



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#15-0926

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: July 7, 2015

TITLE: Ordinance Providing for the Regulation of Vacation Rentals

Recommendation

It is recommended that the City Commission approve an ordinance creating a new article to provide for the regulation of vacation rentals.

Background

At the May 13, 2015 City Commission Conference Meeting, the City Commission discussed the City Attorney's Office recommended regulatory approach to address the non-residential use of residential property for short-term rentals. It was recommended that the City establish a registry for vacation rentals and amend the City of Fort Lauderdale's Unified Land Development Regulations ("ULDR") to clarify the permitted and prohibited uses within residentially zoned districts within the City. Staff was directed to develop the appropriate ordinances to implement the suggested changes for adoption by the City Commission.

The proposed ordinance, attached as Exhibit 1, requires any person operating a vacation rental within the City to register the vacation rental property and to be issued a certificate of compliance. The certificate of compliance is issued by the City Manager or his designee as evidence to the public that at a minimum, the location complies with applicable regulations. The following is a summary of the proposed regulations:

- Owners are responsible for registering their property; acknowledging that they are aware of specific requirements of city code; designating a responsible party and payment of a registration fee.
- Responsible parties are designated by the owner and are to be accountable for informing all guests, in writing, of all applicable City ordinances and ensuring that such information is posted at the property in specified locations, maintaining the property subject to all requirements, ensuring that occupancy limits are maintained, ensuring that all violations are promptly addressed, be available twenty-four hours, seven days a week to address any issues that may arise, respond to emergency calls, keep a registry of all guests, and be able to respond to the site within one hour of being notified.

- Transient Occupants means any person who occupies or is in actual or apparent control or possession of residential property used as a Vacation Rental during the period of the rental agreement.
- The ordinance adopts the following standards for Vacation Rentals:
 - Minimum life/safety requirements:
 - A swimming pool, spa or hot tub must comply with the current standards of the Residential Swimming Pool Safety Act, Chapter 515, Florida Statutes.
 - All sleeping rooms must meet the minimum requirements of the Florida Building Code.
 - Interconnected and hard-wired smoke and carbon monoxide (CO) detection and notification systems must be installed and maintained on a continuing basis consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code – Residential.
 - A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher must be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the unit.
 - Maximum occupancy is limited to the lesser of the following:
 - One (1) person per one hundred fifty (150) gross square feet of permitted, air-conditioned living space; and
 - Two (2) persons per sleeping room, meeting the requirements for a sleeping room, plus two (2) additional persons that may sleep in a common area.
 - In the RS-4.4 and RS-8 zoning districts or specific portion of a community developed as a single or two-family neighborhood, the maximum occupancy shall be limited to ten (10) transient occupants per vacation rental unit.
 - In all other zoning districts and developments predominantly developed with greater than two-family dwelling units, the maximum occupancy shall be limited to sixteen (16) transient occupants per vacation rental unit.
 - Occupancy may not exceed three (3) transient occupants per one (1) off-street parking space provided as required by Section 47-20.2 of the ULDR.
 - Solid waste handling and containment will be based on the maximum transient occupancy permitted,
 - The vacation rental/lease agreement shall contain the minimum information as provided for in subsection 15-278.
 - The vacation rental lessee must be provided with a copy of the information required in subsection 15-278.
 - Designation of a vacation rental responsible party capable of meeting the duties provided in subsection 15-276.
 - Any advertising of the vacation rental unit shall conform to information included in the Vacation Rental Certificate of Compliance and the property's approval, particularly as this pertains to maximum occupancy.

- Sexual offenders and sexual predators are subject to the restrictions of section 16-127 of the Code.
- Vacation Rental properties are subject to an initial inspection to ensure compliance with the ordinance and thereafter annual inspections.
- Compliance is secure through a progressive enforcement program that begins with a warning. If compliance is not secured the warning is followed by a citation. Repeat violators are subject to suspension and daily fines.

Upon adoption of the ordinance, a new article in Chapter 9 (Buildings and Construction) of the Fort Lauderdale Code of Ordinances will be created.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the Public Places Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong beautiful neighborhoods.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community*.

Attachment:

Exhibit 1 – Proposed Ordinance

Prepared by: Anthony Gregory Fajardo, Zoning Administrator

Department Director: Jenni Morejon, Department of Sustainable Development