

**MINUTES**  
**SHORT-TERM RENTAL (STR) TASK FORCE**  
**REGULAR MEETING**

**Thursday, June 15, 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  
Hannah Bowers  
Madeline Offen  
Tripp Presnell

**Absent:** Isaac Allen  
Jeremy Owen  
Dee Dee Perkins

**Staff Present:** Janice Pinson, Clerk  
Aaron Bland, Assistant Planning Director

**Others:** Dan Dewitt, Brevard News Beat

**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 Geraldine Dinkins, second by Hannah Bowers unanimously carried.

**IV. Approval of Minutes-**

Motion to approve the May 18, 2023, minutes as written by Geraldine Dinkins, seconded by Nory LeBrun unanimously carried.

**V. Public Comment – None.**

## **VI. Review of Draft Ordinance –**

Aaron Bland, Assistant Planning Director, presented the draft ordinance explaining that the biggest changes are to the use matrix and the change on no new short-term rentals in the general residential zoning district and grandfathering existing short-term rentals in the general residential zoning district.

The current ordinance and draft ordinance were presented to the task force. (Attached hereto and labeled, Exhibit "A").

The draft ordinance was reviewed in detail and City Attorney Mack McKeller noted that the School of Government recommendations are being followed. He further explained that zoning permits will be required, and the permit would be in place for short-term rental owners to acknowledge the additional standards required.

Enforcement processes were discussed.

The next steps in the process were discussed and it was decided that the draft ordinance would be presented to Brevard Planning Board for their recommendations to City Council at their next meeting on June 27, 2023, and then it will move forward to City Council.

Mack McKeller stated that he felt like the task force had covered almost every possible scenario, taken input, and answered questions. That he feels good about the product produced and feels very good about the enforceability of the ordinance.

Motion to recommend proposed amendment to UDO Chapter 3.6.1.C as written by Geraldine Dinkins, second by Hannah Bowers, vote passed 5 in favor and 1 nay vote by Tripp Presnell.

Wilson Hooper, City Manager commended the task force for how they have handled the very complex and controversial matter.

Aaron Baker requested that the Staff's presentation include the study performed, minutes of the meetings, etc. for Council's review. He encouraged task force members to attend Planning Board and Council meetings.

It was determined that the matter would go to the Planning Board in June and Council in August.

The committee determined that it was not necessary to set a date for a future meeting unless Council directs them to do so.

Aaron Baker gave the members an opportunity to make a statement.

Geraldine Dinkins stated that she cannot believe that it's been two years, that she is satisfied with the pace because the topic needed some turning over, and over again. That it

was a new way of doing things. She is proud of everyone that served on the committee, that there was commentary from all sides, that the committee was well balanced and defensible and that she is proud of that.

Nory LeBrun stated that he represented the Chamber and lives in Lake Toxaway, that he learned a lot, that a lot of smart people served on the committee, and that Brevard is ever changing. He believes the City is in smart hands and that he has enjoyed working with everyone.

Tripp Presnell stated that he is not in support of what the committee came up with but that it does meet the community's concerns, and that he enjoyed working with everyone.

Hannah Bowers stated that this was her first time involved with government and that she is impressed that the committee got something done. That she feels like the committee covered everything possible but that when it is put out to the world it might take the public a bit to digest it all.

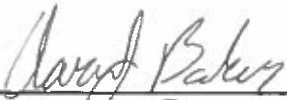
Madeline Offen stated she agreed with Geraldine that this was a new way to approach creating ordinances for the City and the best outcome for everyone to feel heard and to make progress in the way we want the City to look and grow.

Aaron Baker explained that people who have not been in the room for the last 2 years might jump to conclusions that we have not considered all the options and angles. He feels confident that we considered a lot of different things, studied a lot of things and he believes the task force has been vigorous.

He further stated that if committee members are still interested in ways, they can affect housing in Brevard that the City has a housing committee and that there is a coalition forming outside of government that meets on the 3<sup>rd</sup> Thursday of the month at 10 AM and that Sharing House and Habitat for Humanity are involved. He feels that people should not only be concerned about zoning and housing issues that affect their neighborhood but focus on the whole housing issue.

**VII. Adjourn**

There being no further business, a motion was made to adjourn by Madeline Offen, seconded by Geraldine Dinkins. The motion carried unanimously, and the meeting adjourned at 11:50 AM.

  
\_\_\_\_\_  
Aaron Baker, Co-Chair

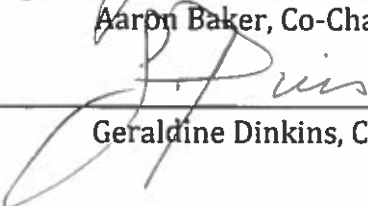
  
\_\_\_\_\_  
Geraldine Dinkins, Co-Chair

Exhibit "A"

**Current:**

Lodging		GR	RMX	NMX	DMX	CMX	IC	GI
Overnight accommodations	All overnight accommodations, except as listed below	-	-	-	P	P	P	-
	Bed and Breakfast	PS	PS	PS	PS	PS	PS	-
	Short-Term Rental	PS	PS	PS	PS	-	-	-

**3.6.1.C. Short-term rental**

- a. Definition: A private residential property that is rented, either in whole, or part, for periods of less than 30 days for compensation. The following activities shall not be considered as a Short-Term Rental use:
  - i. Incidental residential vacation rentals, defined to mean no more than two such rentals in any calendar year where the total number of nights rented does not exceed 14.
  - ii. Rentals of property in any permitted hotel, motel, inn, rooming or boarding house, or bed and breakfast establishment.
- b. Additional Standards:
  - i. No permits are required for short-term rentals, per N.C.G.S. 160D-1207.
  - ii. Overnight occupancy shall not exceed two persons per bedroom plus two additional persons. The number of "bedrooms" used in calculating occupancy limits shall be taken from the property tax records. For example: a two-bedroom rental would have an occupancy limit of 6 (2 × 2 bedrooms = 4 + 2 additional = 6 total).
  - iii. Dwelling units used as short-term rentals in GR zoning districts shall maintain their residential character and outside appearance. No signs shall be permitted. All exterior lighting shall be residential in nature and shall not be directed towards adjacent properties.
  - iv. Parking requirements shall be provided for the type of dwelling unit, per Chapter 10 of this ordinance.

**Proposed:**

Lodging		GR	RMX	NMX	DMX	CMX	IC	GI
Overnight accommodations	All overnight accommodations, except as listed below	—	—	—	P	P	P	—
	Bed and Breakfast	PS	PS	PS	PS	PS	PS	—
	Short-Term Rental (STR)	PS	PS	PS	PS	— PS	— PS	—

**3.6.1.C. Short-term rental**

- a.** Purpose: The regulation of short-term rentals, as defined below, is intended to maintain the predominantly residential character of traditional neighborhoods in the City of Brevard and the extra-territorial jurisdiction thereof, and to encourage an increase in housing stock available within the City and its ETJ.
- a.b.** Definition: A private residential property that is rented, either in whole, or part, for periods of less than 30 days for compensation. The following activities shall not be considered as a Short-Term Rental use for the purposes of this ordinance:
- i. Dwelling units rented, in whole or in part, where a permanent resident lives on-site on the property. This shall include attached or detached accessory dwelling units where the operator lives elsewhere on the property.
  - ii. Incidental residential vacation rentals, defined to mean no more than two such rentals in any calendar year where the total number of nights rented does not exceed 14.
  - iii. Rentals of property in any permitted hotel, motel, inn, rooming or boarding house, or bed and breakfast establishment.
- c.** Existing STRs in GR Districts
- ii. Existing STRs in General Residential zoning districts in operation at the time of the effective date of this ordinance shall be allowed to continue operations, in accordance with Section 14.2 – Nonconforming Uses.
- b.d.** Additional Standards:
- i. No permits are required for short term rentals, per N.C.G.S. 160D-1207. A typical zoning permit shall be required solely to verify notification and agreement to comply with the additional standards contained herein.
  - ii. Overnight occupancy shall not exceed two persons per bedroom plus two additional persons. The number of "bedrooms" used in calculating occupancy limits shall be taken from the property tax records. For example: a two-bedroom rental would have an occupancy limit of 6 (2 x 2 bedrooms = 4 + 2 additional = 6 total).
  - iii. Existing Dwelling units used as short-term rentals in GR zoning districts shall maintain their residential character and outside appearance.
  - iv. No signs shall be permitted.
  - iii.v. All exterior lighting shall be residential in nature and shall not be directed towards adjacent properties.
  - iv.vi. Parking requirements shall be provided for the type of dwelling unit, per Chapter 10 of this ordinance.