

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** January 21, 2025

**TYPE OF AGENDA ITEM:** Ordinance

**AGENDA OUTLINE NUMBER:** 5.B.

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**TO:** City Council

**THRU:** Larry Jones , City Manager  
Kimberly Kopp, City Attorney

**FROM:** Steve O'Connor, Deputy Community Development Director  
Krystal Strickland, Finance Director

**DATE:** January 15, 2025

**SUBJECT:** First reading of Ordinance 25-01-CC - Requiring short term rental registrations for rentals of commercial lodging units (including but not limited to hotels, motels, bed and breakfasts, condotels, and similar facilities) within the city of Destin; providing for authority; providing for findings of fact; providing for definitions; distinguishing between short-term rental registrations for residential units and registrations for commercial lodging units; creating Article VI(b) of Chapter 13, "Registration of Short-Term Rentals (commercial); requiring an application for such registration and authorizing registration fees for short-term rentals at commercial lodging units; requiring a local responsible party for short-term rentals at commercial lodging units.

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**I. BACKGROUND:** The City Council has discussed the registration of commercial lodging unit and multi-family short term rentals within the City on multiple occasions, and currently only requires registration for single-family homes. Discussions have examined how to integrate condominiums (and other multi-family units) and hotels (and other commercial lodging units) into the City's existing short-term rental registration program, including discussing potential fee structures, and ultimately the Council voted to proceed.

The first step in the registration process to implement short-term rental fees on commercial lodging units is to establish the registration process via ordinance, and the 2nd step is to amend the fee resolution to impose the actual fee. Ordinance 25-01-CC is before you on first reading tonight to establish the registration requirement. Amendment of the City's fee resolution would occur if this ordinance is adopted on second reading. Proposals for software that could be used to oversee the short-term rental program will also be brought to council with the fee resolution and 2nd reading of the ordinance.

**II. DISCUSSION:** The City of Destin, through the Code Compliance Division, oversees the single-family residential short- and long-term rental registrations. The City of Destin

does not currently oversee any multifamily units or commercial lodging units that engage in short-term rentals. These multifamily and commercial lodging units bring a considerable number of visitors to the City each year who use and benefit from City services and infrastructure.

The population in the City of Destin is approximately 14,594 full-time residents. However, on any given day during the peak tourist/summer season there could be upwards of 80,000 additional people in the City.

Our current Short- and Long-Term Registration fee structure is as follows:

Up to 2,499 square feet pay a \$500 registration fee,  
2,500-4,999 square feet pay a \$600 registration fee, and  
5,000+ square feet pay a \$700 registration fee.

There are currently approximately 12 hotels in the City, and staff has compiled the attached spreadsheet based on square footage.

The factors contributing to the decision to register the short-term multifamily and commercial lodging unit rentals include:

- Equity;
- Impact of the short-term rentals on city services;
- Impact fees that are no longer able to be collected (due to impact fee credits on redeveloped land); and
- Forecasted General Fund revenues for the next 5 years.

The labor cost of administering the current rental registration program involves a full-time Code Compliance Officer with assistance from time to time from other Code Compliance Officers and the Division's Administrative Assistant.

As noted above, this item is the proposed Ordinance for First Reading, requiring commercial lodging units (hotels and similar uses) to register as short-term rentals. If approved at the First Reading, Staff will bring back a Fee Resolution incorporating the fees for consideration at the Second Reading.

**A. Link to Strategic Goals / Objectives:**

**B. Effect on Budget (EOB):**

**C. Level of Service (LOS):** The proposed ordinance allows for greater assurance of oversight, provides funding for administration of the program and enforcement, creates an equitable approach to ensuring all short-term rentals follow equitable protocols, and assists with public safety needs and infrastructure sustainability.

**D. Legislative Sponsor:**

**III. CONCLUSION:** Staff recommends approval of Ordinance 25-01-CC.

**IV. RECOMMENDED MOTION:** I move to approve Ordinance 25-01-CC on first reading.

Attachments:

1. 2025-01-CC STR Commercial  
Lodging Units Registration update  
Ordinance
2. 2024 0709 Destin parcels commercial  
STRs

**ORDINANCE 25-01-CC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA REQUIRING SHORT-TERM RENTAL REGISTRATIONS FOR RENTALS OF COMMERCIAL LODGING UNITS (INCLUDING BUT NOT LIMITED TO HOTELS, MOTELS, BED AND BREAKFASTS, CONDOTELS, AND SIMILAR FACILITIES) WITHIN THE CITY OF DESTIN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; DISTINGUISHING BETWEEN SHORT-TERM RENTAL REGISTRATIONS FOR RESIDENTIAL UNITS AND REGISTRATIONS FOR COMMERCIAL LODGING UNITS; CREATING ARTICLE VI(B) OF CHAPTER 13, "REGISTRATION OF SHORT-TERM RENTALS (COMMERCIAL); REQUIRING AN APPLICATION FOR SUCH REGISTRATION AND AUTHORIZING REGISTRATION FEES FOR SHORT-TERM RENTALS AT COMMERCIAL LODGING UNITS; REQUIRING A LOCAL RESPONSIBLE PARTY FOR SHORT-TERM RENTALS AT COMMERCIAL LODGING UNITS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** The authority for enactment of this Ordinance is Article I, Section I .01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Pan II, Florida Statutes.

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS,** the City Council has deemed it necessary to amend the existing Code of Ordinances to provide for revisions to the short-term rental registration process to require registration for commercial lodging units and associated regulations; and

**WHEREAS,** because many of the impacts to the adjacent properties and surrounding community are different in the cases of residential short-term rentals and commercial lodging units, the City Council desires to create separate regulations to address the impacts created by short-term rentals located in residential and commercial areas; and

**WHEREAS,** the City Council previously adopted a fee associated with the registration of short-term rentals in single-family homes, and desires to authorize a fee or fees for registration of all short-term rentals, which fee(s) shall be set forth in the City's fee resolution and separately approved by the City Council; and

**WHEREAS,** the City Council has determined that this ordinance is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens; and

**WHEREAS,** a public hearing has been conducted by the City Council after due public notice.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:**

NOTE: Language in section three (3) of this ordinance that is ~~strike thru~~ is language

proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol \*\*\* represents sections of the Code of Ordinances that have been skipped and remain unchanged.

**SECTION 3. AMENDMENT OF CODE OF ORDINANCES CHAPTER 13:** Chapter 13 of the Code of Ordinances is hereby amended as follows:

\* \* \*

**ARTICLE VI(B) - REGISTRATION OF COMMERCIAL LODGING UNITS**

\* \* \*

**Sec. 13-139. Registration of Commercial Lodging Units Required. - Reserved.**

**(a) Definition of Commercial Lodging Unit.** For purposes of this Article VI(B), a *commercial lodging unit* is an establishment where lodging is provided for compensation other than in dwelling units, including but not limited to hotels, motels, bed and breakfasts and condotels. For purposes of this Article VI(B), a commercial lodging unit is a *short-term rental* if occupancy of a commercial lodging unit is permitted for a period of time between one (1) day to no more than six (6) months. Occasional rental of commercial lodging units for more than six (6) months shall not preclude consideration of the unit as a short-term rental if the ongoing use of the unit includes rental periods of less than six months.

**(b) Requirement for Registration of Commercial Lodging Unit.** It shall be unlawful within the City of Destin, for any person to allow another person to occupy any commercial lodging unit for one hundred and eighty days or less, or offer such rental services within the City of Destin, unless the unit has been registered with the City of Destin in accordance with the provisions of this Article VI(B).

- (i) No registration issued under this article shall be transferred or assigned or used by any entity other than the one to whom it is issued, or at any location other than the one for which it is issued.
- (ii) All registrations issued under the provisions of this article shall be valid for no more than one (1) year, and all registrations shall expire on May 1 of each year. Registrations that are not renewed by May 1 of each year may be renewed up to the last business day in June of that year without paying a late renewal fee. Owners who do not renew their registrations before the last business day in June shall pay the appropriate late renewal fee as established, from time to time, by the City Council of the City of Destin.

**(c) - Fees for registration.**

The City of Destin is authorized and shall charge reasonable fees for registration to compensate for administrative expenses. The fees for registration shall be provided for, from time to time, by resolution

adopted by the City Council of the City of Destin. If a property owner fails to register their short-term rental in a timely manner, fines will be imposed consistent with the schedule of fees as amended. If a property owner fails to register their short-term rental unit within 90 days of receipt of the notice to register, the property owner is subject to code compliance proceedings.

