



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • APRIL 12, 2022

Large Conference Room

Work Session

5:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

2. DISCUSSION TOPICS

A. Veterans Memorial

Brian Walker, City Planner, (sitting in for City Manager Joseph Forte)

Veterans Memorial Discussion



The Mayor and Commissioners looked over the various examples/pictures of memorials that were sent to them. There was **consensus** from the Mayor and Commissioners to go with this design for the Veterans Memorial for the front lawn of City Hall.

Panhandling Discussion

Commissioner Penny mentioned that he had seen some signs in Daytona Beach that could possibly work and be placed in various areas in Holly Hill to help with the panhandling issues the city has. There was **consensus** to put some signage out and see where they can be placed within the city limits.

Bike Washes Discussion

There was some discussion about bike washes amongst the Mayor and Commissioners and the image that the city has been trying to keep enforcing for improvements. Attorney Simpson suggested if they are going to adopt something to make it easy to enforce. There was **consensus** to eliminate bike washes that about US1-LPGA Blvd/CRA Overlay District that are seen during Bike Week and Biketoberfest events and can be seen but not eliminating or excluding them from all properties in the Overlay District. Any that are on State Street or Carswell, although they are in the Overlay District, they would be allowed to have a bike wash.

Commissioner Penny mentioned that he has had several calls recently, from concerned citizens about short-term rentals next to their homes. He explained to the citizens that Tallahassee has pre-empted any city ability to regulate these short-term rentals in any capacity unless the city has had the law in place for ten or eleven years. They are required to get a Business Tax Receipt. The citizens asked what else do they have to do to make sure they're legal. He asked the people to come to the meeting tonight and they didn't want to, instead they wanted him to bring it up. He thinks the city's hands are tied but he asked Mr. Walker if he could do a little research and just report back to the City Commission and it might be helpful, at some time, "short-term rentals" on their water bills - "what's required." Something like, they have to do this with the city, this with the State, this with the County.

Mr. Walker the requirements for having a short-term rental or to run your home as an Airbnb, they would need to get a license from the Department of Business Professional Regulation then they would need to register with the County in order to pay the tourist tax. They would also need to register with the DOR (Department of Revenue) in order to pay the sales tax and then they would get a Business Tax Receipt with the jurisdiction. Right now, what the city requires is a Business Tax Receipt. The city is not, although the city could, the city could require all the proof of those other steps prior to issuing a BTR. Some jurisdictions do, others do not. For example, he spoke today with a representative from the City of Ormond Beach, they require just the BTR. The other items are left up to the individual on their own but they do a home rental inspection on the Airbnb or the short-term rentals as a condition of getting the BTR. If the city wants to tighten the reins, if you will, the city can begin to require that folks provide the city proof of licensure with the Department of Business Professional Regulation, the Department of Revenue, and with the County prior to giving them a BTR. Right now, the city doesn't require that. They come in, they get their BTR and they're out the door.

Mayor Via asked if they need to get their BTR first before they get those other certifications?

Mr. Walker stated he doesn't know that...he doesn't believe so because they can go and get their license with the Department of Business Professional Regulation. The others, registering with the County and registering to pay the sales tax, I don't believe that those are dependent on getting their BTR. But if they are, the city can issue the BTR "contingent upon" receiving or issue the BTR with the understanding that they're going to receive those other licenses and other registrations and then give them ability to move

forward. Code Enforcement would get involved if there wasn't a BTR in place and basically, running a business without the BTR and that is something that is eventually taken to the Special Master. So, they would be sited.

Mayor Via asked how often has that happened that a business has been taken to the Special Master for that?

Mr. Walker stated specially with short-term rentals there is nothing that comes to his mind. It is a regular occurrence, however, to take folks to Special Master who have not obtained their BTR and just don't bother.

Mayor Via asked but not for short-term?

Mr. Walker stated not off the top of his head.

Mayor Via agrees with Commissioner Penny that it's a complicated issue because he has had calls about it and Commissioner Penny is right, that the State has pre-empted the city and has completely tied our hands on it and taken away local control. The more information the better.

Commissioner Penny stated he thinks it's important that the city checks those other three boxes before the city gives them a BTR, otherwise, the city is just giving them a BTR and saying, "well, we can't do anything about it and we don't care." It's not that the city doesn't care, we can't do anything about it but we can, not issue the BTR; we can at least make sure that they are legal. He thinks that would be something in the positive direction. The complaints he gets are the late night noises. This can help the people who want to do a short-term rental and they may just not know.

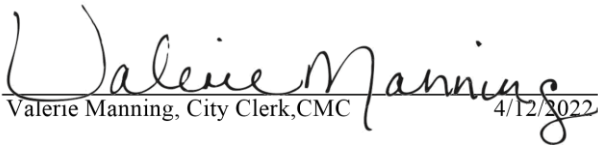
Mayor Via stated he is happy to look into that as well.

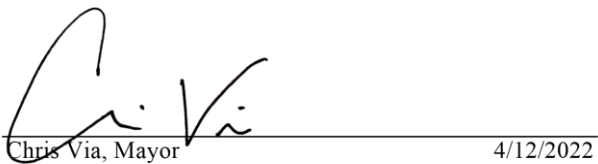
B. Panhandling

C. Bike Washes

3. **ADJOURNMENT**

The workshop adjourned at approximately 6:00 PM.


Valerie Manning, City Clerk, CMC 4/12/2022


Chris Via, Mayor 4/12/2022