

# Town Council Work Session

July 11, 2024

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## MINUTES

### 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL & FOIA STATEMENT

Mayor Kleinman called the July 11<sup>th</sup>, 2024, Town Council Work Session to order at 10:00 AM. Councilmen Hamilton, Kortvelesy (virtual), May, and Weis were present. Staff present were the Town Administrator Joe Cronin, Zoning Administrator & Chief Code Enforcement Officer Tyler Newman, Short-Term Rental Compliance Manager Beth Rinehimer, and Assistant Town Administrator Katharine Watkins participated in the meeting. The Assistant Town Administrator confirmed the requirements of the SC Freedom of Information Act have been satisfied.

### 2. ITEMS FOR INFORMATION OR DISCUSSION

#### A. Discussion on the proposed recommendations of the Special Committee on Short-Term Rentals

*Note: a quorum of the Special Committee on Short-Term Rentals may be present*

Mayor Kleinman opened the floor to members of the Special Committee on Short-Term Rentals to comment on the proposed recommendations made by the committee. Committee members who made comments were as follows: Ted Johnson, Susan Murray, Deb Lehman, and Nancy Buck.

Discussions were had with members of council on the committee comments.

Mayor Kleinman reviewed the outline for the meeting to review each recommendation made by the Special Committee on Short-Term Rentals.

Discussions were had with members of council on each of the committee's recommendations.

Mayor Kleinman moved to adopt the overlay district to be included in the draft ordinance as proposed by the committee; Councilman Weis seconded.

Discussions were had with members of council on the proposed motion.

A vote was taken on the motion, all voted in favor.

The motion to adopt the overlay district to be included in the draft ordinance as proposed by the committee passed 5-0.

Mayor Kleinman asked Ms. Lehman, as the president on COVAR, on regimes who have already implemented short-term rental caps. Ms. Lehman noted to the council which regimes have implemented these restrictions.

Discussions were had with members of council and the audience.

Discussions were had with members of council on their views of what the proposed overlay district should be.

Mayor Kleinman moved that the overlay district cap of 550 and the non-overlay cap to be 100 for a total of 650 to be included in the proposed ordinance; Councilman Weis seconded.

Discussions and clarifications were had with members of council on the proposed motion.

Mayor Kleinman moved to amend the original motion to be that the overlay district cap of 540 and the non-overlay cap to be 105 for a total of 645 to be included in the draft ordinance; Councilman Weis seconded.

Discussions were had with members of council on the amended motion.

A vote was taken on the amended motion as follows:

Ayes: May, Weis, Kleinman

Nays: Hamilton, Kortvelesy

The motion for the overlay district cap of 540 and the non-overlay cap to be 105 for a total of 645 to be included in the draft ordinance passed 3-2.

Town Administrator Cronin clarified the process of today's meeting as it relates to the construction of the proposed ordinance.

Discussions were had with members of council on the grandfathering recommendations made by the committee.

Councilman May moved to incorporate the grandfathering provisions as recommended by the Special Committee on Short-Term Rentals; Councilman Weis seconded.

Discussions were had with members of council on the motion.

Councilman May amended the motion to be as follows: rentals in the CL, R-TH, RMP with more than \$5,000 reported gross income, and all other districts with more than \$10,000 reported gross income, or those who have demonstrated that they are actively advertising be exempt from the cap; Councilman Weis seconded.

Discussions were had with members of council on the amended motion.

A vote was taken on the amend motion, all voted in favor.

The motion (o be as follows: rentals in the CL, R-TH, RMP with more than \$5,000 reported gross income, and all other districts with more than \$10,000 reported gross income, or those who have demonstrated that they are actively advertising be exempt from the cap passed 5-0.

Council recessed for lunch until 12:30 PM. Council returned at 12:33 PM.

Discussions were had with members of council for exemptions for dwellings under construction.

Councilman May moved to recommend property owners who have homes that are under construction to be exempt from the cap and issue a provisional permit; Councilman Hamilton seconded.

A vote was taken on the motion, all voted in favor.

The motion to recommend property owners who have homes that are under construction to be exempt from the cap and issue a provisional permit passed 5-0.

Councilman May moved to recommend including in the proposed ordinance that permits on property transfers exempt from the deed recording fee, such as deed transfers by inheritance, be available for continuation by the grantee(s) if a new permit is applied for; Councilman Weis second.

