



Office of the Mayor and Town Council

Michael P. Callahan
Council Member

MEMORANDUM

To: Honorable Members of the Town Council

From: Michael P. Callahan, Council Member Seat 2

Date: March 20, 2019

Re: Amending the Town Land Development Regulations:
Updating Chapter 3 to Include Vacation Rentals (*Second Reading*)

**Changes between 1st and 2nd reading are highlighted in yellow ~~double~~
~~strike through~~/double underline*

**Changes discussed during Sunshine Meeting blue highlighted ~~double~~
~~strike through~~/double underline*

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS," BY CREATING A SECTION 3-178.8, "VACATION RENTALS" TO PROVIDE REGULATIONS FOR SUCH USES; AMENDING SECTION 3-261, "DEFINITIONS" TO PROVIDE NEW DEFINITIONS RELATED TO VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

I have worked with both our legal counsel and Town staff in developing the proposed amendments to our Land Development Regulations, strengthening Code Compliance and Standards. The goal of this proposed Ordinance is to create a section in the Town's Land Development Regulations to provide clear and balanced regulations that reflect the vision of the Town while meeting the needs of the residents.

I share the same opinion as some of our concerned residents/ neighbors, that the presence of vacation rentals within residential dwelling units in established residential neighborhoods can create negative compatibility impacts, among which include, but are not limited to, excessive noise, excessive on-street parking, accumulation of trash, and diminished public safety.





I have determined, upon examination of the issue, that the transient use of residential dwellings in the Town has a negative effect in the residential character of our community. Unregulated vacation rentals can create disproportionate impacts related to their excessive size, excessive occupancy, and lack of property facilities. It is necessary and in the interest of the public health, safety, and welfare to monitor and provide reasonable means for the Town to mitigate impacts created by such transitory uses of residential property within the Town.

The proposed Ordinance will include a section of regulating vacation rentals that is recommended in order to enforce certain provisions of the Land Development Regulations and will further improve the residents' quality of life and vision for the Town.

Proposed changes proffered at the February 20, 2019 Town Council Meeting are highlighted in yellow. Vice Mayor Sue Ellen Loyzelle and I hosted an advertised Sunshine Meeting on February 27, 2019. Our proposed changes are highlighted in blue.

RECOMMENDATION

It is recommended that the Town Council adopt the approval of the attached Ordinance amending Chapter 3 of the Town Code, Land Development Regulations.

ATTACHMENT(S)

- Attachment "A" – Advertisement Miami Herald (Sunday, March 10, 2019)

