

# City of Charleston Short Term Rental Task Force

November 30, 2016

# Short Term Rental Task Force Members

- Daniel Ravenel: Appointed By Mayor Tecklenberg
- Allison King, Esq. : Appointed By Mayor Tecklenberg
- Christopher Cody: Appointed By Mayor Tecklenberg
- Angela Black Drake: Appointed By Mayor Tecklenberg
- Ittriss Jenkins, Esq. : Appointed By Mayor Tecklenberg
- S. Renee Singletary: Appointed By Mayor Tecklenberg
- Richard Buchanan, Esq.: Appointed By Councilmember Peter Shahid
- Erika Harrison, Esq.: Appointed By Councilmember James Lewis
- Wallace Jack: Appointed By Councilmember Marvin Wagner

# Short Term Rental Task Force Members

- Gabe Joseph, Esq.: Appointed By Councilmember Dean Riegel
- Kristopher King: Appointed By Councilmember Mike Seekings
- Ira Lash: Appointed By Councilmember Keith Waring
- Margaret Malaspina: Appointed By Councilmember Gary White
- Debby New: Appointed By Councilmember Rodney Williams
- Bob Seidler: Appointed By Councilmember Bill Moody
- Wayne Smith, Ph. D.: Appointed By Councilmember Kathleen Wilson
- Elena Tuerk, Ph. D.: Appointed By Councilmember William Dudley Gregory
- Ann Hester Willis, Esq.: Appointed By Councilmember Robert Mitchell

# Purpose

- The purpose of the Short Term Rental Task Force shall be to assess the efficacy of continuing, expanding, eliminating, or otherwise altering the existing regulations governing the operation of short term rental business in Charleston

# Accommodations Uses in Charleston

- Charleston zoning regulations define an Accommodations Use to include hotels, motels, inns, bed and breakfasts, short term rentals, rooming and boarding houses, hostels, lodging units, resort units, condominiums, cooperatives, apartments or other units that are included in a “Vacation Time Sharing Plan” or “Vacation Time Sharing Lease Plan”, and all similar uses where the intended and/or usual occupancy would not exceed 29 consecutive days.
- A Residential Use is distinguished from an Accommodations Use by the term of the occupancy and the characteristics of the use itself. A Residential Use requires a minimum term of occupancy of 30 consecutive days and cannot be a commercial use.

# Accommodations Overlay

- The Accommodations Overlay Zone is intended to identify those areas within the City limits where accommodation uses are allowed with the approval of the BZA-Z
- The City places a high value on the preservation of the character of its residential neighborhoods
- Potential negative impacts affecting residential neighborhoods shall be avoided or minimized to the greatest extent possible

