



JOHN J. TECKLENBURG  
MAYOR

*City of Charleston*  
*South Carolina*  
*Clerk of Council Department*

JENNIFER B. COOK  
CLERK OF COUNCIL

**COMMUNITY DEVELOPMENT COMMITTEE AGENDA**

A meeting of the Community Development Committee will be held at **3:30 p.m., Thursday, November 18, 2021** via Conference Call at 1-929-205-6099, Access Code: 759694505. The agenda will be as follows:

- **Invocation**
- a. **Public Participation**
- b. **Approval of Minutes**
  1. February 25, 2021 - Deferred
  2. September 9, 2021
  3. Oct 28, 2021
- c. **New Business (action may or may not be taken):**
  1. Presentation on Economic Empowerment strategies from the Report on Equity, Inclusion, and Racial Conciliation
  2. Update on Accessory Dwelling Units and affordability period
  3. Update on affordable housing developments
- d. **Old Business**
  1. None

**Miscellaneous Business**

**Adjourn**

If you have a conflict with this meeting, and will not be present, please call the Clerk's Office at 724-3726. Thank you for your cooperation in this matter.

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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.

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### Sec. 54-214. Accessory dwelling unit.

An accessory dwelling unit (ADU) may be approved in all base zoning districts, as an accessory use to a principal single-family dwelling unit, if all of the following conditions are met:

- a. A scaled site plan must be submitted which shall show all information listed on the accessory dwelling unit application and site plan checklist and application provided by the Department of Planning, Preservation and Sustainability, as may be amended from time to time. A copy of the application shall be forwarded to the Department of Housing and Community Development;
- b. In conjunction with the site plan, a recorded covenant affidavit must be submitted, which certifies that no covenants exist that prohibit the construction of an ADU;
- c. There shall be a limit of one ADU per lot, subject to meeting all other requirements contained in this section, and the total number of dwelling units, including the ADU, shall not exceed two dwelling units per lot. The ADU may be separately metered for electricity, gas, and water.
- d. Each ADU shall be limited to 850 square feet of conditioned floor area, except that:
  1. In the case of an ADU located above a detached garage approved utilizing setback exceptions listed in Section 54-506, f., footprint maximums described in Section 54-506, f. take precedence over the requirements of this section.
  2. In the case of an ADU located on the ground level and attached to or located within a detached accessory building approved utilizing setback exceptions listed in Section 54-506, f., the building footprint shall not exceed 600 square feet.
- e. One (1) off street parking space shall be provided for the occupants of the ADU on the subject property, in addition to providing, on the subject property, required off street parking for existing uses on the property. The parking space provided for the ADU may be situated in tandem with the required spaces for other uses.
- f. The following conditions shall be memorialized in a recorded covenant to run with the property. Prior to the issuance of a building permit, the owner shall provide a copy of the recorded covenants to the Department of Planning, Preservation and Sustainability.
  1. Either the principal structure or the accessory dwelling unit, hereinafter ADU, must be owner-occupied and serve as the owner's primary residence. If neither unit is owner-occupied, the ADU may not be rented separately from the principal dwelling unit. No subleases of the ADU are permitted;
  2. If rented for remuneration, the ADU must meet affordable housing income and rental thresholds, as defined in Section 54-120 of the City of Charleston Zoning Ordinance, where the occupants have, in the aggregate, a household income of less than or equal to eighty percent (80%) of median area income, and the owner shall provide proof of affordability to the City of Charleston Department of Housing and Community Development, or its successor, on an annual basis thereafter during the restrictive covenant affordability period.

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3. Prior to the issuance of a certificate of occupancy or completion, the owner shall execute covenants satisfactory to the Department of Housing and Community Development that restrict the unit to occupancy by qualified households for at least thirty (30) years, and submit a copy of the recorded covenants to the Department of Housing and Community Development.

34. Occupancy of an ADU shall be limited to no more than two (2) adults with "adult" defined as any person eighteen years of age or older;

45. Under no circumstances shall the property be converted to a horizontal ownership regime;

56. Neither the principal dwelling unit nor ADU shall be utilized for a short term rental;

67. The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy.