

**ORDINANCE #10-27:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.1 TABLE OF PERMITTED AND SPECIAL USES AND SECTION 10.2.1.3 SR-25 (h) TO ALLOW FARMERS' MARKETS AS A PERMITTED USE IN PC AND VC ZONING.**

**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 May 25, 2010 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 Pinehurst Development Ordinance text changes, 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 10.2.1 and 10.2.1.3 SR-25 (h) 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 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 25<sup>th</sup> day of May, 2010, 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 10.2.1:

Table 10.2.1 TABLE OF PERMITTED AND SPECIAL USES

**MISCELLANEOUS USES**

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
Farmers' Market	<b>X</b>												X	<b>X</b>		25

X=Permitted Use  
SC=Major Special Use (Village Council)  
SZ=Minor Special Use (Zoning Board of Adjustment)

**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 10.2.1.3 SR-25 (h):

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

**SR-25. Temporary Uses and Structures**

25(h) Farmers' Market

Farmer's Markets are an allowed accessory and temporary use in the HD, VC and PC districts provided such use is not placed in any required yard or setback, unless it is part of existing development, provided all conditions set forth below are met:

**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 25<sup>th</sup> day of May, 2010.

(Municipal Seal)



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By:

*Virginia F. Fallon*  
Virginia F. Fallon, Mayor

Attest:

*Linda S. Brown*  
Linda S. Brown, Village Clerk

Approved as to Form:

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