

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS, AND CHAPTER 12, DEFINITIONS.

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing, and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, the County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments as attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this ____ day of _____, 2014.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to Charleston County Council

First Reading: February 25, 2014
Second Reading: March 11, 2014
Third Reading: March 25, 2014

EXHIBIT "A"

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS, AND CHAPTER 12, DEFINITIONS.

Delete existing Article 5.8, Multiple Use Floating Zone and replace with the following:

ARTICLE 5.8 MU-O, MULTIPLE USE OVERLAY ZONING DISTRICT

§5.8.1 STATEMENT OF FINDINGS

The Multiple Use Overlay Zoning District includes unincorporated parcels of land five (5) contiguous acres or greater that are zoned Community Commercial (CC) or Industrial (I), are recommended by the Comprehensive Plan for Future Land Use categories that are consistent with the development (density, intensity, uses, etc.) permitted in the MU-O, are located within the Urban Growth Boundary (UGB), and comply with the requirements of this Article. The majority of these parcels are located in areas that are surrounded by residential development or lower intensity commercial development which currently allows many uses that are in conflict with existing or projected development patterns. Moreover, these parcels are located in areas that have access to infrastructure that would allow a variety of residential and nonresidential uses to provide appropriate services to existing development and support future development while maintaining the goals and strategies of the County's Comprehensive Plan.

§5.8.2 PURPOSE AND INTENT

The intent of the Multiple Use Overlay Zoning District is to implement the housing and mixed use strategies of the Comprehensive Plan by providing an efficient application and review process with density bonuses for qualifying parcels that would allow both residential and nonresidential uses to exist on the same parcel of land.

§5.8.3 EFFECT OF OVERLAY ZONING DISTRICT

The Multiple Use Overlay Zoning District regulations of this Article apply in addition to the underlying (base) zoning district regulations for properties zoned Community Commercial (CC) or Industrial (I) and are located within the Urban Growth Boundary (UGB). In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control. Where no Multiple Use Overlay Zoning District regulation is stated in this Article, the regulations of the underlying (base) zoning and all other applicable provisions of this Ordinance shall apply.

§5.8.4 APPLICABILITY

The standards of this Article shall apply to unincorporated parcels of land five (5) contiguous acres or greater that are zoned Community Commercial (CC) or Industrial (I), are located within the Urban Growth Boundary (UGB), and comply with the requirements of this Article. The Multiple Use Overlay Zoning District cannot be applied to parcels located within any other Overlay Zoning District unless specifically stated.

§5.8.5 DEVELOPMENT REQUIREMENTS

The Multiple Use Overlay Zoning District review and approval procedure involves a pre-application conference, conceptual master plan, and site plan review approval. The text and table in Section 5.8.8 outlines the application criteria and the review and approval procedure.

A . Nonresidential Development Requirements:

1. A minimum of ten percent (10%) of the buildable area square footage of the project site and a maximum of forty percent (40%) of the buildable area square footage of the project site shall contain nonresidential uses and meet the density/intensity and dimensional standards of the Community

Commercial (CC) zoning district unless stated otherwise in this Ordinance.

2. Uses

a. All nonresidential uses allowed in General Office (OG) and Neighborhood Commercial (CN) zoning districts as stated in Table 6.1-1, Use Table, shall be allowed in the nonresidential portion of the Multiple Use Overlay Zoning District. Such uses shall be considered "Uses Allowed by Right" as defined in this Ordinance and any requirements for Special Exception approval and/or compliance with conditions for such uses, as listed in Table 6.1-1, shall not apply, provided, however, that the uses listed in Section 5.8.5.A.2.b shall be prohibited.

b. Up to fifty percent (50%) of the proposed nonresidential square footage may include uses allowed in the Community Commercial (CC) zoning district as "Uses Allowed by Right " as defined in this Ordinance; however, the following uses shall be prohibited:

Hotels and motels with over 50 units; convention center/visitors bureau; vehicle storage; vehicle sales (new or used); home improvement center; vehicle repair, consumer; fast food restaurants; heavy duty truck or commercial vehicle rental or leasing; self-service storage; mini warehouse; boat yard; pawn shop; truck stop; auto or heavy truck dealers; manufactured home dealers; outdoor recreation; heavy construction services; office warehouse complex; special trade contractors; recreation or vacation camps; and all wholesale sales and manufacturing uses as defined by this Ordinance.

