COLLEGE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING AGENDA
Tuesday, January 2, 2024
7:00 PM
Hybrid Meeting (In-Person or via Zoom)

General Meeting Information
College Township offers both in-person and virtual meeting attendance for all public meetings. To attend in-person, meetings will be held at 1481 E. College Avenue, State College PA, 16801, 2nd floor meeting room. To attend virtually, please see the information below.

To Attend the LIVE Meeting Via Zoom on Computer or Smart Phone:
• Click here to REGISTER for the meeting via Zoom. Once registered, you will receive a confirmation email containing information about joining the meeting.

To Attend the LIVE Meeting Via Phone:
• Dial: 1 (646) 558-8656 ● Meeting ID: 891 6386 8148 ● Passcode: 025558

*Click Here for detailed instructions on how to participate via zoom.

VIRTUAL PUBLIC COMMENTS: Please use the raised hand feature to participate. The moderator will recognize those with their hands raised (either by name or phone number).

WRITTEN PUBLIC COMMENTS: For specific Planning Commission agenda items and for items not on the agenda, written public comments may be submitted in advance by emailing smeyers@collegetownship.org by noon the day of the meeting.

CALL TO ORDER:

ZOOM MEETING PROTOCOL:

REORGANIZATION: To be chaired by chosen staff member

OPEN DISCUSSION (items NOT on the agenda):

CONSENT AGENDA: CA-1 December 19, 2023 Meeting Minutes (Approval)

OLD BUSINESS: OB-1 Chalk Talk – Workforce Housing – Adam Brumbaugh

OTHER MATTERS:

ANNOUNCEMENTS: Next regular meeting will be Tuesday, January 16, 2024 at 7:00pm

ADJOURNMENT:
Acting Chair to call the meeting to order, then turn the meeting over to a chosen staff member present. Said staff member will run the reorganizational meeting, beginning with calling for nominations for chair, and so on.

**Chair:** Motion to nominate, close nominations, motion to elect

**Vice-Chair:** Motion to nominate, close nominations, motion to elect

**Secretary:** Motion to nominate, close nominations, motion to elect

**Centre Regional Planning Commission Representative:** Motion to nominate, close nominations, motion to elect

**Centre Regional Planning Commission Representative Alternate:** Motion to nominate, close nominations, motion to elect

**College Township Council Representative:** Motion to nominate, close nominations, motion to elect

**College Township Council Representative Alternate:** Motion to nominate, close nominations, motion to elect

Meeting to resume as scheduled, chaired by newly-elected Chair.
COLLEGE TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING MINUTES
In Person and Via Zoom
December 19, 2023 7:00 p.m.
1481 East College Avenue, State College, PA 16801
www.collegetownship.org

PRESENT:
Ray Forziat, Chair
Ed Darrah, Vice Chair
Peggy Ekdahl, Secretary
Matthew Fenton
Robert Hoffman
Noreen Khoury
Bill Sharp
Ash Toumayants, Alternate

STAFF PRESENT:
Don Franson, P.E., P.L.S., Township Engineer
Lindsay Schoch, AICP, Principal Planner
Mark Gabrovsek, Zoning Officer
Sharon Meyers, Senior Support Specialist – Engineering/Planning

CALL TO ORDER: Mr. Forziat called the meeting to order at 7:00 p.m.

ZOOM MEETING PROTOCOL: Mr. Forziat verified there were no people present via Zoom so protocol was not reviewed.

ROLL CALL: Mr. Forziat verified all members were present.

OPEN DISCUSSION: None presented.

CONSENT AGENDA:
CA-1 November 21, 2023 PC Meeting Minutes
Mr. Darrah moved to approve the November 21, 2023 meeting minutes as written. Mr. Fenton seconded. Motion carried unanimously.

PLANS: None presented.

OLD BUSINESS:
OB-1 Dale Summit Area Planning
Ms. Schoch introduced the topic and plan for moving forward. In early 2024 the review of two substantial documents, the Dale Summit Area Plan and draft Dale Summit Form Based Code, will begin. There is a tentative joint meeting with Council and PC set for some time in January. This meeting will discuss the Dale Summit Area Plan, revisit past actions, review updates made by DPZ CoDesign,
confirm the vision statement and implementation strategies are consistent with expectations. A second joint meeting with Council and PC is anticipated for February or March 2024, to discuss an overview of site analysis, the draft Dale Summit Form Based Code, and establish an order of review. The goal at the end of the two joint meetings is for all members of Council and Planning Commission to have a foundational understanding of the documents and process.

Staff asked that the Planning Commission review the proposed focus areas and meeting objectives for both joint meetings and offer any recommendations or potential revisions. The Planning Commission requested the Dale Summit Area Plan and Form Based Code be provided prior to any joint meetings with Council. Ms. Schoch stated she anticipates the documents should be delivered electronically on December 22nd to both Council and Planning Commission pending Council’s review of the memorandum provided to Planning Commission this evening.

After much discussion the Planning Commission decided the timeline is not suitable in addition to the recent remand from Council for the Workforce Housing Ordinance. They asked the liaison, Mr. Hoffman, to have Council prioritize Workforce Housing or Dale Summit Area as each will need the Planning Commission’s undivided attention. Most members agreed with the process set forth in the memorandum, however, they did not agree with the proposed timeline.

**NEW BUSINESS:**

**NB-1 2023 DRAFT Annual Report**

Mr. Hoffman suggested adding a recording date to the plan inventory table. The Planning Commission thanked staff for an informative and well composed review of the year.

**REPORTS:**

**R-1 DPZ CoDesign Update**

No further discussion.

**R-2 Council Meeting Update**

No further discussion.

**STAFF INFORMATIVES:**

**SI-1 Affordable Housing Crisis Article**

No further discussion.

**SI-2 Zoning Bulletins**

Mr. Forziat stated that these bulletins are very informative and the Planning Commission may be interested in the number of law suits across the country relating to conditional uses. He added that there was an interesting article he would like to discuss with the Zoning Officer and Mr. Gabrovsek’s opinion at a later time.

**SI-3 December EZP Update**

No further discussion.

**OTHER MATTERS:**

Mr. Forziat asked if there are any plans coming in the near future to the Planning Commission. Ms. Schoch stated 320 Struble Road Building Addition was recently submitted and should be presented to the Planning Commission in January. There was also some discussion of the property along Squirrel Drive across from Aspen Heights, the Geisinger property on Scenery Drive, and the Casino project.
ANNOUNCEMENTS: Mr. Forziat announced the next meeting will be the Planning Commission reorganization meeting on Tuesday, January 2, 2024 at 7:00 p.m. He added for those traveling, to be safe over the holidays. Mr. Forziat also thanked Mr. Sharp for his service as a valued member of the Planning Commission and wished him the best in his future endeavors, he will be missed.

ADJOURNMENT: Mr. Sharp moved to adjourn the meeting. Mr. Darrah seconded. Motion carried.

Meeting adjourned at 8:32 p.m.

**Draft**

Sharon E. Meyers
Senior Support Specialist – Engineering/Planning
At our meeting on December 21st, Council took time to review and craft the following responses to Planning Commission’s questions on the attached Workforce Housing Ordinance Remand Letter.

Planning Commission should consider these responses as an addendum to the Remand Letter and utilize them during the development of your recommendations on the Workforce Housing Ordinance during the first quarter of 2024.

For additional context on the responses below, it is also advised that Planning Commission watch the CNET recording of Council’s meeting. Council’s discussion on this topic begins at 1:04.38 mark of the video.

1. How does the Township plan to offer realistic incentives to developers and bankers to construct single-family workforce housing?

As stated in the remand letter, ensuring that our workforce has access to affordable housing is a key policy of this Council and it will be implemented through the Workforce Housing Ordinance. While Council understands the economic realities associated with development, crafting an ordinance and its incentives to accommodate the needs of developers or bankers would be somewhat inappropriate. Instead, the first focus during ordinance development should always be on how these regulations aid in meeting the needs of the community.

As such, Council had previously decided to make this an inclusionary ordinance. This means that any development proposals meeting the density thresholds identified within the ordinance are required to provide a certain percentage of workforce housing units or, if authorized by Council, provide a fee-in-lieu, land donation or build affordable units at an offsite location.

In this case, two more appropriate question that will need answered during PC review of the ordinance are:

1) What are appropriate incentives that the Township could offer within the ordinance to ensure the development of more workforce housing units?

2) What revisions are needed within the ordinance to ensure that provision of workforce housing can take the form of either owner occupied units or rental units?
In terms of incentives, the first incentive offered in the current ordinance (§ 200-38.4.B) is that of increased development density. This incentive, which should remain in place, comes with the requirements (and cost) for provision of workforce housing units.

Beyond the density incentive, the ordinance currently provides a number of incentives that reduce site design and infrastructure requirements. These incentives pre-date the conversion of the ordinance to inclusionary in nature and were initially offered to encourage development of workforce units. Council believes these to be outdated incentives that, if utilized, result in development of properties with inequitable basic amenities.

Council is interested in any recommendations that Planning Commission may have related to potential incentives that support development of additional workforce housing units without sacrificing basic infrastructure amenities, such as sidewalks or parkland.

The second question dealing with the option of owner-occupied or rental units, is quite possibility more important than incentives. During its initial development, the workforce housing ordinance only briefly touched on rental unit development, because at the time, affordable rental units were not considered a primary need area. However, in today’s market, affordable rental units may be equally, or even more important and successful than owner-occupied units. Proof of this concept are the 28 rental units within the Aspen Heights complex. At the time of writing, 24 of those units have already been occupied by renters meeting the workforce definition.

2. Regarding Owner-Occupied Units, how do we maintain the 60-120% Area Median Income (AMI) in resale?

Affordability is safeguarded for a 30-year period of affordability though deed restrictions on owner-occupied properties, and through developer agreements for rental properties.

College Township ensures that land development plans include a note addressing any required workforce housing units or other provisions for workforce housing.

The Township also maintains a Memorandum of Understanding with the Centre County Housing and Land Trust (CCHLT) for the management of all required workforce housing units. On behalf of the Township, the CCHLT conducts income verification on units and monitors the period of affordability.

