

City of Palm Coast, Florida

Agenda Item

Agenda Date: September 3, 2024

Department	COMMUNITY DEVELOPMENT	Amount
Division	CODE ENFORCEMENT	Account #
Subject:	ORDINANCE 2024-XX AMENDING CITY OF PALM COAST ORDINANCES, CHAPTER 17, COMMUNITY DEVELOPMENT; AS AMENDED, TO ADD ARTICLE V, SHORT-TERM VACATION RENTALS	
Presenter:	Jason DeLorenzo, Chief of Staff	
Attachments:	1. Presentation 2. Ordinance 3. Business Impact Estimate	
Background:	Council Priority: B. Safe and Reliable Services On June 4, 2024, City Council directed the City Attorney to provide new legislation to all of City Council regulating short-term rentals, aka Airbnbs within the areas of the City's jurisdiction. Section 509.032(7), Florida Statutes in which prevents a local law, ordinance, or regulation prohibiting vacation rentals or regulating the duration or frequency of rental of vacation rentals. Single-family residential neighborhoods and their required infrastructure are generally designed to accommodate typical single-family residential homes with two (2) to three (3) persons per household on average. Local governments apply design standards tailored for residential neighborhoods for their roads, driveways, emergency services planning, public shelters, emergency evacuation plans, solid waste collection, utilities, and buffers, and also tailored in assessing their infrastructure impacts and their corresponding fair and proportionate impact/connection fees. Permanent single-family home residents inherently understand and know their physical surroundings, to include any safety gaps and potential risks to their families, because they have daily familiarity. Short-term vacation rental occupants, due to the transient nature of their occupancy, are unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, and other similar safety measures that would readily be provided to guests in traditional lodging establishments. Short-term vacation rental owners may live elsewhere and not experience the quality-of-life problems and negative impacts associated with larger, unregulated short-term vacation rental units on residential neighborhoods. Short-term vacation rentals with no application of mitigating standards when located in residential neighborhoods can create disproportionate impacts related to excessive occupancy, noise, trash, and parking. Short-term vacation rentals locating within established neighborhoods can disturb the quiet enjoyment of the neighborhood, lower property values,	

and burden the design layout of a typical neighborhood.

Short-term vacation rentals with no application of mitigating standards when located in residential neighborhoods can create disproportionate impacts related to their size, excessive occupancy, and the lack of proper facilities if left unregulated. The City desires to encourage short-term vacation rentals that are safe, fit in with the character of the neighborhood, provide positive impacts for tourism, increase property values, and achieve greater neighborhood compatibility.

The City seeks to balance respect for private property rights and incompatibility concerns between the investors/short-term vacation rentals and families/permanent single-family residences in established residential neighborhoods through the use of reasonable development standards.

These regulations are deemed necessary by the City Council to preserve property values and to protect the health, safety, and general welfare of permanent residents, lot/parcel owners, investors and transient occupants and visitors alike.

These regulations are being proposed to City Council to supplement, but not to replace, any existing federal or state law or regulation, or other controls within established residential neighborhoods served by a homeowner's association.

These regulations do not regulate duration or frequency of rentals but are intended to address the frequent change of many transient occupants housed within a single-family dwelling within an established residential neighborhood. This ordinance additionally establishes an enforcement mechanism for those short-term vacation rentals which do not adhere to the standards on an initial or continuing basis, with the overall goal of the short-term vacation rental program being compliance with the standards and not punitive in its scope.

This Ordinance is in the best interest of the public health, safety, and welfare of the citizens of Palm Coast.

Recommended Action:
APPROVE ORDINANCE 2024-XX AMENDING CITY OF PALM COAST ORDINANCES, CHAPTER 17, COMMUNITY DEVELOPMENT; AS AMENDED, TO ADD ARTICLE V, SHORT-TERM VACATION RENTALS