

Inclusionary Housing Plan

Appendix A in Inclusionary Guidelines

Section 2B-22 of Ordinance 24-308, Inclusionary Housing for Baltimore City requires that developers who are required to make inclusionary units available submit this Inclusionary Housing Plan at the time an application for a building permit is submitted.

Building permit applications that fail to include this form will not be reviewed. No building permit application will be released without an approved Inclusionary Housing Plan. Inclusionary Housing Plans can only be submitted prior to receiving a building permit.

Additional information about the City's Inclusionary Housing requirements can be found : [22-0195 Completed Ordinance 24-308 \(6\).pdf](#)

More information regarding Affirmative Marketing can be found in the program guidelines found here: [Inclusionary Housing | Baltimore City Department of Housing & Community Development](#)

General Project Information

Section	Question
NAME OF PROJECT	Development Name
	Marketing Name (if different)
	Apartment or House Name (if applicable)
PROPERTY OWNER	Name of Company
	Contact Name
	Contact Title/Role
	Contact Email
	Contact Phone

	Mailing Address
PROJECT INFORMATION	Legal Address
	Street Known-As Address (if applicable)
	Zoning District
	Description (must include list of amenities and services that will be available, description of neighborhood)
Exemptions (Exempt projects must complete Exhibit A – Acknowledgement and Certification and provide documentation of exemption)	My Project is exempt from the requirement of an Inclusionary Housing Plan because it is one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Dormitories, as defined in § 1-305(g) of the Zoning Code; <input type="checkbox"/> Fraternity or sorority houses, as defined in § 1-306(p) of the Zoning Code; <input type="checkbox"/> Residential-care facilities, as defined in § 1-312(p) of the Zoning Code; or <input type="checkbox"/> Residential project that is designed for, marketed to, and leased to students enrolled in accredited educational institutions located in Baltimore City, also known as “student housing”. (Ord. 07- 474; Ord. 24-308.

<p>SUBSIDY INFORMATION</p> <p>Includes all subsidies applied for (including those not yet awarded) and intended to be applied for</p>	<p>I am currently or contemplating requesting the following for this project (Select all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Grants or loans that equal or exceed 15% of total projected project costs <input type="checkbox"/> Payment in Lieu of Taxes (PILOT) (not affordable housing) <input type="checkbox"/> Tax Increment Financing (TIF) <input type="checkbox"/> Sale or transfer of City-owned land substantially below its appraised value. Please include a copy of a Land Disposition Agreement, appraisal or other document establishing the below value purchase price <input type="checkbox"/> Tax Credit(s) please identify (please attach a separate sheet if there are more than 3): <hr/> <hr/> <hr/> <ul style="list-style-type: none"> <input type="checkbox"/> Affordable Housing Projects <ul style="list-style-type: none"> <input type="checkbox"/> Please attach the total number of units, breakdown by AMI, and a list of all sources. <input type="checkbox"/> Please indicate if you are planning to request or have a received an Affordable Housing PILOT and provide a copy of the application, underwriting memo and/or approval. <input type="checkbox"/> I am not applying for any of the following (please note that if you check this box you cannot apply for any additional tax credits or subsidies related to this project in the future)
<p>UNIT INFORMATION</p> <p>ONLY FOR AFFORDABLE HOUSING PROJECTS receiving the LIHTC, please attach your Mix Tab from the 202 Application.</p>	<p>Total Number of Units in the Project:</p> <hr/> <p>Total Number of Penthouse Units in the Project:</p>

	Total Number of Eligible Units (<i>Total Units – Total Penthouse Units</i>):
	Required Number of Inclusionary Units (10% of Total Number of Eligible Units):
	Required Number of Units Available to Very Low Income Households (50% of Area Median Income):
	Required Number of Units Available to Low Income Households (60% of Area Median Income):
	Cost Per Unit:
UNIT AVAILABILITY	Please complete Exhibit C. Unit Information
CONTRACTED COMPANIES: PROPERTY MANAGEMENT Not required for Tax Credit/Affordable Housing Properties	Name of Company
	Contact Name
	Contact Title/Role
	Contact Email
	Contact Phone
	Leasing Agent Name
	Leasing Agent Email

	Leasing Agent Phone
CONTRACTED COMPANIES: TENANT SELECTION (optional) Not required for Tax Credit/Affordable Housing Properties	Name of Company
	Contact Name
	Contact Title/Role
	Contact Email
	Contact Phone
BUILDING PERMIT APPLICATION INFORMATION (to be verified by DHCD)	Permit Application Number
	Date Submitted
	Date Building Permit Approved for Issuance
	Building Permit Number

Proposed Project Schedule

Status	Start Date	Completion Date
Pre-Development		
Financing		
Permitting		
Construction		
Use and Occupancy Permit		
Marketing		
Leasing		
Occupancy		

Required Exhibits

ALL EXHIBITS MUST BE COMPLETE PRIOR TO SUBMITTING THIS INCLUSIONARY HOUSING PLAN. INCOMPLETE PLANS WILL BE NOT REVIEWED AND COULD DELAY THE ISSUANCE OF A BUILDING PERMIT.

