

Prepared by: City Clerk's Office

RESOLUTION NO. 2013-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, SUPPORTING HOME RULE AND REQUESTING REPEAL OF FLORIDA STATUTE SECTION 509.032(7) PREEMPTING CITY AUTHORITY TO CONTROL VACATION RENTALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has traditionally supported local government's home rule powers; and

WHEREAS, the Florida Legislature adopted Florida Statute Section 509.032(7) which preempts the city's ability to regulate vacation rentals; and

WHEREAS, land use, development and zoning have traditionally fallen under the control of and are within the expertise of the counties and cities of the State of Florida; and

WHEREAS, the ability of the city to exercise its home rule powers to control vacation rentals would allow the city to narrowly tailor land use controls to equitably insure that the use of properties in the residential area are not unreasonably impacted by commercial uses; and

WHEREAS, vacation rentals may have negative impacts within residential districts; and

WHEREAS, the intensity of use of vacation rentals is comparable to the intensity of use of motels and hotels which may not be appropriate in an area of single family residences; and

WHEREAS, throughout Florida, motels and hotels are typically not an allowed use in residential zoning classifications; and

WHEREAS, an excessive number of vacation rentals may have a negative impact on the quality of life of the surrounding homeowners due to the intensity of use of vacation rentals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AS FOLLOWS:

Section 1. The City Council of the City of Venice respectfully requests the Legislature of the State of Florida to repeal Florida Statute Section 509.032(7) to allow the city to adopt reasonable, lawful and appropriate controls for vacation rentals.

Section 2. A certified copy of said resolution shall be sent to the Sarasota County Board of County Commissioners as well as the city's local and state delegation.

Section 3. This resolution shall become effective upon its adoption by the City Council.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 23RD DAY OF JULY, 2013.

John W. Holic, Mayor

ATTEST

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City of Venice Council at a meeting thereof duly convened and held on the 23rd day of July, 2013, a quorum being present.

WITNESS my hand and the official seal of the said city this 24th day of July, 2013.

Lori Stelzer, MMC, City Clerk

(SEAL)