



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-062

DATE: February 10, 2017

TO: Dennis W. Beach, City Manager

CC: Assistant City Managers

VIA: Robin M. Bird, Director of Development Services *RB*

FROM: Karen Friedman, AICP, Principal Planner *KBF*

RE: Apartment Buildings and Short Term Occupancy
Moratorium Recommended

Staff is recommending the City Attorney's office prepare an Ordinance to institute a temporary moratorium on the conversion of Apartment Buildings (multifamily buildings with five or more units, not including condominiums) to short term rentals. Staff has observed an increasing trend of older apartment complexes converting to short term rental usage. In particular this trend is increasing in areas east of Federal Highway and on the barrier island. Unlike buildings with four or less units, state statutes do not restrict City's ability to either prohibit or regulate apartment buildings converting to short term rentals. The moratorium, if adopted by the City Commission, would allow Staff ample time to research the issues and impacts of this trend as well as regulatory options including prohibition in certain areas of the City, approval procedure, use-specific standards including off-street parking and unit sizes, density provisions, and other considerations.

Prior to submitting a request to the City Attorney's office for an ordinance instituting a temporary moratorium on the conversion of Apartment Buildings to short term rentals, Staff is requesting direction from your office.

Below is an overview of the current status of code amendments and other issues related to short term rentals.

Text Amendments to Code of Ordinances Chapter 153 "Rental Housing Code" are scheduled for the February 22, 2017 Planning and Zoning Board hearing. The proposed amendments are based on the recommendations included in the Staff Report on Short Term Rentals - Best Practices in Florida and Recommendations (copy of report enclosed). The text amendments include the creation of a Short Term Rental Permit which would be required for single family, duplex, triplex, and quadplex rental housing available for lease for six months or less. A mandatory inspection would be required prior to the issuance of the permit, and the applicant would be required to pay the regular inspection fee. The first reading of the ordinance would be

on the March 28, 2017 City Commission hearing agenda, with adoption on the April 11, 2017 City Commission hearing agenda. A concurrent ordinance creating the Short Term Rental Permit fee would also be on the March 28th and April 11th City Commission hearing agendas.

A Short Term Rental Staff Taskforce was formed in December 2016 in order to address the issues related to Short Term Rentals from a variety of disciplines. The Taskforce includes staff from the following departments and divisions: BSO, Fire Prevention, City Attorney, City Management, Planning and Zoning, Building Inspections, Business Tax Receipt, Code Compliance, Public Works, and CRA. Taskforce meetings have been held on December 20, 2016, January 6, 2017 and February 1, 2017. The next meeting is scheduled for March 2, 2017.

A Short Term Rental – Resident Meeting is scheduled for February 16, 2017 at 10:00 a.m. at City Hall. Invitations have been mailed to persons who attended City Commission hearings and spoke about issues related to short term rentals. The invitation was also emailed to all HOAs and to the City Commission. At this meeting Staff will address issues that have previously been raised at City Commission hearings.

A dedicated page on the City's website will be created and called "Short Term Rentals and Nuisance Residential Properties". This page, which will be created by the City's webmaster, will include the following information:

- FAQ about rental properties, vacation rentals, and sober homes
- A list of common complaints and staff contacts for the complaints
- A direct link for residents to contact state and federal legislators
- An email that residents can send to the City if they want to be on a Short Term Rental advisory board
- A list of what Staff is working on related to short term rentals

Please let me know if you have any questions or concerns.