Force Housing Unit (WFHU): WHFU that is offered to eligible participants under the terms of the affordable housing program and is affordable to households earning at least eighty 80 percent of AMI, but no more than one hundred twenty (120) percent of AMI adjusted for household size.

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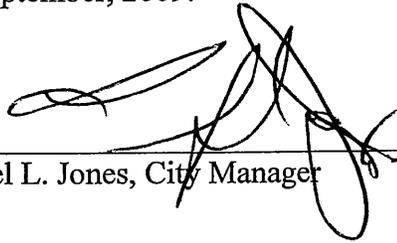
ADOPTED this 17th day of August, 2009 by the City Council of Gaithersburg, Maryland.


SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 17th day of August, 2009, APPROVED by the Mayor of the City of Gaithersburg, Maryland, this 17th day of August, 2009.


SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the 17th day of August, 2009 and that the same was approved by the Mayor of the City of Gaithersburg on the 17th day of August, 2009. This Ordinance will become effective on the 6th day of September, 2009.

A handwritten signature in black ink, appearing to read 'Angel L. Jones', is written over a horizontal line. The signature is stylized and somewhat cursive.

Angel L. Jones, City Manager