

§156.007 DEFINITIONS.

MARKET-RATE HOUSING. Housing priced according to prevailing market trends and sold with neither restrictions on the sale price nor on the buyer's income.

PARKING SPACE, TANDEM. The arrangement of not more than two parking spaces in depth, wherein one space is located directly in front of another space, such that it is necessary to pass through one space in order to enter or leave the other space. Each tandem parking space shall be a minimum of nine feet wide and thirty-six feet long, not including passageways, aisles, drives, maneuvering areas, and entryways.

WORKFORCE HOUSING. Housing affordable to low and moderate income families (those earning up to 120% of the Charleston-North Charleston Metropolitan Statistical Area (MSA) median family income, as defined in the schedule published annually by the U.S. Department of Housing and Urban Development).

§156.318 PD; PLANNED DEVELOPMENT DISTRICT.

(C) (6) – The project qualifies as a workforce housing planned development zoning district classification pursuant to the criteria set forth in division (L) of this section.

(L) *Planned Development – Workforce Housing (PD-WFH) standards.*

(1) *Purpose and intent of district.* The purpose of the district is to achieve the goals of the Comprehensive Plan by allowing flexibility in development that will result in the provision of housing affordable to low and moderate income families. To this end, Town Council finds and declares the following:

(a) The provision of workforce housing is important to economic development in that the availability of affordable housing helps attract and retain essential workers.

(b) Mixed-use, mixed-income developments are important to the viability of the community as a whole. Providing a variety of housing types for households with diverse incomes in proximity to employment opportunities offers a variety of benefits to the community including reduced traffic congestion and creation of a sense of place and pride in the community. For this reason, single developments offering workforce housing units as the only product are discouraged.

(c) The incentives in this section are intended to encourage the development of workforce housing and provide mechanisms to reward developers who produce units meeting the standards of this section. However, the Town of Mount Pleasant is under no obligation to approve a PD-WFH zoning request simply because the project meets the requirements of this section. Each development shall be judged on its own merit, and the current inventory of workforce housing as well as the effects of such a development on nearby properties shall also be considered.

(2) *Location.* The location for utilization of this planned development may be implemented throughout the town or in conjunction with an annexation of property into the town.

(3) *Development standards.*

(a) *General standards.*

1. This planned development zoning designation is available for properties of at least two acres in size or greater.

2. The planned development must contain residential uses, of which at least 30% of the total number of dwelling units shall qualify as workforce housing pursuant to this section. A mixture of housing types as well as uses is encouraged, though not required.

3. Workforce housing units must be of the same unit type as the market-rate units in the development. In the case of a development with two or more housing types, the type of workforce housing units must be in the same proportion as the market-rate units.

(b) *Specific standards.*

1. This planned development district may provide for variations from the regulations of the other established zoning districts concerning use, setbacks, lot size, density, bulk, and other requirements in order to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare.

2. Variations from requirements of the Land Development Regulations pertaining to such items as right-of-way and road width, intersection radius, and private and unidirectional streets may be allowed; provided that measures such as multiple access points, off-street community parking spaces, twenty-foot wide rear alleys, and fire lane striping and signage are utilized to ensure adequate access for emergency response vehicles.

3. The permitted uses and development standards must be specifically enumerated in the planned development ordinance.

4. Prior to the issuance of building permits for any portion of the development, a workforce housing plan must be submitted to the Town for approval. The plan shall contain, at a minimum, the following information:

a. A general description of the development, including whether the development will contain owner-occupied or rental units, or both.

b. The total number and type of market-rate units and workforce housing units in the development.

- c. The number of bedrooms in each market-rate unit and each workforce housing unit.
- d. The square footage of each market-rate unit and each workforce housing unit.
- e. The location within any multi-family residential structure and any single-family residential development of each workforce housing unit.

5. To the extent not specifically modified by the planned development ordinance, all other provisions of this chapter shall apply to the development and use of the property.

(4) *Sketch plan required.* The planned development ordinance must contain a map containing the required elements of a sketch plan map as specified in the Land Development Regulations.

(5) *Open space required.* A minimum of 5% of total land area must be reserved for open space, pursuant to the requirements of §155.073 (A), (C), and (D).

(6) *Residential density.* Residential uses may exceed the density requirements of §156.104 as follows:

<i>Unit Type</i>	<i>Units Per Acre</i>
Single-family detached	8.0
Duplex or townhouse	12.0
Mixture of unit types (may include multi-family units)	16.0

(a) Single developments offering multi-family units as the only product are not permitted in this planned development district. Multi-family units may be allowed only when a mixture of unit types is provided.

(b) Where a mixture of unit types is provided, unit types shall not be segregated from one another; rather, the unit types shall be interspersed throughout the development.

(c) Where a mixture of two unit types is provided, neither unit type shall be less than of 30% of the total provided. Where a mixture of three or more unit types is provided, none may be less than 20% of the total provided.

(7) *Off-street parking required.*

(a) Off-street parking shall be provided pursuant to the requirements of §156.170 through §156.176; however, tandem parking spaces shall be permitted in this planned development district, provided the tandem space serves only a single dwelling unit.

(b) Parking requirements for townhouse units shall be met in the rear yard.

(8) *Design, location, size, and construction of workforce housing units.*

(a) In terms of exterior appearance, workforce housing units shall be indistinguishable from market-rate units. External building materials and finishes for workforce housing units shall be the same in type and quality as the market-rate units.

(b) Interior features of workforce housing units shall be functionally equivalent to the market-rate units, though the finishes and materials need not be identical.

