



City of Charleston  
South Carolina

Clerk of Council Department

JOHN J. TECKLENBURG  
MAYOR

JENNIFER B. COOK  
CLERK OF COUNCIL

## COMMUNITY DEVELOPMENT COMMITTEE AGENDA

A meeting of the Community Development Committee will be held at **3:00 p.m., Thursday, January 19, 2023** via Conference Call at 1-929-205-6099, Access Code: 759694505. The agenda will be as follows:

- Invocation

### a. **Public Participation**

**Any person who speaks at a Community Development meeting shall conduct himself or herself in a manner appropriate to the decorum of the meeting and is asked to observe Section 2-28 (a) of the Code of the City of Charleston, Rules of Decorum. Violation of the Rules of Decorum may result in the forfeiture of audience before the Committee and/or removal from the meeting.**

**Citizens may request to speak in person at the meeting or can participate virtually by telephone or leave comments for the Committee by completing the form at <http://innovate.charleston-sc.gov/comments/>. If requesting to speak by telephone, please provide your name and telephone number. Requests to speak at the meeting and comments must be received by 12:00 p.m., Thursday, January 19, 2023.**

### b. **Approval of Minutes**

1. November 17, 2022

### c. **Old Business**

None

### d. **New Business**

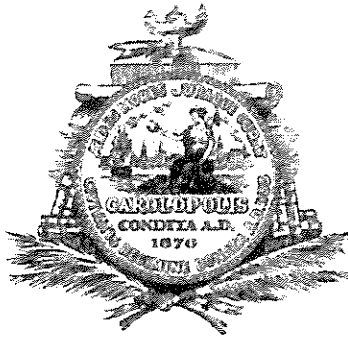
- i. An Ordinance to Amend Article 2 (Land Use Regulations), Part 2 (Permitted Uses by Base Zoning District), Sec. 54-207, P of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), to Extend Conditional Use Provisions to Allow an Increased Number of Affordable Housing Units on Larger Lots
- ii. A Resolution by the City of Charleston Council calling on the South Carolina Legislative Delegation to amend Section 12-6-3795(b)(5)(b) of the South Carolina Code of Laws so as to increase the annual amount of South Carolina Housing Tax Credits from \$20,000,000 annually to \$40,000,000 annually

- iii. A Resolution by the City of Charleston Council calling on the South Carolina Legislative Delegation to amend the South Carolina Code of Laws governing approved uses of Accommodations and Hospitality Taxes to include workforce housing as an approved use of such taxes
- iv. A Resolution to Adopt an Affordable Housing Priority Status Policy
- v. A Resolution Supporting Inclusionary Zoning

**Miscellaneous Business**  
**Adjourn**

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

d(1).



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 \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2023, and in the \_\_\_\_ Year of the Independence of the United States of America

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Cook  
Clerk of Council



**A RESOLUTION BY THE CITY OF CHARLESTON COUNCIL  
CALLING ON THE SOUTH CAROLINA LEGISLATIVE  
DELEGATION TO AMEND SECTION 12-6-3795(B)(5)(b) OF  
THE SOUTH CAROLINA CODE OF LAWS SO AS TO  
INCREASE THE ANNUAL AMOUNT OF SOUTH CAROLINA  
HOUSING TAX CREDITS FROM \$20,000,000 ANNUALLY TO  
\$40,000,000 ANNUALLY**

**WHEREAS**, the City of Charleston (the “City”) is consistently ranked the number one tourist destination in the continental United States with over 7.5 million visitors and is responsible for contributing over \$10 billion into the local and state economy; and

**WHEREAS**, the City, as well as many other municipalities and counties throughout the State of South Carolina and the United States, is facing a significant lack of appropriately priced workforce housing stock, which, if left unaddressed, threatens the economic vitality of the local community and the State of South Carolina; and

**WHEREAS**, a considerable percentage of the workforce within the City of Charleston cannot afford to live within the community in which they work, which has lead to a notable decrease in available workforce for City of Charleston businesses and governmental services; and

**WHEREAS**, Section 12-6-3795(B)(5)(b) of the South Carolina Code of Laws currently states that the total amount of all South Carolina housing tax credits that may be allocated in any calendar year must not exceed twenty million dollars, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated; and

**WHEREAS**, this annual appropriation is insufficient to meet the current needs of South Carolina's workforce who are unable to obtain appropriately priced housing; and

**WHEREAS**, in order to better meet the needs of these citizens, this figure should be increased from up to twenty million dollars annually to up to forty million dollars annually; and

**WHEREAS**, Senate House Bill 284, introduced by Senator Tom Davis on January 10, 2023, proposes to amend Section 12-6-3795(B)(5)(b) of the South Carolina Code of Laws to provide up to forty million dollars annually towards housing tax credits;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Councilmembers of the City of Charleston, in Council assembled, that the City calls upon its elected state representatives to urge the South Carolina General Assembly to amend Section 12-6-3795(B)(5)(b) of the South Carolina Code of Laws to provide up to forty million dollars annually towards housing tax credits.

