

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 3, 2021

Agenda Item: 7A	Prepared for: Mike Mahaney, City Manager	
Agenda Section: New Business: Ordinance. First Reading	Date: April 22, 2021	
Subject: Transient parking in residential neighborhoods	Division: Administration	
<p><b><u>Background:</u></b> Short-term rental parking in residential neighborhoods has become a problem with regard to safety issues (e.g., parking too close to or blocking a fire hydrant, parking on the sidewalk, etc.). It is the intention of this ordinance for property owners to come into compliance with safety regulations as they pertain to short-term rental parking in residential neighborhoods.</p> <p>The existing code would need to be amended by adding <b>Chapter 21, Article II, Section 21-44 through 21-50. - Transient parking in residential neighborhoods.</b> A copy of the proposed code as well as a proposed ordinance is attached for Council’s consideration.</p> <p><b><u>Recommended Action:</u></b> Approve the ordinance on first reading</p>		
Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
Council Action: Motion By _____ 2 <sup>nd</sup> By _____ To _____		

**AN ORDINANCE**

**AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE II, SECTION 21  
TO ADD SECTION 21-44 THROUGH 21-50 TO THE CODE OF ORDINANCES  
FOR THE CITY OF NORTH MYRTLE BEACH AS FOLLOWS:**

**Chapter 21, Article II, Section 21-44 through 21-50. - Short-term rental parking in residential neighborhoods** shall be added to read as follows:

**Sec. 21-44. – Transient parking in residential neighborhoods.**

When engaging in transient parking in residential neighborhoods, property owners and guests shall maintain compliance with safety regulations determined by City and State codes, and the sections of this article.

**Sec. 21-45. – Definitions.**

The following words, terms, and phrases, when used in this section, shall have the meaning ascribed herein:

*Transient parking* means any parking of a motor vehicle, camper, trailer, or recreational vehicle on a short-term basis, typically daily or less.

*Parking space* means a location that is designated for *parking* on private residential property, not within a City right-of-way or encroaching upon a sidewalk.

*Short-term Rental* means a dwelling unit offered for overnight accommodations that is rented for a period of less than thirty (30) days, for financial or any other consideration.

A. *Class 1:* A single-family home, duplex unit, or single-family attached unit (such as a townhouse) including whole houses or individual rooms within a house.

B. *Class 2:* A dwelling unit within a multifamily structure, typically managed by a property or homeowners association.

**Sec. 21-46. – Parking standards.**

- A. Parking spaces on corner lots shall not encroach into a sight distance triangle measuring fifteen (15) feet along each street front as measured from the property corner.
- B. Where the City allows shoulder parking within street rights-of-way, no car shall be parked within thirty (30) feet from the edge of the roadway pavement on the approach leg to any intersection.
- C. Where the City allows shoulder parking within street rights-of-way, no part of any vehicle shall extend across or overhang the edge of roadway pavement.
- D. Section 21-21.1 in its entirety shall apply.
- E. Section 21-31.1.(a) Unlawful acts; penalties, prohibits the parking of a vehicle, whether occupied or not, within fifteen (15) feet of a fire hydrant, except momentarily to pick up or discharge passengers, while the driver is seated in the driver's seat of the vehicle, shall apply.

- F. “Stacked” parking (i.e., vehicles parked end-to-end) is permissible, provided each space shall meet the dimensional requirements of the 9’x19’ as specified in the Zoning ordinance.
- G. No parking shall be permitted in landscape beds, in such a manner as to in any way obstruct a sidewalk, or in a manner which overhangs adjoining private or public property.
- H. Under no circumstance shall a property owner, managing party or any guest attempt to reserve, inhibit, prevent or discourage parking within the street right-of-way where allowed by the City.

**Sec. 21-47. – Short-term rental; designation of parking spaces on-site.**

At the time of application for, or renewal of, a short-term rental business license:

- A. Class 1 short-term rental property owners shall report to the City the total number of parking spaces on-site that comply with the regulations of this section. The total number of parking spaces on-site that comply with this section is also the maximum number of vehicles permitted to park on-site.
- B. Parking spaces reported to the City must be located within the owner’s private property, are not shared with an adjacent property and are not located within a right-of-way.
- C. Class 2 short-term rental properties with parking managed by a property or homeowners association for the development, within which the dwelling unit is located, is exempt from reporting the number of on-site parking spaces.

**Sec. 21-48. – Short-term rental; advertisements, contracts and posting the number of spaces.**

Property owners shall designate a location for off-site parking when the number of vehicles exceed the number of allotted spaces. Such information and instructions shall be prominent in all rental advertisements, rental contracts, and shall be conspicuously posted inside the dwelling unit.

**Sec. 21-49. – Short-term rental; violation.**

It shall be a violation of this ordinance to advertise a short-term rental online, or in any written materials, electronic communications or on rental platforms in a manner inconsistent with this ordinance.

**Sec. 21-50. – Penalty.**

Any person in violation of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with Chapter 1, General Provisions, Section 1-6. Each day of any violation of this article shall constitute a separate offense.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA:**

**Section 1:** The amendment to the ordinance is hereby approved.

**Section 2:** The ordinance shall be effective upon the date of passage.

DONE, RATIFIED AND PASSED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

FIRST READING: 5-3-2021

SECOND READING: \_\_\_\_\_

REVIEWED:

\_\_\_\_\_  
City Manager

ORDINANCE: 21-17