

**ORDINANCE #06-02:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO CHAPTER 12, SECTION 12.4.9 STREET CONSTRUCTION.**

**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 20, 2005 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 Chapter 12, Section 12.4.9 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 24<sup>th</sup> day of January , 2006, 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 Chapter 12:

**12.4.9 Street Construction**

- (a) All streets shall be designed in accordance with the Village Standards Manual;
- (b) Notwithstanding any other requirements set forth elsewhere in this Ordinance, street construction projects located in the Watershed Protection District shall be constructed with curb and gutter according to Village Standards Manual; provided that such projects shall, to the maximum extent practicable, minimize built-upon surface area, direct storm water away from surface waters and incorporate Best Management Practices to minimize water quality impacts by:
  - 1) Installing outlets to convey all storm water to grass swales or vegetated areas **meeting NCDENR design standards for Best Management Practices** prior to the runoff discharging to waters;
  - 2) Obtaining from the Village engineer approval for any site-specific proposal to minimize the impact of the proposed

street on water quality in any site-specific area where option 1 cannot be practicably implemented. Any site-specific proposal to be employed in a water supply watershed area as part of this standard shall be accompanied by adequate computations and documentation to demonstrate that the proposal will provide at least 85% TSS removal in accordance with the design standards of the NCDWQ "BMP Design Manual"

**SECTION 2.** 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 3.** That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

**SECTION 4.** Adopted this 24<sup>th</sup> day of January, 2006.

(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