

**MINUTES**  
**SHORT-TERM RENTAL (STR) TASK FORCE**  
**SPECIAL CALLED MEETING**  
**Thursday, April 20, 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  
Isaac Allen  
Jeremy Owen  
Dee Dee Perkins  
Aaron Bland, Assistant Planning Director

Absent: Madeline Offen

Staff Present: Janice Pinson, Clerk

**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 Dee Dee Perkins, second by Isaac Allen, unanimously carried.

**IV. Approval of Minutes-**

Motion to approve the March 16, 2023, minutes as written by Dee Dee Perkins, seconded by Hannah Bowers unanimously carried.

**V. Public Comment –**

The following were allowed to speak:

Jan Kuba, 273 W. Main Street stated that she owns several homes in Brevard, that short-term rentals are not ruining the small-town feel, that when Ecusta closed it was bad here and that people were moving out. The City turned to tourism, the downtown filled with restaurants and empty store fronts became occupied. That the City does not have adequate hotels to accommodate the tourists who come here. Most short-term rentals in the city are homes that were in a state of disrepair and the repair of these homes employs people to perform the repairs. That short term rentals are needed in Brevard.

David Robbins, Sunrise Realtor Services

He said that subsidized housing (ex: Section 8) is hard to make happen in Transylvania County because it costs more to live here. That the City needs to talk to Washington, get the numbers up to rent out long term under these companies that manage Section 8 housing.

It was noted that the City has a Housing Committee with money set aside for housing this year and that anyone interested is encouraged to attend their meetings, and that they are a policy committee not an advisory board.

Cody Siniard – 35 N. Oaklawn Avenue – He is a native of Transylvania County, that his grandfather, Guis Siniard made Silvermont what it is today. He stated that he never thought he would be defending allowing him to do what he wants with his property. That he lives at the N. Oaklawn Avenue location but also owns property and has short-term rentals on West Main Street. That he depends on the income to support his family and to be able to spend time with his family, instead of having to work 60 hours a week. That he makes T-shirts in his parent’s basement for a living. That he rents to 5-star visitors and that he has never had any noise issues. He said that short-term rental is safer than trying to rent long-term, stating have you ever tried to evict someone. He said as a host it is a mixing of cultures, that hosts are the tour guides based on their local experiences, sharing information about shopping, food, live music, etc.

Luanne Allgood – 313 Knob Road, Pisgah Forest – has a couple of short-term rentals in Transylvania County and one of them is located at 105 East Probart Street. She has chosen short term rentals as a source of retirement income. She asked why we are advertising for tourists if we do not want them here. She stated that having locals own the short-term rentals is much better than big corporations like Zillow taking them over.

Monica Driscoll – Kimsey Circle – She explained that she has been attending these meetings so that she can understand all angles and the different opinions on the matter. She is concerned that short term rentals are taking over neighborhoods taking away a sense of community in those neighborhoods. She understands the need for tourists but does not want to be overrun with tourists.

Sasha Jones – 266 W. Probart Street - She stated that it does not look good that the City sold property to a hotel and is now trying to put in place regulations on short term rentals. She said that taking away short-term rentals will harm the local’s livelihoods.

Diane Kennedy – 1989 Hart Road – She explained that she is new to the community, is a veteran, was a working single mother all her life. That there are no affordable homes for her as a normal working person, that she is living in an RV in a pasture. We all want to be served by the people living and working in this community. She has lived in many places and seen the pros and cons of short-term rentals. That she is seeing here what has happened all over the nation, she is hoping for balance and resolution with healthy boundaries.

Kathy Merrill – Carolina Avenue – She explained that she lives in the ETJ and has a short-term rental, she strongly encourages the task force to grandfather in the existing short-term rentals. That they keep up their property with the income from rents.

Mac Hartell – 520 Probart Street – housing stock needs to be flushed out. Affordable housing will not be gained from doing away with short term rentals. The survey you did gave the information that short-term rentals account for a minimal amount of housing stock.

## **VI. Discussion – Policy Discussion**

Aaron Baker stated that a bill has been filed that will affect how municipalities will regulate short term rentals, but he feels the task force should continue with the process because past bills have never become law. He said that if state law changes, then that will be taken into account.

He gave an overview of decisions from the previous meeting: exemption of properties that serve as primary residences, ways to define primary residence, the straw vote on overlay districts was voted against unanimously.

Aaron Bland began a discussion on the different zoning districts and was asked how the grandfathering process would work. He explained that if a use remains in effect and does not cease for more than 180 days it is considered preexisting.

Mack McKeller stated that the occupancy tax records provided by the property owner would be the evidence for grandfathering. He said if the use ceased for 180 days, then the grandfather status would discontinue. It does not matter if the ownership changes if the use remains in effect. He explained that it would be possible to place sunset regulations on the use if nonconforming.

Mack McKeller left the meeting to go to a conference.

Hannah Bowers noted that affordable housing keeps getting drawn into the conversation and that it is not the topic, short-term rentals is the topic of discussion.

Aaron Bland stated that normally the effective date of regulations is the date that Council approves.

Aaron Bland started with the Downtown Mixed Use zoning district showing it on the official zoning map for everyone to view. He went through each district as follows and the task force discussed, took a straw vote to give staff direction for beginning to draft policy. DMX – no restrictions on STR if the primary residents live on the property no additional regulations will be placed on the use in this district. Vote carried unanimously.

RMX – no restrictions on STR. Vote carried unanimously.

NMX – no restrictions on STR. Vote carried unanimously.

GR8 – grandfather existing STR but not allowing any in the future. (Permanent resident on the property, current STR would be grandfathered unless the use ceased for a period of 180 days, accessory units allowed as STR. Moving forward STR would not be allowed. Straw poll: Tripp and Isaac voted nay, Nory and Jeremy voted neutral, Geraldine, Aaron, Dee Dee and Hannah voted in favor.

GR4 – tabled until the next meeting, due to time constraints and to allow the necessary time for discussion.

Hannah Bowers noted that the ETJ was not included in the survey and that she is not sure how she feels about making recommendations for that area.

Aaron Bland explained that restrictions cannot be applied to the ETJ only, but that the same zoning restrictions can apply to the City's jurisdiction and ETJ.

Aaron Bland explained that the straw vote is used to gauge how the task force feels to give him framework for drafting an ordinance.

Dee Dee Perkins asked Aaron Bland to explain the ETJ and its importance so that everyone can understand why it exists.

Aaron Bland explained that the laws have changed, and it is almost impossible today to annex a property into the city's jurisdiction with it being voluntary by the property owner. The purpose of the ETJ was annexation into an allowable area which for Brevard is a one-mile expansion to allow for zoning for future growth in the area that could possibly be developed in the future and would have access to utilities.

Aaron Bland was asked to begin to draft an ordinance for the task force to review. He stated he would begin work but was not sure he could have something ready by the next meeting.

## **VII. Set Date for Next Meeting, April 20, 2023.**

The next meeting of the Short-Term Rental Task Force is scheduled for May 18, 2023, at 11:00 AM in City Council Chambers.

## **X. Adjourn**

There being no further business, a motion was made to adjourn by Geraldine Dinkins, seconded by Dee Dee Perkins. The motion carried unanimously, and the meeting adjourned at 12:39 PM.

---

Aaron Baker, Co-Chair

---

Geraldine Dinkins, Co-Chair