

5B(XX). OWNER-OCCUPIED HOME SHARING

Sec. 58.XXX. General Requirements.

Owner-occupied home sharing is an allowable accessory use to the following lawfully existing residential uses:

- (a) One family dwelling (R1 zoning);
- (b) Two family dwelling (R2 zoning);
- (c) Attached dwelling (R1 and/or R2 zoning); and
- (d) Detached dwelling such as a garage apartment, mother-in-law suite or cottage.
- (e) No commercial, office, mixed-use or multi-family dwellings are eligible under this ordinance.

The owner-occupied home sharing use must be incidental and subordinate in purpose, area and extent to the principal use, and located on the same property as the principal residential use. Exception: a subordinate property which shares a common property line with the principal property and is under common ownership as the principal property. Eligible properties must be titled in an individual person's name or in an individual's trust name. Properties titled in any corporate, LLC or company names are not eligible under this ordinance.

Owner-occupied home sharing is permitted for hosted visits only, where the property owner or tenant lives on-site or next door and is present on the property for the hosted visit, and provided there is a single booking at a time. Leasing out an entire dwelling unit for short term, transient use is not allowed, except two family (R2) and adjacent R1 dwelling units as provided below.

For two family or adjacent single-family dwelling units, owner-occupied home sharing is permitted for an entire dwelling unit if the property owner occupies the other dwelling unit and the living area of the unit for owner-occupied home sharing is equal to or less than the living area of the other dwelling unit. The two dwelling units must be under the same ownership.

No more than four unrelated persons are allowed in a single booking, or a maximum of two persons per room, whichever is less.

(Ord. No. XXX)

Sec. 58.XXX. Procedural Requirements.

- (a) *Registration.* Any person offering property within the City of Winter Park for owner-occupied home sharing must register that property with the City by completing an application form as provided by the planning official (or Code Compliance official) and paying an annual fee of (\$XXX) or in an amount to be set from time to time by resolution of the City Commission. Home sharing fees and taxes shall contribute to the City's General Fund and be used for Code Compliance and other related functions as deemed appropriate by the City Manager. The planning official (or Code Compliance official) is authorized to promulgate reasonable rules and regulations regarding the application and registration of owner-occupied home sharing. A complete application must include or be accompanied by:

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1. Verification that the applicant is the property owner or has notarized permission from the property owner in a form acceptable to the planning official (or Code Compliance official).
 2. Two proofs of residency to show that the applicant resides on the property being registered.
 3. The total number of bedrooms on the property and how many will be devoted to hosted visits.
 4. In the case of R2 or adjacent R1 properties, proof of common ownership is required.
 5. Any other information required by the planning official (or Code Compliance official).
- (b) *Registration approval.* Applications for owner-occupied home sharing must be reviewed and approved, approved with conditions, or denied, by planning official (or Code Compliance official) determination. In reviewing an application, the planning official (or Code Compliance official) shall apply the standards of review provided for review of conditional use permits as provided at Section 65.XXX of this Code. If the planning official (or Code Compliance official) approves the registration, he or she may impose appropriate conditions and safeguards in conformity with the intent and provisions of this Code. Conditions of development must be reasonably calculated to mitigate identifiable land use impacts of the owner-occupied home sharing use.
- (c) *On-line posting.* Any property that receives approval from the City must include the approval with any on-line listing offering the property for home sharing.
- (d) *Taxes.* All sales and tourist development taxes for the home sharing use must be appropriately remitted. The City shall require a X% tax per booking in addition to the above.
- (e) *Advertising.* The advertising or advertisement for the leasing, renting, or letting, for whatever length of time and without regard for frequency of turnover, of a room, rooms, or any other part or parts of a residential use is admissible in any enforcement proceeding and raises a rebuttable presumption that the residential property is being used as a home sharing use.
- (f) *Revocation.* A violation of any standards or requirements contained herein, or of any development conditions, or any other law or code applicable to the property will result in the revocation of registration approval for home sharing.
- (g) *Parking.* Guest parking shall not infringe on neighbors' property. Guest parking of no more than a single vehicle shall be allowed during any room sharing event.
- (h) *Inspection.* Living spaces must meet applicable building codes and shall be inspected by City staff prior to permitting for home sharing. Future inspection by City officials shall be granted on an as-needed basis.
- (i) Members of the Winter Park City Commission shall not be eligible to participate in home sharing for 2 years after the inception date of this ordinance.

Sec. XX-XX. Minimum vacation rental standards to be verified by self-certification through registration.

(a) *Minimum standards:*

- (1) *Maximum occupants and guests.* The maximum amount of transient occupants authorized to stay overnight at any individual vacation rental shall be limited to two (2) persons per sleeping room.

The maximum amount of persons allowed to visit as non-overnight guests of the transient occupants shall not exceed two (2).
- (2) *Local telephone service.* At least one (1) telephone (landline or cellular) with the ability to contact Winter Park Emergency 911 Communications Center on a 24-hour, 7-day a week basis, shall be

provided in the main common area of the vacation rental and be clearly marked as the Emergency Communications Center contact telephone.

- (3) *Fire extinguisher.* At least one (1) fully charged, portable, multi-purpose, dry chemical ABC fire extinguisher shall be installed and maintained in a clearly marked location in a centrally located area near sleeping rooms on each floor of the vacation rental. Additionally, at least one (1) Class K fire extinguisher shall be installed and maintained in a clearly marked location in a centrally located area near the kitchen of the vacation rental.
- (4) *Transient occupant information.* A binder, book or file folder clearly labeled “Transient Occupant Information”; with the full address of the vacation rental must be located in a conspicuous area of the vacation rental, and must contain, at a minimum, all regulations with which transient occupants and their guests must comply, including:
- (i) Chapter XXX Noise, Winter Park Code of Ordinances;
 - (ii) Section XX.XX Noise, Winter Park Land Development Code;
 - (iii) Section XX.XXX Off-street parking requirements, Dwelling Structures, Winter Park Land Development Code;
 - (iv) Section XX.XX Parking Standards Winter Park Land Development Code;
 - (v) Chapter XXX Sexual offenders and sexual predators, Winter Park Code of Ordinances;
 - (vi) Chapter 235 Solid Waste, Winter Park Code of Ordinances;
 - (vii) The 24-hour, 7-day a week telephone number of the Responsible Party;
 - (viii) A copy of the survey, scaled sketch or picture depicting the location(s) of parking spaces reserved for the vacation rental with a statement that the transient occupant parking is limited to the area(s) identified on the graphic; and
 - (ix) The locations of all nearby hospitals, walk-in clinics and free-standing emergency room(s).
- (Ord. No. XX)