3. There shall be a maximum of 14,000 gross square feet building footprint for a single building (residential, nonresidential or mixed use); otherwise, this use shall fall under the Special Exception procedures of this Ordinance.

4. Building height as defined by this Ordinance shall not exceed 55 feet.

B. Residential Development Requirements

1. A minimum of sixty percent (60%) of the buildable area square footage of the project site must be dedicated to residential uses and meet density, intensity and dimensional standards of the Mixed Style Residential (M-12) zoning district unless otherwise stated in this Ordinance.

2. All residential housing types shall be allowed including single family (detached and attached) and multifamily; however, Manufactured Housing Units are prohibited. The applicant shall provide a breakdown of the types of proposed residential uses within the development that demonstrates all development requirements of this Ordinance have been met.

3. There shall be a maximum of 14,000 gross square feet building footprint for a single building; otherwise, this use shall fall under the Special Exception procedures of this Ordinance.

4. Building Height shall not exceed 55 feet for multifamily development and 35 feet for single family detached residential development.

§5.8.6 BONUS DENSITY FOR INCLUSION OF AFFORDABLE AND WORKFORCE HOUSING

- A. Pursuant to Chapter 3.1.7(C) of the Charleston County Comprehensive Plan, as amended, County Council may approve a density bonus above the maximum allowable density provided for in Table 3.1.1, Future Land Use Residential Densities, of the Charleston County Comprehensive Plan, as amended, as an incentive to provide affordable and workforce dwelling units. A density bonus with no maximum number of dwelling units is only applicable to developments that include affordable or workforce dwelling units that meet the definition of “Affordable Housing” or “Workforce Housing” as contained in Chapter 12 of this Ordinance.
- B. The Planning Director may approve the reimbursement of zoning permit fees for affordable and workforce dwelling units upon the written request of the developer that includes documentation that the dwelling units are affordable or workforce, as defined in this Ordinance.
- C. The applicant must provide documentation that the proposed development complies with the following requirements:
 1. A minimum of sixty percent (60%) of the buildable area square footage of the project site area must be dedicated to residential uses;
 2. At least fourteen percent (14%) of the total number of dwelling units proposed shall qualify as affordable and/or workforce dwelling units pursuant to this Ordinance. A mixture of housing types is encouraged, though not required;
 3. The affordable and workforce dwelling units must be of the same type as the market-rate units in the development. In the case of a development with two or more housing types, the type of affordable and workforce dwelling units must be in the same proportion as the market-rate units;
 4. Affordable and workforce dwelling units shall be provided within each phase of the development in proportion to the number of market-rate dwelling units;
 5. The affordable and workforce dwelling units shall be integrated throughout the development and not located in a single area of the development;
 6. Any affordable or workforce studio dwelling unit provided under this Article must be a minimum of 600 square feet in floor area;
 7. In no instance shall more than fifty percent (50%) of the affordable or workforce dwelling units be provided in the form of studio units;
 8. The Multiple Use Overlay Zoning District application shall include the following information:
 - a. A general description of the development, including whether the

