



**VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF OCTOBER 26, 2022
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

The Pinehurst Village Council held a special meeting at 8:00 a.m., Wednesday, October 26, 2022, in the Assembly Hall, 395 Magnolia Road, Pinehurst, North Carolina. The meeting was video recorded for future reference.

The following were in attendance in Assembly Hall:

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

Also in attendance were approximately 33 attendees, including 4 staff and 1 press.

1. Call to Order.

Mayor John Strickland, called the Council special meeting to order.

2. Motion to Recess the Special Meeting and Enter into Public Hearing No. 1.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Hogeman, Council unanimously approved to recess the Special Meeting and enter Public Hearing No. 1 Amendments to the PDO – Section 2 Administrative Rules; Nonconformities, by a vote of 5-0.

3. Public Hearing – Amendments to the PDO – Section 2 Administrative Rules: Nonconformities

Darryn Burich, Planning and Inspections Director reported the public hearing was called to accept comments on proposed changes to Chapter 2 Administrative Rules; Nonconformities of the Pinehurst Development Ordinance (PDO). The targeted changes proposed were for subsection 2.3.2, rules governing Nonconforming uses. The proposed changes governing nonconforming uses were developed as part of comments received at previous public hearings and meetings regarding proposed PDO changes to implement regulations pertaining to short-term rentals, permit revocation before the Planning and Zoning Board and the Village Council.

Mr. Burich reported the proposed rules would renumber and recodify existing subsections while also adding new provisions relative to the creation and issuance of optional nonconforming use certificates and cessation of use for lawful nonconforming uses and were identified for Council by red font and underlined in an attached exhibit. The proposed rules to be adopted as part of Ordinance #22-15 would implement regulations pertaining to short-term rentals and permit revocation.

Councilmembers discussed the effective date of the proposed Nonconforming Use Certificate, proposed regulation, and enforcement, how this compared to court findings in the Wilmington Case. Community members commenting during the Public Hearing expressed concerns for and in opposition to the proposed requirement and arguments were made regarding property rights vs. quality of life. CCNC representatives noted their concern and expressed they would like to have noted their current system works well and thus hopes for consideration for their community and others like them to not be subject to the proposed changes.

4. Motion to Adjourn Public Hearing No. 1 and Re-enter the Special Meeting

Upon a motion by Councilmember Hogeman, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to adjourn the Public Hearing and re-enter the Special Meeting by a vote of 5-0.

5. Discuss and Consider Ordinance #22-15 Amending the Pinehurst Development Ordinance

Mayor John Strickland stated Council acknowledges this has been an issue around the Village for several years. He noted the Village Attorney has been actively involved in all discussions around short-term rentals and finding a solution to the issue. He stated the proposed Ordinance does not ban short-term rentals in the Village of Pinehurst, but prohibits the creation of new ones, except in the designated zones Council feels they are appropriate in.

Councilmember Morgan stated the ordinance is going the wrong direction and will ultimately hurt Pinehurst. Councilmember Hogeman stated she is strongly in support of the ordinance and feels the steps taken are lawful. Councilmember Boesch stated she is in opposition to the ordinance as no strong data has been given to support the action and in contrary, the Village's own Quality of Life Survey has shown the problem is extremely minimal. She noted her agreement with Councilmember Morgan in that the best solution is to address the specific behavior problems of a very minute group of Rental owners. Mayor Pro Tem Pizzella stated his support of the ordinance and wants to see the issue by CCNC's unique situation addressed soon.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Hogeman, Council voted to approve Ordinance #22-15, amending the Village of Pinehurst Development Ordinance to address short-term rentals, Homestays, and Permit Revocation, by a vote of 3-2, with Councilmember Morgan and Councilmember Boesch casting no votes.

6. Motion to Recess the Special Meeting and enter a Closed Session

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to recess the Special Meeting and enter a Closed Session at 9:58 a.m., by a vote of 5-0.

7. Closed Session

Pursuant to NCGS §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee: or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

8. Motion to Adjourn the Closed Session and Re-Enter the Special Meeting

Upon a motion by Councilmember Hogeman, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to adjourn the Closed Session and re-enter the Special Meeting, by a vote of 5-0.

9. Motion to Adjourn

Upon a motion by Councilmember Hogeman, seconded by Councilmember Morgan, Council unanimously approved to adjourn the special meeting, by a vote of 5-0, at 10.33 a.m., by a vote of 5-0.

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