

Article 9 - Glossary

Short-term Vacation Rental: A public lodging establishment consisting of any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings, which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. The following are excluded from this definition:

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.
2. Any hospital, nursing home, sanitarium, assisted living facility, or other similar place.
3. Any unit or group of units in a condominium, cooperative, or timeshare plan.
4. Group homes as defined in Chapter 419, F.S.

1.13.16 Short Term Vacation Rental Certificate Requirements.

A. *Short-Term Vacation Rental Certificate Required.* To verify compliance with the short-term vacation rental standards contained within this Code, any property owner who wishes to rent a residential unit as a short-term vacation rental must first apply for and receive a *Short-Term Vacation Rental Certificate* from Walton County and shall renew the certificate annually for as long as the unit is used as a short-term vacation rental. Each dwelling unit used as a short-term vacation rental requires a separate *Short-Term Vacation Rental Certificate*. An annual certificate fee shall be paid for each dwelling unit certified as a short-term vacation rental, in an amount to be determined by resolution of the board of county commissioners, to cover the cost of administration and enforcement of the certificate program. Failure to comply with any of the requirements of this section shall be subject to the remedies and enforcement provided in Subsection H.

B. *Exemptions.*

1. Condominiums as defined in Chapter 718, F.S.
2. Single Family attached or detached dwelling occupied on a full-time basis by the owner as an on-premises, permanent resident and that has been declared and continues to be declared as homestead by the Property Appraiser.
3. Cooperatives and Homeowner's Associations as defined in Chapters 719 and 720, F.S. may elect to apply for a community certificate for the entire community or units under their control.
4. In single family attached dwellings under common ownership where one of the dwellings (a) is occupied on a full-time basis by the owner of the dwellings as an on-premises, permanent resident and (b) has been declared and continues to be declared as homestead by the Property Appraiser.
5. Multi-family residential developments under common management.

C. *Compliance affidavit and certificate requirement for short-term vacation rentals.*

1. An affidavit of compliance with this Section is required prior to issuance of an initial *Short-Term Vacation Rental Certificate*. An executed affidavit which certifies that the Applicant:
 - a. Has received a copy of, and understands and will comply with the requirements for Short Term Vacation Rentals set forth herein; and
 - b. Acknowledges and agrees that the County shall have the right to reasonably inspect the premises to assure compliance; and

- c. Acknowledges and agrees to comply with the standards contained herein and all other applicable state and federal laws, regulations, or standards governing Short Term Vacation Rental, including but not limited to Chapter 509, Florida Statutes, and Rule Chapter 61C and 69A, Florida Administrative Code, as they may be amended from time to time, and that failure to comply may result in enforcement as provided in subsection H.
 2. Once a certificate is issued, a short-term vacation rental unit must be operated and maintained in accordance with the short-term vacation rental standards herein and must be re- certified annually or, in the event of a Certificate transfer, re-certified at the time of transfer.
- D. Interior Inspections. Routine interior inspections shall not be performed. Interior Inspections may arise from a notification from the Department of Business and Professional Regulation as provided for in Florida Statute.
1. If an inspection documents violations, all violations must be corrected and re-inspected within thirty (30) calendar days. Failure to correct such inspection deficiencies in the timeframes provided shall result in enforcement as provided in Subsection K until such time as the violation(s) is/are corrected and re-inspected.
 2. Follow up inspections or re-inspections shall be made by appointment with the short-term vacation rental responsible party. If the inspector has made an appointment with the responsible party to complete an inspection and the responsible party fails to admit the officer at the scheduled time the owner shall be charged a "no show" fee in an amount to be determined by resolution of the Board of County Commissioners to cover the inspection expense incurred by the County and/or any entity authorized under F.S 633.118 to enforce the laws and rules of the State Fire Marshal.
 3. If an inspector is denied admittance by the short-term vacation rental responsible party or if an inspector fails in at least three (3) attempts to complete an initial or subsequent inspection of the rental unit, the inspector(s) shall provide notice of failure of inspection to the owner to the address provided in the existing Short-Term Vacation Rental Certificate or the application for Short-Term Vacation Rental Certificate.
 4. Inspections may be conducted by any person authorized under Florida Statute to enforce the laws and rules of the State Fire Marshal for issues pertaining to life safety requirements. Such persons are defined in Section 633.118, F.S as follows: The chiefs of county, municipal, and special-district fire service providers; other fire service provider personnel designated by their respective chiefs; and personnel designated by local governments having no organized fire service providers are authorized to enforce this chapter and all rules prescribed by the State Fire Marshal within their respective jurisdictions. Such personnel acting under the authority of this section shall be agents of their respective jurisdictions, not agents of the State Fire Marshal.

