

**ORDINANCE #17-19:**

**AN ORDINANCE RE-ADOPTING THE DEVELOPMENT ORDINANCE OF THE VILLAGE OF PINEHURST AND ITS EXTRATERRITORIAL ZONING JURISDICTION.**

**THAT WHEREAS**, the Village Council of the Village of Pinehurst adopted an 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 its extraterritorial area over which it has jurisdiction and later adopted an updated Pinehurst Development Ordinance on October 8, 2014; and

**WHEREAS**, The Village of Pinehurst has contracted with American Legal to electronically host the Pinehurst Development Ordinance (PDO) on the website; and

**WHEREAS**, in order to transition to a consistent, electronic format, American Legal needed to codify the ordinance and reformat elements within the document to bring it in line with their protocols which resulted in a few numbering and formatting changes; and

**WHEREAS**, the State of North Carolina General Assembly has passed legislation that necessitated several amendments be incorporated into the proposed PDO; and

**WHEREAS**, it would be in the best interest of the Village to consider re-adopting the PDO in order to continue the process with American Legal and making this new service available to the public in a user-friendly manner; and

**WHEREAS**, the Village Council held Public Hearings on the Proposed Pinehurst Development Ordinance on December 12 at 4:30 p.m. in the Assembly Hall of Village Hall after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst and its extraterritorial zoning jurisdiction, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial zoning jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed Pinehurst Development Ordinance; and

**WHEREAS**, the Village Council, after considering all of the relevant comments, facts and circumstances pertinent to this proposed PDO, has decided that it is in the best interest of the Village of Pinehurst, its citizens, residents, property owners and its extraterritorial zoning jurisdiction that the PDO be adopted.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled on the 12<sup>th</sup> day of December 12, 2017, as follows:

**SECTION 1.** That the Pinehurst Village Council finds although the re-adoption of an existing ordinance is not addressed in the 2010 Comprehensive Long Range Plan, housing the PDO on the American Legal website along with the Municipal Code will provide the public with convenience and more timely updates along with bringing the PDO into conformance with state laws is in

accordance with the Comprehensive Plan and achieving goals in accordance with the comprehensive plan is considered reasonable and in the best interest of the public.

**SECTION 2.** That the Village of Pinehurst Development Ordinance labeled as Addendum A is re-adopted, as it pertains to the Village of Pinehurst and its extraterritorial zoning jurisdiction.

**SECTION 3.** That the Village of Pinehurst Development Ordinance also incorporate the approved changes from Ordinance 17-09 labeled as Addendum B as a part of this re-adoption, as it was amended after the draft was prepared by American Legal.

**SECTION 4.** That the jurisdiction and authority of the Pinehurst Village Council, for all purposes including adopting and enforcing zoning regulations, subdivision control regulations, and the enforcement of the North Carolina State Building Code, are included in the adoption of this ordinance.

**SECTION 5.** That the Village Council does hereby rescind, repeal, and declare null and void all sections of all zoning and subdivision ordinances, which are in conflict with the provisions of the Pinehurst Development Ordinance.

**SECTION 6.** That the Pinehurst Development Ordinance shall be and remain in full force and effect from and after the 12<sup>th</sup> day of December, 2017.

**SECTION 7.** Adopted this 12<sup>th</sup> day of December, 2017.



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: Nancy Roy Fiorillo  
Nancy Roy Fiorillo, Mayor

Attest:

Lauren M. Craig  
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman  
Michael J. Newman, Village Attorney