

ORDINANCE NO. _____

STATE OF SOUTH CAROLINA	)	AN ORDINANCE TO EXTEND THE
	)	BUILDING PERMIT ALLOCATION SYSTEM
COUNTY OF CHARLESTON	)	AND AMEND SECTION 156.070, <i>ET SEQ.</i> OF
	)	THE TOWN OF MOUNT PLEASANT CODE OF
TOWN OF MOUNT PLEASANT	)	ORDINANCES

WHEREAS, the Town of Mount Pleasant enjoys a strategic location in Charleston County, being in close proximity to public beaches and the central business districts of the larger cities of Charleston and North Charleston; and

WHEREAS, due to, among other factors, its convenient location and level of municipal services, the Town is a desirable place to live and work and has consequently experienced, and continues to experience, unprecedented and significant growth; and

WHEREAS, the Town of Mount Pleasant's population continues to increase at a rapid rate; and

WHEREAS, the effects of significant growth are apparent and have resulted not only in increased traffic, congestion and noise, but have also burdened the services provided and have required that the Town increase its workforce and purchase the necessary machinery and equipment in an effort to maintain acceptable levels of service; and

WHEREAS, the referenced growth poses a threat to public safety in that the Town's road system is barely capable of adequately handling current traffic volumes, a situation which only stands to worsen as more users access the system, be they new residents, visitors or those attempting to evacuate in the face of a hurricane or other natural emergency; and

WHEREAS, in an effort to address and manage the effect of its growth and to assure quality and well-designed development in the future, the Town of Mount Pleasant has commissioned and

adopted various studies and plans to assist in providing the required infrastructure and services to accommodate its citizenry in a cost-effective manner, without the necessity of unreasonable fee and tax increases; and

WHEREAS, the rate of growth has outpaced the rate by which the Town has been able to acquire necessary funding from the South Carolina Department of Transportation (SCDOT) to fund and install necessary infrastructure, especially roads; and

WHEREAS, if the Town of Mount Pleasant's population rate of growth is not adequately managed, the Town will be forced to either greatly increase ad valorem taxes to meet the resulting needs or allow the facilities of the Town to fall behind present levels of service; and

WHEREAS, the Town of Mount Pleasant is concerned about the overcrowded conditions of schools located in the municipality and the ability of the School Board to meet the demands of the Town's growth rate through planned acquisition of additional land for new schools or a capital budget for additional classroom infrastructure; and

WHEREAS, the adverse effects of growth and the costs associated therewith for infrastructure and services are primarily the product of residential development; and

WHEREAS, on January 11, 2019, Mount Pleasant Town Council enacted a building permit allocation system for the issuance of building permits for residential construction under Ordinance No.: 18097 and as further shown in Section 156.070, *et seq.* of the Mount Pleasant Code of Ordinances; and

WHEREAS, pursuant to Ordinance No.: 18097, the building permit allocation system was implemented for the Town of Mount Pleasant over a period of approximately five (5) years; and

WHEREAS, Mount Pleasant Town Council hereby determines that it is in the best interests of all the citizens of the Town to reimplement the building permit allocation system for an additional period of five (5) years in order to provide for orderly, managed, controlled growth, thereby enabling and facilitating the implementation of the Town's officially adopted plans and policies with respect to capital improvements, personnel, facilities and equipment, transportation improvements, other infrastructure improvements and upkeep, and levels of service with respect to the full range of municipal governmental involvement; and

WHEREAS, the public health, safety, economy, good order, appearance, convenience, morals, and general welfare require a harmonious, orderly and progressive development of land, and a temporary building permit allocation system is necessary and proper for the Town of Mount Pleasant to attain this end; and

WHEREAS, the Town of Mount Pleasant is committed to the appropriation of funds and the construction and installation of capital improvements during the period of the referenced permit allocation system; and

WHEREAS, in addition to the need to manage the rate of growth, it is evident that the allocation system must address the form and type of new development occurring during the program if the effort to accomplish the goals of the Town's Comprehensive Plan is to be successful; and

WHEREAS, in implementing this building permit allocation system, the Town has sought to devise a plan of distribution which recognizes and reasonably accommodates without undue delay prior expenditures and expectations of owners and developers of property, that allows all permit applicants a fair opportunity for a permit, that promotes a range of residential development

consistent with traditional residential development trends and that fosters the achievement of the goals adopted by Town Council in the Comprehensive Plan, but at a pace that allows for the capital improvements needed to maintain the coveted quality of life in the Town to be accomplished; and

WHEREAS, Mount Pleasant Town Council has the legal authority to enact a building permit allocation system for the issuance of permits for residential construction pursuant to the authority conferred by Chapter 29 of Title 6 of the Code of Laws of South Carolina, and otherwise known as the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 and the police powers of municipalities granted pursuant to the Constitution of the State of South Carolina and state legislation, including the Home Rule Act (Act No. 283 of 1975) and Section 5-7-30 of the Code of Laws of South Carolina; and

WHEREAS, the extension of this building permit allocation system was reviewed by the Mount Pleasant Planning Commission and, after receiving public input, certain recommendations were made to the Mount Pleasant Town Council; and

WHEREAS, a public hearing was held on December ____, 2023 concerning this building permit allocation system; and

WHEREAS, Mount Pleasant Town Council is empowered with the authority to amend the Mount Pleasant Code of Ordinances as deemed appropriate, and Council now believes it is in the best interest of the citizens of the Town to so with respect to Section 156.070, *et seq.* of the Mount Pleasant Code of Ordinances entitled *Building Permit Allocation System* as indicated below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Municipality of Mount Pleasant, in Council assembled, that the Building Permit Allocation

System, as provided in Section 156.070, *et seq.* of the Mount Pleasant Code of Ordinances, is hereby reimplemented for an additional five (5) year period from the date of this Ordinance.

BE IT FURTHER ORDAINED that Section 156.070, *et seq.* of the Mount Pleasant Code of Ordinances is hereby amended to specifically read as follows:

For all changes new language and symbols shall be underlined and removed language and symbols shall be represented by a strikethrough. Any other language contained in Section 156.070, *et seq.* not otherwise addressed below shall remain in full force and effect.

§ 156.072 PURPOSE AND INTENT.

...
(2) ~~According to U.S. Census Bureau data and Mount Pleasant's estimates, the town's population increased by 19.07% from 2012 to 2017. The average annual population growth during that period was 3.54%. The chart below indicates the annual growth in dwelling units over the last five years;~~

Year	Increase in Dwelling Units	Growth Rate
2013	1,232	3.84%
2014	1,142	3.43%
2015	1,003	2.91%
2016	1,377	3.88%
2017	1,218	3.23%

...
§ 156.076 PERMIT ALLOCATIONS.

(A) *Dwelling unit types.* The number of new dwelling units allocated for the duration of this program shall be managed using different categories of dwelling unit types, with categorical limits on the respective number of permits.

...
(3) *Category C, Multi-family Dwelling.* ~~Over the expected five-year length~~ During the term of the program, a total number of permits shall be made available for the construction of buildings meeting the definition of "Multi-family Dwelling." This category is independent of the form of ownership and includes units known as "condominiums" and/or in a "horizontal property regime" as defined by state law.

...
(B) *Established allocations and limitations on number of applications.*

(1) Exclusive of the dwelling units already allowed by the Carolina Park and Liberty Hill Farms development agreements, the annual number of available residential permits is established at a total of 600 dwelling units to yield a more manageable average annual growth rate ~~of approximately 2.1% over the duration of this program.~~ Annual allocations for Categories A and B are provided in Table 1. The number of multi-family allocations for the duration of the program and the total allocation for all unit types is illustrated in Table 2.

...

Table 1: Dwelling Type Categorical Allocations, 2019-2024 2024-2029			
	January–June	July–December	Annual Total
Single Family Dwelling Units	240	240	480
Accessory Dwelling Units	10	10	20
Totals	250	250	500

Table 2: Program Totals, 2019-2024 2024-2029	
Single Family Dwelling Units	2,400
Accessory Dwelling Units	100
Multi-family Dwelling Units	500
Total	3,000

...

§ 156.079 EXEMPTIONS.

...

(B) *Affordable housing units.* For purposes of this system, housing units to provide dwellings for either low income or lower income employees in the workforce are not included in the allocation specified in this section and are in addition to the number of annual permits regulated by this section.

...

(3) ~~Based upon the FY 2018 income limits and maximum sales prices for low income families and owner-occupied dwelling unit established by the U.S. Census Bureau, the U.S. Department of Housing and Urban Development (HUD), and the Fannie Mae Foundation the maximum sales price of \$212,795 for low income families or ranging between \$212,795 and \$315,313 for an owner-occupied dwelling unit is~~ shall be used to determine the provision of low income or lower income workforce housing. The maximum sale price shall be updated yearly, commencing in 20202023, as the current U.S. Department of Housing and Urban Development income limits become available.

...

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING.

SIGNED, SEALED AND DELIVERED THIS ____ DAY OF _____, 2023.

J.W. Haynie, Mayor
Town of Mount Pleasant

Attest:

Christine Barrett
Clerk of Council

_____, 2023
Mount Pleasant, SC

Introduced: _____, 2023
Final Reading: _____, 2023

APPROVED AS TO FORM:

David G. Pagliarini
Corporation Counsel