**(d) Formal application required.**

- (i) Every property owner of one or more commercial lodging unit(s) required to procure a registration under the provisions of this article Applications for registration shall set forth and/or include at a minimum:
  - a. Address, unit number(s), name of the establishment housing one or more commercial lodging units offered for short-term rental;
  - b. Name, address, and emergency contact phone number of responsible party for said establishment containing one or more commercial lodging unit(s), which shall be a twenty-four-hour, seven (7) days a week contact number;
  - c. That the phone number for the responsible party will be answered twenty-four (24) hours a day, seven (7) days a week by a party with authority to address or coordinate problems associated with the commercial lodging unit;
  - d. Acknowledgements by owner of the following:
    - 1. That all vehicles must be parked in city approved parking space for the commercial lodging unit and clear of all grassy areas and sidewalk sections for pedestrian traffic pursuant to City of Destin Code of Ordinances, Section 19, Traffic and Motor Vehicles;
    - 2. That it shall be unlawful to allow or make any noise or sound which exceed the limits set forth in Chapter 14, Art. 2;

(ii) It shall be unlawful for any person to give any false or misleading information in connection with the application for registration required by this article.

(iii) The city manager or city manager's designee shall issue a registration to the applicant upon proof of the following:

- a. The owner and/or responsible party completes the City of Destin registration application form;
- b. The registration fee has been paid to the City of Destin; and
- c. Incomplete registration applications are unacceptable and requested registration shall not issue.

**(e) - Responsible party required.**

- (i) Whenever any property is required to be registered under this article, the owner shall appoint a person to serve as the local responsible party for service of notices as are specified herein, and notices given to the responsible party shall be sufficient to satisfy any requirement of notice to the owner. The owner shall notify the city manager or city manager's designee in writing of the appointment within five (5) days of being required to make such appointment, and shall thereafter notify the city manager or city manager's designee of any change of responsible party within fifteen (15) days of such change. Further, it is hereby made the affirmative duty of the responsible party to:

- (a) Inform all residents prior to occupancy of the unit of applicable City of Destin Ordinances and any applicable rules of the establishment containing commercial lodging unit(s) concerning noise and vehicle parking.
  - 1. Information shall include, but not be limited to, the following:
    - i. It is unlawful to allow or make any noise or sound which exceed the limits set forth in Chapter 14, Article 2;
    - ii. All requirements applicable to the commercial lodging unit for parking and enforcement.
    - iii. A list of safety information including safety procedures for any amenities including any pool, spa, fitness facility, playground, or other amenity at the property.
    - iv. A list of contact numbers for public safety, including but not limited to the local responsible party, sheriff's office, and city code compliance office.
- (b) See that the provisions of this article are complied with and promptly address any violations of this article or any violations of law, which may come to the attention of the responsible party;
- (c) Be available with authority to address or coordinate problems with the rental of the unit twenty-four (24) hours a day, seven (7) days a week.

(ii) Whenever a violation of this article occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the city manager or city manager's designee. The city manager or designee shall record properly such complaint, investigate, and take action thereon in accordance with sections 14-71—14-85, City of Destin Code of Ordinances.

(iii) The city manager or city manager's designee shall, in connection with their duties imposed by law, diligently enforce the provisions of this article.

(iv) Any registration issued pursuant to this article may be denied, revoked, or suspended by the city for the violation by the owner of this article, any City of Destin Ordinance, or state law. Such denial, revocation or suspension is in addition to any penalty provided herein. Additionally, the provisions of this Article may be enforced by Chapter 14 of this Code, or by any legal or equitable means available to the City of Destin.

\* \* \*

**SECTION 4. INCORPORATION INTO CODE OF ORDINANCES.** This ordinance shall be incorporated into the City of Destin's Code of Ordinances and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

**SECTION 5. CONFLICTING PROVISIONS.** Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin. City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**SECTION 6. SEVERABILITY.** Each separate provision of this ordinance is deemed independent

of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

**SECTION 7. EFFECTIVE DATE.** This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

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**By: Bobby Wagner, Mayor**

ATTEST:

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Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney, for the City of Destin, only:

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Kimberly Romano Kopp, City Attorney



