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Community Planning Consultants

September 27, 2013

LeNolon Edge, AICP
Director
Planning and Building Services
Jasper County
358 Third Avenue
Ridgeland, SC 29936

Re: Jasper County Comprehensive Plan: Sub-Task #6: Housing

Mr. Edge:

Included below is draft addition to the Housing Chapter. Please let me know if you have any questions or comments concerning the draft language. Each of the strategies and recommendations will be reflected in the table at the end of the chapter.

4.1 PRIORITY INVESTMENT ACT

The Priority Investment Act of 2007 expands the Housing Element to require Jasper County to analyze regulatory barriers and market-based incentives concerning affordable housing. The Priority Investment Act also provides for two new zoning tools to promote affordable housing and traditional neighborhood design. The Act requires that local governments carefully analyze regulatory requirements affecting the affordability of housing and to identify those housing regulatory requirements that are not necessary to protect the public health, safety or welfare (Table 4.5). Local governments must also analyze market-based incentives that may be made available to encourage the development of affordable housing (Table 4.6).

The Act allows local governments to identify Priority Investment Zones in which local governments may adopt market-based incentives, relax or eliminate nonessential housing regulatory requirements in order to encourage affordable housing, or encourage traditional neighborhood design. The Act defines market-based incentives to include density bonuses, relaxed zoning regulations such as lot area requirements or setbacks, reduced or waived fees, fast track permitting and design flexibility. Nonessential housing regulatory requirements may include requirements like minimum lot size, setbacks, open space requirements, landscaping, impervious surfaces and parking requirements.

PRIORITY INVESTMENT ZONES

The Priority Investment Act authorizes Jasper County to create new “priority investment zones” on the Official Zoning map. The new “zone,” or Zoning District, provides the County with justification to relax or eliminate unnecessary nonessential housing regulatory requirements (Table 4.4) and to adopt market-based incentives (Table 4.5) to encourage private development in the priority investment zone. If the zones are designated on the Official Zoning Map, the Act will require Jasper County to allow Traditional Neighborhood Design (TND) and affordable housing within the boundaries. Updates to the Future Land Use Map can identify potential areas for designation.

Traditional Neighborhood Design (TDN): TND is development pattern intended to enhance the appearance and functionality of new development so that it functions like a traditional neighborhood or town. TND makes possible higher residential densities, a mixture of residential and commercial land uses, single and multi-family housing types, and pedestrian and bicycle friendly roadways. Certain crossroad communities or denser planned urban areas in Jasper County should be considered for TND development.

Affordable Housing: Affordable housing is defined using the total cost for a dwelling unit for sale, including mortgage, amortization, taxes, insurance, and condominium and association fees. By state law, qualified affordable housing constitutes no more than 28% of the annual household income for a household earning no more than 80% of the area’s median income, by household size, as reported by US Housing and Urban Development (HUD). In the case of a rental unit, the total cost for rent and utilities can constitute no more than 30% of the annual household income for a household earning no more than 80% of the area median income, by household size, as reported by HUD.

4.6 ANALYSIS OF REGULATORY REQUIREMENTS

Local governments are required to inventory and evaluate housing regulations that add unnecessary costs to the development of affordable housing, but which are not essential to protect public health, safety, or welfare. The non-essential housing requirements listed in table 4.5 may add to the cost of affordable housing and be an impediment to affordable housing efforts.

Table 4.5 Analysis of Regulatory Requirements

Regulatory Factor	Impediment	Analysis
1. Complicated administrative and permitting procedures.	No	Both planning/zoning and building services operate out of the same office at the same customer service counter. The zoning and building permitting process is seamless between the functional divisions of the department.
2. Large lot single-family zoning.	No	The largest lot required for single family residential housing is 1 acre for the Rural Preservation (RP) Zoning District. Lot sizes are lower in Residential (R), Community Commercial (CC), and General Commercial (CG). Moreover, lot sizes for duplex, apartment, townhome and patio home housing types are minimal. While a 5 acre lot is required by Resource Conservation, it is rarely used for residential development.
2. Unreasonable and expensive building code requirements for rehabilitation projects.	No	International Building and Housing Codes have been adopted, typical of most jurisdictions in the State.
3. Prohibitions on accessory apartments.	Yes	While the County allows a “second dwelling unit” per parcel, there is no provision for accessory apartments. Recommended: Consider allowing accessory apartments over garages and accessory structures in RP, R, CC and GC Districts.
4. Excessive development and impact fees.	No	While there are no impact fees in Jasper County, development fees apply within approved and negotiated Planned Development Districts. Fees cover future public service, roads and park costs. Most development agreements strive for affordability of housing. The County may reimburse building permit fees for qualified affordable housing efforts.
5. Excessive or discriminatory public review requirements.	No	Public review is structured, procedurally fair, and transparent.
6. Shortage of mixed use zoning districts and land zoned for multifamily housing.	Possibly	While multifamily housing is only permitted in the Community Commercial (CC) and General Commercial (GC) Zoning Districts, it is an allowed land use in most Planned Development Districts. Recommended: Examine approved development agreements concerning multifamily housing regulations. Assess amount and location of land designated as CC and GC. Consider expansion of multifamily housing in different Zoning Districts or rezoning identified areas CC or GC.
7. Excessive spacing requirements for group homes.	No	There are no spacing requirements for group homes.
8. Excessive requirements for group homes.	Yes	Group homes are limited to the Community Commercial (CC) and General Commercial (GC) Zoning Districts. Recommended: Consider allowing group homes in the Residential (R) Zoning District with reasonable conditions.
9. Discriminatory treatment of manufactured housing.	No	Manufactured housing is allowed in multiple Zoning Districts.

Analysis of Market-Based Incentives

The Priority Investment Act requires Jasper County to analyze market-based incentives that may be available for the development of affordable housing. The Act defines market-based incentives as those which encourage private developers to meet the County’s affordable housing goals. Market-based incentives may include, but are not limited to, the following:

Table 4.6 Market-Based Incentives	
Method	Recommendation
1. Density bonuses, allowing developers to build at densities higher than residential zones typically permit, allowing developers to build qualified affordable housing at densities higher than typically permitted, or allowing developers to purchase density by paying into a local housing trust fund.	Implemented: The Zoning Ordinance provides for an Affordable Housing Density Bonus. In a single-family cluster, site capacity calculations are established for the base density and housing can be clustered. In planned, community or multifamily developments, developers can propose up to a 20-percent increase in density.
2. Relaxed zoning regulations.	Recommended: Establish Priority Investment Zones to relax or eliminate unnecessary nonessential housing regulatory requirements to encourage private developed affordable housing in identified areas. Specifically: <ol style="list-style-type: none"> 1. Reduce minimum lot areas. 2. Reduce setbacks (but maintain minimums for Fire Department access and to maintain community character). 3. Reduce parking requirement (build in an administrative waiver). 4. Expand multifamily development potential. 5. Allow accessory apartments. 6. Encourage TND development.
3. Reduced or waived fees including those fees levied on new development.	Implemented: The County may reimburse building permit fees for qualified affordable housing efforts.
4. Projects where affordable housing is addressed, reimburse permit fees upon certification that dwelling unit is affordable and waive up to one hundred percent of sewer/water tap-in fees for affordable housing units.	Implemented: The County may reimburse building permit fees for qualified affordable housing efforts. Recommended: BJWSA currently does not have a waiver or reimbursement policy. However, the County should address this issue with BJWSA officials and offer its reimbursement criteria language for their consideration.
5. Fast-track permitting including, but not limited to, streamlining and expediting the permitting process for affordable housing developments to help reduce private sector costs and delays.	Implemented: For individual residential dwelling units, permit turnover is 1-2 days. Recommended: For plan reviews, fast-track permitting could be implemented and coordinated with other agencies. For instance, lowering Completeness Review and Development Plan Review from 30 days to 10 days and coordinating formal review meetings with all agencies/departments involved in the review process.

6. Allowing for greater design flexibility, including preapproved design standards for expedited approval and promoting infill development, mixed use and accessory dwellings.

Recommended: Design flexibility is appropriate in areas which may be designated as Priority Investment Zones. Preapproved design standards can be considered. Infill development or redevelopment of existing structures can also be incentivized by relaxing parking requirements or other standards which prevent certain uses from locating in a certain infill site or an existing building. Mixed use buildings and accessory apartments should be examined and possibly incorporated into the Zoning Ordinance.

Please feel free to contact me with any questions by phone (616-336-8176) or by email at jjirousek@slplanning.com.

Sincerely,



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