



**Village Council
Agenda for Work Session Meeting of September 24, 2024
Assembly Hall
395 Magnolia Road, Pinehurst, NC 28374
Pinehurst, North Carolina
4:30 PM**

1. Call to Order
2. General Business
 - A. Discussion on Potential Changes to the Village Nuisance Noise Ordinance
 - B. Discussion on Potential Changes to the Village Nuisance Lighting Ordinance
 - C. Discussion on Resident-Submitted Traffic Circle Alternative Ideas
 - D. Discussion on the Village Council Strategic Planning Process
3. Other Business
4. Motion to Adjourn

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement.



Discussion on Potential Changes to the Village Nuisance Noise Ordinance ADDITIONAL AGENDA DETAILS:

FROM: Doug Willardson, Village Manager
CC: Village Council;
DATE OF MEMO: 09/17/2024

MEMO DETAILS

I wanted to bring to your attention our ongoing work on an ordinance to address noise and lighting nuisances within the Village of Pinehurst. This initiative is still in the early stages, but I believe it's important to gather your input early in the process.

The proposed ordinance aims to amend Chapter 92 of our Municipal Code to better regulate sound levels and light pollution in residential neighborhoods. Key highlights include:

- **Noise Regulations:**
 - Establishes specific permissible noise levels instead of a threshold above the ambient noise level.
 - Sets specific noise limits for construction and vehicles, with allowances for emergency situations.
 - Introduces a complaint and enforcement process, including penalties for violations.

- **Lighting Regulations:**
 - Limits brightness from residential lighting to reduce glare and light trespass.
 - Requires motion-activated security lights and sets operational hours for residential lighting.
 - Outlines compliance measures and penalties for non-compliance.

After we gather your feedback, our staff will review your comments and consult with the Village attorney to refine the ordinance.

Thank you for your attention to this matter. I look forward to your thoughts.

ATTACHMENTS

1. DRAFT Ordinance 24-18 Amending Chapter 92 of the Municipal Code (3)

ORDINANCE #24-18:

AN ORDINANCE AMENDING CHAPTER 92 OF THE VILLAGE OF PINEHURST MUNICIPAL CODE REGARDING THE REGULATION OF SOUND LEVELS AND LIGHT POLLUTION IN RESIDENTIAL NEIGHBORHOODS.

WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

WHEREAS, on September 13, 2011, the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which established the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the "Village of Pinehurst, North Carolina Municipal Code"; and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, the Village of Pinehurst is committed to preserving the quality of life for its residents by managing and mitigating excessive noise that disrupts the peace and tranquility of the community. It is necessary to establish specific noise regulations to prevent disturbances and ensure a harmonious living environment; and

WHEREAS, the Village of Pinehurst aims to enhance the quality of life for its residents by managing residential lighting to prevent excessive glare and light pollution. It is necessary to set specific limits on residential lighting to protect the tranquility of our community and the enjoyment of private properties; and

WHEREAS, the Village Council has determined that it is in the best interest of the citizens of Pinehurst to amend Chapter 92, Sections 92.16 and 92.18 in the Pinehurst Municipal Code to further promote and protect quality of life in Pinehurst's various residential neighborhoods.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in Regular Meeting assembled this 24th day of September 2024 as follows:

SECTION 1. That the following amendments be made to Chapter 92:

**CHAPTER 92
POLLUTANTS AND NOISE CONTROL**

§ 92.16 REGULATING UNREASONABLY LOUD, DISTURBING SOUND LEVELS.

A. Definitions:

1. **Noise:** Any sound that is loud or disruptive enough to interfere with the normal activities of residents or to cause a disturbance.
2. **Nuisance Noise:** Noise that exceeds permissible levels as defined in this ordinance and that creates a disturbance or annoyance to neighboring properties.
3. **Decibel (dB):** A unit used to measure the intensity of sound.

B. General Noise Standards:

1. Permissible Noise Levels:

- Sustained noise levels shall not exceed 60 decibels (dB) during the hours of 7:00 AM to 10:00 PM and shall not exceed 50 decibels (dB) between 10:00 PM and 7:00 AM, as measured at the property line of the source of the noise. Sustained is defined as a continuous measurement over the threshold for at least ten seconds, or at least 15 instances of measurements over the threshold in a 60-second period.
- For construction or maintenance activities, permissible sustained noise levels shall not exceed 85 decibels (dB) at the construction/maintenance site boundary between 7:00 AM and 7:00 PM on weekdays, and between 8:00 AM and 5:00 PM on weekends. **Needed?**
- For the use of any automobile, motorcycle or vehicle permissible sustained noise levels shall not exceed **85 decibels (dB) at 25 feet** from the vehicle, or in a manner as to create unreasonably loud, disturbing sounds between the hours of **10:00 PM and 6:00 AM**.