**07/09/2024 Destin Parcel Summary**

Count of Heated SQ Range	Column Labels				
Row Labels	0-1499 sq ft	1500-2499 sq ft	2500-4999 sq ft	5000+ sq ft	Grand Total
Commercial Condo	119	27	14	1	161
Condo	4706	1432	286	4	6428
Condo - Hotel	20				20
Condo-Timeshare	313	88			401
Homesteaded Condo	323	212	54		589
Homesteaded Residence	764	1466	651	60	2941
Hotels and Motels			1	15	16
Non-Residential	1420	98	119	205	1842
Residence	1283	1494	888	123	3788
<b>Grand Total</b>	<b>8948</b>	<b>4817</b>	<b>2013</b>	<b>408</b>	<b>16186</b>

Commercial STR Fees - Sample Option	1400 sqft @\$0.30/sqft	2000 sqft @\$0.30/sqft	3000 sqft @\$0.30/sqft	5000 sqft @\$0.30/sqft	TOTAL
Commercial STR (count x 70%)	316	81	11	11	419
Fee	\$ 420	\$ 600	\$ 900	\$ 2,500	
<b>Revenue</b>	<b>\$ 132,720</b>	<b>\$ 48,600</b>	<b>\$ 9,900</b>	<b>\$ 27,500</b>	<b>\$ 218,720</b>

First Name	Tammy
Last Name	Weidenhamer
Home Address	2004 98 Pslms Blvd #4309
City	Destin
State	FL
Zip	32541
Phone	2482311777
Email	TalkingtoTammy@icloud.com
Business Name	<i>Field not completed.</i>
Business Address	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
Brief description of education and experience:	Currently serving on PWPS committee and would love the opportunity to keep serving the residents of Destin.
How long have you lived in Destin?	3yrs

Are you currently a resident of Destin?	Yes
Are you a registered voter in Okaloosa County?	Yes
Do you currently hold a public office?	No
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
List any city boards or committees you are currently a member of.	PWPS
Select the board or committee you are interested in serving on.	Public Works/Public Safety Committee
List your qualifications to serve on the selected board or committee.	Experience serving the public in former resident state. Currently serving the residents of Destin on PWPS committee
What do you consider the purpose of this board/committee to be?	To serve and be a voice for the residents of Destin.
What would you like to see this board/committee accomplish?	To keep our city safe, usable and beautiful.
If you have discussed this application with any member(s) of the Destin City Council, please identify them.	<i>Field not completed.</i>

BY CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW, I INDICATE MY DESIRE TO SERVE THE CITY OF DESTIN IN A VOLUNTARY CAPACITY AS A MEMBER OF ONE OF ITS BOARDS, COMMITTEES, PANELS

OR COMMISSIONS. I ALSO CONFIRM MY UNDERSTANDING OF THE MEETING TIMES AND ATTENDANCE REQUIREMENTS, AND WHERE APPLICABLE, THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1). I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM ANNUALLY IF SELECTED AS A MEMBER OF THE LOCAL PLANNING AGENCY OR BOARD OF ADJUSTMENT. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT; FOLLOWING THAT, I WILL BE NOTIFIED BY MAIL BY THE COMMISSION ON ETHICS OR THE SUPERVISOR OF ELECTIONS OFFICE.

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Signature

Electronic Signature Verification

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Date

11/5/2024

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Email not displaying correctly? [View it in your browser.](#)

November 22, 2024

The Honorable Bobby Wagner  
4200 Indian Bayou Trail  
Destin, FL 32541

Dear Mayor Wagner:

We appreciate your interest in retaining Heffley & Associates to provide governmental relations services to the City of Destin. It will be a pleasure to work with you.

The City of Destin will retain Heffley & Associates to perform legislative and executive branch advocacy, Triumph Gulf Coast advocacy and governmental relations services on behalf of matters affecting the interest of the City of Destin in Florida. We will utilize our key contacts and vast knowledge of Florida's governmental process to ensure that you achieve their strategic goals.

Our team is uniquely qualified to represent the City of Destin in all aspects of State Government. No firm will match our knowledge of Government, our understanding of the political process and most importantly, our relationships with the Governor and Cabinet, agency heads, lawmakers, members of key boards and staff. In addition, we have boots on the ground in both the Panhandle and Tallahassee with Walton County native Kelly Horton as our contract leader.

At Heffley & Associates we have an open-door-policy and will make ourselves easily available to City staff and elected officials during the session. We are easily reachable, through phone, email and text messages (in accordance with City policies, texts will be sent to City cell phones only and not to personal phones) at any time of day or week. We also take great pride in providing informative, accurate and timely formal written reports, email updates as necessary/requested, but no less than quarterly and Council appearances as requested.

