

PLANNING COMMISSION



Meeting Date: August 5, 2025 6:30pm

Type of Agenda Item: Misc. Refinements to the Zoning Ordinance – Code of Ordinance

Meeting Location: 425 E. Curtis St (City Hall) Simpsonville, SC 29681

Docket#: TX-2025-02 / O-2025-08

Attachments: Proposed Ordinances

REQUEST

The City of Simpsonville has received a request for refinements to the city zoning ordinance and Code of Ordinance regarding Short Term Rentals.

LOCATION & SITE DESCRIPTION

This request was brought by City Council for the Planning Commission to make recommendations to allow for Short-term Rentals within the city.

MORE INFORMATION

For more information or to inquire about the petition, contact the Simpsonville Planning & Zoning Department at 967-9526

CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: **ORDINANCE NO. TX-2025-02. AN ORDINANCE CONTAINING VARIOUS REFINEMENTS TO THE SIMPSONVILLE ZONING ORDINANCE.**

BASIS FOR THE ORDINANCE: TITLE 6, CHAPTER 29, SOUTH CAROLINA CODE OF LAWS

ENACTING CLAUSE: NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

CITATION OF ORDINANCE REPEALED: None

PROVISION OF ORDINANCE: See provision of ordinance below.

SECTION NUMBERS: See below.

EFFECTIVE DATE OF ORDINANCE: Upon final approval by Council after second reading and signing by the Mayor.

NAME OF PERSON REQUESTING INTRODUCTION OF ORDINANCE: Simpsonville City Council

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

NOTE: *Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged.*

SECTION 1. That the City of Simpsonville Zoning Ordinance is hereby amended as follows:

3.1 Uses by District

3.1.5 Table of Allowed Uses

	R-E	R-Lo	R-Mid	R-Hi	R-OI	B-L	B-G	B-U	B-I
Residential Uses and Accommodations									
<u>Short-term Rental</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	—	—	—	—

3.2 Conditional and Special Exception Use Standards

3.2.44 Short-term Rental

A. Standards

1. The rental of any property shall be in its entirety. It shall be prohibited to rent on a “per room” basis.
2. The rental an attached single-family dwelling or apartment is strictly prohibited.
3. The number of adult guests at any short-term rental shall not exceed two adults per bedroom and in no case shall the rental occupancy exceed six adults total. For the purposes herein, an adult is any person at least eighteen years in age.
4. Large gatherings, including, but not limited to, weddings, reunions, and other gatherings with more than eight persons are prohibited while the property is being used as a short-term rental.
5. while the property is being used as a short-term rental, the maximum number of motor vehicles that may be parked at the premises is one vehicle per bedroom or four vehicles total, whichever is less. Occupants shall only park on the driveway or on other delineated areas for parking along the side or rear of the home.

All parking areas shall be surfaced with concrete or asphalt pavement. Parking on-street or on unpaved surfaces, including, but not limited to, grass, dirt, or gravel surfaces shall be prohibited.

6. Any sign on the premises advertising a short-term rental is strictly prohibited.
7. The owner(s) and/or short-term rental agent shall list the short-term rental permit number, maximum number of adults, and maximum number of parking spaces on all advertisements, listings with booking services, and marking materials, including without limitation, Airbnb, VRBO/Homeaway, FlipKey, and any other online website and listing or booking platform or service.
8. The owner(s) and/or short-term rental agent shall keep a guest register including the name(s), address(es), telephone number(s), and date(s) of occupancy of all guests for a period of two years for inspection and replication by the City of Simpsonville.
9. A short-term rental permit issued by the City of Simpsonville must be obtained for the property.

10. A copy of the short-term rental business license shall be posted in a conspicuous location in the unit and shall include the following information:
- a. The name, address and phone number of the owner(s) and the short-term rental agent.
 - b. The short-term rental business license number.
 - c. The maximum number of adults allowed on the premises during the rental period.
 - d. The maximum number of vehicles allowed at the premises during the rental period.
 - e. The effective date and expiration date of the business license.

8.5 Defined Terms

Short-term Rental: An accommodation for transient guests where, in exchange for compensation, a residential dwelling unit, or any portion thereof, is provided for lodging for a period of less than six consecutive months.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Ashley Clark
City Clerk

Daniel Hughes
City Attorney

FIRST READING:
SECOND READING:

ORDINANCE

AN ORDINANCE TO AMEND THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 10 – BUSINESSES BY ADDING ARTICLE VI “SHORT-TERM RENTALS” AND VARIOUS PROVISIONS RELATING THERETO

WHEREAS, the City of Simpsonville has an existing Code of Ordinances; and

WHEREAS, the City of Simpsonville finds there exists within the City from time to time, residential dwelling units that are offered for rent for the purpose of vacation or other short-term stays of less than 6 months; and

WHEREAS, the City of Simpsonville finds it desirable and appropriate to regulate short-term rentals operating within the city limits; and

WHEREAS, the Mayor and Council believe that it is advisable to establish a process by which licenses and permits may be obtained for the establishment of short-term rentals and to adopt regulations with regard thereto; and

WHEREAS, the Mayor and City Council have reviewed the proposed amendment and have determined that it is in the best interest of the City to adopt it;

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

Section 1: That the Code of Ordinances, Chapter 10, Businesses, be amended by adding a new article, Article VI, " Short-term Rentals," which article shall read as follows:

ARTICLE VI. – SHORT-TERM RENTALS

Sec. 10-291. - Purpose and applicability of article.

These standards shall apply to "unhosted" short-term rentals where the homeowner vacates the property during the rental period. "Hosted" short-term rentals where the homeowner resides at the property during the rental period shall only be permissible as a bed and breakfast inn, where permitted, and shall be subject to the standards in Section 3.2.1, Bed and Breakfast Inn, of the Simpsonville Zoning Ordinance.

It is the purpose of this section to: (1) protect the public health, safety and general welfare of individuals and the community at large; (2) monitor and provide reasonable means for citizens to mitigate impacts created by occupancy of short-term rentals; and (3) implement reasonable regulations to protect the integrity of neighborhoods.

Sec. 10-292. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrator means the city administrator or city personnel designated by the city administrator to enforce this article.

Adult means any person at least eighteen years in age.

Short-term Rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit, or any portion thereof, is provided for lodging for a period of less than six consecutive months.

Short-term Rental Agent means the owner(s), or designee, of the short-term rental property that is over the age of twenty-one years and resides within a fifteen-mile radius of the property.

Sec. 10-293. – Penalty

Unless specified elsewhere, any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with Sec. 1-9 of this Code of Ordinances. Each day any violation of this article shall continue shall constitute a separate offense.

Sec. 10-294. – Permit required.

- (a) It shall be unlawful for any person to create, establish, operate or otherwise be engaged in the business of running a short-term rental, in the city, unless he shall hold a currently valid permit issued under the terms of this article.
- (b) Permits shall be issued only to validly licensed businesses.

Sec. 10-295. – Application for permit; fee.

- (a) Application for the permit required by this article shall be made with the city in a form deemed appropriate by the city administrator. Such application shall include, but not be limited to, the following information:
 - (1) Name, home address and telephone number of the short-term rental property owner.

- (2) Name, address, and twenty-four-hour contact information, including a telephone number and an e-mail address, of the short-term rental agent.
- (3) Proof of the owner(s)' current ownership of the short-term rental property. Where a property might be owner-financed, bond for title, lease to purchase or similar arrangement, a notarized statement or similar documentation that confirms the arrangement of the property transaction will be acceptable.
- (4) The owner(s)' signature of sworn acknowledgement that he or she has received a copy of the City of Simpsonville's short-term rental regulations, has reviewed it, and understands its requirements.
- (5) An owner(s)' agreement to use his or her best efforts to ensure that use of the premises by short-term rental occupants will not disrupt the neighborhood and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.
- (6) Proof of property and liability insurance, including any prerequisite short-term rental rider, along with an acknowledgement that property owners are responsible for their own safety and insurance needs, as well as the safety and sanitation of their tenants. By providing a permit and licenses allowing property owners to conduct short-term rentals of their dwelling, the City of Simpsonville does not assume responsibility for safety or any other liability related to rental activities.
- (7) A written certification from the short-term rental agent that he or she agrees to perform the duties specified in the City of Simpsonville's short-term rental regulations.
- (8) For properties located in a neighborhood with a property owners' association, written confirmation from the association president or other person(s) authorized by the property owners' association that short-term rentals are permitted in the neighborhood.
- (9) Agreement to provide access to appropriate City personnel to inspect the short-term rental as may be necessary for the enforcement of the provisions of this Ordinance.
- (10) A written exemplar agreement, which shall consist of the form of the document to be executed between the owner(s) and the occupant(s) and which shall, at a minimum, contain the following provisions:
 - a. The occupant(s)' agreement to abide by all of the City of Simpsonville's short-term rental regulations, and applicable local, state and federal laws, as well as acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else.

- b. Owner(s)' acknowledgement that the occupant(s) has been provided a written copy of the City of Simpsonville's noise ordinance.
 - c. The owner(s)' and occupant(s)' acknowledgement and agreement that parking shall be maintained pursuant to the provisions herein while the property is being used as a short-term rental.
 - d. The occupant(s)' acknowledgement and agreement that they shall conform to the regulations stated in the 2015 International Property Maintenance Code on Overcrowding and Bedroom requirements (IPMC 404.4 and 404.5). In addition to these regulations, there shall not be more than two (2) adults per bedroom and in no case shall the rental occupancy exceed six (6) adults total.
 - e. Owner(s)' acknowledgement that the occupant(s) has been provided a written copy of the City of Simpsonville Public Works Department's requirements concerning trash disposal and that the occupant(s) has agreed to comply with such requirements.
 - f. The occupant(s)' acknowledgement and agreement that large gatherings, including, but not limited to, weddings, reunions, and other gatherings with more than eight (8) persons are prohibited.
 - g. The occupant(s)' acknowledgement and agreement that violation of the agreement of the City of Simpsonville's short-term rental regulations may result in immediate termination of the agreement and eviction from the short-term rental by the owner(s) or the short-term rental agent, as well as the potential liability for payments of fines levied by the City of Simpsonville.
- (b) An application fee shall not be required except for short-term rentals found to be operating without approval of the City of Simpsonville as outlined herein. For short-term rentals that are found to be operating after 00 00, 2023, without approval of the City of Simpsonville, the short-term permit application fee shall be \$250.00.

Sec. 10-296. – Form and conditions of permit.

The permit required by this article shall be issued on a form deemed suitable by the administrator. In addition to naming the permittee and any other information deemed appropriate by the administrator, the permit shall contain the following conditions:

- (a) Once issued by the City of Simpsonville, the short-term rental permit and business license may not be transferred, assigned, or used by any person other than the property owner to whom it is issued at the location specified.
- (b) The short-term rental permit and business license shall be renewed annually subject to the deadline for business license renewals.

- (c) Owners of short-term rental properties are subject to local, county, and state taxes, including, but not limited to, property, sales, use, and accommodations taxes, and are liable for the payment thereof as established by state and local laws.

Sec. 10-297. – Short-term Rental Agent.

The owner(s) of a short-term rental property shall designate a short-term rental agent on their application for a permit. The owner(s) may serve as the short-term rental agent provided that they meet the location and age requirements herein.

- (a) The short-term rental agent shall reside within a twelve-mile radius of the property.
- (b) The short-term rental agent shall be over the age of twenty-one years.
- (c) The short-term rental agent shall be responsible for the care and maintenance of the residence. This agent shall routinely monitor and inspect the premises for compliance with applicable City laws.
- (d) The short-term rental agent shall be responsible for receiving and responding to notifications from the City of Simpsonville for issues related to the short-term rental use or occupancy of the premises. Such issues may include, but are not limited to, notification of overcrowding, unreasonable noise or disturbances, disorderly conduct, or violations of the City's laws. This is not intended to impose a duty on the agent to act as a peace officer or otherwise require the agent to place him or herself in a perilous situation.
- (e) The owner(s) may change their designation of a short-term rental agent temporarily or permanently; however, there shall always be one such agent and only one such agent for a property at a given time. To change the designated agent, the owner(s) shall notify the City of Simpsonville Planning Department of the new agent's identity in writing within seven calendar days of such a change, together with all applicable information and documentation required herein. Until such time as the notification of a change in short-term rental agent has been received by the City of Simpsonville, the previous short-term rental agent shall remain responsible for the duties outlined in this section.

Sec. 10-298. – Denial, Suspension, retraction of permit.

- (a) Grounds for denial, suspension, retraction or revocation. The administrator may deny, retract, revoke or suspend a permit issued under this article at any time for any business authorized in the city if it is found that:
 - (1) The permittee's business license has been revoked, suspended, or is lapsed, in which case the permit issued pursuant to this article is automatically an immediately revoked.
 - (2) The permittee does not have insurance in force which is correct and effective as described in Sec. 10-295(a)(6).

- (3) The permittee has failed to correct violations of this article or conditions of the permit upon receipt of the administrator's notice of the violation delivered in writing to the permittee.
 - (4) The permittee has failed to take positive actions to prohibit violations from reoccurring.
 - (5) The permittee has accumulated three code violation convictions for a short-term rental property within a period of twelve months, in which in which case the permit issued pursuant to this article is automatically suspended for a period of twelve months and any pending licenses or applications shall be rejected at that location for a period of twelve months.
- (b) Notice of denial or revocation. Except in the case of revocation pursuant to Sec. 10-298(a)(1), upon suspension, denial or revocation, the administrator shall give notice of such action to the applicant or the permittee, in writing, stating the action which has been taken and the reason therefor. The action shall be effective upon giving such notice to the permittee.
- (c) Appeals. The permittee shall have the right to appeal the decision of the administrator to the City Administrator within five working days from receipt of notice. An appeal does not stay the denial, suspension, or revocation of the permit. The hearing shall be held within two working days from the date of notice of the request, if the city administrator is available or as soon thereafter as the city administrator shall be available. The permittee or applicant may be represented by an attorney and may present witnesses, affidavits and any relevant documentary evidence. Formal rules of evidence shall not apply. The city administrator shall notify the permittee or applicant of the determination in writing. The city administrator shall have the discretion to designate the duties of this section to an experienced hearing officer.

Section 2. Authorization. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the amendments authorized by this Ordinance in accordance with the conditions herein set forth.

Section 3. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section , phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 4. Repeal of Conflicting Ordinance. All ordinances, orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 5. Effective Date of the Ordinance. This ordinance shall become effective upon final approval by Council after second reading and signing by the Mayor.

DONE in Regular Meeting duly assembled this ____ day of _____ 2025.

SIGNATURE OF MAYOR:

Paul D. Shewmaker

ATTEST:

Ashley Clark
City Clerk

APPROVED AS TO FORM:

Daniel Hughes
City Attorney