

**ORDINANCE #12-08:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 13.1.1.4 SIGNAGE IN THE VILLAGE MIXED USE DISTRICT AND SECTION 13.1.1.6 OFF-STREET PARKING, LOADING AND UNLOADING AREAS IN THE VILLAGE MIXED USE 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 1:00 p.m. on February 28, 2012 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 that the Village Council amend Sections 13.1.1.4 and 13.1.1.6 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 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 28<sup>th</sup> day of February, 2012, 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 13.1.1.4:

#### 13.1.1.4 Signage

All signage shall be in accordance with the existing signage requirements for the VC Village Commercial Zoning District. **Additional sign types and sizes from that permitted under section 10.2.5 of the PDO may be allowed if the signage is approved as part of major special use permit.**

**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 13.1.1.6:

#### 13.1.1.6 Off Street Parking, Loading and Unloading areas

- a) All development shall provide off street parking in accordance with section 10.2.3 of this Ordinance **except as indicated in c) below.** Credit will be given to count toward the minimum amount of parking required for each on street parking space located within 100 feet of the front door of each establishment or for each space provided in a public parking lot located within 300 feet of the front door of the establishment. This measurement shall be as a pedestrian would walk. In no case shall the on-street parking and/or public parking be used to meet more than 25% of the required parking as indicated in section 10.2.3 **except as indicated in c) below.**
- b) All off street parking shall be located to the rear of the buildings or be separated visually from the street and/or sidewalk by a solid wall as to screen the parking from public view.
- c) **Development proposals in which at least one of the historic structures listed within the NewCore Plan is to be rehabilitated or occupied shall have no minimum parking requirement if it is shown that there is adequate public on or off street parking available to support the uses as part of the major special use process.**

**SECTION 3.** 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 4.** That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 28<sup>th</sup> day of February, 2012.



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: Nancy Roy Fiorillo  
Nancy Roy Fiorillo, Mayor

Attest:

Linda S. Brown  
Linda S. Brown, Village Clerk

Approved as to Form:  
Michael J. Newman  
Michael J. Newman, Village Attorney