

ORDINANCE #08-18:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 5.13.3 APPLICATION REQUIREMENTS; DETERMINATION OF COMPLETENESS AND SECTION 10.2.1.3 SR-18 (j) (2) (e).

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 June 24, 2008 in the Conference Room 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 5.13.3 and Section 10.2.1.3 SR-18 (j) (2) (e) 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 meeting assembled on the 22nd day of July, 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 5.13.3:

5.13.3 Application Requirements; Determination of Completeness

- (a) The application shall contain or be accompanied by such information and plans as required on the application form. Where the proposed special use will require site plan approval pursuant to Section 10.2.15, the application shall also be

accompanied by a general concept site plan meeting the application requirements of that Section;

- (b) After determining that the application is complete, the Village Planner and the Technical Review Committee shall complete review of the general concept site plan and transmit all applications, plans, and other records pertaining to the proposed special use to the appropriate body. Once the Technical Review Committee has deemed the application complete and accurate it will be sent forward to the appropriate body for consideration.

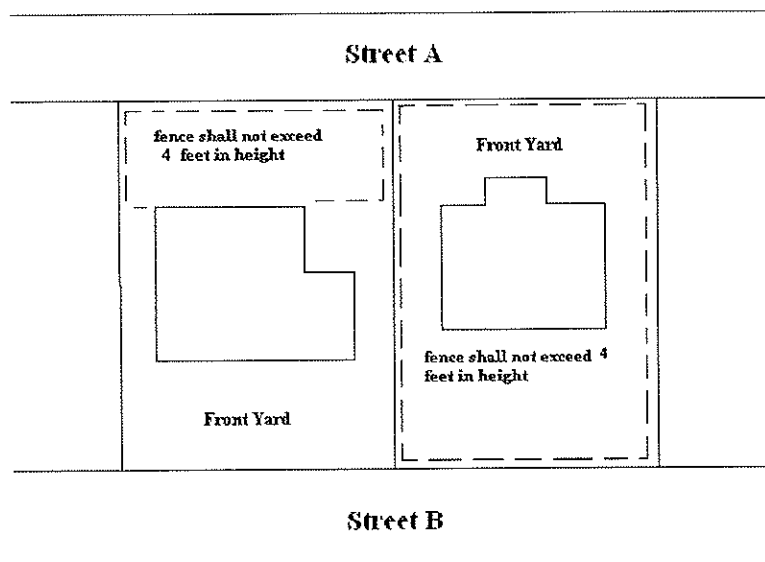
(c) REQUIRED INFORMATION TO BE INCLUDED ON THE GENERAL CONCEPT PLAN

- (1) The present zoning classification(s) of the tract;
- (2) Adjoining property lines;
- (3) The location, height, size and location of structure(s);
- (4) Proposed use of land and structures;
- (5) Building elevation drawings;
- (6) Proposed planting areas including walls and fences and the treatment of any existing natural features;
- (7) The names and deed references of current adjoining property owners;
- (8) All existing easements, reservations, rights-of-way and all yards required for the zoning district requested;
- (9) General location and size of on-site and abutting utilities and proposed tie-in to existing public utilities (including water, sewer, drainage, etc);
- (10) General location and type of stormwater facilities;
- (11) Delineation of areas along streams on which the 100-year flood has been determined by the flood plain management regulations of the Village of Pinehurst;
 - i. For residential uses this shall include number of units and outline of area within which structures will be located.
 - ii. For nonresidential uses, this shall include approximate square footage of structures and outline of area within which the structure(s) will be located;
- (12) Parking and circulation plan, showing location, arrangement and number of parking spaces and ingress and egress to adjacent areas;

- (13) Proposed dimension and number of signs and their locations;
- (14) Proposed phasing and approximate completion time of the project;
- (15) Survey of regulated and significant trees and the number of those trees existing, proposed for removal and reasons why those trees will be removed;
- (16) Grid tie to NC Grid coordinates, both horizontal and vertical, including monument utilized for tie.
- (17) Trip generation based on ITE standards for the proposed uses along with proposed roadway/signal improvements for the development proposal.
- (18) Proposed pedestrian improvements including sidewalks, greenways, etc..
- (19) ISO computations based on the approximate/proposed square footages for each type of use.
- (20) Current and proposed topography. Use of LIDAR data is acceptable for conceptual plans, however, actual surveyed topography shall be required for formal site plan submittal pursuant to Section 10.2.15.

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 and associated graphic to Section 10.2.1.3 SR-18 (j) (2) (e):

(e) Fences, walls, and similar structures shall not exceed 4 feet in height when abutting a defined front yard of an adjacent property.



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 22nd day of July, 2008.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: *George P. Lane*
George P. Lane, Mayor

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

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