



**PLANNING AND ZONING BOARD  
REGULAR MEETING  
THURSDAY, SEPTEMBER 01<sup>ST</sup>, 2022  
ASSEMBLY HALL  
395 MAGNOLIA ROAD  
PINEHURST, NORTH CAROLINA  
4:00 PM**

**Board Members Present:**

Jeremy Hooper, Chair  
Jack Farrell, 1<sup>st</sup> Vice-Chair  
Julia Latham, 2<sup>nd</sup> Vice-Chair  
David Alzamora  
Sonja Rothstein  
Paul Roberts  
Louise Mercuro  
Matt Jones  
Phillip Shumaker

**Board Members Absent:**

None

**Staff Present:**

Darryn Burich, Planning Director  
Alex Cameron, Planning Supervisor  
Kelly Brown, Planning & Zoning Specialist

Approximately 329 attendees, 11 staff members, and 1 member of the press were present and 173 people watched the live-stream.

**I. Call to Order**

Mr. Hooper called the meeting to order at 04:00 PM, confirmed a quorum was present, and explained the purpose of this meeting. The Board introduced themselves and Mr. Hooper introduced Staff.

**II. Approval of Minutes**

**A. 08-04-2022 Regular Meeting Minutes**

Ms. Rothstein moved to approve the minutes of the August 04<sup>th</sup>, 2022 Regular Meeting. Seconded by Mr. Alzamora. Approved by a vote of 8-0.

Ms. Mecuro moved to recess the Regular Meeting and enter into the Public Hearing. Seconded by Mr. Shumaker. Approved by a vote of 8-0.

**III. New Business**

**A. Public Hearing No. 1 – PDO Amendments to Address Short Term Rentals, Homestays, and Permit Revocation**

*The purpose of the public hearing is to discuss text amendments to the Pinehurst Development Ordinance (PDO) to address short term rentals and permit revocation. These proposed amendments would affect the following sections of the PDO:*

*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.*

Mr. Burich explained the proposed text amendments were in response to concerns expressed to Village Council over short-term rentals and their impact on quality of life within single family residential neighborhoods. He stated Village Council has adopted nuisance regulations to address concerns such as overnight parking and unruly gatherings. Based on a number of work sessions held by Village Council, Mr. Burich and Mr. Cameron drafted proposed text amendments to the Pinehurst Development Ordinance which address short-term rental concerns through a regulatory approach:

- Defining short-term rentals and homestays (Section 10 Definitions).
- Establishing regulatory standards (Special Requirement SR-9).
- Designating short-term rentals and homestays as land uses that may be permitted on Table 8.5.1(a).
- Requiring a development permit to establish the land use in districts where permitted by right.
- Requiring non-conforming short-term rentals, where permitted by right, to obtain a development permit and come into compliance with SR-9 or cease operations by a certain date.
- Requiring that existing short-term rentals, where not permitted by right, to cease operating as a short-term rental use by a certain date.
- Creating a process to revoke development permits for violations.

He stated Village Council has directed the Planning and Zoning Board to review the draft amendments and provide recommendations. Mr. Cameron stated the Board's recommendation is advisory only. He stated they have thirty (30) days to provide written feedback to Village Council, otherwise Village Council can consider the proposed text amendment with the Planning and Zoning Board's official recommendation.

The Board opened the floor for public comments and 53 people spoke. Comments were generalized as opposing the proposed text amendments and/or supporting short-term rentals, supporting the proposed text amendments and/or opposing short-term rentals, and two comments urging compromise.

- Char Rohr, 1 Village Lane, opposed short-term rentals. She stated there were several short-term rentals in the neighborhood. She discussed the negative impact of short-term rentals on residential neighborhoods, such as parking and occupancy.
- John Webster, 140 McKenzie Rd W, opposed short-term rentals. He stated that a ban in residential neighborhoods would only affect about 50 short-term rentals. He argued

that a ban would not have the negative economic impact on revenue, jobs, and taxes claimed by short-term rental supporters.

