

# Minutes

## Short-Term-Rental (STR) Task Force

Thursday, April 21, 2002  
City Council Chambers

Members of the STR Task Force met on April 21, at 11 a.m. in City of Brevard Council Chambers, with council members, Aaron Baker and Geraldine Dinkins, presiding

**Present:**

Co-Chairs Aaron Baker and Geraldine Dinkins

Task Force members: Nory LeBrun, Jeremy Owen, Madeline Offen, DeeDee Perkins, Aaron Bland, Mack McKeller, Tripp Presnell, Isaac Allen

**Volunteer Presenter:** Annelise Hagedorn

**Members of the Public:** Kevin Jones

**Absent:** Hannah Bowers

A. Council member Baker welcomed everyone and called the meeting to order at 11:07 a.m.

B. A quorum was certified (10 members present)

C. Task Force member Bland made a motion to approve the agenda and Task Force member Perkins seconded the motion. The agenda was approved by unanimous vote.

D. Task Force member Allen had a question regarding the first paragraph under sub-committee updates in the minutes from March 17. Task force co-chair Dinkins clarified that the STR committee opted to wait to see the entire economic impact report until it is fully completed instead of seeing parts of it now. She will revise the minutes for the record. Allen made the motion to approve the minutes as revised and Perkins seconded the motion. The minutes (revised) were approved unanimously.

E. There was no public participation.

F. Mack McKeller updated the task force on a recent ruling in Schroeder vs. Wilmington, which clarifies that the courts interpret the state legislatures laws regarding short-term rental properties as limited to zoning and code enforcement and that no municipal policy regarding short-term rentals can require or be intimately related to any form of registration of private properties that are being used for short-term rental purposes. If a municipality or county bases a policy on a registration requirement the courts would likely find that unlawful.

McKeller told the task force that this leaves local governments to explore adding definitions of allowed uses within zoning districts, which could include parking requirements, smoke detectors, fire extinguishers etc. or to issue special use permits to operators of STRs. These

permits could be capped in percentages of the overall housing stock and could be limited to a number of years, before they have to be reapplied for. The board to issue and enforce these permits would be the Board of Adjustments, McKeller said.

Subsequent discussion centered on concerns over possible challenges to enforcement, but the task force opted to further study possible policy even if enforcement cannot be perfect in every case. There is an assumption that most STR operators would want to run their STRs within legal constraints if such permits were required by city ordinance.

McKeller said that following the court's ruling in *Schroeder vs. Wilmington*, it is abundantly clear that any policy considered will need to have a strong basis in fact and seek to promote the health and safety of Brevard's residents and guests.

#### G. Sub-committee updates:

Task Force member Owen reported that the economic impact study of STRs in Transylvania County will likely be ready for review by the group's June meeting.

Task Force member Allen told the group that his company, which manages a large number of rentals in the city and county is seeing a reduction in rental nights. For example average number of nights for rentals in March of 2021 were 4.7 nights, but this past months rental nights have seen a reduction to 3.6 nights on average. Allen said he believes that a war, higher gas prices, children back in schools may be the reason that occupancy rates are trending down a bit. He said that some owners of rental properties may begin to look to convert to long-term rentals, if STRs become less popular in the tourism industry.

Annelise Hagedorn walked the task force members through the collection method she would like to employ for the STR survey the task force is working on. It would consist of mailing to 200 households in Brevard that would be selected to be a representative samples of the city. These selected households would receive a postcard with a unique password to access and answer the survey questions. After two weeks, participants who have not responded would receive a second postcard clarifying that we are following up. After another two weeks, task force members could make follow-up visits to survey homes that have not responded and offer paper copies and post-marked envelopes or offer help with tablets to respond to the survey. Once the survey is checked for representation of census demographic characteristics, the survey would be opened to the general public to solicit responses from residents at large. Hagedorn and Baker said the survey sub-committee will meet and hammer out the format of the survey, create the postcard, decide whether or not to employ an incentive, decide on sampling frame and generate a spreadsheet of each survey recipient. The committee will report back by the next meeting.

J. The task force will meet again, May 19, at 11 a.m. in city council chambers

**Adjourn**

There being no further business, Isaac Allen moved, seconded by Aaron Bland, to adjourn the meeting at 12:35. Motion carried unanimously.

Minutes Approved: None

X 

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Aaron Baker  
Chair, Council Member

X 

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Geraldine Dinkins  
Co-Chair, Council Member