

CITY OF BEAUFORT ORDINANCE 2026/11

AN ORDINANCE AMENDING PART 7 OF THE CODE OF ORDINANCES OF THE CITY OF BEAUFORT, SOUTH CAROLINA AND SECTION 3.6.2.C.2 OF THE BEAUFORT DEVELOPMENT CODE TO ADOPT PROVISIONS REGARDING SHORT-TERM RENTALS

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**WHEREAS**, the State of South Carolina has conferred to the City of Beaufort (hereinafter “City”) the power to enact ordinances “in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it . . .” as set forth in S.C. Code Ann. § 5-7-20; and

**WHEREAS**, pursuant to S.C. Code § 6-1-400 et seq., municipalities are authorized to levy and administer business license taxes and to regulate businesses operating within their corporate limits; and

**WHEREAS**, the City Council finds that the operation of short-term rentals constitutes a business use requiring business licensing and reasonable regulation to protect residential neighborhood integrity, public safety, and the quiet enjoyment of property; and

**WHEREAS**, the growth of short-term rentals has created the need for clear standards regarding licensing, safety, density limitations, notification to neighbors, and ongoing compliance; and

**WHEREAS**, City Council has determined that amendments to Section 7-1001 of the Code of Ordinances and Section 3.6.2.C.2 of the Beaufort Development Code and the adoption of a new Chapter 18 – Short-Term Rentals are necessary and appropriate to establish fair, consistent, and enforceable procedures governing short-term rental operations within the City; and

**WHEREAS**, Council further finds that the amendments herein are consistent with the City’s police powers and with applicable provisions of state law, including but not limited to S.C. Code §§ 12-43-220(c), 12-37-3150, 27-32-10(9), and 27-32-250(1); and

**WHEREAS**, City Council has duly considered these amendments following required notice, public readings, and deliberation in accordance with S.C. Code § 5-7-270; and

**WHEREAS**, the Planning Commission has the duty to review and make recommendations to the City Council regarding amendments to the text of the Beaufort Development Code pursuant to Sections 9.16 and 10.2.1.A.3.b. of the Beaufort Development Code; and

**WHEREAS**, the Planning Commission has reviewed and made recommendations for the amendment of Section 3.6.2.C.2 of the Beaufort Development Code; and

**WHEREAS**, a public hearing before the Beaufort Planning Commission was held regarding changes to the recommended amendments on September 15, 2025, with notice of the hearing published in *The Beaufort Gazette* on August 28, 2025; and

**WHEREAS**, Council has reviewed the proposed amendment to Section 3.6.2.C.2 of the Beaufort Development Code and finds that it is appropriate to approve that proposed amendment with modifications.

**NOW, THEREFORE, BE IT ORDAINED THAT THE FOLLOWING SECTIONS OF THE CITY OF BEAUFORT CODE OF ORDINANCES ARE MODIFIED AS DESCRIBED BELOW:**

1. Section 1. Amendment to Code of Ordinances. The last sentence of subsection 7-1001(d) of the Code of Ordinances, which reads: “All short-term rentals require a business license.” shall be stricken. The remainder of subsection 7-1001(d) shall remain unaffected.
2. Section 2. Creation of New Chapter. A new chapter entitled: “CHAPTER 18. – SHORT-TERM RENTALS” the text of which is attached hereto as Exhibit A, is hereby added to Part 7 of the Code of Ordinances.
3. Section 3. Amendment to Development Code. Section 3.6.2.C.2 of the Beaufort Development Code is hereby stricken and replaced with the following: “2. Short Term Rental: Issuance of a City business license for the operation of a short-term rental.”
4. Section 4. Severability. If any section, subsection, or provision of this Ordinance is held invalid, such invalidity shall not affect other provisions.
5. Section 5. Effective Date. This Ordinance shall become effective upon second and final reading and adoption by City Council, in accordance with S.C. Code § 5-7-270.

