

**ORDINANCE #11-28:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.2.2 (a) TABLE OF DIMENSIONAL REQUIREMENTS- LIBRARIES AND MUSEUMS SETBACKS AND IMPERVIOUS SURFACE REQUIREMENT.**

**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 September 27, 2011 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 Section 10.2.2.2 (a) of the Pinehurst Development Ordinance; and

**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 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 27<sup>th</sup> day of September, 2011, 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 (a):

**10.2.2.2 Tables of Dimensional Requirements**

All uses and structures in the general-use zoning districts shall comply with the following dimensional requirements, except as may be otherwise provided by this Ordinance:

(a) PC, R-210, R-30, R-20, R-15, R-10, R-8 and R-5 Districts

Dimension	District							
	PC	R-210	R-30	R-20	R-15	R-10	R-8	R-5
Minimum Lot Size	None	5 acres (2)	30,000 sq. ft. (9) (10)	20,000 sq. ft. (10)	15,000 sq. ft. (10)	10,000 sq. ft. (10)	8,000 sq. ft. (10)	5,000 sq. ft.
Minimum Lot Size for Non-Residential Buildings	--	5 Acres	30,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
Minimum Lot Width at Setback Line	--	100 feet	100 feet (10)	80 feet (4) (10)	75 feet (4) (10)	75 feet (4) (10)	60 feet (4) (10)	40 feet (4)
Minimum Lot Width at Street Line	100 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum Front Yard Setback	50 feet <u>(11)</u>	100 feet	40 feet	40 feet (10)	30 feet (10)	30 feet (10)	20 feet (10)	20 feet
Minimum Side Yard Setback	25 feet <u>(11)</u>	50 feet	20 feet	15 feet (5) (10)	15 feet (5) (10)	15 feet (5) (10)	10 feet (5) (10)	10 feet (5)
Minimum Rear Yard Setback	25 feet <u>(11)</u>	40 feet	30 feet	30 feet (10)	30 feet (10)	25 feet (10)	20 feet (10)	20 feet
Maximum Building Height	35 feet	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)
Minimum Principal Building Size (heated sq. ft.)	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	1,500 sq. ft.	600 sq. ft.
Minimum Building Size On First Floor (heated sq. ft.)	--	1,600 sq. ft.	1,600 sq. ft.	1,600 sq. ft.	1,500 sq. ft.	1,000 sq. ft.	800 sq. ft.	600 sq. ft.
Lakefront/Golf Course Setback	60 feet	60 feet	60 feet	30 feet	30 feet	30 feet	30 feet	--
Maximum Lot Covered By Impervious Surface	12% (1) (6)	10% (1) (7)	30% (1) (10)	35% (1) (10)	37.5% (1) (10)	40% (1) (10)	42.5% (1) (10)	45% (1)
Maximum Lot Coverage by Buildings	--	--	20% (10)	20% (10)	30% (10)	28% (10)	25% (8) (10)	30%

Note (6): Village of Pinehurst governmental buildings, including administrative offices, public safety stations, municipal public service facilities, and similar buildings

not intended for recreational purposes may cover up to seventy percent (70%) impervious surface. Churches located within the PC zoning district may exceed the 12% impervious surface requirement for the PC zoning district to a maximum of 40% impervious surface, this increase shall result in the church use being permitted as a major special use rather than a minor special use and shall follow the processes of the major special use. **Lots containing only Museums and/or Libraries as the primary use and located within the PC zoning district may exceed the 12% impervious surface requirement for the PC zoning district to a maximum of 70% impervious surface.**

Note (7): Open space subdivision lots shall meet the setback and impervious surface requirements of the R-30 District.

Note (8): The maximum lot coverage by building in the R-8 Zoning District shall not prevent a single story home from having up to 2,500 sq. ft. of building coverage. All other regulations still apply.

Note (9): Lots located within a Planned Residential Development may have reduced lot sizes.

Note (10): Lots that are created as part of a Green Neighborhood project shall meet the requirements of the dimensional table associated with this type development as indicated in section 10.2.14.27.

**Note (11): Parcels zoned PC and containing only a museum and/or library as the primary use shall be exempt from the side and rear setback requirements. Thereby not having any setbacks from the property line and the front setback shall be reduced to 40 feet.**

**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 27<sup>th</sup> day of September, 2011.



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: Virginia F. Fallon  
Virginia F. Fallon, Mayor

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

Attest:  
Linda S. Brown  
Linda S. Brown, Village Clerk