

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
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Rick Caporale, Vice Chairman
Michael Covert
Steve Fobes
York Glover
Roberts "Tabor" Vaux

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INTERIM COUNTY ADMINISTRATOR

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

ASHLEY M. BENNETT
CLERK TO COUNCIL

AGENDA
COMMUNITY SERVICES COMMITTEE

Monday, March 19, 2018

4:00 p.m.

Executive Conference Room, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Staff Support:
Monica Spells, Assistant County Administrator
Civic Engagement and Outreach

1. CALL TO ORDER – 4:00 P.M.
2. UPDATE / LOWCOUNTRY AFFORDABLE HOUSING COALITION
 - A. Language Use - Workforce Housing and Affordable Housing
 - B. South Carolina Inclusionary Zoning Bills ([S.346](#); [H.4162](#); and [H.4954](#))
 - C. Housing Needs Assessment Progress
3. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
 - A. Beaufort Memorial Hospital Board
 1. One Vacancy
 - B. Library Board
 1. One Vacancy (District 5)
4. ADJOURNMENT



The
County
Channel



South Carolina General Assembly
122nd Session, 2017-2018

S. 346

STATUS INFORMATION

General Bill

Sponsors: Senator Kimpson

Document Path: I:\council\bills\ggs\22913zw17.docx

Companion/Similar bill(s): 4162, 4954

Introduced in the Senate on February 1, 2017

Currently residing in the Senate Committee on **Judiciary**

Summary: SC Inclusionary Zoning Act

HISTORY OF LEGISLATIVE ACTIONS

| Date | Body | Action Description with journal page number |
|-----------|--------|--|
| 2/1/2017 | Senate | Introduced and read first time (Senate Journal-page 20) |
| 2/1/2017 | Senate | Referred to Committee on Judiciary (Senate Journal-page 20) |
| 3/31/2017 | Senate | Referred to Subcommittee: Massey (ch), McElveen, Senn |

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VERSIONS OF THIS BILL

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A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 7, TITLE 6 SO AS TO ENACT THE “SOUTH CAROLINA INCLUSIONARY ZONING ACT” TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO USE INCLUSIONARY ZONING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 7, Title 6 of the 1976 Code is amended by adding:

“Article 5

South Carolina Inclusionary Zoning Act

Section 6-7-510. (A) The General Assembly finds:
(1) in many counties and municipalities, there is a critical shortage of decent, safe, and affordable residential housing available to low- and moderate-income families;
(2) the affordable housing shortage constitutes a danger to the health, safety, and welfare of residents of the State, and is a barrier to sound growth and sustainable economic development for South Carolina counties and municipalities; and
(3) affordable housing can include multifamily rental, single-family rental, and single-family homeownership.
(B) The purpose of this act is to provide authority for counties and municipalities to use inclusionary zoning strategies to increase the development of affordable housing for low- and moderate-income families.

1 Section 6-7-520. (A)(1) Pursuant to Section 31-22-20,
2 'affordable housing' means residential housing for rent or sale
3 which is appropriately priced for rent or sale to a person or family
4 whose income does not exceed eighty percent of the median income
5 for the local area, with adjustments for household size, according to
6 the latest figures available from the United States Department of
7 Housing and Urban Development (HUD). South Carolina's high
8 cost counties will not exceed one hundred twenty percent of the
9 Area Median Income (AMI) for sale or rental of affordable housing.
10 The Federal Housing Administration (FHA) designates high-cost
11 counties through its annual publication of loan limits - 'Counties
12 with FHA Loan Limits Between the National Floor and Ceiling'.

13 (2) 'Inclusionary Zoning' means a zoning regulation,
14 requirement, or condition of development imposed by ordinance or
15 regulation, or pursuant to a special or conditional permit, special
16 exception, or subdivision plan that promotes the development of
17 affordable dwelling units.

18 (B)(1) A municipality or county may adopt a land use regulation
19 or functional plan provision or impose as a condition for approving
20 a permit, a requirement that has the effect of establishing the sales
21 or rental price for a new multifamily or single-family structure, or
22 that requires a new multifamily or single-family structure to be
23 designated for sale or rent as affordable housing.

24 (2) A regulation, provision, or requirement adopted or
25 imposed pursuant to this section:

26 (a) may not require more than thirty percent of housing
27 units within a multifamily structure or single-family development to
28 be sold or rented as affordable housing. The specific percentage will
29 be determined by local municipal or county zoning ordinances;

30 (b) only may apply to multifamily or single-family
31 developments containing five or more housing units;

32 (c) shall provide developers the option to pay a 'fee in lieu',
33 in an amount determined by the municipality or county, rather than
34 to include affordable units within their overall development; and

35 (d) shall provide an expedited process for developments
36 that meet the percentage of affordable units. For example, an
37 expedited process may include putting these developments at the
38 front of the line for review of plans and other requirements, or other
39 ways to reduce the time for the review and permitting process.

40 (3) A regulation, provision, or requirement adopted or
41 imposed under item (2) of this subsection shall offer developers one
42 or more of the following incentives:

43 (a) density adjustments;

1 (b) modification of height, floor area, or other site-specific
2 requirements; or

3 (c) whole or partial waivers of system development
4 charges, impact, or permit fees set by the municipality
5 or county;

6 (d) tax adjustments; or

7 (e) other incentives as determined by the municipality or
8 county.

9 (4) Item (2) of this subsection does not:

10 (a) restrict the authority of a municipality or county to offer
11 additional incentives for building affordable housing units that are
12 affordable to households with incomes at or below sixty percent of
13 the AMI for the county or metropolitan statistical area; or

14 (b) apply to existing multifamily structures or
15 single-family developments for sale or rent or to pending
16 developments that have received permits prior to the municipality
17 or county enacting an inclusionary zoning ordinance.

18 (5) A municipality or county is authorized to require recorded
19 deed restrictions or restrictive covenants to ensure the affordable
20 units within a development remain affordable for a period of time to
21 be determined by the municipality or county.

22 (6)(a) A municipality or county that adopts or imposes a
23 regulation, provision, or requirement pursuant to item (2) of this
24 subsection shall adopt and apply only clear and objective standards,
25 conditions, and procedures regulating the development of affordable
26 housing units within its jurisdiction. The standards, conditions, and
27 procedures may not have the effect, either individually or
28 cumulatively, of discouraging development of affordable housing
29 units through unreasonable cost or delay; and

30 (b) In addition to an approval process for affordable
31 housing based on clear and objective standards, conditions, and
32 procedures as provided in this item, a municipality or county may
33 adopt and apply an alternative approval process for applications and
34 permits for residential development based on clear and objective
35 approval criteria regulating aesthetics, either in whole or in part.”

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37 SECTION 2. This act takes effect upon approval by the Governor.

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South Carolina General Assembly
122nd Session, 2017-2018

H. 4162

STATUS INFORMATION

General Bill

Sponsors: Reps. Mack, Whipper, Gilliard, Brown, Pendarvis and Henderson-Myers

Document Path: I:\council\bill\ncd\11119cz17.docx

Companion/Similar bill(s): 346, 4954

Introduced in the House on April 20, 2017

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: SC Inclusionary Zoning Act

HISTORY OF LEGISLATIVE ACTIONS

| Date | Body | Action Description with journal page number |
|-----------|-------|--|
| 4/20/2017 | House | Introduced and read first time (House Journal-page 24) |
| 4/20/2017 | House | Referred to Committee on Medical, Military, Public and Municipal Affairs (House Journal-page 24) |
| 2/14/2018 | House | Member(s) request name added as sponsor: Pendarvis |
| 3/8/2018 | House | Member(s) request name added as sponsor: Henderson-Myers |

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(1) in many counties and municipalities, there is a critical shortage of decent, safe, and affordable residential housing available to low- and moderate-income families;
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(3) affordable housing can include multifamily rental, single-family rental, and single-family homeownership.
(B) The purpose of this act is to provide authority for counties and municipalities to use inclusionary zoning strategies to increase the development of affordable housing for low- and moderate-income families.

1 Section 6-7-520. (A)(1) Pursuant to Section 31-22-20,
2 'affordable housing' means residential housing for rent or sale
3 which is appropriately priced for rent or sale to a person or family
4 whose income does not exceed eighty percent of the median income
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6 the latest figures available from the United States Department of
7 Housing and Urban Development (HUD). South Carolina's high
8 cost counties will not exceed one hundred twenty percent of the
9 Area Median Income (AMI) for sale or rental of affordable housing.
10 The Federal Housing Administration (FHA) designates high-cost
11 counties through its annual publication of loan limits - 'Counties
12 with FHA Loan Limits Between the National Floor and Ceiling'.

13 (2) 'Inclusionary Zoning' means a zoning regulation,
14 requirement, or condition of development imposed by ordinance or
15 regulation, or pursuant to a special or conditional permit, special
16 exception, or subdivision plan that promotes the development of
17 affordable dwelling units.

18 (B)(1) A municipality or county may adopt a land use regulation
19 or functional plan provision or impose as a condition for approving
20 a permit, a requirement that has the effect of establishing the sales
21 or rental price for a new multifamily or single-family structure, or
22 that requires a new multifamily or single-family structure to be
23 designated for sale or rent as affordable housing.

24 (2) A regulation, provision, or requirement adopted or
25 imposed pursuant to this section:

26 (a) may not require more than thirty percent of housing
27 units within a multifamily structure or single-family development to
28 be sold or rented as affordable housing. The specific percentage will
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30 (b) only may apply to multifamily or single-family
31 developments containing five or more housing units;

32 (c) shall provide developers the option to pay a 'fee in lieu',
33 in an amount determined by the municipality or county, rather than
34 to include affordable units within their overall development; and

35 (d) shall provide an expedited process for developments
36 that meet the percentage of affordable units. For example, an
37 expedited process may include putting these developments at the
38 front of the line for review of plans and other requirements, or other
39 ways to reduce the time for the review and permitting process.

40 (3) A regulation, provision, or requirement adopted or
41 imposed under item (2) of this subsection shall offer developers one
42 or more of the following incentives:

43 (a) density adjustments;

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2 requirements; or

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4 charges, impact, or permit fees set by the municipality
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9 (4) Item (2) of this subsection does not:

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South Carolina General Assembly
122nd Session, 2017-2018

H. 4954

STATUS INFORMATION

General Bill

Sponsors: Reps. Cogswell and Brown

Document Path: I:\council\billsggs\22986zw17.docx

Companion/Similar bill(s): 346, 4162

Introduced in the House on February 15, 2018

Currently residing in the House Committee on **Judiciary**

Summary: SC Inclusionary Zoning Act

HISTORY OF LEGISLATIVE ACTIONS

| Date | Body | Action Description with journal page number |
|-----------|-------|---|
| 2/15/2018 | House | Introduced and read first time (House Journal-page 64) |
| 2/15/2018 | House | Referred to Committee on Judiciary (House Journal-page 64) |

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