



Local Government Affairs Subcommittee

Wednesday, January 21, 2015
10:00 AM
Webster Hall (212 Knott)

Action Packet

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
1/21/2015 10:00:00AM

Location: Webster Hall (212 Knott)

Summary: No Bills Considered

Committee meeting was reported out: Wednesday, January 21, 2015 4:14:47PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
1/21/2015 10:00:00AM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Debbie Mayfield (Chair)	X		
Matt Caldwell	X		
Daphne Campbell	X		
Jose Diaz	X		
Dwight Dudley	X		
George Moraitis, Jr.	X		
Amanda Murphy	X		
Cary Pigman	X		
Kevin Rader	X		
Lake Ray	X		
Jimmie Smith	X		
Charlie Stone	X		
Jennifer Sullivan	X		
Totals:	13	0	0

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
1/21/2015 10:00:00AM

Location: Webster Hall (212 Knott)

Presentation/Workshop/Other Business Appearances:

Vacation Rentals

Dawn Pardo (General Public) - Information Only
City of Riviera Beach
Councilwoman
600 West Blue Heron
Riviera Beach FL 33404
Phone: 561-845-4095

Vacation Rentals

Kit McKeon (General Public) - Information Only
City of Venice
Councilman
628 Granada Ave
Venice FL 34285
Phone: 941-485-3193

Vacation Rentals

David Sherman (General Public) - Information Only
City of Venice
1353 Lucaya Ave
Venice FL 34285
Phone: 305-586-1350

Vacation Rentals

Judy Titsworth (General Public) - Information Only
City of Holmes Beach Commission
Chairman of the City of Holmes Beach Commission
5313 Sunrise Lane
Holmes Beach FL 34217
Phone: 941-448-5030

Vacation Rentals

Hunt Davis (General Public) - Information Only
City of Miami Shores
Councilman
10050 Northeast 2 Ave
Miami Shores FL 33138
Phone: 305-795-2207

Vacation Rentals

Lori Killinger (Lobbyist) - Information Only
Florida Vacation Rental Managers Association
Attorney/Lobbyist
315 South Calhoun St.
Tallahassee FL 32301
Phone: 850-222-5702

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COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
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Location: Webster Hall (212 Knott)

Presentation/Workshop/Other Business Appearances: (continued)

Vacation Rentals

Stephen James (Lobbyist) - Information Only
Florida Association of Counties
100 South Monroe St.
Tallahassee FL 32301
Phone: 850-922-4300

Vacation Rentals

Aleksander Boksner (General Public) - Information Only
City of Miami Beach
First Assistant City Attorney
1700 Convention Center Dr.
Miami Beach FL 33139
Phone: 305-673-7470

Vacation Rentals

Jack G. Duncan (General Public) - Information Only
Manasota League of Cities
Vice Mayor Longboat Key/President of Manasota League of Cities
2450 Harbourside Dr.
Longboat Key FL 34228
Phone: 484-614-7999

Vacation Rentals

Elaine Poe (General Public) - Information Only
City of Madeira Beach
Commissioner
353 1444a Ave.
Madeira Beach FL
Phone: 727-580-6668

Vacation Rentals

Casey Cook (Lobbyist) - Information Only
Florida League of Cities
Legislative Advocate
Post Office Box 1757
Tallahassee FL 32312
Phone: 850-701-3701

Vacation Rentals

Michael Martinez (Lobbyist) (State Employee) - Information Only
Florida Department of Business & Professional Regulation
Deputy General Counsel
1940 North Monroe St.
Tallahassee FL 32309
Phone: 850-717-1580

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Judy Titsworth
Chairman, City of Holmes Beach Commission
5801 Marina Drive
Holmes Beach, FL 34217
jtitsworth@holmesbeachfl.org
941-448-5030

Resort Housing Workshop
January 21, 2015
FL League of Cities at the State Capital in Tallahassee

Anna Maria Island is a narrow, seven mile long barrier island in the Gulf of Mexico and consists of Anna Maria, Holmes Beach and Bradenton Beach. Each city has easy access from nearly every street to the 7 mile gulf beaches.

