

Hicks: With some compromises, Folly could've avoided that referendum

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A sign supporting a "yes" vote on the short-term rentals cap sits outside a home in Folly Beach on Monday, Jan. 30, 2023. A neighboring property has opposing signs on their property. Laura Bilson/Staff

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By Tuesday evening, disappointed Folly Beach property owners may have realized they'd made a grave tactical error.

If they stopped to think about it.

But they probably didn't, because not nearly enough people today view politics as compromise ... even though that's exactly what politics *is*. These days, everybody simply expects (or demands) everything to go their way.

Which is kinda what happened here.

See, on Tuesday, Folly Beach saw the largest election turnout in memory — all for a single referendum on an ordinance to cap the island's number of short-term rentals. It passed with 53% of the vote, because many people who live there full-time were fed up.

The results were certified Thursday, and now the ordinance is law: Only 800 short-term rentals can operate on the island. Existing licenses — of which there are more than 1,100 — are grandfathered in. As those lapse, the number will decrease.

If a home with a short-term rental license is sold, or ownership transferred, the new owner goes to the bottom of the license waiting list.

The ordinance voters approved is far from perfect; it's bare bones, as you'd expect from a rare, citizen-generated petition. Here are some of the problems opponents have with it:

- With no provision to transfer short-term rental business licenses, cap opponents say they can't pass down family beach homes to their heirs — because most won't be able to afford taxes, insurance and upkeep without rental income.
- People who subsidize their second homes — or even their *only* one — with rental income say if they lose their license, they'll be forced to sell.
- Some argue the transient guest crisis is overblown, that there are fewer active short-term rentals than the number of licenses suggests because some residents hold them but don't use them.

Fair points, and there are others. And do you know what would have addressed much of that? The short-term rental ordinance proposed last year, based on a committee's year-long study.

But City Council refused to consider that ordinance, probably because it was controversial — and big real estate didn't want it. So instead of addressing their neighbors' concerns, cap opponents simply refused to negotiate. It was an all-or-nothing position.

And they ended up with nothing.

That proposed ordinance wasn't perfect, either, but it probably looks pretty good to some folks right now. Because it addressed many of these concerns:

- It allowed anyone to rent out an island home up to 10 weeks a year without a license. Given the prices folks pay for a weekly rental on Folly, most owners could've covered their taxes and insurance without a license.
- It allowed license transfers to family members with title to the property. And not only siblings or children. It even included distant relations like in-laws and *step* grandparents.
- It addressed alleged hoarding by revoking the license of any property that didn't rent once, or generate at least \$3,000 in income, in a year.

The ordinance even allowed a one-time license transfer to non-relatives. And, as with any complicated proposal, that was just the starting point. Had City Council debated in good faith, cap opponents could've gotten concessions. Instead, council ignored the valid concerns of actual year-round residents (aka "voters").

Tactical error.

We saw a similar blunder on Sullivan's Island with the maritime forest. A few homeowners — and real estate interests — didn't like having ocean views blocked by the forest, so they sued the town.

When anti-forest forces finally won a majority of council seats, they settled the lawsuit at a meeting with little public notice ... when the COVID pandemic had shut the public out of public meetings

The move was so brazen that most of those council members were booted out of office six months later. And a judge recently booted out their bogus settlement.

These arrogant power plays are common in Congress, and at the Statehouse — where old white men who wailed “my body, my choice” over mask ordinances now hypocritically try to tell women what they can do with *their* bodies.

We can hope they'll soon figure out who the majority of South Carolina residents are ... when women run all these knuckle-draggers out of office.

And, of course, the consternation on Folly isn't over. City Council could change the new ordinance at any time — and will no doubt face great pressure to do so. If they go too far, council members risk ending up like the last Sullivan's Island Town Council.

It didn't have to be this way — and it wouldn't have if so many folks hadn't forgotten politics is compromise.

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