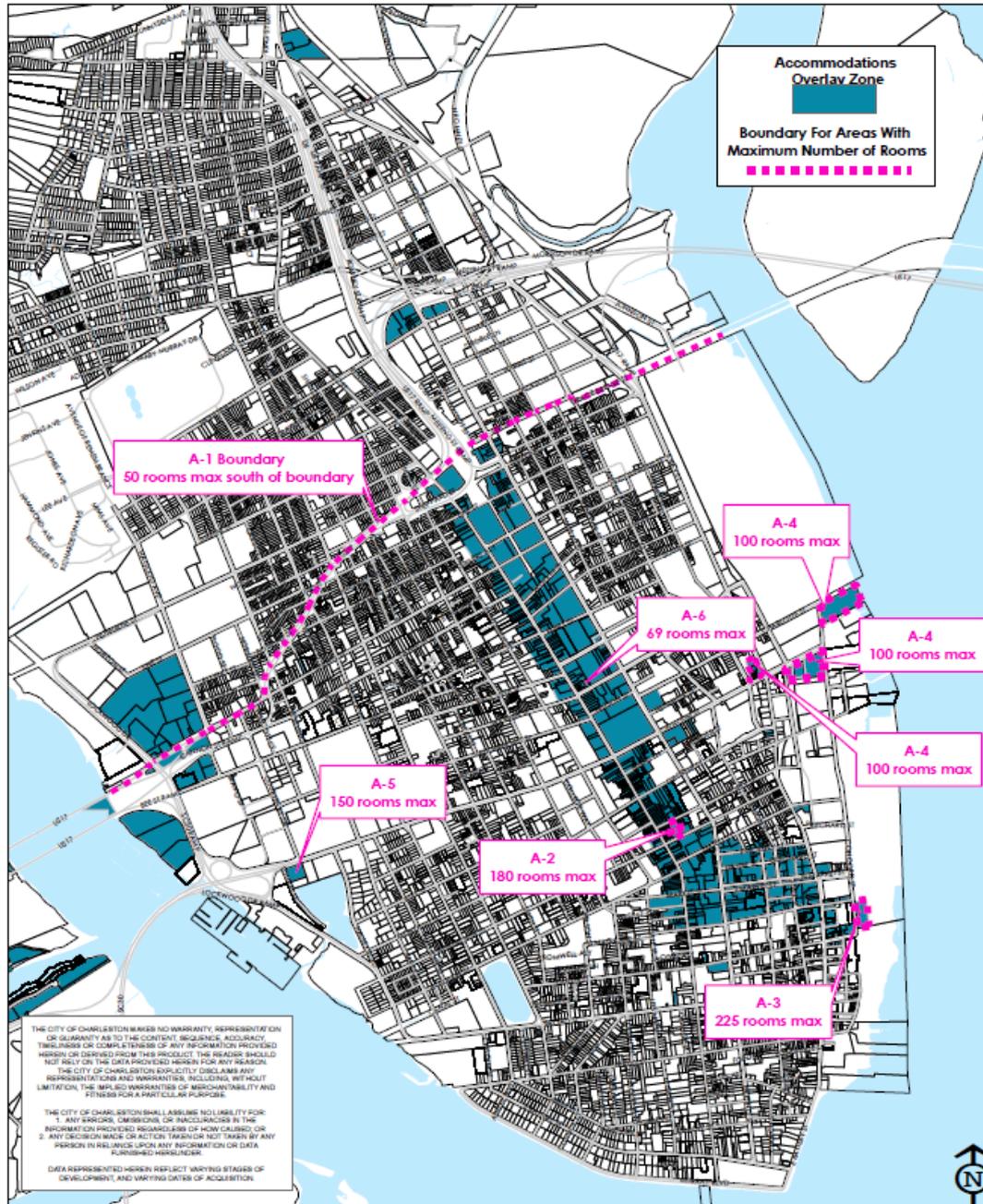
# ACCOMMODATIONS OVERLAY ZONE

PENINSULA



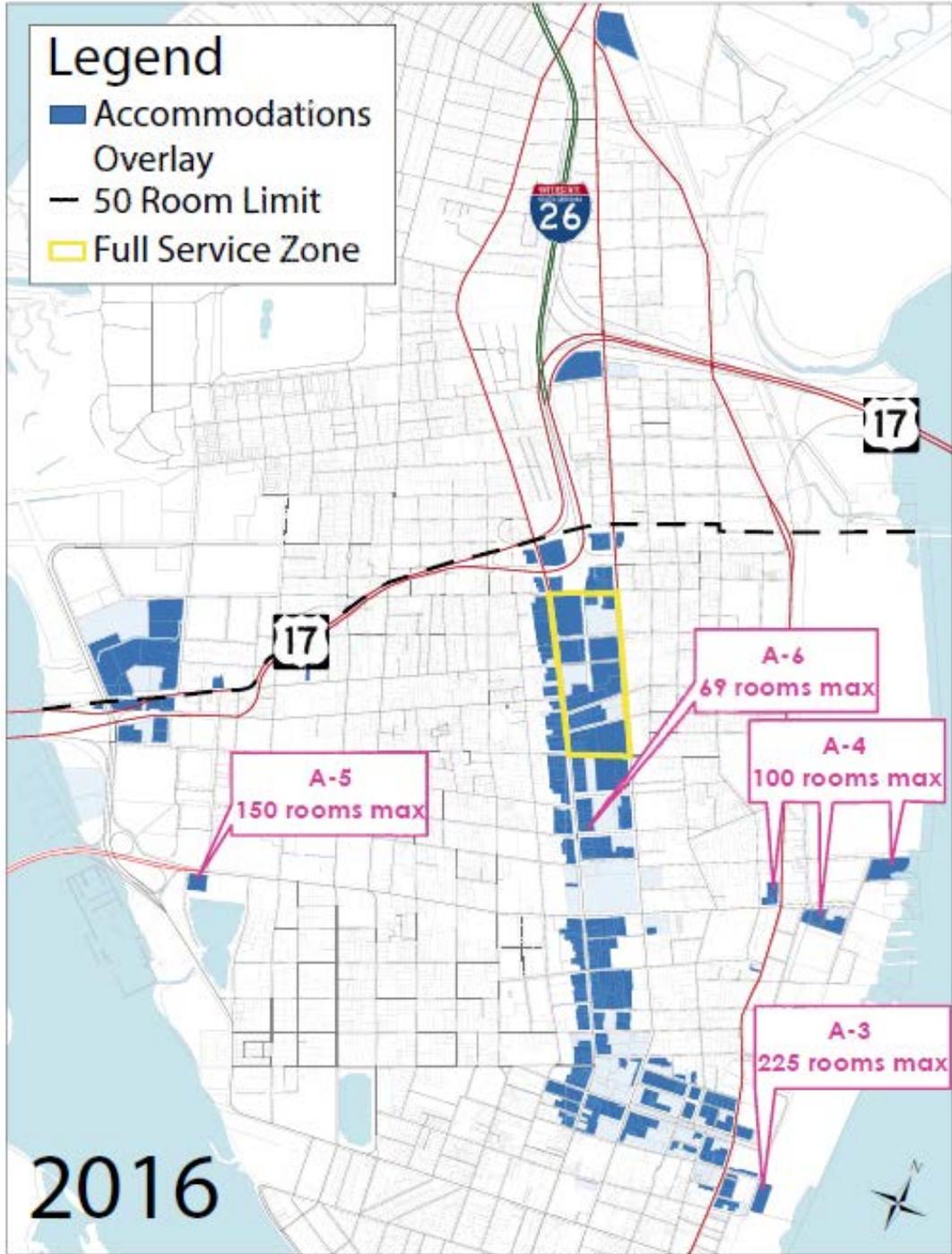
CITY OF CHARLESTON  
DEPARTMENT OF PLANNING, PRESERVATION  
& SUSTAINABILITY

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# Legend

- Accommodations Overlay
- 50 Room Limit
- Full Service Zone



2016

# 6 Point Special Exception Test

The Board of Zoning Appeals may permit accommodation uses as an exception where it finds that:

- The elimination of housing units by the proposed facility will not adversely affect the existing housing stock;
- The location of the facility will not significantly increase automobile traffic on streets within residential neighborhoods;
- the total square footage of interior and exterior floor area for restaurant and bar space in the proposed facility, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the facility, except that each facility shall be permitted to exempt from the calculation of total restaurant floor area one interior, ground floor restaurant tenant space if the total tenant space does not exceed 2,000 square feet, the restaurant tenant does not serve alcoholic beverages, and the exempt restaurant tenant space is clearly labeled with these restrictions on the floor plans submitted with the application for this zoning special exception;
- The proposed use is otherwise in character with the immediate neighborhood;
- The location and design of the proposed facility will facilitate pedestrian activity and encourage transit system usage within the peninsula; and
- In making these findings, the Board of Zoning Appeals shall consider the following information to be provided by the applicant in site plans, floor plans, building elevations, and a detailed written assessment report to be submitted with the application:
  1. the number of existing housing units on the property to be displaced by type of unit (rental or owner-occupied; single-family, duplex or multi-family; occupied or unoccupied), by income range and by physical condition (sound, deficient, deteriorated or dilapidated);
  2. the effect of the displacement on the total available housing stock and on the housing stock of a particular type and income range in the service area;
  3. the number of vehicle trips generated by the facility and the traffic circulation pattern serving the facility and efforts made to minimize traffic impacts;
  4. the distance of the main entrance and parking entrance of the facility from a road classified as an arterial or collector road;
  5. the development pattern and predominant land uses within five hundred feet (500') of the facility;
  6. the proximity of residential neighborhoods to the facility;
  7. the accessory uses proposed for the facility in terms of the size, impact on parking, and impact on traffic generation;
  8. the demonstrated provision of off-street parking at the rate of two spaces for each three sleeping units;
  9. the presence of industrial uses and uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials, within five hundred feet (500') of the facility;
  10. the commitment to environmental sustainability and recycling;
  11. the distance of the facility from major tourist attractions;
  12. the distance of the facility from existing or planned transit facilities;
  13. the long term provision of on- or off-site parking for employees who drive vehicles to work;
  14. the location of the proposed facility will contribute to the creation of a diverse mixed-use community;
  15. the number of rooms in the facility; provided however that the number of rooms in a facility shall not exceed 50 in areas designated "A-1" on the zoning map; 180 in areas designated "A-2" on the zoning map; 225 in areas designated "A-3" on the zoning map; 100 in areas designated "A-4" on the zoning map; 150 in areas designated "A-5" on the zoning map; and 69 in areas designated "A-6" on the zoning map; and further provided that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north, the number of rooms in a facility may exceed 50 if the facility is a full-service hotel that provides 20,000 or more square feet of meeting and conference space, and an on-site restaurant that serves breakfast, lunch and dinner seven days a week;
  16. the provision of shuttle bus services to and from the historic district by facilities with more than 50 rooms located outside the area designated "A-1" on the zoning map and not served by public transit;
  17. the commitment to make affirmative, good faith efforts to see that construction and procurement opportunities are available to DBEs (disadvantaged business enterprise) and WBEs (women business enterprise) as outlined in Section 2-267 (D)(1), (2), and (3) of the Code of the City of Charleston;
  18. the commitment to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels.

# Bed and Breakfasts - Old & Historic District

- A use by the record owner of property, who is also the resident of the property where the use is proposed. A Bed and Breakfast unit contains one (1) or more rooms arranged for the purpose of providing sleeping accommodations for transient occupancy by one (1) family.
- Only permitted in the Old and Historic District and only if approved by the Zoning Division as a conditional use. A City of Charleston Business License is required.

# Old & Historic District

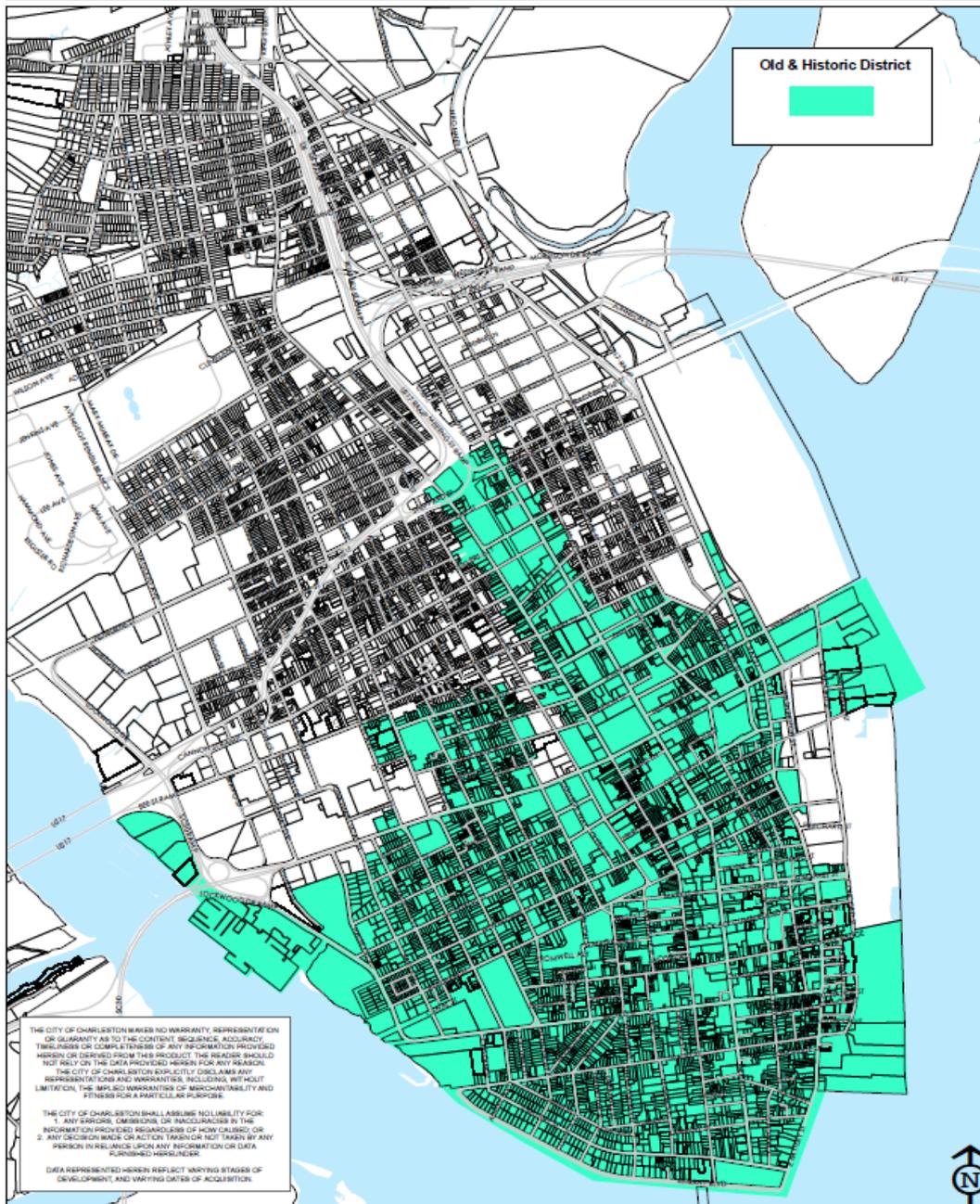
Bed & Breakfast uses are permitted within the Old & Historic District pursuant to Section 54-208 of City of Charleston Zoning Ordinance



CITY OF CHARLESTON

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY

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DATA REPRESENTED HEREIN REFLECT VARYING STAGES OF DEVELOPMENT, AND VARYING DATES OF ACQUISITION.

# Bed and Breakfasts - Outside of Old & Historic District

- A use by the record owner of property, who is also the resident of the property where the use is proposed. A Bed and Breakfast unit contains one (1) or more rooms arranged for the purpose of providing sleeping accommodations for transient occupancy by up to ten (10) families.
- Only permitted south of the Septima Clark Expressway and not within the Old and Historic District if approved by the Zoning Division as a conditional use. A City of Charleston Business License is required.

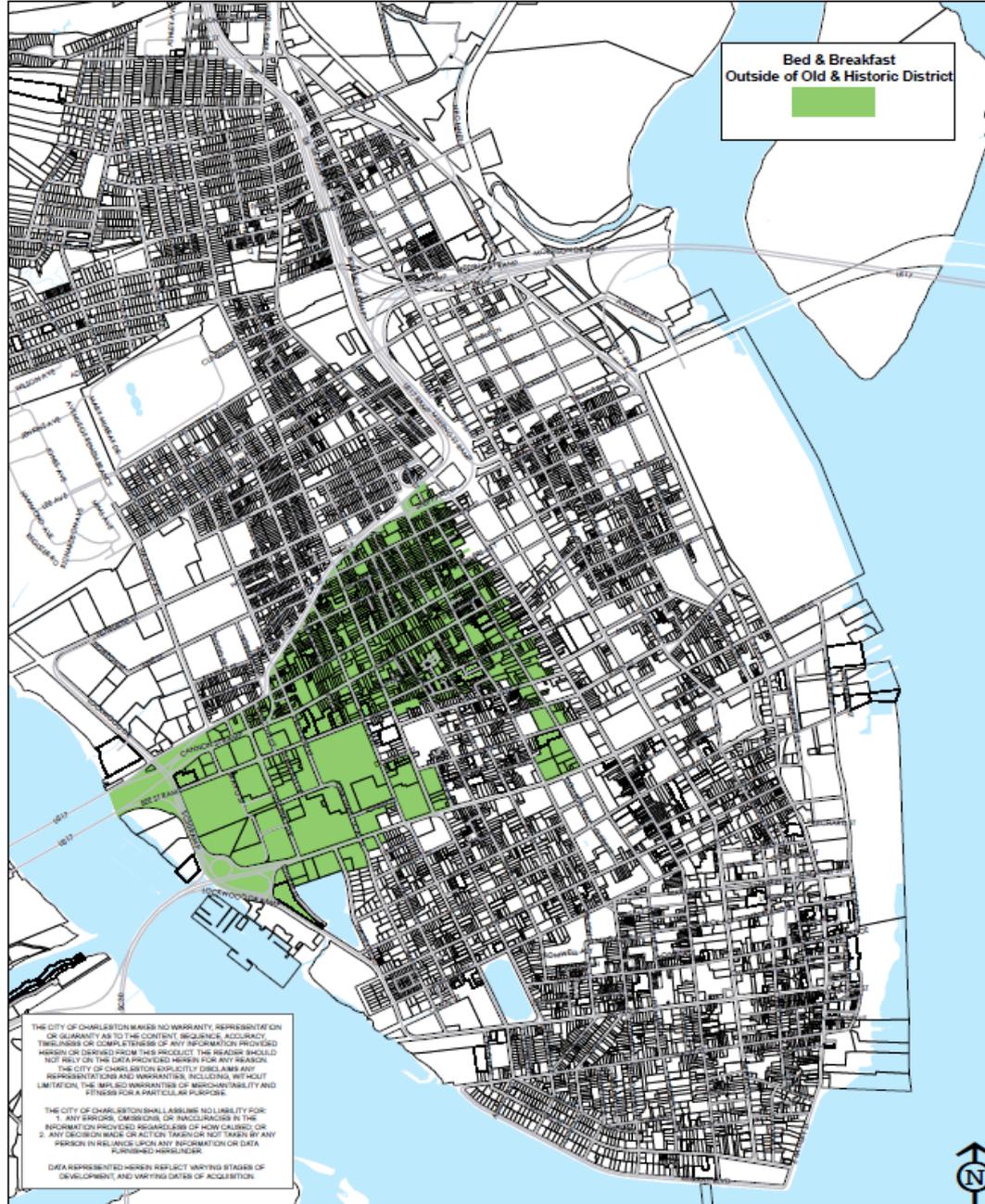
# Bed & Breakfast Outside of the Old & Historic District

Bed & Breakfast uses are permitted in the area shown on this map pursuant to Section 54-208.1 of City of Charleston Zoning Ordinance