The protection of AMI's environment and its wildlife is a major priority. This includes nesting sea turtles, local and migrating seabirds, manatees, dolphins, fish and scallops.

I was born and raised on this little island by the sea, as was my father. My grandfather is the namesake of the City of Holmes Beach.

The population of Anna Maria Island is currently 6500 in which a little under half reside in Holmes Beach.

AMI has beautiful beaches, a lush, semi-tropical climate, and has retained much of its "Old Florida character and lifestyle. Most of the homes were originally ground level beach cottages. Many have been expanded and updated and homes are typically well-maintained and landscaped. The focus of our community is on families, both residents and visitors, and on outside activities.

AMI's "Old Florida" character has been heavily and very successfully promoted by the Tourist Development Council of Manatee County and there is strong concern that the County Commission has insufficient regard for the impacts of the marketing as little AMI remains the "only beach in town" for all of Manatee County.

In the past, the full-time population included more families with children in *owned* homes plus more annual renters. Home and rental prices were modest. Winter residents came for the mild winter weather, staying for one to 6+ months in owned or rented homes. Many winter residents are very active in the community during their stay and are close friends with the permanent residents. There are some occasional use homes owned by nearby Florida residents, primarily for weekend and summer use.

Visitors to AMI include daily visitors coming from the mainland, short-term visitors mostly staying in mom and pop motels or rental condos and rental homes located very close to the beach. Over time the percentage of European visitors has risen to 21% based on extensive TDC advertising and attractive foreign exchange rates. Occupancy rates were highest in the winter, high in the summer, and low in the spring and fall, allowing small business owners and opportunity to vacation.

Overtime, with the desirability and constant promotion of AMI, house prices escalated. Higher prices then increased property taxes and insurance costs and renters were fully exposed to escalating costs. The cost increase also had a significant impact on younger families in early/mid-career. The housing cost increases are a significant reason for AMI population loss.

Soon the Conversion to weekly rentals and intensity of use was on the rise. Many of the ground level homes and duplexes (typically 2 bedrooms on each side) in residential areas and further from the beach were demolished and replaced by larger houses intended solely for weekly rental at much higher rates. Investors typically created Limited Liability Companies, hired a local rental management company / advertised on the internet, and lived throughout the U.S. and in Europe.

The new houses were frequently elevated due to FEMA flood restrictions, had 2 living floors, were built to the lot setback lines, and nearly all had pools that could be as close as 30" to the neighboring lot. Some new duplexes had up to 8 bedrooms plus a pool on each side. Many houses were substantially oversized compared to their neighbors and the description "big box houses" was born. This has drastically diminished the Old Florida beach cottage charm of AMI.

The large rental homes also created other problems. On-site parking was inadequate for the intended occupancy, overflowing onto the right-of-way and neighboring properties. The noise levels, number of cars and visitors, and volume of trash increased accordingly. Inadequate landscape buffering from neighboring residents was also a problem.

The intensity of use rises sharply with higher occupancy. A mega – rental, 8 bedroom duplex could have 16 or more people and at least 4 cars on each side (or 32+people and 8+ cars on both sides). Although these mega-rentals may cost \$6000 or more per week, the cost can be shared by a large group. Note that a large group will inherently make greater use of pools and patios, be noisier, less sensitive to neighbors, and often party late into the night (some justified by the high price).

These mini-hotels are not required to observe the same standards and regulations as traditional motels, yet are formidable economic competitors.

Realtors began including the rental history potential of their listings in their advertising as investors continued to seek AMI. Annual rentals diminished from 1,329 in year 2000 to 941 in year 2010, a decline of 388 or 29%. Whole blocks of annual rentals were turned into weekly rentals, displacing our local workers from these modest rentals.

As total short term rentals and intensity of use increase in residential areas, the disruption on nearby residents and the island lifestyle is the *major* reason for loss of permanent residents. As their friends and neighbors leave and are replaced by rentals, the loss of a neighborhood feel prompts even more residents to leave in an accelerating cycle.

The combined population loss due to economics and rentals / intensity of use directly impacts the viability of AMI churches, the school, community centers and other community organizations. These churches and schools sit on prime real estate and with the declining population, their days are numbered.

The city governments were not prepared for the magnitude and resulting consequences of the above changes. It took significant time to become aware of the consequences and to develop and approve

appropriate ordinances such as 1) Living Area Ratio so that houses were appropriately sized for the lots. 2) Larger setbacks for pools, 3) Parking requirements based on the number of bedrooms, 4) excessive noise, and 5) backdoor trash pickup. Some work remains to tune these ordinances, close gaps/loopholes, and to ensure fire/smoke safety. Full and consistent enforcement, increased city services and related costs are now major priorities.

The city government response has been severely constrained by State-imposed limits on "home rule" (House Bill 883 as modified by Senate Bill 356 in 2014). Regulation of public lodging establishments is preempted to the state, and a local ordinance may not prohibit vacation rentals or regulate the duration or frequency of rental unless the ordinance was adopted on or before June 1 2011. Bradenton Beach lacked such an ordinance, the status in Anna Maria is under review, and Holmes Beach and other cities need to be careful to not invalidate their grandfathered status.

AMI has transitioned over the past 40 plus years from predominately owner/family occupied and vacation/second houses/condos that were rented occasionally with a goal of covering taxes and insurance to now a majority resort style investor owned properties.

2010 census summarize the issue

A population loss for Holmes Beach alone from 1990 to 2010 is a negative 22.8%

Housing unit occupancies in 2001

1743 by owner

795 by renters

1664 by short term renters.

Occupancy levels in 2010:

1464 by owner – negative 16%

559 by renters – negative 29.7%

2150 short term renters – positive 29.2%

These statistics do not even include the changes from 2010 until now, which would be even more significant which in 2011-2014 there have been 80 demolition permits issued.

In October of 2013 the NAHB, the National Association of Homebuilders published a report that showed the average square footage for various rooms in new construction. This data was compiled from a survey of more than 200 builders and was said to have been very thorough and complete.

This allocation of finished floor space in new homes shows that the average percentage of floor space allocated to all bedrooms and bathrooms is approximately 41%. In contrast, the homes that are currently being built by developers in Holmes Beach are allocating 68% which means that 2/3 of the space is being allocated to bedrooms and bathrooms and the developer has decreased the space in the living room and kitchen/dining areas creating accommodations for "beds for heads" type of housing unit. (Similar to a hotel environment).

The impact on infrastructure is dramatic. Land that once supported a 2 bedroom 1 bath house now will be supporting 16 bedrooms and 14 baths in some instances. Holmes Beach commissioners are currently considering to expand on their current "living area ratio" by including a "bedroom & bath" ratio as well.

Safety is another concern. Single family and duplex units are not required to meet the same fire safety regulations as motels yet these 8 bedroom homes, advertising "sleeps 20" are currently not required to have sprinkler systems or monitored fire detection devices. These homes are a disaster waiting to happen should one catch fire, trapping occupants, unfamiliar with the layout and the location of the primary or secondary egress in a dark, smoke filled unit.

Pools are another concern. Each home has a pool. These pools are generally small in order to fit on the lot and many are combined with a spa. These small pools are occupied by a large number of tenants one week and then on turn over day a new group of tenants check in. These pools are not regulated by the Department of Health and we have health and safety concerns for the occupants. For example, the circulation to the pool is shut off for a long period of time while the spas are being used. To consider many small children, some still in diapers, and the large number of guests all sharing the pool and to not have to abide by regulations by The Health Departments is a health hazard.

Many of the resort housing built in Holmes Beach are starting to deteriorate due to lack of maintenance. Balconies are unsafe and railings are suspect. There are many safety regulations that the city would like to be able to regulate and with the 2000 plus resort housing units, a full time position of a Safety inspector would be needed. The ability to require owners of Resort Housing to obtain a license in the City would give the city the ability to enforce regulations that not only will address safety, but also noise, trash, parking and occupancy concerns.

The global tourism industry is ever-growing and is currently responsible for approximately 9.5% of the world's Gross Domestic Product and 10% of the world's employment. A species of animal or plant life disappears at a rate of 1 every 3 minutes. 70% of marine animals are threatened. 58% of the world's coral reefs are at risk. Since 1970 a third of the natural world has been destroyed by human activity. Because of the closeness to nature, small islands attract many tourists and thus are especially vulnerable to social, economic and environmental stresses that tourism can bring. The impact that this tourism has on our fragile ecosystem needs to be considered.

City commissioners find themselves scrambling to enact new ordinances to deal with the impact of the resort housing in the residential neighborhoods and communities. We are calling for moratoriums on new construction and additions resulting in four or more bedrooms in order to give time to consider testimony and evidence necessary to formulate new policies, regulations, and ordinances. Addressing the issue facing the cities and to balance competing interests, especially in light of the complex web of laws that affect these decisions require time.

Unfortunately, changes in regulations can make the cities vulnerable to Bert Harris claims. The city of Anna Maria is facing \$1,000,000 in claims alone, once their Living Area Ratio ordinance came into effect. It wasn't the residents that were storming the building department asking for permits, but the developers, and the developers are claiming that appraisals of much smaller homes will value less than the previously allowed "mega homes" therefore they are claiming that the city owes them for their losses. In order to resolve, Anna Maria is considering allowing them build pre-LAR.

The city governments need the authority to regulate resort housing in their communities. They need legislation to pass bills that will not only restore home rule, but will allow them the ability to draft

ordinances tailored to their Comprehensive Plan. It is our comprehensive plan that attracted our residents to our city and it is our comprehensive plan that is being ignored by the actions of the state. The tax paying residents of our city, and of our state, deserve our respect. But mostly, they deserve the right to live in a residential community.

Judy Holmes Titsworth
Chairman of the City of Holmes Beach Commission.



City of Holmes Beach

Judy Titsworth

City Commissioner

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Holmes Beach, FL 34217

www.holmesbeachfl.org

From: Tennyson-Lisa [<mailto:Tennyson-Lisa@monroecounty-fl.gov>]

Sent: Wednesday, January 21, 2015 9:13 AM

To: Stephen M. James; Eric Poole; Tennyson-Lisa

Subject: Monroe county VR Statement- Not arriving til 11:15!

Stephen/James: I am not now going to arrive in Tally til 11:13. I'm not sure what the procedure is like at the meeting but if you can and wish to...you can convey this message/statement on behalf of Monroe....

"First, we appreciate the Chair and Committee recognizing and taking the time to discuss this issue.

Last session, the Legislature also recognized the issue -- and it's passage of SB 356 is a step in the right direction. But for many communities, most problems arise from the over-use and high occupancy that comes with unlimited, short-term rentals -- which 356 didn't address.

Also, there are communities with VR regulation ordinances already in place but need to update, clarify and/or strengthen those ordinances to address problems and scenarios that were unforeseen when they were originally crafted, but are reluctant to do so for fear of losing their ordinances' grandfathered status.

Monroe is one of those local governments that had a VR ordinance in place when the VR regulation pre-emption was passed. We put the ordinance in place back in 1997. At that time, our main concern was being responsive to residents who had lived near and bore the impacts of overuse, high frequency, and high turnover of rental occupants in homes in their residential, single family home communities, and so, our ordinance focused on that.

We did not, at that time directly address in our ordinance with sufficient specificity, the problems of noise, parking, and litter -- or the public safety issues of over-crowding, and things like fire codes which are more stringent for commercial uses, which VRs are, as opposed to residential use as was contemplated when the home was built. Nor can we account for the over-use of police, fire and sanitation services; or hold accountable VRs for appropriate utility rates for things like water and wastewater, which are different for commercial as opposed to residential uses.

Monroe County has no desire to prohibit vacation rentals. But with an inadequate ordinance and the state pre-emption, some property owners have really taken advantage, and have created mini-hotels and hotels out of their single family homes.

