

MINUTES
SHORT-TERM RENTAL (STR) TASK FORCE
SPECIAL CALLED MEETING
Thursday, March 16, 2023- 11:00 AM
City Council Chambers

Members Present: Geraldine Dinkins, Council Member, Co-Chair
Aaron Baker, Council Member, Co-Chair
Nory LeBrun
Mack McKeller, City Attorney, Ex Officio Member
Tripp Presnell
Hannah Bowers
Madeline Offen
Jeremy Owen
Dee Dee Perkins

Absent: Aaron Bland, Assistant Planning Director
Isaac Allen

Staff Present: Janice Pinson, Clerk
Emily Brewer, Planner

I. Welcome, Call to Order and Introduction

Co-Chair Aaron Baker welcomed everyone and called the meeting to order at 11:00 AM.

II. Certification of Quorum

Quorum was certified by Co-Chair Aaron Baker.

III. Approval of Agenda

Motion to approve agenda Nory LeBrun, second by Hannah Bowers, unanimously carried.

IV. Approval of Minutes-

Motion to approve the March 2, 2023, minutes as written by Geraldine Dinkins, seconded by Hannah Bowers, unanimously carried.

V. Public Comment –

The following were allowed to speak:

Lindsey Green, 187 Turnpike Road, she has been a resident of Brevard for 25 years and has been operating short term rental since 2017, it has allowed them to afford to continue to live in Brevard, losing it would be detrimental to their income. Her opinion is that the time being spent on the issue could be spent on more pressing issues, private public development housing.

Monica Driscoll, Kimsey Circle, stated that she was disturbed because at the last meeting a member of the group defined home as a place to sleep and that she disagrees. She defined what a home is to her, ending her definition with home is our “jumping off spot”.

Stuart Dodson, Turnpike Road, stated that he supports looking at the matter but not restrictions, stating that he funds his family vacations by short term rental of his residence. He asked why the committee is meeting at 11 AM in the morning because that is when he is working. He asked that there not be a line drawn in the sand.

Danny Hein, Maple Street, disagrees with the forgone conclusion that STR regulations will positively affect things.

VI. Discussion – Policy Discussion

Aaron Baker stated that he felt it was time to drill down, take some straw polls, get consensus on some things, and move things forward.

Mack McKeller suggested starting with the homework the committee assigned to him and Aaron Bland.

He explained that it is not possible to get granular data on occupancy tax.

Grandfathering would be difficult with regulation issues and establishing preexisting nonconformities must remain in use for a specific period. It would be the responsibility of the city to find out the use.

When defining primary residence, he recommended that the NC General Statutes definition be used and referenced.

NCGS defines primary residence as follows: That place shall be considered the residence of a person in which that person's habitation is fixed, and to which, whenever that person is absent, has the intention of returning.

Zoning is the only tool we have available, regulation of use only.

There was discussion about how to best determine if someone is a primary resident of a property.

After some discussion, Mack McKeller reminded the committee that they can only look at the use.

There was a straw vote taken on exempting properties that serve as a primary residence as defined.

6 voted yes, 1 voted no and 1 voted neutral/undecided.

There was discussion on using special use permits as a tool, possibly overlay districts or just allowing in certain zoning districts as they are currently but determining which zoning districts.

There was discussion on whether the ETJ should be included.

A straw vote was taken: Not interested in creating overlay districts throughout the City for Short-term rentals. The committee agreed unanimously.

There were different scenarios discussed as to how to incorporate into existing zoning districts.

Emily Brewer was asked to provide examples of how to incorporate short term rental use into existing zoning districts, including maps, example of allowing in Downtown Mixed-Use zoning district, permitted with standards and all others unless a primary residence. Also, using a special use permit as a requirement.

Developing a definition for primary residence.

The committee requested that all information be sent to them in advance of the April 20th meeting.

Nory LeBrun volunteered to ask a friend who has the knowledge to answer specific questions, he was asked to find out how to access occupancy tax information.

VII. Next Steps -

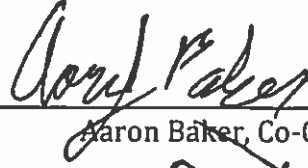
Mack McKeller will be unable to attend the April 20th meeting. Emily Brewer will present the information requested at the next meeting.

IX. Set Date for Next Meeting, April 20, 2023.

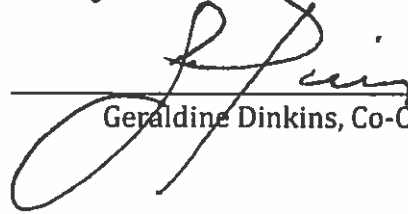
The next meeting of the Short-Term Rental Task Force is scheduled for April 20, 2023, at 11:00 AM in the City Council Chambers.

X. Adjourn

There being no further business, a motion was made to adjourn by Madeline Offen, seconded by Dee Dee Perkins. The motion carried unanimously, and the meeting was adjourned at 12:38 PM.



Aaron Baker, Co-Chair



Geraldine Dinkins, Co-Chair