



**VILLAGE COUNCIL
AGENDA FOR WORK SESSION OF MAY 10, 2022
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

1. Call to Order.
2. Short-term Rental Policy Update
3. Other Work Session Business.
4. Potential Future Agenda Items.
5. Motion to Recess the Work Session and Enter a Closed Session
6. Closed Session

Council will hold a closed session pursuant to NCGS §143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and pursuant to NCGS §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

7. Motion to Adjourn the Closed Session and Re-Enter the Work Session
8. Adjournment.

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.



**SHORT-TERM RENTAL POLICY UPDATE
ADDITIONAL AGENDA DETAILS:**

FROM:

Jeff Sanborn

CC:

Council Members

DATE OF MEMO:

5/3/2022

MEMO DETAILS:

This item will be a continuation of discussion on short-term rentals.

ATTACHMENTS:

Description

- ▣ Short Term Rental Matrix
- ▣ Local Bill Draft - 5.10.2022

Policy Objectives and Indicators of Success:

1. Traditional neighborhoods retain their character and remain predominantly occupied by long-term residents.
2. Short term rental uses do not adversely impact property values in our neighborhoods.
3. Short term rental properties are not used as ‘party houses’ or for large events. Or short-term rental properties do not create nuisances in the neighborhood by being used frequently for events and parties.
4. Minimize the negative impact of short-term rentals on the quality of life of long-term residents in the Village’s neighborhoods.
5. Short term rental properties should not have occupancy numbers that exceed what is appropriate for the size of the house and parking spaces included on the property.
6. Overnight parking for short term rental properties does not significantly congest residential streets.
7. Short-term rental properties are not modified in ways that make them difficult to transition back for use as traditional owner-occupied residential properties.
8. Minimize public nuisance behaviors such as noise and trash that are often associated with short-term rentals without creating significant additional work for police and code enforcement staff.
9. Help to ensure health and safety of the occupants of short-term rental units.
10. To the extent possible, regulation of short term rentals is accomplished thru standards that apply to the whole Village understanding that some regulations will apply only to short term rental uses.
11. Reduce tensions between short-term rental property owners and their neighbors.

	PDO Amendment Options				
	Measure	Pros	Cons	Indicate Preferred Option with an "X"	Objective #'s
1	Land Use Definition Define STRs as "whole house" as less than 30 days of consecutive rental. Consider creating an annual 14 day grace period to allow STR uses.	Establishes land use type which would allow for enforcement and the ability to prohibit and allow in various districts.	Enforceability without a permit requirement.		1,10,11
2	Land Use Allow in all zoning districts where single family residential dwelling units are allowed with enhanced standards and regulations (e.g. parking, occupancy limits, etc.).	Does not single out one residential district over another	Allows potential concentration of STRs.		2,3,4,5,6,9,10,11
3	Land Use Prohibit in all residential single family districts.	Applies uniformly.	Enforceability likely an issue without a permit requirement or amortization. Some residential areas may be more suitable for STRs.		1,10,11
4	Land Use Allow in all or specified SF residential districts.	Can better manage where new STRs can locate instead of blanket allowance in all SF districts.	Could allow for concentration in certain districts. How to determine which SF residential districts to permit or prohibit?		1,10,11

5	Land Use Create floating overlay districts where STRs can locate.	Can better manage where new STRs can locate instead of blanket allowance in all SF districts. Could be property owner and neighborhood driven.	Allows for concentration. Could potentially lead to spot zoning concerns. Fairness for similar base zoning districts.		1,10,11
6	Enforcement ROW Parking Overnight Parking: Blanket prohibition overnight parking in all zoning districts.	Uniformity and enforceability.	There may be areas where overnight parking can be accommodated without interfering with operation of the street due to street design. Additional sign clutter.		2,6,11
7	Enforcement ROW Parking Prohibit parking by area, neighborhood, or zoning district.	Can target areas of need or concern individually. Can allow in areas that meet necessary criteria for ROW parking.	Can be subjective and pit property owners versus property owners. Additional sign clutter.		2,6,11
8	Enforcement Violation/Fines Create a tiered and multi violator code enforcement system that escalates per property for violations within a rolling calendar year. Create policy when to elevate collection of fines to civil proceedings.	Targets problem properties. Targets all types of violations not just STR related. Creates disincentive to continually violate codes. May reduce violations and administrative costs.	Some may view as being too harsh. Administrative costs. Village can only retain 10% of collected monies so the costs may exceed collections.		2,8

9	Design Standard Required Parking Spaces Require 1 parking space per bedroom.	Objective Standard. Enforceability.	May have to add more parking on site and create more impervious area. Enforceability without a permit requirement.		2,6,11
10	Design Standard Occupancy Limits Maximum occupancy of 2 adults per bedroom.	Objective Standard. Enforceability.	Enforceability without a permit.		2,5,9,11
11	Design Standard Safety Standards Smoke and carbon monoxide detectors.	Relatively easy standard to implement and already required for most residential occupancies.	Enforceability without an inspection, registration or permit requirement.		2,9
12	Design Standard Safety Standards Proper exits and other safety requirements	Relatively easy standard to implement and already required for most residential occupancies.	Enforceability without an inspection, registration or permission requirement.		2,9
13	Design Standard Post owner/manager contact information in unit with other regulations (e.g. parking, trash, noise, etc.)	Relatively easy standard to draft.	Enforceability without an inspection requirement.		2,11
14	Policy/Educational Good Neighbor Guide. Create guide and send to neighbors and require posting in unit.	Relatively easy low cost measure that could lessen tensions between neighbors.	Difficult to do without a permit requirement and information contained therein.		2,4,6,8,10,11
15	Policy/Educational Subscription service hotline where nuisances can be reported to service that will contact STR designated representative.	Would take pressure off of Village staff to deal with nuisance flare ups such as noise and parking.	Costly and difficult to do without permit requirement.		2,4,6,8,10,11

16	Policy/Educational Develop voluntary registration program.	Non regulatory	How to incentivize participation into the registration program?		2,5,6,8,10,11
17	Nuisance Adopt unruly gathering/party house ordinance (example, Los Angeles, Stonecrest, GA	Would apply to all properties.	Enforcement. Application to non-ticketed or compensated events.		4,5,11
18	Design Standard Parking Location Prohibit parking in front yard unless on approved spaces and location Control location of surface parking areas.	Enforceability.	May increase amount of impervious area on site. May increase right of way parking without ROW parking prohibition. Will apply uniformly to all residential properties.		6,7

AN ACT TO CLARIFY MUNICIPAL ZONING AUTHORITY WITH RESPECT TO VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES

The General Assembly of North Carolina enacts:

SECTION 1. Article 7 of Chapter 160D of the General Statutes is amended by adding a new section to read:

“160D-707. Zoning regulations for residential vacation rental or other transient occupancy.

- (a) A city may, by ordinance, establish and enforce zoning regulations for residential dwellings occupied on a vacation rental or other transient occupancy basis. These zoning regulations may include any of the following:
 - (1) Definition(s) of vacation rental or other transient occupancy uses to be regulated.
 - (2) Require zoning permits.
 - (3) Regulating which zones within the municipality’s zoning authority vacation rental or other transient occupancy uses are permitted in.
 - (4) Regulation of nonconformities in all ways permissible for other uses.
 - (5) Limitations on occupancy.
 - (6) Regulation of parking.
 - (7) Regulation of signage.
- (b) This list of regulatory authorities in 160D-707, above, does not preclude the use of any other existing zoning authorities that municipalities have with regard to uses, consistent with Article 7, of this Chapter.
- (c) For the purposes of this section, the phrase “vacation rental or other transient occupancy” means an occupancy intended to be temporary or that is offered or available by short-term lease or otherwise for a time period or lease term of less than 90 days in a residential dwelling unit. An owner of a residential dwelling unit may allow short-term occupancy by another for up to two weeks per calendar year without it being considered a vacation rental or other transient occupancy”

SECTION 2. This act applies to the Village of Pinehurst only.

SECTION 3. This act is effective when it becomes law. Nothing in this act shall be construed to affect or repeal any ordinance that was adopted under a city’s general police powers or zoning authority prior to the enactment of this act.

In the General Assembly read three times and ratified this XXth day of XXXX, 2022.