

ORDINANCE #10-61:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.15.1 MINOR SITE PLANS AND MAJOR SITE PLANS.

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 November 16, 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 Section 10.2.15.1 (b) (2) 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 16th day of November 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 10.2.15.1 (b) (2):

10.2.15.1 Site Plan Approval Required; Minor Site Plans and Major Site Plans

(b) Two Types of Site Plans Required—Major and Minor:

- (1) Minor Site Plans: Site plans for any non-residential development with a land disturbing activity not exceeding one (1) acre shall be deemed minor site plans, approval of which shall be the responsibility of the Village Planner upon recommendation of the Technical Review Committee;
- (2) Major Site Plans: All other site plans shall be deemed major site plans, approval of which shall be the responsibility of the Village Council in accordance with the requirements of Section 10.2.15.5 below. ~~In addition, all site plans required to be submitted as part of a Major Special Use Permit request or Conditional Use District Rezoning application shall be considered as major site plans.~~

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 16th day of November 2010.



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