On or before Monday, June 9, 2025 Heffley & Associates will submit the following deliverable to the City Manager and City Clerk for inclusion on the June 16, 2025 City Council agenda:

A report that (1) lists the actions taken by Heffley & Associates between January 1, 2025 through June 1, 2025; (2) lists any and all funds received by the City as a result of such actions during said time period and (3) provides the City Council with any other information deemed relevant by Heffley & Associates with respect to their efforts and achievements pursuant to this engagement letter.

The City of Destin will pay Heffley & Associates a sum of \$30,000, payable in monthly installments of \$5,000. The initial term of this agreement is from January 1, 2025 through June 30, 2025, with the option to renew for additional periods of time. Either party may terminate or

extend this agreement with 30 days written notice. Heffley & Associates shall be reimbursed for all official expenses in relationship to its work for the City of Destin when agreed to in advance.

Kelly and I look forward to a continuing relationship with you and the City of Destin. Should you find this letter agreeable, please sign below and return a copy to our office. You can be assured that all services will be performed in a competent and professional manner, in strict conformity with applicable law and with due deference to the preservation of the goodwill and reputation of the City of Destin.

Again, thank you and we look forward to working with you and your team.

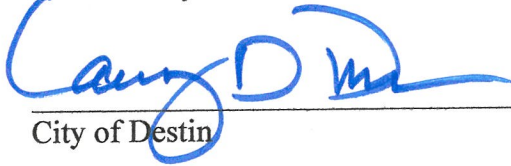
Sincerely,



Rich Heffley



Kelly Wells Horton



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City of Destin

12.3.2024

Date

**RESOLUTION 25-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA; ESTABLISHING A POLICY REGARDING USE OF THE CITY’S LOBBYIST; PROVIDING FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. FINDINGS OF FACT.**

**WHEREAS**, the City has entered into an engagement agreement with Heffney & Associates for lobbyist services, which is attached hereto as “**Attachment A**”; and

**WHEREAS**, it is a goal of the City Council to be proactive in its lobbying efforts and to afford City Council members open access and communication to the City’s engaged lobbyist, while requiring formal Council direction prior to engaging in formal lobbying efforts; and

**WHEREAS**, the purpose of this policy is to establish clear guidelines for engaging with the state lobbyist to ensure effective communication, consistency in advocacy efforts, and alignment with the City Council’s established priorities.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESTIN, THAT:**

**Section 1. Recitals.** The foregoing recitals are true and correct, and incorporated into this Resolution.

**Section 2. Purpose and Scope of City Lobbyist Policy.**

***Purpose:*** The purpose of this policy is to establish clear guidelines for engaging with the state lobbyist to ensure effective communication, consistency in advocacy efforts, and alignment with the City Council’s established priorities.

***Scope:*** This policy applies to all City of Destin elected officials, city staff, and any authorized representatives interacting with the state lobbyist.

**Section 3. City Lobbyist Policy**

- a. **Information Requests.** Requests for information from the state lobbyist may be made directly by individual council members or through the City Manager.
  
- b. **Action Requests.**
  - (i) **Council action is required for advocacy positions and legislative requests:**  
Any advocacy position, financial request, or policy and legislative position that requires the support or involvement of the state lobbyist must first be approved by the City Council through formal action. The City Council will review and vote on such matters during regular or special council meetings.
  
  - (ii) **All individual requests for action from the state lobbyist shall flow through the City Manager’s office.** The City Manager will ensure an appropriate description of the request is provided to the City Council, and place such request on an agenda if appropriate, for Council consideration. This ensures coordinated communication and prevents conflicting or redundant requests. The City Manager shall ensure that Council approvals have been obtained, except on an emergency basis. In the event that the City Manager determines that emergency lobbying efforts are in the best interest of the City, the City Manager shall notify the City Council at the next scheduled Council meeting of any efforts or actions taken by the lobbyist.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY OF DESTIN, FLORIDA THIS 21ST DAY OF JANUARY, 2025.

\_\_\_\_\_  
BOBBY WAGNER, MAYOR

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

\_\_\_\_\_  
Rey Bailey, City Clerk

\_\_\_\_\_  
Kimberly Romano Kopp, City Attorney