

Short-term rentals: A long-term issue



SAVANNAH BLAKE | THE JOURNAL

Seneca City Council is considering a final vote on an ordinance dealing with short-term rentals such as this home on Shorecrest Drive in Seneca, but some officials predict the issue will be one that will continue to affect local governments across the nation.

SENECA HAS CONSIDERED 3 DIFFERENT ORDINANCES

Seneca has been working on its short-term rental ordinance for nearly a year and a half and is now in its third version:

- **THE** initial proposal was approved on first reading by council in April 2018, but the planning commission voted against recommending the ordinance to council for final approval later that month. Council tabled final reading the next month and voted it down in August 2018 at the request of city administrator Scott Moulder.
- **MOULDER** presented a second version that received approval from the planning commission, but that was opposed by some residents. Council did not vote on that proposal.
- **A** third version was approved by the planning commission earlier this year and on first reading by council in June. It is expected to be on the agenda for a final vote on Tuesday.

Official says issue ‘not going to end’ for governments across state, nation

BY NORM CANNADA
THE JOURNAL

SENECA — As Seneca City Council considers a final vote on its most recent short-term rental ordinance, an official with the Municipal Association of South Carolina predicted local governments across the state and nation will continue to be affected by the issue.

“Cities and councils need to figure out what is best for their communities and create a proactive approach to this,” MASC research and legislative liaison Melissa Harrill said. “This is not going to end. It’s only going to continue with millennials and their buying practices.”

Harrill said Seneca is “prime picking” for short-term rentals because

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- The Municipal Association of South Carolina identifies five types of short-term rentals. **A5**

of Lake Keowee and the city’s close proximity to Clemson University.

“You have football weekends, graduation weekends, parents’ weekends — those are all big users of the Airbnbs and vacation rentals

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by owner," she said. "It's not just the bedroom in somebody's house. That's what people seem to think Airbnb is. I would venture to say a large majority of their income is derived from whole houses, not just bedrooms in people's homes."

She added the way people are finding short-term accommodations has changed.

"In my day, my parents found beach houses in the back of Southern Living or in the newspaper, friends who rented out their home or you called a management company," she said. "Now, everybody is doing it on their phone or computer and they can pay for it in one step."

Harrill said the issue is difficult to maneuver, and property owners have different opinions about whether they want short-term rentals in their neighborhood.

"Whenever you're talking about property rights, your home is your biggest investment for most people, so those are very se-

rious topics for folks," she said. "You want to be safe. You want to make sure there are not loud parties. At the same time, the other side of the coin is you've got to value the other side of people's rights to be able to have some side income if that's what they choose."

She added that state law allows residents to rent their primary residence for up to 72 days and still have the home as a primary residence for property tax purposes.

She said residents still must "pay fees and taxes that are applicable and follow all the zoning rules that are applicable in your community."

Harrill added it's important for local governments

to find solutions that fit their specific community.

"Cities are trying very diligently to be very proactive with this issue on both sides and take the time to learn and to try to do what the citizens are asking for," she said. "Typically, cities are trying to find that balance. No one ordinance is a template for all the others. They have to be individualized."

In Seneca, homeowners associations have amended their covenants to ban or limit short-term rentals in their communities. Harrill said such amendments "have been fairly typical for a long time where you would limit that kind of activity." She added covenants more restrictive than

local ordinances supersede those ordinances, according to state law. Seneca's proposed ordinance states such covenants would override the city's ordinance.

Harrill said some cities are adding response time by owners or property managers as part of ordinances that are being considered.

"I have seen language that communities are investigating that you have to be able to respond to a complaint within 30 minutes," she said. "So if there is a situation in the home, somebody that's responsible has to be able to be reached within a half an hour or some sort of time period. That is fairly standard."