

ORDINANCE

AMENDING SECTIONS 5.3.D.11 and 11.2 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO CLARIFY THE DEFINITION OF SHORT TERM RENTAL

WHEREAS, the City's short term rental ordinance was adopted in August 2011; and

WHEREAS, the current ordinance did not anticipate the short term rental of a bedroom within a dwelling unit when the owner is on the premises; and

WHEREAS, the rental of a bedroom as a guest accommodation, sometimes referred to as "Airbnb," is becoming fairly common in some areas; and

WHEREAS, the City desires to regulate and license this use as it does other short term rental activities; and

WHEREAS, staff has prepared an amendment to the Unified Development Ordinance to revise the definition of Short Term Rental to include the rental of a bedroom as a short term rental; and

WHEREAS, rental of a bedroom as a short term rental when the owner is on the premises is proposed to be permitted as a conditional use; and

WHEREAS, this amendment has been presented to the Beaufort--Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on March 22, 2016, with notice of the hearing published in *The Beaufort Gazette* on March 7;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Unified Development Ordinance of the City of Beaufort, South Carolina* be amended as follows:

1. Revise Section 5.3.D, "Specific Use Standards; Commercial Uses," by deleting the current paragraph 11, "Housing, Short Term Rental," and replacing it with a new paragraph 11 to read as follows:

11. Housing, Short Term Rental

Short term rentals are permitted in all residential zoning districts with the exception of the Traditional Beaufort Residential District, The Point, or where prohibited by covenants. Short term rental of the primary dwelling, or rental of an accessory dwelling unit on property where the property owner does not live on the premises, shall be by special exception subject to the standards shown below. Short term rental of an accessory dwelling unit where the property where the property owner lives on the premises, rental of a portion of a dwelling unit where the owner lives on the premises, and short term rental of any type of residential unit in a commercial district, shall be a conditional use subject to the standards shown below.

- a. A minimum 2-night stay is required;
 - b. Adequate on-site parking is provided. Parking should be located to the side or rear of the dwelling (i.e., the front yard should not be used for parking). Tenants should use the required on-site parking and not park in the street;
 - c. A property management plan shall be developed and approved by the appropriate review authority. Failure to comply with the approved property management plan shall result in revocation of zoning approval;
 - d. No on-site signage shall be permitted;
 - e. No pets shall be left outside unattended;
 - f. An annual Safety Inspection shall be conducted before the Business License for the facility can be renewed;
 - g. The facility shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County, and the state of South Carolina; and
 - h. Approval of the use runs with the ownership of the property.
2. Revise Section 11.2 “Defined Terms,” by deleting the current definition of “Housing, Short Term Rental,” and replacing it with a new definition to read as follows:

Housing, Short Term Rental. A single-family or individual two-family or multifamily dwelling or any portion thereof, that is available for use or is used for accommodations or lodging of guest paying a fee or other compensation for a period less than 30 days. When a portion of a dwelling unit is being rented, only one rental party may rent space at one time. If separate parties are renting rooms simultaneously, the use is considered a Bed and Breakfast.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY