

ORDINANCE #99-16:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO TEXT AMENDMENTS TO SECTIONS 1.1.11, PREVIOUSLY APPROVED GENERAL CONCEPT PLANS OF DETAIL DEVELOPMENT PLANS, GENERAL CONCEPT PLANS OR DETAIL DEVELOPMENT PLANS OR REZONINGS UNDER REVIEW; 11.1.5, EXCEPTIONS TO THE HEIGHT LIMITS; 11.1.10, WALKWAYS; 13.1.4, SWIMMING POOLS AND SPAS; 13.1.11, FUEL AND PROPANE TANKS (OF CAPACITY GREATER THAN 50 LBS.); 13.2.5, SIGNS PERMITTED IN ALL ZONING DISTRICTS AND 13.2.8, SIGNS PERMITTED IN NON-RESIDENTIAL DISTRICTS.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 23rd day of October, 1995, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance and Map may be amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, a Public Hearing was held at 4:00 p.m. on May 17th, 1999, in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering proposed zoning ordinance text changes, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed text amendments; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council amend the Pinehurst Development Ordinance, Sections 1.1.11, Previously Approved General Concept Plans Of Detail Development Plans, General Concept Plans Or Detail Development Plans Or Rezonings Under Review; 11.1.5, Exceptions To The Height Limits; 11.1.10, Walkways; 13.1.4, Swimming Pools And Spas; 13.1.11, Fuel And Propane Tanks (Of Capacity Greater Than 50 Lbs.); 13.2.5, Signs Permitted In All Zoning Districts And 13.2.8, Signs Permitted In Non-Residential Districts.

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments in the text of the Pinehurst Development Ordinance, have determined that it is in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance and Map be further amended, making the amends as requested to the Sections as listed in Section 1 below of this ordinance:

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in Regular Session assembled on the 21st day of June 1999, as follows:

SECTION 1. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by the proposed text amendments to Sections 1.1.11, Previously Approved General Concept Plans Of Detail Development Plans, General Concept Plans Or Detail Development Plans Or Rezonings Under Review; 11.1.5, Exceptions To The Height Limits; 13.1.4, Swimming Pools And Spas; 13.1.11, Fuel And Propane Tanks (Of Capacity Greater Than 50 Lbs.); 13.2.5, Signs Permitted In All Zoning Districts And 13.2.8, Signs Permitted In Non-Residential Districts, attached hereto, and described in Exhibit A, and made a part hereof, the same as if included verbatim.

SECTION 2. That Section 11.1.10 Walkways, of the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and

the same hereby is to remain unchanged as recommended by the Planning and Zoning Board.

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

SECTION 4. Adopted this 21st day of June 1999.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: *Virginia F. Fallon*
Virginia F. Fallon, Mayor

Attest:

Mary H. McGraw
Mary H. McGraw, Village Clerk

Approved as to form:

John B. Clayton
John B. Clayton, Village Attorney

EXHIBIT A

MEMO

TO: MARY
FROM: HOPE
DATE: APRIL 24, 1999
RE: VC PUBLIC HEARINGS IN MAY

Please schedule the following public hearing for the Village Council meeting in May.

1. A request to amend the following sections of the PDO. The applicant is the Planning and Zoning Board.
 - 1.1.11 **Previously Approved General Concept Plans of Detail Development Plans; General Concept Plans or Detail Development Plans or Rezoning s under Review.** This section is proposed to be deleted.
 - 11.1.5 **Exceptions to the Height Limits.** Wording is proposed to be added clarifying what is exempt from the height limits.
 - 11.1.10 **Walkways.** This section is proposed to be added so as to require a walkway to the front door. (ORDINANCE KEEPS THIS SECTION UNCHANGED)
 - 13.1.4 **Swimming Pools and Spas** Proposed amendment would allow spas to be up to 64 square feet and clarifies language concerning the location of swimming pools.
 - 13.1.11 **Fuel and Propane Tanks (of capacity greater than 50 lbs.).** Proposed amendment is meant to clarify.
 - 13.2.5 **Signs Permitted in All Zoning Districts.** Proposed amendments would make provisions for signs warning of private security systems and limit the size of a flag and the height of a flag pole.
 - 13.2.8 **Signs Permitted in Non-Residential Districts.** Proposed amendment would identify the preferred colors as white, black or green.

Please let me know if you have any questions.