  
PHILIP E. CROMER, MAYOR

ATTEST:

  
TRACI GULDNER, CITY CLERK



1st Reading: April 21, 2024

2nd Reading & Adoption: April 28, 2024

## EXHIBIT A

### CHAPTER 18. – SHORT TERM RENTALS

#### Sec. 7-18001. - Definitions.

- (a) Designated Agent. An attorney, real estate agent, or property manager licensed in the State of South Carolina who has been designated by the owner of a short term rental to act on the owner's behalf relating to the business and operation of the short term rental.
- (b) Dwelling Unit. A room or group of internally connected rooms that may be either an improvement to real property or a boat in an approved marina that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.
- (c) Investment Short Term Rental ("ISTR"). A short term rental that is not the legal residence of the owner.
- (d) Legal Residence. A dwelling unit taxed on an assessment equal to four percent of the fair market value of the property assigned a 4% property tax ratio by the Beaufort County Assessor's Office under the requirements pursuant to S.C. Code § 12-43-220(c).
- (e) Owner-Occupied Short Term Rental ("OSTR"). A short term rental which is the legal residence of the owner of the short term rental.
- (f) Parcel. A piece of real property to which Beaufort County has assigned a unique property identification number.
- (g) STR Occupant. Any person who rents a short term rental.
- (h) Short Term Rental ("STR"). A dwelling unit, or any portion thereof, rented for the purpose of overnight lodging for any periods of less than thirty (30) days and used in a manner consistent with the residential character of the dwelling. The following are not considered STRs:
  - a. Tourist accommodations, including hotels, motels, inns, and bed and breakfasts;
  - b. Dwelling units which are subject to "vacation time sharing plans" as defined in S.C. Code § 27-32-10(9); and
  - c. Dwelling units which are subject to "vacation multiple ownership interests" as defined in S.C. Code § 27-32-250(1).
- (i) Conveyance. An assessable transfer of interest in real estate triggering an appraisal and reassessment for taxation purposes as defined described by SC Code § 12-37-3150.
- (j) Notice: Within ten (10) days following the approval and issuance of a business license for a short-term rental, the City shall provide written notice to all owners of adjoining properties, including those directly adjacent, diagonally adjacent, and across any street or alley. Such notice shall be sent via first-class mail. The notice shall include the following:
  - (1) The Street address of the Short Term Rental;
  - (2) The name and contact information of the licensee or designated local agent;
  - (3) A summary of applicable Short Term Rental Regulations; and
  - (4) Contact information for reporting complaints or concerns to the Codes Enforcement/Business License department.

Sec. 7-18002. - Requirements for Licensure of STRs.

(a) Limitation on Number of STRs.

- (1) No more than four percent (4%) of the allowable parcels within designated neighborhoods in the City of Beaufort outside of the National Historic Landmark District, zoned T3-S, T3-N, T4-HN, T4-N, and T5-UC may be STRs.
- (2) No more than three percent (3%) of the allowable parcels within the boundaries of the National Historic Landmark District may be STRs.
- (3) In the event that a business license would be issued but for the application of the above-described cap on number of STRs, the proposed STR will be added to a waitlist. When the cap on the number of STRs for the City is no longer met, the City shall utilize the waitlist to determine licensing for new STRs.
- (4) There shall be no more than one STR per parcel of real property.

(b) Limitation on Adjacency of STRs.

- (1) No STR may be located closer than three hundred feet (300') to any other STR. The distance between STRs shall be located from the closest point between boundary lines of the parcels of real property on which the STRs are located.
- (2) Any properly licensed STR operating before the effective date of this ordinance is exempt from this requirement unless and until there is a conveyance of the STR, there is a revocation of the STR owner's business license, or the STR has not been rented for a period of six months or more.

(c) Accessory Structures as STRs.

- (1) Accessory structures, to include without limitation, accessory dwelling units, carriage houses, or pool houses, may be used as an STR subject to the provision that there shall be no more than one STR per parcel of real property.

(d) The minimum stay for STRs is two nights.

(e) Parking

- (1) Parking shall be provided on-site and located to the side or rear of the dwelling.
- (2) On-site parking shall be clearly delineated with an improved surface such as pavement, gravel, or another method approved by the license official.
- (3) If formalized parking is provided on the street(s) adjacent to the STR, this may be utilized in lieu of on-site parking.
- (4) The number of vehicles allowed to be parked at a STR shall be determined in the discretion of the license official and be based on the number of bedrooms and the design of the driveway.

(f) The owner or designated agent of the STR shall utilize a rental agreement which specifies the following:

- (1) The minimum stay;
- (2) The maximum number of guests;
- (3) The maximum number of vehicles permitted at the unit;
- (4) Where guests are to park;
- (5) Reference to and inclusion of a copy of the City's noise ordinance;
- (6) The prohibition of large gatherings such as weddings and reunions unless specifically approved by the City;
- (7) That pets, if permitted, are not to be left outside unattended.

- (g) Property Management. The owner or designated agent shall maintain a property management plan which specifies:
  - (1) Whether the owner or designated agent will be managing the property;
  - (2) That the person managing the property must be available to appear on the premises to respond to a complaint within one hour of being notified by the City;
  - (3) That there is a back-up property manager, unless the owner or registered agent certifies that the STR will not be rented when the owner or registered agent is not physically present in the City; and
  - (4) That the license official will be notified immediately when any information contained in the property management plan is changed.
- (h) Rental rules, including use of the sanitation and recycling roll-carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the STR.
- (i) On-site signs are prohibited.
- (j) A monitored fire alarm is required for all STRs except boats. Boats are required to provide documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed. The Vessel Safety Check can be arranged through this link: <http://www.cgaux.org/vsc>. Existing facilities not meeting this requirement shall be brought into conformance within six months of the date of adoption of this Code.
- (k) Outside Approvals Required.
  - (1) For properties subject to restrictive covenants, written confirmation from the president of the homeowners association that short term rentals are permitted on the property is required. If the homeowners association president fails or refuses to provide such confirmation or there is no active homeowners association, the property owner must provide other documentation which confirms that short term rentals are not prohibited on the property.
  - (2) For multifamily structures and developments, property management for the structure or development must provide written approval of the proposed short term rental.
- (l) The owner of the STR must make proper payment of local, county, state, and federal taxes.
- (m) The STR shall be subject to and pass an inspection by the City for the purposes of confirming the safety of the STR and the STR's compliance with the City's ordinances and other applicable law.
- (n) The STR shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County, and the State of South Carolina.
- (o) No STR may operate in a dwelling unit for which a certificate of occupancy has not been issued.
- (p) STRs shall only be operated by the owner of the STR or a Designated Agent.
- (q) An annual short term rental fee, as set by City Council and reviewed periodically, shall be paid in addition to the business license tax required by Sec. 7-1004.
- (r) STR Occupancy.
  - (1) The maximum number of adult guests shall be no more than two per bedroom;
  - (2) STR occupants may not host events attended by more than twenty-five people; and

(3) STR occupants may not play outdoor amplified music, including without limitation bands, deejays, music broadcast through speakers and electronic musical instruments.

(s) Special Exceptions.

(1) Notwithstanding the caps established in this section, a Short Term Rental permit may be issued to a purchaser of a property that:

- i. Was identified by the City of Beaufort on an official abandoned and/or dilapidated property list at any time between January 1, 2025, and April 28, 2026, and
- ii. Was acquired by the current owner during that same time period; and
- iii. Has been brought into full compliance with all applicable building, safety, and zoning requirements following acquisition; and
- iv. Has received a certificate of occupancy or final inspection approval.
- v. The exemption provided herein shall apply only to the initial purchaser who rehabilitated the property and shall not run with the land. Any subsequent conveyance of the property shall subject the Short Term Rental to all applicable caps and regulations in effect at that time, with a one year period to complete renovations.
- vi. Permits issued under this subsection shall not count toward the caps established herein.

(2) Inheritance Exception

i. A transfer of interest in property by an inheritance has a one-time exception of conveyance found in this Chapter. The party inheriting a licensed STR property may continue operating as an STR in compliance with all rules and regulations herein. Any subsequent transfer through inheritance shall comply in compliance with all rules and regulations herein.

(3) Legal Non-conforming Multiple STR Exception

a. Special exception for multiple STR's per parcel; The appropriate review body may grant a special exception to allow more than one STR per parcel upon application and public hearing provided the applicant demonstrates the following:

- i. The multiple STR's were lawfully established, permitted and operating prior to April 28, 2026.
- ii. The property was purchased or developed with reasonable reliance on the ability to maintain multiple STR's.
- iii. Granting the exception will not materially undermine the purposes of this Chapter, including the city wide cap, adjacency requirements, or neighborhood character. The special exception shall be subject to such

conditions as the reviewing body deems necessary to mitigate impacts of the additional STR.

Sec. 7-18003. – Addendum to Business License Application.

- (a) When seeking a business license for the operation of a STR, the STR’s owner or designated agent shall submit a STR Addendum with the business license application required by Sec. 7-1005.
- (b) The STR Addendum shall be in a form prepared by and maintained by the license official and shall provide the information necessary for the license official to determine whether the proposed STR is compliant with the requirements of Sec. 7-18002.
- (c) Only the STR’s owner or designated agent may submit a STR Addendum.
- (d) A revised STR Addendum shall be submitted to the license official within sixty (60) days following any change in the information provided in a prior STR Addendum.

Sec. 7-18004 Violations.

The following shall constitute violations of this Chapter, including but not limited to:

- a) Operating or advertising a short term rental without a valid business license;
- b) Providing false or incomplete information on any application or required document;
- c) Exceeding occupancy limits or allowing unauthorized events or gatherings;
- d) Failure to comply with parking requirements or exceeding approved vehicle limits;
- e) Failure to comply with noise, trash, litter, or other nuisance ordinances;
- f) Failure to post required information within the short term rental;
- g) Failure of the owner or designated agent to respond to complaints within the required time;
- h) Renting separate rooms or portions of a dwelling unit under multiple contracts simultaneously;
- i) Advertising or operating the property in a manner inconsistent with this Chapter;
- j) Failure to maintain required safety equipment or pass required inspections;
- k) Failure to maintain required licenses, permits, or tax compliance;
- l) Any violation of City ordinances arising from the use of the property as a short term rental.

Sec. 7-18005 – Enforcement.

(a) Three-Strike Enforcement Policy.

- (1) A strike shall be assessed when the owner, designated agent, occupant, or guest is convicted of or found responsible for a violation of this Chapter or other applicable City ordinances related to the use of the short term rental.
- (2) Strikes shall be counted on a rolling twelve (12) month period.
- (3) Multiple violations occurring during a single rental period shall constitute one strike.
- (4) The City shall provide written notice of each strike to the licensee or designated agent.
- (5) Enforcement shall proceed as follows:
  - a. First strike: written warning;
  - b. Second strike: \$500 fine;

c. Third strike: suspension, revocation, or non-renewal of the business license.

(6) Upon a third strike within a twelve (12) month period, the licensee shall be deemed to have violated the conditions of the business license and shall be subject to revocation proceedings pursuant to Sec. 7-1016.

(7) Strikes shall reset upon a bona fide transfer of ownership with no common ownership interest.

(8) Strikes are cumulative and in addition to all other penalties authorized by law.

(b) Any person who has violated any of the provisions of this chapter is deemed to have “breached any condition upon which the license was issued or has failed to comply with the provisions of this chapter” for the purposes of Sec. 7-1016(2).

(c) Any person violating any provision of this chapter shall be deemed guilty of an offense and shall be subject to a fine of up to five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this chapter.

(d) Any person who operates a STR without a business license shall be subject to the above-stated penalties and shall be prohibited from receiving a business license for the operation of STR for a period of two years.

## **Exhibit B**

### **DEVELOPMENT CODE**

**Text of Sec. 3.6.2.C.2. to be stricken and replaced with the following:**

**3.6.2.C.2. Short Term Rental:** Issuance of a City business license for the operation of a short term rental.