In Monroe, as an example, we have several large homes that are literally being used as destination wedding halls and resorts. Every weekend, there's a different wedding...fully catered, Live music, and upwards of 200 people flock to the property, and all with their cars and boats. Untold numbers of people stay in the home each night. In one home, there were 8 bunk beds in one room alone.

These situations are not only unfair to the neighbors who also have a right to the quiet enjoyment of their property, they are unsafe. It's also unfair to those properly licensed and regulated

commercial hotel and bed and breakfast businesses who comply with more stringent fire safety codes and pay bed taxes, unlike most VRs.

Again, Monroe does not wish to prohibit vacation rentals, but the County Commission has recognized, and wishes to convey to the Legislature, that the high occupancy Vacation Rentals, allowed and unregulated by the law:

- Have significant adverse impacts on neighbors, who have the right and expectation to the quiet enjoyment of their properties;
- Change the the private, residential character of small neighborhoods and erode the shared sense of community;
- Increase the demands on water, wastewater, police, fire, sanitation and energy services;
- Disproportionately consume community resources without a fair accounting;
- Operate at an unfair competitive advantage to small hoteliers who comply with proper commercial codes and pay bed taxes; and
- Pose significant public health, safety and welfare concerns.

We ask that the legislature consider these impacts as well, and give back to local govts the tools they need to address their local problems, and to meet the needs of their local communities.

Again, we extend a thank you to the Committee for taking the time to discuss the issue and consider our comments.

Lisa Tennyson
Legislative Affairs Director, Monroe County"

Lisa Tennyson
Monroe County



Provided by the City of Madeira Beach



Homeaway.com		
Short term rentals - Florida	72,050	
Central Florida (919)		919
Disney / Orlando (11,232)		11,232
Florida Central Atlantic Coast (5,225)		5,225
Florida Central Gulf Coast (4,912)		4,912
Florida Keys (3,332)		3,332
Florida Panhandle (19,516)		19,516
Florida South Central Gulf Coast (11,806)		11,806
Marco Island (1,344)		1,344
Naples Area (3,933)		3,933
North Central Florida (455)		455
Northeast Florida (2,905)		2,905
Southern Florida (6,471)		6,471
		72,050
Airbnb.com		
Does not have the legend that Homeaway.com, VRBO or Flipkey. Each area you pull up says 1000+		
VRBO.com	72,793	
Florida Central East – (4,524)		4,524
Florida Central West – (4,994)		4,994
Florida North West – (19,578)		19,578
Florida South West – (17,577)		17,577
Florida South East - 6,450		6,450
Florida North East – (3,822)		3,822
Florida North Central – (321)		321
Florida Keys – (3,411)		3,411
Central-Disney-Orlando Area - 12,111		12,111
		72,788
FlipKey.com	57,443	
Florida Keys, Florida, USA (1169)		1,169
Florida Panhandle, Florida, USA (6747)		6,747
Florida North Atlantic Coast, Florida, USA (1070)		1,070
Florida, USA (33,518)		33,518

Florida South Gulf Coast, Florida, USA (1708)		1,708
Florida North Central Gulf Coast, Florida, USA (1830)		1,830
Florida South Central Gulf Coast, Florida, USA (4038)		4,038
Florida South Atlantic Coast, Florida, USA (3756)		3,756
Florida Central Atlantic Coast, Florida, USA (1432)		1,432
Alford, Florida, USA (1)		1
Apalachicola, Florida, USA (4)		4
Blountstown, Florida, USA (1)		1
Callaway, Florida, USA (3)		3
Carrabelle, Florida, USA (20)		20
DeFuniak Springs, Florida, USA (2)		2
Destin, Florida, USA (1317)		1,317
Eastpoint, Florida, USA (3)		3
Ebro, Florida, USA (3)		3
Fort Walton Beach, Florida, USA (821)		821
		57,443
Tripping.com		
Vacation Rentals In Florida		131,047
Tripping.com is the world's top search engine for vacation rentals.		
Compare Florida Vacation homes and short term rentals		
from 15 rental sites including Homeaway.com, VRBO.com and Flipkey.com and m		
It actually boasts of showing 137,280 rentals in Florida.		
Craigslist.com		3690
State of Florida		

