

**ORDINANCE #15-08:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 9.13 (8) EXCEPTION TO FENCE HEIGHT AND DESIGN TYPE.**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 8<sup>th</sup> day of October, 2014, 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 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 4:30 p.m. on April 28, 2015 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 amendments to the Pinehurst Development Ordinance, 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 the Village Council amend Section 9.13 (8) of the Pinehurst Development Ordinance; and

**WHEREAS,** the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments to the text of the Pinehurst Development Ordinance, have determined that it is considered reasonable and in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction and that it is consistent with the 2010 Comprehensive Plan that the Pinehurst Development Ordinance be further amended, making the amendments as requested;

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled on the 28th day of April, 2015, 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 adding the following text amendment to Section 9.13 (8) Exception to Fence Height and Design Type:

**Section 9.13 Fences, Walls and Columns**

~~(8) Exception to Fence Height and Design Type~~

~~The Village Council after conducting a public hearing in accordance with section 4.1.1 (a) of this ordinance may allow for exceptions to the height and the~~

~~design type of fencing if it is determined to be in accordance with the Comprehensive Long Range Plan and Section 1.2 of this ordinance. In granting an exception they may place conditions. Such conditions may include, but are not limited to the location of the fence, alternate materials and additional landscaping.~~

**SECTION 2.** That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

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

**THIS ORDINANCE** passed and adopted this 28th day of April, 2015.



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: *Nancy Roy Fiorillo*  
Nancy Roy Fiorillo, Mayor

Attest:

*Lauren M. Craig*  
Lauren M. Craig, Village Clerk

Approved as to Form:

*Michael J. Newman*  
Michael J. Newman, Village Attorney