

**ORDINANCE #14-08:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS, SECTION 10.2.1 TABLE OF PERMITTED AND SPECIAL USES, AND SECTION 10.2.1.3 SPECIAL REQUIREMENTS TO THE TABLE OF PERMITTED AND SPECIAL USES (RETIREMENT COMMUNITY AS A PERMITTED USE IN OFFICE AND PROFESSIONAL ZONING DISTRICT).**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24<sup>th</sup> day of May, 2005, 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 February 25, 2014 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 Sections 2.2, 10.2.1, and 10.2.1.3 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 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 11<sup>th</sup> day of March, 2014, 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 2.2 Definitions:

**Section 2.2 Definitions**

**Retirement Community:**

**A planned age-restricted development for individuals 55 years in age or older which may consist of any housing form such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated uses and structures. These developments are intended to have an emphasis on social and recreational activities. These developments shall not include food or medical services and are intended to allow for independent living of the residents inhabiting the dwelling units.**

**SECTION 2.** 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 10.2.1 Table of Permitted and Special Uses:

**Table 10.2.1 TABLE OF PERMITTED AND SPECIAL USES  
RESIDENTIAL**

USE TYPES	PC	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	RD	OP	H	HD	VC	NC	SR
Dwelling, Accessory		SC	SC	SC	SC	SC	SC	SC	SC							1
Dwelling, Duplex									X							
Dwelling, Mixed Use											X			X	X	2
Dwelling, Multi-Family									X							
Dwelling, Single-Family		X (1)	X	X	X	X	X	X	X							
Dwelling, Townhouse									X							3
Family Care Home		X	X	X	X	X	X	X	X							4
Life Care Community		SC														
Mobile Home								X								5
<b><u>Retirement Community</u></b>											<u>SC</u>					<u>29</u>

Note (1): Subdivisions of thirty (30) acres or more in the R-210 District are required to meet the Open Space Subdivision requirements of Section 10.2.14.13.

- X=Permitted Use
- SC=Major Special Use (Village Council)
- SR=Special Requirement (See Section 10.2.1.3)
- SZ=Minor Special Use (Zoning Board of Adjustment)

**SECTION 3.** 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 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses:

**Section 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses**

**SR-29. Retirement Community**

- (1) **The minimum number of parking spaces required in Table 10.2.3.2 of this ordinance may be reduced to a minimum of 1.25 parking spaces per dwelling unit for Retirement Communities.**
- (2) **These uses may exceed the maximum building height required in Table 10.2.2.2 (c) of this ordinance. In no instance may a structure exceed a maximum height of 40'.**
- (3) **These uses shall have a maximum density of 12 units per acre.**

**SECTION 4.** 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 5.** That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11<sup>th</sup> day of March, 2014.



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