

AN ORDINANCE

TO AMEND ARTICLE 2 (LAND USE REGULATIONS) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO CREATE A STUDENT HOUSING (STH) DISTRICT OVERLAY ZONE FOR THE PURPOSE OF IDENTIFYING SITES APPROPRIATE FOR THE ESTABLISHMENT OR EXPANSION OF STUDENT HOUSING USES AND TO CHANGE THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES DESIGNATED AS CHARLESTON COUNTY TMS NOS. 457-04-01-001, 457-04-01-008, 457-04-01-027 TO 030, 457-04-01-032 TO 034, 457-04-01-056 TO 457-04-01-063, 457-04-01-075, 457-04-01-137, 457-04-01-141, 457-04-01-142, 457-04-02-001, 457-04-02-004 TO 012, 457-04-02-014 TO 033, 457-04-02-035 TO 041, 457-04-02-043, 457-04-02-045, 457-04-02-046, 457-04-02-059 TO 064, 457-04-02-066, 457-04-02-067, 457-04-02-069, 457-04-02-070, 457-04-02-071, 457-04-02-074, 457-04-02-075, 457-04-02-078, 457-04-02-080 TO 083, 457-04-02-085 TO 134, 457-04-02-136 TO 172, 457-04-02-175 TO 182, 457-04-02-184 TO 191, 457-04-02-193, 457-04-02-194, 457-04-04-051, 457-04-04-052, 457-04-04-054, 457-04-04-055, 457-04-04-058, 457-04-04-067, 457-04-04-075, 457-04-04-078, 457-04-04-079, 457-04-04-092 TO 105, 457-04-04-107 TO 111, 457-04-04-132 TO 135, 457-04-04-150 TO 154, 457-04-04-157 TO 160, 457-04-04-163, 457-04-04-167 TO 192, 457-04-04-271 TO 277, 457-04-04-295 TO 301, 457-04-04-307 TO 320, 457-04-04-322, 457-08-01-046, 457-08-01-048 TO 054, 457-08-01-067, 457-08-01-069, 457-08-01-095 TO 117, 457-08-01-141 TO 156, 460-16-01-077, 460-16-02-019 TO 022, 460-16-02-024 TO 034, 460-16-02-038 TO 042, 460-16-02-044 TO 046, 460-16-02-067, 460-16-02-073 TO 079, 460-16-03-001, 460-16-03-002, 460-16-03-004 TO 009, 460-16-03-017, 460-16-03-080, 460-16-03-081, 460-16-03-088, 460-16-03-089, 460-16-03-127, 460-16-03-143 TO 203, 460-16-03-219, 460-16-04-001, 460-16-04-002 TO 004 AND 460-16-04-008 BE INCLUDED WITHIN THE STUDENT HOUSING (STH) DISTRICT OVERLAY ZONE.

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

Section 1. Sec. 54-202. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-202.o:

o. **Student Housing, STH Overlay Zone.** The Student Housing Overlay Zone is intended to provide for appropriate sites for the establishment or expansion of student housing uses within commercial or mixed-use zoning districts.

Section 2. Article 2 Land Use Regulations, Part 5 Permitted Uses for Overlay Zones, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-229.10:

Sec. 54-229.10. – Student Housing, STH Overlay Zone.

a. **Intent.** The intent of the Student Housing (STH) Overlay Zone is to provide for appropriate sites for the establishment or expansion of student housing uses within commercial and mixed-use zoning districts, as set forth on the official zoning map.

b. **Student Housing defined:** For the purposes of this Section, student housing shall be purpose-built student accommodations where housing is specifically built for students by private commercial developers or academic institutions. Such housing takes one of three forms: 1. Self-contained studio or “cluster” flats with private kitchens but shared living space. 2. Halls of residence containing ensuite bedrooms with shared kitchen, dining and living facilities. 3. Traditional dormitory format without kitchens.

c. **Permitted uses.** In any Student Housing (STH) Overlay Zone district, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the underlying zoning district as listed in Article 2, Part 3, and student housing subject to the approval of a special exception by the Board of Zoning Appeals—Zoning, upon a finding by the Board that the student housing development will meet following conditions:

1. The property to be used for student housing is located entirely within the STH overlay zone.
2. The property to be used for student housing is not located within a City designated residential parking district.
3. Student housing design characteristics are consistent with the Student Housing definition as defined in this Section.
4. Development includes no rooftop amenity areas or access, other than for emergency access.
5. The number of beds per bedroom shall be limited to two (2) beds.
6. Parking is provided at a rate of one (1) space for each four (4) beds or fraction thereof.
7. Area shall be provided on-site for the loading and unloading of passengers and belongings such that no queuing off-site or within drive lanes shall be required.
8. Leases or rental agreements for the tenants shall include provisions that prohibit a resident from having a personal automobile unless an assigned parking space is identified and provided/assigned on-site for the tenant for the duration of the lease or rental agreement.

Section 3. That Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the zone map, which is part thereof, so as to add the properties designated as Charleston County TMS Nos. 457-04-01-001, 457-04-01-008, 457-04-01-027 to 030, 457-04-01-032 to 034, 457-04-01-056 to 457-04-01-063, 457-04-01-075, 457-04-01-137, 457-04-01-141, 457-04-01-142, 457-04-02-001, 457-04-02-004 to 012, 457-04-02-014 to 033, 457-04-02-035 to 041, 457-04-02-043, 457-04-02-045, 457-04-02-046, 457-04-02-059 to 064, 457-04-02-066, 457-04-02-067, 457-04-02-069, 457-04-02-070, 457-04-02-071, 457-04-02-074, 457-04-02-075, 457-04-02-078, 457-04-02-080 to 083, 457-04-02-085 to 134, 457-04-02-136 to 172, 457-04-02-175 to 182, 457-04-02-184 to 191, 457-04-02-193, 457-04-02-194, 457-04-04-051, 457-04-04-052, 457-04-04-054, 457-04-04-055, 457-04-04-058, 457-04-04-067, 457-04-04-075, 457-04-04-078, 457-04-04-079, 457-04-04-092 to 105, 457-04-04-107 to 111, 457-04-04-132 to 135, 457-04-04-150 to 154, 457-04-04-157 to 160, 457-04-04-163, 457-04-04-167 to 192, 457-04-04-271 to 277, 457-04-04-295 to 301, 457-04-04-307 to 320, 457-04-04-322, 457-08-01-046, 457-08-01-048 to 054, 457-08-01-067, 457-08-01-069, 457-08-01-095 to 117, 457-08-01-141 to 156, 460-16-01-077, 460-16-02-019 to 022, 460-16-02-024 to 034, 460-16-02-038 to 042, 460-16-02-044 to 046, 460-16-02-067, 460-16-02-073 to 079, 460-16-03-001, 460-16-03-002, 460-16-03-004 to 009, 460-16-03-017, 460-16-03-080, 460-16-03-081, 460-16-03-088, 460-16-03-089, 460-16-03-127, 460-16-03-143 to 203, 460-16-03-219, 460-16-04-001, 460-16-04-002 to 004 and 460-16-04-008, shown on the maps attached hereto and incorporated herein by reference, to the Student Housing (STH) Overlay Zone.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2022, and in the 246th Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council