

ORDINANCE #99-26:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 15.1.2 , DEDICATION OF OPEN SPACE AND RECREATIONAL LAND.

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 June 21st, 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, Section 15.1.2, Dedication of Open Space and Recreational Land.

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 Section 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 19th day of July 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 amendments to Section 15.1.2, Dedication of Open Space and Recreational Land, attached hereto, and described in Exhibit A, and made a part hereof, the same as if included verbatim.

SECTION 2. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

SECTION 4. Adopted this 19th day of July 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

**ZT0299: PROPOSED AMENDMENT TO SECTION 15.1.2 OF THE PINEHURST DEVELOPMENT ORDINANCE: DEDICATION OF OPEN SPACE AND RECREATION LAND
REPORT TO THE VILLAGE COUNCIL
PUBLIC HEARING DATE: JUNE 21, 1999**

Prepared by the Pinehurst Planning and Inspections Department

Request

The request is to consider a variety of amendments to the Pinehurst Development Ordinance (PDO). Proposed changes are outlined in this report. In accordance with Section 7.1 of the PDO, the Village Council is authorized to amend the PDO. The Planning and Zoning Board makes recommendations to the Village Council on requests for text amendments.

Applicant Pinehurst Planning and Zoning Board

Proposed Text

15.1.2 Dedication of Open Space and Recreational Land

(b) Amount of land to be dedicated. The amount of land required to be dedicated for recreation by a subdivider shall be based upon the most recent U.S. Bureau of Census figures for an average size family for the Mineral Springs Township and a park and recreation ratio of 10 acres per 1,000 persons. The actual amount of land to be dedicated shall be determined by the following formula:

Total Number of Dwelling Units	X	Average Family Size	X	.01 acres per Person	X	Variable Multiplier	=	Acres of Dedication
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Examples:

Total Number of Dwelling Units	X	Average Family Size	X	.01-acres per Person	X	Variable Multiplier	=	Acres of Dedication
200 Units	X	1.9	X	.01	X	1.2	=	4.56
150 Units	X	1.9	X	.01	X	1.4	=	3.99
27 Units	X	1.9	X	.01	X	.7	=	.36

VARIABLE DENSITY FACTOR TABLE

Net Density per Dwelling Unit Average Size of Lots in acres	Variable Multiplier
.0 to .1	1.8
.1 to .2	1.6
.2 to .3	1.4
.3 to .4	1.2
.4 to .5	1.0
.5 to .6	.9
.6 to .7	.8
.7 to .8	.7
.8 to .9	.6
.9 and above	5

- (1) The Variable Multiplier is designated to provide an adjustment to subdivision plats which contain average lot sizes of .5 acres and above. This adjustment is used since subdivisions with larger lots contain more open space, and thus fewer residents, which create less demand for public open spaces.

Subdivision plats that create lots which average less than .4 acres are adjusted due to the density of development and inherent increased demand for more public recreation and park land. The adjustments for large lots or for small lots are based on a sliding scale reflecting the degree of density.

Staff Comment

The proposed change to the variable density factor table allows for the formula to be implemented as intended by the authors of the PDO. As the formula currently exists in the PDO, it can not be utilized.

Planning and Zoning Board Recommendation

After conducting a public hearing on this proposed amendment, the Planning and Zoning Board voted at their meeting of June 21, 1999 to recommend that the PDO be amended as proposed.