

STAFF REPORT SPECIAL MEETING

AGENDA DATE: May 29, 2025

DEPARTMENT: Community Sustainability and
City Attorney's Office

TITLE:

Vacation and Short-Term Rentals

SUMMARY:

Discuss and provide formal direction on vacation and short term rentals within the City of Lake Worth Beach

BACKGROUND AND JUSTIFICATION:

In 2011, the Florida legislature adopted a preemption that prohibits local governments from prohibiting vacation rentals or regulating the duration or frequency of rental of vacation rentals. This preemption does not apply to local laws, ordinances, or regulations adopted on or before June 1, 2011. Since that time, it has been the City's position that its Code, as adopted in 2010, prohibits vacation and short term rentals, as it has a minimum rental duration of 60 days. Pursuant to Florida Statutes, "Vacation rental" is a public lodging establishment classification that is also a transient lodging establishment. Florida Statutes provide that Transient public lodging establishments are those that are rented to guests more than 3 times in a calendar year for periods of less than 30 days.

The City Commission has, from time to time, discussed the regulation and enforcement of vacation rentals within the City. Based on Commission direction, the City is not currently enforcing its regulation regarding the minimum rental duration of 60 days, though it is noted on each business license for a residential rental. As of the most recent count, there are over 400 vacation rentals operating in the City with approximately 102 complaints against specific properties operating as vacation rentals. Almost all the known vacation and short-term rentals in the City have a current, active residential rental license.

If the City amends its Code regarding vacation rentals, it may not regulate the duration or frequency of rentals. However, the City could regulate vacation rentals as a use by zoning district, set maximum occupancy standards, require a business license for use as a vacation rental, and impose certain regulations regarding the operation of vacation rentals consistent with the applicable zoning district. Should the Commission decide to allow vacation rentals within the City, staff will come back to the Commission with the necessary ordinance amendments.

MOTION:

Move to approve/disapprove allowing vacation rentals within Lake Worth Beach.

ATTACHMENT(S):

Fiscal Impact Analysis – N/A

LWB Emergency Housing Study – Final Report (for public information, not as backup to item)