

**ORDINANCE #10-68:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTIONS 4.3 (f), 10.2.5.2 (a) and 10.2.5.7 (c) SIGNAGE APPROVAL.**

**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 December 14, 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 text 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 4.3 (f), 10.2.5.2 (a) and 10.2.5.7 (c) 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 14<sup>th</sup> day of December, 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 4.3 (f):

**Section 4.3 (f) Planning and Zoning Board**

The Planning and Zoning Board shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:

- (f) ~~To review and approve all applications for signage prior to the issuance of a development permit as required by this ordinance;~~

**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 10.2.5.2 (a):

**Section 10.2.5.2 Approval Requirements**

- (a) Except as otherwise stated in this Section, signs which are allowed under this Section shall not be erected until and unless the person erecting the sign or the property owner has obtained a development permit pursuant to this Ordinance and, where required by the State Building Code, a building permit from the Planning and Inspections Department. All signs requiring a development permit shall be reviewed and approved by the ~~Planning and Zoning Board~~ **Village Planner** prior to the issuance of a development permit, with the exception of proposed signage located within the Historic Preservation Overlay district, which shall **also** be reviewed and approved by the Historic Preservation Commission ~~only~~;

**SECTION 3.** 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 10.2.5.7 (c):

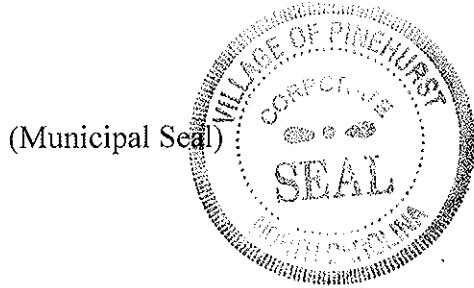
**Section 10.2.5.7 Comprehensive Sign Plans**

- (c) The comprehensive sign plan shall be subject to approval by ~~the Planning and Zoning Board~~ or the Historic Preservation Commission if located within the Historic Preservation Overlay district and is a prerequisite for the issuance of a development permit;

**SECTION 4.** 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 5.** That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 14<sup>th</sup> day of December, 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