

## **ARTICLE 6. USE REGULATIONS**

### **6:1. Permitted use and conditional uses.**

Principle uses shall be allowed within the base zoning districts of this ordinance in accordance with subsection 6.1 Table 1.

The North American Industry Classification System, 1997, is the basis for determining the use of property permitted by the various zoning districts. Where uncertainty exists relative to a given use not specifically listed by Table 1, the NAICS Manual should be consulted. In general, all uses listed by a given NAICS number and category should be construed as being permitted in the assigned zoning district, unless separately listed.

To aid in the use of Table 1, it is arranged by NAICS Sectors, followed by the uses and codes included in the respective sector:

- Sector 11: Agriculture, Forestry, Fishing and Hunting
- Sector 21: Mining
- Sector 22: Utilities
- Sector 23: Construction
- Sector 31—33: Manufacturing
- Sector 42: Wholesale Trade
- Sector 44—45: Retail Trade
- Sector 48—49: Transportation and Warehousing
- Sector 51: Information
- Sector 52: Finance and Insurance
- Sector 53: Real Estate and Rental and Leasing
- Sector 54: Professional, Scientific, and Technical Services
- Sector 55: Management of Companies and Enterprises
- Sector 56: Administrative and Support and Waste Management and Remediation Services
- Sector 61: Educational Services
- Sector 62: Health Care and Social Assistance
- Sector 71: Arts, Entertainment, and Recreation
- Sector 72: Accommodation and Food Services
- Sector 81: Other Services (except Public Administration)
- Sector 92: Public Administration

Uses and NAICS code references are displayed within the appropriate sector in numerical order, beginning with Sector 11 (Agricultural, Forestry, Fishing and Hunting) and running through Sector 92 (Public Administration).

Section 6.1—Table 1

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
<b>Sector 11: Agriculture, Forestry, Fishing and Hunting (Sec. 6:2.16)</b>											
Agricultural Production, Crops	111	N	N	P	P	N	N	P	P	P	N
Agricultural Production, Livestock, Animals	112										
Livestock, Except Feedlots (Article 11:7.1)	112111	C	N	C	P C	N	N	N	P	C	N
Feedlots	112112	N	N	N	P C	N	N	N	N	N	N
Poultry and Eggs (Article 11:7.2)	1123	C	N	C	P C	C	C	N	N	C	N
Animal Specialties (Article 11:7.3)	1129	C	N	C	P	N	N	N	N	C	N
Horses and Other Equine (Article 11:7.3.A)	11292	P C	N	P	P	N	N	N	N	P	N
General Farms	11299	P N	N	P	P	N	N	P	N	P	N
Fishing, Hunting, Trapping	1141-2	N	N	P	P	N	P	P	N	P	N
Agricultural Services	115	N	N	P	P	N	P	P	N	P	N
Forestry	11531	N	N	P	P	N	N	N	P	P	N
<b>Sector 21: Mining and Mine Operation</b>											
Mining (Article 11:7.4)	212	N	N	N	N	N	N	N	N	C	N
<b>Sector 22: Utilities</b>											
Electric, Gas, and Sanitary Services	221										
Electric	2211										
Generation	22111	N	N	N	P	N	N	P	P	N	N
Solar Electric Power Generation Accessory (Article 11:7.5B)	22114	C	C	C	C	C	C	C	C	C	C
Solar Farm (See Article 8:7)	22114										
Transmission	22112	P	P	P	P	P	P	P	P	N	P
Natural Gas Distribution	2212	P	P	P	P	P	P	P	P	N	P
Water Supply Systems	22131										
Storage/Treatment	22131	N	N	P	P	N	P	P	P	N	P
Transmission	22131	P	P	P	P	P	P	P	P	N	P
Sewerage Systems	22132										
Collection	22132	P	P	P	P	P	P	P	P	N	P
Treatment (Article 11:7.5)	22132	N	N	N	P	N	C	P	P	N	P
<b>Sector 23: Construction</b>											
Bldg. Construction-General Contract and Operative Builders	233	N	N	N	N	N	N	P	P	N	P
Heavy Construction other than Building Construction-Contractors	234	N	N	N	N	N	N	P	P	N	P
Special Trade Contractors (Article 11:7.6)	235	N	N	N	N	N	C	P	P	N	P
<b>Sector 31-33: Manufacturing (Article 11:7.7)</b>											
Food	311	N	N	N	N	N	N	N	P	N	C
Beverage and Tobacco	312	N	N	N	N	N	N	N	P	N	C
Textile Mills	313	N	N	N	N	N	N	N	P	N	C
Textile Product Mills	314	N	N	N	N	N	N	N	P	N	C
Apparel	315	N	N	N	N	N	N	N	P	N	C
Leather and Allied Products	316	N	N	N	N	N	N	N	P	N	C

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Wood Products	321	N	N	N	€ N	N	N	N	P	N	C
Paper	322	N	N	N	N	N	N	N	P	N	C
Printing and Related Activities	323	N	N	N	N	N	N	P	P	N	C
Petroleum Products	324	N	N	N	N	N	N	N	P	N	N
Chemical Products	325	N	N	N	N	N	N	N	P	N	N
Plastic and Rubber Products	326	N	N	N	N	N	N	N	P	N	N
Nonmetallic Mineral Products	327	N	N	N	N	N	N	N	P	N	C
Primary Metal	331	N	N	N	N	N	N	N	P	N	C
Fabricated Metal Products	332	N	N	N	N	N	N	N	P	N	C
Machinery	333	N	N	N	N	N	N	N	P	N	C
Computer and Electronic Products	334	N	N	N	N	N	N	N	P	N	C
Electrical Equipment, Appliances and Components	335	N	N	N	N	N	N	N	P	N	C
Transportation Equipment	336	N	N	N	N	N	N	N	P	N	C
Furniture and Related Products	337	N	N	N	N	N	N	N	P	N	C
Miscellaneous Manufacturing	339	N	N	N	N	N	N	N	P	N	C
<b>Sector 42: Wholesale Trade (Article 11:7.8)</b>											
Wholesale Trade-Durable Goods	421	N	N	N	N	N	N	P	P	N	P
Used Motor Vehicle Parts, (Article 11:7.8)	421140	N	N	N	N	N	N	N	C	N	N
Recyclable Material, (Article 11:7.8)	42193	N	N	N	N	N	N	N	C	N	N
Junkyards (Article 18)		N	N	N	N	N	N	N	C	N	N
Wholesale Trade-Nondurable Goods	422	N	N	N	N	N	N	P	P	N	P
<b>Sector 44-45: Retail Trade</b>											
Motor Vehicle and Parts	441	N	N	N	N	N	N	P	P	N	P
Automobile Dealers (Article 11:7.9)	4411	N	N	N	N	N	C	P	P	N	P
Automotive Parts and Accessories Store (Article 11:7.9A)	441310	N	N	N	N	N	C	P	P	N	P
Furniture and Home Furnishings	442	N	N	N	N	P	P	P	N	N	P
Electronics and Appliances	443	N	N	N	N	P	P	P	N	N	P
Building Materials, Garden Supplies	444									N	
Lumber and Building Materials (Article 11:7.10)	4441	N	N	N	N	C	C	P	P	N	P
Hardware Stores	444130	N	N	N	N	C	C	P	P	N	P
Lawn and Garden Equipment and Supplies Stores	4442	N	N	N	N	P	P	P	P	N	P
Food and Beverage Stores	445										
Grocery Stores	4451	N	N	N	N	P	P	P	N	N	N
Convenience Stores	44512	N	N	N	N	P	P	P	N	N	N
Specialty Stores	4452	N	N	N	N	P	P	P	N	N	N
Fruit and Vegetable	44523	N	N	P	P	P	P	P	N	N	N
Beer, Wine, and Liquor	4453	N	N	N	N	N	P	P	N	N	N
Health and Personal Care	446	N	N	N	N	P	P	P	N	N	N

