

CCNA

COALITION OF CITY NEIGHBORHOOD ASSOCIATIONS OF SARASOTA

To: City Commissioners
Marlon Brown
Robert Fournier
Steve Cover
Neighborhood Association Presidents and Delegates

From: CCNA Board of Directors

Date: 21 December 2023

Topic: **Adoption of Ordinance no. 24-5506 with the Removal of Section 34.5-16A, Increased Maximum Occupancy allowed by written agreement**

The Board of Directors of the Coalition of City Neighborhood Associations of Sarasota (CCNA) supports the adoption of Ordinance 24-5506, which will come before you on January 2nd, 2024, Item X.1. A citywide Vacation Rental Registry has been supported by the membership of CCNA from the beginning of the conversation about the registry.

However, we oppose with unparalleled conviction the inclusion of Section 34.5-16A and asks that it be removed before the ordinance is approved.

Section 34.5-16A is unnecessary and will be detrimental to both the spirit of the ordinance and the residential integrity of our neighborhoods. The vacation rental industry will see the inclusion of this provision as the opportunity to expand existing managed properties and to create more and larger “dwellings.” This will result in the deterioration of the fabric of our neighborhoods and will render our city uninhabitable except to those living in gated neighborhoods with strong covenants, the very wealthy, and vacationers.

It has been suggested by several commissioners that the registry and the expansion thereof will expose the city to legal action and that this clause, Section 34.5-16A of the proposed Ordinance No. 24-5506, would protect the city from Bert Harris suits. This suggestion is unfounded. There is not nor would there be a basis for a Bert Harris successful suit. If included, however, the right to increase occupancy by application would be vested, exposing the city to the possibility of a Bert Harris suit, e.g., in the event an applicant was rejected.

Being applicable only to non-owner occupied vacation rental situations, the adoption of this section would leave those who own, live in, and use part of their dwelling for vacation rental incomes but unable to increase maximum occupancy at an unfair disadvantage.

CCNA respectfully requests that Ordinance No. 24-5506 be approved without Section 34.5-5353.

Richard Harris
President