



**Application for
Amendment to Zoning Ordinance Text**

(revised 3/14/17)

Fee: \$400.00

Applicant

Name: Vincent Wade Telephone: 910-235-2646

Address: PO Box 3686, Pinehurst, NC 28374 Email: vince@pinehurstcoins.com

Type of Change: ☐ New Addition ☒ Revision ☐ Ordinance Section (s): 9.5.1.2.D.1

Current Text:
(see attached)

Proposed Text (attach additional sheets if necessary):
(see attached)

Reason for requested change (attach additional sheets if necessary):
(see attached)

I hereby certify that the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Signature:  Date: 6/5/18 

Office Use Only

Action of Planning and Zoning Board and Meeting Date(s): _____

Action of Village Council and Meeting Date(s): _____

Request for Text Amendment to the Village of Pinehurst Development Ordinance

Current Text:

PDO Section 9.5.1.2.D.1 (Requirements for Planted Buffers: Application)

These standards apply to all non-residential and multi-family uses (including townhouse unit development) located within the Village of Pinehurst and its extraterritorial jurisdiction except for properties containing only museums and/or libraries as the primary use and located within the PC zoning district. Additionally, the Village Council may waive some or all of these standards for developments and uses located within the VC, VMU, VCP and VR Zoning Districts when determined to be in the best interest of the public. In waiving these standards, the Village Council may require an alternate means of buffering if agreed upon by the property owner. When non-residential and multi-family uses submit a site plan for locations next to property zoned for primarily residential use, planted buffers shall be provided near the perimeter of the non-residential of multi-family property. One half of the planted buffer requirements shall apply when a public street or railroad right-of-way separates non-residential or multi-family uses from a residential property. If a greenway passes through a landscape buffer the area of the greenway shall be subtracted from the total buffer area for plant count purposes.

Proposed Text:

PDO Section 9.5.1.2.D.1 (Requirements for Planted Buffers: Application)

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Reason for Requested Change:

The text change to the Landscape Section of the PDO is requested so that the Village Council will have the ability to waive some or all buffer requirements in the OP and NC districts as well as the VC, VMU, VCP and VR districts. This would give the Council a greater ability to consider contextual situations, both natural and man-made, to determine what type of buffering is appropriate, if any, in a given circumstance.

Chapter 6 of the PDO explains the need for text amendments as a way “to make adjustments to the text of this Ordinance ... that are necessary in light of changed conditions, adopted plans or changes in public policy, or that are necessary to advance the general welfare of the Village and are in furtherance of **Section 1.2** of this Ordinance.” In **Section 1.2 Statement of Intent of This Ordinance**, general guidance is given for making planning and zoning decisions. This Section states that “the continued conservation of the environmental and aesthetic character of Pinehurst as it grows and develops will be controlled and accomplished by land use regulation made with reasonable consideration given to, among other things, the character of the various areas of the Village and its environs ...” The Village Council should have the ability to consider context of an area and its particular character, to determine if a landscape requirement is appropriate when applied in a specific instance. Currently the Village Council can only make this determination for a few districts. This recommended text amendment gives the Village Council the ability to waive part or all of the buffer requirements in more districts if those prescriptive buffer requirements are determined to be inappropriate given the context of the area.



**PLANNING AND ZONING BOARD
JUNE 7, 2018
COUNCIL CONFERENCE ROOM
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM**

MINUTES

BOARD MEMBERS IN ATTENDANCE:

Leo Santowasso, Chair
Cyndie Burnett, Board Member
Jeff Haarlow, Board Member
Julia Latham, Board Member
Mike Marsh, Vice-Chair
David Kelley, Vice-Chair
Myles Larsen, Board Member
Joel Shriberg, Board Member
Fred Engelfried, Board Member

Staff in Attendance:

Alex Cameron, Senior Planner
Gwendy Hutchinson, Planning and Administrative Assistant

I. Call to Order

Chair Santowasso asked staff to poll the Board. Chair Santowasso confirmed that there was a quorum present and called the meeting to order.

II. Approval of Minutes

A. May 3, 2018

Cyndie Burnett made a motion to approve the May 3, 2018 Minutes; Mike Marsh seconded the motion, which was unanimously approved.

Upon a motion by Fred Engelfried, seconded by Mike Marsh, the Board unanimously agreed to recess its regular meeting and enter into Public Hearing No. 1.