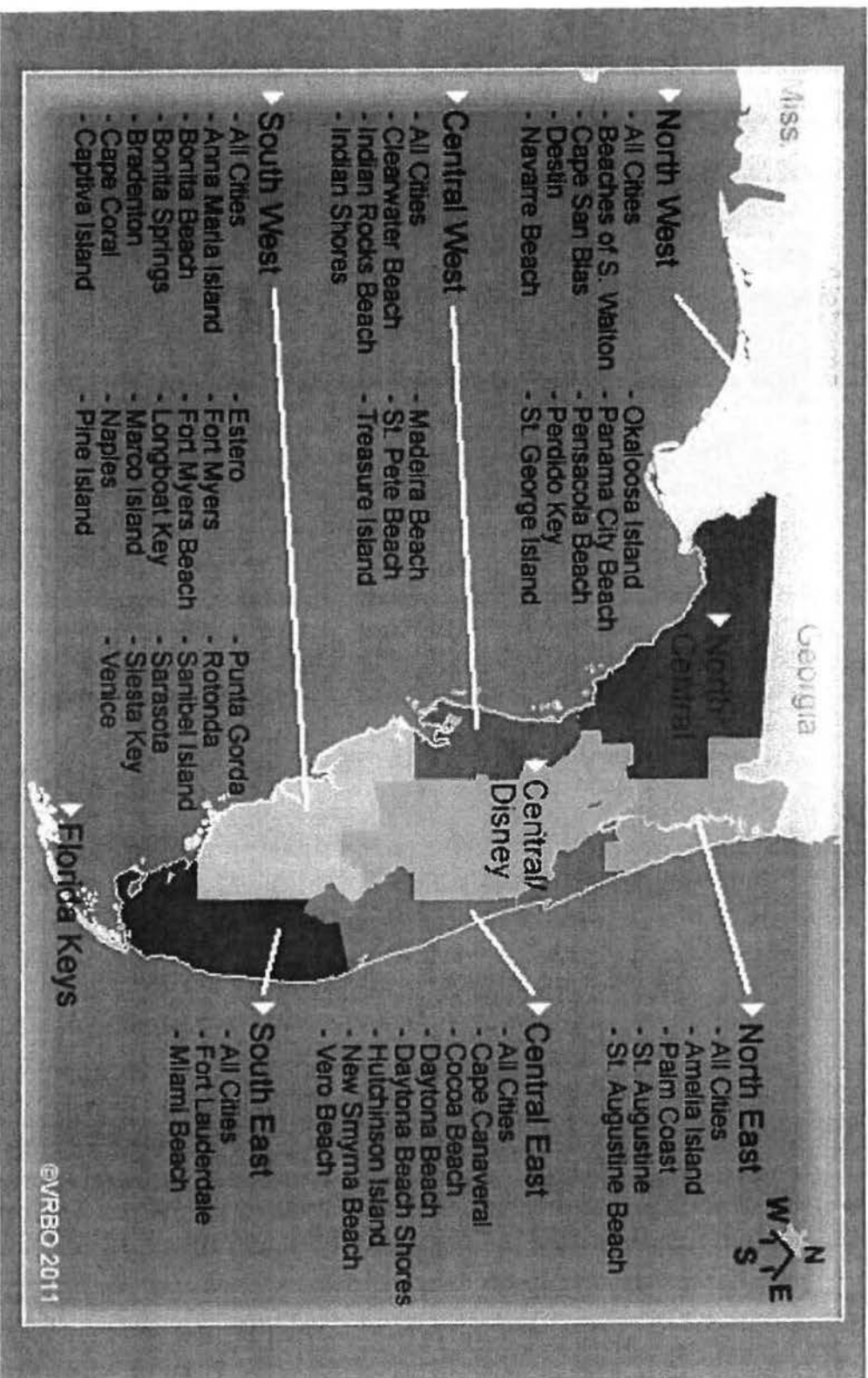


	Homeaway	Airbnb	VRBO	FlipKey	Tripping	TOTAL	Population
Alabama	9,462		10,266	2,698	48,432	70,858	
Alaska	616		632	338	1,306	2,892	
Arizona	8,851		8,956	4,510	15,840	38,157	
Arkansas	1,029		1,053	499	2,327	4,908	
California	38,325		34,503	19,594	73,116	165,538	38.33 Mil (2013)
Colorado	15,286		16,167	15,888	36,288	83,629	
Connecticut	1,311		815	142	3,041	5,309	
Delaware	2,139		2,166	924	3,560	8,789	
Florida	72,050		72,755	57,443	136,073	338,321	19.5 Mil (2013)
Georgia	3,955		3,999	952	10,243	19,149	
Hawaii	15,020		13,527	32,120	7,159	67,826	
Idaho	3,512		2,155	194	8,558	14,419	
Illinois	674		677	687	1,967	4,005	
Indiana	522		538	189	49	1,298	
Iowa	151		153	30	719	1,053	
Kansas	108		89	673	80	950	
Kentucky	2,163		2,154	1,185	4,980	10,482	
Louisiana	992		1,003	67	3,009	5,071	
Maine	6,821		6,698	2,802	9,554	25,875	
Maryland	2,991		2,954	2,612	12,931	21,488	
Massachusetts	11,103		11,222	6,888	24,894	54,107	
Michigan	6,769		10,153	1,580	14,977	33,479	
Minnesota	1,424		1,394	285	4,430	7,533	
Mississippi	834		820	317	2,323	4,294	
Missouri	2,163		2,154	1,184	4,980	10,481	
Montana	2,461		2,566	1,180	5,530	11,737	
N Jersey	5,680		5,768	3,198	25,554	40,200	
N. Dakota	7		5	18	25	55	*
Nebraska	59		55	76	138	328	
Nevada	1,890		1,941	1,553	10,926	16,310	
New Hampshire	3,229		3,182	756	6,712	13,879	