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Gasoline Stations (Article 11.7.10A)	447	N	N	N	N	C	P	P	P	N	N
Truck Stops	44719	N	N	N	N	N	N	N	P	N	N
Clothing and Accessory Stores	448	N	N	N	N	P	P	P	N	N	N
Sporting Goods, Hobbies, Books, and Music	451	N	N	N	N	P	P	P	N	N	N
General Merchandise Stores	452	N	N	N	N	P	P	P	N	N	N
Miscellaneous Retail	453	N	N	N	N	P	P	P	N	N	N
Flea Markets	4533	N	N	N	N	N	N	P	N	N	P
Manufactured Home Dealers	45393	N	N	N	N	N	N	P	N	N	P
Non-Store Retailers	454	N	N	N	N	N	P	P	P	N	C
Fuel Dealers (Article 11:7.11)	45431	N	N	N	N	N	P	P	N	N	N
<b>Sector 48-49: Transportation and Warehousing</b>											
Air Transportation (Article 8:3)	481	N	N	N	C N	N	N	C	C	C	N
Rail Transportation	482	N	N	N	N	N	P	P	P	N	C
Water Transportation	483	N	N	N	N	P	P	P	P	N	C
Truck Transportation	484	N	N	N	N	N	N	P	P	N	C
Used Household and Office Goods Moving (Article 11:7.11A)	484210	N	N	N	N	N	C	P	P	N	C
Transit and Ground Passenger Transportation	485	N	N	N	N	N	P	P	P	N	C
Pipeline for Transportation	486	N	N	N	N	N	N	P	P	N	C
Scenic and Sightseeing Transportation Storage	487	N	N	P	N	N	N	P	P	N	C
Support Activities for Transportation	488	N	N	N	N	N	N	P	P	N	C
Motor Vehicle Towing	488410	N	N	N	N	N	N	C	C	N	C
US Postal Service	491	N	N	P	N	P	P	P	P	N	P
Warehousing and Storage	493	N	N	N	N	N	N	P	P	N	C
<b>Sector 51: Information</b>											
Publishing Industries	511	N	N	N	N	N	N	P	P	N	P
Motion Pictures and Sound Industries	512	N	N	N	N	N	N	P	P	N	P
Motion Picture Theaters	512131	N	N	N	N	N	N	P	N	N	N
Broadcasting and Telecommunications	513	N	N	N	N	N	P	P	P	N	P
Communication Towers and Ant. (Article 11:7.12)	5131	C	C	C	C	C	C	C	C	C	C
Information Services and Data Processing	514	N	N	N	N	N	P	P	P	N	P
Libraries (Article 11:7.13)	51412	C	C	N	P N	P	P	P	P	N	N
<b>Sector 52: Finance and Insurance</b>											
Banks	521	N	N	N	P N	P	P	P	P	N	N
Credit Intermediation	522	N	N	N	N	N	P	P	P	N	N
Pawn Shops	522298	N	N	N	N	N	N	P	N	N	N
Security and Commodity Contracts, and Financial Investments	523	N	N	N	N	P	P	P	P	N	N

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	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Insurance Carriers and Related Activities	524	N	N	N	N	P	P	P	P	N	N
Funds, Trust, and Other Financial Vehicles	525	N	N	N	N	P	P	P	P	N	N
<b>Sector 53: Real Estate, Rental and Leasing</b>											
Real Estate	531	N	N	N	N	N	P	P	P	N	N
Mini-Warehouses (Article 11:7.14)	53113	N	N	N	N	N	N	C	P	N	C
Offices of Real Estate Agents and Brokers	5312	N	N	N	N	P	P	P	P	N	P
Rental and Leasing Services	532	N	N	N	N	N	P	P	N	N	P
Video Tape Rental	53223	N	N	N	N	N	P	P	N	N	N
<b>Sector 54: Professional, Scientific, and Technical Services</b>											
Professional, Scientific, Technical Services	541	N	N	N	N	P	P	P	P	N	P
Display Advertising - Signs	54185	See Article 15									
Veterinary Services	54194	N	N	N	P	P	P	P	N	N	P
					N						
<b>Sector 55: Management of Companies and Enterprises</b>											
Management of Companies and Enterprises	551	N	N	N	N	P	P	P	P	N	P
<b>Sector 56: Administrative and Support, Waste Management and Remediation Services</b>											
Administrative and Support Services	561	N	N	N	N	N	P	P	P	N	P
Repossession Services (Article 11:7.11B)	561491	N	N	N	N	N	N	C	C	N	C
Landscape Services	56173	N	N	N	N	N	P	P	P	N	P
Waste Management Services	562										
Waste Collection (Article 11:7.15)	5621	N	N	N	N	N	N	N	C	N	N
Hazardous Waste Treatment and Disposal	562211	N	N	N	N	N	N	N	N	N	N
Solid Waste Landfill (Article 11:7.16)	562212	N	N	N	N	N	N	N	C	N	N
Solid Waste Incinerators (Article 11:7.17)	562213	N	N	N	N	N	N	N	C	N	N
Material Recovery Facilities (Article 11:18)	56292	N	N	N	N	N	N	N	C	N	N
All Other Waste Management (Article 11:19)	56299	N	N	N	N	N	N	N	C	N	N
<b>Sector 61: Educational Services</b>											
Educational Services	611										
Elementary Schools	6111	P	N	P	N	N	P	P	N	N	N
Secondary Schools	6111	P	P	P	N	N	P	P	N	N	N
Jr. Colleges, Colleges, Universities, Professional Schools	6112-3	N	N	N	N	N	P	P	N	N	N
Business Schools, Computer, and Management Training (Article 11:7.19a)	6114-5	N	N	N	N	C	P	P	P	N	N
Other Schools and Instruction (Article 11:7.19a)	6116	C	C	N	N	C	P	P	N	N	N

