

**ORDINANCE #08-08:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS AND SECTION 10.2.1 TABLE OF PERMITTED AND SPECIAL USES. (HOSPICE)**

**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 March 25, 2008 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 2.2 and 10.2.1 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 March, 2008, 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 2.2:

Section 2.2 Definitions

**Hospice patient: a patient diagnosed as terminally ill by a physician licensed to practice medicine in North Carolina, who the physician anticipates to have a life expectancy of weeks or months, generally not to exceed six months, and who alone, or in conjunction with designated family members, has voluntarily requested and been accepted into a licensed hospice program.**

**Hospice patient's family: the hospice patient's immediate kin, including a spouse, brother, sister, child, or parent. Other relations and individuals with significant personal ties to the hospice patient may be designated as members of the hospice patient's family by mutual agreement among the hospice patient, the relation or individual and the hospice team.**

**Hospice services: the provision of palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of patients and their families, which are experienced during the final stages of terminal illness and during dying and bereavement.**

**Hospice Care Campus: a freestanding licensed hospice facility or facilities which provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual and special needs of terminally ill patients and their families in a group residential or inpatient setting. Said facility or facilities will be under the supervision of an identifiable hospice administration as defined by the North Carolina General Statutes. To include associated buildings directly providing support to the campus and hospice services by a Hospice team or Interdisciplinary team, as well as temporary residential accommodations for the Hospice patients' families.**

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:

**Table 10.2.1 TABLE OF PERMITTED AND SPECIAL USES**  
***OFFICE, HOTEL, MEDICAL***

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
Animal Hospital (small animals with indoor kennels and facilities only)											SZ					8
Art Galleries											X			X	X	
Bank; Financial Institution											X			X	X	
Bed & Breakfast Inn												SC		SC		9
Clinics, Medical											X		X		X	
Clubs and Lodges										X	X				SC	

Day Care Centers										X		X		SC	
Funeral Home										SC					
Heliport												X			
<b><u>Hospice Care Campus</u></b>														<b><u>SC</u></b>	
Hospital												X			
Hotel											X				
Laboratories										X		X		SZ	
Medical Dormitories										X		X			10
Medical Laboratories										X		X		SZ	
Medical Offices										X		X		X	
Mobile Health Service Vehicle												X			
Nursing Home										X		X		SC	
Offices										X		X	X	X	11
Pharmacy										SZ		SZ		X	12
Rehabilitation Facilities										X		X			

X=Permitted Use  
 SC=Major Special Use (Village Council)  
 SZ=Minor Special Use (Zoning Board of Adjustment)  
 SR=Special Requirement (See Section 10.2.6.1)

**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 March, 2008.

(Municipal Seal)



VILLAGE OF PINEHURST  
 VILLAGE COUNCIL

By: Lorraine A. Tweed  
 Lorraine A. Tweed, Mayor Pro-Tem

Attest:

Linda S. Brown  
 Linda S. Brown, Village Clerk

Approved as to Form:

Michael J. Newman  
 Michael J. Newman, Village Attorney