- Chris Boyette, 181 Linden Road, supported short-term rentals. He stated his wife took care of several short-term rentals and a ban would affect their income.
- Debbie Lalor, 80 Azalea Road, opposed short-term rentals. She stated the residents already voted on the issue of short-term rentals when they voted for a Village Council and Comprehensive Plan that is supposed to limit growth in Pinehurst.
- Charlie Shaw, 25 Maple Road, supported the proposed text amendments. He stated the Village's short-term rental map is not accurate or complete as there are rentals near him not listed. He discussed negative experiences with short-term renters, such as noise, and stated luckily a majority of rental guests are good.
- Polk Dillon, 175 Cherokee Road, opposed short-term rentals. He stated Pinehurst is not resort and compared it to Myrtle Beach. He stated the residents are the ones who support local businesses, not visitors alone.
- Phil Sounia, 29 Bedford Circle, supported short-term rentals. He stated a short-term rental ban would have a negative economic impact. He suggested using resource-based management as strategy to write, pass, and provide feedback on short-term rental regulations between owners and local government.
- Jordin Mellott, of Aberdeen, supported short-term rentals. She stated she worked for Sandhills Vacation Rentals and that her livelihood depended on vacation rentals in Pinehurst.
- Jennifer Stoddard, 41 Shaw Road SW, supported short-term rentals. She stated she never had a problem with the short-term rentals in her neighborhood. She also stated people use short-term rentals for reasons other than vacations or parties.
- Deb Wimberly, Donald Ross Drive, opposed short-term rentals. She stated she did not want to live among strangers, but neighbors.
- Beata Lorinc, 315 Beulah Hills Road N, supported short-term rentals. She stated she was a short-term rental owner who maintains her property and opposed an outright ban.
- Lauren Sumrall, 12 Lacosta Lane, opposed short-term rentals. She discussed the negative impact of empty short-term rentals on residential neighborhoods.
- Collett Kolinski, of 25 Queens Court, opposed short-term rentals. She discussed the negative impact of short-term rentals on the beauty of the community and supported regulations to curb property abuses, such as exceeding occupancy, parking, management of the property.
- Carol Wheeldon, Lake Forest Drive SW, supported regulations that would make everyone happy.
- Barbara Longeway, 26 Glasgow Drive, supported short-term rentals. She stated short-term rental regulations should be enacted by HOAs, not the Village of Pinehurst. She also stated instead of banning short-term rentals, the Village should encourage hotels as the Pinehurst Resort is unaffordable.

- John Kinzer, 600 Linden Road, supported short-term rentals. He stated the only way he could afford his Pinehurst house is by renting it out as a vacation rental. He supported modifications to the proposed regulations that meet in the middle.
- Latane Meade, 600 Linden Road, supported short-term rentals. He stated there is middle ground in regard to short-term rental regulation and was concerned about the value of his vacation home dropping if there was a short-term rental ban.
- Manfred Rothstein, 165 McKenzie Road W, stated he is not opposed to short-term rentals but supports regulations that help him not be aware of them.
- Kevin Drum, 41 Shaw Road SW, stated he is not opposed or for cottage rentals, but stated short-term rentals are part of Pinehurst's historic legacy. He stated a ban would cause negative economic impact, hurt Village businesses, and affect jobs.
- Christina Bowen, 9 Pinehurst Manor Drive, supported short-term rentals. She stated short-term rentals are not used for just parties and vacations.
- Teresa Johns, 15 Glen Abbey Trail, supported short-term rentals. She stated the Village's 2022 Neighborhood Quality of Life Survey did not support assertions that short-term rentals negatively affect quality of life.
- Samantha Cole, of Aberdeen, supported short-term rentals. She stated she was a realtor representing the Mid-Carolina Regional Association of Realtors, owned a rental management company and owned short-term rentals. She did not support the proposed ordinance and stated any restrictions reduces freedom and has an economic impact.
- Jennifer Carlson, 1000 Burning Tree Road, supported short-term rentals. She stated she is realtor and that if the proposed regulations were approved, it would negatively cause a drop in home prices.
- Cathy Larose, 85 Ponte Vedra Drive, supported short-term rentals. She discussed how a majority of houses recently sold in Pinehurst are owner occupied as opposed to short-term rentals and that the proposed regulations would negatively impact property values.
- Brandon Goodman, of Southern Pines, supported short-term rentals. He stated he is a short-rental owner and opposed the proposed regulations, including a ban or amortization. He also stated that 95% of the complaints on MyVOP app were levied against properties that are not vacation rentals.
- Nick Cino, 5 Piedmont Lane, supported short-term rentals. He stated the results of the Village's Neighborhood Quality of Life Survey do not show there is a real problem with vacation rentals. He also stated the role of government is not to tip the scale in favor of one economic interest over another in reference to an email from the Pinehurst Resort opposing short-term rentals, included with his comments in the docket file.
- Donna Outen, 1135 Morganton Road, supported short-term rentals. She stated she is a realtor and short-term rental owner and never had a complaint. She stated there are ways to come to a joint decision about short-term rentals without banning them.
- Lou Bologna, 91 Abbottsford Drive, supported short-term rentals. He stated short-term rentals held under corporations are owned by full-time residents, such as himself. He stated that a small percentage of all homes owned in Pinehurst are rentals. Further, he

stated that there would be economic loss with a ban and encouraged Village Council to work with all residents for a solution.

