



# REQUEST FOR COUNCIL ACTION

## City of Greenville, South Carolina

Agenda Item No.

15h

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

Ordinance/First Reading  Ordinance/Second & Final Reading  Resolution/First & Final Reading  Information Only

**AGENDA DATE REQUESTED:** April 27, 2020

**ORDINANCE/RESOLUTION CAPTION:**

EMERGENCY ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM ON ACCEPTANCE OF APPLICATIONS FOR PERMITS, LICENSES, CERTIFICATES OF APPROPRIATENESS, AND OTHER APPROVALS FOR A SHORT TERM RENTAL, OR FOR A DEVELOPMENT WHICH INCLUDES SUCH USE

**SUMMARY BACKGROUND:**

This Ordinance places a six (6) month moratorium on all new permits and other approvals for short term rentals. The moratorium period will give City staff and City Council time to consider and implement appropriate regulations.

**IMPACT IF DENIED:**

The temporary moratorium will not go into effect.

**FINANCIAL IMPACT:**

N/A

### REQUIRED SIGNATURES

Department Director Jonathan B. Graham  
DocuSigned by:  
219319F5AC3C445...

City Attorney Michael Pitts  
DocuSigned by:  
5E0F2A267E2D413...

OMB Director \_\_\_\_\_

City Manager John McDonough  
DocuSigned by:  
FDC2AC15040F440...

## A N O R D I N A N C E

TO IMPOSE A TEMPORARY MORATORIUM ON ACCEPTANCE OF APPLICATIONS FOR PERMITS, LICENSES, CERTIFICATES OF APPROPRIATENESS, AND OTHER APPROVALS FOR A SHORT TERM RENTAL, OR FOR A DEVELOPMENT WHICH INCLUDES SUCH USE

WHEREAS, the city of Greenville (“City”) Code of Ordinances contains regulations for the establishment of visitor accommodations; and

WHEREAS, since the adoption and last revision of those regulations there has been a significant increase in the number of dwelling units being offered as short term rentals due to the emergence and popularity of certain internet-based services, e.g. Airbnb, VRBO; and

WHEREAS, the City provides municipal planning and land use services, including, but not limited to land development regulation, zoning, land use planning, permitting, and licensing of businesses and properties, which are vital to the public health, safety, welfare, and quality of life in the City; and

WHEREAS, the proliferation of short term rentals poses a risk to public health, safety, welfare, and quality of life in the City due to the impact that such development has on city services, infrastructure, and resources, including, but not limited to, creating increased strain on and negative impact to roads, fire and emergency services, police services, traffic density, pedestrian safety, aesthetics, traditional single-family neighborhoods, and affordable housing stock; and

WHEREAS, City Council desires to reduce traffic congestion, promote the health and general welfare of the City’s citizens, facilitate desirable living conditions, and encourage the most appropriate use of land within the City; and

WHEREAS, the pace of growth and the impact of the increase in short term rentals has created the need to review, revise and update the City’s ordinances related to land development, zoning, land use planning, permitting, and licensing of visitor accommodations; and

WHEREAS, in order to preserve the status quo during the pendency of such review and adoption of amended ordinances, City Council finds it necessary to temporarily limit the development or establishment of short term rentals so as to provide time for City Council and city staff to closely study the aforementioned issues and draft appropriate amendments to the City’s Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA:

Section 1: *Moratorium*. There is hereby imposed a temporary moratorium on the acceptance of new applications for permits, licenses, certificates of appropriateness, and/or other approvals for short term rental(s) or development(s) which include short term rental(s) within any zoning district in the City. For purposes of this Ordinance, “short term rental” shall mean a privately owned dwelling unit, including a single-family dwelling (whether attached or detached), multiple-family dwelling, or any portion of such dwellings, which is rented for occupancy for dwelling, lodging, or sleeping purposes for any period of less than thirty (30) consecutive days; “short term rental” does not include bed and breakfast inns. This moratorium shall not apply to applications or uses that are vested in accordance with either S.C. Code Ann. § 6-29-1510, et seq., or Section 19-2.2.14 of the City’s Code of Ordinances. Any city ordinances, rules, regulations, or policies that are inconsistent or conflict with

this Ordinance are hereby suspended as to such inconsistency or conflict while this Ordinance is in effect.

Section 2: *Effective Period for Moratorium.* The moratorium set forth in this Ordinance shall be in effect for a period of six (6) months from the effective date of this Ordinance. This provision regarding final adoption shall in no way adversely affect the enforceability, applicability, and legality of the pending ordinance status, which shall be fully effective upon first reading approval. City Council may, by way of resolution, extend the temporary moratorium established in this Ordinance one (1) time for a period not to exceed ninety (90) days upon a finding by City Council that the problems giving rise to the need for the temporary moratorium established herein continue to exist and that reasonable progress is being made in carrying out a specific and prompt plan of action addressing concerns over the pace and impact of development involving short term rentals, but that additional time is reasonably needed to adequately address the issues facing the City.

Section 3: *Severability.* Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER