



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JULY 12, 2022
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a work session at 5:29 p.m., Tuesday, July 12, 2022, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance:

Mr. John C. Strickland, Mayor
Mr. Patrick Pizzella, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Jeffrey Morgan, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 17 attendees, including 4 staff and 1 press.

1. Call to Order.

Mayor John Strickland, called the Council work session to order.

2. Discuss Neighborhood QOL Survey Results.

Jeff Sanborn, Village Manager, and Matthew McKirahan, Organizational Performance Director, presented Council with the Neighborhood QOL Survey results. Mr. Sanborn stated the survey was based on Neighborhood quality of life questions and not centered completely on short-term rentals. He stated the survey was sent to residents through a post-card notification and everything we are contemplating with short-term rentals appears to follow the general statutes, yet as the Village Attorney, Mike Newman advised, there is still the possibility of a constitutional property rights, legal challenge to a zoning related decision that might come with this.

Mr. Sanborn stated a major concern surrounding any kind of surveying effort and maintaining statistical validity is to try to control biases and keeping those biases out of the process. He stated in all surveys there are varying degrees of different types of biases that have to be dealt with and you can never completely inoculate the process. He noted with this particular survey we were most concerned about the fact that short-term rentals are a hot-button issue in our community and people are lining up on one side or the other, having strong opinions about it. He stated, understanding this was important to how we devised our survey, surveying strategy and methodology. He stated first, we didn't label it as a short-term rental survey and instead titled it as a neighborhood quality of life survey. He noted secondly, we tried to advertise this effort so when people received the postcard in their mailbox, they wouldn't assume it was some sort of fraud or something. Mr. Sanborn stated, third, with regard to the construction of the survey, it was all about questions related to quality-of-life issues in our neighborhoods.

Mr. McKirahan reported ETC. Institute was contracted to conduct the Village's QOL Survey, which provided a link to 4000 residents (50% residences) to an online survey. He noted we received 401 responses that were verified and 4.8% is the margin of error as a result. Random sampling occurred which allowed equal opportunities to all residences. He noted that of the 372 single family residences that responded, 48% responded they were aware of 1, 2, or three or more short-term rentals close by. He noted 94% of residents rated their overall quality of life in Pinehurst as good or excellent. He further noted that of those who were in proximity of

short-term rentals rated their quality of life as 76% excellent, and 24% as good. He stated the numbers slightly shifted lower as the number of short-term rentals increased to 2 or more.

Mr. McKirahan stated some of the questions centered around placement of waste receptacles, noise levels, RV and boat storage, and parking in the right-of-way. He noted other categories where drug use, public intoxication, trespassing and prostitution, with all showing low levels of frequency of noted occurrence. He stated he will continue to evaluate and summarize the data received and present the final results to Council at the next work session.

3. Discuss NCDOT Traffic Circle Report.

Jeff Sanborn stated we placed this item on the agenda to allow for some follow up conversation on the presentation from the NCDOT on the traffic circle. He noted he spoke to Patrick Norman at Division Eight for some follow-up information pertaining to how they did their business, and how they did their modeling, focusing on the traffic projections. He stated, in reviewing the reports provided by the NCDOT, it appears the start point for collecting data was the Moore County Travel Demand Model that has been in place for quite some time, and they also relied on input from all the local jurisdiction planning departments with regard to what the current state of plans and zoning are. He stated they have relied on the state demographer's office and population growth trends and also land use information. He noted that if he is interpreting the data correctly, the count has increased coming to and from to 211 West End and to and from NC2.

Councilmember Morgan stated the traffic circle is 24 hours a day and we have high traffic periods in which we discussed. He noted there was an argument that was made in one of the emails that we received that stated, in low traffic times, it would actually increase the weights by using the methods that they were recommending, and such a tradeoff, that we're looking at that, and we should be cognizant of that. He stated we need to consider what is the best plan for overall utilization, not simply just at peak hours.

Councilmember Hogeman stated she feels they are using the traffic demand model, base year of 2010, which is the one which a couple years later got added in 2013. She stated it was anticipated that our western ETJ would be growing at the rate of one house per acre when it has actually zoned one house per five acres, and so she is concerned about that issue.

Council requested they would still like to receive more information on cost, data collection avenues, and a review on past options that may now be better options. Mayor Pro Tem Pizzella stated he prefers doing nothing rather than choosing one of the models proposed by NCDOT. Councilmember Morgan stressed that doing nothing is not the answer and he would rather come up with a solution that works.

4. Discuss Amendments to the Pinehurst Development Ordinance (PDO) to Address Short Term Rentals and Neighborhood Quality of Life Improvements.

Jeff Sanborn, Village Manager, and Darryn Burich, Planning and Inspections Director, presented council with some potential revisions to the Pinehurst Development Ordinance (PDO) for discussion regarding short-term rentals as well as residential neighborhood quality of life improvements. The areas of the PDO addressed in the presentation included provisions for permit revocation, table of permitted uses, special requirements for permitted uses, and definitions.

Mr. Burich presented council with a revised table of permitted uses where short-term rentals were added as a lodging type of use. He noted homestay was added as well. He reviewed the standards that should be focused on in order to potentially issue a development permit. He listed some of these as only 2 adults per bedroom; issues on front yard parking; the requirement of one carbon monoxide detector; minimum light and ventilation requirements; minimum bedroom size requirements; ceiling heights; cooking facility rules; and what permit revoking would entail.

Mr. Burich stated that for non-conforming units, they would look at requiring full compliance by July 1, 2023, and he noted this is just a suggested date. Councilmember Morgan stated that before we begin deciding on what zones short-term rentals will be banned from, we look at the survey results and wait until we have all the conclusions on data. He stated it is worthwhile to have Mike Newman review the survey data and information and receive feedback from him before making decisions.

Mayor Pro Tem Pizzella stated he wants short term rentals because it is a legitimate business and should be regulated as a business and not be in residential neighborhoods. Councilmember Boesch expressed her concern that the wrong choices will lead to legal issues and constitutional violations, as well as a detrimental affect on the golf industry.

Council discussed amortization, number of tenants per room, and dealing with non-conformities. Mr. Burich stated he will continue to work to refine the amendments based on Council suggestions.

5. Other Work Session Business

No other work session business was discussed.

6. Potential Future Agenda Items

No potential future agenda items were discussed.

7. Motion to Adjourn.

Upon a motion by Councilmember Morgan, seconded by Councilmember Boesch Council unanimously approved to adjourn the work session, by a vote 5-0, at 9:06 p.m.

Respectfully Submitted,



Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

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