development will contain owner-occupied or rental units, or both; and

- b. The total number and type of market-rate units and affordable and workforce dwelling units in the development.
9. To the extent not specifically modified by the Multiple Use Overlay Zoning District standards, all other provisions of this Ordinance shall apply to the development and use of the property.
- D. The applicant must provide documentation that the proposed development will comply with the following design requirements:
1. In terms of exterior appearance, affordable and workforce dwelling units shall be indistinguishable from market-rate units. External building materials and finishes for affordable and workforce dwelling units shall be the same in type and quality as the market-rate units.
 2. Interior features of affordable and workforce dwelling units shall be functionally equivalent to the market-rate units, though the finishes and materials need not be identical.
 3. The affordable and workforce dwelling 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.
- E. The applicant must provide documentation that the proposed development will comply with the following requirements for owner-occupied affordable and workforce dwelling units:
1. **Eligibility Determination Process**
Prospective buyers of new affordable and workforce dwelling units shall be screened and determined eligible by the developer, or his/her designee, prior to occupancy. Prior to closing on a new affordable or workforce dwelling unit, the developer shall submit the following to the County:
 - a. An affidavit that sets forth the sale price and verifies the unit will be occupied by persons qualified pursuant to the requirements of this Ordinance; and
 - b. A copy of the current owner's Form 4506 (or other acceptable documentation of income) for the current tax year.

This affidavit and copies of the current owner's Form 4506 (or other acceptable documentation of income) shall also be submitted to the County on an annual basis and upon resale of the affordable or workforce dwelling unit.
 2. **Term of Affordability**
Resale of affordable and workforce dwelling units shall be limited by deed

restriction to the original sales price, adjusted for inflation, and to a purchaser eligible, as described in this Article, for a period of not less than ten (10) years after issuance of the certificate of occupancy. Funding sources and other factors may require a longer term of affordability. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI).

- a. A copy of such executed deed restrictions shall be submitted to the County for approval prior to issuance of a certificate of occupancy for any portion of the development.
 - b. The deed restrictions shall require notice to the County of any conveyance of the affordable or workforce dwelling unit and verification that the purchaser is qualified pursuant to the requirements of this Ordinance.
3. If while occupying an affordable or workforce dwelling unit, a household's income increases to an amount beyond that permitted in the definition of "Affordable Housing" or "Workforce Housing", as applicable and as contained in this Ordinance, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be sold to a qualifying household pursuant to the requirements of this Ordinance for the period the unit is deed restricted as an affordable or workforce dwelling unit.

F. The applicant must provide documentation that the proposed development will comply with the following requirements for renter-occupied affordable and workforce dwelling units:

1. Eligibility Determination Process
Prospective renters of affordable and workforce dwelling 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 County:
 - a. Upon initial occupancy, the owner shall submit to the County a copy of the current tenant's Form 4506 (or other acceptable documentation of income) for the current tax year and an affidavit stating that the current tenant meets the necessary qualifications. This affidavit and copies of the current tenant's Form 4506 (or other acceptable documentation of income) shall also be submitted to the County on an annual basis and anytime the lease is renewed or a new tenant occupies an affordable or workforce dwelling unit.
 - b. Any time a new tenant occupies an affordable or workforce dwelling unit, the owner must provide an affidavit to the County assuring compliance with Fair Market Rents, as described below.
2. Rent Levels/Fair Market Rents
The maximum rent level for affordable and workforce dwelling units shall be based on the schedule of Fair Market Rents for the Charleston-North Charleston Metropolitan Statistical Area (MSA), as published annually by the

U.S. Department of Housing and Urban Development (HUD). Fair Market Rents include a utility allowance for electricity, gas, water, and sewer based on a schedule published by the Charleston County Housing and Redevelopment Authority.

3. Lease Terms

A minimum lease term of six (6) months is required for all affordable and workforce dwelling units so as to avoid short-term (i.e., weekly) rentals.

4. Term of Affordability

Rental affordable and workforce dwelling units shall be limited by deed restriction to remain affordable, as defined in this Article, for a period of not less than ten (10) years after the issuance of the certificate of occupancy. Funding sources and other factors may require a longer term of affordability.

a. A copy of such executed deed restrictions shall be submitted to the County for approval prior to issuance of a certificate of occupancy for any portion of the development.

b. The deed restrictions shall require notice to the County of any lease renewal or new rental contract for the affordable or workforce dwelling unit, and verification in the form of an affidavit that the tenant is qualified pursuant to the requirements of this Ordinance.

