



Office of the Town Manager

Rafael G. Casals, ICMA-CM, CFM
Town Manager

MEMORANDUM

To: Honorable Mayor and Town Council
From: Rafael G. Casals, ICMA-CM, CFM, Town Manager
Date: October 28, 2020
Re: Establishing Fees for Vacation Rental Registration

REQUEST

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA ESTABLISHING A FEE SCHEDULE FOR REGISTRATION OF VACATION RENTALS PURSUANT TO SECTION 3-179.1 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

On March 20, 2019, the Town Council adopted Town Ordinance No. 19-04 which created Section 3-179.1 of the Town's Land Development Regulations, to establish a licensing and regulatory regime for vacation rentals within the Town of Cutler Bay (the "Town"). Finding that unregulated vacation rentals can create negative residential compatibility impacts, particularly in terms of noise, parking, garbage generation, and public safety, the Town Council adopted a robust licensing program requiring the Town to license these uses and to require mitigation of these negative impacts to the extent possible by collecting data on the location, operator, and type of rentals taking place.

Furthermore, the Town Council found a substantial interest in the protection of the public's health, safety, and welfare through the establishment of these standards within the Land Development Regulations to protect the residential character of areas designated for residential uses under the Growth Management Plan and the Land Development Regulations.

While Town Ordinance No. 19-04 established penalties for failure to comply with the newly adopted regulations, it required the Town to return to the Town Council to establish appropriate fees for licensing and registration via Town Resolution. To determine the appropriate fees, Town Staff reviewed the fees charged by a number of peer municipalities wherein such registration and regulation regimes are in place. The result of this review is attached hereto as the "Vacation Rental Fee Survey" (*Attachment "A"*).





In addition to the aforementioned Vacation Rental Fee Survey, Town Staff also reviewed internal processing and review time, as well as the need for potential inspections to ensure compliance with the standards of Section 3-179.1 of the Land Development Regulations. In an effort to increase departmental efficiencies and establish appropriate fees for licensing and registration, Town Staff is proposing a fee of \$250.00 for new Vacation Rental Applications and a fee of \$110.00 for subsequent renewals of existing registrations, based on a combination of (a) ensuring that the fee is adequate to cover the costs associated with program administration and (b) maintaining fees which are in-line with those charged in similarly situated communities.

RECOMMENDATION

Town Staff is recommending approval of the proposed Resolution which establishes a fee of \$250.00 for new Vacation Rental Applications and a fee of \$110.00 for subsequent annual renewals of Vacation Rental Registrations, pursuant to Section 3-179.1 of the Town's Land Development Regulations.

ATTACHMENT

- Attachment "A" – Town Staff Vacation Rental Fee Survey