A vote was taken on the motion, all voted in favor.

The motion to recommend including the proposed ordinance that permits on property transfers exempt from the deed recording fee, such as deed transfers by inheritance, be available for continuation by the grantee(s) if a new permit is applied for passed 5-0.

Discussions were had with members of council on potential depressed property values if a cap is imposed.

Councilman May moved to recommend in the proposed ordinance the exemption recommended by the Special Committee on Short-Term Rentals regarding the sale of a property; Councilman Weis seconded.

A vote was taken on the motion, all voted in favor.

The motion to recommend in the proposed ordinance the exemption recommended by the Special Committee on Short-Term Rentals regarding the sale of a property passed 5-0.

Discussions were had with members of council on temporary permits.

Councilman Hamilton moved to recommend including in the proposed ordinance the committee's recommendation for temporary permits; Councilman Weis seconded.

A vote was taken on the motion, all voted in favor.

The motion to recommend including in the proposed ordinance the committee's recommendation for temporary permits passed 5-0.

Discussion was had with members of council on allowing the zoning administrator to withhold the issuance of a short-term rental permit for specified reasons.

Councilman Weis moved to recommend including in the proposed ordinance language for the zoning administrator to withhold the issuance of a short-term rental permit for specified reasons similar to the language proposed in the 2023 draft ordinance; Councilman Hamilton seconded.

A vote was taken on the motion, all voted in favor.

The motion to recommend including in the proposed ordinance language for the zoning administrator to withhold the issuance of a short-term rental permit for specified reasons similar to the language proposed in the 2023 draft ordinance passed 5-0.

Discussions were had with members of council about changing the issuance of a short-term rental permit to a one-time permit vs annual permit.

Councilman May moved to recommend including in the ordinance to eliminate the annual permit requirement to an issuance of one permit; Councilman Weis seconded.

Discussions were had on the motion with members of council and staff.

A vote was taken on the motion, all voted in favor.

The motion to recommend including in the ordinance to eliminate the annual permit requirement to an issuance of one permit passed 5-0.

Discussions were had with members of council on the remaining recommendations made by the committee which are enforced by the Seabrook Island Property Owners Association (SIPOA).

Mayor Kleinman moved to make no recommendation today on the following recommendations in the committee report: F, and G; Councilman Weis seconded.

Discussions were had with members of council on the motion.

A vote was taken on the motion as follows:

Ayes: Hamilton, Kortvelesy, Weis, Kleinman

Nays: May

The motion to make no recommendation today on the following recommendations in the committee report: F, and G passed 4-1.

Councilman Hamilton moved to include in the proposed ordinance to have 2 per bedroom plus 2 for all properties regardless of square footage for maximum occupancy; Councilman Weis seconded.

A vote was taken on the motion, all voted in favor.

The motion to include in the proposed ordinance to have 2 per bedroom plus 2 for all properties regardless of square footage for maximum occupancy passed 5-0.

Discussions were had with members of council on the proposed recommendations on overnight parking.

Councilman May moved to include in the proposed ordinance the committee recommendations for overnight parking; Councilman Weis seconded.

Discussions were had with members of council on the motion.

A vote was taken on the motion as follows:

Ayes: Hamilton, May, Weis, Kleinman

Nays: Kortvelesy

The motion to include in the proposed ordinance the committee recommendations for overnight parking passed 4-1.

Discussions were had with members of council about the committee's recommendations on restrictions for all residential units.

Councilman Weis moved to include the proposed ordinance to include the committee's recommendations on restrictions for all residential units with regards to parking; Councilman Hamilton seconded.

A vote was taken was taken on the motion, all voted in favor.

The motion to include the proposed ordinance to include the committee's recommendations on restrictions for all residential units with regards to parking passed 5-0.

Clarifications were made with members of council and staff on the committee's recommendation limits for multi-family unit short-term rentals with regards to parking.

Discussions were had with members of council on the committee's recommendations on LSV's.

Councilman Weis left the meeting at 2:28 PM.

Councilman Hamilton moved to include the proposed ordinance prohibiting the rental of LSV as a separate charge by short-term rental owners; Councilman May seconded.

Discussions were had with members of council on the motion.

A vote was taken on the motion as follows:

Ayes:	Hamilton, Kortvelesy, May
Abstain:	Kleinman

The motion to include the proposed ordinance prohibiting the rental of LSV as a separate charge by short-term rental owners passed 3 with 1 abstention.