Check if attached	Exhibits	Type	DHCD Staff Only
<input type="checkbox"/>	A	Acknowledgement and Certification	<input type="checkbox"/>
<input type="checkbox"/>	B	Unit Information	<input type="checkbox"/>
<input type="checkbox"/>	C	Site Plan	<input type="checkbox"/>
<input type="checkbox"/>	D	Front Elevation or Block Face	<input type="checkbox"/>
<input type="checkbox"/>	E	Residential Floor Plans	<input type="checkbox"/>
<input type="checkbox"/>	F	Affirmative Marketing Plan	<input type="checkbox"/>
<input type="checkbox"/>	G	Declaration of Affordability	<input type="checkbox"/>

Check Below If Applicable, all submitted documentation will be subject to review by the City. *

- Affordable Housing Projects – Attach Unit Mix Information included in 202 Application submitted to the State.
- Exempt Categories – Attach documentation that shows project meets exemption category.
- Meets 4 requirements
 - Include 20 or more units
 - Does NOT receive a major public subsidy OR Benefit from Significant land use authorization

- Newly constructed, substantial rehab or converted from a non-residential housing use;
and
- The cost of construction or conversion exceeds \$60,000 per unit.

*If you check a box, you must only complete the Inclusionary Housing Plan (Appendix A in the Guidelines) and Exhibit A – Acknowledgement and Certification.

TO BE COMPLETED BY DHCD

Date Inclusionary Plan Received	
10 Day Initial Review (Business Days)	
45 Day Period (Business Days)	



EXHIBIT A:

Inclusionary Housing Plan Acknowledgement and Certification

The undersigned hereby certifies that they understand the information being requested by this form and the importance of such to the validity of any building permit and that post-permit issuance revisions to the construction plans that change the number of dwelling units to be constructed on the Project property, the net residential area, or that materially affects the design/unit comparability standards in the City's Inclusionary Housing Law will require the submission of an updated Inclusionary Housing Plan.

The undersigned understands that failure to indicate the subsidy(ies) that the undersigned is receiving or contemplating receiving for the project may lead to ineligibility to apply for a tax credit or subsidy following the approval of a building permit for the project.

The information provided to the City of Baltimore in this Inclusionary Housing Plan is true and accurate and the undersigned has the authority to bind any corporate entity identified as Property Owner herein and understands that this form will be considered binding on all successors and assigns of Property Owner with respect to the Project property. The undersigned further understands and agrees that the provision of any false or inaccurate information shall render the building permit and all other City approvals null and void.

Property Owner Signature

Date

Printed Name and Title

Project Name



EXHIBIT B

Inclusionary Unit (IH) Information

Information related to Maximum Rent, Maximum Number of Units and Household Size can be found at HUD. Please reach out to the Inclusionary Housing Program Manager

Unit Abbreviation	Unit Type	Total Square Footage	Number of IH Units - 50% AMI	Number of IH Units - 60% AMI	Number of Market Rate Units
A					
B					
C					
D					
E					
F					

(inclusionaryhousingsubmission@baltimorecity.gov) for Assistance.

Inclusionary Units at 50% AMI

Unit Type	Maximum Household Size	Minimum Household Rent at 50% AMI	Maximum Household Rent at 50%	Monthly Rent: Market Rate
A				
B				
C				
D				
E				
F				



Unit Type	Maximum Household Size	Minimum Household Size at 60% AMI	Maximum Household Rent at 60%	Monthly Rent: Market Rate
A				
B				
C				
D				
E				
F				

Inclusionary Units at 60% AMI

EXHIBIT C/D/E

I have attached the following Exhibits:

- Exhibit C – Site Plan
- Exhibit D - Floor Plans with Initial Inclusionary Units Clearly Marked
- Exhibit E – Front Elevation or Block Face

**DECLARATION OF APPLICABILITY
OF
INCLUSIONARY HOUSING REQUIREMENTS**

THIS DECLARATION OF APPLICABILITY OF INCLUSIONARY HOUSING REQUIREMENTS (“**Declaration**”), is made this _____ day of, 202__, by and between _____ (“**Declarant**”), in favor of the MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation in the State of Maryland (“**City**”), acting by and through its DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (“**HCD**”).

EXPLANATORY STATEMENT

A. The Baltimore City Inclusionary Housing requirements, set forth in Article 13, Subtitle 2B of the Baltimore City Code (the “**Inclusionary Housing Law**”), require developers of multifamily, market-rate residential projects which meet certain criteria to make affordable housing units within their projects available to households with limited incomes at reduced rents for a period of 30 years commencing on the date the City issues a Certificate of Occupancy for the residential project (the “**Inclusionary Housing Requirements**”).

B. Declarant has received from the City a major public subsidy or a significant land use authorization (each as defined in the Inclusionary Housing Law) to benefit the multifamily, market-rate residential project which it owns in Baltimore City, Maryland located at [**Project Address Here**] which is more fully described in Appendix 1 attached to and made a part hereof (the “**Project**”).

C. Declarant acknowledges and agrees that the Inclusionary Housing Requirements are applicable to the Project because Declarant has received a major public subsidy or a significant land use authorization from the City.

NOW, THEREFORE, in consideration of the premises set forth in the Explanatory Statement and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, Declarant and City agree as follows:

1. The Project is subject to the Inclusionary Housing Law and the Inclusionary Housing Requirements are applicable to the Project.
2. The Inclusionary Housing Requirements are applicable to the Project commencing on the date that the Certificate of Use and Occupancy is issued for the Project, for a period of 30 years from such date, so long as the City provides the High-Performance Inclusionary Housing Tax Credit in City Code Art. 28 § 10-18.2 (or economically equivalent consideration) to the Project.
3. Upon termination of the Inclusionary Housing Requirements with respect to the Project in accordance with this Declaration, the City shall promptly provide to Declarant a certificate in recordable form verifying such termination.

4. This Declaration shall be binding on Declarant and its successors and assigns with respect to the Project.

[signatures appear on the next page]

DRAFT

IN WITNESS WHEREOF, Declarant and City have executed this Declaration the day and year above written.

[Declarant Business Name Here]

Attest: _____

By: _____ (SEAL)

Name:

Title:

STATE OF MARYLAND:
CITY OF BALTIMORE:

I HEREBY CERTIFY that on this _____ day of _____, 202_, before me, the Subscriber, a Notary Public of the State of Maryland in and for the City of Baltimore, personally appeared _____, who acknowledged himself/herself to be the duly serving authorized _____ of **[Declarant Name Here]**, who acknowledged the foregoing Declaration of Covenant to be the corporate act of **[Declarant Name Here]**, and being duly authorized to do so, in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

IN WITNESS WHEREOF, Declarant and City have executed this Declaration the day and year above written.

Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development

Attest: _____ By: _____ (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE, to wit;

I HEREBY CERTIFY, that on this _____ day of _____, 202__, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared _____, Commissioner of the Department of Housing and Community Development of Baltimore City, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that being authorized to do so, himself/herself executed the same in the capacity and for the purposes therein stated and that the foregoing instrument to be the act of the Mayor and City Council of Baltimore, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

By: _____
Notary Public

My Commission expires: _____

APPROVED as to form and legal sufficiency, this _____ day of _____, 202__.

By: _____
Chief Solicitor

Appendix 1

PROPERTY DESCRIPTION

Sample Property Description – Baltimore City Hall

(Randomly generated for illustrative purposes only – not legally accurate)

Beginning at a point on the southeasterly side of East Fayette Street, said point being located approximately 145.00 feet southwest of the intersection of East Fayette Street and the centerline extended of North Gay Street; thence running southeasterly along East Fayette Street a distance of 210.00 feet to a point at the intersection with the southwesterly side of North Holliday Street; thence running southwesterly along North Holliday Street a distance of 280.00 feet to a point on the northerly side of East Saratoga Street; thence running northwesterly along East Saratoga Street a distance of 210.00 feet to a point at the intersection with the southeasterly side of North Gay Street; thence running northeasterly along North Gay Street a distance of 280.00 feet to the point of beginning.

Containing **approximately 58,800 square feet**, more or less, being the parcel commonly known as “**Baltimore City Hall,**” **100 North Holliday Street**, and further described as Block 1356, Lot 001 per the records of the Maryland Department of Assessments and Taxation.

Together with all improvements situated thereon, and subject to covenants, easements, and conditions of record.



DHCD Compliance and Checklist

FOR USE BY DHCD STAFF ONLY

ITEM	DHCD APPROVAL		COMMENTS
	Date	Program Manager Initials	
Date Plan Received			
INITIAL THRESHOLD REVIEW			
Project Information <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Subsidy Information <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Unit Information <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Unit Availability <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Contracted Companies <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Proposed Project Schedule <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit A. Acknowledgement and Certification <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit B. Declaration of Covenants <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			



ITEM	Date	Program Manager Initials	COMMENTS
Exhibit C. Unit Information <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit D. Site Plan <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit E. Front Elevation or Block Face <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit F. Residential Floor Plans <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
Exhibit G. Affirmative Marketing Plan <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete			
INCLUSIONARY HOUSING BOARD			
Project Summary Completed			
Date Presented to the Board			
APPROVALS			
Date of Approval			
Date of Approval Provided to Property Owner			
Date of Approved Plan Provided to Department of Finance			
Date of Approved Plan Provided to Permits Division			