E. Short-term vacation rental responsible party.

1. The purpose of the responsible party is to respond to inspections as described in Section 1.13.16 D above as well non-routine complaints and other more immediate problems related to the short-term vacation rental of the property.
2. The property owner may serve in this capacity or shall otherwise designate a locally available short-term vacation rental responsible party to act on their behalf. Any person eighteen (18) years of age or older may be designated by the owner provided they can perform the duties listed in subsection E.3 below.
3. In addition to serving as the local emergency contact, the duties of the short term vacation rental responsible party are to:
 - a. Be available by landline or mobile telephone at the listed phone number twenty-four (24) hours a day, seven (7) days a week and capable of handling any issues arising from the short-term vacation rental use;
 - b. If necessary, be willing and able to come to the short-term vacation rental unit within one (1) hours following notification from an occupant, the owner, or the County to address issues related to the short-term vacation rental;
 - c. Authorized to receive service of any legal notice on behalf of the owner for violations of this section; and
 - d. Otherwise monitor the short-term vacation rental unit at least once weekly to assure continued compliance with the requirements of this section, including parking and trash requirements.
4. A property owner may change his or her designation of a short-term vacation rental responsible party temporarily or permanently; however, there shall only be one (1) short-term vacation rental responsible party for each short-term vacation rental at any given time. If the responsible party is an individual, he or she is required to arrange for an alternate during times of unavailability. To change the designated responsible party, the property owner shall notify the County in writing via a completed form provided by the County.

F. Short-term vacation rental/lease agreement minimum provisions and requirements. The rental/lease agreement shall be retained by the responsible party. The responsible party shall retain all rental/lease agreements for a period of one (1) year following the end of the rental period; and No rental/lease agreement shall be provided to or retained by the County except as part of an enforcement investigation, emergency, or other action by the County. At the County's request, the responsible party shall immediately provide the County with the rental/lease agreement. The rental/lease agreement or online agreement must contain the following information at a minimum:

1. Maximum occupancy of the short-term vacation rental unit as permitted on the Short-Term Vacation Rental Certificate for the property defined as one person per 150

- square feet of gross floor area OR lower agreed upon maximum occupancy established during the certificate process.
2. Notice regarding the County’s Noise Ordinance (Article 5 – Noise, Walton County Code of Ordinances) and potential civil infraction fines up to \$500.00 and/or potential criminal offense violation between the hours of 10:00 p.m and 6:00 a.m.
 3. The days of trash pickup and recycling along with instructions requiring all trash to be kept in provided containers.
 4. A statement that all transient occupants must evacuate from the short-term vacation rental upon posting of any emergency evacuation order issued by local, state, or federal authorities.
 5. The maximum on- site parking available (maximum number of vehicles allowed) for the unit along with a sketch of the location of the usable off-street parking spaces and notice regarding areas where parking is prohibited.
- G. Required posting of the following short-term vacation rental unit information.
1. On the back of or next to the main entrance door or on the refrigerator the following information shall be provided:
 - a. The address of the short-term vacation rental unit in case of emergency.
 - b. The name and phone number of the short-term vacation rental locally available responsible party.
 - c. The maximum occupancy of the unit defined as one person per 150 square feet of gross floor area as follows OR lower agreed upon maximum occupancy established during the certificate process:

“Maximum Occupancy is (X) by order of the State Fire Marshal. In accordance with Florida Administrative Code 69A-43.018 the maximum occupancy load permitted for one and two family dwellings licensed as public lodging establishments shall be computed at 150 square feet gross floor area per person.”
 - d. The maximum on- site parking available (maximum number of vehicles allowed) for the unit along with a sketch of the location of the usable off-street parking spaces and notice regarding areas where parking is prohibited.
 - e. Notice regarding the County’s Noise Ordinance (Article 5 – Noise, Walton County Code of Ordinances) and potential civil infraction fines up to \$500.00 and/or potential criminal offense violation between the hours of 10:00 p.m and 6:00 a.m.
 - f. The days of trash pickup and recycling along with instructions requiring all trash to be kept in provided containers.
 - g. If the short-term vacation rental unit is located within the Walton County Wildlife Protection Zone, notice of sea turtle nesting season restrictions and sea turtle lighting usage.

- h. The location of the nearest hospital with an emergency room and including a statement to call 911 in case of emergency; and
 - i. Information describing beach safety specifically the flag notification system and penalties for violation.
 2. If the short-term vacation rental unit includes three (3) or more occupied floors, on the third floor above ground level and higher floors there shall be posted, next to the interior door of each bedroom, a legible copy of the building evacuation map — Minimum 8½" by 11" in size.
 3. Building sign for any registered single family attached or single family detached SVR unit meeting the following requirements:
 - a. The sign must be prominently placed on the wall or property of the short term vacation rental unit so that the required content of the sign shall be legible as viewed from the public right-of-way; however, signage shall not be placed in the public right-of-way.
 - b. Such signs shall not be larger than eighteen (18) by twelve (12) inches.
 - c. The sign must indicate the name, and twenty-four (24) hours per day, seven (7) days a week emergency contact phone number or the locally available responsible party or the County's short term vacation rental hotline number if available clearly identified as such and easily distinguishable from any rental related phone number if different.
 - d. The sign must indicate the units Short Term Vacation Rental Certificate Number.

H. Remedies/enforcement. Violations of this section shall be subject to penalties as part of a progressive enforcement program with the primary focus on compliance and compatibility with adjoining properties, versus penalties and legal actions. To accomplish a safe and effective vacation rental program it is key that short-term vacation rental responsible parties are responsive and responsible in the management of the property for compliance with this section. Code enforcement activities will be in accordance with Florida Statutes Chapter 162 and Chapter 7 of this Code.

1. Warnings. Warnings shall be issued for first-time violations and have a correction/compliance period associated with it. These warnings may include notice to the Department of Business and Professional Regulation, the Department of Revenue, the Walton County Tax Collector and the Walton County Property Appraiser, as applicable. Non-compliance with a correction compliance period shall result in the issuance of a citation.
2. The County may utilize Part 1 of Florida Chapter 162 to prosecute these violations. Alternatively, the County may utilize Part 2 of Florida Chapter 162 and pursue violations by way of a civil citation system as provided in its Code of Ordinances. The civil citation fines per violation shall be set by Resolution of the Board of County Commissioners for first (1st), second (2nd), third (3rd) and further repeat violations. Regardless of whether the County utilizes Part 1 or 2, the County may also utilize an

appropriate enforcing agency at the state or local level. Each day a violation exists shall constitute a separate violation.

3. *Additional remedies.* Nothing contained herein shall prevent Walton County from seeking all other available remedies which may include, but not be limited to, injunctive relief, liens, and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.

Chapter 2: Zoning Districts

Section 2.02.00 Zoning Districts Established

Q. Short Term Vacation Rental Units: All Short term vacation rental unit hosts must complete the registration process annually as defined in Section 1.13.16 of this Code and receive a Walton County Short Term Rental Certificate as a condition of approval to construct a new short term vacation rental unit, convert, or operate an existing unit. This section shall apply to short-term vacation rental as defined Article 9 of the Land Development Code which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

1. Restriction and Limitation. No person shall rent or lease all or any portion of a dwelling unit as a short-term vacation rental without initially and then on a continuing basis:

- a. Obtaining a Short-Term Vacation Rental Certificate from the Walton County pursuant to Section 1.13.16. The requirements for obtaining such certificate shall be provided in an easily accessible guidebook and are as follows:
 - i. Obtaining a Florida Department of Revenue certificate of registration for purposes of collecting and remitting sales surtaxes and transient rental taxes, if required by law;
 - ii. Proof of registration for collecting and remitting tourist development tax ("TDT") through Walton County Clerk of Courts & Comptroller;
 - iii. Obtaining a Florida Department of Business and Professional Regulation license as a transient public lodging establishment, if required by State law; and
 - iv. As demonstrated through an affidavit, maintaining initial and ongoing compliance with the Short-term Vacation Rental Standards contained herein, plus any other applicable local, state, and federal laws, regulations, and standards to include, but not be limited to, Chapter 509, Florida Statutes, and Rule Chapters 61C and 69A, Florida Administrative Code or such successor statutes or Rules as may be applicable.

The zoning district related review requirements for new construction or proposals to increase the size of an existing short term vacation rental unit are as follows:

2. New construction and converted neighborhood scale short term vacation rental unit uses are permissible in every zoning district allowing single family residential detached, single family residential attached, and multi-family residential land uses including Residential Preservation provided that such units are compatible with the neighborhood and surrounding residential land use. Compatibility in this case is defined as:

- a. Parking for new construction single family attached and detached short term vacation rental units shall be required at a rate of one (1) parking space per six (6) occupants and utilizing the above 150 square feet gross floor area per person maximum occupancy requirement (one (1) parking space per 900 square feet).
- b. Residential character may be determined utilizing adjacent or other structures within the neighborhood vicinity of the new structure, including the use of similar fenestration, building orientation, and site design features such as fences, walls, driveways and parking areas.
- c. New single family attached and detached short term vacation rental units must include architectural articulation in wall design, step backs, or the fragmentation of form and surface in order to break large uninteresting or oppressive mass into smaller components.
- d. New short term vacation rental uses shall be designed internally to include common gathering areas, common kitchen areas, and at least one shared or common bathroom, so as not to facilitate the rental of individual rooms.

Chapter 5 – Design and Development Standards

5.02.02. Offstreet Parking Requirements Chart.

A. Residential Uses:		
1.	Detached single-family up to 3 bedrooms	<u>Minimum of 1 space per 900 square feet of heated and cooled living area in the South Walton Planning Area; Minimum of 2 spaces per dwelling unit in all other Planning Areas.</u>
2.	Detached single-family 4 or more bedrooms	<u>Minimum of 1 space per 900 square feet of heated and cooled living area in the South Walton Planning Area; Minimum of 4 spaces per dwelling unit, plus one additional space for each additional bedroom over 4 bedrooms in all other Planning Areas</u>
3.	Short term vacation rental attached and detached unit up to 4 bedrooms	Maximum of 4 spaces per dwelling unit, Minimum of 2 spaces per dwelling unit—Minimum of 1 space per 900 square feet of gross floor area of primary unit in all Planning Areas
4.	Detached short term vacation rental unit 4 or more bedrooms	Maximum of 6 spaces per dwelling unit; Minimum of 2 spaces per dwelling unit
34.	Multifamily--Efficiency or 1 bedroom	Minimum of 1.5 spaces per dwelling unit

5.02.06. Design Standards.

A. Materials for Parking Spaces.

1. Acceptable paving material for vehicular parking areas includes asphalt, crushed shells, gravel, dolomite, sand clay, graded aggregate and concrete.
2. Access drives and aisles for all parking areas shall be paved, but up to 25 percent of the parking spaces may remain unpaved subject to the approval of the Planning Director. A place of worship, or other institutional use without daily parking needs may be allowed to leave 50 percent of all parking spaces unpaved. The applicant shall supply evidence that the unpaved parking area will not cause erosion, reduce water quality, or cause any other degradation of the natural or built environment.
3. The unpaved parking area allowed under this subsection shall not be calculated as part of a minimum required landscaped buffer or open space for the subject development site.

B. Parking Space Maneuverability Standards

The following standards shall generally be utilized, minor deviations may be considered by the County Engineer or designee but such deviations shall only be considered if the requested

deviation is in full compliance with the most recent edition of the “Traffic Engineering Handbook” as published by the Institute of Traffic Engineers (ITE).