Clarifications were made on the number of vehicles left on the property with regards to parking and what is a vehicle.

Discussions were had with members of council regarding noise.

The Town Attorney clarified the noise language in Charleston County code of ordinances.

Discussions were had with members of council on the committee's recommendation regarding the local contact.

Mayor Kleinman moved to include section H of the committee's recommendations regarding the local contact be included in the proposed ordinance; Councilman May seconded.

Discussions were had with members of council.

A vote was taken on the motion, all voted in favor.

The motion to include section H of the committee's recommendations regarding the local contact be included in the proposed ordinance passed 4-0.

Discussions were had on the committee's recommendations on education for renters. The council postponed the discussion of the additional flyer at the July regular meeting.

Discussions were had with noise provisions specifically for daytime noise exemptions.

Councilman May moved to recommend including in the proposed ordinance to add the committee's recommendation for daytime time noise to only be applicable to short-term rentals; Councilman Hamilton seconded.

A vote was taken on the motion as follows:

Ayes: Hamilton, May, Kleinman

Nays: Kortvelesy

The motion to recommend including in the proposed ordinance to add the committee's recommendation for daytime time noise to only be applicable to short-term rentals passed 3-1.

Discussions were had with members of council and staff on the committee's recommendations on advertising requirements.

Councilman May moved to recommend including in the proposed ordinance to include the committee's recommendations for advertising to modify section 2 to state the following: "the renter would have access to the amenity card with or without a fee"; Councilman Hamilton seconded.

Discussions were had with members of council on the motion.

A vote was taken as follows on the motion:

Ayes: Hamilton, May

Nays: Kleinman

Abstain: Kortvelesy

The motion to recommend including in the proposed ordinance to include the committee's recommendations for advertising to modify section 2 to state the

following: “the renter would have access to the amenity card with or without a fee passed 2-1 with 1 abstention.

Discussions were had with members of council on the committee’s recommendations on enforcement.

Mayor Kleinman moved to direct staff with the town attorney to provide draft enforcement language based on the committee’s recommendations; Councilman Hamilton seconded.

A vote was taken on the motion, all voted in favor.

The motion to direct staff with the town attorney to provide draft enforcement language based on the committee’s recommendations passed 4-0.

Discussions were had with members of council on the restrictions on short-term rental ownership and short-term rental limits.

Mayor Kleinman moved to recommend including in the proposed draft ordinance the committee’s recommendations on restrictions on short-term rental ownership and short-term rental limits subject to legal review; Councilman May seconded.

Discussions and clarifications were made with members of council on the motion.

Mayor Kleinman withdrew the motion.

Mayor Kleinman moved to recommend including in the proposed draft ordinance sections 1 and 3 of the committee’s recommendations on restrictions on short-term rental ownership and short-term rental limits subject to legal review; Councilman Hamilton seconded.

A vote was taken on the motion, all voted in favor.

The motion to recommend including in the proposed draft ordinance sections 1 and 3 of the committee’s recommendations on restrictions on short-term rental ownership and short-term rental limits subject to legal review passed 4-0.

Mayor Kleinman moved to recommend including in the proposed draft ordinance section 2 of the committee’s recommendations on restrictions on short-term rental ownership and short-term rental limits subject to legal review; Councilman May seconded.

Discussions were had with members of council on the motion.

Mayor Kleinman moved to amend the original motion to say in section 2 to state “3 or more”; Councilman May seconded.



A vote was taken on the motion as amended, all voted in favor.

The motion to recommend including in the proposed draft ordinance section 2 of the committee's recommendations on restrictions on short-term rental ownership and short-term rental limits with the change of "3 or more", subject to legal review passed 4-0.

**B. Timeline for proposed regulation changes on short-term rentals**

Mayor Kleinman reviewed the proposed timeline for members of council for the next steps on the proposed changes to the short-term rental ordinance.

**3. COUNCIL COMMENTS**

None.

**4. ADJOURNMENT**

Councilman May moved to adjourn the meeting; Councilman Hamilton seconded. All voted in favor.

The meeting adjourned at 4:58 PM.

Date: July 11, 2024

Prepared by: *Katharine E. Watkins*  
Assistant Town Administrator

*Note: These minutes are not verbatim minutes. To listen to the meeting, please use the following link: <https://www.youtube.com/@townofseabrookisland5287/streams>*