New Mexico	1,984		2,092	1,263	3,839	9,178	
New York	11,601		15,331	8,062	12,472	47,466	
North Carolina	13,065		13,930	9,786	40,501	77,282	
Ohio	764		780	349	1,340	3,233	
Oklahoma	295		285	103	40	723	
Oregon	8,269		5791	6,898	13,049	34,007	



	Homeaway	Airbnb	VRBO	FlipKey	Tripping	TOTAL	Population
Pennsylvania	2,667		2,773	1,109	4,746	11,295	
Rhode Island	2,411		1,800	302	2,150	6,663	
South Carolina	16,220		17,014	9,117	34,621	76,972	
South Dakota	471		497	212	828	2,008	
Tennessee	5,102		5,279	4,067	20,289	34,737	
Texas	8,604		8,432	7,169	20,506	44,711	
Utah	4,818		5,003	4,574	11,048	25,443	
Vermont	3,211		3,205	789	6,613	13,818	
Virginia	3,253		2,876	2,501	9,380	18,010	
Wash. DC	505		502	195	1,411	2,613	
Washington	4,574		4,771	1,848	1,512	12,705	
West VA	760		774	488	5,407	7,429	
Wisconsin	2,778		2,678	631	5,185	11,272	
Wyoming	883		898	534	1,988	4,303	
TOTAL	313,832		315,231	220,579	676,646	1,526,288	

**** NOTE:** AIRBNB does not have the legend HOMEAWAY, VRBO or FLIPKEY.
 Each area you pull up shows 1000+ (56 pages with 30+ per page)





(727) 391-9951
Fax (727) 399-1131
Home (727) 368-7033
Cell (727) 580-6668

ELAINE POE
COMMISSIONER, District No. 3

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www.madeirabeachfl.gov

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Madeira Beach, Florida 33708