



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Darryn Burich, Planning & Inspections Director
Alex Cameron, Planning Supervisor
Date: August 22, 2022
Subject: **Proposed Text Amendments to the Pinehurst Development Ordinance (PDO) to address Short Term Rentals and permit revocation. The amendments are to the following sections:**
Section 4 Public Hearings, Permits and Approvals
Section 8.5 Table of Permitted and Special Uses and Special Requirements
Section 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements
Section 10.2 Definitions

Text Amendment Process

Pursuant to Section 6 of the Pinehurst Development Ordinance (PDO) and Article 6 of North Carolina General Statute Chapter 160D, zoning ordinances or development regulations may be adopted, amended or repealed. The purpose of initiating changes to the text of the zoning ordinances are to make adjustments to the text of the development regulations that are necessary in light of changed conditions, adopted plans or changes in public policy, or that are necessary to advance the general welfare of the Village and are in furtherance of Section 1.2 of the PDO (Statement and Intent of This Ordinance).

Prior to considering action on these items, the proposed amendments shall be referred to the local planning board (Planning and Zoning Board) for review, comment and to forward a recommendation on the proposal, which is an *advisory* recommendation only.

Legislative public hearings are held for each the planning board and governing board review and consideration of the proposed zoning ordinance. Both boards shall also consider the currently adopted Comprehensive Plan and comment on whether the proposed action is consistent with the plan.

An amendment to the text of the PDO may only be initiated by the Village Council, Planning and Zoning Board, or by anyone who owns property or resides in the jurisdiction of this Ordinance or their agent, lessee, or any contract purchaser specifically authorized by all of the owners to file such application for such amendment, or any owner of a legal equitable interest in land located in the jurisdiction

Background on the Proposed Amendments

For the past several months, staff has been working at Council's direction to develop regulations pertaining to the use of dwelling units for short term rental (STR) purpose. Council's interest was, in part, responding to a number of citizen voiced concerns about an unregulated land use (short term rentals) and its impact on the quality of life within neighborhoods and especially within single family neighborhoods. Concerns about noise, trash, parking, and unruly guests have frequently been raised as common issues coupled with an overriding concern that short term rental uses as a transient lodging type use impact the integrity and fabric of the single family neighborhood. Moreover, concern has been raised about increasing numbers of single family homes transitioning to short term rentals, especially within the last 2-3 years, displacing persons wishing to live within the community and making homes less affordable, or creating concentrations of STRs in single family zoned neighborhoods.

Currently there are no regulations within the PDO that address the use of dwelling units as short term or long term rentals. From a Pinehurst Development Ordinance (PDO) standpoint, a house being used for a short term rental, is the same as a house being used for a long term rental. This is due in large part because there is not a current definition in the PDO of what defines a short term rental land use. Part of the definition issue is that the PDO currently defines a **dwelling** as "a building that contains one or more dwelling units used, intended, or designed to be used, rented, leased, let or hired out to be occupied for living purposes. The ordinance does not further require an occupant to establish occupancy nor identify a minimum time that a unit has to be rented or leased for living.

In order to best regulate land uses, the land use has to be defined in the ordinance and then the land use can be classified as a permitted or special use within any of the general use zoning districts. Defining the land use also provides the ability to create specific development standards for that land use.

The approach to addressing short term rentals has followed two paths; Municipal Code Neighborhood Quality of Life amendments and PDO amendments. The first path has included various amendments to the Pinehurst Municipal Code (e.g. overnight parking, unruly gatherings, etc.) that would apply to both STRs as well as traditional single family uses involving longer

periods of occupancy (Ordinance # 22-08 and included in Novus Agenda for this item). The second path involves amendments to the Pinehurst Development Ordinance (PDO) that will define STRs as a land use, establish where they may be permitted, and developing various standards to applicable to the land use through approval of a Development Permit. A development permit is the controlling form of approval for use of land within the Village.

