



Short-Term Rental FAQ

Updated November 22, 2022 p. 1

What is a STR

A STR is defined as a use of a Dwelling Unit for transient lodging occupancy under a short-term lease or for other financial consideration for a time period, lease term or sublease term of less than 30 consecutive days for a cumulative total of more than 14 days in any calendar year.

DOES THE VILLAGE REGULATE SHORT-TERM RENTALS (STR)?

Yes. After holding a series of public hearings and discussing the topic for nearly a year, the Village Council adopted [Ordinance #22-15](#) which amended the Pinehurst Development Ordinance (PDO) to address and regulate STRs. The new ordinance defines the zoning districts where STRs are permitted and establishes special requirements (SR-9) for existing and new STRs.

[SR-9](#) addresses requirements such as occupancy, parking, and safety-related standards (e.g. smoke and carbon monoxide detectors, egress, light, and ventilation, etc.). It also requires all new STRs created after the effective date of the ordinance to obtain a development permit to establish the use of the property and is consistent with PDO requirements to establish other types of new uses within the Village.

WHAT IS THE ORDINANCE EFFECTIVE DATE?

Village of Pinehurst Ordinance #22-15 became effective on October 27, 2022

WHERE ARE STRS ALLOWED?

STRs are permitted in the Hotel (H) Zoning District and the Village Mixed Used (VMU) Zoning District with an approved development permit.

To confirm the zoning district of a property, view the Village of Pinehurst Official Zoning Map.

WHAT IF I OWN OR OPERATE A STR IN A DISTRICT WHERE THEY ARE NOT ALLOWED?

You are now likely classified as a nonconforming use. STRs existing prior to October 27, 2022, can continue to operate as nonconforming uses. The Village has created a Nonconforming Use Certificate which existing STR owners may apply for to recognize the nonconforming use status of the property. The Nonconforming Use Certificate is transferrable if the property is sold.

WHAT IS A NONCONFORMING USE CERTIFICATE?

A Nonconforming Use Certificate is an official declaration issued by the Village of Pinehurst acknowledging a use as legal prior to the adoption of the new zoning ordinance and is therefore allowed to lawfully remain so long as it is not discontinued, enlarged, extended, or intensified. You may apply for a Nonconforming Use Certificate online at www.vopnc.org/permitcenter.

ARE THERE OTHER REQUIREMENTS FOR STRS?

Yes. All short-term rentals must comply with requirements listed in SR-9. The requirements include a maximum occupancy for the STR based on two adult guests per bedroom; one parking space per bedroom; one smoke detector per bedroom; and one carbon monoxide detector per floor; cooking facilities not permitted in any bedroom; and bedrooms and other habitable rooms shall meet size, ceiling height, egress, and minimum light and ventilation requirements per Pinehurst Municipal Code, the North Carolina State Building Code, and the North Carolina Vacation Rental Act.

Rental rules, including the maximum number of guests per stay, trash disposal procedures and sanitation schedules, noise ordinance hours, parking, and other listed SR-9 requirements, shall be conspicuously posted at the main entrance along with the owner or property manager and emergency contact information. View the full text of Special Requirement SR-9, [here](#).

CAN I RENT OUT MY HOUSE DURING THE US OPEN OR OTHER SPECIAL EVENT?

Yes. With exception of private covenants or restrictions, property owners in any zoning district can rent out their home or accessory dwelling for a period of 14 days or less in a calendar year without having to obtain a development permit or comply with Ordinance #22-15.

WHAT HAPPENS IF I SELL MY STR?

Approval of a development permit or Nonconforming Use Certificate runs with the land, or in other words, can be transferred to the new owner.

CAN I LOSE MY NONCONFORMING STATUS?

Yes. If you stop using your dwelling unit as a short-term rental for more than 365 days, or if you intensify, enlarge, or extend the nonconforming use beyond the requirements of Section 2.3.2 of the PDO, you can lose the legal right to operate your short-term rental. Also, if your STR is damaged by any means other than Acts of God to an extent greater than fifty percent (50%) of its replacement cost at the time of destruction, then the use shall not be reestablished in any way that does not conform to the requirements of the PDO.



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WHAT PERMITS OR APPROVALS DO I NEED FOR MY STR?

For all STRs operating before October 27, 2022, a development permit is not required. For STRs operating in zoning districts where not allowed, you may apply for a nonconforming use certificate. See previous FAQs.

For new STRs established on or after the ordinance's adoption, a development permit is required to legally operate an STR where they are a permitted use. New STRs are only currently permitted in the Hotel (H) or Village Mixed Use (VMU) zoning districts. Applications for new STRs can be submitted online at www.vopnc.org/permitcenter.

	DEVELOPMENT PERMIT	NONCONFORMING USE CERTIFICATE
STR established prior to October 27, 2022 in VMU or H zoning districts	optional	not required
STR established prior to October 27, 2022 in other zoning districts*	not required	optional
STR established on or after October 27, 2022, in VMU or H zoning districts	required	not required
*R-MF, R-5, R-8, R-10, R-15, R-20, R-30, R-210, NC, HD, OP, VCP, VR, VC		

WHAT IF AN STR BEGINS OPERATION AFTER THE EFFECTIVE DATE OF THE ORDINANCE IN A ZONING DISTRICT WHERE IT IS NOT PERMITTED?

The Village will open an investigation and if verified may issue municipal citations in the amount of no more than \$500 per day the violation exists.

HOW DO I SHOW THAT MY STR WAS LEGALLY OPERATING BEFORE THE EFFECTIVE DATE OF THE ORDINANCE?


Documentation such as rental or lease agreements, occupancy tax payments, or rental listings should easily show a history of STR operations for a particular property.

WHERE CAN I FIND INFORMATION ON TRASH DISPOSAL PROCEDURES, SANITATION SCHEDULES, NOISE AND PARKING ORDINANCES?

For trash and sanitation-related information, please view the Solid Waste Department page on our website. Noise violations are defined in Chapter 92.16 and parking regulations are outlined in Chapter 72 of the Pinehurst Development Ordinance.

I NEED HELP APPLYING FOR A DEVELOPMENT PERMIT OR NONCONFORMING USE CERTIFICATE

The Village of Pinehurst accepts online applications through our Permit Center (Accla). You are required to create an account to apply. Please view our helpful step-by-step guide or tutorial.

 910-295-1900

 www.vopnc.org