3. Clarify Bullet #1 to recognize social-economic diversity of neighborhoods. What does this mean in more detail?

To clarify Bullet #1 under the Intent Statement, Council is seeking development of communities that are comprised of individuals with varying socioeconomic statuses. Some factors contributing to socioeconomic status include income and education levels and occupation. The goal is to ensure that new development in College Township is not narrowly focusing on any one socioeconomic class, but is instead fostering inclusive neighborhoods. Inclusive neighborhoods provide equitable opportunities for individuals to have affordable housing that is proximate to their respective places of work.

For Planning Commission’s purposes, it is important to note that this Intent Statement is the reflection of a policy ideal that Council would like to see the ordinance achieve. There is no need to attempt to craft regulations specific to elements of socioeconomic status. Instead, Planning Commission should try to ensure that the ordinance allows for the provision of diverse housing types that have a variety of price points.
### 4. How do we prepare for changes in the AMI?

Area Median Income is a statistical measure used to assess the relative income levels and economic conditions within a specific geographic area. The Department of Housing and Urban Development (HUD) establishes AMI on an annual basis and uses it as a benchmark to determine income limits for various housing assistance programs.

AMI has not historically been a dynamic, rapidly changing measure. Nevertheless, College Township, through its relationship with CCHLT, will need to continuously monitor for any changes to the AMI by HUD and adjust the AMI thresholds within the ordinance, as needed, to accommodate any relevant annual increases or decreases.

### 5. Does College Township have any percentage in mind for amount of workforce housing in the Township? What is your goal in the next few years?

While the intent of the ordinance is to facilitate the provision of affordable and attainable rental and owner-occupied workforce housing options within College Township, Council does not have any preconceived percentages or a specific target for number of workforce housing units to be developed over time.

However, Council has stated its intention to conduct periodic “after action” reviews of the effectiveness of the ordinance in aiding the creation of new affordable housing units. These reviews are intended to help both Council and Planning Commission in setting general benchmarks for the percentage or number of units created through implementation of the ordinance during future land development approval processes.

Council will entertain any additional recommendations that Planning Commission wishes to provide on this topic.

### Next Steps:

Township Manager Adam Brumbaugh will be providing a presentation at the Planning Commission’s next meeting on January 2, 2024. This presentation is intended to provide Planning Commission with the following:

- A broad understanding of the current ordinance and its implementation;
- Identification of some of the issues or items lacking within the current ordinance; and,
- A course of action to aid in development of Planning Commission’s recommendations.

*End of memo.*
MEMORANDUM

To: College Township Planning Commission

From: Dustin Best, Council Chair

Re: Council Remand: Workforce Housing Ordinance

Date: November 16, 2023

OBJECTIVES:

As a practice, Township Staff provides Council with periodic reviews of both the interpretation and application of pertinent ordinances. This exercise is done to ensure these ordinances meet their desired intent and continue to be appropriate for current community development needs. The most recent ordinance to undergo such a review is Chapter 200 Zoning, Section 38.4, Workforce Housing Ordinance.

Ensuring that our workforce has access to affordable housing is a key policy of this Council. This ordinance’s application is intended to do so in a way that provides a meaningful impact on the community and economic development needs of both College Township and the Centre Region.

Council is appreciative of Planning Commission’s experience and expertise. As such, we are remanding the Workforce Housing Ordinance with the intent that Planning Commission will take their time and offer careful consideration on both the “why” and “how” behind the ordinance’s eventual application. Council is providing the following Objectives that are to be addressed during the development of any recommendations pertaining to the ordinance:

<table>
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<tr>
<th>Objectives:</th>
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<tbody>
<tr>
<td>1) Ensure that current ordinance and any recommended revisions thereof are both consistent and upholding of the new Purpose and Intent Statements.</td>
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<tr>
<td>2) The current ordinance addresses development of both rental and owner-occupied workforce housing, but does not provide a clear distinction in terms of ordinance implementation between those two specific housing types.</td>
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<tr>
<td>Evaluate and, where appropriate, provide recommendations on how to better provide for separate, but parallel, paths for development of rental and owner-occupied workforce housing units under the ordinance.</td>
</tr>
<tr>
<td>3) The Area Median Income (AMI) in the region has increased over the past two years, which has a direct impact on the development of units for the targeted demographic and overall implementation of the ordinance.</td>
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<tr>
<td>Review the current AMI data and application of ranges within the Workforce Housing Ordinance to ensure that it is appropriately allowing for development of units for the targeted demographic in both the rental and owner-occupied paths.</td>
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<tr>
<td>4) When originally adopted, the ordinance was crafted to offer incentives in terms of reductions in open space requirements and necessary infrastructure to encourage development of workforce housing units. However, when the ordinance was amended to become inclusionary, the incentives remained without any revisions.</td>
</tr>
<tr>
<td>Review the incentives outlined in the current ordinance and offer recommendations on whether those incentives should be altered given the ordinance’s inclusionary nature and goal to ensure that neighborhoods remain equitable in terms of basic amenities.</td>
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The balance of this remand letter will serve to provide Planning Commission additional context on the newly developed Purpose and Intent Statements and provide a recommended process to aid in completion of the Objectives.

