VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF FEBRUARY 23, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA

IMMEDIATLEY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a work session at 6:00 p.m., Tuesday, February 23, 2021, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina and via the electronic meeting platform ZOOM. The meeting was streamed in real time on the Village's website.

The follow were in remote attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey Sanborn, Village Manager

The following were in attendance in Assembly Hall:

Ms. Beth Dunn, Village Clerk

And approximately 4 attendee, including 4 staff.

1. **Call to Order.**
   Mayor John Strickland, called the Council work session to order.

2. **Discuss Draft Tree Preservation Ordinance.**
   Mayor Strickland explained they will discuss the mechanics and the history of the proposed ordinance and also noted a public hearing is scheduled for March 9, 2021. Darryn Burich, Planning and Inspections Director, reviewed the language in the original Land Use Policy adopted on July 16, 1981 which spoke to preservation of environmental and aesthetic character of Pinehurst. Mr. Burich explained the proposed ordinance is a development standard to promote preservation of the Village's tree canopy through enhancing current development standards pertaining to development. Mr. Burich explained the benefits to preserving trees and noted there are current tree landscaping requirements for the number of trees required on a lot but no requirement for the placement of the trees. Mr. Burich explained that in the Comprehensive Plans dating back to 1995, there have been references to the goal of tree preservation. The purpose and intent of the proposed ordinance is to preserve trees along the outer perimeter of parcels of land such that buffer years are retained/created to reduce visual effects and the impacts of traffic, noise, dust, and odor as well as to protect the privacy of neighbors. The objective of the proposal is to enhance the current landscaping/buffering requirements within the Pinehurst Development Ordinance (PDO) in line with the recently adopted 2019 Comprehensive Plan, create buffer yards that are triggered when development permit comes into play, mass clear cutting of lots prior to approval of any proposed development (clear cutting may still occur), and updates standards for single-family development.

   Mr. Burich stated the approach is to create an objective review standard based on calculating tree requirements based on 4 different yards of a lot, front, 2 sides, and rear. Linear footage of the yards will be calculated to generate a total number of trees. A tree planting credit is given to account for existing trees based on yard proximity and a 20' credit will be given for a driveway. Mr. Burich explained in order to incentivize protection and keeping of the existing, mature vegetation, the proposed ordinance allows

for an applicant to receive credit for the required number of plantings for existing trees greater than 12" diameter at breast height(DBH) and credit will be further given for any trees preserved that are greater than 16" DBH at a rate for 1 tree for every 4' DBH. Existing Developed lots planting requirements currently in place at the time of the development approval will apply.

Mr. Burich explained that the proposed ordinance will create a new section, in 9.5, specially to address clearing and grading vacant lots. A clearing a grading permit will be required when there is no active application for a development permit as required by the PDO. The requirements of the information to be provided includes a tree survey, proposed construction entrance and how the required standards will be met, with new plantings or credit fir preserving existing trees within the required buffer yards. Administrative modifications are proposed to prevent applicants from having to go before the Board of Adjustment all the time.

Alex Cameron, Senior Planner, reviewed types of administrative modifications and noted that with administrative modifications they have to be objective. Mr. Cameron shared a few examples of site plans to show how the proposed ordinance would work. Mayor Strickland asked what a tree would be defined as, as to type and size. Mayor Pro Tem Davis stated tree is defined as protected trees, 8 inches or greater, and specimen trees, 24 inches or greater. Mr. Burich stated there is preference given to certain types of trees. Mayor Pro Tem Davis asked if trees is in right-of-way get any credit. Mr. Cameron stated currently no credit is given for trees in the right-of-way. Mayor Pro Tem Davis stated she has concerns with right-of-ways trees not being included and she would possibly extend the front area to 1 tree per 20 feet. Mr. Burich stated that it could be changed to 1 in 20 feet for the front, as this ordinance was just a starting point. Councilmember Drum noted that there are administrative modifications allowed in certain cases when some one-off issues arise.

Councilmember Hogeman asked how this ordinance would apply to commercial properties. Kathy Liles, Planner, stated they didn't change the commercial standards. Councilmember Hogeman asked how this would apply to corner lots. Ms. Liles stated she would get a diagram together to show that scenario. Mayor Strickland stated that Council will continue to study this proposed ordinance and the Public Hearing will be held on March 9th at 4:30 p.m.

3. **Other Work Session Business.**
   - Mayor Strickland stated he would like Council to discuss the Moore County Occupancy Tax. Jeff Sanborn, Village Manager, stated Aberdeen and Southern Pines retain a resolve for some type of sharing methodology. Mr. Sanborn stated they ran a couple case studies on varying methods of distribution. Mr. Sanborn noted that municipalities would have to come up with a list of acceptable expenses to spend the occupancy revenue on, that the CVB would endorse. Mayor Strickland asked if the CVB would even be allowed to give municipalities the 1% to share. Mr. Sanborn stated that the Village Attorney believes it is legal according to the language in the statute. Councilmember Drum said he is concerned with entitlements for the funding. Mr. Sanborn stated it is reasonable to expect the County Commissioner's to approve what the CVB wants, which means they will take 2% and put in a fund, in which they will control. Mr. Sanborn stated that he asked the CVB would it be possible to have participation in decision making group for tourism projects funded and they stated they are open to representation but would still maintain control.
   - Council received a request from Partners in Progress to send a letter of support for the Carthage Innovation Center project to receive a grant from the Economic Development Authority. The space would be for businesses to share a collaborative space to conduct business. Council came to a consensus to send a letter of support.
   - Mayor Strickland noted the joint Planning and Zoning Board and the Small Areas plans went well last week.

4. **Potential Future Agenda Items.**
   - Councilmember Hogeman stated that there are local traffic circulation issues in the Village. She suggested using the existing traffic engineer for the Small Area Plan to look at other circulation issues outside of the focus areas. Mr. Sanborn stated that we would need to enter into a separate contact with the engineer, as they are just a subcontractor for Design Collective.

5. **Motion to Adjourn.**
   Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to adjourn the work session, by a vote 5-0, at 8:07 p.m.

Respectfully Submitted,

Beth Dunn

Beth Dunn,
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