PLANNING AND ZONING BOARD
REGULAR MEETING
THURSDAY, APRIL 06TH, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM

Board Members Present:	**Board Members Absent:**	**Staff Present:**
Jeramy Hooper, Chair	Julia Latham, 2nd Vice-Chair	Alex Cameron, Planning Director
Jack Farrell, 1st Vice-Chair		Alfred Cassidy, Senior Planner
Paul Roberts		Maria Carpenter, Planner
Bruce Hironimus		Shannon Konstantinou, Clerk to the Board
Matt Jones		Lori Hercules, IT Technician
Louise Mercuro		
Sonja Rothstein		
David Alzamora		

Approximately 55 member(s) of the public in attendance.

I. Call to Order

Mr. Hooper called the meeting to order at 04:00 PM, confirmed a quorum was present, and explained the purpose of this meeting. The Board introduced themselves and Mr. Hooper introduced Staff. Mr. Hooper noted the absence of Ms. Latham.

Mr. Hooper reminded the public in attendance that there was a sign-up sheet available for those who wish to speak during the Public Hearing and asked those wishing to speak to limit their time to 3 minutes.

Mr. Hooper stated this will be the final meeting for Mr. Alzamora. Mr. Alzamora thanked the Board for his time with them and Mr. Hooper thanked Mr. Alzamora for his time and service to the Board and community of Pinehurst.

II. Approval of Minutes

a. 03-16-2023 Special Meeting Minutes

Ms. Mercuro moved to approve the minutes of the March 16th, 2023 Special Meeting. Seconded by Mr. Farrell. Approved by a vote of 7-0.

b. 03-21-2023 Special Meeting Minutes

Mr. Farrell moved to approve the minutes of the March 21st, 2023 Special Meeting. Seconded by Ms. Rothstein. Approved by a vote of 7-0.

c. 03-29-2023 Special Meeting Minutes

Mr. Hironimus moved to approve the minutes of the March 29th, 2023 Special Meeting. Seconded by Mr. Alzamora. Approved by a vote of 7-0.

d. 03-30-2023 Special Meeting Minutes

Mr. Jones moved to approve the minutes of the March 30th, 2023 Special Meeting. Seconded by Mr. Hironimus. Approved by a vote of 7-0.

Mr. Farrell moved to recess the Regular Meeting and enter into the Public Hearing. Seconded by Ms. Rothstein. Approved by a vote of 7-0.

III. Public Hearing

Text and Map Amendments to the Pinehurst Development Ordinance and Zoning Map to Implement the Village Place and Pinehurst South Form Based Codes

The purpose of this public hearing is to discuss Official Zoning Map and Text Amendments to implement the Village Place and Pinehurst South Form Based Codes.

Mr. Cameron thanked the Board for all of the work they have done on the development of the Small Area Plans and Form Based Code documents for Village Place and Pinehurst South over the past 3 years.

Mr. Cameron provided a background on the areas and materials to be discussed during the meeting and the process followed in developing the proposed official zoning map amendments and the proposed text amendments to the Pinehurst Development Ordinance for Village Place and Pinehurst South.

Mr. Cameron and the Board reviewed the Proposed Village Place Form Based District map, the Proposed Pinehurst South Form Based District map, the Village Place Regulating Plan, the Pinehurst South Regulating Plan, the Table of Permitted and Special Uses and Special Requirements, Village Place Form Based District Table of Permitted and Special Uses and Special Requirements, Pinehurst South Form Based District Table of Permitted and Special Uses and Special Requirements, Tables of Dimensional Requirement, Table of Dimensional Requirements for Village Place and Pinehurst South Form Based Districts, and other proposed text amendments to the Pinehurst Development Ordinance.

Mr. Cameron provided additional information on how proposed development in either the Village Place or Pinehurst South areas will be evaluated for approval.

Mr. Cameron reviewed the boundaries for Village Place and Pinehurst South and stated some refinement or adjustments will need to be made as the approval process moves forward.

Mr. Cameron stated feedback from the Board on the proposed official zoning map and proposed text amendments would be welcomed.

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Mr. Hooper stated barring any pertinent questions from the Board for Mr. Cameron, the meeting would be opened to Public Comments. Mr. Hooper reminded those in attendance that the Public Comment period is not a questions and answers session but a time for the Board to hear the comments of those in attendance and address those comments during the Board's deliberation afterward.

Ms. Anne Harvey, Southern Coalition for Social Justice (1415 Hwy 54, Durham, NC), stated she was speaking on behalf of the citizens of Jackson Hamlet through her work with the Jackson Hamlet Community Action organization (formed by residents in 1969 to advocate for the needs of the Jackson Hamlet community to the Village of Pinehurst) and read a prepared statement asking the Board not to recommend the proposed map and text amendments, to reconsider the Board's prior recommendation of the Small Area Plans and Form Based Code for the Pinehurst South area, provided a historical and present day background on the community of Jackson Hamlet, asked the Board to consider the impact the proposals would have on the residents of Jackson Hamlet, and reminded the Board of the abolitionist and conservationist beliefs of Frederick Law Olmsted.

Ms. Carol Henry, 140 Charity Ln., provided a personal account of her history as a resident of Jackson Hamlet, noted the time she served on the Village of Pinehurst Planning and Zoning Board as an ETJ representative, expressed concerns about the impact the proposals will have on Jackson Hamlet residents, and asked the Staff and Board to help the residents of Jackson Hamlet achieve a greater understanding of what is being proposed.

Mr. Michael Etokiski, 30 McFarland Rd., stated he was speaking on behalf of Red Pine Investments, LLC (owner of property located on Trotter Rd. within Block H) and read a prepared statement in support of the proposal but noted concern over new roads depicted given these new roads would conflict with existing site conditions, and asked the Board and Staff to consider removing these new roads from the proposal.

Mr. Chris Davis, 45 Eldorado St., provided a personal account of his history as a resident of the Pinehurst / Southern Pines area, stated he is the owner of property located next to Jackson Hamlet (which he purchased as an investment for his retirement), expressed concern over the moratorium's effect on his ability to sell this property and the green space and new roads depicted as part of the proposal, and asked how the Village planned to acquire the property to install the green space and new roads.

Ms. Brenda Brown, 233 Gaines St., expressed agreement with the prior statements of Ms. Carol Henry and asked the Board and Staff for further clarification on the impact the proposal would have on Gaines St. and the community of Jackson Hamlet as a whole.

Ms. Yolanda Moore, 117 Cotton St., provided a personal account of her and her family's history as residents of Jackson Hamlet, expressed agreement with the prior

statements of Ms. Carol Henry, and stated concerns about the impact the proposal would have on the community of Jackson Hamlet and how the proposal does not take the history or contributions of the community of Jackson Hamlet into consideration.

Ms. Eugenia Russ Oliphant, former resident and daughter of current residents of Jackson Hamlet (425 Walsenburg Dr., Durham, NC), provided a personal account of her and her family's history as residents of Jackson Hamlet, expressed concerns over the changes that have happened and continue to happen within the Jackson Hamlet community and surrounding area, noted the disappearance of other black communities within and surrounding Pinehurst, and expressed concerns about the impact the proposal will have on the Jackson Hamlet community.

Ms. Monise Brown Simmons, 119 Gaines St., provided a personal account of her history visiting family residing in Jackson Hamlet (which prompted her own desire to relocate to the area), and expressed concerns over the impact the proposal will have on the Jackson Hamlet community (specifically the rights of property owner's to build and maintain their property to their own standards not to standards imposed upon them [like would be done in an HOA]).

Ms. Sybil Russ, 372 Dawkins St., provided a personal account of her history as a resident of Jackson Hamlet, expressed agreement with the prior statements of Ms. Carol Henry, expressed concerns about how the proposal will impact the Jackson Hamlet community (specifically the unhoused and wildlife), and asked the Board and Staff to consider "grandfathering" in the community of Jackson Hamlet.

Mr. Oneal D. Russ, Sr., 158 Charity Ln., provided a personal account of his history as a resident of Jackson Hamlet, asked the Board to consider the impact development in the proposed area of Pinehurst South would have on the wildlife and vegetation in and around Jackson Hamlet and for clarification on whether Pinehurst, Aberdeen or Southern Pines would dictate zoning in Jackson Hamlet, provided a history of the Jackson Hamlet community, and expressed agreement with the prior statements of Ms. Carol Henry, Ms. Brenda Brown, and Ms. Eugenia Russ Oliphant.

Mr. Juan Russ, 158 Charity Ln., expressed concern about the environmental and topographical changes that have occurred in the Jackson Hamlet area due to an increase in development over the past few decades, and asked the Board to consider such changes and the survival / existence of the community when making a decision on the proposal.

Ms. Lisa Patterson Cuevas, former resident and daughter & granddaughter of current residents of Jackson Hamlet (9933 Caldwell Depot Rd., Cornelius, NC), provided a personal account of her and her family's history as residents of Jackson Hamlet, asked the Board the clarify the benefits of including the Jackson Hamlet community in the proposal, and asked the Board to consider the potential impact the proposal could have on the community of Jackson Hamlet.

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Mr. Oneal D. Russ, Jr., 158 Charity Ln., provided a personal account of his history as a resident of Jackson Hamlet, and expressed his desire that the Jackson Hamlet community continue to exist as it has for many decades and the community's willingness to work with whichever municipality is willing to do so.

Mr. Thomas Tyson, 1584 NC Hwy. 5, relayed some of the difficulties the community of Jackson Hamlet has due to the lack of services and infrastructure, provided a history of the formation of the Jackson Hamlet community, relayed information on the Jackson Hamlet Community Action organization, expressed concern about the impact the proposal will have on and the perception that the proposal is the first step in phasing out the Jackson Hamlet community, and stated the residents of Jackson Hamlet continue to deal with the same problems and treatment they've been dealing with for over 40 years with little to no change.

Ms. Flora Russ, 158 Charity Ln., expressed concerns over the changes in and around the Jackson Hamlet community due to development and lack of communication with the community regarding these changes.

Ms. Lydia Person Jones, 319 Dawkins St., asked for clarification on why the Jackson Hamlet community was not better notified of the meetings held to discuss issues that will affect Jackson Hamlet.

Mr. Cameron provided the Board with options on how to proceed with the meeting. The Board decided to keep the Public Hearing open for further comments and discussion amongst the Board, Staff, and Public.

Mr. Hooper asked Mr. Cameron for additional information on the impact of the proposed amendments on the community of Jackson Hamlet. Mr. Cameron stated an active / live line of communication with Jackson Hamlet and the community's advocacy group needs to increase and continue; clarified the proposals would not result in the annexation of Jackson Hamlet into Pinehurst (the community would remain a part of the Extra Territorial Jurisdiction) and would not require community members of Jackson Hamlet to pay Pinehurst property tax rates; outlined the Pinehurst services available to the community of Jackson Hamlet and noted the frustration that can be caused with mail delivery being based on postal processing facility location and not jurisdiction; provided background on the collaboration between the Tri-Cities Group of Aberdeen, Pinehurst, and Southern Pines when development proposals are received that fall within a ½ mile distance from each jurisdiction; reviewed the Proposed Pinehurst South Form Based District map and the changes in zoning that would occur should the proposals be approved; noted areas the Board may want to consider making boundary adjustments based on the feedback provided during Public Comments; re-iterated the boundaries for the corporation limit of Pinehurst and the ETJ will not be changing (the Official Pinehurst Zoning map is available online for review); and stated the new roads depicted on the meeting notice map are suggestive only and any new roads proposed for the area would be handled on a case by case / application by application basis for development in those areas.

Mr. Hooper asked the Board to provide any feedback or comments they may have for Staff.

Ms. Rothstein thanked the community of Jackson Hamlet, provided a personal account of her history within the Pinehurst community, and stated willingness to continue dialogue with members of the Jackson Hamlet community to help ensure the area is supported and the history preserved.

Mr. Hironimus asked Mr. Cameron to clarify what, if any, modifications or changes the proposal would require current homeowners in the Jackson Hamlet community to make. Mr. Cameron stated the current homeowners would be "grandfathered" in as non-conforming properties and upkeep or general maintenance of the properties would not be required to meet the new zoning requirements (the new zoning requirements would be triggered if re-development or new development were to occur on the property), and again mentioned the possibility of adjusting the boundary for the Pinehurst South area. Mr. Cameron further noted the existence of protections for single-family development (which prohibit the application of restrictions on design elements, such as color or roof material).

Mr. Roberts asked Mr. Cameron to clarify the fact that the Village of Pinehurst had no intention of seeking imminent domain to purchase private property to build new roads and that the standards as proposed in the Form Based Code documents for the Pinehurst South area would only apply to new development or re-development greater than 50% of the property. Mr. Cameron stated Mr. Roberts is correct.

Ms. Mercuro expressed concern that many members of the public in attendance were not aware of what the current zoning is for Jackson Hamlet nor what zoning changes are proposed and noted it appeared at least one area was changing from a commercial zoning to a residential zoning. Mr. Cameron reviewed some of the proposed zoning changes and stated the intention behind changing some commercial zoning to residential zoning was to keep the same land use in and around the Jackson Hamlet area to a less dense residential type pattern versus allowing commercial development.

Mr. Farrell stated the Board should have a conversation about adjusting the boundaries so the Jackson Hamlet community may be preserved without really changing the overall intention of the Small Area Plan; and noted the need to find a way to communicate the information contained in the Small Area Plans and Form Based Code documents that makes the information easier to follow or understand for the general public.

Mr. Jones stated coming into the meeting he was not aware of the feelings of the Jackson Hamlet community and appreciated hearing from members of the community during the meeting; agreed with Mr. Farrell's statement that a clearer way of

communicating the intention behind the proposed changes was needed; acknowledged the history of the Jackson Hamlet community and the well founded fear of the intentions behind the proposed changes given what has happened historically; stated no one on the Board had any intention of doing harm to anyone, particularly not anyone in the Jackson Hamlet community; and expressed a willingness to postpone making a decision to allow for more community engagement and feedback.

Mr. Alzamora provided an opinion on the background or intention of the proposed changes; agreed with Mr. Farrell about the Board considering a conversation on adjusting the boundaries; and stated many of the concerns expressed by the Public were for areas outside of the proposed Small Area Plan but would still be impacted as adjacent properties, the intention of the plan was to be cohesive with the growth happening in and around the community, and no property rights were being created or taken away (only clarifying or restricting the type of growth or development that may happen in this area).

The Board and Staff deliberated continuing the Public Hearing so more community input may be gathered and adjusting the boundaries may be considered, reviewed the intentions behind the proposed amendments, determined a recommendation on both Village Place and Pinehurst South would need to be made together not separately, and discussed the development moratorium deadlines.

Mr. Hooper asked the Board to take a straw poll on continuing the meeting or providing a recommendation to Council:

Mr. Roberts – Recommendation
Mr. Jones – Continuing
Ms. Rothstein – Continuing
Mr. Farrell – Recommendation
Mr. Hironimus – Continuing
Ms. Mercuro – Continuing
Mr. Alzamora – Recommendation

The Board and Mr. Cameron discussed continuing the public hearing in order to provide the Staff and Board time to do further research and gather more community input.

Mr. Jones moved to continue the Public Hearing to the next Regular Meeting of May 04, 2023 at 04:00 PM. Seconded by Mr. Rothstein. Approved by a vote of 7-0.

IV. Next Meeting Date

A. 05-04-2023 Regular Meeting

V. Motion to Adjourn

Ms. Rothstein moved to adjourn the Regular Meeting. Seconded by Mr. Alzamora. Approved by a vote of 7-0 at 06:43 PM.

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Respectfully Submitted,

Shannon Konstantinou
Clerk to the Board &
Planning Administrative Specialist
Village of Pinehurst

A videotape of this meeting is located on the Village website: www.vopnc.org.

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement.

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0 150 300 600 900 1,200 Feet

Village of Pinehurst Disclaimer: It is understood that the data contained herein is subject to constant change and that its accuracy cannot be guaranteed.
The maps have been created from information provided by various government and private sources at various levels of accuracy.
The data is provided to you "as is" with no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided herein.
It is the responsibility of the user of the data to be aware of the data's limitations and to utilize the data in an appropriate manner.
Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10.
Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

4/19/2023

Proposed Pinehurst South Form Based District

1895 VILLAGE OF PINEHURST

N

0 125 250 500 750 1,000 Feet

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Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

4/27/2023

Proposed Village Place Form Based District

1895 VILLAGE OF PINEHURST

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Section 8.2 General Use and Form Based Districts Zoning Districts

General Use Zoning Districts are created to provide comprehensive land use regulations throughout the jurisdiction of this Ordinance. There are nineteen (19) General Use Zoning Districts and two (2) Form Based Districts that provide for a variety of uses that are appropriate to the character of the individual districts throughout the jurisdiction of this Ordinance.

8.2.1 (PC) Public Conservation District

(A) The Public Conservation District is established as a district in which the primary use of the land is reserved for the general public for recreation, parks, natural or man-made bodies of water, forests and other similar open space uses, and other government uses that provide public services to the residents of Pinehurst. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for public recreational use.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a

(D) See Design/Development Standards Chapter 9

8.2.2 (RD) Recreation Development District

(A) The Recreational Development District is established as a district in which the primary use of the land is predominantly reserved for privately owned recreation, clubhouses and support structures, natural or man-made bodies of water, resort complexes and other similar uses. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for private recreational use.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a

(D) See Design/Development Standards - Chapter 9

8.2.3 (R-210) Residential District

(A) The R-210 Residential District is established as a district in which the principal uses of the land are for low-density residential and light agricultural purposes. Development in this district is restricted due to lack of available utilities, watershed protection restrictions and for the protection of agricultural lands.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a

(D) See Design/Development Standards - Chapter 9

8.2.4 Medium Density Residential Districts

Residential District (R-30)

Residential District (R-20)

Residential District (R-15)

(A) The R-15, R-20, and R-30 Residential District is established as a district in which the principal use of land is for medium-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately medium-density residential nature of the areas included within the district.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a

(D) See Design/Development Standards - Chapter 9

8.2.5 High Density Residential Districts

Residential District (R-10)

Residential District (R-8)

Residential District (R-5)

(A) The R-5, R-8 and R-10 Residential District is established as a district in which the principal use of land is for high-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.6 (R-MF) Residential Multi-Family District

(A) The Residential Multi-Family District is established as a district in which the principal use of land is for multi-family and/or single-family dwellings. This district is further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.7 (NC) Neighborhood Commercial District

(A) The Neighborhood Commercial District is established as a district in which the principal use of land is for small scale commercial, retail, office and service uses to serve the surrounding residential districts.

This district is further intended to discourage any use which would be detrimental to the predominately low-intensity commercial nature of the areas included within the district.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.8 Reserved

8.2.9 (H) Hotel

(A) The Hotel District is established as a district in which the principal use of land is for hotels and their associated villas or cottages. This district is intended to provide lodging facilities for visitors while minimizing any adverse impact on neighboring residential areas.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.10 (HD) Hospital Development District

(A) The Hospital Development District is established as a district in which the principal use of land is for hospitals, surgical centers or other health professional services and their supporting uses. This district is further intended to encourage the development of regional and community-wide providers of health care services while minimizing any adverse impacts on neighboring residential and historic areas.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.11 (OP) Office Professional Development District

(A) The Office Professional District is intended to provide for limited office and retail development as a spatial development between business districts and residential land uses.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.12 (VCP) Village Cottage Professional District

(A) The Village Cottage Professional District is intended to provide for limited office and retail development and a wide variety of housing types in pedestrian-scaled, residential-style structures.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.13 (VR) Village Residential

(A) The Village Residential District is established as a district in which the principal use of land is for multi-family and single-family dwellings in close proximity to the Village Center or other commercial nodes.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.14 (VMU) Village Mixed Use District

(A) The Village Mixed-Use District is established as a pedestrian-scaled district which caters to the everyday needs of nearby neighborhoods. This district allows a mixture of primary land uses within the same building and development site and emphasizes accessibility by automobiles, bicycles, and pedestrians.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

8.2.15 (VC) Village Commercial District

(A) The Village Commercial District accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2a

(D) See Design/Development Standards - Chapter 9

Section 8.16 Form-Based Districts

Form-based districts are implemented similar to general zoning districts but with a few unique features including a regulating plan that divides the areas into blocks that specify types of buildings and number of building stories. Subdistrict zoning tables identify uses on a block-by-block basis. Implementation steps for planning a project in one of these districts is as follows.

1. Review the Form-Based District Regulating Plan in this section to determine the location of the project. Determine the block letter and the maximum allowed number of building stories.
2. Using the block letter, review the associated Form-Based District Table of Permitted and Special Uses and Special Requirements in Section 8.5.1b and 8.5.1c to determine which uses are allowed in that block.
3. Review Dimensional Table 9.2b to identify dimensional criteria based on the lot type being proposed.
4. Refer to the associated form-based code plan to evaluate appropriate architectural and other design features.
5. Remembering to address other PDO requirements such as landscaping and other design and development standards, prepare a General Concept Plan in accordance with Appendix C of this document for review by staff. Include criteria for submittal of subdivisions in Appendix D and conditional zoning, when appropriate.
6. Staff will review the materials and work with the applicant to establish a schedule for review by the Technical Review Committee, Planning & Zoning Board, and Village Council. Permits that are a use by right will be approved by staff.

8..16.A (VP FBD) Village Place Form Based District

1. The Village Place Form Based District is based on the Village Place Small Area Plan and Form Based Code plans adopted by the Village. Village Place is an area well-suited to accommodate growth, and support quality of life needs of residents, businesses, and visitors. New development will integrate the built environment, improve the public realm, create a mixed-use walkable destination connected to the Village Center, and incorporate urban design standards.

2. See Table of Permitted and Special Uses – Section 8.5

3. See Table of Dimensional Requirements – Section 9.2

4. For additional specific design and development standards see the adopted Village Place Small Area Plan and Form Based Code.

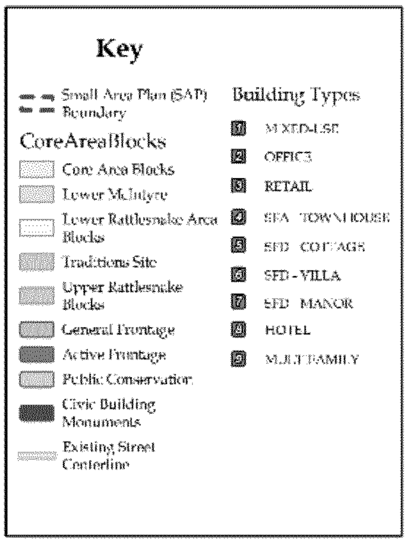
5. For other applicable design and development standards, see Chapter 9.

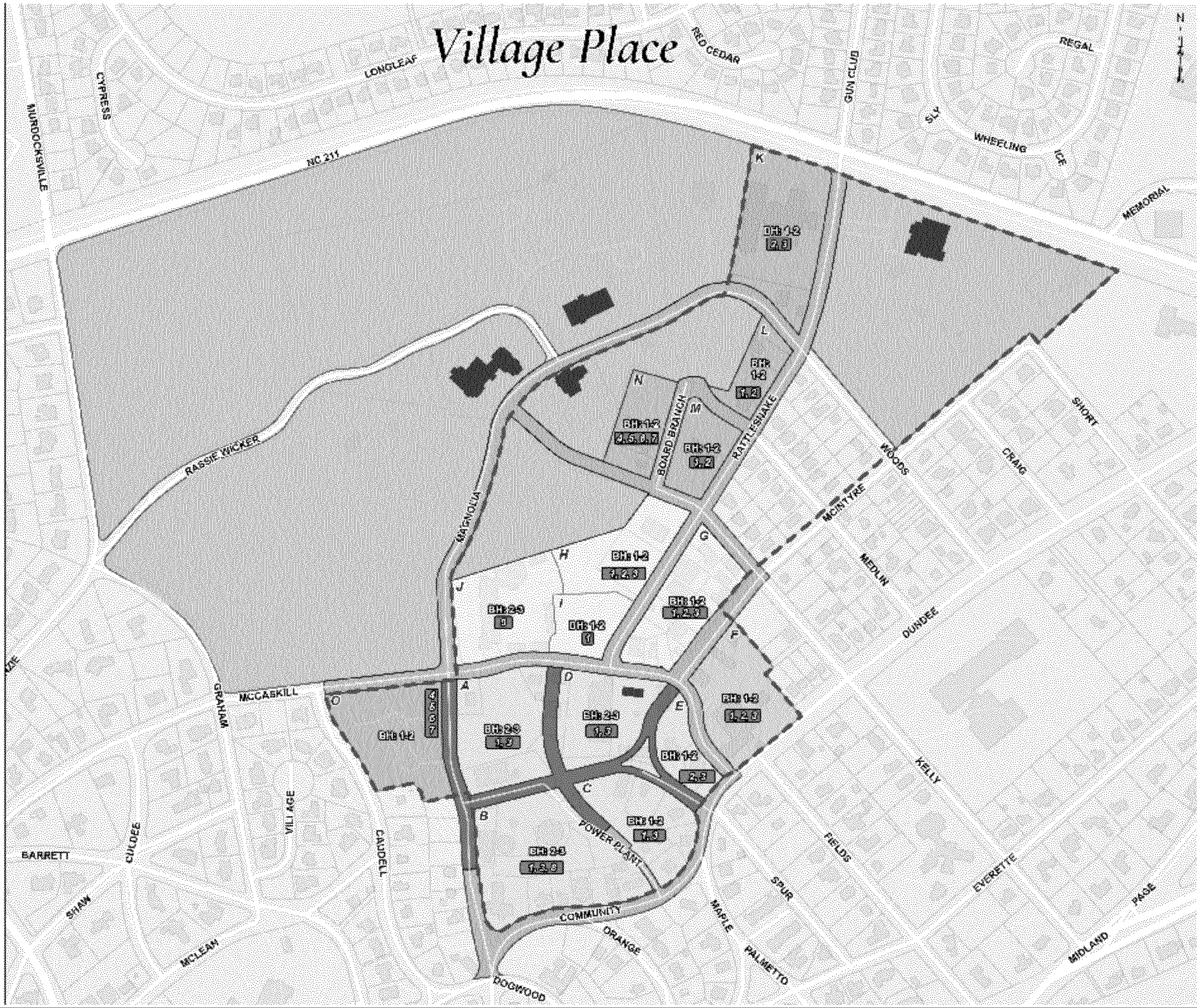
The Regulating Plan is a plan diagram that acts as a key for the application of the Site Design and Street Design criteria, linking the criteria with physical locations.

The Regulating Plan defines the boundary within which the FBC criteria apply, as shown by the SAP Boundary as a brown dashed line. The Regulating Plan also indicates allowed Uses and Building Heights within subareas. For Building Heights for example, "BH: 1-2" indicates that buildings shall be either 1 or 2 stories in height (see Section 8.0 Definitions for information on how building height is measured within Village Place).

Additionally, the Regulating Plan indicates where Active Frontage is required, that is, where retail or restaurant space, lobbies, or building amenities must be located on the ground floor facing the street.

Proposed street alignments and open space locations and configurations may vary from those shown to the right, with Village approval.





Village Place Form Based District Regulating Plan

8.2.16.B (PS FBD) Pinehurst South Form Based District

1. The Pinehurst South Form Based District is based on the Pinehurst South Small Area Plan and Form Based Code plans adopted by the Village. Pinehurst South is an area well-suited to accommodate growth, and support quality of life needs of residents, businesses, and visitors. Development within Pinehurst South will integrate the built environment, improve the public realm, create a mixed-use walkable destination area, incorporate urban design standards, create a connecting spine of streets, sidewalks, and paths, and integrate a live, work and play area while minimizing traffic impacts.

2. See Table of Permitted and Special Uses – Section 8.5

3. See Table of Dimensional Requirements – Section 9.2

4. For specific design and development standards see the adopted Pinehurst South Small Area Plan and Form Based Code.

5. For other applicable design and development standards, see Chapter 9.

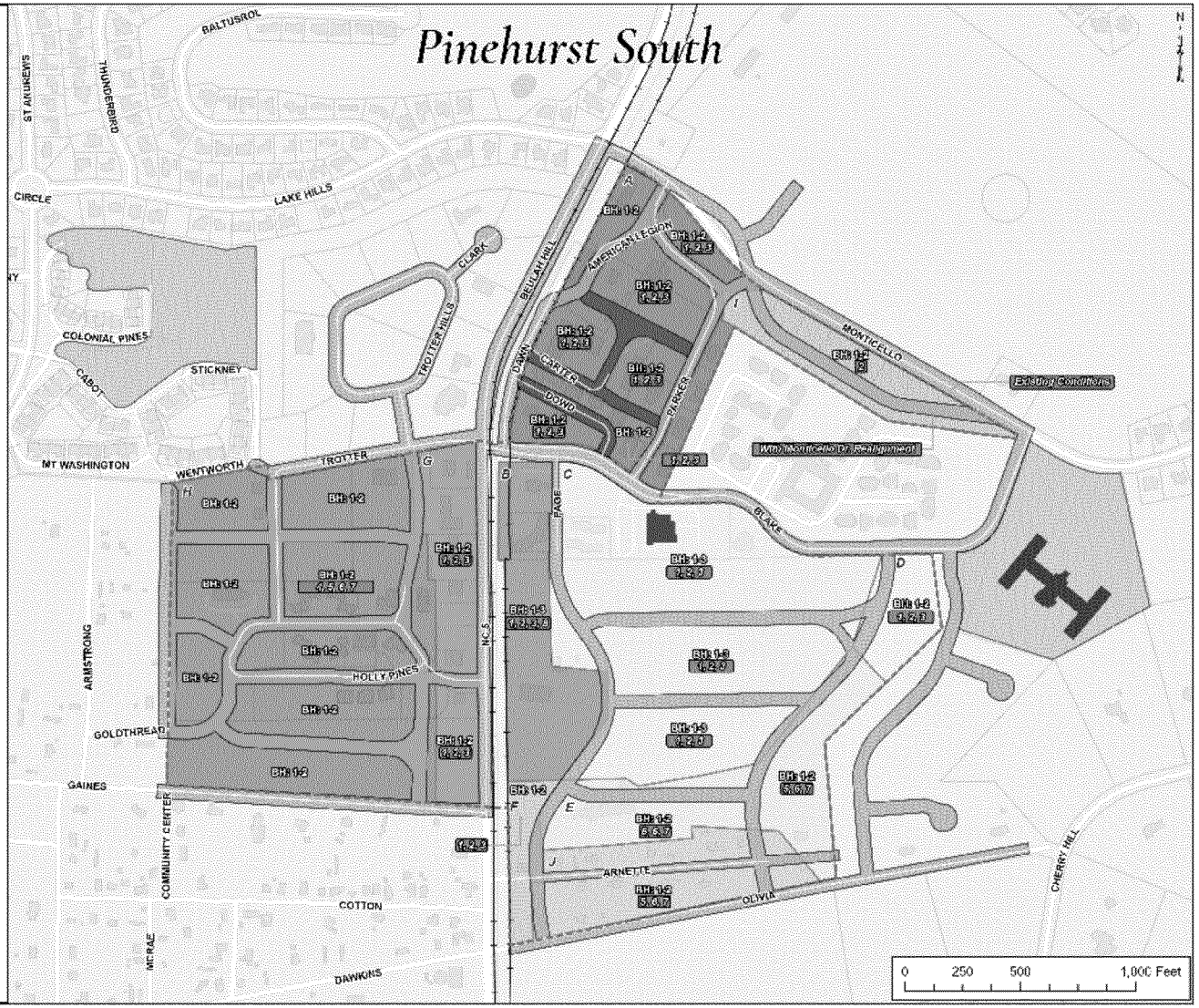
2.2 Regulating Plan

The Regulating Plan is a plan diagram that acts as a key for the application of the Site Design and Street Design criteria, linking the criteria with physical locations.

The Regulating Plan defines the boundary within which the FBC criteria apply, as shown by the SAP Boundary as a brown dashed line. The Regulating Plan also indicates allowed Uses and Building Heights within subareas. For Building Heights for example, "BH: 1-2" indicates that buildings shall be either 1 or 2 stories in height (see Section 8.0 Definitions for information on how building height is measured within Village Place).

Additionally, the Regulating Plan indicates where Active Frontage is required, that is, where retail or restaurant space, lobbies, or building amenities must be located on the ground floor facing the street.

Proposed street alignments and open space locations and configurations may vary from those shown to the right, with Village approval.



Pinehurst South Form Based District Regulating Plan

Section 8.3 Overlay Zoning Districts

Overlay Zoning Districts are created to provide additional development standards for identified areas. Certain Overlay Zoning Districts are also available to allow flexibility in design for certain types of developments. Overlay Zoning Districts combine with the regulatory provisions of the underlying General or Conditional Zoning Districts to provide additional or different standards.

~~8.3.1 Pinehurst South Overlay Districts~~

~~8.3.1.1 Purpose and Intent~~

~~The Pinehurst South Business Area is composed largely of office, retail, financial and service uses. This district has developed over the past several decades. The current underlying zoning districts in this area make many of the existing buildings non-conforming in regard to setbacks and impervious surfaces requirements.~~

~~The purpose of this overlay district is to preserve and enhance the small-scale commercial character while providing for low-impact business opportunities and to allow for some of the better development patterns found within the area to continue as the area is developed. This overlay district is established to prevent unsightly conditions as a result of development which may destroy or detract from the natural character, beauty and conditions and to exercise such reasonable control over land within the district as may be necessary to accomplish the objective.~~

~~It is to encourage a scale of development, a mixture of building uses, and other attributes, such as safe and efficient conditions for pedestrian and vehicular movement, all of which will be as generally required by the Comprehensive Plan.~~

~~8.3.1.2 Conflict with Other Code Sections~~

~~The definitions and regulations set forth in this section shall apply to the Pinehurst South Business Overlay District. Wherever there is a conflict or inconsistency between the Pinehurst South Business Overlay District regulations and other definitions and regulations of the Pinehurst Development Ordinance (PDO), those regulations set forth in this article shall govern development and redevelopment within Pinehurst South Business Overlay District.~~

~~8.3.1.3 Plan Approvals Required~~

~~All development within the Pinehurst South Business Overlay District shall require submission of a site plan or a preliminary subdivision plat in accordance with this Ordinance, and approval of such plan or plat by the appropriate Village authority.~~

~~8.3.1.4 Pinehurst South Business Overlay District Requirements~~

~~(A) Nonconforming buildings:~~

~~If a nonconforming building or structure located within the Pinehurst South Business Overlay District is destroyed by any means, it may be built back within its existing footprint as long as it complies with the NC State Building and Fire Code and other applicable regulations.~~

~~A structure that is nonconforming due to encroaching into a required setback may be added onto so long as the addition does not further encroach into the setback(s) of the existing structure and does not create a new encroachment into another setback or violate any other regulations of this Ordinance.~~

~~(B) Ingress and Egress:~~

~~Wherever possible, ingress and egress between various properties shall be shared in an attempt to minimize curb cuts. The Village of Pinehurst encourages adjacent landowners to enter into agreements providing access easements to accomplish this goal.~~

~~(C) Parking Location:~~

~~All parking within the Pinehurst South Business Overlay District shall be located to the side or rear of buildings or located on the street.~~

~~(D) On Street Parking:~~

~~Where on street parking is provided that directly fronts a parcel, that on street parking may be counted toward meeting the required number of parking spaces for the uses on that parcel.~~

~~(E) Shared Parking:~~

~~The use of shared parking shall comply with the requirements in Section 9.4.1.3.~~

~~(F) Lot Dimensional Requirements:~~

~~All development shall comply with the following development standards:~~

~~Minimum Lot Width at the Street Line: 50 ft.~~

~~Minimum Street Yard Setback: 10 ft. from the public sidewalk~~

~~Minimum Side Yard Setback: 10 ft.~~

~~Minimum Rear Yard Setback: 10 ft.~~

~~All other dimensional requirements shall be determined by the underlying zoning district.~~

~~8.3.1.5 Pinehurst South Business Overlay District Permitted Uses~~

~~When determining if a use is permitted within the Pinehurst South Business Overlay District one shall refer to Table 9.2a and the General Use Zoning District requirements.~~

~~8.3.1.6 Compliance with all other regulations~~

~~All development within the Pinehurst South Business Overlay District shall comply with all applicable sections of the Pinehurst Development Ordinance and Engineering Standards including but not limited to signage, landscaping, watershed regulations, street design, stormwater.~~

8.3.~~2~~ 1 Historic Preservation Overlay District

8.3.~~2~~1.1 Purpose and Intent

Historic areas are some of the most valued and important assets of the Village of Pinehurst, having local, state, and national importance. The establishment of Historic Preservation Districts is for the purpose of preserving the Village's heritage; safeguarding its character by preserving the district as a whole and any property therein that embodies important elements of its social, economic, cultural, political, or architectural history. The establishment of the Historic Preservation district is also for the purpose of promoting the conservation of such districts for the education, pleasure, and enrichment of residents of the district, the Village, and others; for the purpose of fostering civic beauty; and for the purpose of stabilizing and enhancing property values throughout the district as a whole, thus contributing to the improvement of the general health and welfare of the Village and the residents of the district.

8.3.~~2~~1.2 Historic Districts Established

Historic districts, as provided for in this section, may from time-to-time be designated, amended, or repealed, provided; however, that no district shall be recommended for designation unless it is deemed to be of special significance in terms of its historical, architectural, or cultural importance. Such districts must also possess integrity of design, setting, workmanship, material, feeling, and/or association. No district shall be designated, amended, or repealed until the following has been carried out:

(A) An investigation and report initiated by the Historic Preservation Commission describing the significance of the buildings, structures, features, sites, or surroundings included in any such proposed district, and a description of the boundaries of such district has been prepared;

(B) The Department of Cultural Resources, acting through the State Historical Preservation Officer or his or her designee, shall have made an analysis of and recommendations concerning such report and description of proposed boundaries. Failure of the Department to submit its written analysis and recommendations to the Village Council within thirty (30) calendar days after a written request for such analysis has been received by the Department of Cultural Resources shall relieve the Village Council of any responsibility for awaiting such analysis, and the Village Council may at any time thereafter take any necessary action to adopt or amend this Zoning Ordinance with respect to Historic Districts;

(C) The Village Council shall also refer the report and the proposed boundaries to the Planning and Zoning Board for its recommendations prior to taking action to amend the Zoning Ordinance;

(D) With respect to any changes in the boundaries of such district subsequent to its initial establishment, or the creation of additional districts within the jurisdiction, the investigative studies and reports required by this Section shall be prepared by the Historic Preservation Commission and shall be referred to the Planning and Zoning Board for its review and comment according to the procedures set forth herein. Changes in the boundaries of an initial district or proposal for additional districts shall be submitted to the Department of Cultural Resources in accordance with the provisions of this Section;

(E) Upon receipt of these reports and recommendation, the Village Council may proceed in the same manner as would otherwise be required for the adoption or amendment of any appropriate Zoning Ordinance provision.

8.3.~~2~~1.3 Certificate of Appropriateness Required

(A) From and after the designation of a historic district and the adoption of Review Criteria and Design Standards by the Historic Preservation Commission and approved by the Village Council, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), no above-ground utility structure, nor any type of outdoor advertising sign or business identification sign shall be erected, altered, restored, moved, or demolished within the historic district until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Historic Preservation Commission. Such a certificate shall be issued by the Commission and/or Village Planner prior to the issuance of a development permit. Such certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this Section. A Certificate of Appropriateness shall be required whether or not a building permit is required;

(B) Publication dispensers shall be required to comply with the Local Historic District Standards, and a Certificate of Appropriateness must be obtained prior to display.

8.3.~~2~~1.4 Certificate of Appropriateness Procedure

(A) An application for a Certificate of Appropriateness shall be obtained from and, when completed, filed with the Village Planner. Applications for Certificate of Appropriateness for major work shall be considered by the Historic Preservation Commission at its next regular meeting, provided they have been filed, complete in form and content.

(B) The Commission shall, by uniform rule in its Rules of Procedure, require data as are reasonably necessary to determine the nature of the application. An application for a Certificate of Appropriateness shall not be considered complete until all required data has been submitted. Nothing shall prevent the applicant from filing, along with the application, additional relevant information bearing on the application;

(C) Applications that are categorized or fall within the category description of normal maintenance or minor work within the Local Historic District Standards, will be approved or denied on a staff level. If staff does not approve the application or if the work is questionable as to whether it is consistent with the Standards, then the application will be heard at the next PHPC meeting as a regular agenda item.

(D) Prior to issuance or denial of a Certificate of Appropriateness for a major work project, the Commission shall conduct a public hearing in accordance with this Ordinance. The Village Planner shall be responsible for notifying the affected parties in accordance with Section 4.1 of this Ordinance;

(E) The Commission shall take action on the application and in doing so, shall apply the Review Criteria contained in this section and within the Local Historic District Standards and Guidelines;

(F) The Commission's action on the application shall be approval, approval with modifications and/or conditions, delay of demolition, or denial;

(G) Prior to the final action on an application, the Commission, using the Review Criteria, shall make findings of fact indicating the extent to which the application is or is not congruous with the historic aspects of the district;

(H) The Commission shall cause to be entered into the minutes of its meeting the reasons for its action, whether it be approval, approval with modifications and/or conditions, delay of demolition, or denial;

(I) If the Commission fails to take final action upon any application within one hundred eighty (180) days after the complete application is submitted to the Village Planner for historic approval, the application shall be deemed to be approved unless the applicant consents to extend this period of time;

(J) If the Commission determines that a Certificate of Appropriateness should not be issued, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed construction, reconstruction, alteration, restoration or moving.

8.3.~~2~~1.5 Review Criteria

(A) Intent:

(1) It is the intention of these regulations to insure, that construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features in the district shall be congruous with the special character of the district. However, it is not the intention of these regulations to require the reconstruction or restoration of individual or original buildings or prohibit the demolition or removal of the same or to impose architectural styles from particular historical periods. In considering new construction, the Commission and/or the Village Planner shall encourage design that is harmonious with the character of the district;

(2) In granting a Certificate of Appropriateness, the Commission and/or the Village Planner shall take into account the historical or architectural significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure as well as the effect of such change or additions upon other structures in the vicinity;

(3) The Commission or Village Planner shall take no action under this Ordinance except to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features that would be incongruous with the special character of the historic district or landmark.

(B) Exterior Form and Appearance:

(1) The following criteria shall be considered, when relevant, by the Commission or Village Planner reviewing applications for a Certificate of Appropriateness. All applications for Certificate of Appropriateness shall be subject to review based upon the Design Standards then in effect. These standards are set forth in a manual prepared by the Commission and approved by Village Council:

(a) Lot coverage, defined as the percentage of the lot area covered by primary structures;

(b) Setback, defined as the distance from the lot lines to the building(s);

(c) Building height;

(d) Spacing of buildings, defined as the distance between adjacent buildings;

(e) Exterior building materials;

(f) Proportion, shape, positioning, location, pattern and sizes of any elements of fenestration;

(g) Surface textures;

(h) Roof shapes, forms and materials;

(i) Use of local or regional architectural traditions;

(j) General form and proportions of buildings and structure, and relationship of any additions to the main structure;

(k) Expression of architectural detailing, such as lintels, cornices, brick bond, and foundation materials;

(l) Orientation of the building to the street;

(m) Scale, determined by the size of the units of construction and architectural detail in relation to the size of man and also by the relationship of the building mass to adjoining open space and nearby buildings and structures;

(n) Proportion of width to height of the total building façade;

(o) Archaeological sites and resources associated with standing structures;

(p) Appurtenant fixtures and other features such as lighting;

(q) Structural condition and soundness;

(r) Walls - physical ingredients, such as brick, stone or wood walls, wrought iron fences, evergreen landscape mass, building façades, or combinations of these;

(s) Ground cover or paving;

(t) Maintenance of pedestrian scale and orientation, as well as provision for safe pedestrian movement;

(u) Color (new construction, additions, alterations, and repainting only and not for existing residences);

(v) Effect of trees and other landscape elements.

(2) The Secretary of the Interior's "Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be the sole principles and guidelines used in reviewing applications of the State of North Carolina for Certificates of Appropriateness;

(3) Interior arrangement or design shall be exempt from review by the Historic Preservation Commission. Interior construction and/or reconstruction shall not require a Certificate of Appropriateness.

8.3.~~2~~1.6 Certain Changes Not Prohibited

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district that does not involve a substantial change in design, material, or outer appearance thereof, nor to prevent the construction, alteration, restoration, or demolition of any such feature that the Building Inspector, Zoning Enforcement Officer or similar official shall certify in writing to the Commission is required by the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent (a) the maintenance or (b) in the event of an emergency, the immediate restoration, of any existing, aboveground utility structure without approval by the Commission.

8.3.~~2~~1.7 Delay in Demolition

(A) An application for a Certificate of Appropriateness authorizing the demolition, removal, or destruction of a building structure or site within a historic district may not be denied. However, the effective date of such a certificate may be delayed for a period of up to three hundred sixty-five (365) days from the date of approval. The Commission shall reduce the period of delay if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay. During the delay period, the Commission shall negotiate with the owner in an effort to find a means of preserving the building, structure, or site. If the Commission finds that a building, structure, or site has no special significance or value toward maintaining the character of a district, it shall waive all or part of such period of delay and authorize earlier demolition or removal;

(B) In the case of demolition action by the Village, the application for such a certificate will first be reviewed by the Commission and secondly by the Village Council for final order of demolition or removal;

(C) If the Commission has voted to recommend the designation of an area as a historic district and the final designation has not been made by the Village Council, the demolition or destruction of any building, structure, or site in the proposed district or on the property of the designated landmark may be delayed by the Commission for up to one hundred eighty (180) days or until the Village Council takes final action on the designation, whichever occurs first.

8.3.~~2~~1.8 Application Review by Commission

As part of its review procedure, the Commission may view the premises and seek the advice of the Department of Cultural Resources or such other expert advice as it may deem appropriate.

8.3.~~2~~1.9 Appeal of Decision

(A) In any action granting or denying a Certificate of Appropriateness, an appeal by an aggrieved party may be taken to the Zoning Board of Adjustment;

(B) Written notice of the intent to appeal must be sent to the Commission, postmarked within thirty (30) days following the decision. Appeals shall be in the nature of certiorari. Appeals of decisions of the Zoning Board of Adjustment shall be heard by the Superior Court of Moore County;

(C) The State of North Carolina shall, for property of the State or its agencies, have a right of appeal to the North Carolina Historical Commission, thirty (30) days from the date of the decision. The decision of the State Historical Commission shall be final and binding upon both the State and the Commission.

8.3.~~2~~1.10 Compliance

(A) Compliance with the terms of the Certificate of Appropriateness shall be enforced by the Village Planner. Failure to comply with a Certificate of Appropriateness shall be a violation of the Zoning Ordinance. The discontinuance of work or the lack of progress toward achieving compliance with a Certificate of Appropriateness for a period of one (1) year shall be considered as a failure to comply with a Certificate of Appropriateness and may require new application and approval;

(B) Nothing contained in the Ordinance shall prohibit, impair, or limit in any way the power of the Village Council to prevent the construction, reconstruction, alteration, restoration, or removal of buildings, structures, appurtenant fixtures, or outdoor signs in the Historic Districts in violation of any

provisions of this Ordinance. The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

8.3.~~2~~1.11 State Recommendations

The districts shall not be established or the authority and powers of a Historic Preservation Commission be implemented until the Department of Cultural Resources shall have been given opportunity, in accordance with the provision of the North Carolina NCGSs to make recommendations with respect to the establishment of the districts.

8.3.2 Reserved

Section 8.4 Conditional Zoning Districts

8.4.1 Purpose and Intent

It is recognized that certain types of zoning districts would be inappropriate at certain locations in the absence of special conditions. Where the applicant for rezoning desires property to be rezoned to such a district in such situations, the Conditional District is a means by which such special conditions can be imposed in the furtherance of the purposes of this Ordinance. In addition, Conditional Districts ensure that development is consistent with adopted plans including the Comprehensive Plan, Small Area Plans and Form Based Code plans. The Conditional District classification will be considered for rezoning only upon request of a property owner. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid or if the applicant should fail to accept any condition, it is the intent of this Ordinance that the authorization of such Conditional District Permit shall be null and void and of no effect and that proceedings shall be instituted to rezone the property to its previous zoning classification.

8.4.2 Conditional Districts

For each General Use and Form Based District establish in Section 8.2, there is also established a corresponding Conditional District as follows:

(A) PC-CD - Public Conservation Conditional District;

(B) R-210 CD - Residential Conditional District;

(C) R-15 CD - Residential Conditional District;

(D) R-20 CD - Residential Conditional District;

(E) R-30 CD - Residential Conditional District;

(F) R-5 CD - Residential Conditional District;

(G) R-8 CD - Residential Conditional District;

(H) R-10 CD - Residential Conditional District;

(I) R-MF-CD - Residential Multi-Family Conditional District;

(J) VR-CD - Village Residential Conditional District;

(K) RD-CD - Recreation Development Conditional District

(L) OP-CD - Office and Professional Development Conditional District;

(M) H-CD - Hotel Conditional District;

(N) HD-CD - Hospital Development Conditional District;

(O) VC-CD - Village Commercial Conditional District;

(P) VCP-CD - Village Cottage Professional Conditional District

(Q) VMU-CD-Village Mixed Use Conditional District

(R) NC-CD - Neighborhood Commercial Conditional District.

(S) VP FBD-CD – Village Place Form Based Conditional District.

(T) PS FBD-CD – Pinehurst South Form Based Conditional District

Section 8.5 Table of Permitted and Special Uses and Special Requirements

The Table of Permitted and Special Uses and Special Requirements which follows contains a listing of uses which may be permitted in one (1) or more of the various General Use Zoning Districts established by this Ordinance.

8.5.1 Symbols Used on Table of Uses

An "X" or "SU" or "SR" opposite the listed use in the District column(s) indicates the District or Districts in which a particular listed use may be permitted. The meanings of the entries in the Table are as follows:

(A) "X" indicates the use is permitted by right and a Development Permit may be obtained, subject to meeting all the requirements of this Ordinance for a Development Permit;

(B) SU indicates the use requires approval of a Special Use Permit by the Village Council in accordance with the procedures of Section 4.5 before obtaining a Development Permit;

(C) "CZ" indicates that a specific use, development or subdivision may only be permitted through a conditional zoning district that is parallel to the underlying zoning district (see Section 8.2). The conditional zoning district designation must be approved before the use may be established, development permit issued, and conformance with all applicable development and design standards achieved as provided in this ordinance. All nonconforming uses and structures shall be governed under Section 2.3 of this ordinance.

(~~C~~D) The column on the far right, labeled "SR" (Special Requirements) means that there are additional special requirements for the development or use for compliance. These requirements are contained in Section 8.6, "Special Requirements to the Table of Permitted and Special Uses." For any use subject to a Special Use Permit, the Special Requirement along with the requirements of this Ordinance shall represent the minimum conditions for issuance of a Special Use Permit; when "SR" appears for use within a zoning district, special requirements shall apply. The Special Requirements (SR's) are numbered by the Table of Uses categories. Numbers SR-1 through SR-99 are Principal Uses, numbers SR-100 through SR

199 are Accessory Uses; and numbers SR 200 through SR 299 are Temporary Uses. The "SR" will also appear in the column of the general use district in which the special requirements apply.

(~~D~~E) The listing of a use in the Table of Permitted and Special Uses and Special Requirements in no way relieves that use of having to meet all local, State and Federal laws pertaining to the establishment and operation of that use;

(~~E~~F) In the event a use is not listed, the Village Planner may determine if a materially similar use exists and is defined by this ordinance. If a materially similar land use is determined by the Village Planner, the determination shall be made in writing and all applicable regulations and standards with that use shall apply to the unlisted use. Such determinations by the Village Planner may be appealed pursuant to Chapter 5 of this ordinance.

If a use is not listed and a materially similar use does not exist, an application may be filed to amend this ordinance pursuant to Chapter 6. ~~Any use not explicitly allowed in the Table of Permitted and Special Uses and Requirements is prohibited. The enumeration of expressly prohibited uses shall not be deemed exclusive or all inclusive.~~

8.5.1a Table of Permitted and Special Uses and Special Requirements

USE TYPES																			
PRINCIPAL USES	GENERAL USE DISTRICTS																		
OFFICE/ SERVICE	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	OP	VCP	VR	VMU	VC	SR
Banks, Credit Unions, Financial Services											X			X	X		X	X, SR	~~9~~21
Business Support Services											X			X	X		X	X	
Crematoria																			
Dry Cleaning & Laundry Services											X			X	X, SR		X, SR	X, SR	10
Funeral Home											X			X					
Medical Clinic											X		X	X					
Medical Office											X		X	X					
Office											X			X	X		X	X, SR	21

Personal Services											X			X	X		X	X	
Personal Services, Restricted																			
Post Office											X						X	X	
Professional Services											X			X	X		X	X, SR	9
Radio/TV Studio											X			X	X		X		
Small Equipment Repair/Rental											X								
Small Engine Repair / Sales											X								
Veterinary Services / Indoor Kennels											X, SR			X, SR					11

X Permitted by Right

SU Special Use Permit

SR Special Requirement

8.5.1b Village Place Form Based District Table of Permitted and Special Uses and Special Requirements

USE TYPES	VILLAGE PLACE FORM BASED DISTRICT BLOCKS															
	CORE AREA BLOCKS					LOWER MCINTYRE	LOWER RATTLESNAKE AREA BLOCKS				UPPER RATTLESNAKE BLOCKS				TRADITIONS SITE	SR
SUBDIVISIONS	A*	B*	C*	D*	E*	F	G	H	I	J	K	L	M	N	O*	
Subdivisions – Major and Minor	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
RESIDENTIAL	A*	B*	C*	D*	E*	F	G	H	I	J	K	L	M	N	O*	SR
Dwelling-Single Family														~~CZ~~X	CZ	1
Dwelling-Two Family														CZ	CZ	1
Dwelling-Multifamily										CZ					CZ	3
Dwelling-Townhouse/ Clustered Dwellings														CZ	CZ	2
Family Care Home (6 or fewer residents)														X, SR	X, SR	4
Halfway Homes																
Dwelling -Mixed Use	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ			CZ	CZ			5
Manufactured Housing																6
Manufactured Home Park																
LODGING	A*	B*	C*	D*	E*	F	G	H	I	J	K	L	M	N	O*	SR
Bed and Breakfast Homes																7
Boarding or Rooming House																
Dormitory																
Hotel		CZ														8

Recreational Vehicle Park																
Short Term Rental																9
Neighborhood Lodging Accommodation														CZ, SR	CZ, SR	10
OFFICE/SERVICE	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Banks, Credit Unions, Financial Services	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			21
Business Support Services	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			
Crematoria																
Dry Cleaning & Laundry Services						CZ	CZ	CZ	CZ		CZ					23
Funeral Home																
Medical Clinic											CZ	CZ	CZ			
Medical Office	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			
Office	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			
Personal Services	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			
Personal Services, Restricted																
Post Office																21
Professional Services	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			21
Radio/TV Studio																
Small Equipment Repair/Rental						CZ										
Small Engine Repair/Sales																
Veterinary Services/ Indoor Kennels							CZ	CZ			CZ					11
COMMERCIAL/ ENTERTAINMENT	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Sexually Oriented Business																12

Alcoholic Beverage Sales Store	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ							
Amusements, Indoor	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ							
Amusements, Outdoor																
Billiard/Pool Hall																
Bar/Tavern/Night Club	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ							
Garden Center						CZ										
General Retail	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ					13
Golf Course																
Internet Sweepstakes Facilities																
Outside Sales						CZ, SR										14
Pawnshops																
Racetrack																
Restaurant	CZ, SR	CZ, SR	CZ, SR	CZ, SR	CZ, SR	CZ, SR	CZ, SR	CZ, SR	CZ, SR		CZ, SR					15
Shooting Range																
Theater, Indoor (Movie or Live Performance)	CZ	CZ	CZ	CZ	CZ	CZ	CZ									
CIVIC	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Civic/Cultural Facilities	CZ	CZ	CZ	CZ	CZ	CZ	CZ									
Community Shared Facilities														CZ	CZ	16
Conference/Convention Center																
Country Club																
Municipal Public Service Facility																
Private Club																
Public Safety Station																16
Recreation Facilities, Indoor	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ		CZ	CZ				

Recreation Facilities, Outdoor																17
Religious Institution																18
Park	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
EDUCATION/ INSTITUTION	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Residential Care Facilities (More than 6 Residents)																
Child/Adult Day Care Center						CZ	CZ	CZ	CZ		CZ	CZ				
Community Support Facility												CZ	CZ			19
Hospital																
Schools – Elementary & Secondary																18
Schools – Vocational/Technical																
Studio - art, dance, martial arts, music	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ					
USE TYPES																
AUTOMOTIVE	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Fueling Station																20
Heavy Equipment/Manufactured Home Rental/Sales																
Vehicle. Rental/Leasing/Sales						CZ										
Vehicle Service- Maintenance Repair/Body Work						CZ										

INDUSTRY/ WHOLESALE/ STORAGE	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Artisan Workshops	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ				
Industry, Manufacturing																
Landfill/Waste Recovery Facilities																22
Recycling Collection Stations Municipal																
Storage – Outdoor Storage Yard																
Storage – Self Service																
Storage – Warehouse, Indoor Storage																
AGRICULTURE	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
Agriculture, Livestock																25
Farming/Animal Production																25
Horse Farm & Training Track																26
Nurseries																
Gardens (Community and Private)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Kennels, Outdoor																
Swine Farms																
INFRASTRUCTURE	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR

Parking Structure	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ							27
Parking Lot -Principal Use							CZ	CZ	CZ			CZ				
Small/Micro Wireless Facilities	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	30
Telecommunications Facilities																28
Utilities -Moore County and VOP	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	29
Utilities-All Other																
ACCESSORY USES	**A***	**B***	**C***	**D***	**E***	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O***	SR
ATM	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ			
Beekeeping																100
Cemetery																101
Child/Adult Day Care Home Occupations																104
Farmers Market	X	X	X	X	X											102
Concealed Wireless Telecommunication Facility	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	103
Fuel/Propane Tanks	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	114
Ice Vending																
Home Occupation														X, SR	X, SR	104
Outdoor Swimming Pools and Spas		X, SR							X, SR	X, SR				X, SR	X, SR	105
Pet Houses and Pet Runs														X, SR	X, SR	106
Playground Equipment														X, SR	X, SR	107
Accessory Buildings	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	108

Dwelling - Accessory														X, SR	X, SR	109
Accessory Structure	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	110
Bulkheads on Lakes																111
Docks on Lakes																112
Floats/Rafts and Mooring Buoy																113
TEMPORARY USE	**A***	**B***	**C***	**D***	**E***	**F***	**G***	**H**	**I***	**J**	**K**	**L**	**M**	**N**	**O***	SR
Boat Storage																200
Temporary Facilities during replacement of existing facilities or until permanent establishment of new facilities	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	201
Temporary Expansion of School Facilities																202
Temporary Real Estate Offices														X, SR	X, SR	203
Model Homes														X, SR	X, SR	204
Yard Sales														X, SR	X, SR	205
Temporary Uses Other	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	206

X Permitted by Right SU Special Use Permit SR Special Requirement CZ Conditional Zoning

* Indicates a block with active frontage. See Regulating Plan for more information.

8.5.1c Pinehurst South Form Based District Table of Permitted and Special Uses and Special Requirements

USE TYPES		PINEHURST SOUTH FORM BASED DISTRICT BLOCKS									
SUBDIVISIONS	A*	B	C	D	E	F	G	H	I	J	SR
Subdivisions – Major and Minor	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
RESIDENTIAL	A*	B	C	D	E	F	G	H	I	J	SR
Dwelling-Single Family					CZ			CZ		X	1
Dwelling-Two Family								CZ			1
Dwelling-Multifamily								CZ			3
Dwelling-Townhouse/ Clustered Dwellings								CZ			2
Family Care Home (6 or fewer residents)					X, SR			X, SR		X, SR	4
Halfway Homes											
Dwelling -Mixed Use	CZ	CZ	CZ	CZ		CZ	CZ				5
Manufactured Housing										X, SR	6
Manufactured Home Park											
LODGING	A*	B	C	D	E	F	G	H	I	J	SR
Bed and Breakfast Homes											7
Boarding or Rooming House											
Dormitory											
Hotel		CZ									8
Recreational Vehicle Park											
Short Term Rental											9
Neighborhood Lodging Accommodation					CZ			CZ		CZ	10

OFFICE/SERVICE	A*	B	C	D	E	F	G	H	I	J	SR
Banks, Credit Unions, Financial Services	CZ	CZ	CZ	CZ		CZ	CZ		CZ		21
Business Support Services	CZ	CZ	CZ	CZ		CZ	CZ		CZ		
Crematoria											
Dry Cleaning & Laundry Services	CZ	CZ	CZ	CZ		CZ	CZ				23
Funeral Home	CZ										
Medical Clinic	CZ	CZ	CZ	CZ		CZ	CZ		CZ		
Medical Office	CZ	CZ	CZ	CZ		CZ	CZ		CZ		
Office	CZ	CZ	CZ	CZ		CZ	CZ		CZ		
Personal Services	CZ	CZ	CZ	CZ		CZ	CZ		CZ		
Personal Services, Restricted											
Post Office	CZ	CZ	CZ	CZ		CZ	CZ		CZ		21
Professional Services	CZ	CZ	CZ	CZ		CZ	CZ		CZ		21
Radio/TV Studio									CZ		
Small Equipment Repair/Rental		CZ	CZ			CZ					
Small Engine Repair / Sales		CZ	CZ			CZ					
Veterinary Services / Indoor Kennels	CZ	CZ	CZ	CZ		CZ	CZ		CZ		11

COMMERCIAL/ ENTERTAINMENT	A*	B	C	D	E	F	G	H	I	J	SR
Sexually Oriented Business											12
Alcoholic Beverage Sales Store	CZ	CZ	CZ	CZ		CZ	CZ				
Amusements, Indoor		CZ	CZ			CZ					
Amusement, Outdoor											
Billiard/Pool Hall											
Bar/Tavern/Night Club	CZ	CZ	CZ	CZ		CZ	CZ				
Garden Center	CZ	CZ	CZ	CZ		CZ	CZ				

General Retail	CZ	CZ	CZ	CZ		CZ	CZ				13
Golf Course											
Internet Sweepstakes Facilities											
Outside Sales											14
Pawnshops											
Racetrack											
Restaurant	CZ, SR	CZ, SR	CZ, SR	CZ, SR		CZ, SR	CZ, SR				15
Shooting Range											
Theater, Indoor (Movie or Live Performance)											
CIVIC	**A***	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	SR
Civic/Cultural Facilities	CZ	CZ	CZ	CZ		CZ	CZ				
Community Shared Facilities								CZ, SR		CZ, SR	16
Conference/Convention Center		CZ									
Country Club											
Municipal Public Service Facility											
Private Clubs	CZ	CZ	CZ	CZ		CZ	CZ				16
Public Safety Station	CZ, SR	CZ, SR		CZ, SR		CZ, SR	CZ, SR		CZ, SR		
Recreation Facilities, Indoor	CZ	CZ	CZ	CZ		CZ	CZ				
Recreation Facilities, Outdoor			CZ, SR								17
Religious Institution					CZ, SR	CZ, SR		CZ, SR		CZ, SR	18
Park	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
EDUCATION/ INSTITUTION	**A***	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	SR
Residential Care Facilities (More than 6 Residents)									CZ		

Child/Adult Day Care Center	CZ	CZ	CZ	CZ		CZ	CZ				
Community Support Facility							CZ		X		19
Hospital											
Schools - Elementary & Secondary											18
Schools- Vocational/Technical											
Studio - art, dance, martial arts, music	CZ	CZ	CZ	CZ		CZ	CZ				
AUTOMOTIVE	**A***	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	SR
Fueling Station							CZ, SR				20
Heavy Equipment/ Manufactured Home Rental/Sales											
Vehicle. Rental/Leasing/Sales											
Vehicle Service- Maintenance Repair/Body Work											
INDUSTRY/ WHOLESALE/ STORAGE	**A***	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	SR
Artisan Workshops	CZ	CZ	CZ	CZ		CZ	CZ				
Industry, Manufacturing											
Landfill/Waste Recovery Facilities											22
Recycling Collection Stations Municipal											
Storage -Outdoor Storage Yard											
Storage-Self Service											
Storage -Warehouse, Indoor Storage											
Wholesaling and Distribution											

AGRICULTURE	A*	B	C	D	E	F	G	H	I	J	SR
Farming/Animal Production											25
Horse Farm & Training Track											25
Nurseries											26
Gardens (Community and Private)	X	X	X	X	X	X	X	X	X	X	
Kennels, Outdoor											
Swine Farms											

INFRASTRUCTURE	A*	B	C	D	E	F	G	H	I	J	SR
Parking Structure		CZ	CZ								27
Parking Lot -Principal Use											
Small/Micro Wireless Facilities	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	30
Telecommunications Facilities											28
Utilities -Moore County and VOP	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	29
Utilities-All Other											
New Public or Private Road Right-of-way	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	

ACCESSORY USES	A*	B	C	D	E	F	G	H	I	J	SR
ATM	X	CZ, SR	CZ, SR	CZ, SR		CZ, SR	CZ, SR		X		
Beekeeping					X, SR			X, SR		X, SR	100
Cemetery											101
Child/Adult Day Care Home Occupations					X, SR			X, SR		X, SR	104
Farmers Market	X		X	X							102
Concealed Wireless Telecommunication Facility	X, SR	X, SR	X, SR~~CZ, SR~~	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	103

Fuel/Propane Tanks	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	114
Ice Vending											
Home Occupation					X, SR			X, SR		X, SR	104
Outdoor Swimming Pools and Spas					X, SR			X, SR		X, SR	105
Pet Houses and Pet Runs					X, SR			X, SR		X, SR	106
Playground Equipment	X, SR	X, SR			X, SR			X, SR		X, SR	107
Accessory Buildings	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	108
Dwelling - Accessory					SU, SR			SU, SR		SU	109
Accessory Structure	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	110
Bulkheads on Lakes											111
Docks on Lakes											112
Floats/Rafts and Mooring Buoy											113
TEMPORARY USE	**A***	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	SR
Boat Storage											200
Temporary Facilities during replacement of existing facilities or until permanent establishment of new facilities	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	201
Temporary Expansion of School Facilities											202
Temporary Real Estate Offices											203
Model Homes					X, SR			X, SR		X, SR	204

Yard Sales					X, SR			X, SR		X, SR	205
Temporary Uses Other	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	X, SR	206

X Permitted by Right SU Special Use Permit SR Special Requirement CZ Conditional Zoning

* Indicates a block with active frontage. See Regulating Plan for more information.

Section 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements

The Table of Permitted and Special Uses and Special Requirements contains a column on the far right labeled "SR" for Special Requirements. In any case where a use listed in the Table has a number in the SR column opposite the use, that use must comply with the additional Special Requirements contained in this Section corresponding to the Special Requirements number. The Special Requirements may affect the development of the use in all zoning districts in which the use is allowed or only in certain districts, as may be set forth in this Section.

Principal Uses

SR-1 Dwelling, Single Family-Two Family

(1) In VCP and VMU Districts between any single-family residential use and non-residential use, a minimum of a Class 1 buffer shall be placed between uses by the non-residential user on the non-residential property.

SR-2 Dwelling, Townhouse/Clustered Dwellings

(1) The common open space provided with the townhouse unit development shall be no less than twenty-five percent (25%) of the gross land area.

(2) The minimum setbacks required around the perimeter of the development tract shall be as required by the Table of Dimensional Requirements 9.2 a.

(3) The front wall on any unit or group of contiguous units shall not be set back beyond the rear wall of any adjacent unit or group of contiguous units where both face the same street or vehicle accommodation area;

(4) A townhouse unit lot frontage may be on open space properly restricted through a responsible entity to ensure adequate access. The minimum size for a townhouse or cluster dwelling unit is one thousand five hundred (1,500) heated square feet.

(5) The minimum lot width for a townhouse unit is twenty (20) feet.

SR-3 Dwelling, Multi-Family

(1) The minimum size for a multi-family dwelling is one thousand five hundred (1,500) heated square feet.

SR-4 Family Care Home (6 or fewer residents)

(1) Shall be a single-family dwelling;

(2) No family care home shall be located within one-half mile radius of an existing family care home measured from property line to property line.

(3) The following steps must be followed in order to obtain approval from the Village to operate a Family Care Home:

(a) Applicant submits a letter of intent.

(b) Applicant asks for a Zoning Verification Letter prior to receiving a State license. Fees in accordance with the adopted fee schedule apply.

(c) Obtain Development Permit after receiving a State license.

(4) In the event a development permit is issued for a family care home which invalidates another applicant's zoning verification letter, that applicant shall be notified.

SR-5 Dwelling, Mixed Use

(1) The dwelling units shall be located within the principal building, except in the VCP, VMU, or VC Districts where they may also be located in an accessory structure in the rear yard.

(2) The dwelling units shall not be located on the ground floor of the principal building.

SR-6 Manufactured Housing

(1) A continuous, permanent masonry underpinning such as brick, stone, stucco, split-face block (but not common concrete block), not pierced except for required ventilation and access, shall be installed under the mobile home;

(2) The tongue, axles, transport lights, and removable towing apparatus shall be removed subsequent to final placement.

SR-7 Bed and Breakfast Homes

(1) The use shall be located in a structure that was constructed as a single-family dwelling, and contains a minimum of three (3) and a maximum of nine (9) adult guest rooms. If the structure was not originally constructed as single-family dwelling a special use permit is required.

(2) A floor plan illustrating the entire facility shall be provided, showing ingress and egress from each room. Each room must have access to a hall or exterior door;

(3) No more than two (2) adult guests per room will be permitted at any one (1) time. No more than eight (8) total guestrooms will be permitted. The owner must be a permanently domiciled resident of the Bed and Breakfast;

(4) Meals served on the premises for paying guests shall be limited to breakfast;

(5) No alcoholic beverages shall be sold on the premises;

(6) Only one (1) unlighted sign will be permitted, which shall have maximum dimensions of two (2) feet high by three (3) feet wide, and not more than three and one-half (3½) feet tall at its highest point above ground level;

(7) Any interior modification shall be described in the application;

(8) Off street parking shall be provided in conformance with this Ordinance;

(9) Special events for guests such as wedding receptions, parties, etc., shall not be permitted;

(10) There shall be no less than one (1) bathroom consisting of a bath or shower, toilet, and sink for each guestroom.

SR-8 Hotel

(1) At least fifty percent (50%) of the level of the primary entrance shall not be used for guest rooms based on area square footage of that level.

SR-9 Short Term Rental

(1) After the effective date of this Ordinance, all applicants seeking to establish any new short-term rentals shall be required to obtain a Development Permit from the Village. All nonconforming short term rental dwelling units operated prior to the effective date of this Ordinance are not required to obtain any Development Permit or any other type of permit or permission as a condition to rent and are not required to register their short-term rental with the Village but may request issuance of a Nonconforming Use Certificate as set forth in subsection 2.3.2 of this Ordinance. All short-term rentals, whether lawful nonconforming uses or new short-term rentals established after the effective date of this Ordinance, shall comply with the following standards:

(a) A minimum of one (1) operable smoke detector shall be provided per bedroom (North Carolina State Building Code and 42-A-31(6) Vacation Rental Act);

(b) A minimum one (1) operable carbon monoxide detector shall be provided per level or floor of the dwelling unit. (42-A-31(6) Vacation Rental Act)

(c) Bedrooms and other habitable rooms shall meet the minimum light and ventilation requirements of Section 153.18 of the Pinehurst Municipal Code.

(d) Bedrooms shall meet the minimum size requirements of Section 153.19 of the Pinehurst Municipal Code.

(e) Ceiling Height. At least one-half of the floor area of every bedroom shall have a ceiling height of not less than seven feet and six inches (Section 153.19 (B) Pinehurst Municipal Code).

(f) Egress. Every dwelling unit shall be provided with adequate means of egress as required by the applicable provisions of the North Carolina State Building Code.

(g) To lessen congestion in the streets and to prevent the overcrowding of land as authorized by G.S 160D-701. A minimum of one (1) parking space per bedroom shall be provided on code-approved surfaces and locations.

(h) Cooking facilities are not permitted in any bedroom. For the purposes of this regulation, cooking facilities include any refrigerator in excess of seven (7) cubic feet; any stovetop range that operates on 220-volt electric service, any appliance that operates on natural gas; or any cooktop, whether integrated into a countertop or a separate appliance which contains more than two cooking surfaces or burners. This regulation shall not apply to single dwelling unit room rentals with a sleeping area, living area, and kitchen/eating area consolidated into one room.

(i) To ensure that the owners of short-term rentals provide fit and habitable housing as required by G.S. 42A-17(b), and to prevent the overcrowding of land, the avoidance of undue concentrations of population, to lessen congestion in the streets, and to prevent overcrowding of the lodging premises, and as authorized by G.S. 160D-701, the maximum occupancy per unit shall be based on two (2) adult guests per bedroom.

(j) Accessory Dwelling Units may be permitted for short term rental where Accessory Dwelling Units and Short Term Rentals are both permitted by right in Table 8.5.1a Table of Permitted and Special Uses and Special Requirements.

(k) Rental rules, including the maximum number of guests per stay, trash disposal procedures and sanitation schedules, noise ordinance hours, parking, and other listed SR-9 requirements shall be conspicuously posted at the main entrance along with the owner or property manager and emergency contact information.

SR-10 Drycleaning and Laundry Services

(1) Coin operated laundries are not allowed in VCP, VMU or VC districts.

SR-11 Veterinary Services/Indoor Kennels

(1) All indoor kennels shall be within a completely enclosed building with no outside facilities (except as provided for in item #3 below) or accessory structures for animals, unless otherwise permitted in the district in which it is located.

(2) Veterinary clinics shall be designed so that sound emitted through the exterior walls, roofs, and enclosed areas where animals are treated or kept shall not exceed forty-five (45) decibels as measured at the property line.

(3) Veterinary clinics and/or indoor kennels which include outdoor spaces, runs, or other facilities shall require a special use permit.

SR-12 Sexually Oriented Business

(1) No business shall locate within two thousand (2,000) feet of any other sexually orientated business, as measured in a straight line from property line to property line;

(2) No sexually orientated business shall be located within: one thousand (1,000) feet of a church or any establishment with an on-premise ABC license; five thousand (5,000) feet of a public or private elementary school or secondary school, child day care or nursery school; seven hundred (700) feet of a public park, residence and/or residentially zoned property; or two thousand (2,000) feet from a nursing home. These distances shall be measured on a straight line from property line to property line, with no consideration as to intervening structures, roads, or landforms;

(3) There shall not be more than one sexually orientated business on the same property or in the same building, structure, or portion thereof;

(4) No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any sexually orientated business;

(5) Except for the signs permitted by this Ordinance, no other advertisements, displays, signs or other promotional materials shall be visible to the public from pedestrian sidewalks, walkways, or vehicular use areas.

SR-13 General Retail

(1) No single retail use shall exceed twelve thousand (12,000) square feet in gross floor area unless a special use permit is obtained.

(2) In the VCP District, no single retail use shall exceed one thousand six hundred (1,600) square feet in gross floor area.

SR-14 Outside Sales

(1) General Standards

(a) Outside sales must be clearly secondary to the primary use within the associated permanent structure.

(b) Outside sales shall not occupy required parking areas and shall not take up an area greater than twenty-five percent (25%) of the total building area of the primary use within the associated permanent structure.

(2) Displays on Public Sidewalks: Merchandise for sale may be placed on the public sidewalk in front of the business where the building is directly adjacent to the sidewalk provided that adequate pedestrian clearance on the sidewalk is maintained (minimum of five (5) feet). Such displays shall be removed from the sidewalk when the business is not open. Such sales may also be subject to other village ordinances.

(3) Outside sales in the VC, VMU and VCP zoning districts shall require a special use permit.

(4) Display of merchandise for outside sales in the front yard shall not exceed a maximum of twelve (12) feet from the front face of the building.

(5) Nurseries, and garden centers are not subject to 1, 2, and 4 requirements listed above.

SR-15 Restaurants

(1) Drive-through windows and curb service are prohibited;

(2) No exterior playground or play equipment intended for children shall be permitted.

(3) Restaurants in the VCP District shall be limited to a maximum of one thousand six hundred (1,600) square feet.

SR-16 Community Shared Facilities, Public Safety Station

(1) Community Shared Facilities and Public Safety Stations shall have a minimum lot size of twenty thousand (20,000) square feet.

SR-17 Recreation Facilities, Outdoor [RD, R-210, NC, HC]

(1) Screening:

(a) Athletic fields, common area recreation facilities and similar facilities shall be screened from adjoining residential properties in accordance with Section 9.5.

(2) Operational Standards:

(a) Lights and loudspeaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m. unless special permission is received from the Village Planner.

(b) Facility usage is limited to indoor activities before 6:00 a.m. or after 10:00 p.m. unless special permission is received from the Village Planner.

(c) No equipment, machinery or mechanical device of any kind (other than customary HVAC systems) may be operated within two hundred (200) feet of any residentially zoned property except as needed for routine maintenance of the grounds or facility playfield.

(4) All exterior lighting shall be shielded such that light is not directed toward adjacent residential property.

SR-18 Religious Institutions and Schools

(1) Such facilities shall be located on sites of five (5) acres or greater and shall have direct primary access to a major collector or thoroughfare street.

SR-19 Community Support Facility (OP)

(1) These uses may be principal or accessory uses.

(2) No such use may be located within a quarter mile (1320 feet) of another such use measured as a straight line as measured from property lines.

SR-20 Fueling Stations

(1) The store shall contain less than three thousand five hundred (3,500) square feet of gross floor area;

(a) Gas pumps, auto wash facilities and dumpsters shall not be located between the building and a public street or in any required building setback.

(b) Gas pump canopies shall not exceed the height of the roof of the primary building it serves. The gas pump canopy, auto wash structure and facility, dumpster enclosure and other accessory structures shall be similar in architectural style and color as the principal building.

(c) Certification by a registered engineer shall be required to ensure the prevention of petroleum and petroleum related product runoffs into the existing municipal storm drainage system.

SR-21 Banks, Credit Unions, Financial Services, Professional Services

(1) Such uses shall not be permitted on the ground floor of the principal building.

SR-22 Landfill/Waste Recovery Facilities (PC)

(1) No New Facilities Shall be Established: No new Landfill/Waste Recovery Facilities shall be established after the effective date of this Ordinance, but the existing Moore County Landfill shall be permitted to operate according to State law and the provisions below.

(2) Screening: Modifications to the existing Moore County Landfill shall comply with all appropriate dimensional and landscape requirements.

SR-23 Reserved

SR-24 Reserved

SR-25 Farming/Animal Production (R-210)

(1) Livestock in the Village Limits: the keeping of livestock shall conform to the Village of Pinehurst Municipal Code in addition to applicable County, State and Federal regulations.

(2) Structures for Livestock:

(a) Structures for livestock must meet the yard and setback requirements of the district for a principal structure. Said structures may be located in the front, side, or rear yard.

(b) Best management practices shall be applied in using and maintaining structures for livestock, including stables, so as to eliminate or minimize nuisances and adverse impacts to the maximum extent possible.

(3) This use category shall preclude commercial hog and chicken production.

SR-26 Horse Farm and Training Track

(1) Structures for Horses:

(a) Structures for horses must meet the yard and setback requirements of the district for a principal structure. Said structures may be located in the front, side, or rear yard.

(b) Best management practices shall be applied in using and maintaining structures for horses, including stables, so as to eliminate or minimize nuisances and adverse impacts to the maximum extent possible.

SR-27 Parking Structure

(1) Building Design in VC and VMU Districts: When an above-ground parking structure fronts a public street, where feasible, parking structures should be wrapped on their exterior with other uses to conceal the parking structure and create an active streetscape, such as retail, restaurants, etc. If concealing the structure is not feasible due to lot size, required or needed deck size, topography, or other conditions as determined by the Village Planner, then the building wall or walls facing the public street shall be designed so as to resemble a building in (active) use with elements such as window indentions, brick patterns and articulated surfaces.

(2) Height Limit for Structures: Parking structures shall be limited to two (2) levels, except in the Hospital District in which parking structures shall be limited to three (3) levels.

SR-28 Telecommunications Facilities

(1) Exterior Appearance Height and Setback

(a) The exterior appearance of all non-tower buildings shall have the appearance of a residential dwelling, including but not limited to, pitched roof(s) and frame or brick veneer construction. Towers shall be required to be of the latest technology and utilize "stealth" technology to blend into the surrounding environment. For example, a tower located in a wooded area should be designed to have the appearance of a pine tree.

(b) The lighting on the proposed tower shall be no more than is required by applicable Federal and State regulations.

(c) All proposed telecommunication towers shall be no more than one hundred twenty-five (125) feet in height.

(d) Tower shall be a minimum of three hundred (300) feet from any property line, and two hundred (200) feet minimum from any occupied structure.

(2) Electromagnetic Exposure and Radio Interference

(a) Output power levels from the tower and/or associated antennae shall not exceed the current federally approved levels for exposure to electromagnetic radiation.

(b) There shall be no leakage or interference that will affect surrounding properties. Radio, television or other electro-magnetic transmission(s) or reception on other properties will not be disturbed or diminished;

(3) Use of Facilities

(a) Associated buildings locations in any residential district may not be used as an employment center for any worker. This provision does not prohibit the periodic maintenance or periodic monitoring of equipment and instruments.

(b) No advertising sign or logo is permitted on any tower or antenna;

(c) Upon cessation of use, the permit holder shall take down the tower and all associated equipment within sixty (60) days.

(4) Co-Location Requirements

(a) All towers shall be designed structurally, electrically, mechanically and in all other respects, to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users. Towers must be designed to allow for future rearrangement of antennas upon the tower and to

accept antennas mounted at varying heights. All towers shall be designed to allow co-location of public safety service equipment at usual and customary commercial rates, and these spaces shall be in addition to the antenna sites required for additional users as mentioned in this section. The exact design of public safety service equipment will be determined upon receipt of an application after consultation with the Police Chief and Fire Chief;

(b) A Development Permit shall not be granted unless it is found that the proposed equipment cannot be accommodated on existing or approved towers or alternative structures with a one- half (½) mile radius of the proposed location due to one (1) or more of the following reasons:

1. The planned equipment would exceed the structural capacity of the existing or approved towers, building or other structures, as documented by a qualified and licensed NC professional engineer, and the existing or approved structure cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost;

2. The planned equipment would cause interference materially impacting the usability of other existing of planned equipment at the tower or building as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost;

3. Existing or approved towers, buildings, or other structures within the search radius, or combinations thereof, cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed NC professional engineer;

4. Other unforeseen reasons that make it infeasible to locate the planned telecommunication equipment upon an existing or approved tower, building, or other structure.

(5) General Requirements

(a) FCC License Required: The applicant must demonstrate that it is licensed by the FCC to provide fixed or mobile wireless communication services or, if the applicant is not such an FCC licensee, must demonstrate that it has binding commitments from one or more FCC licensees to utilize the proposed wireless telecommunication facility. Written evidence of licensing by the FCC is required to be submitted to the Village Planner annually. Failure to provide such evidence shall cause the Certificate of PDO Compliance to be revoked.

(b) Insurance Required: Prior to issuance of a Certificate of PDO Compliance, the applicant shall be required to provide certificate of insurance demonstrating it has a minimum of $1,000,000 in general liability insurance covering any liability arising out of its construction or operation of the telecommunication tower. The applicant shall be required to maintain such coverage in full force and effect until such time as all aboveground portions of the tower (not including any part of the foundation) have been removed.

(c) Wireless Service Provider Agreement Required: The applicant must supply a letter of intent agreeing to make all of its telecommunication facilities available to providers of functionally equivalent services at usual and customary commercial rates or the duration of time that the facility is in operation. Verification shall be provided demonstrating that the applicant has an executed lease for the property that allows that landowner and/or the applicant to enter into leases or subleased with other wireless service providers.

(d) Annual Report Required: An annual report must be submitted to the Village Planner that includes, but is not limited to, documentation of current FCC licensing, the names of users of the tower, and how many additional users can be accommodated on the tower.

(e) Additional Engineering Review May Be Required

1. The siting of Telecommunications Facilities may involve complex technical issues that require review and input by outside experts. The Village Planner may require the applicant to pay the reasonable costs of a third-party technical study of a proposed Telecommunications Facility requiring a variance to the provisions set forth in this section. Selection of expert(s) to review the proposal shall be at the sole discretion of the Village Planner.

2. If an applicant for a Telecommunications Facility claims that one or more standards of this Ordinance are inconsistent with federal law as applied to a particular property, or would prohibit the effective provision of wireless communications within the relevant market area, the Village Planner may require that the application be reviewed by a qualified engineer and a report prepared and presented on the matter to the Village Council. Any costs shall be charged to the applicant.

SR-29 Utilities - Moore County and Village of Pinehurst

(A) These uses are permitted and exempt from site plan review and development standards. Therefore, no site plan approval is needed.

(B) These uses must comply with the Historic Preservation Overlay District requirements and obtain all required approvals for such.

(C) These uses must comply with the Village of Pinehurst Flood Damage Prevention Ordinance and obtain all required approvals for such.

(D) Any time that Moore County contemplates a public utility projects of any kind in the Pinehurst Zoning Area (excluding emergency repair work), before plans are drafted, the County must give thirty (30) days written notice to the Village Manager and Village Attorney describing the proposed project.

(E) Moore County must provide thirty (30) days written notice to the Village Planner, Village Manager, and Village Attorney prior to applying to the Village for approval of a public utilities project within the Pinehurst Zoning Area.

(Ord. 14-35, passed 09-24-2014; Ord. 17-09, passed 6-27-2017)

SR-30 Small/Micro Wireless Facility

(A) Small/Micro Wireless Facilities shall not be located on residential properties.

(B) The maximum height for small/micro wireless facilities shall be fifty (50) feet in non-residential areas and forty (40) feet in residential areas or 10 foot taller than existing poles as of July 1, 2017, whichever is greater.

(C) Where feasible, small/micro wireless facilities shall be located on existing utility poles. Where not feasible to locate on an existing pole, decorative poles shall be installed to match new lighting and stop light installations made by the Village of Pinehurst in the historic district.

(D) All supporting utilities and infrastructure shall be located underground in a vault or similar structure.

(E) When located within Village of Pinehurst Right-of-Way, pedestrian facilities, vehicular facilities (including driveways and sight triangles) and stormwater facilities shall not be negatively impacted.

(F) When a facility is abandoned or no longer in use the antenna and equipment shall be removed within 180 days.

(G) When located within Village of Pinehurst Right-of-Way, a Right-of-Way Encroachment Agreement is required.

(H) When located outside of NCDOT right-of-way, a development permit is needed.

(I) A survey, elevations, shop drawings and equipment rendering shall be provided to ensure compliance.

(J) When located in the Historic Preservation Overlay District a Certificate of Appropriateness (COA) is required and shall be constructed in accordance with the Historic District Standards.

(Ord. 18-03, passed 2-27-2018; Ord. 21-12, passed 07-27-2021; Ord. 22-15, passed 10-26-2022)

Section 8.7 Accessory Uses

SR-100 Beekeeping

(A) Purpose: The purpose of this section is to provide for the keeping of honey bees in the zoned areas. It is intended to enable property owners to keep honey bees, and to safely maintain them within populated areas. It is not intended to prohibit, restrict, or regulate the keeping of animals within areas allowing agricultural uses.

(B) Standards for Beekeeping

(1) Permit Required: No person shall keep, maintain, or allow to be kept any colony of honey bees within the Village of Pinehurst without a permit. Any person desiring a permit shall make application to the Village of Pinehurst and the permit shall be approved provided the applicant is in compliance with the requirements of this section.

(2) Number of Hives: No more than five (5) hives may be located on a single parcel).

(3) Ground Location: All hives shall be placed at ground level.

(4) Location: All hives shall be located in the rear yard only.

(5) Setbacks from Property Lines: All hives shall be kept a minimum of twenty (20) feet from a property line.

(6) General Maintenance: Hives shall be removed if the owner no longer maintains the hive or if removal is necessary to protect the health, safety and welfare of the public.

SR-101 Cemetery

(1) Must be Associated with a Church: All such uses must be located on the same tract of land as a religious institution, or an immediately adjacent parcel to a religious institution under the same ownership.

(2) Minimum Yard Requirements

(a) The minimum yard required for all in ground burial plots and any other structures is thirty (30) feet from any exterior property line or the required district principal building setback, whichever is greater. Gatehouses at cemetery entrance shall be excluded from any minimum yard requirement provided they meet the sight triangle requirement for driveways in Section 9.1 (G).

(b) Above ground internment facilities shall conform to principal building setbacks.

(3) Religious institutions in PC District are limited to columbaria only.

SR-102 Farmers Market (PC, HD, VC)

(A) General Standards: Farmer's Markets are an allowed accessory use according to the following provisions:

(1) Such uses shall not be placed in any required yard or setback.

(2) Existing uses on the property shall not be negatively affected in any way by the operation of the farmers' market;

(3) Adequate facilities, such as parking and restrooms shall be provided for the farmers' market and all existing uses on the property.

(4) No required landscaped areas or screen areas shall be encroached upon or occupied by the farmers' market.

(5) Vehicular travel ways shall not be blocked in a manner in which emergency vehicle response would be affected.

(6) The actual hours of operation of the market shall be limited to two (2) days a week for no more than eight (8) hours and in all instances shall cease by 9 p.m.

(7) A site plan, containing sufficient information to show compliance with the above standards, must be submitted to and approved by the Village Planner.

SR-103 Concealed Wireless Telecommunications Facility (All Districts)

(1) Concealed Wireless Telecommunications Facilities shall be permitted in all zoning districts as an accessory use provided the following conditions are met:

(a) In order to be considered an accessory use, a Concealed Wireless Telecommunications Facility must be clearly incidental and subordinate to the main use of a structure.

(b) Antennas associated with a Concealed Wireless Telecommunications Facility shall be concealed from exterior view.

(c) The addition of antenna, support or other equipment shall not add more than ten (10) feet in height to the attached structure unless a variance is obtained from the Zoning Board of Adjustment. Notwithstanding the foregoing, any increase in the height of an existing structure must comply with other provisions of this Ordinance unless appropriate approvals are obtained.

(d) Electronic equipment associated with Concealed Wireless Telecommunication Facilities may be placed inside a building or, if placed on a rooftop, all equipment enclosures shall be mounted behind a parapet wall or façade which is camouflaged to match or complement the color and architectural treatment of the building. If placed on the ground on a concrete pad, equipment enclosures shall be screened so as to make them unobtrusive.

(e) All cabling and wiring connecting antennas, equipment enclosures, and other components of concealed wireless telecommunications facilities shall be colored or concealed in a manner as to render them unobtrusive.

(f) Antennas associated with a Concealed Wireless Telecommunications Facility may not be co-located on a tower or other support structure used by an amateur radio operator.

(g) Antennas associated with a Concealed Wireless Telecommunications Facility shall not be located upon a Single Family Dwelling or Multi-Family Dwelling.

(h) Should the existing support structure require to be replaced and/or rebuilt it shall comply with all applicable codes including but not limited to these provisions.

(i) Any modifications to an existing structure associated with the installation of a Concealed Wireless Telecommunications Facility shall comply with all limitations, requirements, and standards contained in other provisions of this Ordinance including, but not limited to, the receipt of approvals that may be required by Section 8.3.2 of this Ordinance should the Concealed Wireless Telecommunications Facility be located within a Historic Preservation District. All other applicable local, state, and federal approvals and permits shall also be obtained.

(j) A structural analysis shall be performed by a licensed professional engineer in the State of North Carolina in accordance with the current revision to ANSI EIA/TIA-222 certifying that the structure is capable of supporting the proposed loading.

(k) Prior to installation of a Concealed Wireless Telecommunications Facility, a copy of the operators FCC license shall be submitted to the Village Planner. If the party installing the Concealed Wireless Telecommunications Facility is not an FCC licensee, the party must demonstrate that it has binding commitments from one or more FCC licensees to utilize the Concealed Wireless Telecommunications Facility and must submit a copy of each wireless service provider's FCC license.

SR-104 Home Occupations:

A home occupation shall be permitted as an accessory use to any dwelling unit, provided that:

(1) The principal person or persons providing the business or service resides in the dwelling on the premises;

(2) The area used for the business or service does not exceed thirty percent (30%) of the combined floor area of the principal dwelling unit.

(3) There are no advertising devices on the property, or other signs of the home occupation, which are visible from outside the dwelling or accessory building;

(4) The property contains no outdoor display or storage of goods or services which are associated with the home occupation;

(5) The home occupation causes no change in the external appearance of the existing buildings and structures on the property;

(6) No additional parking areas other than driveways are allowed;

(7) Wholesale or retail transactions of goods do not occur on the premises;

(8) Home occupations may only employ those who reside on the premises and one additional employee who does not reside on the premises.

(9) The home occupation does not create any disturbing noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception;

(10) Shipping deliveries and pick-ups (excluding US Postal Service) are limited to ten (10) per week.

(11) All vehicles used in connection with the home occupation are of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood;

(12) Child/Adult Daycare Home Occupations shall be permitted as accessory to any dwelling unit, provided that the following additional conditions are met, as well as the other conditions to this Section:

(a) If an outdoor play area is provided, it is fenced with a privacy type fence that is a minimum height of four (4) feet;

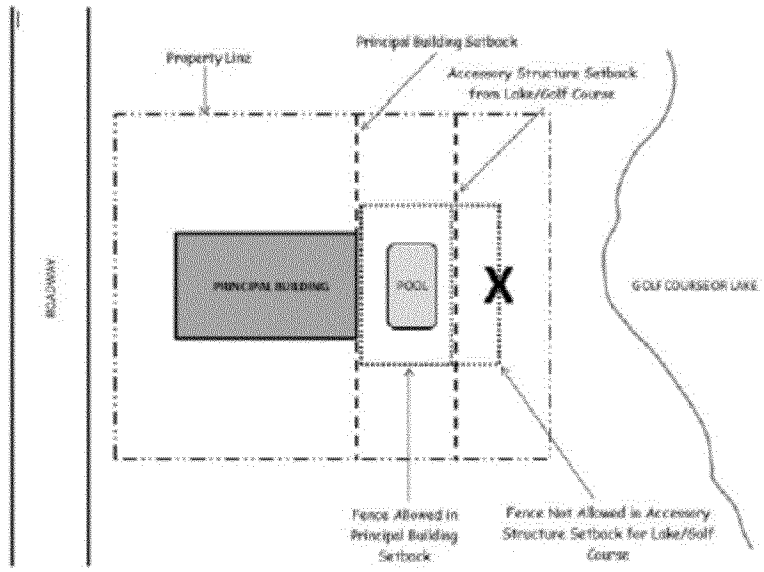
(b) No more than five (5) children shall be present at any given time.

(13) Prior to establishing the home occupation, the operator shall receive the approval of the Village Planner, who shall approve the home occupation upon finding that the proposed business complies with all of the above standards. The Village Planner shall notify all adjacent property owners prior to approving day care centers as a home occupation.

SR-105 Swimming Pools and Spas/Hot Tubs

(1) Above ground swimming pools are prohibited except for Seasonal Swimming Pools regulated in item (6) below.

(2) In residential zoning districts, all swimming pools as defined in Section 10.2 of this Ordinance shall be constructed only within the building envelope setbacks for accessory structures in the rear or side yard. Required fences for swimming pools located on golf courses or adjoining lakes may be located within the principal building setback but shall not be fenced in the accessory building or structure setback from lakefront or golf course indicated in Section 9.2a Table of Dimensional Requirements;



(3) All building construction related to swimming pools (bath houses) shall be set back as provided in Subsection (2) above. Walks may extend no more than four (4) feet into building setbacks for accessory structures;

(4) Hot tub/spas shall be setback as provided in Subsection 2 above.

(5) Any pool water, structure, or chamber shall be treated, altered, or maintained so as to prevent the development of unsanitary conditions. Pools under construction or which are no longer being operated shall be maintained in a manner so as to prevent the development of unsanitary conditions, potential injury, or possible drowning. All pool enclosure fencing shall be completed at the time the pool is allowed to contain water.

(6) Seasonal Swimming Pools as defined in Section 10.2 of this document are permitted to be installed above ground with the following standards:

(a) Structure shall only be erected from May 1 to September 30.

(b) Structure shall only be allowed in the rear yard and maintain a ten (10) foot setback from all property lines.

(c) From October 1 to April 30 the structure shall be removed and stored in a location not visible from a street or adjacent property.

(d) Seasonal swimming pools containing greater than twenty-four (24) inches of water shall meet all applicable requirements of the NC Building Code.

(e) A Development Permit is required each season that the structure is erected and a sketch plan shall be submitted along with the application showing the proposed location of the Seasonal Swimming Pool.

SR-106 Pet Houses, Pet Runs

Pet houses and pet runs are permitted in the side and rear yards in any residential zoning district. Pet houses shall meet the accessory structures setback requirements of the zoning district in which they are located.

SR-107 Playground Equipment

All swing sets and children's playground equipment shall be located in the rear or side yard and must be located no closer than ten (10) feet from the property line. No development permit is required.

SR-108 Accessory Building

(1) Accessory building(s) shall be permitted in all districts provided that the following conditions are met:

(a) The accessory building is of a permanent construction, architecturally compatible and of similar materials as the principal building;

(b) The accessory building is located within the building envelope setbacks for accessory structures (table 9.2a) in the rear or side yard only, except in R-210;

(c) The total gross floor area of the accessory building shall be no more than thirty percent (30%) of the principal dwelling. When there is more than one (1) accessory building on the site, the sum of the building area of the accessory buildings may not exceed thirty percent (30%) of the area of the principal dwelling.

SR-109 Accessory Dwelling

(1) An accessory dwelling may be within, attached, or separate from the principal building;

(2) The principal use of the lot shall be a detached dwelling, built to the standards of the North Carolina State Building Code;

(3) No more than one accessory dwelling shall be permitted on a single deeded lot in conjunction with the principal dwelling unit;

(4) The accessory dwelling shall be owned by the same person as the principal dwelling;

(5) The accessory dwelling shall not be served by a driveway separate from that serving the principal dwelling, except where access is available from another public way and where impacts on adjacent properties are minimized.

(6) An accessory dwelling shall not exceed thirty percent (30%) of the heated floor area of the principal dwelling, or six hundred (600) square feet, whichever is greater.

(7) A detached accessory dwelling structure may be dwelling area only or may combine the dwelling with a garage, workshop, studio, or similar use, provided that the total floor area of the structure does not exceed the thirty percent (30%) limitation for an accessory building as set forth in SR-108;

(8) A detached accessory dwelling shall be located in the established side or rear yard and meet the standards for accessory building setbacks.

(9) In the Historic District accessory dwellings shall not require a special use permit; however, all special requirements shall apply.

SR-110 Accessory Structure

(1) Arbors, Trellises, Pergolas and Gazebos

(a) Arbors associated with fences may encroach into setbacks, including the front yard, as long as the height of the arbor is no greater than twelve (12) feet and no more than fifty (50) square feet in size.

(b) Arbors, trellises, pergolas, gazebos and like structures shall be located in the side or rear yard and may be located within any side rear or lake accessory structure setback.

(2) Storage Shed (No dimension greater than twelve (12) feet) in R-210, R-30, R-20, R-15, R-10, R-8, R-5, R-MF, VCP, VR, VMU

(a) Storage sheds are only allowed in the rear yard.

(b) Such sheds shall be located no closer than five (5) feet from any property line unless adjacent to a golf course or lake in which case the accessory building or structure setback from lakes and golf courses shall apply.

(c) Such sheds are limited to a maximum of one (1) per property.

(d) Such sheds shall be compatible in style and color with the principal structure.

(3) Accessory buildings and structures are allowed in the front yard in the R-210 district, but must meet the front yard setback requirement.

SR-111 Bulkheads on Lakes

(1) Bulkheads may be constructed subject to a development permit;

(2) The height of the bulkheads shall be no more than three (3) feet above the design elevation of any lake. (For example, the design elevation at the top of the spillway on Lake Pinehurst is four hundred ten (410) feet above sea level; therefore, a bulkhead may be constructed on Lake Pinehurst that is no more than four hundred thirteen (413) feet above sea level);

(3) Bulkheads must be located in such a way as to accommodate the cover of below-surface utilities;

(4) Bulkheads to be constructed adjacent to another bulkhead shall be similar in height and located so as to avoid the accumulation of debris and shall be designed to transition into the existing bulkhead both vertically and horizontally. The bulkhead material shall be pressure treated wood, stone, brick, concrete with decorative veneer, or similar material;

(5) Bulkheads and/or docks may be constructed on lakeside properties on which no principal structure exists.

SR-112 Docks on Lakes

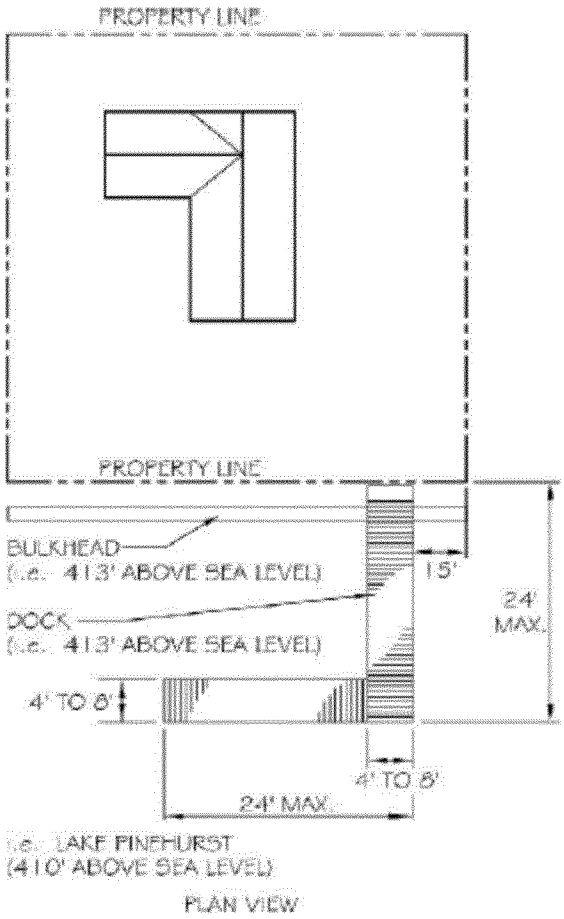
(1) Docks may be constructed along the boundary of a lake only after the issuance of a Development Permit and building permit by the Planning and Inspections Department;

(2) Docks and construction added to docks are not to exceed a height of six (6) feet from the dock to the top of the construction. The dock surface shall be built at a height not to exceed the height of the bulkhead to which they are attached;

(3) No part of the dock shall extend more than twenty-four (24) feet out into the lake from the shoreline from which it extends, nor shall it extend more than twenty-four (24) feet out into the lake from the property line. Docks may make a ninety (90) degree turn and run a maximum of twenty-four (24) feet in a parallel direction to the shoreline.

(4) Docks shall be no wider than eight (8) feet and no narrower than four (4) feet, with the exception of the corner in which the dock makes a turn, and shall be positioned so as to maintain at least a fifteen (15) foot side setback from the side lot lines as extended out into the lake;

(5) Bulkheads and docks may be constructed on lakeside properties on which no principal structures exist;



(6) Docks shall be of a permanent, all weather material connected to the shore of the property they serve, and be secured to the bottom.

SR-113 Floats/ Rafts, and Mooring Buoy

A property owner may place one (1) float/raft and/or one (1) mooring buoy of a permanent or inflatable construction in their privately owned lake bed, in such a manner that the three hundred sixty (360) degree swing from anchor of the object (and boats attached, thereto) remain within the area of

their privately owned lake bed, and it shall be so positioned as to maintain at least a fifteen (15) foot side setback from the side lot lines as extended out into the lake. No zoning permit is required.

SR-114 Fuel and Propane Tanks (of capacity greater than fifty (50) pounds)

(1) Propane tanks greater than fifty (50)-pound capacity in residential zoned property shall be placed underground and must be at least ten (10) feet from the property lines. The exposed "cap" on the underground tank shall be painted in dark brown or forest green;

(2) Permanent propane tanks are not permitted on vacant lots;

(3) All above ground propane or fuel tanks shall be placed in the side or rear yard and shall be screened from adjacent properties and streets rights of way with opaque fencing or vegetation.

(Ord. 14-35, passed 09-24-2014; Ord. 16-07, passed 04-26-2016)

Section 8.8 Temporary Uses (All Districts)

8.8.1 Permit Required

Unless otherwise provided, all permitted temporary uses listed in this section shall require a temporary use permit that shall be reviewed and issued by the Village Planner subject to the procedures outlined in Section 8.8. The following uses may be established in any zoning district (unless otherwise specified) as temporary uses, subject to approval by the Village Planner in accordance with the requirements below, the filing deadlines established in the application form, and the land development standards established for the district in which the temporary use is proposed.

8.8.2 Temporary Uses Not Listed

If a temporary use permit is sought for a use other than a specific use listed above, the Village Planner shall have the authority to determine which of the use categories above most closely resembles the use or activity in question. In the event that a particular use is not listed, and such use is not listed as a prohibited use in the proposed district and is not otherwise prohibited by law, the Village Planner shall determine whether a materially similar use exists in this section. Should the Village Planner determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Village Planner's decision shall be recorded in writing. Should the Village Planner determine that a materially similar use does not exist, this section may be amended to establish a specific listing for the use in question through the text amendment process established in Chapter 6.

SR-200 Boat Storage (No Zoning Permit Required)

(1) In all zoning districts except R-210, all boats out of water shall be stored in a totally enclosed garage or other building except that temporary parking of a boat out of water is allowed for seven (7) days in any month on private property with the consent of the property owner. Parking for any period of time in a twenty-four (24)-hour period shall count as one (1) day;

(2) In all non-residential zoning districts and in the R-210 district, all boats out of water shall either be stored in an enclosed building or be stored in a rear or side yard. If stored in a yard, the vehicles shall be screened from view at any property line;

(3) Owners of lake shore property may store boats out of water along the lake shore provided that all of the following conditions are met:

(a) The boat(s) are owned by the resident of the property;

(b) The boat(s) are stored no closer than fifteen (15) feet from any property line;

(c) The boat(s) are stored in the yard abutting the lake shore;

(d) The boat(s) are not stored on a trailer;

(e) The boat(s) are in good repair and usable condition;

(f) The boat(s) do not exceed an overall hull length of fourteen (14) feet.

(4) Where the Village Code provides other regulations for such vehicles, the most restrictive provision shall apply.

SR 201 Temporary Facilities During Replacement of Existing Facilities or Until Permanent Establishment of New Facilities

(1) Purpose and Scope: Temporary buildings which are designed to arrive at the site ready for occupancy, except for minor unpacking and connection to utilities, and designed for removal to and installation at other sites, may be placed on a property to serve as the following:

(a) Temporary offices for construction and security personnel during the construction of a development for which the Village has issued a development or building permit. Each general contractor and major subcontractor is allowed one (1) 10 x 40 ft. maximum size temporary office building and two (2) additional 10 x 40 ft. maximum size storage buildings. The security personnel are allowed one (1) 10 x 40 ft. maximum size temporary building;

(b) Temporary quarters for a non-residential use when the permanent building has been destroyed by a fire or other physical catastrophe, provided that a building permit for the permanent facility is obtained within one (1) year after approval of the temporary building. The Village Planner may approve a written request for an extension of an additional ninety (90) days for good cause shown, provided that substantial progress has been made toward constructing permanent replacement facilities. Failure to obtain a building permit within the time frame allowed will revoke approval for the temporary building.

(2) Standards and requirements for approval: In addition to the above limitations, all such temporary buildings shall meet the following standards and requirements:

(a) In addition to any other off-street parking required on the site, off-street parking shall be provided for the temporary building in accordance with the requirements set forth in this Ordinance, as determined by the use and size of the temporary building;

(b) All permits required by applicable building, electrical, plumbing, and mechanical codes shall be obtained from the Planning and Inspections Department prior to installation of the temporary building;

(c) A simplified site plan, containing sufficient information to show compliance with the above standards shall be submitted to, and approved by the Village Planner, prior to installation of the temporary building.

(3) Duration: Such temporary buildings may remain on the site for no more than twelve (12) months or until construction is complete, whichever comes first. This period may be renewed for another twelve (12)-month period, for good cause shown, upon approval of a written request submitted to the Village thirty (30) days prior to the expiration of the permit. In no event, however, shall such extensions allow

the temporary building to remain on the site for more than three (3) years. In any event, temporary construction and security personnel offices shall be removed from the site before the Village issues the last Certificate of Occupancy for the development.

SR 202 Temporary Expansion of School Facilities

(1) Purpose and Scope: Temporary buildings that are designed to arrive at the site ready for occupancy, except for minor unpacking and connection to utilities, and designed for removal to and installation at other sites, may be placed on a property to serve as expansion space for existing schools.

(2) Standards and Requirements for Approval: In addition to the above limitations, under- skirting shall be installed around the entire temporary building. All temporary buildings shall be underpinned and tied down;

(3) Duration: Such temporary buildings may remain on the site for no more than twelve (12) months. This period may be renewed for additional twelve (12) month periods, for good cause shown, upon approval of a written request for such an extension by the Village Planner submitted at least thirty (30) days prior to the expiration of the permit.

SR 203 Temporary Real Estate Sales Offices

(1) Temporary real estate sales offices shall be allowed within a new residential development, subject to approval by the Village Planner as a temporary use, provided that:

(a) The real estate sales office is located on a lot that was approved by the Village as part of the subdivision or development;

(b) The temporary office complies with the minimum yard and setback requirements of the zoning district in which it is located;

(c) There is no more than one temporary real estate sales office in the development;

(d) Parking spaces shall be provided on the lot in a number sufficient to meet the requirements set forth for offices of this Ordinance;

(e) Landscaping shall be provided in accordance to the requirements set forth for office development in Section 9.5 of this Ordinance;

(f) A simplified site plan, containing sufficient information to show compliance with the above standards, is submitted to and approved by the Village Planner prior to installation of the sales office.

(2) Such a temporary office may remain until eighty percent (80%) of the dwellings have received Certificates of Occupancy. If at any time the temporary office fails to comply with the provisions of this Section, the Village Planner may revoke approval of the temporary office;

(3) The use as a temporary real estate sales office shall be terminated upon expiration of the subdivision site plan for the development.

SR 204 Model Homes

(1) Model home(s) shall be allowed within a new residential development, subject to approval by the Village as a temporary use, provided that:

(a) The model home(s) is located on a lot that was approved by the Village as part of the subdivision or development;

(b) The home will be converted to residential use after it is used as a model home(s);

(c) Parking spaces shall be provided on the lot in a number sufficient to meet the requirements set forth for offices of this Ordinance;

(d) A simplified site plan, containing sufficient information to show compliance with the above standards, is submitted to and approved by the Village Planner prior to installation of a model home as a real estate sales office.

(2) Model home(s) are permitted in any subdivision or site-planned development to show different styles and sizes. Model home(s) may be used for real estate sales purposes until eighty percent (80%) of the dwellings have received Certificates of Occupancy. If at any time the model home(s) fails to comply with the provisions of this Section, the Village staff may revoke approval of the model home(s).

SR-205 Yard Sales

(1) No more than two (2) sales shall be held on the same premises during any calendar year;

(2) No yard sale shall commence prior to 7:00 am or extend beyond 6:00 pm;

(3) No yard sale shall have a duration greater than two (2) consecutive days. Any yard sale event shall be considered as one (1) yard sale for the purposes of the number of annual sales;

(4) Signage shall be in accordance with Section 9.7.1.7 (G) of this Ordinance.

SR-206 Temporary Uses Other

(A) General Standards:

(1) Such uses shall not be placed in any required yard or setback.

(2) Existing uses on the property shall not be negatively affected in any way by the operation of the temporary use;

(3) Adequate facilities, such as parking and restrooms, shall be provided for the temporary use and all existing uses on the property.

(4) No required landscaped areas or screen areas shall be encroached upon or occupied by the temporary use.

(5) Vehicular travel ways shall not be blocked in a manner in which emergency vehicle response would be affected.

(6) A site plan, containing sufficient information to show compliance with the above standards, must be submitted to and approved by the Village Planner.

(7) Such uses shall have a maximum duration of two weeks. Longer duration may be allowed with the approval of the Village Manager if the use is deemed of community wide significance.

Section 9.2 Tables of Dimensional Requirement

All uses and structures in the general use zoning districts shall comply with the dimensional requirements listed in Table 9.2 a, except as may be otherwise provided by this Ordinance. Minimum lot sizes listed in the Table below are subject to modification based on open space requirements, subdivision requirements, or alternate design provisions within this Ordinance. Watershed protection overlay districts may require lower impervious coverage.

All uses and structures within the Village Place and Pinehurst South Form Based Districts shall comply with the dimensional requirements in Table 9.2b. Modification to those requirements may also be subject to open space requirements, subdivision requirements, or alternate design provisions within this Ordinance. Watershed protection overlay districts may require lower impervious coverage or allowed density.

9.2a Table of Dimensional Requirements

USE TYPES	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	VCP	OP	VR	VMU	VC
Minimum Lot Size (3)	-	5 ac	5 ac	30,000 sf	20,000 sf	15,000 sf	10,000 sf	8,000 sf	5,000 sf	5,500 sf	10,000 sf	1 ac	15 ac	8,000 sf (2)	20,000 sf	5,500 sf	20,000 sf	5000 sf
Minimum Lot Width at Setback Line (3)	-		100'	100'	80'(4)	75' (4)	75' (4)	60' (4)	40' (4)	50' (1)	-	-	400'		100'	-		-
Minimum Lot Width at Street Line	50'	200'	60'	20'	20'	20'	20'	20'	20'	36' (1)	75'	100'	100'	25'	75'	25'	25'	25'
Minimum Front Yard Setback(3)	40'	100'	100'	40'	40'	30'	30'	20'	20'	30' (1)	25'	40'	75'	20'	25'	10'	0' min -10' max	0'min - 10' max
Minimum Side Yard Setback (3)	25'	50'	40'	20'	15' (4)	15' (4)	15' (4)	10' (4)	10' (4)	0' (1) & (5)	10'	20'	50'	0'(6)	15'	0'(6)	0' (6)	0'(6)
Side Street Setback(3)	25'	50'	50'	20'	20'	20'	20'	15'	15'	20' (1)	15'	20'	75'	10'	20'	10'	0' min -10' max	10' min - 10'max
Minimum Rear Yard Setback (3)	25'	50'	50'	30'	30'	30'	25'	20'	20'	25' (1)	20'	30'	75'	20'	20'	20'	5'	5'
Lakefront/Golf Course Setback from the Property Line	60'	-	60'	60'	30'	30'	30'	30'	30'	30'/60'	30'	30'	30'	30'	30'	30'	30'	30'
Maximum Building Height	35'	50'	35'	35'	35'	35'	35'	35'	35'	35'	35'	50'	75'	35'	35'	35'	50'	50'
Maximum Lot Covered by Impervious Surface (3), (7) and (8)	12%	24%	24%	30%	35%	37.5%	40%	42.5% (8)	45%	60%	70%	70%	70%	70%	70%	70%	70%	90%
Maximum Residential Density (DWQ)		-		-	-	-	-	-	-	6 units per acre		-		-		8 units per acre	-	-

USE TYPES	PC	RD	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	NC	H	HD	VCP	OP	VR	VMU	VC
Minimum Accessory Building or Structure Side Setback from Property Line	20'	50'	15'	10'	10'	10'	10'	10'	5'	15' (1)	10'	20'	25'	10'	10'	5'	5'	5'
Minimum Accessory Building or Structure Rear Setback from Property Line	20'	50'	15'	10'	10'	10'	10'	10'	10'	15' (1)	10'	20'	25'	10'	10'	10'	5'	5'
Minimum Accessory Building or Structure Setback from Lakefront or Golf Course	30'	30'	30'	30'	30'	30'	30'	30'	30'	30' (1)	30'	30'	30'	30'	30'	30'	30'	30'
Minimum Accessory Building or Structure Setback from Pub1ic or Private Street Right(s) of Way (ROW)	25'	50'	50'	20'	20'	20'	20'	15'	15'	20' (1)	15'	20'	25'	10'	20'	10'	10'	10'

Table of Dimensional Requirements Abbreviations:

1. Setback requirements shall apply to the perimeter of the parent tract or tracts prior to development.
2. All development shall be treated as multi-family (apartments or condo) or townhouse development (detached or attached).
3. See Section 9.17.1.11a for dimensional standards applicable only to Residential Subdivisions in R-210, R-30, R-20, R-15, R-10 or R-8 Districts meeting the Required Open Space regulations of this Ordinance.
4. Corner lots are required to add five (5) feet to the minimum lot width at setback line; and are required to add five (5) feet for the corner street side setback
5. 0' (15' minimum if detached)
6. 0' (5' minimum if detached)
7. Impervious surface coverage may be limited by State Watershed Requirements and may require special intensity allocation.
8. The maximum lot covered by impervious surface in the R-8 Zoning District shall not prevent a newly constructed single story home from having up to 2,400 sq. ft. under roof. In order to minimize impervious surface when this provision is used, the only other impervious surface that may be placed on the property is a driveway not exceeding 18' in width, a sidewalk going directly from the driveway to the front door and a patio not to exceed 64 sq. ft. Additionally, a front load garage shall be placed at the front setback. This provision shall not apply to the expansion of an existing single story home. All other regulations still apply.

9.2b Table of Dimensional Requirements for Village Place and Pinehurst South Form Based Districts

Village Place & Pinehurst South Form Based District Table of Dimensional Requirements	Lot Types										
	Mixed/Use Commercial		Single Family Attached Lot			Single Family Detached Cottage Lot		Single Family Detached Manor Lot		Single Family Detached Villa Lot	
	Mid-Block Rear Loaded	Rear Loaded Corner	Mid-Block Rear Loaded	Mid-Block Rear Loaded End Unit	Rear Loaded Corner	Rear Loaded Mid-Block	Rear-Loaded Corner	Rear Loaded Mid-Block	Rear Loaded Corner	Front Loaded	Front Loaded Corner
Front Build-to Line	10’	10’	15’	15’	15’	15’	15’	20’	20’	20’	20’
Minimum Lot Width	24’	34’	22’	28’	37’	34’	42’	52’	62’	72’	82’
Minimum Lot Depth	60’	60’	75’	75’	75’	75’	75’	80’	80’	80’	80’
% Frontage on Build-To Line	75%	75%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Interior Side Setback (1)	0’-5’ (1)	0’-5’ (1)	0’	0’-5’	0’	6’	6’	10’	10’	10’	10’
Side Build-to Line	0’	10’	N/A	0’-5’	15’	N/A	15’	N/A	20’	N/A	20’
Min. Rear Yard Setback for Principal Structure	15 min.; 20’ (2)	15 min.; 20’ (2)	25’	25’	25’	25’	25’	25’	25’	25’	25’
Building Height *see Regulating Plan for maximum and minimum stories	2 stories: 35’ 3 stories: 50’	2 stories: 35’ 3 stories: 50’	35’ max	35’ max	35’ max	35’ max	35’ max	35’ max	35’ max	35’ max	35’ max
Maximum Lot Covered by Impervious Surface	90%	90%	70%	70%	70%	70%	70%	70%	70%	70%	70%
Minimum Separation of Accessory Structure from Primary Structure (3)	5’	5’	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Accessory Structure Rear Setback (3)	10’	10’	10’	10’	10’	10’	10’	10’	10’	10’	10’

Accessory Structure Side Setback (3)	5' (3)	5' (3)	5' (3)	5' (3)	5' (3)	5' (3)	5' (3)	10' (3)	10' (3)	10' (3)	10' (3)
Minimum Amount of Open Space Per Overall Development	8%	8%	15%	15%	15%	15%	15%	15%	15%	15%	15%
Maximum Residential Density (gross) Village Place Form Based District			12 units per acre	12 units per acre	12 units per acre	10 units per acre	10 units per acre	10 units per acre	10 units per acre	10 units per acre	10 units per acre
Maximum Residential Density (gross) Pinehurst South Form Based District			10 units per ace	10 units per acre	10 units per acre	7 units per acre	7 units per acre	7 units per acre	7 units per acre	7 units per acre	7 units per acre

(1) If a setback between buildings is desired, it shall be a minimum of 5'

(2) If parking is on-lot in rear, the setback increases to 20'

(3) Accessory structures to be located completely behind primary structures

Appendix F of the Pinehurst Development Ordinance

~~Reference of Plant Species Native to the Sandhills and/or Included in Water Conserving Requirements~~

~~Listed on the following pages are plant species specifically native to the Sandhills of North Carolina, their soil moisture and light requirements, their benefit to wildlife, and example of leaf foliage. Many of these plant species can be found on lots previous to clearing and can be transplanted by the owner if their location is threatened by development. Otherwise, check with a local nursery for their availability.~~

~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Tall Trees (> 30') (Canopy)~~			
~~Acer floridanum~~	~~Southern Sugar Maple~~	~~M/F-S~~	~~S~~
~~Acer rubrum~~	~~Red Maple~~	~~W-D/F-P~~	~~S~~
~~Betula nigra~~	~~River Birch~~	~~W-D/F~~	~~S,L~~
~~Carya glabra~~	~~Pignut Hickory~~	~~D/F-S~~	~~S,L~~
~~Carya ovata~~	~~Shagbark Hickory~~	~~M-D/F-S~~	~~S~~
~~Carya tomentosa or C. alba~~	~~Mockernut Hickory~~	~~D/F-S~~	~~S,L~~
~~Celtis laevigata~~	~~Sugarberry~~	~~M/F-S~~	~~F,L~~
~~Chamaecyparis thyoides~~	~~Atlantic White Cedar~~	~~W-M/F-P~~	~~C,L~~
~~Diospyros virginiana~~	~~Persimmon~~	~~M-D/F-P~~	~~F,~~
~~Fagus grandifolia~~	~~American Beech*~~	~~M/P-S~~	~~S~~
~~Ilex opaca~~	~~American Holly*~~	~~W-D/F-S~~	~~C,F,N,L~~
~~Juniperus virginiana~~	~~Eastern Redcedar*~~	~~D/F~~	~~C,F,L~~
~~Liquidambar styraciflua~~	~~Sweetgum~~	~~W-M/F-P~~	~~S~~
~~Liriodendron tulipifera~~	~~Yellow Poplar~~	~~M/F-P~~	~~S,H,N,L~~
~~Magnolia grandiflora~~	~~Southern Magnolia~~	~~M/P-S~~	~~C,S~~
~~Magnolia virginiana~~	~~Sweetbay~~	~~W-M/F-P~~	~~S,L~~
~~Nyssa sylvatica~~	~~Blackgum~~	~~D/F-P~~	~~F~~
~~Oxydendrum arboreum~~	~~Sourwood~~	~~D/F-S~~	~~N~~
~~Pinus echinata~~	~~Shortleaf Pine~~	~~D/F-P~~	~~C,S,L~~
~~Pinus palustris~~	~~Longleaf Pine~~	~~M-D/F~~	~~C,S~~

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~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Tall Trees (> 30') (Canopy)~~			
~~Pinus serotina~~	~~Pond Pine~~	~~W-M/P~~	~~C,S~~
~~Pinus taeda~~	~~Loblolly Pine~~	~~W-D/F~~	~~C,S,L~~

~~Platanus occidentalis~~	~~Sycamore~~	~~W-M/F-P~~	~~S~~
~~Quercus alba~~	~~White Oak~~	~~M-D/F-P~~	~~S,L~~
~~Quercus coccinea~~	~~Scarlet Oak~~	~~D/F-P~~	~~S,L~~
~~Quercus falcate~~	~~Southern Red Oak~~	~~M-D/F-P~~	~~S,L~~
~~Quercus michauxii~~	~~Swamp Chestnut Oak~~	~~M/F-P~~	~~S,L~~
~~Quercus nigra~~	~~Water Oak~~	~~M-D/F-P~~	~~S,L~~
~~Quercus phellos~~	~~Willow Oak~~	~~W-M/F-P~~	~~S,L~~
~~Quercus rubra~~	~~Red Oak~~	~~M/F-P~~	~~S,L~~
~~Quercus velutina~~	~~Black Oak~~	~~M-D/F-P~~	~~S,L~~
~~Tilia Americana~~	~~Basswood~~	~~M/F-S~~	~~S,N,L~~
~~Small Trees/Shrubs (10-30 ft) (Understory)~~			
~~Aesculus pavia~~	~~Red Buckeye*~~	~~M/P~~	~~H~~
~~Aesculus sylvatica~~	~~Painted Buckeye*~~	~~M/P~~	~~H~~
~~Alnus serrulata~~	~~Alder~~	~~W-M/F-P~~	~~S,L~~
~~Amelanchier arborea~~	~~Serviceberry~~	~~M-D/F-S~~	~~F,N,L~~
~~Amelanchier canadensis~~	~~Juneberry~~	~~W-D/F-P~~	~~F,N,L~~
~~Aralia spinosa~~	~~Devil's Walking Stick*~~	~~M/F-P~~	~~F,N~~
~~Asimina triloba~~	~~Pawpaw*~~	~~M/F-S~~	~~F,L~~
~~Carpinus caroliniana~~	~~Ironwood~~	~~W-M/P-S~~	~~S,L~~
~~Castanea pumila~~	~~Chinquapin~~	~~D/F-P~~	~~S~~
~~Celtis laevigata~~	~~Hackberry~~	~~D/F-P~~	~~F,L~~
~~Cercis canadensis~~	~~Eastern redbud~~	~~M-D/F-P~~	~~S,N~~
~~Cornus floridana~~	~~Flowering Dogwood~~	~~M-D/F-P~~	~~F,N,L~~
~~Cyrilla racemiflora~~	~~Titi~~	~~W-M/F-S~~	~~C,N~~
~~Halesia carolina~~	~~Carolina Silverbell~~	~~M/P-S~~	~~N~~
~~Hamamelis virginiana~~	~~Witch-hazel~~	~~M/F-S~~	~~S~~

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~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Small Trees/Shrubs (10-30 ft) (Understory)~~			
~~Ilex deciduas~~	~~Possumhaw*~~	~~W-D/F-P~~	~~F,N,L~~
~~Ilex verticillata~~	~~Winterberry*~~	~~W-M/F-S~~	~~F,N,L~~
~~Ilex vomitoria~~	~~Yaupon*~~	~~W-D/F-S~~	~~C,F,N,L~~

~~Morus rubra~~	~~Red Mulberry*~~	~~M-D/F-S~~	~~F,L~~
~~Myrica cerifera~~	~~Wax Myrtle~~	~~W-D/F-P~~	~~C,F,L~~
~~Ostrya virginiana~~	~~Hophornbeam~~	~~M-D/F-S~~	~~F,L~~
~~Prunus angustifolia~~	~~Chickasaw Plum*~~	~~D/F~~	~~F,N,L~~
~~Prunus caroliniana~~	~~Carolina Laurel Cherry*~~	~~M-D/F-P~~	~~C,F,N~~
~~Rhus copallina~~	~~Winged Sumac~~	~~M-D/F-P~~	~~F,N,L~~
~~Sambucus canadensis~~	~~Elderberry*~~	~~W-M/F-P~~	~~F~~
~~Sassafras albidum~~	~~Sassafras~~	~~M-D/F-P~~	~~F,L~~
~~Symplocos tinctoria~~	~~Sweetleaf~~	~~M-D/F-S~~	~~S,N,L~~
~~Viburnum rufidulum~~	~~Rusty Blackhaw~~	~~D/F-S~~	~~F,L~~
~~Vines~~			
~~Ampelopsis arborea~~	~~Peppervine*~~	~~W-M/F-P~~	~~F~~
~~Bignonia capreolata~~	~~Crossvine~~	~~M-D/F-P~~	~~H~~
~~Campsis radicans~~	~~Trumpetcreeper*~~	~~M-D/F-P~~	~~H~~
~~Centrosema virginianum~~	~~Spurred Butterfly Pea~~	~~D/F-P~~	~~S,N,L~~
~~Clitoria marina~~	~~Butterfly Pea~~	~~D-F-P~~	~~S,N,L~~
~~Desmodium nudiflorum~~	~~Naked Tick-trefoil~~	~~D/F-P~~	~~S,N,L~~
~~Desmodium strictum~~	~~Pine Barren Tick-trefoil~~	~~D/F-P~~	~~S,N,L~~
~~Desmodium tortuosum~~	~~Tick-trefoil~~	~~D/F-P~~	~~S,N,L~~
~~Gelsemium sempervirens~~	~~Carolina Jessamine*~~	~~M/F-P~~	~~H,N~~
~~Lonicera sempervirens~~	~~Coral Honeysuckle~~	~~M/F-P~~	~~H~~
~~Parthenocissus quinquefolia~~	~~Virginia Creeper*~~	~~M-D/F-S~~	~~F~~
~~Passiflora incarnata~~	~~Passionflower~~	~~M-D/F-P~~	~~H,N,L~~
~~Smilax spp.~~	~~Greenbrier~~	~~W-D/F-P~~	~~C,F~~
~~Vitis spp.~~	~~Grape~~	~~W-D/F-P~~	~~F~~

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~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Ferns~~			
~~Polystichum acrostichoides~~	~~Christmas Fern~~	~~M/S-P~~	~~C~~
~~Osmunda cinnamomea~~	~~Cinnamon Fern~~	~~W-M/S-P~~	~~C,L~~
~~Herbs and Wildflowers~~			-
~~Apocynum cannabinum~~	~~Hemp Dogbane*~~	~~M-D/F-P~~	~~N~~
~~Aquilegia canadensis~~	~~Columbine~~	~~M-D/P-S~~	~~S,H,N~~
~~Arisaema triphyllum~~	~~Jack-in-the-Pulpit*~~	~~W-M/P-S~~	~~F~~

~~Asclepias amplexicaulis~~	~~Clasping Milkweed~~	~~D/F-P~~	~~N,L~~
~~Asclepias incarnata~~	~~Swamp Milkweed*~~	~~W-M/F-P~~	~~N,L~~
~~Asclepias tomentoss~~	~~Sandhills Milkweed~~	~~D/F-P~~	~~N,L~~
~~Asclepias tuberosa~~	~~Butterfly Weed*~~	~~D/F-P~~	~~N,L~~
~~Asclepias variegata~~	~~White Milkweed*~~	~~M-D/F-P~~	~~N,L~~
~~Baptisia tinctoria~~	~~Yellow Wild Indigo*~~	~~D/F-P~~	~~L~~
~~Carphephorus bellidifolius~~	~~Sandy-woods Chaffhead~~	~~D/F-P~~	~~N,L~~
~~Ceanothus americanus~~	~~New Jersey Tea~~	~~M-D/F-P~~	~~S,N,L~~
~~Chamaecrista fasciculata~~	~~Partridge Pea*~~	~~M-D/F~~	~~S,L~~
~~Cirsium horridulum~~	~~Yellow Thistle~~	~~M-D/F~~	~~S,H,N,L~~
~~Cirsium repandum~~	~~Sandhills Thistle~~	~~M-D/F-P~~	~~S,H,N,L~~
~~Coreopsis angustifolia~~	~~Narrow-leaved Coreopsis~~	~~M/F-P~~	~~S,N~~
~~Coreopsis auriculata~~	~~Eared Coreopsis~~	~~M/F-P~~	~~S,N~~
~~Coreopsis lanceolata~~	~~Lance-leaved Coreopsis~~	~~D/F~~	~~S,N~~
~~Coreopsis verticillata~~	~~Threadleaf Coreopsis~~	~~D/F-P~~	~~S,N~~
~~Desmodium spp.~~	~~Beggarlice~~	~~M-D/F-P~~	~~S,L~~
~~Eupatorium fistulosum~~	~~Joe-pye-weed~~	~~M/F~~	~~S,N,L~~
~~Euphorbia corollata~~	~~Flowering Spurge~~	~~M-D/F-P~~	~~S,N~~
~~Gentiana autumnalis~~	~~Pine Barrens Gentian~~	~~D/F-P~~	~~N~~
~~Helianthus angustifolius~~	~~Swamp Sunflower~~	~~W-M/F~~	~~S,N~~
~~Heliopsis helianthoides~~	~~Ox-eye~~	~~M-D/F-P~~	~~S,N~~
~~Hibiscus moscheutos~~	~~Rose Mallow~~	~~M/F-P~~	~~H,N~~

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~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Latin Name~~	~~Common Name~~	~~Soil Moisture/Light (1)~~	~~Wildlife Value(2)~~
~~Herbs and Wildflowers~~			-
~~Houstonia caerulea~~	~~Bluets~~	~~M-D/F-S~~	~~N~~
~~Hypericum hypericoides~~	~~St. Andrew's Cross~~	~~D-M/F-P~~	~~S,N~~
~~Impatiens capensis~~	~~Jewelweed~~	~~W-M/P-S~~	~~H,N~~
~~Ipomea coccinea~~	~~Red Morning Glory~~	~~D/F~~	~~S,H,N~~
~~Ipomea purpurea~~	~~Common Morning Glory~~	~~D/F~~	~~S,H,N~~
~~Ipomopsis rubra~~	~~Standing Cypress~~	~~D/F~~	~~H,N~~
~~Iris cristata~~	~~Crested Iris*~~	~~M/P-S~~	~~H~~
~~Iris verna~~	~~Dwarf Iris~~	~~M-D/F-P~~	~~H~~
~~Liatris graminifolia~~	~~Grass-leaf Gayfeather~~	~~D/F-P~~	~~N,L~~
~~Liatris regimontis~~	~~Blue Ridge Gayfeather~~	~~D/F-P~~	~~N,L~~
~~Liatris spicata~~	~~Blazing Star~~	~~W-M/F~~	~~N~~
~~Lobelia cardinalis~~	~~Cardinal Flower*~~	~~W-M/F-S~~	~~H,N~~

~~Lobelia puberula~~	~~Blue Lobelia*~~	~~W-D/F-P~~	~~H,N~~
~~Mitchella repens~~	~~Partridgeberry~~	~~M/F-S~~	~~F~~
~~Monarda punctata~~	~~Horsemint~~	~~D/F-P~~	~~H,N~~
~~Oenethera fruticosa~~	~~Sundrops~~	~~M-D/F-P~~	~~S,H,N~~
~~Penstemon canescens~~	~~Hairy Beardtongue~~	~~M-D/F-P~~	~~H,N,L~~
~~Penstemon laevigatus~~	~~Smooth Beardtongue~~	~~M/F-S~~	~~H,N,L~~
~~Phlox Carolina~~	~~Carolina Phlox~~	~~W-D/F-P~~	~~N~~
~~Phlox divaricata~~	~~Blue Phlox~~	~~M/P-S~~	~~N~~
~~Phlox pilosa~~	~~Prairie Phlox~~	~~D/F-P~~	~~N~~
~~Phlox subulata~~	~~Moss Pink~~	~~D/F~~	~~N~~
~~Phytolacca americana~~	~~Pokeweed*~~	~~M-D/F~~	~~F,S~~
~~Rudbeckia fulgida~~	~~Orange Coneflower~~	~~M/F~~	~~S,N~~
~~Rudbeckia hirta~~	~~Black-eyed Susan~~	~~M-D/F~~	~~S,N~~
~~Salvia lyrata~~	~~Lyreleaf Sage~~	~~M-D/F-S~~	~~H,N~~
~~Silene virginica~~	~~Fire Pink~~	~~M-D/P-S~~	~~S,H,N~~
~~Solidago spp.~~	~~Goldenrod~~	~~M-D/F-P~~	~~S,N~~
~~Stillingia sylvatica~~	~~Queen's Root~~	~~D/F-P~~	~~S,N~~
~~Tephrosia virginiana~~	~~Goat's Rue~~	~~D/F-P~~	~~S,L~~
~~Vicia caroliniana~~	~~Wood Vetch~~	~~D/F-P~~	~~S,L~~
~~Viola pedata~~	~~Bird-foot Violet~~	~~D/F-P~~	~~L~~
~~Viola primulifolia~~	~~Primrose-leaved Violet~~	~~D/F-P~~	~~N,L~~
~~Grasses~~			
~~Andropogon glomeratus~~	~~Brushy Bluestem~~	~~M/F~~	~~C,S,L~~
~~Andropogon ternarius~~	~~Splitbeard Bluestem~~	~~D/F~~	~~C,S,L~~
~~Aristida stricta~~	~~Wiregrass~~	~~D/F-P~~	~~C,S~~
~~Arundinaria gigantea~~	~~Switchcane~~	~~W-D/F-S~~	~~C,S,L~~
~~Panicum virgatum~~	~~Switchgrass~~	~~M/F-P~~	~~C,S,L~~

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~~1 Soil moisture: W = wet; M = moist; D = dry/ Light requirements: F = full sun; P = partial shade; S = shade.~~

~~2 Wildlife Value: C = winter cover; F = fleshy fruit; S = hard mast, seed or catkin; H = Hummingbird nectar; N = butterfly and other insect nectar; L = butterfly larvae host plant.~~

~~* Leaves, twigs, stems, flowers, nectar, fruits or seeds mildly to severely toxic to humans if ingested.~~

Plant Palette

The Plant Palette provides a list of approved trees and plants and should be used for landscaping within open spaces, lots, buffers, screens, streetscapes, etc. as required by this ordinance.

Tall Trees (>30')			
Acer floridanum	Southern Sugar Maple	native	beautiful bark
Acer rubrum	Red Maple	native	great Fall color
Betula nigra	River Birch	native	beautiful bark/deer resistant
Chamaecyparis thyoides	Atlantic White Cedar	native	evergreen
Fagus grandifolia	American Beech	native	silver bark
Ilex opaca	American Holly	native	evergreen/deer resistant
Taxodium distichum	Bald Cyprus	native	street tree/deer resistant
Juniperus virginiana	Eastern Red Cedar	native	evergreen/deer resistant
Gleditsia triacanthos	Honey Locust	adaptive	street tree/deer resistant
Magnolia grandiflora	Southern Magnolia	native	evergreen/deer resistant
Liquidambar styraciflua	Sweetgum	adaptive	evergreen/street tree
Magnolia virginiana	Sweetbay	native	
Nyssa sylvatica	Blackgum	native	good fall color
Pinus echinata	Shortleaf Pine	native	evergreen/deer resistant
Pinus palustris	Longleaf Pine	native	evergreen/deer resistant
Pinus serotina	Pond Pine	native	evergreen
Pinus taeda	Loblolly Pine	native	evergreen
Platanus occidentalis	Sycamore	native	
Quercus coccinea	Scarlet Oak	native	street tree
Quercus falcate	Southern Red Oak	native	
Quercus pagoda	Cherrybark Oak	native	
Quercus phellos	Willow Oak	native	

Quercus rubra	Red Oak	native	
Quercus stellata	Post Oak	native	
Tilia aAmericana	Basswood	native	good for pollinators
Ulmus Aamericana	American Elm	native	street tree/use disease resistant
Small Trees (10-30 ft)			
Alnus serrulata	Alder	native	good for wet soils
Amelanchier arborea	Serviceberry	native	flowering
Amelanchier canadensis	Juneberry	native	flowering
Carpinus caroliniana	American hornbeam	native	
Cercis canadensis	Eastern redbud	native	flowering
Chionanthus virginicus	Fringe Tree	native	flowering
Cornus alternifolia	Pagoda dogwood	adaptive	flowering
Cornus florida	Flowering Dogwood	native	flowering ; use disease resistant
Crataegus spp.	Hawthorn	native	flowering/deer resistant
Halesia carolina	Carolina Silverbell	native	flowering/deer resistant
Hamamelis virginiana	Witch-hazel	native	flowering in Jan/Feb/deer resistant
Magnolia virginiana 'Moon Glow'	Moon Glow Sweetbay	native	evergreen
Magnolia x soulangiana	Magnolia	adaptive	flowering
*Ostrya virginiana**	Hophornbeam	native	
*Oxydendrum arboreum**	Sourwood	native	

* Recommended Street Tree Type

Large Shrubs (6-12 ft)			
Aesculus pavia	Red Buckeye*	native	deer resistant

Buxus semp. 'Dee Runk'	Fastigate American Boxwood	adaptive	evergreen
Cornus amomum	Silky Dogwood	native	
Ilex 'Conaf'	Oakleaf Holly	adaptive	evergreen
Ilex deciduas	Possumhaw	native	good winter berries
Ilex verticillata	Winterberry	native	good winter berries
Myrica cerifera	Wax Myrtle	native	evergreen/deer resistant
Rhododendron arborescens	Sweet azalea	native	
Rhododendron calendulaceum	Flame azalea	native	
Rhododendron catawbiense	Mountain rosebay	native	evergreen
Rhus copallina	Winged Sumac	native	
Rhus glabra	Smooth Sumac	native	
Viburnum rufidulum	Rusty Blackhaw	native	keep off sidewalks due to fruit
Viburnum x rhytidophylloides 'Allegheny'	Leatherleaf Viburnum	adaptive	evergreen
Medium Shrubs (4-6 ft)			
Camellia japonica	Camellia	adaptive	evergreen
Kalmia latifolia	Mountain laurel	native	evergreen
Rhododendron carolinianum	Carolina Rhododendron	native	evergreen
Rhododendron periclymenoides	Wild or Pinxter azalea	native	
Rhododendron vaseyi	Pinkshell azalea	native	evergreen
Viburnum x rhytidophylloides 'Cree'	Dwarf Leatherleaf Viburnum	adaptive	evergreen
Low Shrubs (Under 4')			
Abelia x grandiflora	Glossy Abelia	adaptive	deer resistant
Buxus mic. 'Winter Gem'	Korean Boxwood	adaptive	evergreen
Buxus mic. 'Wintergreen'	Korean Boxwood	adaptive	evergreen

Clethera alnifolia	Summersweet Clethra	native	
Cornus sericea	Redosier Dogwood	adaptive	
Hydrangea aborescens	Snowhill Hydrangea	native	flowering
Hypericum prolificum	Shrubby St. John's Wort	native	flowering
Ilex glabra 'Compacta'	Compact Inkberry Holly	adaptive	evergreen
Leucothoe fontanesiana	Drooping leucothoe	native	evergreen
Rosa carolina	Carolina rose	native	flowering
Rosa palustris	Swamp rose	native	flowering
Vaccinium macrocarpon	Cranberry	native	evergreen
Vaccinium pallidum	Lowbush blueberry	native	
Viburnum acerifolium	Maple-leaf Viburnum	native	
Ferns			
Adiantum pedatum	Maidenhair fern	native	deer resistant
Asplenium platyneuron	Ebony spleenwort	native	evergreen
Athyrium felix-feimina	Lady fern	native	deer resistant
Dennstaedtia punctilobula	Hay-scented fern	native	
Dryopteris marginalis	Wood fern	native	evergreen
Onoclea sensibilis	Sensitive fern	native	
Osmunda cinnamomea	Cinnamon fern	native	deer resistant
Polystichum -acrostichoides	Christmas fern	native	evergreen/deerrestistant
Grasses			
Andropogon gerardii	Big bluestem	native	
Andropogon virginicus	Broomsedge	native	

Arundinaria gigantea	River cane	native	
Carex pensylvanica	Pennsylvania sedge	native	
Carex plantaginea	Plantain-leaved sedge	native	
Chasmanthium latifolium	River Oats	native	
Panicum virgatum	Switch-grass	native	deer resistant
Schizachyrium- scoparium	Little bluestem	native	
Sorghastrum nutans	Indian grass	native	deer resistant
Perennials			
Amsonia spp.	Blue star	adaptive	
Aquilegia canadensis	Wild columbine	native	deer resistant
Asclepias incarnata	Swamp milkweed	native	
Asclepias tuberosa	Butterfly-weed	native	
Aster novea angliae	New England aster	native	
Astilbe spp.	Astilbe	adaptive	
Baptisia spp.	Wild indigo	adaptive	
Chelone lyonii	Pink turtlehead	native	
Coreopsis 'Moonbeam'	Coreopsis	adaptive	deer resistant
Dicentra eximia	Bleeding heart	native	
Echinacea spp.	Coneflower	adaptive	deer resistant
Geranium 'Rozanne'	Wild geranium	adaptive	
Helianthus resinosus	Sunflower	native	
Hemerocallis spp.	Daylily	adaptive	
Heuchera americana	Alumroot	native	
Heuchera 'Palace Purple'	Coral Bells	adaptive	

Hosta spp.	Hosta	adaptive	
Iris cristata	Dwarf crested iris	native	
Liatris spicata	Blazing star	native	
Lobelia cardinalis	Cardinal flower	native	deer resistant
Monarda didyma	Bee-balm	native	deer resistant
Nepeta faassenii	Catmint	adaptive	deer resistant
Pachysandra procumbens	Allegheny spurge	native	
Phlox carolina	Carolina phlox	native	
Phlox divaricata	Wild blue phlox	native	
Phlox paniculata	Garden phlox	native	
Polygonatum biflorum	Solomon's seal	native	
Rudbeckia 'Goldsturm'	Black-eyed Ssusan	adaptive	
Salvia 'May Night'	May Night Salvia	adaptive	deer resistant
Silene virginica	Fire pink	native	
Solidago rugosa	Winkle-leaf goldenrod	native	
Tiarella cordifolia	Foamflower	native	
Vernonia noveboracensis	New York ironweed	native	