- Elaine Bologna, 91 Abbottsford Drive, supported short-term rentals. She stated that home share is tied to current economic stability and history of Pinehurst and that short-term rental owners have a vested interest in maintaining their properties.
- Matt Vick, 37 Melton Drive, supported short-term rentals. He stated he manages 51 short-term rentals in the Village. He stated there is a lack of economic data for banning short-term rentals and that a ban would just shift the short-term rental market to the condos and multi-family housing.
- Susan Raff, Pinehurst, supported short-term rentals. She stated she built and manages two short-term rentals, discussed the positive interactions she has had with rental guests, and stated a ban would be denying the rights of homeowners.
- Michael Conley, 20 Aronimink Lane, supported short-term rentals. He read a letter from his son Brian which stated that he has invested money into a short-term rental property which has supported local businesses.
- Brian Conley, 20 Aronimink Lane, supported short-term rentals. He positively described the type of guests he has had at his vacation rentals and stated there has been no complaints.
- Leasa Haselden, 325 Linden Road, supported short-term rentals. She stated she has never been threatened or bothered by short-term renters.
- Crystal Welch, 2540 Longleaf Drive SW, supported short-term rentals. She stated she works with Pinehurst short-term rentals and knows Pinehurst regulations, such as trash cans. She spoke about the criminal offenses of three of her non-short term rental neighbors and discussed positive interactions with short-term renters.
- Rose Heintz, 225 Lake Forest Drive SW, opposed short-term rentals. She stated a majority of short-term rentals are owned by corporations or non-resident owners and that her concerns have been downplayed by them. She described Pinehurst as a residential community with residents at the heart of it.
- Jason Aslanian, 2060 Longleaf Drive W, opposed the proposed text amendments as they would be hard to enforce. He stated he wanted to bring back common sense and find common ground no matter what side of the short-term rental debate you are on.
- Bob Coates, 21 Edinburgh Lane, supported the proposed text amendments. He stated the intent of the current development ordinance is clear - no commercial lodging in single family neighborhoods. He did not support an amortization period.
- Steve Saye, 5 McDonald Road E, supported short-term rentals. He stated if the proposed regulations were enacted, the Village would be sued. He stated he has lived near and owns short-term rentals and has had no problems at the end of the day.
- Jeff Heintz, 225 Lake Forest Drive SW, opposed short-term rentals. He said he agrees with Mrs. Heintz, who spoke earlier.
- Carol Coates, 21 Edinburgh Lane, opposed short-term rentals. She stated she did not want the instability that short-term rentals represent. She stated there is no rationale for an amortization period as the current development regulations do not allow commercial

lodging in single family neighborhoods. She also stated based on recent property sales, short-term rentals would turn a profit if sold. She stated that short-term rental owners are not Village residents and are just financially motivated.

- Scott Thomas, 2133 Midland Road, supported short-term rentals. He stated he owns and has been around short-term rentals and has never experienced troubles with them. He stated that property rights need to be protected.
- Avery Heilbron, 82 Deerwood Lane, supported short-term rentals. He stated he is not resident and that his short-term rental has allowed him financial freedom. He stated it is not a get rich quick scheme and he has invested money into his rental. He also stated none of the quality-of-life issues exist in his rental.
- Lisa Kuecker, 70 Laurel Road, supported short-term rentals. She stated she has used her home as a vacation rental and had positive experiences with rental guests. She stated Myrtle Beach is not a fair comparison to Pinehurst and to look how similar markets have handled short-term rentals.
- Tiffany Evans, 10 McFarland Road, encouraged moderation and opposed a ban. She stated understands issues with neighbors, but they cannot be controlled even if they are short-term or long-term neighbors. She stated that if short-term rentals are banned, investors will go somewhere else like Carthage.
- David Byers, 125 McCaskill Road W, opposed short-term rentals. He stated he has had issues with noise and inappropriate language and comments from short-term renters near him.
- Nick Vickers, 7 York Place, supported short-term rental regulations. He stated there is a short-term rental in his cul-de-sac which causes minor annoyances, but the short-term renters he has met have been courteous. He supported moderation such as permitting and limiting short-term rentals certain parts of town.
- Cliff Sumrall, 12 Lacosta Lane, supported the proposed text amendments, specifically stating the proposed changes in Table 8.5.1(a) look good to him and the Board is moving in the right direction.
- Jackie Tucker, 1 Par Court, supported short-term rentals. She stated there are rentals all around her and she hosts guests from multiple golf events. She stated that owners need to be held accountable through fines, but not to kill the economy by banning short-term rentals.
- Peter Gauthier, 40 Oakmont Circle, supported short-term rentals. He stated he uses his home as a short-term rental on the weekends to supplement his retirement income and would have to sell if banned. He stated he has property rights. He also stated that he has not had one issue or complaint and that the police can address many issues.
- Marcus Larose, 85 Ponte Vedra Drive, supported short-term rentals. He stated without short-term rentals that US Kids Golf could not exist in Pinehurst.
- Pete Green, 700 Linden Road, opposed short-term rentals. He stated he is a former short-term rental owner but sold it for profit. He said there are short-term rentals around him and complained about noise and drug issues. He stated he also has property rights

- to enjoy a quiet neighborhood. He stated short-term rentals should be kept out of the historic district.
- Debbie Putz, 1 Sandhills Place, supported short-term rentals. She stated absentee short-term rental owners are the issue, not short-term rentals managed by professional property managers.

Mr. Alzamora moved to adjourn the Public Hearing and re-enter the Regular Meeting. Seconded by Ms. Rothstein. Approved by a vote of 8-0.

### **Recommendation to Council**

The Board mainly engaged in policy discussion on short-term rentals and did not provide an official recommendation to Council at this meeting. Mr. Roberts did not support commercial uses in residential neighborhoods and recommended adding exceptions to allow short-term rentals during events such as the US Kids Open and the US Open. Mr. Shumaker suggested short-term rentals are not an ordinance issue but an enforcement issue, and wants to see an economic impact study. Mr. Alzamora needed to see data that supported the claims that short-term rentals harm residential communities before considering regulation. Mr. Farrell stated the Village cannot make land use decisions based upon someone's economic condition. He stated rentals would still be allowed for 14 days periods or long-term. Ms. Latham stated she was unsure which facts and data were accurate and needed economic data put together by sources that she trusts. She supported the 14-day grace period, but questioned how it could be tracked and enforced by staff. Mr. Jones stated short-term rentals are not distinct enough from residential use but are distinct enough to need special requirements. He also questioned enforceability by staff and stated better definitions were needed. Ms. Rothstein stated she was overwhelmed by the public comments and that she needed more information, such as how many short-term rentals are there. Ms. Mercuro believed short-term rentals are mainly an enforcement issue, not a land use issue. Mr. Farrell stated it is a community rights versus property rights issue and questioned if permanent residences and short-term rentals are compatible uses. Some board members were ready to vote on the proposed ordinance; a majority of board members needed more information and time before considering a vote. The Chair entertained the following motion:

Mr. Alzamora moved the Planning and Zoning Board recommend the Pinehurst Village Council reject the proposed text amendments to Sections 4, 8.5, 8.6, and 10.2. Seconded by Mr. Shumaker. Failed by a vote of 3-5.

The Board agreed they were not ready to make a recommendation to Village Council on homestays and decided to table the discussion until a future meeting to separate it from the conversation on short-term rentals.

Mr. Farrell moved the Planning and Zoning Board exclude homestays from their recommendation to Village Council. Seconded by Mr. Jones. Approved by a vote of 8-0.

Due to the late hour and needing time to review public comments and gather more information, the Board agreed to discuss the proposed text amendments at a future special meeting.

Mr. Alzamora moved to move the deliberation on the proposed PDO amendments to September 6, 2022 at 4:30 pm at Village Hall. Seconded by Ms. Latham. Approved by a vote of 8-0.

**B. General Business**

The Board did not have general business to discuss.

**C. Next Meeting Dates**

**09-06-2022 Special Meeting (To be Noticed)**

**09-15-2022 Special Meeting - Work Session**

**10-06-2022 Regular Meeting**

**D. Motion to Adjourn**

Mr. Farrell moved to adjourn the Regular Meeting. Seconded by Ms. Rothstein. Approved by a vote of 8-0 at 9:51 PM.

Respectfully Submitted,

Kelly Brown  
Acting Clerk to the Board &  
Planning and Zoning Specialist  
Village of Pinehurst

*A videotape of this meeting is located on the Village website: [www.vopnc.org](http://www.vopnc.org).*

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.