



Richland County Council
DEVELOPMENT AND SERVICES COMMITTEE
MINUTES
September 26, 2023 – 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Chakisse Newton, Chair; Derrek Pugh, Allison Terracio, Gretchen Barron, and Cheryl English.

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Angela Weathersby, Patrick Wright, Stacey Hamm, Leonardo Brown, Aric Jensen, Anette Kirylo, Lori Thomas, Kyle Holsclaw, Zachary Cavanaugh, Dale Welch, Geo Price, Tamar Black and John Ansell

1. **CALL TO ORDER** – Councilwoman Chakisse Newton called the meeting to order at approximately 5:00 PM.
2. **APPROVAL OF MINUTES**
 - a. June 27, 2023 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. Terracio.
In Favor: Pugh, Terracio, Barron, English, and Newton
The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. Barron moved to adopt the agenda as published, seconded by Ms. English.
In Favor: Pugh, Terracio, Barron, English, and Newton
The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
 - a. Short-Term Rentals:
 1. Direct the Administrator to create regulations for the operation of Short Term Rentals (STRs) in unincorporated Richland County. Those regulations would be listed as an amendment to the current Ordinance relating to residential rental property regulations similar to the Absentee Landlord Ordinance that is currently being considered. Consideration should be given to licensing, safety measures, number of occupants allowed, effects on infrastructure such as sewer and water, EMS and Law Enforcement potential response and not having them create a nuisance in the neighborhood. [MALINOWSKI - December 6, 2022]
 2. Direct the County Administrator to work with staff to ensure the proposed Short Term Rental Ordinance requires each homeowner who wishes to provide a short-term rental to obtain a business license and pay accommodation taxes. [TERRACIO - January 3, 2023]

Ms. Newton congratulated Mr. Zachary Cavanaugh, Business Service Center Director, on the birth of his child.

Mr. Aric Jensen, Assistant County Administrator, stated that Administration, Mr. Cavanaugh, and Deputy County Attorney Christopher Ziegler have prepared a draft short-term rental ordinance, which is included in the agenda packet. He indicated certain things have occurred since this process began a year ago. The State bill we anticipated to be passed, has not. This bill would limit municipalities and counties from regulating or banning short-term rentals (e.g., Airbnb). We are

currently in a limbo state. We do not know if the bill will pass and what effect that may have on the draft ordinance. At this point, we have prepared a draft ordinance based on the best information available. This includes researching a draft bill that the South Carolina Association of Counties is preparing. Depending on what the State legislature does, we may have to modify what we have already prepared. At this time, staff does not recommend that the committee forward the draft ordinance to Council for consideration.

Ms. Newton requested Mr. Jensen give a brief overview of the draft ordinance to allow committee members to ask questions and/or make research requests of staff.

Mr. Jensen noted this ordinance is not a part of the Land Development Code. Any permission for short-term rentals would have to have an accompanying ordinance or regulation, within the Land Development Code, allowing these things to occur. This particular ordinance deals with the business licensing and inspections of short-term rental units. The ordinance would not specifically allow short-term rentals in any zones. If our Land Development Code were to allow them, this is how we would make sure they are licensed, inspected, and maintained. One of the important things noted in the staff report is that we anticipate if the County were to allow short-term rentals, it would require at least two additional Business License officers to properly license, inspect, and deal with the issues that could theoretically come about with a robust short-term rental program.

Ms. Terracio inquired what the intent of the word “regulating” would entail.

Mr. Patrick Wright, County Attorney, responded anything you are making a requirement would be considered “regulating.”

Ms. Barron stated exploring other options, such as Accommodations Tax, may be helpful. In addition, she wants to ensure we are monitoring these short-term rentals.

Mr. Jensen replied he is confident we will collect Accommodations Tax from these entities. It is estimated the County could recognize up to \$1M in Accommodations Tax from these entities. He noted the revenue from the business licensing would cover the cost of the two additional employees to help monitor the short-term rentals.

Ms. Newton stated her understanding is adding the two employees would not be revenue-neutral but would be a net cost to the County.

Mr. Jensen responded that it could be revenue-neutral depending on the rate collected. As presented in the staff report, there is a cost to the County. The goal is to make it revenue-neutral and generate a surplus in the Accommodations Tax fund.

Ms. Newton stated for clarification, Accommodations Tax funds are used for accommodations tax use purposes via our committee and are not revenues accrued to the County for discretionary use.

Mr. Jensen confirmed that any accommodations tax would have to go through the existing formula and process for distribution.

Mr. Wright asserted the accommodations tax process is regulated by State law.

Ms. Terracio stated she believes a bill was also introduced at the State House expanding uses for accommodations tax, especially regarding short-term rentals, to enhance affordable housing policies and initiatives.

Mr. Wright responded he believed the bill passed.

Ms. Barron inquired as to what the staff’s recommendation is regarding this item.

Mr. Wright replied the committee could either defer it to the next meeting or table it. If you table it, it will not come up again until the committee wishes to take it back up.

Ms. Terracio inquired if we know where the South Carolina Association of Counties is in their talks with the State House.

Mr. Jensen replied that we do not have an update at this point.

Ms. Newton and Ms. Barron requested staff keep the Chair/committee updated on any SCAC or legislative efforts.

Ms. Barron moved to table Items 4(a)(1) and 4(a)(2), seconded by Mr. Pugh.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

5. **ITEMS FOR DISCUSSION/PRELIMINARY ACTION**

- a. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton – August 30, 2022] – Mr. Jensen stated Mr. Geo Price, Deputy Community Planning & Development Director/Zoning Administrator, Mr. Ziegler, and himself had reviewed the motion and existing ordinance to produce a draft ordinance. After reviewing the draft ordinance with the Sheriff's Office, we have determined there are additional modifications, particularly how it is enforced. The ordinance is anticipated to be ready for discussion and action at the October committee meeting.

6. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [PUGH, BARRON, and NEWTON - January 3, 2023] – Mr. Jensen stated staff has prepared an RFP to hire a third-party expert to advise the County on the impact fee process and the likelihood we would generate a positive result through implementation. He noted it will be a matter of months after the expert is procured to have a report ready for the committee's review.
- b. I move to direct the Administrator to review and update the illegal dumping ordinance, including raising fines up to \$5,000.00, jail time, and community service (picking up debris on roadways) [English and Terracio, June 6, 2023] – The County Administrator, Leonardo Brown, stated we will be working with the County Attorney's Office and the Sheriff's Department to determine what kind of enforcement mechanisms can be done. In addition, they are working with the Councilmember to get a handle on what is hoped to be accomplished by putting the increased points of attention for the citizens so they can make good decisions regarding where they put their trash.

Ms. Terracio inquired about what parts of the County where illegal dumping is most prevalent.

Mr. Brown indicated the Ombudsman's Office could provide Ms. Terracio that information.

Ms. Newton stated that one of our challenges is that we do not know who did the dumping, making it difficult to enforce. Staff is going out and trying to find identifying items, but if we do not know who they are, we cannot charge them. She inquired if the County and the State would prosecute the offenders.

Ms. English noted we cannot do this job ourselves. We need the citizens to step up.

Ms. Newton requested the pending analysis briefings be included on future agendas.

7. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. Terracio.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 5:31 PM.