

## **ECA LETTER TO CITY COUNCIL RE 0-39-19**

The Eastport Civic Association (ECA) opposes Ordinance 0-39-19 (ADUs) in its current form. The Ordinance 0-39-19 should be withdrawn until further study can be conducted and greater opportunity for public comment provided.

The ordinance has the potential to impact 34% of the properties in the City of Annapolis, or 3899 properties. The sponsors of the ordinance have said that their intention is to provide affordable housing in Annapolis. However, as written, the ordinance does not assure affordable housing will be created. It does not define “affordable” or how a person is deemed eligible for “affordable” housing. It does not require ADU owners to rent at below market rates. What it does do is eliminate single family zoning, allow for increased density and environmental impact without assessing the potential negative outcomes or assuring there are adequate public facilities such as traffic, parking, police and fire for a potential 3899 units. In Eastport’s environmentally protected R2-NC zone alone, this legislation would allow for 239 potential new units in an already densely populated, parking deprived, environmentally fragile area.

There are numerous issues outstanding that need to be studied, and effects understood, as well as any unintended consequences, before Ordinance 0-39-19 will be ready for further City Council consideration. The Planning Commission, in its findings dated February 10, 2020, unanimously rejected the City’s recommendation that they approve and recommend the ordinance for adoption by the City Council. ECA shares the Planning Commission’s concerns.

ECA recommends the following:

1. Withdraw the ordinance in its current form.

2. Review case study information on whether and to what extent ADU legislation has been effective in other communities, as well as whether there were unintended consequences.
3. Review and redraft the proposed legislation while addressing the following concerns, and others as they may arise:
  - a. Define and regulate “existing” structures, “grandfathering,” “affordable” and other undefined terms.
  - b. Provide a rationale for the proposed maximum square footage ADU of 800 SF and why the Planning Commission’s recommendation of 500-600 SF was not adopted.
  - c. Examine the impact on parking in all Wards of the City, and modify the ordinance where needed to address parking needs.
  - d. Define the methodology for enforcement of below market rents charged, determining eligible affordable housing tenants, and when ADUs are used as short term rentals (and not short term vacation rentals). Clearly define who will conduct the enforcement, particularly prohibiting ADUs to be used as short term vacation rentals, and where the funds will come from to pay for enforcement efforts.
  - e. Determine the number/proximity of ADUs by block or zone, and create a map showing the location of all eligible lots in each Ward.
  - f. Solicit input from neighborhood groups about the unique impacts that ADUs might have in their respective communities.
4. Provide opportunity for public education and meaningful and informed comment.
5. Require Planning Commission review of the proposed legislation.