These proposed regulations generally include:

1. Defining short term rentals and homestays as land uses that would be added to Section 10 Definitions in the PDO. Creating the land use definition will then allow for regulatory control within the Village's General Use Districts (e.g. R-10, R30, VMU, RMF, etc.).
2. Establishing various regulatory standards or special requirements (SR-9) that a STR would have to comply with in order to obtain a development permit to establish the land use. Please see Section 8.6 of the PDO for more information regarding special requirements.
3. Designating STRs and Homestays as land uses that may be Permitted by Right in various General Use District on Table 8.51a of the PDO.
4. Requiring new STRs created after the effective date of the ordinance obtain a development permit to establish the land use in districts where they are permitted by right.
5. Requiring that existing STRs within various zoning districts designated as Permitted by Right be required to obtain a development permit to establish the land use and come into compliance with the SR-9 or cease operations as a short term rental use by a certain date.
6. Requiring that existing STRs within various zoning districts not designated as Permitted by Right to cease operating as a short term rental use by a certain date.
7. Creating a process to revoke development permits for violations that would apply to any development permit issued not just STRs. Revocation is permitted by G.S. 160D-403(f).

Proposed PDO Amendments

The proposed amendments would affect the following sections of the PDO:

- Section 4 Public Hearings, Permits and Approvals
 - Amendments to this section would create the development permit revocation process.
- Section 8.5 Table of Permitted and Special Uses and Special Requirement
 - Amendments to this section would add “short term rental” and “homestay” to the “Uses Type” column within the Table 8.5.1a. This would then allow for those uses to be designated with an “X” denoting that it would be “Permitted by Right” within the various general use zoning districts.
- Section 8.6 Special Requirement (SR) to the Table of Permitted and Special Uses and Special Requirements
 - An amendment to this section would create SR-9 that would establish standards for short term rentals
- Section 10.2 Definitions
 - This would define Short Term Rental and Homestay within the PDO and provide for regulating the land uses as part of Chapter 8 Zoning.

Chapter 10 Village of Pinehurst Ordinance Definitions

- **Section 10.2 Definitions**
 - **Short Term Rental**
 - **Homestay**

Staff is proposing two additional land use definitions in Chapter 10 that will allow for regulation of the land uses similar to regulation of other land uses in the Village’s jurisdiction. By creating the land use definition subsequent requirements for development approvals can be developed and said rules can be enforced and potentially revoked for violations.

The two definitions are similar to definitions found in other North Carolina communities and across the nation so the names and definitions are not unique and staff feels they do a relatively good job of identifying and differentiating the uses. The major difference between the two is that the STR involves use of the dwelling unit while the owner is not present on the property during the duration of the rental use versus a Homestay where the property owner is present on the property. Homestay was added as a definition to create a distinction between the land uses as the concerns raised have generally centered around STRs, which may not have the same level of direct management that a Homestay has.

Short Term Rental: a whole house lodging occupancy where a dwelling unit is offered or made available by short-term lease or other financial consideration for a time period or lease term of less than 30 consecutive days for a cumulative total of more than 14 days in any calendar year. Short term rentals do not include the other defined lodging uses identified on Table 8.5.1a of the Table of Permitted and Special Uses and Special Requirements.

Homestay is the rental of a habitable room or rooms within a dwelling unit or attached accessory dwelling unit made available by short-term lease or other financial consideration for a period of less than 30 consecutive days while the full-time resident resides on-site during the duration of the rental period.

Chapter 8 Zoning

- **Section 8.5 Table of Permitted and Special Uses and Special Requirements**
 - **8.5.1a Table of Permitted and Special Uses and Special Requirements**

Chapter 8 of the PDO establishes the various general use zoning districts (e.g. R-10, R-30, VMU, VC, etc.) and Table 8.5.1a identifies which types of uses are permitted by right in the district by general land use (e.g. Residential, Lodging, Office/Service, etc.). Once listed in the table with an “X” that would designate that use as “Permitted by Right” and a development permit may be obtained subject to meeting ordinance requirements. The table below identifies the general use type (Lodging) that an STR is proposed to be included in as it is similar to the other transient lodging uses such as Bed and Breakfast Homes and Hotels. The table also includes a SR (Special Requirement) that would pertain to the use. For STRs, staff has proposed creating SR-9, which will be discussed in more detail in the following sections of this memo (proposed SR-9 would relocate existing SR-9 to SR-21).

Relative to the Homestay use, staff is proposing to add that to the Accessory Uses section of table 8.5.1a. Per Section 10.2 of the PDO, an accessory use is defined as a use on the same lot as, and of a nature customarily incidental and subordinate to the principal use, structure, or building on the property.

The proposed “X’s” placed on the table have been recommended by Council based on several work sessions. As currently proposed, the only districts where STRs would be Permitted by Right would be R-MF (Multiple Family), VMU (Village Mixed-Use), and VC (Village Commercial). The proposed “?’s” are those districts where Council has specifically requested a recommendation by the Planning and Zoning Board with respect to whether the Board feels those uses are appropriate in those districts. An additional consideration, suggested by Council could be to add a SR requirement to the Homestay use such as proposed SR-9.

The districts recommended by Council are generally those that would not be predominantly single family in nature and may be more suited for STR use such as the R-MF district which includes the 1970s condos developed along the golf courses. The VMU and VC districts permit mixed use development that could include residential over commercial.

Four zoning districts not proposed for inclusion but may warrant additional consideration. Neighborhood Commercial (NC) and Office and Professional also permit mixed use development. Village Cottage Professional (VCP) and Village Residential (VR) permit stand-alone multiple family dwellings and townhouses. Please see the attached *Table 1* at the end of

this memo that identifies the various residential and lodging uses permitted in the various zoning districts.

LODGING	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	OP	VCP	VR	VMU	VC	SR
Bed and Breakfast Homes			X,SR									X,SR			X,SR	X,SR	X,SR		7
Boarding or Rooming House																			
Dormitory																			
Hotel												X	X				X,SR	X,SR	8
Recreational Vehicle Park																			
<u>Short Term Rental</u>										<u>X</u>					<u>?</u>		<u>X</u>	<u>X</u>	<u>9*</u>
ACCESSORY USE																			
<u>Homestay</u>			<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>			<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>
Dwelling Accessory			X	SU, SR	SU, SR	SU, SR	SU, SR	SU, SR	SU, SR	X, SR					X, SR	X, SR	X, SR		

Adding SR 9 will require relocation of existing SR-9 which is proposed to relocate to SR-21

X Permitted by Right SU Special Use Permit SR Special Requirement

Chapter 8 Zoning

- **Section 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements.**
 - **SR-9 Short Term Rental**
 - **SR-21 Banks, Credit Unions, Financial Services, Professional Services**

The PDO contains a list of special requirements that apply to various uses and generally include additional development standards. In this instance, staff is proposing to create SR-9 to establish various standards with respect to the short term rental use. Staff is recommending STRs be created as SR-9 to keep it proximate to other Lodging uses such as Bed and Breakfast Homes (SR-7) and Hotel (SR-8). The current SR-9 Banks, Credit Unions, Financial Services, Professional Services would relocate to a reserved SR as SR-21.

Standard 1 requires a Development Permit to establish the land use. Standards 2-10 generally relate to a development or minimum housing standard. Standard 10 allows accessory dwelling units to be used for STR purposes where Permitted by Right. Standard 12 states that STR's may not be used to host special events or large gatherings. Standard 13 discusses revocation. Standard 14 establishes a timeframe for existing STRs permitted by right to come into compliance with SR-9 and/or cease operations by a specified date. Standard 15 amortizes nonconforming STRs away by July 31, 2024 after which the use would have to revert to a

permitted by the zoning classifications. For example, an STR in a single family zoning district would have to revert back to a single family use by the deadline.

SR-9 Short Term Rental

- 1) Development Permit is required for establishment of all new short term rental units after the effective date of this Ordinance. Development Permits are non-transferable when a property is sold or transferred. Nonconforming short term rental units shall be regulated by subsections 14 and 15 below.
- 2) Maximum occupancy per unit is based on two (2) adult guests per bedroom.
- 3) A minimum of one (1) parking space shall be provided per bedroom on approved surfaces and locations per the applicable parking regulations of this Ordinance.
- 4) A minimum of one (1) smoke detector shall be provided per bedroom.
- 5) A minimum one (1) carbon monoxide detector shall be provided per level or floor of the dwelling unit.
- 6) Bedrooms and other habitable rooms shall meet the minimum light and ventilation requirements of Section 153.18 of the Pinehurst Municipal Code.
- 7) Bedrooms shall meet the minimum size requirements of Section 153.19 of the Pinehurst Municipal Code.
- 8) Ceiling Height. At least one-half of the floor area of every bedroom shall have a ceiling height of not less than seven feet and six inches.
- 9) Egress. Every dwelling unit shall be provided with adequate means of egress as required by the applicable provisions of the North Carolina State Building Code.
- 10) Cooking facilities are not permitted in any bedroom. For the purposes of this regulation, cooking facilities include any refrigerator in excess of seven (7) cubic feet; any stovetop range that operates on 220-volt electric service, any appliance that operates on natural gas; or any cooktop, whether integrated into a countertop or a separate appliance which contains more than two cooking surfaces or burners. This regulation shall not apply to single dwelling unit room rentals with a sleeping area, living area, and kitchen/eating area consolidated into one room.
- 11) Accessory Dwelling Units may be permitted for short term rental where Permitted by Right in Table 8.5.1a Table of Permitted and Special Uses and Special Requirements.
- 12) In residential zoning districts, short term rental units shall not be used for special events or large gatherings.
- 13) Revocation. If it is determined that more than 3 verified violations occur within a 365 day period the development permit may be revoked for a period of 365 days after which a new permit may be issued. For purposes of this Section any three or more verified violations of any combination of the following occurring at the short term rental premises shall apply:
 - a. Any Pinehurst Development Ordinance regulation as adopted as Chapter 152 of the Pinehurst Municipal Code; or
 - b. Section 92.16 of the Pinehurst Municipal Code Regulating Unreasonably Loud, Disturbing Sound Levels; or
 - c. Section 92.17 of the Pinehurst Municipal Code Regulating Unruly Gatherings

- d. Chapter 153 of the Pinehurst Municipal Code Establishing Minimum Housing Standards.
 - e. A verified violation is a determination made by a code enforcement official, law enforcement officer, or a judge, following notice of a violation being issued by the Village. Noticed violations of the Pinehurst Development Ordinance may be appealed as provided in Chapter 5 of this Ordinance pursuant to G.S. 160D-405.
- 14) Compliance Period; Existing Nonconforming Short Term Rental Units Permitted By Right
- a. Owners of existing short term rental units where Permitted by Right in Table 8.5.1a Table of Permitted and Special Uses and Special Requirements owners shall apply for a Development Permit and come into full compliance with SR-9 no later than January 1, 2024 or cease operation as a short term rental on that date. For purposes of this Section a nonconforming short term rental unit is a dwelling unit used for short term rental purposes and is located in a General Use Zoning District where it is identified as being Permitted by Right in Table 8.5.1a and does not have a Development Permit for use as a short term rental unit as of the effective date of this ordinance.
- 15) Amortization Period; Existing Short Term Rental Units Not Permitted by Right
- a. Owners of existing short term rental units where not Permitted by Right in Table 8.5.1a are prohibited and shall cease operation as a short term rental by October 1, 2025. For purposes of this Section a short term rental unit not permitted by right is a dwelling unit used for short term rental purposes where it is not identified as being Permitted by Right in Table 8.5.1a.

Chapter 4 Public Hearings, Permits and Approvals

- **Section 4 Permits and Approvals**
 - **Section 4.12.12 Revocation of Development Permit**

Section 4 of the PDO identifies the processes and procedures for obtaining various types of permits (e.g. development, building, temporary use, etc.) but lacks procedures for revoking a development permit. The most common permit issued relative to PDO requirements is the Development Permit.

While Section 4 identifies the processes and procedures for obtaining a permit, it does not include any provisions to revoke a permit and there may be times when having this ability would be beneficial from a code compliance standpoint. This would establish a process and procedure for revoking a development permit. Particularly, staff is proposing this as part of the short term rental discussions that would provide the ability to revoke development permits for various violations as proposed in Special Requirement 9.

Development approval revocation is specifically permitted pursuant to G.S 160D-403(f) “Revocation of Development Approvals” and identifies the procedures for doing so including appeals. The PDO language proposed below is consistent with state statute.

4.2.12 Revocation of Development Permit

A development permit may be revoked by the Village Planner after notifying the permit holder in writing and stating the reason for the revocation. The permit revocation shall follow the same process required for issuance of the development permit, including any required notice or hearing, in the review and approval of any revocation of that approval.

Terms under which a development permit may be revoked include:

- (A) Any substantial departure from the approved application, plans, or specifications; or
- (B) Refusal or failure to comply with the requirements of this Ordinance or any applicable local development regulation or any State law delegated to the Village for enforcement purposes in lieu of the State; or
- (C) False statements or misrepresentations made in securing the approval; or
- (D) Any development approval mistakenly issued in violation of an applicable State or local law.

Revocation of a development permit by the Village Planner may be appealed as provided in Chapter 5 and pursuant to G.S. 160D-405.

Adding permit revocation would provide an additional code compliance tool that could be used to address ongoing and sometimes more complex compliance issues that include all development issues, not just STRs. Once revoked, a person wishing to reestablish the use through a development permit, would need to submit the same information needed to obtain the original permit, which for most situations should be disincentive enough to allow the situation to deteriorate to the level of having to revoke the permit.

Comprehensive Plan Consistency Statement

The 2019 Village of Pinehurst Comprehensive Plan, Guiding Principle 3 Places to Live (page 118) recommends in part that the Village should “Protect and enhance the quality and character of existing residential neighborhoods.” Additionally, the Comprehensive Plan includes a subsection titled “Address Short Term Rentals” (page 127) ending with Implementation Strategy 3.9 which states: “Continue to monitor the legislative authority of the Village to regulate short term rentals and evaluate options to address the impacts of short term rentals on single family neighborhoods.”

The PDO amendments as proposed attempt to enhance the character and address the impacts of short term rentals specifically on single family neighborhoods by:

- 1) Defining the short term rental use as a lodging use to provide for its zoning classification as a permitted use in the Village’s various zoning districts.
- 2) Not designating short term rentals as “Permitted by Right” within any of the Village’s single family zoning districts (etc. R-210, R-30, R-20, R-15, R-10, R-8, R-5) to prevent the continued displacement of owner-occupied or long term residents from the single family neighborhoods.
- 3) Recommending as a permitted use in the Village’s more intense commercial districts of VMU and VC which permit a mixture of land uses to include commercial and residential uses. These districts are not predominantly single family uses in nature.

- 4) Recommending as a permitted use in the Village's multiple family district (R-MF) recognizing that multiple family districts are in general more transient in nature.
- 5) Establishing minimum standards for short term rentals as part of a new Special Requirement (SR-9)
- 6) Requiring a Development Permit for new short term rentals created after the effective of the ordinance where Permitted by Right to ensure that the minimum standards are met prior to the establishment of the use similar to other uses as regulated by the Pinehurst Development Ordinance.
- 7) Requiring a Development Permit for existing short term rentals where Permitted by Right created after the effective of the ordinance to ensure that the minimum standards are met for the land use or to cease operations a short term rental land use by a specified date.
- 8) Amortizing away, after a specified date, short term rental land uses from zoning districts that are predominantly single family nature and zoning to maintain and/or restore the single family character of the neighborhood.
- 9) Relative to the proposed amortization period, providing a sufficient amount of time for short term rentals not permitted by right to recoup costs and transition from being a short term rental use to that allowed by the zoning district.

Staff feels the proposed PDO amendments are consistent with the 2019 Comprehensive Plan.

Recommendation

As previously discussed, the proposed PDO amendments are based on Council direction and Council/staff discussions over the course of the past several months in multiple work sessions. The Planning and Zoning Board is now asked to provide a recommendation on the proposed PDO amendments as discussed in this staff memo as well as identified in Exhibit A in Novus Agenda as "Proposed PDO Amendments".

There are three aspects to the Board's review of the proposed amendments. The first aspect is to review the amendments to the following PDO as proposed:

- **Section 10.2 Definitions**
 - **Short Term Rental (approve definition)**
 - **Homestay (approve definition)**
- **Section 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements.**
 - **SR-9 Short Term Rental (approve proposed standards)**
 - **SR-21 Banks, Credit Unions, Financial Services, Professional Services (approve relocation)**
- **Section 4 Permits and Approvals**
 - **Section 4.12.12 Revocation of Development Permit (approve process)**

As part of its deliberations on the above amendments, the Board may recommend modifications to the proposed language such as better clarifying a proposed definition or Special Requirement Standard.

The second aspect to the Board's review is to provide a recommendation as to the districts proposed by Council where STRs would be "Permitted by Right" in Table 8.5.1a.

LODGING	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	OP	VCP	VR	VMU	VC	SR
<u>Short Term Rental</u>										<u>X</u>					<u>?</u>		<u>X</u>	<u>X</u>	<u>9*</u>

As part of its deliberations on STR inclusion into the various general use districts, **the Board may recommend additional districts for inclusion as Permitted by Right (with an "X" on the table) or not to be permitted by right.** The Council has specifically requested consideration as to the VCP (Village Cottage Professional district) as noted in the table with a "?". As previously discussed, more districts may warrant inclusion based on uses permitted within those districts or the intended character of those districts as identified in PDO Section 8.2.

The third aspect to the Board's review is provide a recommendation as to the districts into which the Homestay use would be Permitted by Right as an accessory use and whether or not SR-9 should apply to Homestay uses as well. Council has not provided a specific recommendation on Homestays.

ACCESSORY USE	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	OP	VCP	VR	VMU	VC	SR
<u>Homestay</u>			<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>			<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>

Planning and Zoning Board Action:

The Planning and Zoning Board shall consider each proposed amendment to the development ordinance and make a recommendation to Village Council on the proposed amendment. In considering an amendment, the Board shall conduct a legislative public hearing on the application. During the public hearing, the Board will take public comments on the proposal, review the proposed amendments, discuss and deliberate. The Board may decide to continue the hearing in order to give time or consideration to address concerns raised or receive more input or data. After conducting the public hearing, the Board will formulate a recommendation to Village Council and also make a statement on whether the proposed amendment is consistent with the Comprehensive Plan. The Board should make a recommendation to Village Council within 30 days of the first scheduled public hearing. If no recommendation is made within the 30 day window, Village Council may take the up the proposal without a recommendation.

The Planning and Zoning Board has the following options:

1. Recommend adoption of the proposed amendments as drafted.
2. Recommend adoption of the proposed amendments with revisions (to any of the sections as presented).
3. Continue the public hearing to gather more input or comment on the proposal.
4. Recommend rejection of the proposed amendments.

Attachment: Table 1

Zoning District	Short Term Rental	Homestay	Dwelling – Single Family	Dwelling – Two Family	Dwelling – Multifamily	Dwelling – Townhouse/ Clustered Dwellings	Dwelling – Mixed Use	Accessory Dwelling^	Bed & Breakfast Homes	Hotel
R-5		***	Permitted					Special Use		
R-8 R-10 R-15 R-20 R-30		***	Permitted					Special Use		
R-210		***	Permitted					Accessory Use	Permitted	
R-MF	<u>Permitted*</u>	***	Permitted	Permitted	Permitted	Permitted		Accessory Use		
NC		***					Permitted			
H		***							Permitted	Permitted
HD		***								Permitted
OP		***					Permitted			
VCP	***	***	Permitted	Permitted	Permitted	Permitted		Accessory Use	Permitted	
VR		***	Permitted	Permitted	Permitted	Permitted		Accessory Use	Permitted	
VMU	<u>Permitted*</u>	***	Permitted	Permitted	Permitted	Permitted	Permitted	Accessory Use	Permitted	Permitted
VC	<u>Permitted*</u>	***					Permitted			Permitted

^ Under the Historic Preservation Overlay, special use becomes a permitted use for accessory dwellings.

*Proposed based on direct input from Village Council during previous work sessions developing proposed ordinance language. P&Z is requested to provide recommendation.

**P&Z additional recommendation.