

**AN ORDINANCE
ADDING SECTION 4-21 TO THE CITY OF NORTH CHARLESTON
CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO ESTABLISH
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 provide a definition of and regulations for short term rentals in residential properties;

WHEREAS, pursuant to a duly advertised public meeting held on April 11, 2022, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to include short term rental provisions; and

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 JANUARY 1, 2023, UPON ITS ADOPTION BY CITY COUNCIL.

Ordained by City Council this 26th day of May, in the Year of Our Lord, 2022, and in the 245th year of Independence of the United States of America.


R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:


LEGAL COUNSEL

ATTEST:


SANDY L. BROWN, MUNICIPAL CLERK

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 on the property 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 parking space is provided for each two bedrooms rented, with a maximum of four spaces allocated for the property.
 3. No STR overnight guest or property owner vehicle shall be street parked during an STR stay.
 4. Only one STR is permitted per parcel;
 5. Other than wall or window signage not to exceed one (1) square foot, the property shall not contain exterior signs advertising the STR use;
 6. The applicable HOA/POA does not prohibit the use based on restrictive covenants or by-laws;
 7. The hosting of events, such as weddings, parties, or similar gatherings, is prohibited;
 8. A STR Permit and an active business license for the use is filed by the property owner(s) with the City;
 9. 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.
 10. The STR’s registration number shall be posted in the STR and included in advertising;
 11. All required taxes are paid; and
 12. The STR is permitted by the City’s Planning and Zoning Department, and the registration is renewed annually by February 28th.
 13. 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) Apartment buildings are exempt from the provisions of 4-21(b)above, provided an active business license is filed with the City.
- (c) 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.

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of May 26, 2022

DATE: May 9, 2022

ITEM TITLE: An Ordinance to add Section 4-21 to the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, To Establish Regulations for Short-Term Rentals

SUBMITTED BY: Planning Commission

CONTACT PERSON: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

After recent hearings and discussion regarding short term rentals, staff has revised the proposed Short Term Rental Ordinance to include the following revisions, along with the requirements to obtain a short-term rental permit and have no more than three zoning violations:

- Short Term Rentals are defined as 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.
- Off-Street parking provided, up to four (4) spaces total

There was one speaker who spoke in favor, and one speaker who spoke in opposition during the public hearing for the amendment.

STAFF RECOMMENDATION:

Approval

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

The Planning Commission held a public hearing on April 11, 2022, and voted to recommend approval (3-2-0) of the zoning text amendment.

COUNCIL COMMITTEE RECOMMENDATION:

On May 12, 2022, the Public Safety Committee voted to recommend approval of the Ordinance as presented (8-1-0).

COUNCIL ACTION:

Mayor Summey stated without objection, this item will be referred to the Public Safety Committee on May 19, 2022, for further review and a recommendation

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