PURPOSE & INTENT STATEMENTS:
While the intent was implied during the original passage of the Workforce Housing Ordinance in 2009 and its subsequent amendment, it is nevertheless notable that the current ordinance is lacking both a Purpose and Intent Statement.

As with the revisions to the Residential Rental Ordinance, College Township Council recently established the new Purpose and Intent Statements below for the Workforce Housing Ordinance:

<table>
<thead>
<tr>
<th>Purpose Statement:</th>
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<tbody>
<tr>
<td>Consistent with College Township’s adopted Vision, Mission, and Goals Statements, the purpose of the Workforce Housing (Section 200.38.4) of the Zoning Ordinance is to establish and maintain housing affordability within College Township.</td>
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<table>
<thead>
<tr>
<th>Intent Statement:</th>
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<tr>
<td>The Intent of the Workforce Housing segment (Section 200.38.4) of the Zoning Ordinance is to:</td>
</tr>
<tr>
<td>1) Recognize the importance of socioeconomic diversity in nurturing more inclusive and dynamic neighborhoods.</td>
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<tr>
<td>2) Facilitate the provision of affordable and attainable rental and owner-occupied workforce housing options within College Township.</td>
</tr>
<tr>
<td>3) Place a strong emphasis on crafting sustainable, enduring solutions to housing challenges, including the implementation of long-term affordability requirements.</td>
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<tr>
<td>4) Foster collaborative efforts with neighboring municipalities to establish regional consistency in workforce housing ordinances.</td>
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<tr>
<td>5) Promote private sector investments in affordable housing through partnerships between local government and private developers aimed at constructing affordable housing units.</td>
</tr>
<tr>
<td>6) Implement incentives to promote the creation and maintenance of workforce housing.</td>
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<tr>
<td>7) Safeguard rental and owner-occupied workforce housing options within the community, enabling individuals and families with moderate to middle incomes* to reside proximate to their workplaces. *Specific targeted ranges to be determined for both rental and owner-occupied options, but will likely fall somewhere between 65-120% AMI.</td>
</tr>
<tr>
<td>8) Continuously monitor the Housing and Urban Development (HUD) Area Median Income (AMI), adjusting the AMI thresholds in the ordinance to accommodate annual increases or decreases.</td>
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RECOMMENDED PROCESS:
Recognizing the complexity of both the topic of this ordinance and the work being requested through this remand letter, Council suggests the following review tasks be undertaken prior to commencing work on the Objectives:

<table>
<thead>
<tr>
<th>Suggested tasks to be completed prior to ordinance evaluation:</th>
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<tbody>
<tr>
<td>1) Review the Purpose and Intent Statements as developed by Council and seek clarification from Council as needed.</td>
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<tr>
<td>2) Review the specific terms and definitions applicable within the current ordinance and consider new definitions that should be incorporated.</td>
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<tr>
<td>3) Conduct a detailed review the “continuum of affordable housing” to fully understand the distinctions between attainable, affordable and workforce housing.</td>
</tr>
<tr>
<td>4) Review the various applications of Area Median Income (AMI) as it pertains to the respective segments of the continuum of housing. Please note that Council is targeting this ordinance toward development of units for the workforce or “missing middle” demographic.</td>
</tr>
<tr>
<td>5) Review the definition of “inclusionary” and how it applies to College Township’s Workforce Housing Ordinance.</td>
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</tbody>
</table>
**SCHEDULE:**
Upon completion of the recommended review tasks outlined above, Council requests that Planning Commission and staff begin working on the Objectives as outlined on Page 1 of this letter with the goal to provide recommendations on the Workforce Housing Ordinance prior to end of the first quarter of 2024.
§ 200-38.4 Workforce housing.


Zoning requirements for applicable residential developments may be reduced, as follows, upon the provision of workforce housing within a development:

A. Applicability. The regulations contained herein shall apply upon the designation of dwelling units as workforce housing and shall be applicable as follows:

1. General. A developer(s) of residential dwelling units shall receive regulatory relief from zoning and/or subdivision of land regulations as an incentive for providing workforce housing dwelling units. Such relief shall be based upon the type and amount of dwelling units designated as workforce housing in accordance with the regulations contained in this section.

2. Mandatory requirement.

(a) For those developments where the residential density is five or more dwelling units per acre, the provision of workforce housing is required. A development which exceeds this density threshold shall designate a percentage of its total dwelling units as workforce housing units in accordance with the minimum levels listed in the table below:

<table>
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<tr>
<th>Density of Proposed Development (dwellings per acre)</th>
<th>Percentage of Required Workforce Housing Units*</th>
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<tbody>
<tr>
<td>5 to 5.99</td>
<td>5%</td>
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<tr>
<td>6 to 6.99</td>
<td>6%</td>
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<tr>
<td>7 to 7.99</td>
<td>7%</td>
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<tr>
<td>8 to 8.99</td>
<td>8%</td>
</tr>
<tr>
<td>9 to 9.99</td>
<td>9%</td>
</tr>
<tr>
<td>10 or more</td>
<td>10%</td>
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</tbody>
</table>

* Reflects a percentage of the total number of dwelling units within a development that are to be designated as workforce housing. In case of a fraction, the required number of units shall be rounded to the next highest whole unit.

