

ORDINANCE #13-07:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.2.2(b) TABLE OF DIMENSIONAL REQUIREMENTS R-MF RESIDENTIAL, MULTI-FAMILY DISTRICT (LAKEFRONT SETBACK AND VIEW ANGLE).

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24th 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 1:00 p.m. on February 26, 2013 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 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 regular session assembled on the 12th day of March, 2013, 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 10.2.2.2(b):

10.2.2.2 Tables of Dimensional Requirements

(b) R-MF Residential, Multi-Family District

Minimum Lot Area for Residential Uses	10,000 square feet for the first dwelling unit. The minimum lot area for multiple units shall be determined by the number of dwelling units per acre proposed.
Minimum Lot Area for Townhouse Unit	Sufficient to contain the unit to be constructed thereon, but not to exceed the

	maximum overall density.
Maximum Residential Density	6 units per gross acre (no rounding of fractions)
Minimum Lot Area for Non-Residential Uses	20,000 square feet
Minimum Lot Width at Setback Line	75 feet
Minimum Lot Width at Street Line	36 feet (single-family—20 feet)
Minimum Lot Width for Townhouse Unit	20 feet
Minimum Front Yard Setback	30 feet
Minimum Front Yard Setback from any Off-Street Parking Area	15 feet
Minimum Side Yard Setback	15 feet, although in the case of semi-detached multi-family, the side connected to another dwelling may have a side yard setback of zero
Minimum Rear Yard Setback	25 feet
Maximum Building Height	35 feet (1)
Minimum Principal Building Size	1,800 square feet
Minimum Heated Area Per Dwelling Unit	1,600 square feet
Minimum Building Size on First Floor	1,000 square feet
Lakefront Setback	60 30 feet (3)
Golf Course Setback	60 feet
Maximum Lot Covered by Impervious Surfaces	60% (2)

Building Separation (more than one building on the same lot):

Single Story: If either building wall contains a front entrance	35 feet, plus 5 feet for each story over 1
Single Story: If either building wall contains a rear entrance	30 feet, plus 5 feet for each story over 1
Single Story: If building walls contain windows but no public entrance	20 feet, plus 5 feet for each story over 1

Note (1): No single-family dwelling shall exceed the maximum height of thirty-five (35) feet measured from the average grade plane.

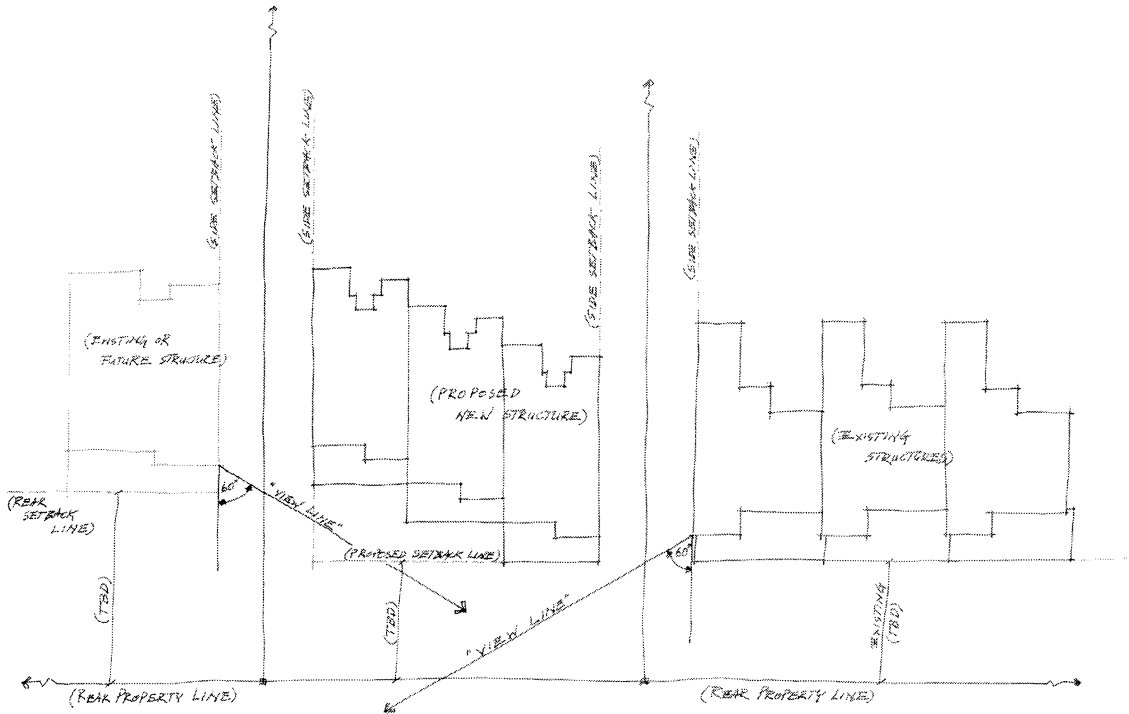
Note (2): See 12.4, Watershed Protection Overlay District may require a lower impervious surface coverage.

Note (3): Lake Front setback may be reduced when the following criteria are met:

(a) Lake Front setback cannot project forward toward the lake further than that of the existing structures on the adjacent properties on the lake and at no time be less than 30 feet.

(b) The new Lake Front setback and structure placement cannot in any way obstruct or deteriorate the view of existing or future structures located on any adjacent property also having frontage on the lake. Obstructed views are determined by striking a 60 degree “view angle” from the closest rear corner of adjacent structures.

View Angle Illustration



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.

Adopted this 12th day of March, 2013.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Florillo
Nancy Roy Florillo, Mayor

Attest:

Andrew M. Wilkison
Andrew M. Wilkison, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney