



Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

ZLDR Comprehensive Review and Recommendations

Charleston County, SC

Meeting of:

Short-Term Rental Subcommittee

April 24, 2017



Charleston County, SC

ABOUT THE PROJECT TEAM

- Kendig Keast Collaborative | White & Smith Planning & Law
- Strategic assessments, amendments, and complete ZLDR rewrites for 300+ jurisdictions
- Multi-disciplined resources: plan writers and implementers, planners/designers, researchers, land use attorneys, modelers, illustrators, etc.
- Authors and innovators of national best practices
- Leaders in innovative regulatory provisions (resource protection; character, design-based, and composite district standards; housing palette)
- Developers of **enCodePlus™** Internet-based ZLDR publishing and content management software that includes GIS integration, development calculators, etc.





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

PROJECT GOALS

- Consistency with the 2015 Comprehensive Plan and 2018 Plan Update (Concurrent)
- Ensure consistency with State laws and best practices
- Draft historic preservation regulations to implement the Charleston County Historic Resources Survey Update, 2016 (Certified Local Government)
- Draft regulations to address short-term rentals
- Strengthen the linkages of the zoning districts with the future land use plan
- Review and revise the allowable land uses
- Identify improvements for streamlining development review and permitting
- Evaluate districts and lot sizes relative to availability of utilities
- Issues identified by staff
 - Housing incentives
 - Special event provisions (now permitted as Special Exception uses)
- Conduct a strategic assessment of and prepare an annotated outline for the ZLDR



Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

THREE PHASE APPROACH

1


- Background Studies
- Strategic Assessment
- Annotated Outline
- Historic Preservation
- Short-Term Rentals
- Land Use Matrix
- Development Review Procedures
- Base Zoning Districts

2

- Interactive, Web-Based Code
- Lot Areas / Densities of Highland Areas
- Overlay Districts
- Affordable Housing
- Subdivision Requirements
- Administrative Reductions
- Definitions

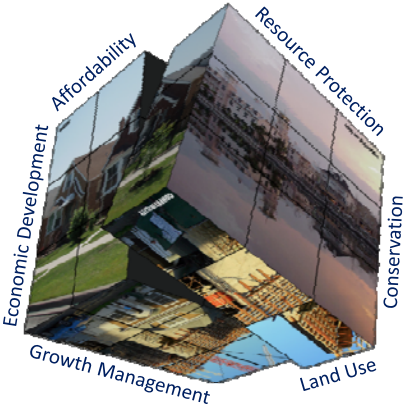

3

- Permitting Processes
- Revise RR-3
- PD Requirements and Processes
- Urban Agriculture
- Temporary and Accessory Uses/Events
- 208 Planning Process
- Open Space
- Requirements for Compliance

 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)

DESIRED OUTCOMES

- ✓ Intuitive organization
- ✓ Predictable and certain
- ✓ Well-articulated standards
- ✓ User-friendly; easily navigable
- ✓ Good development as a rule
- ✓ Procedural streamlining
- ✓ Multiple paths to “yes”
- ✓ Legally defensible

 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)



Kick-off & Coordination
 This Week → Background Study & Staff / Committee Meetings
 Strategic Assessment & Annotated Outline
 Public Meetings & Design Workshop
 Ordinance Amendments
 Online Publication
 Public Meetings
 Adoption
Zoning & Land Development Regulations





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

STRATEGIC ASSESSMENT & ANNOTATED OUTLINE

- Strategic Assessment
 - Results of County staff meetings, discussion with County Planning Commission and Historic Preservation and Short Term Rental Committees, and tour observations
 - Integration of Comprehensive Plan policies and objectives
 - Diagnostic of current ordinances
 - Infusion of best practices
 - Proposed regulatory strategies and key policy directions
- Annotated Outline
 - Provides the proposed content and organization of the ZLDR
 - Provides County Staff and Planning Commission opportunity to review before initiating drafting of Phases 2 and 3 ZLDR amendments

Land Use Code (LUC)	
Title: Numbering is based on the current La Plata County Code of Ordinances	
Old Section Number and Heading	Current Section Number
Subject B - Land Use Code (LUC)	
Chapter 62 - Authority, Purpose, Jurisdiction, and Application	
Subchapter 62-1 - General Provisions	
Sec. 62-1-1. Title: Short Title	New
Sec. 62-1-2. Authority	Sec. 79-22 (MAG), 79-27, 79-57, 80-16, 94-88, 102-2
Sec. 62-1-3. Purpose	Sec. 79-26, 80-17, 80-18, 100-3, and New
Sec. 62-1-4. Jurisdiction	Sec. 79-21, 80-18, New
Sec. 62-1-5. Property Rights	Sec. 82-51, New
Sec. 62-1-6. Applicability: Development Districts - Non-District Areas	Sec. 62-2, 100-479, 100-480 Relationship to Hearing Board, New
Subchapter 62-2 - Effect of LUC	
Sec. 62-2-1. Enactment and Repeal	New
Sec. 62-2-2. Effective Date	New
Sec. 62-2-3. Vacated Property Rights	New
Sec. 62-2-4. Consistency with Signs	79-5, 100-114, 100-472 and plans cited within specific Sections.
Sec. 62-2-5. Transition Signs	New
Chapter 63 - Districts and Sites	
Subchapter 63-1 - Established Districts	
Sec. 63-1-1. Purpose and Applicability	New
1. Arroyo Valley (Zoning)	Sec. 106-112, 106-113, 106-114, and Chapter 106, Article 10
1. Bayfield	
1. Crocker	• Hermosa Creek
1. Durango	• Bruce Lane
1. Florida Mesa	• Hermosa / Arroyo
1. Fort Lewis Mesa	• Hermosa West
1. Junction Creek	• Central Arroyo Valley
1. La Florida Road	• Gem Village (106-136)
1. North County	• Crocker Creek (106-172)
1. Southeast La Plata	Sec. 70-44
1. Vallejo	Chapter 106, Article 10, Division 2-12, 106-411, 106-812
1. West Durango	

ZLDR Comprehensive Review and Recommendations

➤ Short-Term Rentals



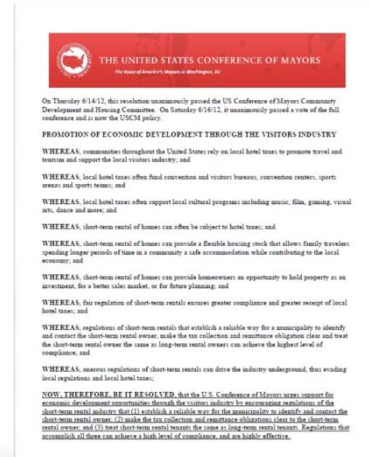


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Zoning and Land Development Regulations (ZLDR)

SHORT-TERM RENTALS, BACKGROUND

- U.S. Conference of Mayors
 - Mayors' Community Development and Housing Committee
 - Whereas Statements
 - Communities rely on local hotel taxes to promote tourism
 - Local hotel taxes fund convention and visitors' bureaus and cultural programs
 - Short-term rentals can be subject to hotel taxes
 - Provide flexible housing stock for family travelers and longer stays
 - Provide homeowners investment opportunities
 - Fair regulation ensures greater compliance and greater receipt of local hotel taxes
 - June 2012 Resolution
 - Establish a reliable way for municipalities to identify and contact the short-term rental owner
 - Make the tax collection and remittance obligations clear to the short-term rental owner
 - Treat short-term rental tenants the same as long-term rental tenants



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Zoning and Land Development Regulations (ZLDR)

SHORT-TERM RENTALS, BACKGROUND

- Sharing Economy
 - Room Sharing
 - The arguments for
 - Freeing “trapped capital” of underutilized properties
 - Increasing the stream of commerce (The Economic Ripple Effect)
 - Nimble response to fluctuating supply-and-demand dynamics
 - Fill-the-gap in hotel availability for special events or seasons
 - Affordable lodging options
 - Pressuring pricing on the margin, yielding lower costs and wider options for visitors
 - While viewed as taking a slice of the pie, they’re also expanding the size of the pie
 - Statistics
 - American Hotel and Lodging Association reported that revenue grew from \$163 billion in 2014 to \$176 billion in 2015
 - A Morgan Stanley equity report projected increases in hotel-occupancy rates from 65% in 2014 to more than 69% in 2017
 - Stays of a single night made up 25% of hotels’ business, but just 7% of Airbnb’s




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SHORT-TERM RENTALS, BACKGROUND

- **Studies: Short-Term Rental Advocacy**
 - Galveston, Texas
 - Economic Impact Findings
 - \$176.7 million total direct spending by visitors staying in STRs in 2013
 - Total economic output of \$283.6 million, value-added of \$163.9 million, earnings of \$85.6 million, 3,117 jobs
 - Myrtle Beach, South Carolina
 - Economic Impact Findings
 - 22% of 10,000 rooms are STRs
 - Average daily rate of \$187 versus \$111 for hotels
 - The average length of stay is longer and size of party is larger for short term rental users
 - For every \$100 a traveler spent on lodging, they spent an additional \$69 on food, \$24 on local transportation, \$48 on arts, entertainment, and recreation activities, and \$59 on retail shopping.
 - Total economic output of \$200.7 million, value-added of \$117.9 million, earnings of \$56.2 million, and 2,587 jobs




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SHORT-TERM RENTALS, BACKGROUND

- **Best Practices**
 - Definitions
 - “Use of a residential dwelling unit or accessory building on a temporary or transient basis. A short term rental shall include a residential dwelling unit or accessory building used as a short term vacation rental, for any period less than thirty (30) consecutive days.” (Galveston, TX)
 - “A dwelling unit located on residentially zoned property that is rented for less than 30 days.” (Santa Fe)
 - “Properties rented for less than 30 days at a time, excluding Federal, State, or local facilities and facilities licensed as health care facilities.” (Boulder, CO)
 - “The rental of a shared room, single room, multiple rooms or an entire property for a period ranging from 1-29 days.” (Denver, CO)
 - **Terminology: Transient lodging, vacation rentals, homestays, timeshare, bed and breakfast, accessory dwelling unit, accommodations**
 - **Types**
 - Principal Residential Unit
 - Accessory Dwelling Unit
 - Resort Unit
 - Non-Residential and Commercially Zoned Unit



 Charleston County, SC		Zoning and Land Development Regulations (ZLDR)						
Regulatory Provisions	Galveston	Durango	Asheville	Austin	Denver	Santa Fe	Savannah	
Designated owner, agent, or rep.	X	X		X			X	
Non-transferable	X		X	X	X	X		
On-site full time resident			X		X			
Owner liability	X		X		X			
Rental registration / permit	X		X			X	X	
Business license				X	X		X	
Permit cap		X		X		X		
Occupancy limits	X	X		X	X	X		
Standards of conduct	X			X			X	
Penalty provisions	X			X	X	X	X	
District Limitations		X	X	X		X		
Spacing Between Units		X		X				
Parking Restrictions		X				X	X	
Posted or Mailed Notice		X		X	X	X	X	
Inspections			X	X	X	X		
Taxes (Sales, Occupancy, etc.)	X		X	X	X	X	X	
Site Plan Required						X		

Short Term Rental Owners Association of Galveston

HOME MEMBER PROPERTIES STROAG PARTNERS GALVESTON BENEFITS BEFORE & AFTER PHOTOS MEETINGS NEWS CONTACT MEMBER BENEFITS

HOW TO RUN A SHORT TERM RENTAL HOW TO JOIN MEMBER LOGIN

About STROAG

At STROAG, we strongly believe in being good neighbors. For information about STROAG's good neighbor policy, please click here: [STROAG Good Neighbor Brochure](#)



1914 BEACH BUNGALOW



How to run a Short Term Rental

Who Does That Car Belong To?

Good Neighbor Brochure

We are proud members

SHORT-TERM RENTALS, CONSIDERATIONS

- Key Considerations
 - County Code or ZLDR (or both)?
 - Registration versus licensure
 - License: a permit from an authority to own or use something, do a particular thing, or carry on a trade
 - Registration: the action or process of registering or of being registered
 - Applicable definitions
 - Short Term Rental
 - Owner or agent
 - Limited lodging (< 180 days / yr.)
 - Applicability to zoning districts; residential vs. nonresidential
 - Permitted, conditional, special exception, or accessory use
 - Use conditions
 - Owner occupied (e.g. ADU or bed and breakfast) or absentee owner / investor
 - Taxes and Fees - Reporting and payments



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SHORT-TERM RENTALS, CONSIDERATIONS

- **Key Considerations**
 - Caps
 - Number of days per calendar year
 - Number within a certain area, district, or distance
 - Building vs. Zoning Code
 - Life and safety inspections vs. zoning compliance
 - Different interpretations of definitions
 - Pre-Existing STRs
 - Paths to conformity
 - Timeline and procedures
 - Thresholds of compliance
 - Means of enforcement - Occupancy
 - Annual license/registration renewal
 - Complaint basis
 - Others?



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Thank you



KENDIG KEAST
COLLABORATIVE