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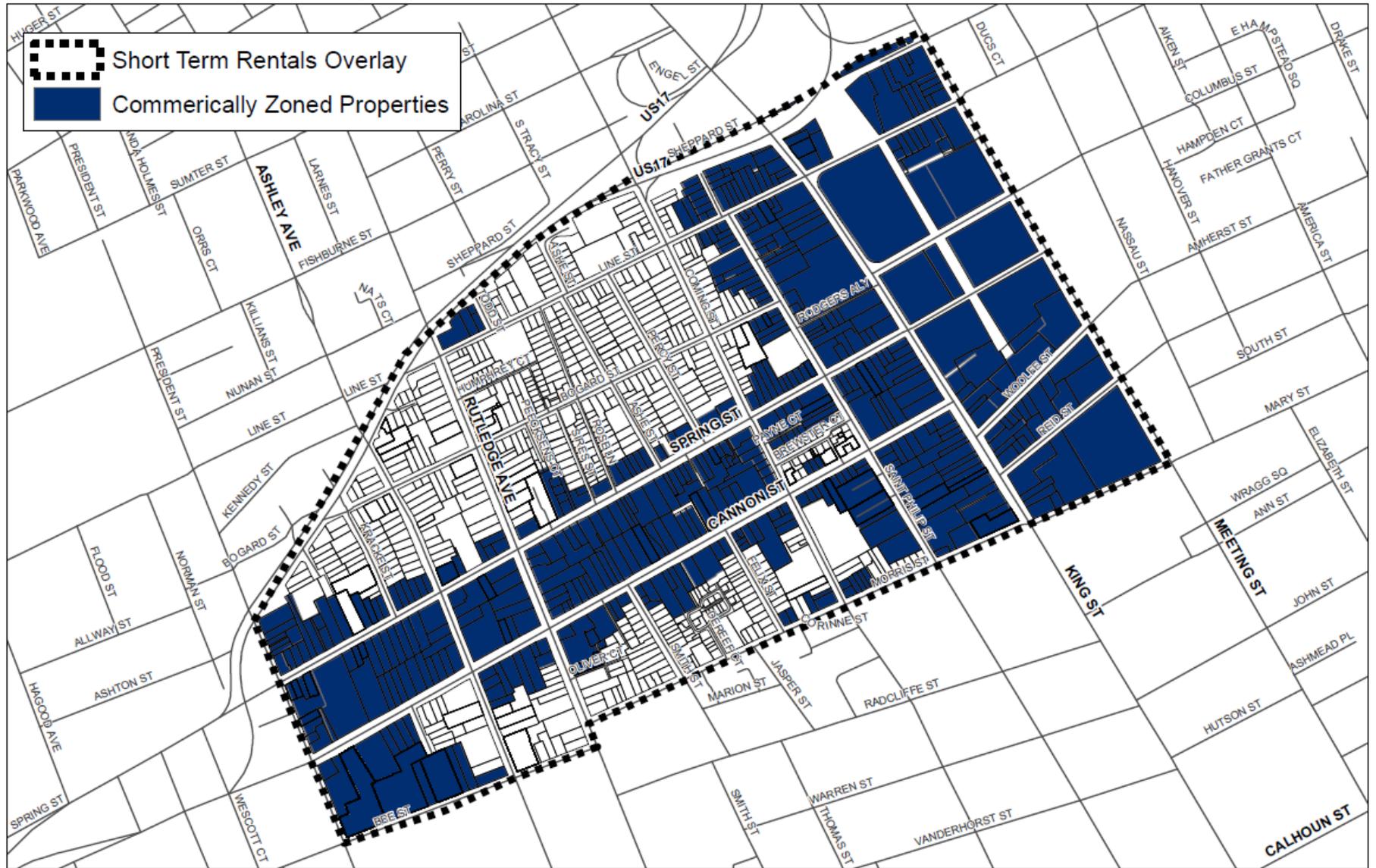
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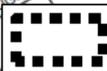


# Short Term Rentals

- Short term rentals are a distinct type of accommodations use consisting of a limited number of fully functioning private dwelling units that are rented to families for periods of between one (1) day and 29 days. Pursuant to § 54-227, to receive the approval of the Zoning Division, the dwelling unit must be located within the Short Term Rental Overlay Zone and be zoned CT, LB, GB, UC, MU-1, MU-1/WH, MU-2, MU-2/WH (commercial zoning districts). A City of Charleston Business License is required.

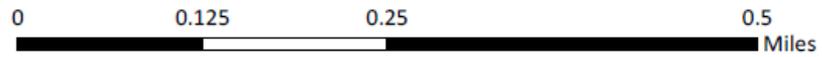
# Short Term Rental, ST Overlay



 Short Term Rentals Overlay  
 Commercially Zoned Properties



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 Planning Division  
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[www.charleston-sc.gov](http://www.charleston-sc.gov)



Date: 11/29/2016

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# Short Term Rental Conditions

1. Each dwelling unit is a conforming or legal non-conforming dwelling unit not designated as an affordable housing unit or workforce housing unit and containing cooking, living, sanitary and sleeping facilities.
2. There are no commercial uses or common areas for renters, such as breakfast rooms, associated with the residential occupation of the property. Commercial enterprises on the property must be completely separate and independent operations.
3. There are no exterior signs for the short term rental use on the property.
4. The owner must comply with all business license and revenue collections laws of the City of Charleston, Charleston County and State of South Carolina.
5. Existing parking spaces on the property, if any, that satisfy the off-street parking requirements of this Chapter for the dwelling units being converted to short term rental units shall be shown on the site plan submitted with the application and shall be retained and used for the short term rental units and no additional parking spaces shall be required.
6. No more than nine (9) short term rental units shall be permitted on one (1) lot. Ten (10) or more short term rental units on one lot shall require approval as an accommodations use pursuant to the requirements of the accommodations overlay zone.