




**TO:** Members of the City of Fort Pierce Planning Board

**FROM:** Jennifer Hofmeister, AICP, LCAM, Planning Director 

**RE:** **Conditional Use Approval – Arenas Vacation Rental**  
 1218 S. 11 Street (20-0400007)

**BOARD DATE:** July 14, 2020

**STAFF REPORT**

**Owner:** Raul Arenas  
 1218 South 11<sup>th</sup> Street  
 Fort Pierce, Florida 34950

**Applicant:** Michelle Longarzo  
 1425 SW Edinburgh Drive  
 Port St. Lucie, FL 34953

**Applicant's Request:** Approval of a Conditional Use to operate a Dwelling Rental, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days.

**Location(s):** 1218 South 11<sup>th</sup> Street

**Parcel ID:** 2415-703-0063-000-7

**Future Land Use:** Residential Low (RL)

**Current Zoning:** Single-Family Low Density (R-1)

**Surrounding FLU:**

North	East	South	West
RL	RL	RL	RL

**Surrounding Zoning:**

North	East	South	West
R-1	R-1	R-2	R-1

**Utilities:** FPUA

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**Staff Analysis:*****Request***

In accordance with Sections 22-22 and 22-76 of the City Code, the applicant is requesting review and approval of a Conditional Use to operate a Vacation Rental located at 1014 South 7<sup>th</sup> Street. The subject single-family unit is a two (2)-bedroom and two (2)-bathroom single family home with approximately 1,883 gross square feet. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of 2 days to guests.

The property is within in the Sunrise Estates neighborhood, located at the northeast corner of Mississippi Avenue and South 11 Street. The subject site is surrounded by single family housing to the north, south, east, and west. The subject property has a Future Land Use designation of Residential Low (RL) with a compatible zoning classification of Single-Family Low Density (R-1).

***Dwelling Rentals***

Pursuant to City Code Section 22-3. – Definitions - Generally, the rental of any dwelling unit for less than six (6) months, is classified as a "Dwelling Rental (dwelling unit)," and defined as follows: "One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis."

The State of Florida provides further classification of a dwelling that is rented for periods of less than one (1) month. Pursuant to Florida State Statute 509.242, declaring the use a "Vacation Rental," defines such use as any unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented to guests more than three (3) times in a calendar year for periods of less than 31 days or one (1) calendar month, whichever is less or which is advertised or held out to the public as a place regularly rented to guests. A dwelling rental, as locally defined, is also a "Vacation Rental" if the duration of stays are less than 31 days. The rental of a dwelling for periods at a minimum of 31 days, but less than six (6) months, is a "Dwelling Rental," but not a "Vacation Rental."

Table 1, below, presents general characteristics to clarify Dwelling Rentals, and the transitioning threshold for Vacation Rentals.

**Table 1 – Dwelling & Vacation Rental Definitions**

	<b>Dwelling Rental</b>	<b>Vacation Rental</b>
<b><i>Length of Stay</i></b>	Less than six (6) months	30 days or less
<b><i>Lodging Type(s)</i></b>	Non-Transient (more than 30 days)	Transient Lodging
<b><i>State License Requirement</i></b>	If rented 30 days or less (Vacation Rental)	Division of Hotels and Restaurants – Vacation Rental
<b><i>Public lodging establishment (ADA &amp; Misc. Regulations)</i></b>	If rented 30 days or less (Vacation Rental)	Public lodging establishment

***Future Land Use & Zoning***

The purpose and intent of the R-2 zoning district is designed mainly for areas of single-family dwellings with an average net density of less than five (5) units per acre for conventional developments. In addition to housing, various public facilities and other nonresidential uses are permitted under the conditions and safeguards.

***Parking***

Pursuant to City Code Section 22-60 (d)b, motels, hotels, and resort hotels shall provide 1.6 spaces for each unit 500 square feet or larger.

***Conditional Use***

As stated in City Code Section 22-74, the purpose of the Conditional Use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout a particular zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience, and the general welfare.

***Technical Review Committee***

All affected departments have reviewed the proposed Conditional Use with regards to the requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided.

***Staff Recommendation:***

The proposed use presents the provision for short-term lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restrictions. Therefore, Staff recommends **APPROVAL** with the following five (5) conditions:

1. The property manager for the vacation rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.
3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
4. There shall be a limitation of no more than no two (2) vehicles at the site.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.