

**MINUTES
BREVARD PLANNING BOARD REGULAR MEETING
JUNE 27, 2023
CITY COUNCIL CHAMBERS**

Brevard Planning Board met for a regular meeting, Tuesday, June 27, 2023, at 5:30 PM, in Council Chambers at City Hall.

Members Present: Greg Hunter, Chair
Reid Wood, Vice Chair
James Carli
Molly Jenkins
Alan Mercaldo
John Schommer
Peter Chaveas

Staff Present: Aaron Bland, Assistant Planning Director
Emily Brewer, Senior Planner
Paul Ray, Planning Director
Janice H. Pinson, Board Clerk

Others: Mack McKeller, City Attorney
John Rich, Transylvania Times
Geraldine Dinkins, STRTF
Hannah Bowers, STRTF
Aaron Baker, STRTF
Monica Driscoll

I. Welcome

At 5:30 PM, Greg Hunter, Chair called the meeting to order.

II. Introduction of Planning Board Members

The Board introduced themselves.

III. Certification of Quorum

Chair Greg Hunter confirmed with the Board Clerk that a quorum of the Board was present.

IV. Approval of Agenda

Motion to approve the agenda by M. Jenkins, second by P. Chaveas, unanimously carried.

V. Approval of Minutes

Motion to approve the May 23, 2023, minutes A. Mercaldo, second by J. Carli, unanimously carried.

VI. New Business

a. Consideration Staff Determinations Streams/Streets Classifications

Aaron Bland, Assistant Planning Director presented his staff report explaining the reason for the recommended amendments are to provide guidance and instruction for staff to make decisions and to better clarify regulations for the public.

The following items were discussed:

The link for NC Surface Water Classifications and Schedule of associated maps will be included in the UDO for reference.

The maps **do** tend to line up with our mapped streams.

A 30' buffer is required off streams and this will help guide staff in better making decisions as to when this buffer requirement should be imposed.

The street classifications section 13.7 will provide guidance and instruction for staff decisions as to which street is of higher classification and how to determine setback requirements accordingly.

Motion to approve with reference to the consistency statement (which is attached hereto and labeled, Exhibit "A") by J. Carli, second by J. Schommer, unanimously carried.

b. Consideration of TXT-23-007 Short-Term Rental Task Force Recommended Ordinance Revisions.

Aaron Bland presented his staff report and explained the Short-Term Rental Task Force recommended changes to the current ordinance.

He explained that the permitting and enforcement procedures of the new ordinance may require additional staff to administer.

M. Jenkins thanked the task force for all their work and their extensive research on short-term rentals.

A. Mercaldo explained that he did not feel the statistics were complete because the ETJ was not included in the survey and that in his opinion the ETJ is more rural in nature and should be considered different than the city limits.

The following points being made:

Keeping our small-town feel, sense of community in neighborhoods, not homes that are left vacant for extended periods. Preserving newly constructed housing to be truly residential in nature. There was discussion about exceptions past the 180 days, it was noted that the nonconformity chapter exists to bring nonconformities into compliance and is not unique to short-term rentals.

Legal discussion on the following: Cannot have a registration list, per state law, if new legislation is passed the ordinance will need to be amended to comply.

J. Carli stated that he believes that the ordinance will not inhibit people from having a place to stay when visiting Brevard and that he is broadly supportive of the language for the recommended ordinance.

Geraldine Dinkins, task force and member of Council explained that the ordinance is not about solving the housing issues, but the task was to look at short-term rentals and their effect on Brevard.

Hannah Bowers, task force member, stated that the economic impact study detailed data was not made available to the task force.

Aaron Baker, task force and member of Council stated that the economic study made it clear that we are not building enough housing. When we do get housing stock, we need to make sure it adds to our housing stock not to short-term rentals and that if things are not in place new housing will be taken over by short-term rentals in his opinion.

Motion to accept as proposed with reference to the consistency statement (attached hereto and labeled, Exhibit "B") by J. Carli, second by J. Schommer. 6 votes in favor, A. Mercaldo voted nay.

VII. Unfinished Business

a. TXT-23-004 – Discussion of Text Amendment UDO Chapter 10 Parking Standards.

Emily Brewer, Senior Planner presented her staff report and presentation on revisions to Parking Chapter 10.3. She explained that we want to make sure we right size our parking needs it is feasible and functional for Brevard development.

It was suggested that GR and STR Tier 3 be the same at 2 parking spaces.

After discussion Emily stated that she felt she had the right direction moving forward and would present something to the board at their August meeting.

IX. Remarks

Matt Allen, Land of Sky Association of Realtors was given an opportunity to speak and stated that his organization commissioned the economic impact study used by the STR Task Force and that if asked they would have been glad to offer more information. He stated that he appreciates the way Brevard has handled the topic and that he hopes to have a chance to make comments to City Council prior to them passing the ordinance.

Monica Driscoll stated that she started attending the STR Task Force meetings over a year ago and that she feels the committee was informed and fair in dealing with a very controversial issue. She feels the task force members as a rule were very open minded on the issue.

She stated that the task force made it very clear what they considered the definition of affordable housing to be and that their task was to handle the STR rental matter not housing. She wanted to publicly thank the task force for their hard work and encouraged the board to do the same.

X. Adjournment

There being no further business, P. Chaveas moved to adjourn, seconded by J. Carli, the motion carried unanimously, and the meeting adjourned 7:00 PM.

Greg Hunter, Chair

Janice H. Pinson, Board Clerk