

**ORDINANCE #07-42:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS AND TO SECTION 10.2.10.2 WELL FIELD PROTECTION REGULATIONS.**

**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 September 25, 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 Sections 2.2 and 10.2.10.2 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 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 23<sup>rd</sup> day of October, 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:

Section 2.2 Definitions.

**GEOHERMAL HEATING AND COOLING CLOSED LOOP SYSTEM: A Closed loop system is a system that circulates a water-based solution through a "loop" of small diameter, underground pipes. The system consists of an indoor unit and a buried earth loop. In the winter, fluid circulating through the system's earth loop absorbs stored heat and carries it indoors. The indoor unit compresses the heat to a higher temperature and distributes it throughout the building. In the summer, the system reverses, pulling heat from the building, carrying it through the earth loop and depositing it in the cooler earth.**

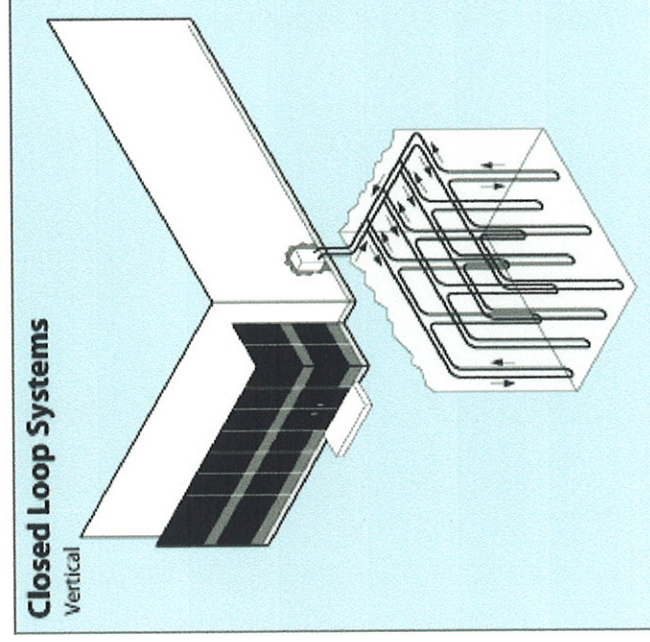
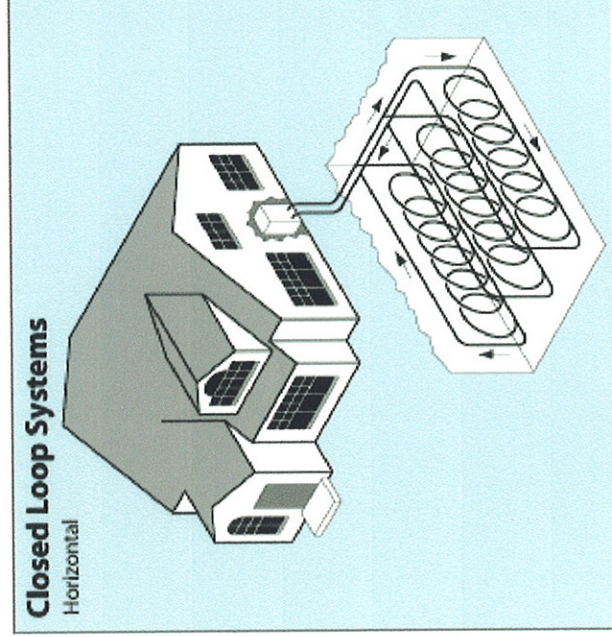
**SECTION 2.** That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by adding the following text amendment to Section 10.2.10.2:

10.2.10.2 Well Field Development Regulations

**(i) Geothermal Heating and Cooling Closed Loop System**

Geothermal Heating and Cooling Closed Loop Systems are permitted both inside and outside of the Pinehurst Well Field Protection Area. To be approved, applications for geothermal systems must be made to the following specifications:

- (1) A geothermal system employing drilled well(s) as the earth loop is a permitted application. The application must provide a site plan specifying the location of the well(s) and comply with all applicable Village of Pinehurst and Moore County ordinances and requirements for wells;
- (2) A geothermal system employing horizontal closed loops is a permitted application. The applicant shall provide a site plan depicting the layout of the horizontal or vertical closed loop within the property boundaries and its relation to the existing and proposed structures of the site.

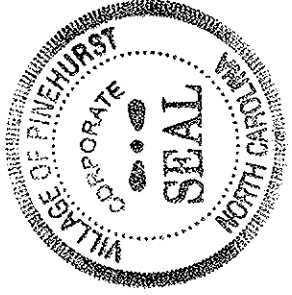


**SECTION 3.** That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

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

Adopted this 23<sup>rd</sup> day of October, 2007.

(Municipal Seal)



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By:   
Steven J. Smith, Mayor

Attest:

  
Linda S. Brown, Village Clerk

Approved as to form:

  
Michael J. Newman, Village Attorney