

**ORDINANCE #05-31:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO CHAPTER 2, SECTION 2.2 DEFINITIONS; CHAPTER 10, SECTION 10.2.2.2(a) AND NOTE 9.**

**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 October 25, 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 2, Section 2.2 Definitions and Chapter 10, Section 10.2.2.2(a) and Note 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 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 October, 2005, 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 amendments to Chapter 2:

Section 2.2 Definitions

**Planned Residential Development- Is a type of cluster subdivision that concentrates buildings on a part of the site (the cluster area) to allow the remaining land (the open space) to be used for recreation, common open space, or preservation of environmentally sensitive and or historic areas. The open space may be either a public or private entity.**

**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 amendments to Chapter 10:

**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.

(a) PC, R-210, R-30, R-20, R-15, R-10, R-8 and R-5 Districts

Dimension	District							
	PC	R-210	R-30	R-20	R-15	R-10	R-8	R-5
Minimum Lot Size	None	5 acres (2)	30,000 sq. ft. (9)	20,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	5,000 sq. ft.
Minimum Lot Size for Non-Residential Buildings	--	5 Acres	30,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
Minimum Lot Width at Setback Line	--	100 feet	100 feet	80 feet (4)	75 feet (4)	75 feet (4)	60 feet (4)	40 feet (4)
Minimum Lot Width at Street Line	100 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum Front Yard Setback	50 feet	100 feet	40 feet	40 feet	30 feet	30 feet	20 feet	20 feet
Minimum Side Yard Setback	25 feet	50 feet	20 feet	15 feet (5)	15 feet (5)	15 feet (5)	10 feet (5)	10 feet (5)
Minimum Rear Yard Setback	25 feet	40 feet	30 feet	30 feet	30 feet	25 feet	20 feet	20 feet
Maximum Building Height	35 feet	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)	35 feet (3)
Minimum Principal Building Size	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	1,500 sq. ft.	600 sq. ft.
Minimum Building Size On First Floor	--	1,600 sq. ft.	1,600 sq. ft.	1,600 sq. ft.	1,500 sq. ft.	1,000 sq. ft.	800 sq. ft.	600 sq. ft.
Lakefront/Golf Course Setback	60 feet	60 feet	60 feet	30 feet	30 feet	30 feet	30 feet	--
Maximum Lot Covered By Impervious Surface	12% (1) (6)	10% (1) (7)	30% (1) (1)	35% (1) (1)	37.5% (1) (1)	40% (1) (1)	42.5% (1) (1)	45% (1) (1)
Maximum Lot Coverage by Buildings	--	--	20% (7)	20%	30%	28%	25% (8)	30%

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

Note (2): The R-210 District permits smaller lot sizes for Open Space Subdivisions. The maximum lot coverage limitation by buildings only applies to lots less than five (5) acres.

Note (3): No single-family dwelling shall exceed the maximum height of thirty-five (35) feet as measured from the average grade plane. At the setback line, 25 feet is the maximum allowable height. To reach the maximum height of 35 feet an additional ten feet of setback will be required. This standard is intended for each foot back from the setback the structure may go up one foot until the maximum height of 35 feet is reached ten feet back from the required setback line.

Note (4): Corner lots are required to add ten (10) feet.

Note (5): Corner lots are required to add five (5) feet for the corner street side.

Note (6): Village of Pinehurst governmental buildings, including administrative offices, public safety stations and similar buildings not intended for recreational purposes may cover up to seventy percent (70%) impervious surface.

Note (7): Open space subdivision lots shall meet the setback and impervious surface requirements of the R-30 District.

Note (8): The maximum lot coverage by building in the R-8 Zoning District shall not prevent a single story home from having up to 2,500 sq. ft. of building coverage. All other regulations still apply.

Note (9): Lots located within a Planned Residential Development may have reduced lot sizes.

**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.

**SECTION 5.** Adopted this 25<sup>th</sup> day of October, 2005.

(Municipal Seal)



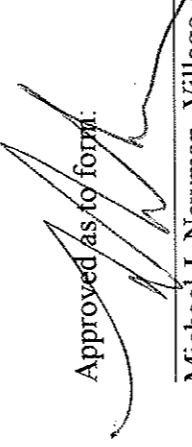
VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By:   
Steven J. Smith, Mayor

Attest:

  
Linda S. Brown, Village Clerk

Approved as to form:

  
Michael J. Newman, Village Attorney