



The City of
Brevard
North Carolina

Short-Term Rentals Public Input

Thursday, November 5, 2015

Outline

- City's timeline
- Survey results
- Other agencies' comments
- Taxes
- Lodging numbers
- Other cities
- Q&A and/or discussion groups

City's Timeline

What's been done and what's next

Timeline: So Far

- August 17 – City Council formally requests Planning Department Staff to provide information on short-term rentals at a future meeting
- September 21 – Planning Staff presents basic information to Council; Council directs Staff to take the issue to Planning Board to consider UDO amendments specific to short-term rentals
- October 7 – Planning Staff meets with TDA & Chamber
- October 19 – Online survey goes live
- October 20 – Staff presents to Planning Board
- November 5 – Public Input meeting

Timeline: Next Steps

- November 9-13 – Staff will create a framework of STR-specific regulations to present to Planning Board based on survey results and tonight
- November 17 – Planning Board meeting
- Planning Board will provide a recommendation to City Council
- Council will conduct a public hearing for any ordinance amendments

Current Regulations

Current Regulations

2.2.B.1 – Any use not listed in the use matrix and not otherwise explicitly permitted within this ordinance is prohibited, unless the administrator determines that it falls within the same class as a listed use as set forth below.

District	GR	RMX	NMX	DMX	CMX	IC	GI
Bed & Breakfast Home	PS	PS	PS	PS	PS	PS	–
Bed & Breakfast Inn	SUP	PS	PS	PS	PS	PS	–
Accessory Rental Cottages/Cabins*	PS	PS	PS	–	–	–	–
Hotels/Motels/Inns	–	–	–	P	P	P	–
Rooming or Boarding House	–	–	P	P	P	P	–
Recreational Vehicle Park	–	–	–	–	–	–	–

* Accessory rental cottage/cabins are permitted with standards in association with approved bed and breakfasts.

Current Regulations

- **Bed and breakfast establishments:**

Establishments primarily engaged in providing short-term lodging in facilities known as bed and breakfast inns.

These establishments provide short-term lodging in private homes or small buildings converted for this purpose. Bed and breakfast establishments are characterized by a highly personalized service and meet the following requirements:

1. They do not serve food or drink to the general public for pay;
2. They serve only the breakfast meal, and that meal is served only to overnight guests of the business;
3. They include the price of breakfast in the room rate; and
4. They serve as the permanent residence of the owner or the manager of the business.

Current Regulations

- **Bed and breakfast establishments:**

Bed and breakfast establishments are separated into two distinct categories: “Bed and breakfast home,” and “Bed and breakfast inn.”

1. “Bed and breakfast home” means a private home offering bed and breakfast accommodations to eight or less persons per night for a typical period of less than one week, that does not serve food or drink to the general public for pay, and which is the permanent residence of the owner or manager of the business.
2. “Bed and breakfast inn” means a business offering bed and breakfast accommodations to not more than 24 persons for a typical period of less than one week and that does not serve food or drink to the general public for pay.

