



Transient Accommodation Uses in the City of St. Petersburg

For residential properties within the City of St. Petersburg, short-term rentals (durations of less than 30 days) may only be rented a maximum of three times within any consecutive 365-day period. Short-term rentals exceeding this allowance must be operating as a licensed hotel/motel or located within an approved Resort Facilities Overlay district.

Today's sharing economy includes a variety of services, one of the most common being home sharing. Home sharing is recognized as an organized agreement between two parties, in which one party rents out all or part of his or her home to another party on a temporary, one-time basis. The length of stay varies greatly from nightly to weekly.

As a land use, home sharing is often referred to as a "short-term rental." Short-term rentals differ from other lodging uses by providing complete, independent living facilities, including provisions for living, sleeping, eating, cooking and sanitation. Although bed and breakfasts often are similar in appearance and location to many short-term rentals, they are distinguishable by the presence of the owner/operator onsite. Community residential homes differ from short-term rentals by having multiple rooms or units for rent and common kitchen and dining facilities that are shared by the occupants. Community residential homes also tend to be less transient than short-term rentals. Similarly, hotels and motels are distinguishable from short-term rentals by having separate entrances and an on-site management office. Short-term rentals generally take on the appearance of a residential use but function as a transient accommodation use.

Transient accommodation uses include short-term residential rentals (durations less than 30 days), hotels and motels. Transient accommodation use does not include rental durations longer than 30 days, community residential homes and bed and breakfasts.

FREQUENTLY ASKED QUESTIONS (FAQ)

Do the City's Land Development Regulations ("LDRs") accommodate a short-term rental use, such as those commonly associated with internet reservation websites?

The LDRs allow a property to be offered for an occupancy duration of less than 30 days up to three times in any consecutive 365-day period without it being considered a transient accommodation use. The City does not have a specific "short-term rental" use. The LDRs refer to *transient accommodation uses* which is an umbrella term that includes the *hotel* use and *motel* use as defined in the zoning district [Use Matrix](#). The term *transient accommodation unit* and *uses* is defined in the LDR definitions [Section 16.19.20](#).

What is the Resort Facilities Overlay (RFO)?

The Resort Facilities Overlay or RFO is an overlay listed as a land use plan category under the "special designation" section in the City's [Comprehensive Plan](#), and is defined in Policy LU3.1(E)(5) as an area intended to be suitable for a combination of residential and transient accommodation uses as defined in the Land Development Regulations. If approved, a property owner that applies for this special overlay can use

their property for transient accommodations. There are no locations yet in the City that this overlay has been applied and historically, staff has only encouraged the RFO for multi-family housing where a board or an association can be a controlling factor.

The application process is the same as the City's regular Future Land Use Map amendment process, summarized below:

- Application approval requires four to five public hearings
- Application process can take about six months from time of application submittal
- Application is available [here](#) and requires a fee of \$2400

[Does City Administration have any current plans to adopt a short-term rental use in the LDRs that does not require utilization of the RFO?](#)

No. The City Attorney's Office has stated concerns involving state preemption of local regulations if the City were to adopt a short-term rental use in the LDRs. The City's current transient accommodation use regulations are grandfathered. [Section 509.032\(7\), F.S.](#) states, in part:

A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

Additionally, the Budget, Finance and Taxation Committee (which consists of four City Council members) discussed the issue of short-term rentals and tax collection at its [July 16, 2015 meeting](#). At that meeting, no committee member expressed a desire to change current City regulations regarding transient accommodations.

[Why aren't bed and breakfasts considered a transient accommodation use?](#)

Bed and breakfasts have generally been viewed to align with the character of traditional neighborhoods within the City and are allowed in the NT zoning districts if approved through the Special Exception review process. The bed and breakfast use also has a list of use specific criteria that must be followed and are contained in [LDR Section 16.50.040](#). One of the requirements is that an owner or manager must reside on the premises. Additionally, the [Countywide Rules](#), which the City must comply with, includes the bed and breakfast use in the definition of "Residential Equivalent Use."

[Where can I learn more about the research the City has done on short-term rentals?](#)

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