5. If, while occupying an affordable or workforce dwelling unit, a household's income increases to an amount beyond that permitted in the definition of "Affordable Housing" or "Workforce Housing" as applicable and as contained in this Ordinance, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be rented to a qualifying household pursuant to the requirements of this Ordinance for the period the unit is deed restricted as an affordable or workforce dwelling unit.

G. The applicant must provide documentation that the proposed development will comply with the following requirements for Deed Restrictions:

1. Standard deed restrictions for all affordable and workforce dwelling units produced pursuant to the requirements of this Ordinance are required and subject to approval by the County.

2. Such restrictions shall include, at a minimum, the following elements:

a. Duration;

b. Occupancy requirements and restrictions against leasing/subleasing;

c. Restriction on resale;

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

- e. Right of first refusal, if applicable;
- f. Distribution of gross sales proceeds, if applicable; and
- g. Procedure in the case of foreclosure (for owner-occupied units only).

H. Violations

Any sale or rental of affordable or workforce dwelling units during the term of affordability to persons that do not meet the eligibility requirements described in this Ordinance shall constitute a violation and the provisions of Chapter 11, Violations, Penalties, and Enforcement shall apply.

§5.8.7 BONUS DENSITY FOR INCLUSION OF DWELLINGS WITH MAXIMUM SQUARE FOOTAGE (MSF)

A property in the Multiple Use Overlay Zoning District may qualify for a bonus density of up to twenty (20) units per acre (as calculated on the gross acreage) when a minimum of fourteen percent (14%) of the total number of dwelling units proposed in the development are limited to a maximum square footage (MSF) that does not exceed fifty percent (50%) of the median square footage of all other (non-MSF) dwelling units. The purpose of the limitation is to provide an alternative housing type and size within the development that may be less costly to build, potentially resulting in a more affordable product for the public. The applicant must provide documentation that the proposed development complies with the following requirements:

A. Size and amount of MSF dwelling units:

1. A minimum of sixty percent (60%) of the buildable area square footage must be dedicated to residential uses. At least fourteen percent (14%) of the total number of dwelling units proposed shall qualify as MSF dwelling units, as defined in this Article;
2. The maximum heated square footage of an MSF unit shall not exceed fifty percent (50%) of the median square footage of all other (non-MSF) dwelling units in the development;
3. Any MSF studio dwelling unit provided under this Article must be a minimum of 600 square feet in floor area; and
4. In no instance shall more than fifty percent (50%) of the MSF dwelling units be provided in the form of studio units.

B. MSF Development Requirements:

1. MSF dwelling units shall be of the same type as the non-MSF dwelling units in the development. In the case of a development with two or more housing types, the type of MSF dwelling units must be in the same proportion as the non-MSF dwelling units.
2. MSF dwelling units shall be provided within each phase of the development in proportion to the number of non-MSF dwelling units;

3. MSF dwelling units shall be integrated throughout the development and not located in a single area of the development;
4. The Multiple Use Overlay Zoning District application shall include 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 MSF and non-MSF dwelling units in the development.
 - c. The median size of all non-MSF dwelling units.
5. To the extent not specifically modified by the Multiple Use Overlay Zoning District, all other provisions of this Ordinance shall apply to the development and use of the property.

C. Design Requirements

1. In terms of exterior appearance, MSF dwelling units shall be indistinguishable from non-MSF dwelling units. External building materials and finishes for MSF units shall be the same in type and quality as the non-MSF dwelling units.
2. Interior features of MSF dwelling units shall be functionally equivalent to the non-MSF dwelling units, though the finishes and materials need not be identical.
3. The MSF dwelling units shall be comparable to the non-MSF dwelling 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.

§5.8.8 REVIEW AND APPROVAL PROCEDURE

The Multiple Use Overlay Zoning District review and approval procedure involves a pre-application conference, conceptual master plan, and site plan review approval. The text and table below outlines the application criteria and the review and approval procedure.