PARKING SPACE STANDARDS

Parking Angle	Stall Width (feet)	Stall Depth (feet)	Aisle Width	Curb Length per Car (feet)	<u>Minimum</u> Lot Width (Two Rows plus Aisle) (feet)
0°	9	10	12	23	32
45°	9	21.2	12	14.1	54.4
60°	9	22.3	18	11.5	62.6
90°	9	20	24	9	64

COMPACT CAR PARKING SPACE STANDARDS

Parking Angle	Stall Width (feet)	Stall Depth (feet)	Aisle Width (feet)	Curb Length per car (feet)	Lot Width (Two rows plus Aisle) (feet)
90°	7.5	17	24	7.5	

GOLF CART PARKING SPACE STANDARDS

Parking Angle	Stall Width (feet)	Stall Depth (feet)	Aisle Width (feet)	Curb Length per Car (feet)	Lot Width Two Rows plus Aisle (feet)
90°	6.5	10	12	6.5	32

C. Location of Parking Spaces on Single Family Detached and Single Family Attached Lots. Unless otherwise specified in a PUD Master Plan, Neighborhood Plan, or Development Order all parking spaces provided to meet minimum parking standards shall be located within the front or rear yards only.

D. *Drainage.* All required offstreet parking facilities shall conform to the stormwater management requirements of this Code and shall be drained so as not to cause any nuisance to adjacent private or public property.

E. *Access.* All parking spaces shall have direct access to public streets only by way of aisles or driveways, constructed in accordance with the provisions of this Code.

F. *Handicapped Parking.* Handicapped parking shall be designed in accordance with ADA standards and located on the shortest accessible route of travel to an accessible building entrance. The required number of spaces shall be provided as follows:

1. One (1) handicapped parking space for each twenty-five (25) required parking spaces, up to 100 parking spaces
2. One (1) additional handicapped parking space for each fifty (50) required parking spaces, for 101 parking spaces up to 300 parking spaces.
3. One (1) additional handicapped parking space for each 100 required parking spaces, for more than 300 parking spaces.

G. *Project Specific Waiver of General Requirements.* Where the Planning Director determines, upon request of an applicant and review of supporting data provided by the applicant, that the number of spaces generally required by this section is excessive for a specific proposed project, the owner or agent may substitute landscaping in lieu of paving provided said areas are reserved and available for conversion to a parking area in the future should the County find those spaces are needed, and further provided:

1. The owner of the land upon which such parking is being reserved shall enter into a written agreement with the County, ensuring that the reserved parking area shall never be encroached upon, used, sold, leased, or conveyed, for any purpose except in conjunction with the building or use which the reserved parking area serves so long as the offstreet parking facilities are required. This agreement shall be in a form acceptable to the County and shall be recorded in the Public Records of Walton County at the expense of the benefiting owner.

Section 5.07.00 Supplemental Standards

5.07.03 Short-Term Vacation Rental Standards. The following Standards shall govern the use of any single family detached or attached short-term vacation rental as a permitted use:

- A. Minimum life/safety requirements for single family detached and two family attached units:
1. Swimming pool, spa and hot tub safety. A swimming pool, spa or hot tub shall comply with the current standards of the Residential Swimming Pool Safety Act, Chapter 515, Florida Statutes.
 2. Sleeping rooms. All sleeping rooms shall meet the single-family and two-family dwelling minimum requirements of the Florida Building Code.
 3. Automatic smoke detection requirements. All short term vacation rental units are required to meet the requirements of Chapter 69A-43, F.A.C