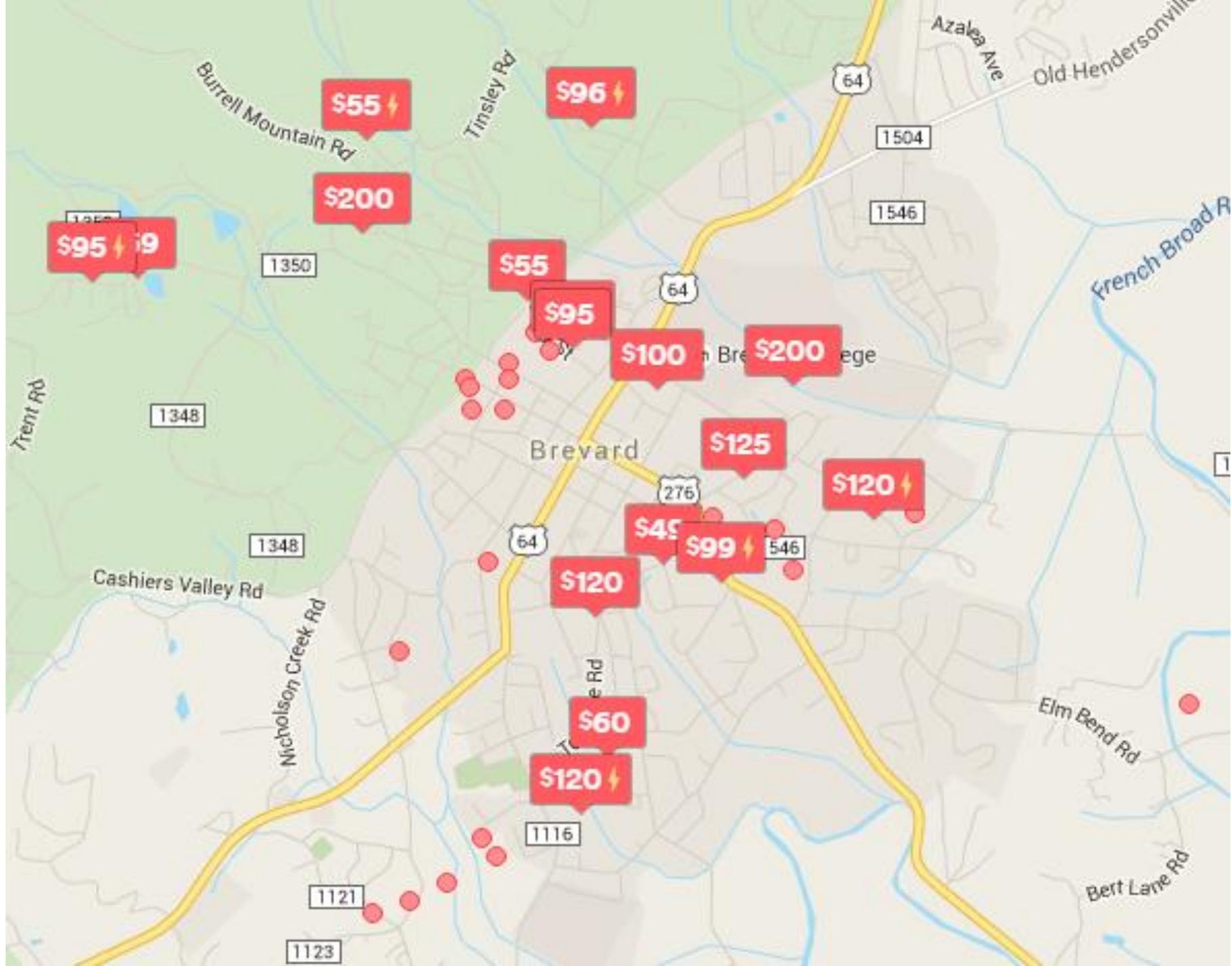
Current Regulations

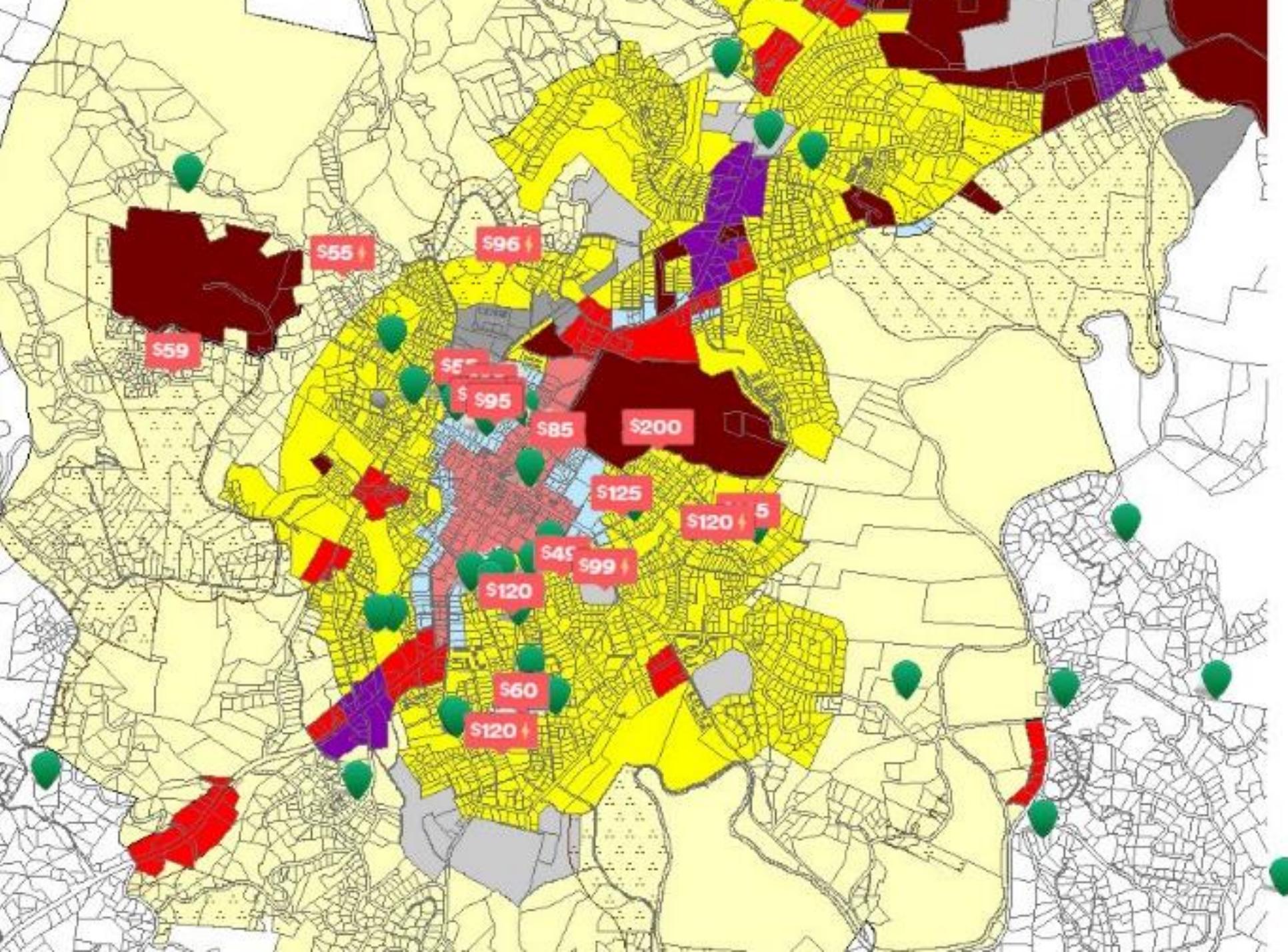
- 3.9. - Bed and breakfast home (GR, RMX, NMX, DMX, CMX, IC) permitted with standards.
- A. Other than a business identification sign as provided for in paragraph J, below, no display of goods, products, services, or other advertising shall be visible from outside the building.
 - B. The manager of the facility shall reside on the premises.
 - C. The facility may employ no more than one full-time equivalent (FTE) employee who does not reside on the premises.
 - D. On-premise retail sales shall not be a component of the bed and breakfast home.
 - E. No activities other than lodging, a morning meal, and an evening and/or afternoon refreshment shall be provided.
 - F. Activities shall be provided for overnight guests only.
 - G. Off-street parking shall be provided as required by Chapter 10 of this ordinance. Parking shall be located on the same lot on which the bed and breakfast home is located, at the rear of the lot and screened with vegetation from adjacent properties and from the street.
 - H. No accessory structures shall be used to accommodate guests.
 - I. No home of less than 2,500 heated square feet shall be used for a bed and breakfast home.
 - J. Signage shall be limited to a single sign, not to exceed four square feet, attached to the home.
 - K. Exterior lighting shall be residential in nature and shall not be directed towards adjacent properties.
 - L. Bed and breakfast homes shall comply with N.C. State Building Code requirements that are in effect at the time the use is begun, subject to the requirements of Chapter 14 of this ordinance.

Current Regulations

- Rooming or Boarding House

Short or long-term accommodations that serve a specific group or membership such as a dormitory, fraternity or sorority house, youth or adult hostel, or similar tourist accommodations, or single room occupancy units that provide a number of related services including, but not limited to housekeeping, meals, and laundry services.