C. Special Exceptions:

1. Emergency Exceptions:

- Noise resulting from emergency activities, including but not limited to police, fire, and medical emergency operations, is exempt from the provisions of this ordinance.
- Stand-by power generators in operation during periods of utility power outages and test periods.

2. **Permits for Special Events:** Public or private events requiring noise levels above the permitted limits must obtain a special event permit from the Village Council. The application must include a detailed noise management plan and a schedule of the event. Permits may be issued with specific conditions to mitigate potential disturbances.

D. Enforcement and Compliance:

1. **Inspection and Complaint Process:** The Village of Pinehurst may conduct inspections or investigations in response to noise complaints. Residents may file noise complaints with the Police Department's Non-Emergency Dispatch by calling 910-295-3141, which will assess and document the complaint.
2. **Penalties:** If determined to be in violation of this ordinance, **violators shall be issued a notice of civil infraction subject to a maximum penalty of \$500 and/or shall be guilty of a Class 3 misdemeanor and subject to a fine of \$100 or imprisonment not to exceed 30 days. Civil penalties will start at \$100 for the first infraction within a 24-month period and will escalate by \$100 for each subsequent**

infraction within a 24-month period up to the maximum of \$500. For penalty purposes each violation recorded and subsequently abated on any distinct enforcement officer visit shall constitute a separate offense (See G.S. § 14-4(a) and § 160A-175).

E. Exceptions and Variances:

1. **Exceptions:** Property owners may apply for a variance from the noise level limits by submitting a written request to the Village Council. The application must include a detailed explanation for the variance and any proposed measures to mitigate potential nuisance impacts. **How?**

§ 92.18 REGULATING LIGHT POLLUTION IN RESIDENTIAL NEIGHBORHOODS

A. Definitions:

1. **Residential Lighting:** Any lighting installed for residential purposes, including security lights, landscape lighting, decorative lights, and outdoor fixtures.
2. **Lumens:** A measure of the total amount of visible light emitted by a source.
3. **Foot-Candles:** A measure of light intensity falling on a surface area.
4. **Nuisance Lighting:** Lighting that creates excessive glare or light trespass, interfering with the quality of life of neighboring properties.
5. **Light Trespass:** Light that spills over from one property to another, creating discomfort or interference with the use and enjoyment of the neighboring property.
6. **Glare:** Excessive brightness that causes visual discomfort or impairs vision.

B. Lighting Standards:

1. **Brightness Limits:** Any residential lighting fixture emitting more than 900 lumens shall be fully shielded and directed to prevent light from spilling over into neighboring properties or the sky. This limit applies to the total output of the fixture, regardless of the number of bulbs or light sources.
2. **Foot-Candle Measurements:** The intensity of lighting at the property line of any neighboring property shall not exceed **1.0 foot-candles**. This measurement shall be taken at the property line of the neighboring property, not at the source of the lighting.
3. **Operational Hours:** Residential lighting above 500 lumens **at the source**, including security lights and decorative lights, shall be turned off between 10:00 PM and 6:00 AM unless meeting one of the following exceptions:
 - o Specifically needed for security purposes. Security lighting must be motion-activated by a motion sensor and aimed **or shielded** in such a manner as to prevent glare and light trespass. The light shall only go on when activated and go off within five minutes of activation. Motion sensor activated lighting shall not be triggered by any movement or activity located off the property on which the light is located.
4. **Fixture Height:** The height of any residential lighting fixture shall not exceed 2-stories from the ground to the light source. Fixtures shall be positioned and angled to minimize light trespass and glare.

C. Compliance and Enforcement:

- 1. Inspection and Complaints:** The Village of Pinehurst may conduct inspections in response to complaints about nuisance lighting. Property owners are required to grant access for inspections if requested by Village officials.
- 2. Notice of Violation:** Property owners found in violation of this ordinance will receive a written notice detailing the nature of the violation and a specified deadline for compliance. The property owner must remedy the violation within the timeframe given.
- 3. Penalties:** Non-compliance with this ordinance, following the issuance of a notice, will result in a fine of up to \$100 per violation per day. Continued violations may lead to additional legal actions or enforcement measures.