4. Fire extinguisher. A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.
 5. Battery powered emergency lighting of primary exit. Battery powered emergency lighting which provides illumination automatically in the event of any interruption of normal lighting shall be provided for a period of not less than one (1) hour to illuminate the primary exit. For purposes of this requirement, short-term vacation rentals with Short-Term Vacation Rental Certificates issued prior to the enactment of the ordinance providing for the codification of this standard shall have a period of six (6) months to demonstrate compliance with the emergency lighting standard either through affidavit or inspection.
- B. *On-Site Parking Standard for All Single Family Attached and Detached New Construction and Existing Construction.* For new construction and new conversions of single family attached and detached units, based on the maximum short-term transient occupancy permitted or other self-imposed limit through the Certificate process, minimum off-street parking shall be provided as one (1) space per six (6) transient occupants. This is computed using 150 square feet gross floor area per person (one space per 900 square feet of gross floor area). This minimum parking standard shall not apply to any adopted Neighborhood Plan, Development Order, or area controlled by an active Homeowner's Association (HOA) or similar owners' association having other controlling mandatory parking requirements. In such cases, the Development Order, Neighborhood Plan, or HOA requirements shall govern.
1. Garage spaces shall only count if the space is open and available, and the transient occupants are given vehicular access to the garage. Failure to keep garage areas usable for vehicular parking if counted towards meeting the requirement shall result in a Code violation.
 2. On-street parking shall not be permitted within public rights of ways and may be limited on private rights of ways per the maintaining entity.
 3. On-site parking shall not be permitted in areas not otherwise designated for on-site parking spaces.
 4. Golf carts, RVs, trailers etc. may not occupy any designated on-site parking spot with reliance on on-street parking for other vehicles. All spaces designated towards achieving the required on-site minimum must be available to registered motor vehicles only unless fewer registered motor vehicles are on site in exchange for golf carts, RVs, trailers etc. being parked on site.
 5. Existing short term vacation rentals at the time of this ordinance shall either limit occupancy based on available parking (6 occupants per parking space), increase parking onsite through the applicable permitting process, or limit the number of

vehicles that are on site at any given time through guest communication. In all cases, the maximum occupancy is limited to 1 person per 150 square feet.

- C. *On-Site Sewage Treatment and Disposal System Limitations:* For structures utilizing on-site sewage treatment and disposal systems (OSTDS), the maximum number of occupants allowed shall be restricted in accordance with any OSTDS permit and the assumed occupancy/conditions the permit was issued under by the Walton County Health Department.
- D. *Maximum occupancy.* The maximum occupancy load permitted for single family attached and single family detached short term vacation rental units shall be computed at 150 square feet gross floor area per person OR lesser as agreed upon during the certificate process.
- E. *Solid waste handling and containment.* Based on the maximum transient occupancy permitted, thirty-five (35) gallons or greater of fully enclosed container capacity shall be provided per four (4) transient occupants or fraction thereof. Appropriate screening and storage requirements for trash storage containers shall apply per any development approval or local neighborhood standard, whichever is more restrictive, and be incorporated into the Certificate. For purposes of this section, containers must have a lid that securely fastens to the container to prevent spills and animal access, with the container to be placed at curbside no earlier than 4:00 PM on the day before solid waste pickup and to be removed from curbside no later than sunset on the day of solid waste pick up unless otherwise controlled by an active Homeowner's Association (HOA) or similar owners' association having other controlling mandatory trash container and pick up requirements. Permanent structures for screening and storage of trash storage containers shall not be permitted within any designated scenic corridor overlay district. Private concierge service is highly encouraged, specifically on Saturday or high-volume change over days.
- F. *Minimum short-term vacation rental/lease agreement wording.* The short-term vacation rental/lease agreement shall contain the minimum information as provided for in Subsection 1.13.16 D.
- G. *Minimum short-term vacation rental information required postings.* The short-term vacation rental shall be provided with material to be posted within the rental unit as required by the County as prescribed in Subsection 1.13.16 D.
- H. *Minimum short-term vacation rental lessee information.* The short-term vacation rental lessee shall be provided with a copy of the information required in Subsection 1.13.16 D.
- I. *Responsible Local Party.* Designation of a short-term vacation rental responsible party capable of meeting the duties provided in subsection and capable of addressing issues locally within a short response time is required.

- J. Advertising. Any advertising of the short-term vacation rental unit shall conform to information included in the Short-Term Vacation Rental Certificate and the property's approval, particularly as this pertains to maximum occupancy and parking. All advertising shall include the Short Term Vacation Rental Certificate Number as well as the TDT Registration Number.