Pre-application conference	Conceptual Master Plan	Planning Director Review and Determination	Public Notice	Planning Commission Review and Rec.	Site Plan Review	County Council Hearing and Decision
Required	Required	Required	Required	Not Required*	Required	Not Required*

*Note: When development (density, intensity, uses, etc.) permitted in the MU-O is inconsistent with the Future Land Use recommendations contained in the Charleston County Comprehensive Plan for properties proposed to be included in the MU-O, applicants must submit Comprehensive Plan Amendments pursuant to

Article 3.2, Comprehensive Plan Amendments, and such applications must be approved by County Council prior to submittal of MU-O applications.

A. Pre-Application Conference

Before submitting a Multiple Use Overlay Zoning District application, the applicant shall confer with the Planning Director and any other officials designated by the Planning Director. The purpose of this pre-application conference is to discuss the proposal and the applicable development review and approval procedures. The applicant shall submit a conceptual master plan that complies with the requirements of Section 5.8.8.A.1 and all other documentation required by this Article for the Planning Director to review for compliance with the requirements of this Ordinance.

1. Master Plan Requirements

- a. All information required by Sections 5.8.6 and 5.8.7, as applicable.
- b. The general location and amount of land proposed for each land use including single family detached residential, single family attached residential, multi-family residential, institutional, office, commercial, industrial, common open space/recreation, etc.
- c. Conceptual lot lines.
- d. Pedestrian and motor traffic circulation.
- e. Location, acreage, and type (freshwater or Critical Line/marsh) of all wetlands as they exist prior to development. The location and acreage of all freshwater wetlands to be developed upon shall be indicated.
- f. A tree plan from scaled infrared or high resolution black and white aerial photograph or print of equal quality of the same scale as and superimposed on the master plan. A tree survey of all Grand Trees (24 inches or greater) and protected trees conforming to the standards of Section 9.4.3 of this Ordinance shall be required during the Site Plan Review Procedure.
- g. Conceptual architectural elevations for each type of residential and nonresidential unit.
- h. The general location, size, and capacity of all existing and proposed water and sewer lines.
- i. Areas to be included in each phase of development, including the location of all common open space areas and/or MSF, affordable, and workforce housing units to be included in each phase.
- j. Schematic location of all construction entrances.
- k. A Landscape Sketch Plan including the location and composition of all screening and buffering materials.

- i. A Utility Sketch Plan with the schematic location of any on-site natural areas, buffers, trees and sidewalks that may be impacted by utility facilities including existing and proposed location of any easements or rights-of-way.
- m. Breakdown of percentages, square footage and acres of proposed uses in accordance with the requirements of this Article.
- n. A traffic impact study of the proposed development in accordance with Article 9.9.
- o. Letters of coordination from water, sewer, police and fire service providers and other local, state, and federal agencies as determined by the Planning Director.
- p. Public space sketch plan.
- q. Any other information that the Planning Director determines is necessary to determine whether the application complies with the standards established in this Article.

B. Application Filing

After the applicant has attended the required pre-application conference and has received conceptual Master Plan approval, a complete application for a Multiple Use Overlay Zoning District designation must be submitted to the Planning Director on forms available in the Planning Department.

1. No Multiple Use Overlay Zoning District application shall be accepted as complete unless it includes the required fee and the following information:
 - a. Completed Multiple Use Overlay Zoning District application signed by the current property owner(s);
 - b. An approved conceptual master plan that complies with Section 5.8.8.A.1 and all other documentation required by this Article;
 - c. A copy of a legible approved and recorded plat showing current property boundaries;
 - d. A copy of the current, recorded deed;
 - e. Restrictive covenants affidavit(s) signed by the applicant or current property owner(s) in compliance with state law; and
 - f. Any other information that the Planning Director determines is reasonably necessary to make an informed decision as to whether the application complies with the standards of this Article.
2. Multiple Use Overlay Zoning District applications shall comply with Section 3.1.4, Application Completeness and Submission Deadlines, of this Ordinance.

