

AMEND THE CITY OF CLEMSON ZONING ORDINANCE BY ADDING A DEFINITION OF SHORT-TERM RENTAL TO SECTION 19-107, AMEND SECTION 19-303, TABLE 19-303 TO ADD SHORT-TERM RENTALS AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS, AND TO AMEND SECTION 19-305 TO ADD CONDITIONAL USE STANDARDS FOR SHORT-TERM RENTALS IN RESIDENTIAL DISTRICTS

Amend Article I, Section. 19-107. Definitions by adding the following definition:

Short-term rental means any the legally permitted accessory use of a single-family dwelling unit or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation.

Condominium hotel means a building or complex containing dwelling units in which each unit is individually owned and available for short-term rentals of 25 consecutive days or fewer and where the structure, common areas, and facilities are owned by all of the owners on a proportional basis. Each unit shall be occupied by the owner for no more than 90 days during a calendar year, as well as, for no more than 29 consecutive days.

Hotel and motel [See NAICS Code 72110] means any building or portion thereof containing 10 or more sleeping units, with or without separate restaurant facilities, primarily for transients, including hostels, tourist cabins, and tourist courts, but not including bed and breakfast inns. A condominium hotel shall be considered a hotel provided all units comply with the occupancy limits established by that definition.

Amend Article III, Section 19-303, Table 19-303 to add Short-term rentals as a permitted accessory use subject to conditions.

Section 19-303. Table of Accessory Uses for Residential Districts

The accessory uses allowed in the residential districts of the City of Clemson Zoning Ordinance are hereby established as shown in the following table. Section endnotes are provided to clarify specific requirements that apply to the uses designated. References North American Industry Classification System (NAICS) 2007 edition.

Table 19-303. Table of Accessory Uses for Residential Districts

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Public Hearing: July 20, 2015

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2015-R-15 Short-term Rentals in Residential Districts

<i>P = Permitted Use C = Conditional Use SE = Special Exception Dash (-) = Use not Permitted</i>										
USE CATEGORY	USE TYPE	NAICS CODE	R-20	R-12	RM-1	RM-2	RM-3	RM-3.5 ⁱ	RM-4	C/SE Reference
A. RESIDENTIAL ACCESSORY USES AND/OR STRUCTURES										
Residential Accessory Uses and/or Structures	Apartment (within principal structure)	NA	C	C	C	C	C	C	C	
	Adult Care Services, Family Adult Care Home, 6 or Fewer Clients	624120	C	C	C	C	C	C	C	
	Adult Care Services, Group Adult Care Home 7 to 12 Clients	624120	-	-	C	C	C	C	C	
	Bed & Breakfast Inn	721191	SE	SE	C	C	C	C	C	
	Childcare Services, Family Child Care Home, 6 or Fewer Children	624410	C	C	C	C	C	C	C	
	Childcare Services, Group Child Care Home 7 to 12 Children	624410	-	-	C	C	C	C	C	
	Cultivation of Land, Noncommercial	NA	C	C	C	C	C	C	C	
	Customary & Typical Structures/Uses (Non-habitable) including non-commercial greenhouses, garages and storage buildings	NA	C	C	C	C	C	C	C	
	Detached Garage (non-habitable/non-commercial, serving townhouse/multi-family dwellings)	NA	-	-	-	-	C	C	C	

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USE CATEGORY	USE TYPE	NAICS CODE	R-20	R-12	RM-1	RM-2	RM-3	RM-3.5 ⁱ	RM-4	C/SE Reference
	Equipment for Solar Energy Generation	NA	C	C	C	C	C	C	C	
	Fences and Walls	NA	C	C	C	C	C	C	C	
	Guest Cottage	NA	C	C	C	C	C	C	C	
	Home Occupations	NA	C	C	C	C	C	C	C	
	Keeping of Livestock	NA	SE	SE	SE	SE	SE	SE	SE	
	Parking Structure ⁱⁱ , Freestanding	812930	SE	SE	SE	SE	C	C	C	See Section 19-303 Endnote 2
	Private Recreational Facilities (swimming pools, hot tubs, tennis courts, etc)	NA	C	C	C	C	C	C	C	
	Short-term Rentals	NA	C	C	C	C	C	C	C	

ⁱ All uses in the RM-3.5 District are subject to the basic standards found in Division 3 of this Article. Depending upon the proposed use, additional requirements may be imposed.

ⁱⁱ Parking structures serving religious organizations, educational services, and public or institutional uses shall be considered special exceptions in all districts.

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Amend Article III, Section 19-303, Table 19-303 to add Short-term Rentals as an Accessory Use in Residential Districts subject to conditions specified.

Division 2: Conditional Use and Special Exception Standards for Residential Districts

Section 19-305. Purpose of Conditional Use and Special Exception Standards

Owing to the unique nature of certain types of residential developments, the City of Clemson Zoning Ordinance hereby establishes conditional use and special exception standards for the following uses for all residential districts where conditionally permitted in Table 19-302 and Table 19-303.

Table 19-305 Conditional Use and Special Exception Standards for Residential Districts

C. RESIDENTIAL ACCESSORY STRUCTURES & USESⁱ	See Section 19-305
18. Short-term Rentals	
a. Conditional Use Standards <i>[All Residential Districts]</i>	
1) Shall be limited to a maximum 25 days rentals over a twelve month period; and	
2) Shall obtain and maintain a yearly Short-Term Rental Housing Permit.	

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