

RESOLUTION 2017-083

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, EXPRESSING SUPPORT FOR HOUSE BILL 6003, WHICH DELETES FROM SECTION 509.032(7), FLORIDA STATUTES, RESTRICTIONS PREVENTING LOCAL LAWS, ORDINANCES, OR REGULATIONS FROM PROHIBITING VACATION RENTALS AND FROM REGULATING THE DURATION OR FREQUENCY OF VACATION RENTAL STAYS; URGING THE FLORIDA LEGISLATURE TO ADOPT THE LEGISLATION AND GOVERNOR RICK SCOTT TO SUPPORT AND APPROVE THE LEGISLATION; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO GOVERNOR RICK SCOTT, THE FLORIDA SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE FLORIDA PRESIDENT OF THE SENATE, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE FLORIDA LEAGUE OF CITIES, AND THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, amendments to Section 509.032(7), Florida Statutes, adopted by the Florida Legislature in 2011 created a state preemption of local laws, ordinances, or regulations that restrict, prohibit, or regulate vacation rentals; and

WHEREAS, transient uses, such as vacation rentals in family neighborhoods, in particular, have serious unnecessarily disruptive and detrimental impacts on such residential neighborhoods including, but not limited to, increased noise, garbage, litter, and traffic incompatible with the residential character of these neighborhoods; diminished sense of security in family neighborhoods due to the uncertainty and ever-changing identity of occupants of neighboring residential properties; erosion of the shared sense of community; and increased demand on municipal services and resources such as police, code enforcement, fire, and emergency services; and

WHEREAS, transient uses, such as vacation rentals, for periods of time as short as a single night stay or a few days with the resulting frequent turn-over of transient occupants is a use that is clearly commercial in nature and best accommodated by

commercial uses, such as hotels and resorts located in appropriate zoning districts rather than residential homes in single-family and other low-intensity residential neighborhoods; and

WHEREAS, local governments have a substantial interest in maintaining the character, integrity, safety, and stability of the residential neighborhoods within their communities, and the protection of this interest is an essential local government purpose implemented through local zoning regulations and the exercise of other local government police powers; and

WHEREAS, local government authority and ability to restrict, prohibit, or regulate transient uses, such as vacation rentals, contributes to and helps preserve the character, integrity, safety, and stability of residential neighborhoods in particular and contributes to orderly development and the location of commercial uses within appropriate zoning districts within local communities; and

WHEREAS, Representative David Richardson has filed House Bill 6003 for consideration during the 2017 Session of the Florida Legislature, which would restore the ability of local governments to regulate vacation rentals according to the needs of their individual communities; and

WHEREAS, it is in the best interest of the public and local communities throughout the State that the Florida Legislature adopt House Bill 6003 and amend Section 509.032(7), Florida Statutes, as proposed in order to return home rule power to local governments to determine locally appropriate vacation rental regulations for each respective community and its neighborhoods and thereby more appropriately and effectively provide for the health and safety of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and incorporated herein.

Section 2: That the City Commission of the City of Coconut Creek hereby expresses its support for House Bill 6003, deleting from Section 509.032(7), Florida Statutes, the preemption of local home rule authority to restrict, prohibit, or regulate vacation rentals within each local government’s jurisdiction, and urges the Florida Legislature to adopt and Governor Rick Scott to support and approve the proposed amendment to Section 509.032(7), Florida Statutes, and any other legislation that restores the home rule authority of local governments to provide for regulation and zoning of vacation rentals within their local jurisdiction.

Section 3: That the City Commission hereby directs the City Clerk to provide a copy of this Resolution to the Governor, the Speaker of the House, the President of the Senate, the Broward County Legislative Delegation, the Florida League of Cities, and the Broward League of Cities.

Section 4: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 9th day of March , 2017.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, City Clerk

Belvedere Aye

Rydell Aye

Sarbone Aye

Tooley Aye

Welch Aye