3. Signed affidavits regarding affordable/workforce housing and MSF housing that describes how the requirements for these uses will be met.
- C. **Planning Director Review and Determination**
The Planning Director shall review the proposed Multiple Use Overlay Zoning District application for compliance with this Ordinance, the recommendations contained in the Comprehensive Plan, and all other applicable County ordinances. The Planning Director may approve an application for a Multiple Use Overlay Zoning District only if the application is in compliance with all applicable regulations. Generally, Multiple Use Overlay Zoning District applications are reviewed in the Planning Department and approved by the Planning Director; however, the Planning Director may send Multiple Use Overlay Zoning District applications to the Planning Commission for approval in order to determine whether or not the proposed development is consistent with the goals and objectives of the Comprehensive Plan and Zoning and Land Development Regulations Ordinance. The Planning Director shall be responsible for providing applicants with written notices of final decisions on Multiple Use Overlay Zoning District applications and for revising the Official Zoning Map when applications are approved.
- D. **Public Notice**
Following the approval of a Multiple Use Overlay Zoning District application, Neighbor and Parties in Interest notice shall be provided in accordance with the requirements of Section 3.1.6 of this Ordinance. The purpose of the notification is to inform the surrounding residents and parties in interest that an application has been approved for a Multiple Use Overlay Zoning District development. Approvals of Multiple Use Overlay Zoning District applications may be appealed in compliance with Article 3.14, Appeals of Subdivision-Related Administrative Decisions, of this Ordinance.
- E. **Site Plan Review**
Upon approval of a Multiple Use Overlay Zoning District application by the Planning Director, the applicant shall submit an application for site plan review approval in accordance with this Article; Article 3.7, Site Plan Review; Chapter 9, Development Standards; and any other applicable articles of this Ordinance as determined by the Planning Director. Approvals of Site Plan Review applications for properties located in Multiple Use Overlay Zoning Districts may be appealed in compliance with Article 3.13, Appeals of Zoning-Related Administrative Decisions.
1. Prior to the issuance of Site Plan Review Approval and building permits for any portion of the development, an affordable and workforce dwelling unit plan must be submitted to the County that contains, at a minimum, the following information for each phase of the development:
 - a. The number of bedrooms in each market-rate unit and each affordable and workforce dwelling unit.
 - b. The square footage of each market-rate unit and each affordable and workforce dwelling unit.
 - c. The location of each affordable and workforce dwelling unit within any multi-family residential structure and any single-family (attached and/or detached)

residential development. The location of each affordable, workforce, and market-rate dwelling unit above any non-residential use shall also be identified.

- d. The location of each affordable and workforce dwelling unit that will be offered for rent and for sale.

The applicant shall provide staff with documentation (in the form of a chart or table) of the above information for each phase of the development which demonstrates that all of the applicable housing requirements have been or are being met.

- 2. Prior to the issuance of Site Plan Review Approval and building permits for any portion of the development, an MSF dwelling unit plan must be submitted to the County that contains, at a minimum, the following information:
 - a. The median number of bedrooms of all non-MSF dwelling units and the median number of bedrooms for the MSF dwelling units.
 - b. The median square footage of all MSF dwelling units and the median square footage of all non-MSF dwelling units.
 - c. The location of each MSF and non-MSF dwelling unit within any multi-family residential structure and any single-family (attached and/or detached) residential development. The location of each MSF and non-MSF dwelling unit above any nonresidential use shall also be identified.

- F. **Amendments to Approved Multiple Use Overlay Zoning Districts**
An applicant may request an amendment to an approved Multiple Use Overlay Zoning District; however, any requested amendments must be consistent with the requirements of the Comprehensive Plan and Zoning & Land Development Regulations Ordinance at the time of application submittal, and any such amendments shall follow the review and approval procedure of this section and any other applicable sections of this Ordinance. Otherwise, the amendments shall follow the rezoning application, review, and approval procedures of Chapter 3 of this Ordinance.

Add the following to Chapter 12, Definitions:

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).
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