Current Listings

- Of 39 listings in City on Airbnb.com:
 - 21 are entire houses
 - 18 are part of a house
 - At least 12 are hosted by people with 2 or more listings

Survey

Results as of this morning

Survey

www.cityofbrevard.com/STRsurvey



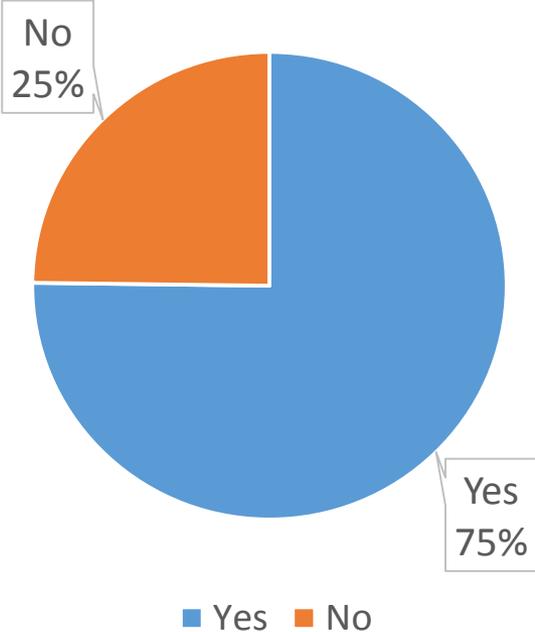
Survey

115 responses as of 10:00 A.M. today

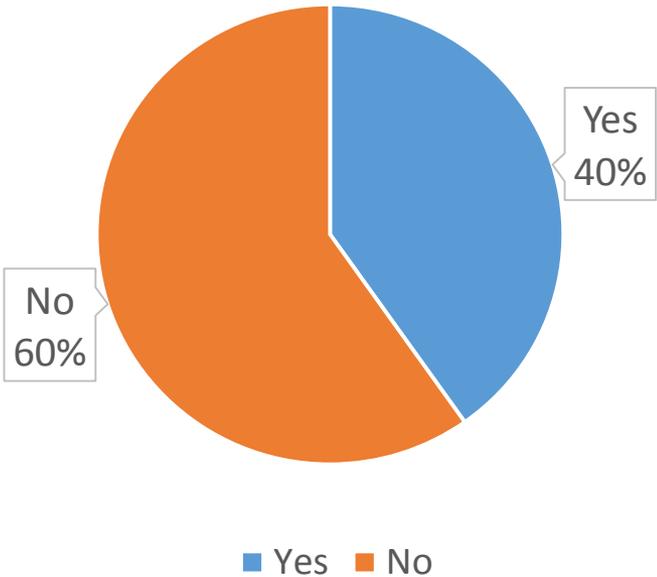
Statistical significance:
95% confidence interval
9% margin of error

Survey – Personal Information

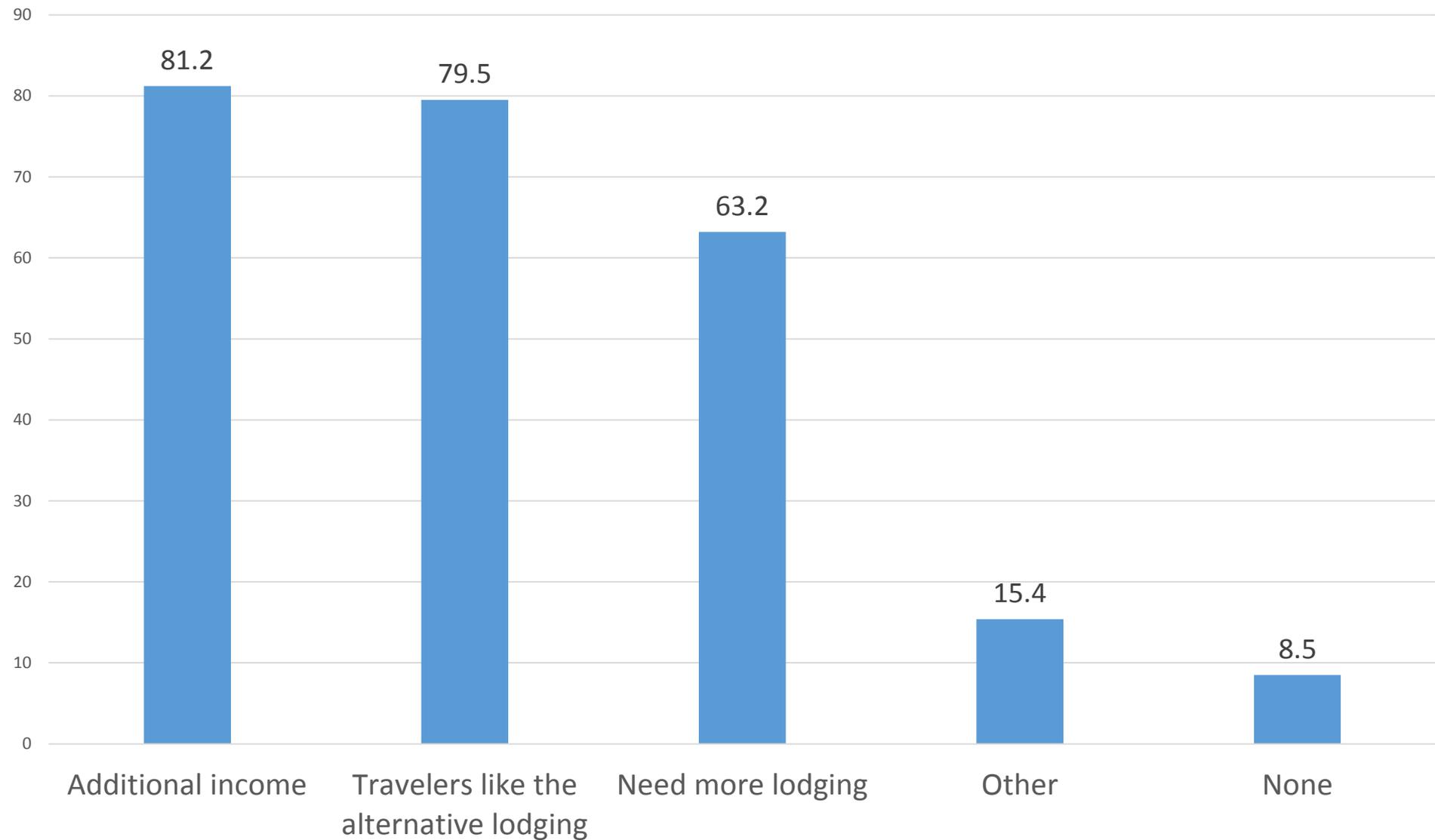
Do you reside or own property in city or ETJ?



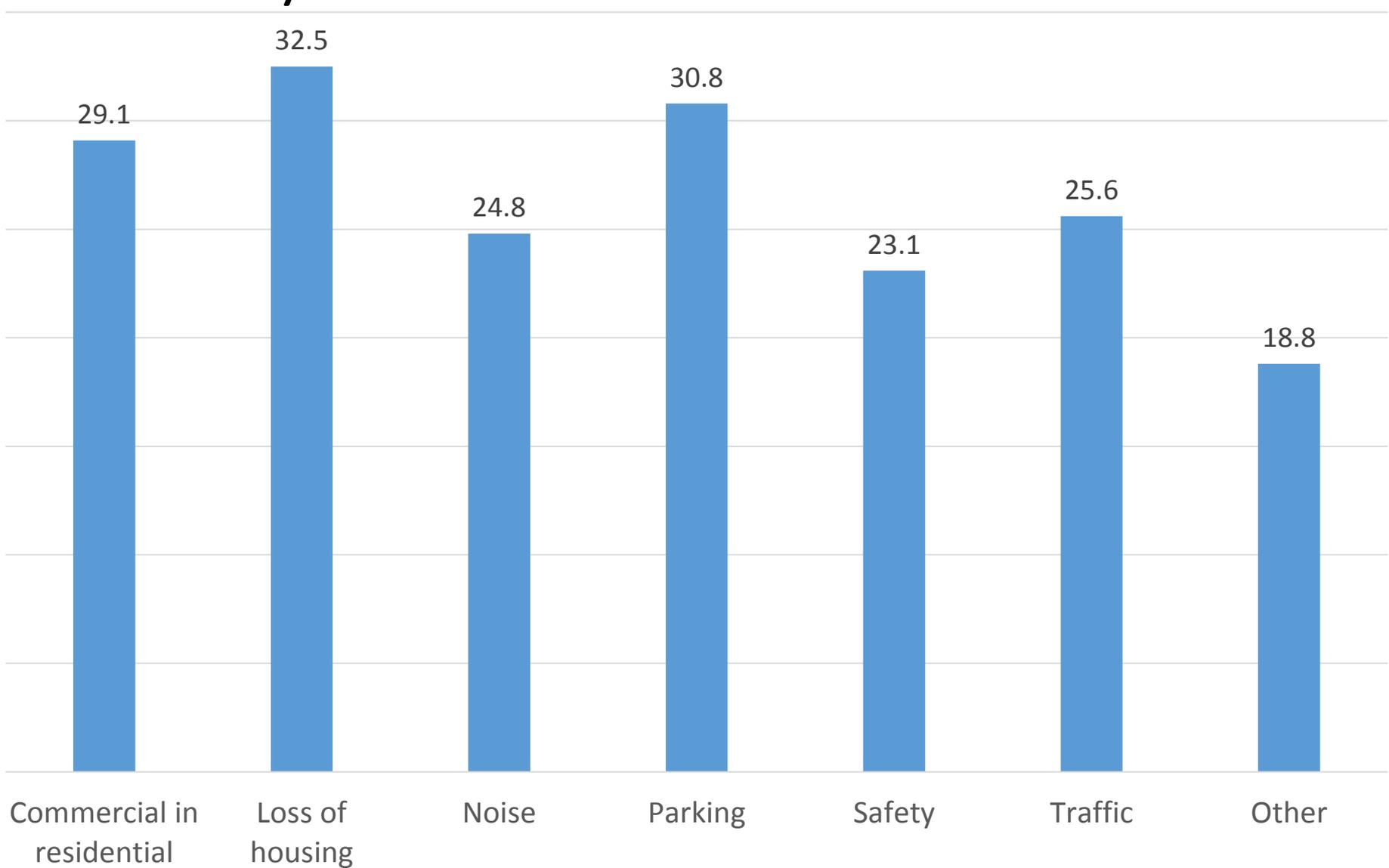
Currently or considering operating a rental?



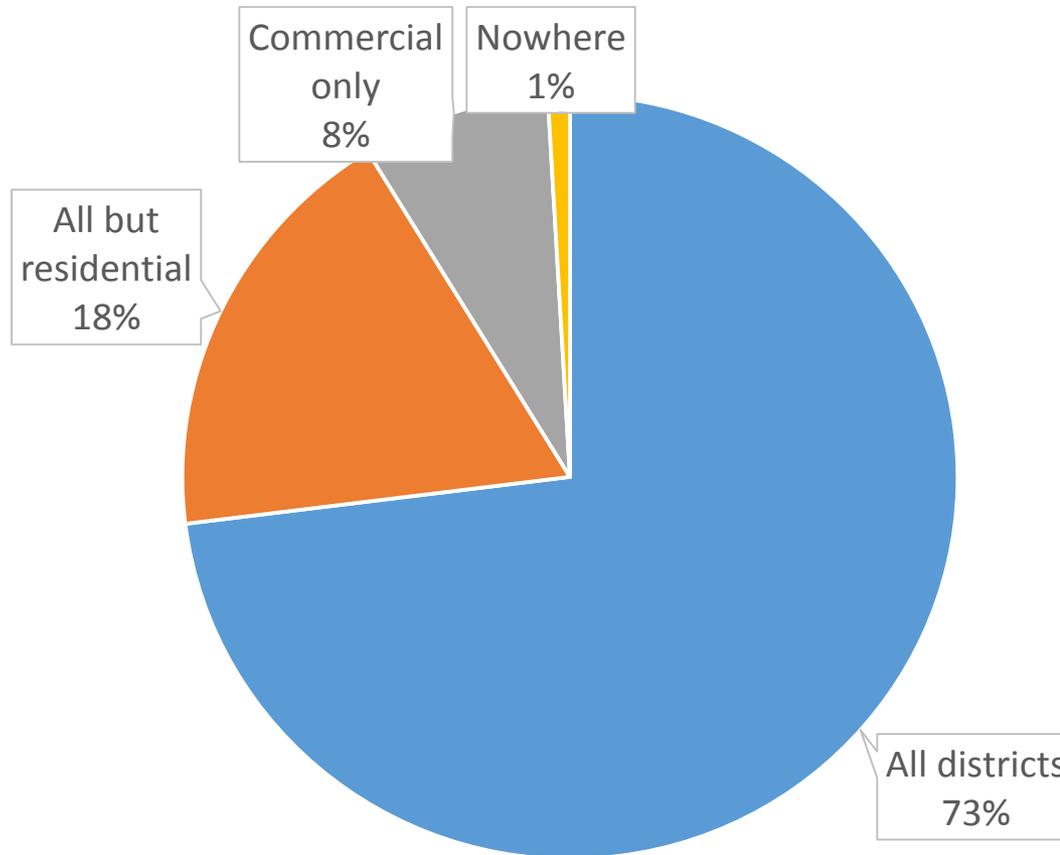
Survey – Positives



Survey – Potential Issues



Survey – Where to Allow



- All districts
- All but residential
- Commercial only
- Nowhere

Other Agencies

Brevard Police

Brevard Fire & County Fire Marshal

Building Code

Health Department

Brevard Police Department

- Rely on existing noise ordinance for complaints
- Concerned about visitors parking on non-parking streets
- Suggested maximum occupancy limits

Fire Department & Fire Marshal



Health Department

- Does not regulate short-term rentals (less than 1 week) with **four or fewer rental units**.
- Long term rentals (1 week or longer) regardless of the number of rental units, without food service.
 - Example: local realty company managing seasonal rentals or long term rentals of homes or cabins at multiple locations for different property owners.
- “Rental units” are rooms, cabins, or houses.
 - Beds are not counted as rental units.

Health Department

- Does regulate:
 - Short term rentals (less than 1 week) for facilities that only provide lodging (no food) and have five or more rental units.
 - Any Bed & Breakfast Home or Inn that rents any number of rooms and provides any meals as part of the fee to stay overnight.
 - Some exemptions from food service regulation such as serving only coffee or other non-potentially hazardous beverages in disposable cups, and/or prepackaged low risk bakery items.



YES

NO



Taxes

Occupancy & Sales

Occupancy Tax

- Typically applied to any lodging property that also pays sales tax, including hotels, bed and breakfasts, cabins, condominiums, and rental homes for short-term stays.
- Usually not applied to campgrounds and RV parks.
- Does not apply if accommodation supplied to the same person for 90 or more continuous days.

Occupancy Tax

- Special legislation required from General Assembly
- Transylvania County has enabling legislation
 - Rate can be “up to 6%” per enabling legislation
 - Current rate is 5%
- Brevard does not have enabling legislation
- Airbnb.com automatically collects occupancy and sales taxes in North Carolina

Occupancy Tax

- Where does the money go?
 - Transylvania Tourism Development Authority
 - By law, at least 2/3 must be used to promote **travel and tourism**; remainder for **tourism-related expenditures**
 - 100% remains at local level – state gets none
 - City of Brevard receives no occupancy tax revenue
- Fiscal Year 14-15 collection of \$543,271

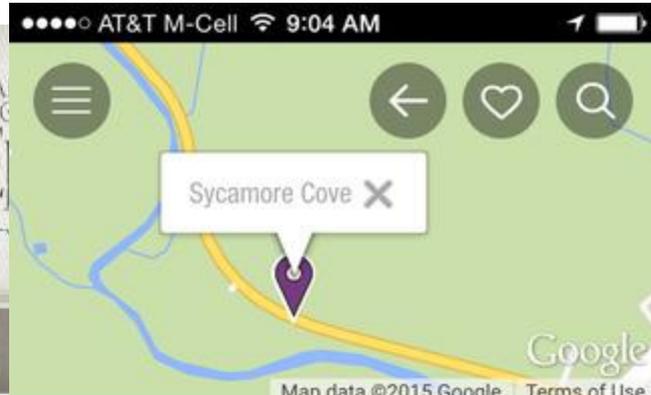
Occupancy Tax

“Promote travel and tourism” – Promotional activities that attract tourists or business travelers:

- Advertising or marketing
- Publishing and distributing pamphlets
- Conducting market research



Welcome to
BREVARD, NC
TRANSYLVANIA COUNTY
POWERED BY 

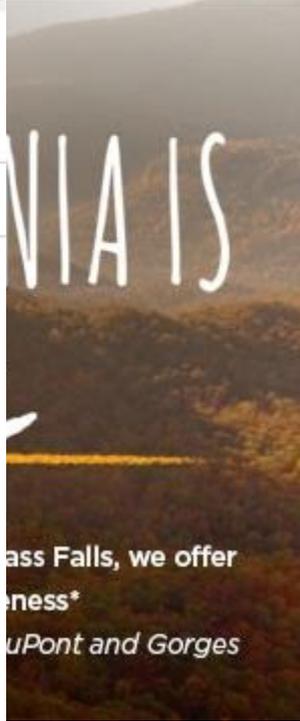


Sycamore Cove
3.2mi away / Mountain Biking

Pisgah National Forest

Sycamore Cove throws a little bit of everything at you: groovy, off-camber rocks and roots, steep climbs, and technical downhill. The mid-section is a mile-long ridge ride. At 3.2 miles, Sycamore Cove makes for an ideal workout of an hour or less. If you've got more time (and energy) link it with the Black Mountain and Thrift Cove trails and make a day of it.

Difficulty: Advanced
Directions to trailhead: Drive one quarter mile



...ass Falls, we offer
...ness*
...uPont and Gorges

Occupancy Tax

- **“Tourism-related expenditures”** – Expenditures designed to increase the use of lodging facilities, meeting facilities, and convention facilities by attracting tourists or business travelers to the city/county. The term includes tourism-related capital expenditures.



Library

South Broad Park

Brevard

High School



Gorges State Park
18 ½ Miles



Downtown Brevard

Visitor Center

Brevard College

Brevard Music Ctr.



↑ TC Arts Center

← Visitor Center

City Hall
Transylvania →
Heritage Museum

Taxes on Lodging in Brevard

Occupancy tax = 5%

Sales tax = 6.75%

Total tax collected on lodging = 11.75%

Lodging Stock in Transylvania Co.

- 380 rooms
- 180 rental units
- TDA feels this is insufficient



Hampton Inn Brevard

★★★★★ **Good** (8.0, 246 reviews)

\$110
Expedia

\$110 KAYAK **\$110** Priceline **\$110** Hotels.com
\$110 Hotwire.com **\$110** Hampton Inn Show more ▾

Select ▾

\$859 total w/local taxes & fees



Holiday Inn Express Hotel & Suites Brevard

★★★★★ **Excellent** — 8.1 Top Family Hotel

\$107
Holiday Inn Express

\$107 KAYAK **\$107** Priceline **\$107** Hotels.com
\$107 Booking.com **\$107** Venere.com Show more ▾

Select ▾



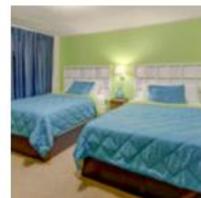
The Inn at Brevard

★★★★★ **Good** (6.5, 34 reviews)

\$150
Travelocity

\$150 KAYAK **\$150** Hotels.com **\$150** Hotwire.com
\$150 Venere.com **\$150** Priceline Show more ▾

Select ▾



The Sunset Motel

★★★★★

\$84
Hotels.com

\$84 Travelocity **\$84** Expedia **\$84** Hotwire.com
\$84 Venere.com

Select ▾

Other Cities

Common Regulations

- Occupancy limits
- Spacing between rentals
- Proof of insurance, compliance with fire safety measures, etc.
- Minimum length of stay (limiting turn over)
- Prohibiting short-term rentals for bachelor or bachelorette parties
- Designating areas where short-term rentals are allowed, allowed with restrictions, or not allowed at all (i.e. typical zoning)
- Providing publically available contact information for local person responsible for handling any problems that may arise
- Requirements for providing off-street parking
- Noise and nuisance provisions
- Limiting hours before and after collection that garbage receptacles can be placed in front of the home

Asheville

Separated into two categories:

- Short-Term Rental – “The renting of property for overnight stays less than 30 days. The owner does not reside in the home.”
- Homestays – “An owner-occupied single-family home with more than 2,500 square feet, and offering one to three guest rooms. This use allows the owner to rent rooms in the home for less than 30 days as long as the owner resides in the home on a full-time, permanent basis.”

Asheville

Short-term rentals

- Allowed in zoning districts that allow lodging
- Lodging not generally allowed in residential districts
 - Homestays and B&Bs are exception
- Illegal renters in residentially zoned areas
 - City verifies complaint
 - Property owner issued a Notice of Violation
 - Daily \$100 fine
 - Can appeal staff's decision to Board of Adjustment

Asheville

Homestays

- Allowed by right, subject to special requirements in RS-2, RS-4, RS-8, RM-6, RM-8, RM-16 districts
- Off-street parking required:
 - Minimum: 1 space per room, plus 1 for manager/owner and 1 for each employee
 - Maximum: 1 space per ½ room, plus 2 for manager/owner and 1 for each employee
- Maximum of 25% of floor area of unit
- Minimum size of 2,500 heated square feet
- No signs in single-family residential districts
- Minimum 500' separation from other homestays and B&Bs

Questions & Discussion

- Do you have first hand experience, good or bad, with an STR?
- In what areas of town are STRs appropriate?
- What are the major issues that should be protected against?
- What regulations would protect residential neighbors without being burdensome?