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CITY OF LAKE WORTH BEACH

Community
SustainabilitySM

Vacation/Short Term Rentals Air B&Bs

**Commission Workshop Discussion
February 9, 2023**

Vacation/ Short Term Rentals

Air B&B's



Options for Vacation/Short Term Rentals

Option 1 - Continue the status quo of the use not being allowed

- 100s of properties currently held out as vacation/short term rentals
- Most have residential rental business licenses restricting rental terms to 60 days or more
- Code Compliance has numerous complaints and cases being held awaiting policy direction on issue. If policy direction is to prohibit them, cases will be adjudicated

Option 2 - Allow use throughout the City and adopt rules to govern their options

- Require management rules and oversight ordinance
- Cannot regulate rental duration or rental frequency

Vacation/Short Term Rentals



“White Paper” Items for Option 2

Establish a registration process as part of the Business License application process for the property owner to establish compliance with all required criteria, which may include:

1. A completed and signed Vacation Rental Registration Form.
2. Payment of applicable fee (to be established by resolution and based on occupancy level).
3. A copy of the Vacation Rental’s current and active license as a transient public lodging establishment with the Florida Department of Business and Professional Regulation.
4. A copy of the Vacation Rental’s current and active certificate of registration with the Florida Department of Revenue.
5. Evidence of the Vacation Rental’s current and active account with the Palm Beach County Tax Collector and Palm Beach County.

Vacation/Short Term Rentals



“White Paper” Items for Option 2 (continued)

Establish a registration process as part of the Business License application process for the property owner to establish compliance with all required criteria, which may include:

6. Exterior site sketch showing all structures, pools, spas, hot tubs, fencing, and uses, including areas provided for off street parking.
7. Interior building sketch by floor showing the floor layout, identifying all bedrooms, other rooms, exits, hallways, stairways, as applicable.
8. Occupancy limits established based on sketch and posted within Vacation Rental.
9. Property owner to provide 24/7 contact information for property owner or manager in case of emergency to City, PBSO, PBCFR and all occupants.
10. Parking restrictions.

Vacation/Short Term Rentals



“White Paper” Items for Option 2 (continued)

- **Property could not be claimed as homestead (with exception for owner-occupied).**
- **Utilities would be possibly assessed under the commercial rate schedules (coordination with Village of Palm Springs and Palm Beach County would be necessary on properties outside City limits).**
- **Use & Occupancy inspection would be conducted to reflect commercial use and potentially increase to an annual inspection along with fire marshal inspection.**
- **External signage would need to be consistent with current sign code; internal postings would be required for waste collection schedule, noise ordinance, emergency numbers, etc.**
- **Create a specific calls-for-service standard for Vacation Rentals to more quickly declare them a Chronic Nuisance and commence the process to obtain compliance with all regulations.**

Vacation/Short Term Rentals



“White Paper” Items for Option 2 (continued)

- **Possibly equate the Vacation Rental use to a motel, hotel or extending stay lodging and each Vacation Rental would have to meet the performance criteria of such uses as outlined in the Land Development Regulations.**
- **Parking requirements would need to be established, which could be that of a single family residence or transient lodging facility (depending on occupancy level).**
- **Create potential fee schedule for violations and identify irreparable fine amount for operating a Vacation Rental without the appropriate licenses and certifications.**
- **All Vacation Rental structures (residences) would need to meet commercial fire code and accessibility requirements.**
- **Potentially treat structures (residences) being used commercially as formal changes in use & occupancy triggering Florida Building Code Requirements to bring the structures up to current code. This may involve, structural, electrical, mechanical and plumbing requirements.**

Vacation/Short Term Rentals



Next Steps

In order to incorporate the desired recommendations, the City would need to amend the following Chapters of its Code of Ordinances and its Schedule of Fees & Charges

1. Chapter 2, Administration, Article VI Code Compliance and Article VII Abatement of Nuisances
2. Chapter 9, Buildings and Structural Regulations – 40 year recertification of commercial and multi-family structures and buildings
3. Chapter 11, Fire Protection and Prevention
4. Chapter 14, Business License
5. Chapter 18, Utilities
6. Chapter 23, Land Development Regulations, Article 1 General Provisions, Article 3 Zoning Districts, Article 4 Development Standards and possibly Article 5 Supplemental Regulations.

Vacation/Short Term Rentals



Questions & Thank You





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