(c) Workforce housing units shall be comparable to the market-rate units in terms of improvements related to energy efficiency, which include, but are not limited to, mechanical equipment and plumbing, insulation, windows, and heating and cooling systems.

(d) In the case of attached dwelling units, a mix of efficiency/studio/loft, one-bedroom, and two-bedroom units shall be provided and integrated throughout the development. In the case of single-family detached dwelling units, a mix of two-bedroom and three-bedroom units shall be provided and integrated throughout the development.

(e) Workforce housing units shall be constructed concurrently with the market-rate units.

(9) *Marketing of workforce housing units.* All workforce housing units shall be marketed to the public in the same manner as the market-rate units.

(10) *Owner-occupied workforce housing.*

(a) *Eligibility.* Sale of owner-occupied workforce housing units is limited to individuals and families earning no more than 120% of the median family income for the Charleston-North Charleston MSA, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size. The workforce housing unit shall serve as the owner's primary residence for the duration of ownership or until the deed restrictions required by this section have expired.

(b) *Eligibility determination process.* Prospective buyers of new workforce housing units shall be screened and determined eligible by the developer, or his/her designee, prior to occupancy. Prior to closing on a new workforce housing unit, the developer shall submit an affidavit to the Town that sets forth the sale price and verifies the unit will be occupied by persons qualified pursuant to the requirements of this section, in addition to any other information deemed appropriate as this district with workforce housing develops in practice over time.

(c) *Maximum housing cost.* The monthly mortgage payments shall include principal, interest, property taxes, homeowner insurance, private mortgage insurance, maintenance costs, and condominium or homeowners association fees and shall total no more than 35% of the buyer's gross monthly household income.

(d) *Closing costs and related fees.* The buyer of a workforce housing unit shall not pay more in closing costs than is reasonable and customary in the Town of Mount Pleasant. Real estate commissions shall be paid by buyer and seller in accordance with their contractual obligations. In the Town of Mount Pleasant, it is reasonable and customary that the seller pays a commission to his/her real estate broker who often shares the commission with the cooperating real estate broker representing the buyer in accordance with a contractual agreement or the local multiple listing service's agreements.

(e) *Term of affordability.* Resale of workforce housing units shall be limited by deed restriction to the original sales price, adjusted for inflation, and to a purchaser eligible as described above for a period of not less than ten years after issuance of the certificate of occupancy. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI).

1. A copy of such executed deed restrictions shall be submitted to the Town for approval prior to issuance of a certificate of occupancy for any portion of the development. The deed restrictions shall require notice to the Town of any conveyance of the workforce housing unit and verification that the purchaser is qualified pursuant to the requirements of this section.

(f) *Increase in household income during occupancy.* Should a household's income increase to an amount above 120% of the median family income while occupying a workforce housing unit, the household shall not be required to vacate the unit. Upon vacating the premises naturally, the unit shall be sold to a qualifying household pursuant to the requirements of this section.

(11) *Renter-occupied workforce housing.*

(a) *Eligibility.* Rental of workforce housing units is limited to individuals and families earning no more than 80% of the median family income for the Charleston-North Charleston MSA, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size. The workforce housing unit shall serve as the renter's primary residence for the duration of the lease.

(b) *Eligibility determination process.* Prospective renters of workforce housing units shall be screened and determined eligible by the developer, or his/her designee, prior to occupancy. All of the following requirements are applicable and subject to final approval by the Town.

1. The owner shall provide proof to the Town upon initial occupancy and anytime the lease is renewed thereafter, that the current tenants meet the necessary qualifications.

2. The owner shall annually provide to the Town assurance of compliance with Fair Market Rents.

3. Any time a new tenant occupies a workforce housing unit, the owner must provide proof of income and compliance with Fair Market Rents to the Town.

(c) *Rent levels.* The maximum rent level for workforce housing units is based on the schedule of Fair Market Rents for the Charleston-North Charleston MSA, as published annually by the U.S. Department of Housing and Urban Development.

1. Fair Market Rents include a utility allowance for electricity, gas, water, and sewer which is based on a schedule published annually by the Charleston County Housing and Redevelopment Authority.

(d) *Lease terms.* A minimum lease term of six months is required for all workforce housing units so as to avoid short-term (i.e., weekly) rentals.

(e) *Term of affordability.* Rental workforce housing units shall be limited by deed restriction to remain affordable as defined herein for a period of not less than ten years after issuance of the certificate of occupancy.

1. A copy of such executed deed restrictions shall be submitted to the Town for approval prior to issuance of a certificate of occupancy for any portion of the development. The deed restrictions shall require notice to the Town of any lease renewal or new rental contract for the workforce housing unit and verification that the tenant is qualified pursuant to the requirements of this section.

(f) *Increase in household income during occupancy.* Should a household's income increase to an amount above 80% of the median family income while occupying a rental workforce housing unit, the household shall not be required to vacate the unit immediately. The tenant may renew the lease for one additional term, not to exceed two years. Upon vacating the premises, the rental unit shall be rented to a qualifying household pursuant to the requirements of this section.

(12) *Deed restrictions required.*

(a) Standard deed restrictions for all workforce housing units produced pursuant to the requirements of this section are required and subject to approval by the Town. Such restrictions shall include, at a minimum, the following elements:

1. Duration.
2. Occupancy requirement and restrictions against leasing/subleasing.
3. Restriction on resale.

4. Requirement to notify the Town in the case of conveyance (for owner-occupied units), lease renewal (for rental units), or establishment of a new rental contract (for rental units).

5. Right of first refusal, if applicable.

6. Distribution of gross sales proceeds, if applicable.

7. Procedure in the case of foreclosure (for owner-occupied units only).