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION.**

**MOVED, APPROVED, AND ADOPTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
John J. Tecklenburg, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Cook, Clerk of Council





**A RESOLUTION BY THE CITY OF CHARLESTON COUNCIL  
CALLING ON THE SOUTH CAROLINA LEGISLATIVE  
DELEGATION TO AMEND THE SOUTH CAROLINA CODE OF  
LAWS GOVERNING APPROVED USES OF  
ACCOMMODATIONS AND HOSPITALITY TAXES TO  
INCLUDE WORKFORCE HOUSING AS AN APPROVED USE  
OF SUCH TAXES**

**WHEREAS**, the City of Charleston (the “City”) is consistently ranked the number one tourist destination in the continental United States with over 7.5 million visitors and is responsible for contributing over \$10 billion into the local and state economy; and

**WHEREAS**, the City, as well as many other municipalities and counties throughout the State of South Carolina and the United States, is facing a significant lack of appropriately priced workforce housing stock, which, if left unaddressed, threatens the economic vitality of the local community and the State of South Carolina; and

**WHEREAS**, a considerable percentage of the workforce within the City of Charleston cannot afford to live within the community in which they work, which has lead to a notable decrease in available workforce for City of Charleston businesses and governmental services; and

**WHEREAS**, South Carolina Code of Laws Section 6-4-5, et seq., governs how municipalities and counties may use accommodation tax funds; and

**WHEREAS**, South Carolina Code of Laws Section 6-1-700 through 6-1-770 governs how municipalities and counties may use hospitality tax funds; and

**WHEREAS**, under the aforementioned accommodation and hospitality tax laws, funds collected therefrom may not be used to support workforce housing initiatives; and

**WHEREAS**, use of accommodation and hospitality tax funds by municipalities and counties for workforce housing purposes would greatly enhance the ability of such jurisdictions to attract and provide for tourists through maintaining a local workforce within the respective communities; and

**WHEREAS**, municipalities, such as the City, counties, and the State of South Carolina would be better served by allowing municipalities and counties to use accommodation and hospitality tax funds for workforce housing initiatives; and

**WHEREAS**, Senate House Bill 284, introduced by Senator Tom Davis on January 10, 2023, proposes to amend the South Carolina Code of Laws so as to provide that the development of workforce housing is one of the purposes for which local accommodations taxes may be used, and this bill has been referred to the Senate Finance Committee;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Councilmembers of the City of Charleston, in Council assembled, that the City calls upon its elected state representatives to urge the South Carolina General Assembly to

amend the aforementioned law governing accommodations and hospitality tax funds to include workforce housing initiatives as an authorized use of such tax funds by municipalities and counties.

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION.**

**MOVED, APPROVED, AND ADOPTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
John J. Tecklenburg, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Cook, Clerk of Council

d(iv.)



*City of Charleston*  
*South Carolina*

John Tecklenburg  
Mayor

Robert Summerfield  
Director

*Department of Planning, Preservation & Sustainability*

**MEMORANDUM**

To: Community Development Committee of City Council  
From: Robert Summerfield, Director of Planning, Preservation & Sustainability  
Date: Thursday, January 12, 2023  
Re: Affordable Housing Priority Status policy resolution

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The enclosed Affordable Housing Priority Status policy resolution is intended to formalize an existing commitment and practice to reduce time and expenses for qualifying affordable housing projects; and to support an expansion of the Priority Status program.

For the last several years, the Department of Planning, Preservation and Sustainability the Department of Housing and Community Development have collaborated to streamline the development process for affordable housing. Among the tools we have established include application fee waivers, priority agenda placement and a priority review protocol for the Technical Review Committee. To date, these benefits have been reserved for those projects that have formally committed to restricting 50% or more of their units as affordable, projects that staff have labeled as "Priority Status" to distinguish them from other mixed-income developments.

The adoption of a formal Priority Status policy is an important initial step toward future reforms to City policies and regulations intended to provide real cost savings and advantages to qualifying affordable housing developers.

Please direct questions to Chloe Stuber, Senior Planner and Affordable Housing Concierge, Department of Planning, Preservation & Sustainability, [stuber@charleston-sc.gov](mailto:stuber@charleston-sc.gov), 843-720-3841.

Copy to:  
Jennifer Cook, Clerk of Council  
Julia Copeland, Corporation Counsel  
Geona Johnson, Director of Housing and Community Development



## **RESOLUTION**

### **TO ADOPT AN AFFORDABLE HOUSING PRIORITY STATUS POLICY**

**WHEREAS**, the City of Charleston is committed to increasing the amount of housing that is safe and affordable to persons of all income levels.

**WHEREAS**, there is a shortage of available affordable housing in the city, which negatively affects the quality of life for residents and threatens our city's economic and cultural vibrancy.

**WHEREAS**, the City of Charleston is also committed to high standards for historic preservation, architecture and design, public safety and stormwater management, all of which are priorities that contribute to a lengthy and complex development review process; and

**WHEREAS**, this development review process generates additional costs, which make it difficult to maintain housing affordability;

**WHEREAS**, the City of Charleston contributes substantial funding toward the creation of affordable housing; and

**WHEREAS**, the City of Charleston can expand its assistance toward affordable housing creation by making its development review process easier and less expensive for those making impactful contributions toward the city's affordable housing needs.

**WHEREAS**, the City of Charleston comprehensive plan, adopted by City Council in 2021, enumerates the city's affordable housing crisis and includes numerous recommendations for increasing the affordable housing supply, including implementing policies that reduce regulatory barriers for affordable housing.

**WHEREAS**, the Housing for a Fair Charleston report, adopted by City Council in 2020, identifies regulatory hurdles as a barrier to building affordable housing in Charleston and includes recommendations for expedited processing and fee waivers among a comprehensive toolkit custom-designed to address Charleston's affordable housing crisis.

**WHEREAS**, in 2020, the City engaged the consulting firm Raftelis to research best practices for encouraging, prioritizing and expediting affordable housing developments and the top priority strategy identified in their 2021 memorandum was an expedited review program.

**NOW THEREFORE, IT IS**

**RESOLVED** THAT THE MAYOR AND CITY COUNCIL OF CHARLESTON affirm that affordable and mixed-income housing developments that are determined by staff to make certain impactful contributions toward the City's affordable housing should be eligible for Priority Status designation that will award such developments special benefits and advantages during the development review process.

**RESOLVED** this \_\_\_\_<sup>th</sup> day of MONTH, 2023, in City Council Chambers.

\_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

ATTEST:

\_\_\_\_\_  
Jennifer Cook  
Clerk of Council



## A RESOLUTION SUPPORTING INCLUSIONARY ZONING

**WHEREAS**, in the City and County of Charleston and Municipalities across the State of South Carolina there is a critical shortage of safe, decent and affordable residential housing available to low and moderate-income families; and

**WHEREAS**, the affordable housing shortage constitutes a danger to the health, safety, and welfare of residents of the State, and is a barrier to sound economic growth and sustainable economic development for the City of Charleston and South Carolina counties and municipalities; and

**WHEREAS**, the lack of affordable housing has a serious effect on the lives of the families who are struggling to meet housing costs on limited incomes and also has a serious effect on local business as employers are concerned that their employees are forced to move out of the area and either quit their jobs or spend long hours commuting to work; and

**WHEREAS**, the purpose of this Resolution is to provide State Legislators and other political bodies an understanding of the need to authorize inclusionary zoning to increase the amount of affordable housing available for low and moderate-income families in the State of South Carolina; and

**WHEREAS**, Inclusionary Zoning means a zoning regulation, requirement, or condition of development, imposed by ordinance or regulation, pursuant to any special or conditional permit, special exception, or subdivision plan, that promotes the development of affordable dwelling units; and

**WHEREAS**, the General Assembly can assist in creating more affordable housing opportunities for the benefit of all cities and counties in the State and their citizens and in strengthening the affordable housing market in the state; now and in the future; and

**WHEREAS**, Senator Marlon Kimpson introduced Bill SB309 on January 10, 2023, to amend the South Carolina Code of Laws so as to enact the "south Carolina Inclusion Zoning Act";

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Charleston, in Council Assembled, strongly urge state lawmakers to enact this legislation.

Done this \_\_\_ day of \_\_\_\_\_ 2023

\_\_\_\_\_  
John J. Tecklenburg, Mayor  
City of Charleston

ATTEST:    By: \_\_\_\_\_  
Jennifer Cook  
Clerk of Council