

**ORDINANCE #07-19:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS AND SECTION 10.2.2.2(c) TABLE OF DIMENSIONAL REQUIREMENTS.**

**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 22, 2007 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 2.2 and Section 10.2.2.2(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 26<sup>th</sup> day of June, 2007, 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:

**Public Sidewalk: An improved surface paralleling a street, road or alley that is used as a public pedestrian walkway. This sidewalk shall not include any privately installed and maintained areas located adjacent to the public sidewalk that is used primarily to provide a pedestrian linkage between the abutting property and the public sidewalk.**

**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 10.2.2.2(c):

**10.2.2.2      *Tables of Dimensional Requirements***

All uses and structures in the general use zoning districts shall comply with the following dimensional requirements, except as may be otherwise provided by this

Ordinance:

(c) RD, OP, H, HD, VC, and NC Districts

Dimension	Districts					
	RD	OP	H	HD	VC	NC
Minimum Lot Area	5 acres	20,000 sq. ft.	43,560 sq. ft.	15 acres	5,000 sq. ft.	10,000 sq. ft.
Minimum Lot Width at Setback Line	--	100 feet	--	400 feet	--	--
Minimum Lot Width at Street Line	200 feet	50 feet	100 feet	50 feet	50 feet	75 feet
Minimum Front Yard Setback	100 feet	25 feet	40 feet	75 feet	20 feet <u>5</u> feet <b>(3)</b>	35 feet
Minimum Side Yard Setback	50 feet	15 feet	20 feet	75 feet	5 feet	10 feet
Minimum Rear Yard Setback	50 feet	20 feet	30 feet	75 feet	5 feet	20 feet
Maximum Building Height	35 feet	35 feet	50 feet	<b>(2)</b>	40 feet	35 feet
Minimum Principal Building Setback from Any Outdoor Recreation Area	60 feet	--	--	--	--	--
Minimum Setback for Principal Buildings or Impervious Surfaces Not Accessory to the Playing Area	120 feet from the center of any play area	--	--	--	--	--
Minimum Building Size	--	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Minimum Building Size On First Floor	--	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Maximum Lot Covered By Impervious Surface	24% <b>(1)</b>	65% <b>(1)</b>	65% <b>(1)</b>	65% <b>(1)</b>	90% <b>(1)</b>	65% <b>(1)</b>

Note (1): Section 12.4, Watershed Protection Overlay District may require a lower impervious surface coverage.

Note (2): The Principal Hospital Building may be erected above a height of fifty (50) feet provided the minimum yards are increased fifteen (15) feet for each ten (10) feet in building height in excess of fifty (50) feet to a maximum of seventy-five (75) feet in height. All other buildings on the Hospital Campus shall not exceed thirty-five (35) feet in height.

**Note (3):** The 5 foot minimum setback shall be measured from the outside edge of the public sidewalk to the structure. All structures must be located outside of any public or private right of ways.

**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 26<sup>th</sup> day of June, 2007.



(Municipal Seal)

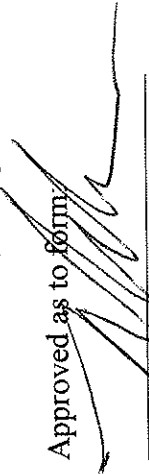
VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By:   
Steven J. Smith, Mayor

Attest:

Linda S. Brown  
Linda S. Brown, Village Clerk

Approved as to form:

  
Michael J. Newman, Village Attorney