

ORDINANCE

AMENDING SECTIONS 5.1 AND 5.3.D OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO ALLOW SHORT TERM RENTAL OF RESIDENTIAL DWELLINGS AS A USE PERMITTED BY SPECIAL EXCEPTION IN RESIDENTIAL DISTRICTS

WHEREAS, short term rental of residential dwellings is currently not permitted in residential zoning districts; and

WHEREAS, short term rental of residential dwellings may be a compatible use in some neighborhoods under certain conditions; and

WHEREAS, permitting a use by the special exception process requires a detailed examination of the proposal, includes a public hearing, and allows conditions to be attached to approval of the use; and

WHEREAS, staff has prepared an amendment to the Unified Development Ordinance to allow short term rental of the primary residential dwelling as a use permitted by special exception in certain residential zoning districts, and to allow rental of accessory dwelling units as a conditional use; and

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

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on July 12, 2011, with notice of the hearing published in *The Beaufort Gazette* on June 27, 2011;

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. Delete the current Use Tables in Section 5.1 "Use Tables," and replace them with new Use Tables to read as shown on the attached sheets.
2. Revise Section 5.3.D "Specific Use Standards, Commercial Uses," by adding a new paragraph 10, "Housing, Short Term Rental," to read as follows, and renumbering the existing paragraphs as appropriate:

10. 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 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 will 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.

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

Article 5: Use Regulations
Section 5.1: Use Tables

Use Category	Specific Use	Residential										Nonresidential							Special Purpose	NOTES:
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP			
Parks and Open Space	Cemetery														C			C		
	Park, Community/Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Passenger Terminals																				
Religious Institution		C	C	C	C	C	C	C										E		
	Major Utility														S	P				
	Minor Utility														P	P	P	P		
Utilities	Public Utility Substation														C	C	C	C		
COMMERCIAL (see Section 5.2F)																				
Eating Establishments	Restaurant, w/ Drive-thru														C					
	Restaurant, w/o Drive-thru														C	C	P	P		
	Restaurant, w/o Seating														C	P	P			
	Restaurant, Drive-in																	S		
Entertainment	Indoor Entertainment														C	P	P	S		
	Outdoor Entertainment																	S		
Office	Sexually-Oriented Business																	C		
	Medical Office/Clinic														C	P	P	P		
	Other Offices														C	P	P	P		
	Bed and Breakfast														P	P	P	E		
Overnight Guest Accommodation	Inn (up to 24 units)														P	P	P	P		
	Motel/Hotel/Extended Stay																	P		
	Housing, Short Term Rental	S	S	S	S	S	S	S	S	S	S	S	S	S	C	C	C	C		
Parking, Commercial	Recreational Vehicle Park																	S		
Retail Sales and Service	Animal Hospital/Kennel														C	P	P	C		
	Bakery																	C		
	Banquet Facility														C	C	P	P		

