



**VILLAGE COUNCIL  
AGENDA FOR WORK SESSION OF MAY 8, 2018  
COUNCIL CONFERENCE ROOM  
395 MAGNOLIA ROAD  
PINEHURST, NORTH CAROLINA**

**IMMEDIATELY FOLLOWING REGULAR MEETING**

1. Call to Order.
2. Discuss status and update on the Historic Preservation Commission Guidelines and district split evaluation.
3. Discuss Highway 211 extraterritorial jurisdiction (ETJ) extension and coordination with Moore County.
4. Work Session Business.
5. Adjournment.

*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.*



**DISCUSS STATUS AND UPDATE ON THE HISTORIC PRESERVATION  
COMMISSION GUIDELINES AND DISTRICT SPLIT EVALUATION.  
ADDITIONAL AGENDA DETAILS:**

**FROM:**

Will Deaton

**DATE OF MEMO:**

5/3/2018

**MEMO DETAILS:**

This agenda item is to discuss the status and next steps for the Historic Preservation (HPC) guidelines update and the evaluation to consider splitting the historic district. At their last meeting, the HPC decided to move forward with the guidelines and address any concerns regarding the text in the proposed update. At this time, the HPC believes obtaining Council approval of the updated guidelines is a higher priority than splitting the historic district. HPC proposes to table the concept of splitting the district for now and based on implementation of new guidelines there may be discussion at a later date which would involve a broader public education component.



**DISCUSS HIGHWAY 211 EXTRATERRITORIAL JURISDICTION (ETJ)  
EXTENSION AND COORDINATION WITH MOORE COUNTY.  
ADDITIONAL AGENDA DETAILS:**

**FROM:**

Will Deaton

**DATE OF MEMO:**

5/3/2018

**MEMO DETAILS:**

This agenda item is to for the Council to discuss the request to extend the extraterritorial jurisdiction (ETJ) of the Village and coordination with County staff. The information below indicates the statutory process required to affect an ETJ expansion.

G.S. 160A-360 includes a detailed process that must be followed by a city in establishing extraterritorial jurisdiction.

G.S. 160A-360(b) requires that the extraterritorial area be set by an ordinance adopted by the city governing board. This boundary ordinance is subject to newspaper notice, mailed notice, and public hearing requirements.

Mailed notice to affected property owners is required when zoning jurisdiction is being extended to an extraterritorial area. G.S. 160A-360(a1) dictates that a mailing be made four weeks prior to the hearing on the boundary ordinance. That notice must specify the effect of extension of city jurisdiction, advise the owners of the hearing on the proposal and their right to participate in the hearing, and advise owners of their right to seek appointment as extraterritorial members of the city's planning board and board of adjustment. A separate public hearing can be held but is not required when jurisdiction is actually extended and the city zoning map is amended to apply city zoning to the new territory. Prior published and mailed notice is required for the zoning amendment also, but because this notice cannot be mailed more than twenty-five days prior to the hearing, two separate mailings are required even if a single hearing is held.

County approval must be given for a city to exercise its extraterritorial powers. G.S. 160A-360(a) requires county approval whenever a city with a population of more than 10,000 seeks to extend its extraterritorial jurisdiction beyond the one mile originally granted. G.S. 160A-360(e) requires that county approval be secured for the extension of city extraterritorial jurisdiction into any area wherein the county is enforcing zoning, subdivision regulations, and the building code. This includes the one-mile area adjacent to cities. County ordinances for all three of these regulatory functions must be in place in the affected area to trigger the approval requirement.

G.S. 160A-360(g) requires that county approval, as well as any other request, approval, or agreement on extraterritorial jurisdiction by a city or a county, be established by a formally adopted resolution of the governing board. The statute does not establish any standards for county approval or disapproval, so whether to allow a municipality to extend its extraterritorial area in these situations is left to the discretion of the county board of commissioners. The statute is silent as well on the timing of the required county approval; it can be secured at any time before the proposed effective date of adoption or amendment of the extraterritorial ordinance.

G.S. 160A-360(b) requires that the adopted boundary map be recorded with the register of deeds for any affected county and that the map be retained permanently in the office of the city clerk.

It is important to note that there are two steps in the process of establishing extraterritorial zoning and that they can be accomplished concurrently or separately. The first step is the establishment of the extraterritorial

jurisdiction as discussed above. The second step is the actual zoning of the extraterritorial area. This must be accomplished by amendment of the city's zoning map to include the extraterritorial jurisdiction. G.S. 160A-360(f) provides for a sixty-day transition period, during which prior county zoning remains in place and enforceable.

Staff will be available to answer any questions the Council may have.