D. Exceptions and Variances:

- 1. Exceptions:** Property owners may apply for a variance by submitting a request to the Village Council. The application must include reasons for the variance and proposed measures to mitigate potential nuisance effects. **How?**

SECTION 2. If any provision of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

SECTION 3. This ordinance shall take effect on **[Insert Effective Date]**, and all residential lighting must comply with its provisions by **[Insert Compliance Date]**.

SECTION 4. That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of **adoption of this ordinance**.

SECTION 5. That this Ordinance shall be and remain in full force and effect from and after the date **of its adoption**.

Adopted this 24th day of September 2024.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Patrick Pizzella, Mayor

Attest:

Approved as to Form:

Shannon Konstantinou, Village Clerk

Michael J. Newman, Village Attorney



Discussion on Potential Changes to the Village Nuisance Lighting Ordinance
ADDITIONAL AGENDA DETAILS:

FROM: Doug Willardson, Village Manager
CC: Village Council;
DATE OF MEMO: 09/17/2024

MEMO DETAILS

ATTACHMENTS

None



Discussion on Resident-Submitted Traffic Circle Alternative Ideas
ADDITIONAL AGENDA DETAILS:

FROM: Doug Willardson, Village Manager
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DATE OF MEMO: 09/17/2024

MEMO DETAILS

ATTACHMENTS

None



Discussion on the Village Council Strategic Planning Process ADDITIONAL AGENDA DETAILS:

FROM: Doug Willardson, Village Manager
CC: Village Council;
DATE OF MEMO: 09/17/2024

MEMO DETAILS

Please see the attached memo.

ATTACHMENTS

1. Strategic Planning Process Overview Memo

Overview:

I am pleased to outline our proposed strategic planning process for the Village of Pinehurst. This new approach aims to enhance Council member input while providing ample opportunities for public participation throughout the development of our strategic operating plan (SOP).

Key Objectives:

- Reduce the number of in-person “retreat” meetings through focused work sessions.
 - Facilitate greater Council input into the strategic operating plan.
 - Engage the public early in the process to gather their insights and feedback.
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Proposed Schedule:**October 8th Work Session:**

- **Agenda:** Review State of the Village and Survey Data
- **Outcome:** Establish a foundational understanding of current conditions.

October 22nd Work Session:

- **Agenda:** Council brainstorm issues/projects for the next five-year SOP cycle.
- **Outcome:** Compile a list of topics for staff analysis.

November or December Retreat (suggested date December 3rd):

- **Agenda:**
 - Visioning—confirm mission, vision, values, and Balanced Scorecard (BSC).
 - Review each BSC strategic objective. Determine actionable budget/SOP inputs based on the discussion
- **Process:**
 - Staff summarizes strengths, opportunities, challenges, and outcomes for each BSC strategic objective.
 - Based on prior inputs and operating conditions, staff will suggest a course of action to address opportunities for improvement, if any.
 - Staff will provide decision points for the Council or we will determine what other information Council needs to make a decision.
- **Outcome:** Determine actionable budget/SOP inputs for each strategic objective as necessary

December 10th Work Session:

- **Agenda:**
 - Summarize outcomes of the retreat including any Initiatives and Action Plans (IAPs) for the next five-year SOP cycle.
 - Request public input on direction of SOP.
 - Present a five-year financial forecast based on retreat outcomes.
- **Outcome:** Consensus on direction of SOP before staff begins budget development.

January:

- Request public input on direction of the SOP from the NAC.
- Staff begins budget development.

February through March:

- Staff continues development of the SOP.

April:

- **Agenda:** Update Council on budget, estimated tax rate, and five-year forecast after departments have submitted budgets.
- **Outcome:** Opportunity for feedback prior to finalizing the plan.

May:

- **1st Meeting:** Present the SOP to the Council in a work session.
- **2nd Meeting:** Conduct a public hearing prior to adoption.

June:

- **1st Meeting:** Adopt the budget based on the finalized strategic plan.

Conclusion:

This streamlined approach not only aims to maximize efficiency and engagement but also ensures that all stakeholders—Council members and the public—have a meaningful opportunity to contribute to the strategic direction of the Village. I look forward to discussing this process further and receiving your feedback.