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Educational Support Services	6117	N	N	N	N	N	N	P	P	N	N
<b>Sector 62: Health Care and Social Assistance</b>											
Ambulatory Health Care Services	621	N	N	N	N	P	P	P	N	N	N
Hospitals	622	N	N	N	N	N	P	P	N	N	N
Nursing and Residential Care Facilities	623	N	N	N	N	P	P	P	N	N	N
Nursing Care Facilities (Article 11:7.20)	6231	C	C	C	N	P	P	P	N	N	N
Community Care for Elderly (Article 11:7.21)	6233	C	C	C	N	P	P	P	N	N	N
Other Residential Care Facilities (Article 11:7.21A)	623990	C	C	C	N	P	P	P	N	N	N
Social Assistance	624	N	N	N	N	P	P	P	N	N	N
Individual and Family Services	6241	N	N	N	N	P	P	P	N	N	N
Community, Food, and Housing and Emergency and Relief Services	6242	N	N	N	N	P	P	P	N	N	N
Vocational Rehabilitation Services	6243	N	N	N	N	P	P	P	P	N	N
Day Care Services (Article 11:7.22)	6244	C	C	C	N	C	C	C	C	N	N
<b>Sector 71: Arts, Entertainment, and Recreation</b>											
Performing Arts, Spectator Sports and Related Industries	711	N	N	N	N	N	N	P	N	N	N
Museums, Historical Sites, and Similar Institutions (Article 11:7.23)	712	N	N	C	C	C	P	P	N	N	N
Amusement, Gambling, and Recreation	713	N	N	N	N	N	N	P	N	N	N
Golf Courses and Country Clubs (Article 11:7.24)	71391	P-N	P-N	P-C	P-C	N	P	P	N	N	N
Marinas (Article 11:7.24A)	71393	C-N	C-N	P-N	P	N	P	P	P	N	N
Gun Club and Skeet Ranges (Article 11:7.25)	713990	N	N	C	C	N	N	C	N	N	N
<b>Sector 72: Accommodation and Food Services</b>											
Accommodations	721										
Hotels and Motels	72111	N	N	N	N	N	P	P	N	N	N
Bed and Breakfast Inns (Article 11:7.26)	721191	C	C	C	C	P	P	P	N	N	N
Camps and Recreational Vehicle Parks (Article 11:7.27)	72121	N	N	C	C	C	C	C	N	N	N
Rooming and Boarding Houses, Dormitories, Group Housing	72131	N	N	N	N	N	P	P	N	N	N
Eating Places	7221-3	N	N	P	N	P	P	P	P	N	N
Fast Food Restaurants		N	N	N	N	N	P	P	P	N	N
Drinking Places	7224	N	N	N	N	N	N	P	N	N	N
<b>Sector 81: Other Services (except Public Administration)</b>											
Auto Repair and Maintenance (Article 11:7.27A)	8111	N	N	N	N	N	C	C	C	N	C
Personal and Laundry Services	812										
Personal Care Services (Article 11:7.28)	8121	N	N	N	C-N	P	P	P	P	N	N

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Funeral Homes and Services	81221	N	N	N	N	P	P	P	P	N	N
Cemeteries (Article 11:7.29)	81222	N	N	C	C	C	C	C	C	N	N
Crematories	81222	N	N	N	N	N	P	P	P	N	P
Laundry and Dry Cleaning Services	8123	N	N	N	N	N	P	P	P	N	P
Coin Operated Laundries/Dry Cleaning	81231	N	N	N	N	N	P	P	N	N	N
Pet Care Services (Except for Animal Shelters)	81291	N	N	N	N	N	N	P	P	N	N
Animal Shelters Only (Article 11:7.29A)	812910	N	N	C	N	N	N	P	P	N	N
Automotive Parking Lots and Garages	81293	N	N	N	N	N	P	P	P	N	P
Sexually Oriented Business (Article 17)	81299	N	N	N	N	N	N	C	N	N	N
All Other Personal Services	81299	N	N	N	N	N	P	P	N	N	N
Religious, Fraternal, Professional, Political, Civic, Business Organizations	813										
Religious Organizations	81311	P	P	P	P	P	P	P	P	N	N
All Other Organizations	8132-9	N	N	N	N	P	P	P	P	N	N
<b>Sector 92: Public Administration</b>											
Executive, Legislative, and General Govt.	921	N	N	N	N	P	P	P	P	N	P
Justice, Public Order and Safety	922	N	N	N	N	N	P	P	P	N	P
Courts	92211	N	N	N	N	N	P	P	P	N	P
Police Protection	92212	P	P	P	P	P	P	P	P	N	P
Correctional Institutions	92214	N	N	N	N	N	N	N	P	N	P
Fire Protection	92216	P	P	P	P	P	P	P	P	N	P
Administration of Human Resources	923	N	N	N	N	P	P	P	P	N	P
Administration Of Environmental Quality and Housing Program	924-5	N	N	N	N	N	P	P	P	N	P
Public Parks and Recreation	924120	P	P	P	P	P	P	P	P	N	P
Administration of Housing, Planning, CD Programs	925	N	N	N	N	P	P	P	P	N	P
Administration of Economic Programs	926	N	N	N	N	N	P	P	P	N	P
<b>Residential Uses</b>											
Site Built Housing											
Existing Single-Family Detached	NA	P	P	P	P	P	P	P	N	N	N
Single-Family Detached	NA	P	P	P	P	P	P	P	N	N	N
Second Single-Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	N	C	C	N	N	N	N
Duplexes (Sec 11:7.31)	N/A	N	N	N	N	C	C	C	N	N	N
Multi-Family Apartments ( Sec 11:7.31A)	N/A	N	N	N	N	N	C	C	N	N	N
Townhouses (Sec 11:7.32)	N/A	N	N	N	N	N	C	C	N	N	N
Patio Houses (Sec 11:7.33)	N/A	N	N	N	N	N	C	C	N	N	N
<b>Manufactured Housing (Article 12:9)</b>											

