

AN ORDINANCE

AMENDING SECTION 4-21 OF THE CITY OF NORTH CHARLESTON
CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO MODIFY
REGULATIONS FOR SHORT TERM RENTALS

WHEREAS, the City of North Charleston is empowered to regulate land use to ensure orderly growth and harmony among neighboring uses; and

WHEREAS, an amendment is proposed to modify the regulations for short term rentals in residential properties;

WHEREAS, pursuant to a duly advertised public hearing held on March 13, 2023, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to modify the short term rental provisions.

Now, therefore, be it ordained and enacted by the Mayor and Council that certain provisions of the Zoning Regulations, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS ADOPTION BY CITY COUNCIL.

Ordained by City Council this 27th day of April, in the Year of Our Lord, 2023, and in the 246th year of Independence of the United States of America.


R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:


LEGAL COUNSEL


COURTNEY HEYWARD, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of April 13, 2023

Date: March 14, 2023

Item Title: Ordinance – First Reading
An Ordinance Amending Section 4-21 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Modify Regulations for Short Term Rentals

Submitted by: Planning Commission

Contact Person: Megan Clark, Planning Division Director, (843) 740-2617

SUMMARY EXPLANATION:

The City has recently issued the first wave of short term rental (STR) permits. Staff is proposing a few minor changes to Section 4-21, which governs STRs:

- Delete the condition that only one STR is allowed per parcel; and
- Clarify the types of properties that are exempt from the STR permit requirements.

STAFF RECOMMENDATION:

Approval

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

The Planning Commission held a public hearing on March 13, 2023, and voted unanimously to recommend approval of the proposed amendment (6-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
Resolution ___ Ordinance X Contract ___ Minutes ___ Plan/Map ___ Transfer of Funds X Other

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EXHIBIT A

Section 4-21. Short Term Rentals:

- (a) Definition: *Short Term Rental (STR)*. For the purposes of this section, “short term rental” shall mean a dwelling unit intended to provide temporary sleeping accommodations for no more than two persons per bedroom, up to eight (8) persons (including children) maximum, for a period not to exceed twenty-nine (29) consecutive days per rental.
- (b) Requirements for Short Term Rentals. Short term rentals shall be allowed as a conditional use of legally established dwelling units, except non-conforming dwellings in industrial districts, provided the following conditions are met:
1. The number of STR overnight guests in the STR unit shall not exceed two persons per bedroom, up to eight (8) persons (including children) maximum, and this maximum shall be posted in the STR and included in advertising;
 2. A minimum of one (1) off-street or allocated parking space is provided for each two bedrooms rented, with a maximum of four spaces allocated for the STR unit.
 3. No STR overnight guest or property owner vehicle shall be street parked during an STR stay.
 4. Other than wall or window signage not to exceed one (1) square foot, the property shall not contain exterior signs advertising the STR use;
 5. The applicable HOA/POA does not prohibit the use based on restrictive covenants or by-laws;
 6. The hosting of events, such as weddings, parties, or similar gatherings, is prohibited;
 7. A STR Permit and an active business license for the use is filed by the property owner(s) with the City;
 8. No more than three (3) notices of violations of the City’s zoning, noise or refuse ordinance have been the subject of a Zoning Department Notice of Violation in the previous one-year period. Issuance of the fourth such Notice of Violation shall render all previously issued STR permitting and licensing null and void
 - a. Review of such determinations shall, if sought, be performed by the Board of Zoning Appeals, in accordance with Section 7-6 of the Zoning Ordinance.
 9. The STR’s registration number shall be posted in the STR and included in advertising;
 10. All required taxes are paid;
 11. The STR is permitted by the City’s Planning and Zoning Department, and the registration is renewed annually by February 28th; and
 12. The property owner shall identify a contact, with twenty-four hour cellphone availability, who is available to be on site within 30 minutes of notice. Failure of a property point of contact to arrive on scene within thirty minutes of a City call for assistance being placed shall constitute a violation of this Ordinance.

- (c) Dwelling units on commercially zoned parcels are subject to the provisions of subsection 4-21(b) above.
- (d) Parcels with ten (10) or more rental units, as well as buildings or units properly permitted as and holding valid business licenses as hotels, motels, or other transient housing, are exempt from the provisions of subsection 4-21(b) above, provided an active business license for the rental use is filed with the City. A separate business license for each short term rental unit is required, except for hotels, motels, and other transient housing.
- (e) Amortization. Uses not in conformity with section 4-21 prior to January 1, 2023 shall not be grandfathered, but shall rather be considered in violation of this section of the ordinance.