(b) Developers can exceed the minimum levels of mandatory workforce housing listed above and shall receive any additional incentives in accordance with the regulations below.
(c) Any residential development which proposes 10 or less dwelling units shall be exempt from this mandatory requirement.

(3) Calculation of density. To determine residential density, the following shall apply:

(a) Density of a development containing residential dwelling units shall be equal to the number of the proposed dwelling units divided by the gross site area inclusive of proposed rights-of-way or any other portion of the site to be dedicated to the Township or homeowners' association.

(b) For the purposes of this section, only those residences which meet the definition of applicable residential dwellings in Subsection B below shall be used to calculate the total number of dwelling units within a development.

(c) The residential density within a planned residential development shall not include areas devoted to nonresidential uses as noted in § 145-17B.

B. Incentives. The incentives provided to a residential developer are on a per-dwelling-unit basis unless otherwise noted within the regulations. The incentives offered below will differ depending on the type of dwelling that is being designated as workforce housing.

(1) Single-family house and duplex. All single-family houses, duplexes and/or any other structure containing two or less dwelling units in which at least one is designated as workforce housing shall be permitted to the following regulatory reductions:

(a) Minimum lot size and density: 5,000 square feet per dwelling unit or that permitted under existing zoning, whichever is less with one exception: In the Single-Family Residential Zoning District (R-1), only those lots two acres or greater in size can be developed with multiple duplexes not to exceed a density of seven dwelling units per acre. This calculation shall be inclusive of all land proposed for development including all proposed rights-of-way, parkland/open space areas, stormwater management facilities, and the like. [Amended 9-15-2016 by Ord. No. O-16-05]

(b) Minimum lot width: 40 feet per unit.

(c) Maximum impervious coverage: 55%.

(d) Side setback. The side yard setback for a lot containing workforce housing dwelling unit(s) may be reduced to seven feet. Side yard setbacks may also be reduced to seven feet for market-rate housing units for those side yards that directly abut lots containing workforce housing dwelling units.

(e) Parkland and open space requirements. The parkland and open space requirements of § 180-26B may be waived for dwelling units designated as workforce housing. Those subdivisions or land developments which thereby reduce the parkland and open space requirements by more than 50% shall only be permitted to do so under the following conditions:

[1] All workforce housing units within the residential development will have safe, reasonable access via sidewalks, paths or bike paths to parkland or open space located within or near the subject residential development.

[2] No workforce housing unit shall be more than 1/4 mile from parkland or open space in or near the subject development as measured between the two closest points of property lines of the workforce housing unit and park or open space perimeter.

[3] For the purposes of this Subsection B(1)(e) of § 200-38.4, parkland and open space shall be considered as that designated as "existing parks" or "recreation land owned by others" and available for public use. In addition, land owned by the State College Area School District may also be considered as parkland.
and open space if such land contains recreation facilities that can be used by the public.

(f) Sidewalk. The amount of sidewalks required pursuant to § 180-16.1 may be reduced in an amount equal to the total street frontage of all lots containing dwelling units defined as workforce housing units pursuant to the following:

NOTE: See also §§ 180-16, Streets, and 180-16.1, Sidewalks.

[1] The reduction may take place anywhere within the subdivision or land development containing workforce housing units.

[2] Any collector or arterial streets within the residential development should have a sidewalk on both sides of the street. All other streets (public or private) shall have a sidewalk on at least one side of the street.

[3] Sidewalks shall provide access to any parkland, open space or school within or adjacent to the development.

[4] In instances where a development of single-family houses and/or duplexes developed with multiple dwellings on a single lot in which the development contains workforce housing units, the reduction in sidewalks shall be calculated as follows:

[a] The reduction in required sidewalk may be in an equal proportion to the percentage of the total proposed dwelling units which are designated as workforce housing.

[b] Regardless of the amount of sidewalk permitted to be reduced as calculated above, a sidewalk shall be provided along an adjacent public street as noted above in § 200-38.4B(1)(f)[2] and [3].

[5] The sidewalk reduction is not guaranteed upon the provision of workforce housing. Approval of such reduction by Council will be based upon ability to meet the conditions set forth § 200-38.4B(1)(f)[2] and [3].

NOTE: See §§ 180-16, Streets, and 180-16.1, Sidewalks.

(g) Additional bonus. The reduced lot requirements noted in § 200-38.4B(1)(a) through (e) above may also be applied to market-rate housing units in addition to that of the designated workforce housing units based on the following ratios or fractions thereof rounded to the nearest whole number:

[1] For every two workforce housing units which are affordable to those households with incomes between 80% to 100% of AMI, one market-rate housing unit shall be permitted to have similar lot requirements noted above in § 200-38.4B(1)(a) through (e).

[2] For every one workforce housing unit which is affordable to those households making less than or equal to 80% of AMI, one market-rate housing unit shall be permitted to have similar requirements noted above in § 200-38.4B(1)(a) through (e).

(h) Accessory dwellings. Single-family houses designated as workforce housing may be permitted to contain accessory dwellings pursuant to § 200-11A(1). If the accessory dwelling unit is to be rented, than the anticipated income from renting the accessory dwelling unit shall be included in calculating a household's total income when certifying income of potential buyers of a workforce housing unit.

(2) Townhouse and multifamily units. All townhouse, multifamily units and/or any other structure containing three or more dwelling units in which some or all are designated as workforce housing units shall be permitted to the following regulatory reductions:

(a) Maximum impervious coverage. The maximum impervious coverage for a development containing
workforce housing units may be increased above that permitted in the zoning district by an amount equal to the total gross floor area of those units designated as workforce housing units. However, in no instance shall the impervious coverage exceed 55%, regardless of the number of workforce housing units.

(b) Parkland and open space requirement. The parkland and open space requirements of § 180-26B shall be waived for all townhouse and multifamily dwelling units designated as workforce housing. Those subdivisions or land developments which thereby could reduce the parkland and open space requirements by more than 50% shall only be permitted to do so in the same manner as that allowed for single-family houses and duplexes as noted in § 200-38.4B(1)(e).

(c) Occupancy limit. The occupancy of unrelated individuals as established in § 200-11Z may be increased from three to five individuals as follows:

[1] For each unit designated as workforce housing, one unit in the development may be permitted to have up to five unrelated individuals residing within it.

[2] The unit which is permitted to have the increased occupancy, as noted above, does not have to be designated as workforce housing and can be located anywhere within the residential development containing the workforce housing.

(d) Permitted height. The permitted height of a building may be increased by 10 feet above that permitted in the zoning district regulations, if the building contains either two dwelling units or 10% of the total dwelling units, whichever is greater, are designated as workforce housing.

(3) Planned residential developments. The workforce housing regulations herein are also applicable to planned residential developments as permitted in Chapter 145, Planned Residential Developments, with the following incentives:

(a) Maximum building coverage. The total ground floor area of all buildings and structures shall be permitted to exceed 30% of the total land area of the planned residential development in a manner equal to an increase of coverage by 1% for every 1% of total number of dwelling units which are designated as workforce housing. However, regardless of the number of dwellings designated as workforce housing, the total building coverage shall not exceed 40% of the total land area of a planned residential development.

(b) Maximum total impervious coverage. The maximum impervious surfaces shall be permitted to exceed 50% of the total area of the planned residential development in a manner equal to an increase of impervious coverage by 1% for every 1% of the total number of dwelling units which are designated as workforce housing. However, regardless of the number of dwellings designated as workforce housing, the total impervious coverage shall not exceed 60% of the total planned residential development.

(c) Open space. The minimum amount of open space required in § 145-18A may be decreased below 30% of the total area of the planned residential development in a manner equal to a decrease of 1% for every 1% of the total number of dwelling units which are designated as workforce housing. However, regardless of the number of dwellings designated as workforce housing, the total open space required may not be decreased beyond 20% of the total area of the planned residential development.

(d) Additional bonus. The maximum amount of land devoted to nonresidential uses within a planned residential development shall be permitted to exceed 20% in a manner equal to an increase in nonresidential land by 1% for every 1% of the total number of dwelling units which are designated as workforce housing for households earning less than 80% of the area median income. However, regardless of the number of dwellings designated as such, the maximum area of land devoted to nonresidential uses shall not exceed 30%.
C. Provision of workforce housing. All workforce housing units proposed in a land development and/or subdivision are required to be built on site covered by such plan unless one of the following options enumerated below is utilized. In such instances, the developer shall continue to retain the incentives applied to on-site development for the number of workforce housing units being provided for under the options listed below:

1. Fee in lieu. An applicant may pay a fee in lieu of constructing some or all of the workforce housing units which it is receiving incentives for given the following regulations:

   (a) College Township Council shall establish by resolution the amount of the fee-in-lieu payment per unit, which shall be based on actual construction costs and inclusion of land purchase costs.

   (b) To determine the total fee-in-lieu payment, the per-unit amount established by the Township shall be multiplied by the number of workforce housing units otherwise required to be constructed or as desired by the developer to be eligible for the incentives.

   (c) The Township shall be required to establish and administer a workforce housing fund into which all fee-in-lieu payments shall be deposited. The Township shall then be required to use such funds to further its mission of providing workforce housing as defined herein.

2. Land donation. Land within College Township may be donated to the Township or its designee in place of workforce housing dwelling units being built within a proposed development pursuant to the following:

   (a) The value of the land must be equal to or greater than the value of the fee-in-lieu payment noted above in Subsection C(1) to be calculated as follows:

      [1] The value of the land will be determined by an appraisal completed by a certified appraiser. Each party (developer and the Township) shall submit an appraisal.

      [2] If the lower appraised value is 90% or greater of the other appraisal, the two appraised values shall be averaged.

      [3] If the lower appraisal value is less than 90% of the other appraisal, then each appraiser shall, within 15 days of notice from the Township, agree on a third appraiser, the cost of which is to be shared equally by the Township and the developer. Within 30 days of notice of his appointment, the third appraiser shall submit an appraisal. The middle of the three appraised values shall be used to determine the value of the land to be donated.

      [4] If both the Township and the developer agree, the requirement for the appraisal process above in whole or in part may be waived upon mutual agreement between the Township and the developer.

   (b) The land to be donated must meet all applicable zoning, land development and subdivision requirements to construct the desired type and amount of units.

   (c) The land donation must occur prior to the completion of the market-rate units. The certificate of occupancy will be withheld pursuant to the requirements of Subsection D(1) below until the land donation occurs.

3. Off-site development (new dwellings). Workforce housing units otherwise required to be constructed or as desired by the developer to be eligible for the incentives listed above may be constructed off site given the following regulations:

   (a) Location. The dwelling units to be utilized to satisfy the workforce provisions shall be located within College Township.
(b) Number of. The total number of units provided off site shall be equal to those which would have been provided on site.

(c) Approval. The applicant must obtain off-site development plan approval from the Township at the same time the applicant obtains plan approval for the proposed market-rate units within the covered development. The off-site development plan must include, among other land development plan requirements, documentation of site control, necessary financing in place to complete the off-site development, architectural designs and elevations, and any other documentation deemed necessary by the Township to ensure compliance with the regulations contained herein.

(d) Each of the off-site dwellings designated as workforce housing shall meet all of the supplemental regulations stipulated in § 200-38.4D.

(4) Existing dwellings. A developer may designate dwelling units which have already been constructed as workforce housing units to meet his obligation (whether voluntary or mandatory) to obtain the incentives listed in § 200-38.4B for a particular development. Such off-site, existing dwelling units shall meet the regulations listed above in § 200-38.4C(3) and the following additional regulations:

(a) The units must be inspected and rehabilitated to meet current building codes.

(b) The proposed dwellings to be designated as workforce housing units shall be considered market-rate units. Utilizing this provision shall result in the conversion of market-rate dwellings to income-restricted workforce housing dwelling units.

(5) Credits for existing workforce housing. A developer of a new development may be given credit for previously built dwelling units which could be defined as workforce housing given the following regulations:

(a) The existing dwelling units in which a developer is seeking credit shall not have previously been created or in any way developed utilizing the regulatory relief provided herein.

(b) The developer shall only receive credit in whole or in part to relieve him of the mandatory obligation of providing workforce housing units as stipulated in § 200-38.4A(2). If the number of dwelling units being credited toward a developer's mandatory obligation is less than that required under § 200-38.4A(2), then the developer shall be required to provide workforce housing units equal to the difference of the credit and the mandatory requirement.

(c) In order for a previously built dwelling unit(s) to be credited towards a development's workforce housing obligation, each credited unit must:

[1] Have received its certificate of occupancy no more than five years prior to the date of the developer's submission of the new subdivision or land development plan; and

[2] Be designated as workforce housing upon land development and/or subdivision approval of the development seeking said credits and therefore meet all workforce housing unit regulations stipulated in § 200-38.4D.

D. Supplemental workforce housing regulations. In addition to the regulations above, all workforce housing units shall have the following requirements:

(1) Amenities. Workforce housing units may differ from the market-rate units in a development with regard to interior amenities and gross floor area, provided that:

(a) The differences, excluding differences related to building size differentials, are not apparent in the general exterior appearance of the development;
(b) The gross floor area of the habitable space within workforce housing dwelling units is not less than the following minimum requirements:


[2] Two bedrooms: 1,000 square feet.


[4] Four bedrooms: 1,400 square feet.

[5] Five or more bedrooms: add an additional 150 square feet per additional bedroom.

(2) Timing of construction. Workforce housing units shall be made available for occupancy at approximately the same rate as the market units, except that certificates of occupancy for the last 15% of the market-rate units shall be withheld until certificates of occupancy have been issued for all of the workforce units.

(3) Cost offsets. The Township may discount or defer municipal fees associated with the approval process of a subdivision/land development. Any developer of workforce units may submit a request for a discount or deferment of fees. The request must also contain information detailing how real costs will be reduced and how the savings will be passed on to the workforce housing units. The Township Council’s decision on a discount or deferment of municipal fees will be based upon Council determining that such savings will be appropriate and directly proportionate to the reduction in unit sales or rental costs. The Township shall review the request and provide an answer to the developer within 30 days of receipt of the request.

(4) Certification of buyers. Prior to executing a purchase contract for any workforce unit, the prospective workforce unit buyer shall be certified as meeting income requirements for the specified unit by the Township or its designee. Developers and workforce housing unit buyers may execute only purchase agreements that are approved as to form by the Township or its designee. The purchase agreement shall include language attached as an addendum provided by the Township or its designee which shall require that an appropriate disclosure form be provided to and explained to the workforce housing unit buyer prior to execution of the contract. The disclosure form shall explain any deed restrictions, restrictive covenants, and/or liens that are placed on the workforce housing unit to ensure long-term affordability.

