



AN ORDINANCE

TO AMEND ARTICLE 2 (LAND USE REGULATIONS), PART 2 (PERMITTED USES BY BASE ZONING DISTRICT), SEC. 54-207, P OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE), TO EXTEND CONDITIONAL USE PROVISIONS TO ALLOW AN INCREASED NUMBER OF AFFORDABLE HOUSING UNITS ON LARGER LOTS.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-207 (Conditional Uses) of the Code of the City of Charleston, South Carolina, are hereby amended to read as follows:

The following uses shall be approved by the Zoning ~~Administration~~ Administrator as conditional uses within the zoning districts specified upon a finding by the Zoning ~~Administration~~ Administrator that the proposed use satisfies the applicable requirements listed below for that use.

- p. Affordable Housing shall be permitted on existing lots of record platted prior to August 21, 2018 within the DR-1, DR-1F, DR-2, DR-2F, LB, GB, LI, MU-1, MU-1/WH, MU-2 and MU-2/WH districts if the proposal satisfies the following conditions, except that there are no density limits in the MU-1, MU-1/WH, MU-2 and MU-2/WH districts:
  - (a) The applicant has filed floor plans for all units proposed to be used for Affordable Housing.
  - (b) The size of the lot being developed for Affordable Housing shall meet the following minimum lot sizes based on the total number of bedrooms proposed, as indicated on floor plans submitted with the application. For the purposes hereof, a bedroom shall be any room other than a kitchen, living room, dining room, bathroom or hall.

No. per Lot	Bedrooms	Minimum Lot Area	
		DR-1, DR-1F, LB, LI	DR-2, DR-2F, GB
2		1,773 s.f.	1,300 s.f.
3		2,387	1,750
4		2,728	2,000
5		3,069	2,250

6	3,410	2,500
7	3,751	2,750
8	4,092	3,000
9	4,604	3,375
10	5,115	3,750
11	5,627	4,125
12	6,138	4,500
<u>13</u>	<u>6,630</u>	<u>4,843</u>
<u>14</u>	<u>7,140</u>	<u>5,180</u>
<u>15</u>	<u>7,650</u>	<u>5,513</u>
<u>16</u>	<u>8,160</u>	<u>5,840</u>
<u>17</u>	<u>8,500</u>	<u>6,163</u>
<u>18</u>	<u>9,000</u>	<u>6,480</u>
<u>19</u>	<u>9,500</u>	<u>6,745</u>
<u>20</u>	<u>10,000</u>	<u>7,050</u>
<u>21</u>	<u>10,290</u>	<u>7,350</u>
<u>22</u>	<u>10,780</u>	<u>7,700</u>

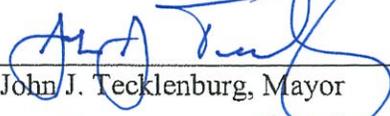
- (c) The total number of bedrooms on the lot shall not exceed ~~twelve~~ twenty-two (~~1222~~).
- (d) For lots in DR-1, DR-2, LB-residential, LI-residential, and GB-residential zoning districts, lot occupancy of buildings shall not exceed fifty (50) percent or the lot occupancy in existence on September 26, 2006, whichever is greater. For lots in DR-1F and DR-2F zoning districts, lot occupancy of buildings shall not exceed sixty-five (65) percent or the lot occupancy in existence on September 26, 2006, whichever is greater. Ramps required for compliance with handicapped accessibility regulations shall be exempt from being counted in lot occupancy calculations or setback requirements.
- (e) Off-street parking shall be provided at a rate of one (1) parking space for each four (4) dwelling units. Lots containing less than four (4) dwelling units shall not be required to provide off-street parking.
- (f) As to rental units, these units shall be rented to households earning no more than eighty (80) percent of the area median income, and the rents charged by the owner shall be in accordance with the Fair Market Rents published annually by the U.S. Department of Housing and Urban Development or such entity that may be subsequently designated. In the absence of such information, the rents charged by the owner shall not exceed 30 percent of the household annual income. The owner shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, the rental rate to be charged and verified income reports of household income of all rental occupants at the inception of each tenancy and on no less than a yearly basis thereafter, as determined by the City of Charleston Department of Housing and Community Development, or its successor. These units shall be subject to these restrictions for no fewer than twenty (20) years from the initial occupancy as affordable housing.

The owner shall execute a Memorandum of Use with the city as a party acknowledging the use of the property for Affordable Housing in accordance with the provisions of this Section, which Memorandum shall be in a form acceptable for recording in the record office of the applicable county and which shall be recorded in the record office of the applicable county. If a proposal meets the requirements of this section and the owner is willing to enter into the terms of a Memorandum of Use contained in this paragraph, the Mayor shall be authorized to sign the Memorandum of Use on behalf of the City.

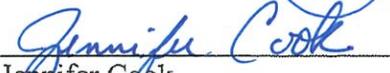
- (g) As to owner occupied units, these units shall be sold to households earning no more than one hundred twenty (120) percent of the area median income. Each owner, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of household income of all members of the household. These units shall be subject to resale restrictions for no fewer than ten (10) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.

Section 2. That this Ordinance shall become effective immediately upon ratification.

Ratified in City Council this 14<sup>th</sup> day of  
February in the Year of Our Lord, 2023,  
and in the 247<sup>th</sup> Year of the Independence of  
the United States of America

  
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John J. Tecklenburg, Mayor

ATTEST:

  
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Jennifer Cook  
Clerk of Council