III. New Business

A. Public Hearing No. 1

The purpose of the public hearing is to consider a request by the Village of Pinehurst for a Major Site Plan Review in order to construct a Community Center. This property is identified as Moore County PID#'s 00029688, 0002986, 000298687 and is located at Cannon Park near the intersection of NC Hwy 211 and Rattlesnake Trail. This project will consist of a 19, 574 square foot community center with offices and a gymnasium.

Alex Cameron, Senior Planner read portions of the staff report into the record.

Chair Leo Santowasso recused himself as he currently works with McGill & Associates Engineering and asked David Kelley to assume the position as Chair.

Mark Wagner, Parks and Recreation Director; and Bill Roark, McGill & Associates Engineering were present to answer any questions or address any concerns on the Board.

Upon a motion by Fred Engelfried, seconded by Mike Marsh, the Board unanimously agreed to close Public Hearing No. 1 and re-enter into its regular meeting.

After discussion, Mike Marsh made a motion to approve the request for a Major Site Plan in order to construct a Community Center with the condition that all comments by the Technical Review Team (TRC) be addressed and that as it is consistent with the Pinehurst 2010 Long Range Plan. The motion takes into consideration the changing needs and desires of the community and is therefore deemed to be in accordance with the 2010 Comprehensive Plan amended, October 11, 2011, in that the Village "should seek ways to enhance the overall community spirit and the pride and sense of community that exists in the Village of Pinehurst." Constructing the Community Center would meet this objective; Cyndie Burnett seconded the motion which was unanimously approved by a vote of 8-0.

Leo Santowasso assumed his position as Chair and thanked David Kelley for filling in.

IV. General Business

A. Subcommittee Updates

Minimum Heated Square Footage for Apartments, Condos, and Townhouse.

The sub-committee are continuing with discussions and have set a date for their next meeting on June 21st at 4:00 pm

Tree Removal

The sub-committee are continuing with discussions and have set a date for their next meeting on June 28th at 4:00 pm

V. Next Meeting Date

B. July 5, 2018

VI. Adjournment

Joel Shriberg made a motion to adjourn, seconded by David Kelley, the Board unanimously agreed to adjourn. The meeting adjourned at 5:00 pm.

THE VILLAGE OF PINEHURST
PLANNING & INSPECTIONS DEPARTMENT
395 MAGNOLIA ROAD
PINEHURST, NC 28374

MEMORANDUM

To: Planning and Zoning Board

CC: Will Deaton, Director of Planning and Inspections

From: Alex Cameron, Senior Planner

Date: June 27, 2018

Subject: Statement of text amendment consistency with the 2010 Comprehensive Long-Range Village Plan. Requirements for Planted Buffers

SECTION 9.5.1.2 Planted Buffers (D) Application (1):

Vincent Wade is proposing this text amendment to the Pinehurst Development Ordinance (PDO). This amendment will add the OP (Office Professional Development District) and NC (Neighborhood Commercial District) to the already included districts in which Village Council can waive some or all of the required planted buffer requirements.

The current text reads:

These standards apply to all non-residential and multi-family uses (including townhouse unit development) located within the Village of Pinehurst and its extraterritorial jurisdiction except for properties containing only museums and/or libraries as the primary use and located within the PC zoning district. Additionally, the Village Council may waive some or all of these standards for developments and uses located within the VC, VMU, VCP and VR Zoning Districts when determined to be in the best interest of the public. In waiving these standards, the Village Council may require an alternate means of buffering if agreed upon by the property owner. When nonresidential and multi-family uses submit a site plan for locations next to property zoned for primarily residential use, planted buffers shall be provided near the perimeter of the nonresidential or multi-family property. One half of the planted buffers requirements shall apply when a public street or railroad right-of-way separates a nonresidential or multi-family uses from a residential property. If a greenway passes through a landscape buffer the area of the greenway shall be subtracted from the total buffer area for plant count purposes.

Page 20 of the 2010 Village of Pinehurst Comprehensive Plan states the importance of landscaping and vegetation to the overall appearance of Pinehurst and the perception of community character. In the future, we must make sure that appropriate landscaping is a high priority on any projects undertaken within the Village or its extra-territorial areas.

One of the major strategies on page 18 of the Comprehensive Plan is enhance landscaping within road corridors.

The existing regulations in the PDO allow for the possibility for Village Council to waive these standards in certain zoning districts. This amendment would add two additional non-residential zoning districts that the Village Council could consider contextual situations to determine what type of buffering is appropriate when in the best interest of the public. Therefore this amendment **is** consistent with the above mentioned goals detailed in the Comprehensive Plan and the proposed amendment **is** considered reasonable and in the best interest of the public.