(5) Certification of renters. Prior to renting a workforce unit, the prospective renter shall be certified as meeting income requirements by the Township or its designee. The following limitations shall apply to the certification of renters:

(a) The rental unit must be used as the principal place of residence.

(b) Students enrolled in a post-secondary program, college or university are eligible only if they can meet the following two conditions:

[1] The student does not meet the Internal Revenue Service's definition of a "dependent," and

[2] The student can be classified as an "independent student" as defined by § 480(d) of the Higher Education Act.

(6) Ensuring affordability. To ensure that any unit created under this section of the Zoning Ordinance (rented or owner-occupied) remains affordable over time, the owner of said unit(s) shall be required to maintain affordability based upon a legally binding agreement with either the Township or its designee, to be recorded at the Centre County Recorder of Deeds. Said agreement shall include:
(a) The period for which the units shall remain affordable, which at a minimum should be at least 30 years from the date of initial occupancy of a workforce housing unit;

(b) The process for certifying subsequent buyers of workforce housing dwelling units for the duration of the specified period of affordability;

(c) The level of affordability, including the amount of equity able to be recouped by the homeowner or owner of a rental property containing workforce housing units upon sale of the property; and

(d) A provision allowing the Township or its designee to first be offered the right to purchase a workforce housing unit prior to selling said unit without income restrictions if such sale is to occur after the affordability period noted above in § 200-38.4D(6)(a) with the following stipulations:

[1] The resale price which the Township or its designee shall pay the owner of the workforce housing unit(s) shall be no less than that calculated in § 200-38.4D(10) below;

[2] The Township or its designee shall be given a period of 90 days to execute a purchase agreement for said unit(s).

[3] Upon reaching the end of the ninety-day resale period or upon notice by the municipality or its designee that there is no interest in the workforce housing unit, the owner will be free to sell the unit.

(7) Calculation of rental prices. Workforce housing units which are to be rented shall have a rental price which is affordable to households which earn 65% or less of the area median income, with the exception of those housing units which have a rent-to-own option pursuant to § 200-38.4D(12). Affordability shall be determined as monthly housing expenses being no greater than 30% of the household gross monthly income based upon household size assumptions noted in § 200-38.4D(11). Monthly housing expenses shall be calculated as the sum total of the monthly rent, plus the current utility allowance per the Housing Authority of Centre County.

(8) Rental price increases. Annual rent increases shall be limited to the percentage increase in the median household income within the State College metropolitan statistical area.

(9) Calculation of sales prices. Workforce housing units which are to be sold shall have a sale price which is affordable to households which earn 100% or less of the area median income. Affordability shall be determined as monthly housing expenses being no greater than 30% of the household gross monthly income based upon household size assumptions. Monthly housing expenses shall be calculated as the sum total of the principal and interest of the mortgage plus all property taxes, homeowners' insurance, homeowners' association fees, and any other fees approved for inclusion by the Township.

(10) Resale value of workforce housing units. The resale value of a workforce housing unit(s) during the affordability period stipulated in § 200-38.4D(6)(a) shall be limited to the lowest of:

(a) The purchase price plus an increase based on the percentage increase in the Consumer Price Index for the State College metropolitan statistical area (MSA) for all urban consumers since the date of previous purchase; or

(b) The purchase price plus an increase, based on the percentage increase in the area median income since the date of purchase; or

(c) The purchase price plus an increase, based upon the compound average growth rate of Centre Region average house sale prices since the date of purchase; or

(d) The fair market value.
Household size assumption. In calculating rent or sales price of a workforce housing unit, the following maximum relationship between unit size and assumed household size to determine income affordability shall apply:

(a) Efficiency units: one-person household.

(b) All other units: one plus number of bedrooms equal number of persons per household.

Rent to own. Workforce housing units which are part of a rent-to-own program may be rented to households who earn more than 65%, but less than 100%, of the AMI subject to the following:

(a) The minimum duration of the initial term of a lease for renting the workforce housing unit shall be for no less than an initial 18 months followed by the ability to be annually renewed. In addition the duration of the lease may be shortened upon the tenant entering into an option to purchase the workforce housing unit.

(b) The owner of the workforce housing unit(s) must also enter into an agreement with the tenant of the rent-to-own unit which will specify the terms of the program.

(c) The rent-to-own agreement between the owner and the renter of the workforce housing unit shall include provisions for a percentage of the rent to be set aside and utilized towards the purchase of the unit by the renter.

(d) The rent-to-own agreement shall be provided to the Township for review to determine if the rent-to-own terms will lead to an acceptable number of renters succeeding in obtaining ownership of the workforce housing unit.

Administration. College Township and/or its designee shall ensure compliance with all regulations contained herein and/or Chapter 180, Subdivision of Land, and Chapter 200, Zoning. The developer shall draft and submit for approval a legally binding agreement which states the responsibilities of all entities involved with the ongoing administration, and marketing of, and compliance with these regulations upon approval of a development containing workforce housing units. College Township shall reserve the right to designate another legal entity for the purpose of administrative needs of this section of who should be a party in all legally binding agreements required in this section.