



Save Folly's Future
e-Newsletter March 2022
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Mission: Reverse Island's Population Decline

Goal: Ban Investment STRs in Residential Areas

**Recommendation: Phase out Investment STRs in select areas
Create New Rental Program for Residents**

Folly Beach Election Information

- Folly Beach City Election: April 5, 2022 / As per § 31.54
- Candidate for Mayor: Tim Goodwin
- Candidates for 3 city council seats: Keith Bolus, Eddie Ellis, William Farley and Donald "DJ" Rich
- Last day to register to vote: 30 days prior to election

South Carolina Voter Registration Information

Register Online - at: scvotes.gov

Requires S.C. Driver's License or DMV ID

If you have moved, you must first update your residence address with DMV.

Register online, by mail, email, fax or in person

Save Folly's Future

- We are a non-political advocacy group
- We endorse or oppose policies, not candidates
- We encourage you to support candidates that represent your interests

Myrtle Beach Short Term Rental Regulations *

Most traditional residential neighborhoods are NOT zoned for short-term rentals. "Short-term" means any rental of less than 90 days.

Any zoning district that begins with R (for residential) does not allow short-term rentals, with the exception of the RMV zone (Residential Multifamily Visitor)

Greenville Short Term Rental Regulations *

Short-term rentals (rentals of less than one month) are prohibited in residential zones R6, R9, RM-1, RM-2 and RM-3.

In zones where they are permitted, short-term rentals are classified as "Visitor Accommodations" and fall into two categories: Hotel/Motel and Bed & Breakfast Inn.

- * 1. Individual condominiums or Home Owner's Associations may have STR regulations that are more restrictive.
2. Any errors in interpreting a city's regulations were inadvertent, we apologize for any mistakes.

Our e-Newsletter is Now Available

- Get more STR information sooner
- Our paper publication will be phased out soon
- Please forward this e-Newsletter to a Neighbor
- Sign up - Directly Below

Summerville Short Term Rental Regulations *

A short term rental in Summerville is defined as “the leasing or rental of an entire or extra dwelling unit by a permanent resident typically using a hosting platform in increments of less than one month.”

The new ordinance will require the property owners to live at the property at least 183 days per year and be at the site any time guests are registered.

Knoxville, Tenn Short Term Rental Regulations

All non owner-occupied Short Term Rentals have been phased out in residential districts. (Phase out was exactly one year after the ordinance was passed on Nov 21, 2017.)

Nashville, Tenn Short Term Regulations

Nashville’s Metro Council has passed a law phasing out short-term vacation rentals in residential neighborhoods that aren’t occupied by their owners. These properties will be required to cease doing business as short-term rentals by June 28, 2020.

The new regulations apply mainly to single-family homes and duplexes.

Short-term rentals are still allowed to operate in areas zoned for multifamily

27 Other Cities in Tennessee Ban STRs

According to the Coalition for Nashville Neighborhoods, there are 27 cities in Tennessee that prohibit non-owner-occupied short-term rentals in residential areas, including Belle Meade, Berry Hill, Brentwood, Collierville, Forest Hills, Gatlinburg, Germantown, Knoxville, Oak Hill, and Smyrna. Recently, Memphis, Chattanooga, and Knoxville all passed laws regulating various aspects of short-term rentals.

Editorial

Don't Limit Non-Owner Occupied STRs Phase Them Out

Non-owner occupied STRs (investment STRs) in residential areas are being prohibited all over the country and in most cases the existing STRs are being phased out, not grandfathered in. Case in point, Knoxville passed its STR ordinance on Nov 21, 2017 and stopped licensing all non-owner occupied STRs in residential areas exactly one year later.

Some cities are prohibiting “investment STRs” in residential areas and others are limiting them. Folly should prohibit and then phase out existing “investment STRs” in its Single Family Residential District (SFRD), however difficult. Limiting “investment STRs” is not enough. It may reduce tourism related problems, but it will not restore the quality of life our neighborhoods once enjoyed.

Years ago only weekly rentals were allowed and tourist issues weren't much of a problem. Today we have de facto hotels all over the island with daily and weekend rentals. Consequently, our clientele has changed drastically and residents are paying the price.

Without significant change to Folly's STR regulations the “investment STR” juggernaut will annihilate Folly's community. The best long term solution to save the community is to phase out “investment STRs” in residential areas. There is no question this approach is complicated because there are areas in the SFRD that have been mixed-use for decades, no longer belong in the SFRD and should not be subject to any “investment STR” phase outs.

The only logical solution to balance tourism with a stable and thriving community is to create two zoning districts with different STR regulations for each area. Of course, dividing the SFRD will be a more difficult task for the city council than just putting a band-aid on the problem and calling it a day.

It is incumbent upon all of us to insist that the city council phase out “investment STRs” in our neighborhoods, no matter how complex the procedure. On this issue, Residents First!

MASC Supports Phasing Out Non-Conforming Uses

Formed in 1930, the Municipal Association of South Carolina (MASC) represents and serves the state's 271 incorporated municipalities. Their **2018 Comprehensive Planning Guide for Local Governments**, page 29, is crystal clear on what to do with a nonconforming use. **“As a rule, nonconforming uses and structures should be discouraged and eliminated whenever possible.”**

South Carolina Law Supports Phasing Out Non-Conforming Uses

South Carolina Code Section 6-29-730 allows Folly Beach to either grandfather in a non-conforming use or to phase it out. The pertinent language is highlighted below.

South Carolina Code Section 6-29-730. Nonconformities.

“The regulations may provide that land, buildings, and structures and the uses of them which are lawful at the time of the enactment or amendment of zoning regulations may be continued although not in conformity with the regulations or amendments, which is called a nonconformity. The governing authority of a municipality or county may provide in the zoning ordinance or resolution for the continuance, restoration, reconstruction, extension, or substitution of nonconformities. **The governing authority also may provide for the termination of a nonconformity by specifying the period or periods in which the nonconformity is required to cease or be brought into conformance, or by providing a formula where the compulsory termination of nonconformities may be so fixed as to allow for the recovery or amortization of the investment in the nonconformity.”**

South Carolina Supreme Court Supports Phasing Out Non-Conforming Uses

“The intention of all zoning laws, as regarding a nonconforming use of property, is to restrict and gradually eliminate the nonconforming use.”
Christy v. Harleston, 266 S.C. 439, 443, 223 S.E.2d 861, 863 (1976).