

Buncombe County Short Term Rental Ad Hoc Committee
August 28, 2024
Minutes

The Buncombe County Short Term Rental Ad Hoc Committee met on August 28, 2024, at 200 College St., Asheville, NC 28801

Ad Hoc Committee members present were Commissioners Brownie Newman-Chairperson and Parker Sloan, Planning Board members Nancy Waldrop-Chairperson and Ken Kahn- Vice Chairperson, Andrea Golden, ME Gray, Angelica Cote, Matt Allen, Jay Gerlach, Kit Molina-Nauert, Candice Matelski-Brady, and Matt Lutz

Also, present were DK Wesley– Assistant County Manager, James Shelton, Angelica Tyler, Gillian Phillips, Haylee Madfis, Planning Staff, Nathan Pennington-Planning Director, Curt Euler, County Attorney, and Diana McCall, group facilitator.

I. Introduction and Welcome – (5:00 pm to 5:15 pm)

- Nathan Pennington gave brief welcome statement and introduced himself to the group.
- Diana McCall, the facilitator, asked the committee members to introduce themselves and give some background information about each member.

II. Agenda Review and Discussion of Purpose of Ad-Hoc Committee

- Matt Allen raised the concerns about the timeframe being too fast.
- Candice Matelski-Brady brought up the concern about the data that was used to come to the original regulations. She would like a map of the scope of the area (unincorporated Buncombe County).
- Matt Allen requested a presentation from a finance person.
- The group agreed to add data analysis to the agenda.
- The group agreed to the agenda with the additional time focused on data analysis.

III. By-Laws

- Discussion of by-laws
 - The committee member voiced their concerns and thoughts about the by-laws as they are written.
 - The group discussed housing affordability.
 - Minor edits were made to the by-laws
 - Adjusting the name of the document
 - Adding the commissioners as non-voting members
- Vote of by-laws
 - Nancy Waldrop made a motion to approve the by-laws.
 - Candice Matelski-Brady seconded the motion.
 - The motion passed unanimously.
- Vote on Chair/Vice Chair
 - Matt Lutz made a motion to appoint Matt Allen as the chair.
 - ME Gray suggested that it seems to earlier to choose these positions.
 - Curt Euler let the group know that they do not need a chair and vice chair.
 - Diana McCall made a motion that she as the facilitator be the chairperson.
 - Ken Kahn seconded the motion.
 - The motion passed unanimously.

- Kit Molina-Nauert made a motion to nominate Matt Allen as Vice Chair.
- Matt Lutz seconded the motion.
- Matt Allen accepted the nomination.
- Candince Matelski-Brady brings up concerns about the chairperson being the facilitator.
- Matt Lutz moves to reconsider the motion.
- Candice Matelski-Brady seconds the motion to reconsider the original motion.
- The motion passes unanimously.
- The group decided to table the discussion of appointing a chair and vice chair.

IV. Committee Agreements

- The group discussed the committee agreements and came up with the following list:
 1. Attitude of compromise
 2. Attitude of Civility
 - a. Respect
 - b. Let people finish
 - c. Don't talk over others
 - d. Courteous
 3. Attitude of public service
 - a. Centering the community
 4. No unofficial representation of the committee
 5. Our decision making is evidence based, community based, and innovative
- Matt Lutz asked if the recommendations from the STR Ad Hoc Committee would be considered by the Planning Board and the Board of Commissioners.
- Curt Euler explained that it is a legislative process and that the Planning Board does not have to follow the recommendations of the committee.
- Ken Kahn explained that the Planning Board would like to have the guidance from the committee.

V. Legal Constraints

- Curt Euler explained the case law on Short Term Rentals in North Carolina.
 - He explained the Schroeder case in Wilmington.
 - He explained the Iredale County case.
 - He explained what the zoning ordinance can cover.
- Commissioner Chairperson Newman asked if the current draft of the proposed text amendments is compliant with the Schroeder case. Nathan Pennington explained that it is compliant, but it is unclear if permits constitute a registry.
- There was a discussion about zoning permits and if they could be considered a registry.

VI. Review of Current STR Proposed Text Amendment

- ME Gray asked about the number of nights.
- The group went around and went over what is on the graphic.
- The group raised questions and discussed the current proposed text amendments.

VII. Closing and Discussion of Next Meeting

- James Shelton made the closing statements and summarized the list that the county needs to deliver to the committee:
 1. Time for a discussion of data.
 2. Zoning district explanation and maps of the zoning district in the county.
 3. Changes made to the by-laws.

- Curt Euler explained that the committee needs to follow public meetings law. This can happen in person and over email.
- Staff should facilitate the exchange of information for the group so that people can keep their personal emails out of public records law.

VIII. Adjournment

- The meeting adjourned at 7:02 PM