



Village Council
Agenda for Work Session of February 24, 2026
Assembly Hall
395 Magnolia Road, Pinehurst, NC 28374
Pinehurst, North Carolina
4:30 PM

1. Call to Order
2. General Business
 - A. Discussion on 'Family Care Homes' and Their Regulatory Framework
 - B. Library Construction Update
3. 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 'Family Care Homes' and Their Regulatory Framework ADDITIONAL AGENDA DETAILS:

FROM: Doug Willardson, Village Manager
CC: Village Council;
DATE OF MEMO: 02/18/2026

MEMO DETAILS

Overview

Aegis Home Care and Care Management, a locally owned geriatric care provider with offices in Southern Pines and Chapel Hill, is opening a licensed Family Care Home (FCH) in Pinehurst. While this particular location has generated neighborhood interest, the broader policy issue for Council is the Village's limited authority to regulate Family Care Homes under North Carolina law.

This memo outlines the regulatory framework and clarifies what the Village can and cannot regulate.

What Is a Family Care Home?

Family Care Homes are small, state-licensed assisted living residences serving aging or disabled adults who can no longer live independently. They are regulated and inspected by the North Carolina Department of Health and Human Services (NCDHHS), with additional oversight from the county Department of Social Services.

There are approximately 2,000 Family Care Homes operating across North Carolina. They are designed as an alternative to larger institutional assisted living facilities and are typically located within conventional residential neighborhoods.

State Law and Local Zoning Authority

North Carolina law expressly authorizes and protects Family Care Homes as a residential land use.

Key statutory provisions include:

- **G.S. Chapter 131D** – Establishes the licensing and operational framework for adult care homes and family care homes.
- **10A NCAC 13G** – Sets forth detailed administrative rules governing staffing, safety, health standards, and inspections.
- **G.S. § 160D-907** – Requires that Family Care Homes serving six or fewer residents be treated as a residential use of property and be permitted in all residential zoning districts.

Under G.S. § 160D-907, local governments may not exclude Family Care Homes from residential districts through zoning. In practical terms, this means:

- The Village cannot prohibit them in residential neighborhoods.

- The Village cannot require a special use permit simply because it is a Family Care Home.
- The Village cannot impose spacing requirements beyond what state law allows (state law requires at least ½ mile separation between licensed facilities, measured by map distance).

Operational standards, resident eligibility, staffing levels, inspections, and quality-of-care issues are all governed by the State, not the Village.

What the Village Can Regulate

The Village retains only its traditional, neutral local regulatory authority, including:

- Building permits and inspections for renovations.
- Fire code compliance.
- General property maintenance standards.
- Nuisance enforcement, if applicable.
- Traffic enforcement and parking enforcement under generally applicable rules.

We cannot regulate based on the population served or the medical nature of the use. Any attempt to do so would likely conflict with state law and federal fair housing protections.

Practical Implications

Because Family Care Homes are legally defined as a residential use, they function in zoning terms much like a conventional single-family dwelling. The fact that the home provides licensed assisted living services does not convert it into a commercial or institutional use under North Carolina zoning law.

If residents raise concerns about the presence of a Family Care Home in their neighborhood, it is important to be clear that:

1. The use is lawful under state law.
2. The Village does not have discretion to deny or prohibit it.
3. Oversight of operations rests with state regulators, not the Village.

Process

The process for establishing these is typically as follows:

- Applicant files a letter of intent
- Applicant submits and receives a zoning certification/verification to the local jurisdiction
- Applicant receives a license from the NCDHHS
- Applicant submits and receives a zoning use permit (Inspectors conduct an inspection to make sure the home is compliant with special requirements and ADA rules)

Conclusion

Family Care Homes are a state-authorized and state-regulated form of assisted living. North Carolina law significantly limits municipal authority to restrict or regulate them through zoning.

While new or unfamiliar uses in residential neighborhoods can generate questions, the Village's role is largely administrative and code-based, not discretionary. Any operational concerns would be directed to NCDHHS or the county Department of Social Services, which are responsible for licensing and oversight.

ATTACHMENTS

None



**Library Construction Update
ADDITIONAL AGENDA DETAILS:**

FROM: Doug Willardson, Village Manager
CC: Village Council;
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MEMO DETAILS

Assistant Village Manager, Carlton Cole, will provide a brief update on the library construction project.

ATTACHMENTS

None