	NAICS	R	RRL	RP	RC	VC	CC	GC	ID	RE	MB
Residential Designed (Sec. 11:7.30B)	NA	P	N	P	P	C	C	N	N	N	N
Standard Designed (Sec. 11:7.30B)	NA	P	N	P	P	C	C	N	N	N	N
Second Unit, Family Member Only (Sec. 11:7.34)	N/A	C	N	C	N	C	C	N	N	N	N
<b>Family Estate</b>											
Existing Single-Family Detached (Sec. 11:7.35)	NA	C	N	C	N	C	C	C	N	N	N
Single-Family Detached (Sec. 11:7.35)	NA	C	N	C	N	C	C	C	N	N	N
Manufactured Housing, Residential Designed (Sec. 11:7.35)	NA	C	N	C	N	C	C	C	N	N	N
Manufactured Housing, Standard Designed (Sec. 11:7.35)	NA	C	N	C	N	C	C	C	N	N	N
<b>Accessory Uses to Residential Uses</b>											
Bathhouses and Cabanas	NA	P	P	P	P	P	P	P	N	N	N
Domestic Animal Shelters	NA	P	P	P	P	P	P	P	N	N	N
Non-Commercial Greenhouses	NA	P	P	P	P	P	P	N	N	N	
Private Garage and Carport	NA	P	P	P	P	P	P	P	N	N	N
Storage Building	NA	P	P	P	P	P	P	P	N	N	N
Swimming Pool, Tennis Courts	NA	P	P	P	P	P	P	P	N	N	N
Auxiliary Shed, Workshop	NA	P	P	P	P	P	P	P	N	N	N
Home Occupation (Article 11:7.36)	NA	C	C	C	C	C	C	C	N	N	N
Horticulture, Gardening	NA	P	P	P	P	P	P	P	N	N	N
Family Day Care Home	NA	P	P	P	P	P	P	P	N	N	N
Satellite Dishes, etc.	NA	P	P	P	P	P	P	P	N	N	N
<b>Accessory Uses to Non-Residential Uses</b>											
Buildings, Structures, Lift Stations, etc. (Article 11:7.37)	NA	N	N	C	C	C	P	P	P	N	C
Open Storage (Article 11:7.38)	NA	N	N	N	C	N	C	C	C	C	C
<b>Temporary Uses</b>											
All Temporary Uses; Non-Residential (Article 11:7.39)	NA	C	C	C	C	C	C	C	C	C	C
Temporary Accessory Dwelling Unit (Article 11:7.40)	NA	C	C	C	C	C	C	C	N	N	C

6:1.1. *Uses Permitted By-Right = P.* The letter "P" indicates that a use type is permitted by-right in the respective zoning district, subject to compliance with all other applicable regulations of this ordinance.

6:1.2. *Uses Subject to Conditions = C.* The letter "C" indicates that a use type is permitted in the respective zoning district only if it complies with the industry specific and sometimes case specific conditions of article 11 and all other applicable regulations of this ordinance and if approved in accordance with the review procedures set forth in article 11. A section number reference following a use category means the use must meet the additional conditions and requirements of the referenced section.

6:1.3. *Uses Not Allowed = N.* The letter "N" indicates that a use type is not permitted in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this ordinance.

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6:1.4. *New or Unlisted Uses.* Any uses found in the latest edition of the NAICS Manual but not listed in Table 1 above shall adhere to the allowed uses as listed in the next available high order category. Should the allowed uses be unspecified in any of the higher order categories, the DSR(s) shall be authorized to make a similar use interpretation in accordance with South Carolina Code of Laws Section 6-29-710.

Uses not listed in the NAICS Manual are identified by the letters "NA" (Not Applicable) in the NAICS column. If an application is submitted for a use type that is not listed as an allowed use in one or more zoning districts, the DSR shall be authorized to make a similar use interpretation.

6:1.5. *Reserved.*

6:1.6. *Accessory Uses.* A use which is naturally and normally incident and subordinate to the principal use of a structure or lot shall be permitted in all zones unless otherwise stated.

(Ord. No. 08-11, § 1, 5-5-08; Ord. No. 09-06, § 1, 2-2-09; Ord. No. 09-12, §§ 7, 9, 5-4-09; Ord. No. 09-28, § 1, 10-5-09; Ord. No. 11-09, § 1, 4-18-11; Ord. No. 11-24, §§ 3—5, 9-6-11; Ord. No. 12-03, § 1, 3-5-12; Ord. No. 12-16, § 1, 9-17-12; Ord. No. 2013-04, § 1, 4-1-13; Ord. No. 2015-18, § 1, 8-17-15; Ord. No. 2015-29, § 1, 9-21-15; Ord. No. 2015-26, § 1, 12-7-15; Ord. No. 17-13, § 1, 5-15-17; Ord. No. 2020-22, § 1, 10-5-20; Ord. No. 2020-24, § 1, 1-21-20; Ord. No. 2020-25, § 1, 2-3-20)

## **6:2. Affordable housing bonus.**

### **A. Affordable housing general standards.**

1. *Design.* Design shall conform to the following:

- a. The units shall be located in a random fashion throughout the development, and mixed in such a way that they blend with the character of the community. In multi-family developments, the designated units shall be mixed throughout the buildings.
- b. Exterior materials, details, style, landscaping, and other elements of the units that are visible shall be identical to those of the other units in the development.

2. *Control of units.* The units shall be regulated to ensure that they remain available as affordable units. The following are acceptable methods of regulation:

- a. Management may be by a private developer, nonprofit housing agency, or housing authority. The eligibility rules shall be reviewed and approved by the housing authority to ensure they meet state and federal requirements. Where there are no state or federal funds or programs involved, the housing authority shall review the pro forma to ensure the eligibility requirements match the cost reduction provided by the bonus.
- b. *Sales units.* These units may be sold subject to agreements that limit appreciation and that require the units to be sold to people eligible for such units. Appreciation shall be geared to the percentage increase in assessed value in the development.
- c. Nothing in subsection 2.a. or 2.b. of this section shall prohibit units to be sold to a housing authority or a recognized nonprofit, affordable housing corporation.
- d. *Rental units.* These units shall be rented only to eligible tenants based on the approved eligibility program.

### **B. Types of affordable housing bonuses.**

1. *Single-family cluster.* In a single-family cluster, the developer shall submit the site capacity calculations to establish the base density. The bonus shall be granted provided all requirements of this article are met, as well as the following conditions:

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- a. The bonus shall be permitted only when natural resources do not limit the density.
  - b. Fifty percent of the additional units shall meet the criteria of subsection 6:2.15.A.
  - c. A site plan shows the additional units being accommodated by.
    - (i) A revised set of lot standards which reduces lot area for all lots or uses several lot sizes; and/or
    - (ii) The amount of open space as required by this ordinance is maintained.
2. *Planned, community or multifamily developments.* Developers of these uses can propose up to a 20-percent increase in density maximums, which shall be granted, provided the requirements of this article are met. The actual bonus shall be determined by this section. The developer shall submit the site capacity analysis to establish the base density, as well as meet the following conditions:
- a. The bonus shall be permitted only when natural resources do not limit the density.
  - b. Fifty percent of the additional units shall meet the criteria of subsection 6:2.15.A.
  - c. A site plan showing the additional units being accommodated by any combination of the following:
    - (i) A revised mix of dwelling unit types. The developer may introduce a unit type that uses less land to partially achieve the increase in density.
    - (ii) The affordable units shall be mixed into all unit types used on the plan.
    - (iii) The amount of open space as required by this ordinance is maintained.

Example: Site capacity in a planned development permits 100 dwelling units. Use of the bonus would permit a total of 120 dwelling units, of which ten must be affordable units. The 100 base units would sell for \$180,000.00. The raw land cost, site development cost and profit on the lot would be 25 percent of the total or \$45,000.00 per lot. The building cost, including both hard costs and soft costs, would be \$80.00 per square foot or \$135,000.00 for a 1,688-square-foot house. The ten affordable units would be \$78.00 per square foot or \$109,000.00 for a 1,400-square-foot house. This represents a reduction of 39 percent which makes it very affordable when compared to the market housing. The developer's bonus is ten market units. Since there are 110 units to allocate over the cost of land and improvements of \$4,500,000.00, the ten-unit bonus in market units reduces the per-unit cost to \$40,909.00. If the site was a suburban planned development with a 1.83 gross density and 40 percent open space, it would have the following land allocation: 54.6 acres, of which 40 percent (21.9 acres) was open space, leaving 32.7 acres of buildable land. With about 15 percent streets, the average lot size would have been 12,100 square feet. The affordable project would have 120 units for a density of 2.19 dwelling units per gross acre. Open space would be reduced from 40 percent to 38.0 percent (20.7 acres), thus providing 33.9 acres for development and resulting in 120 lots of about 10,000 square feet each.

(Ord. No. 11-24, § 6, 9-6-11)

Editor's note(s)—Ord. No. 11-24, § 6, adopted September 6, 2011, amended section 6:2 in its entirety to read as herein set out. Formerly, section 6:2 pertained to conditional use regulations, and derived from Ord. No. 09-06, §§ 3—6, adopted February 3, 2009; Ord. No. 09-12, §§ 8, 10, adopted May 4, 2009; Ord. No. 09-28, § 2, adopted October 5, 2009, and Ord. No. 11-09, § 2, adopted April 18, 2011.