



**PLANNING AND ZONING BOARD
MARCH 29, 2023
ASSEMBLY HALL**

**PINEHURST, NORTH CAROLINA
4:00 PM**

- I. Call to Order
- II. Approval of Minutes
- III. New Business
 - A. Discuss Proposed Official Zoning Map and PDO Text Amendments for Village Place and Pinehurst South
- IV. Next Meeting Date
 - B. 03-30-2023 Special Meeting
- V. Motion to Adjourn

Vision: 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.



**DISCUSS PROPOSED OFFICIAL ZONING MAP AND PDO TEXT
AMENDMENTS FOR VILLAGE PLACE AND PINEHURST SOUTH
ADDITIONAL AGENDA DETAILS:**

FROM:

Alex Cameron

CC:

Maria Carpenter; Alfred Cassidy

DATE OF MEMO:

3/29/2023

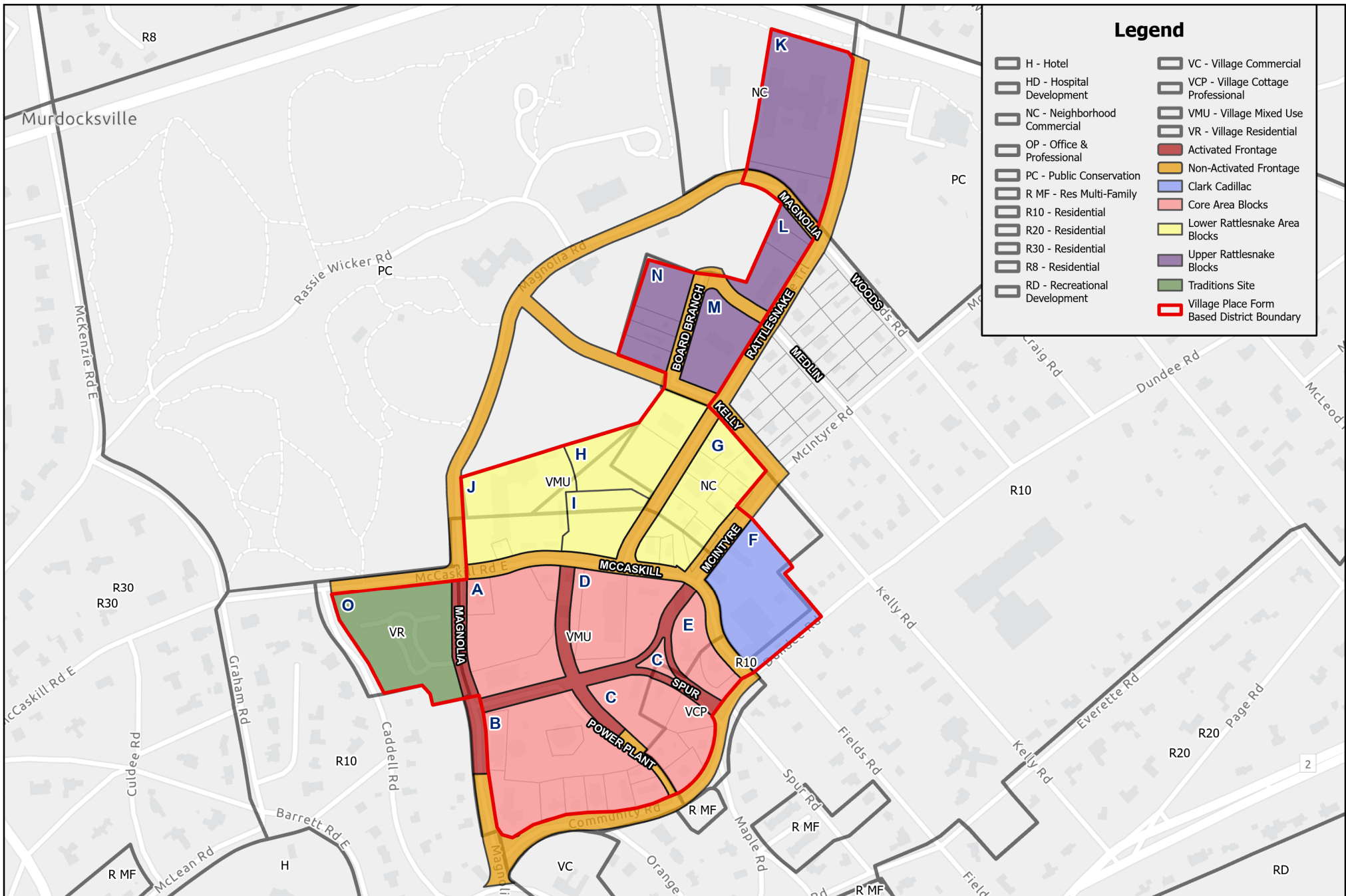
MEMO DETAILS:

Staff and the Board will discuss the approach to implement the Small Area Plans and Form Based Code requirements by creating two new zoning districts, table of permitted uses and a conditional zoning requirement in the Village Place and Pinehurst South areas.

ATTACHMENTS:

Description

- ▣ Village Place Form Based Code District Map
- ▣ Pinehurst South Form Based Code District Map
- ▣ First Draft of Potential PDO Amendments

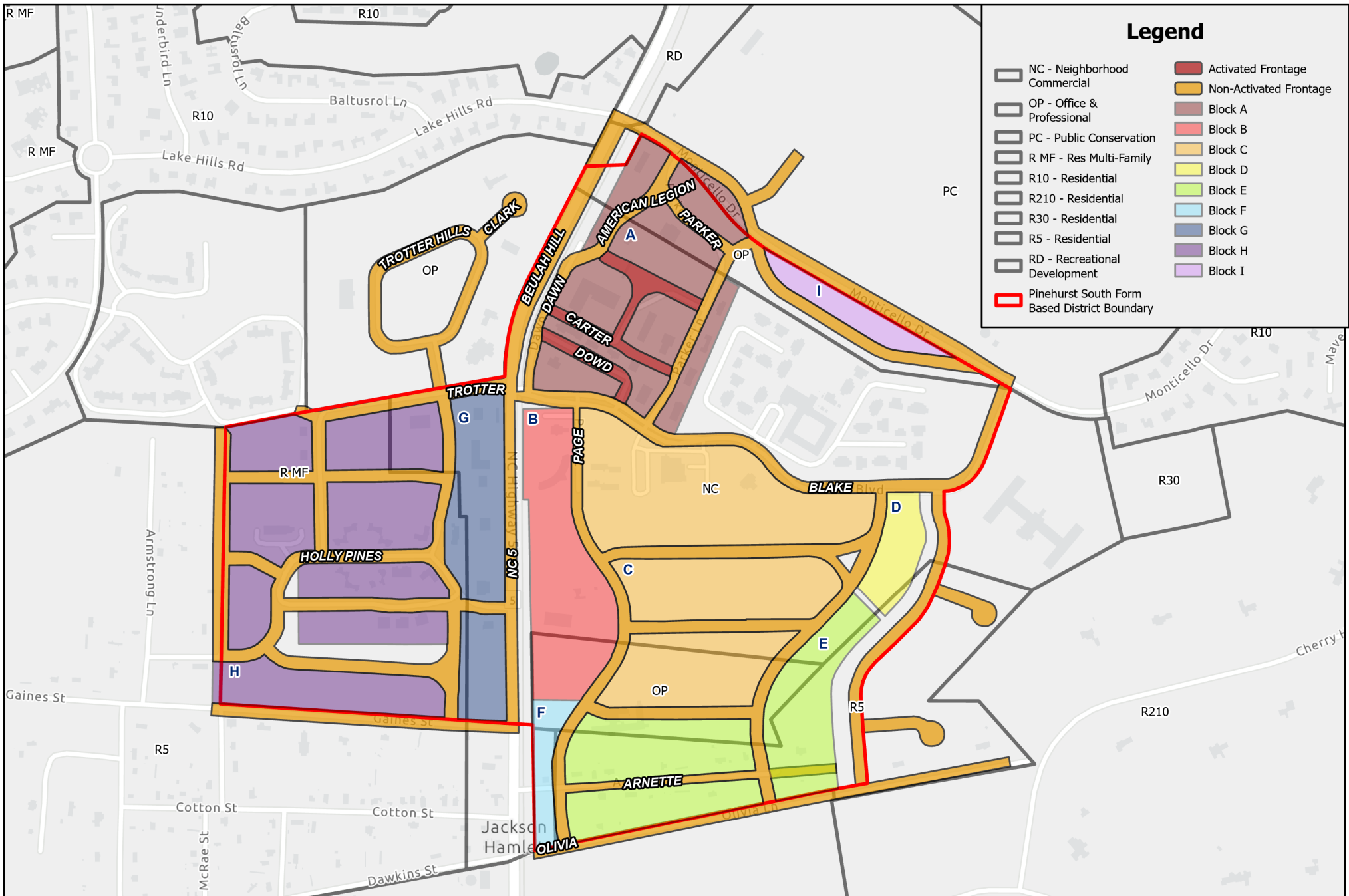


0 125 250 500 750 1,000 Feet

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).

Proposed Village Place Form Based District





Legend

- | | |
|--|------------------------|
| NC - Neighborhood Commercial | Activated Frontage |
| OP - Office & Professional | Non-Activated Frontage |
| PC - Public Conservation | Block A |
| R MF - Res Multi-Family | Block B |
| R10 - Residential | Block C |
| R210 - Residential | Block D |
| R30 - Residential | Block E |
| R5 - Residential | Block F |
| RD - Recreational Development | Block G |
| Pinehurst South Form Based District Boundary | Block H |
| | Block I |

0 125 250 500 750 1,000
Feet

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

Proposed Pinehurst South Form Based District



DIVISION II: REGULATORY PROVISIONS

CHAPTER 8. ZONING

Section 8.1 Rules Governing the Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules shall apply:

(A) Where district boundaries are indicated as approximately following either street, alley, railroad or highway lines or centerlines thereof, such lines shall be construed to be said boundaries;

(B) Where district boundaries are indicated, as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to the Village of Pinehurst as evidence that one or more properties along these boundaries do not lay within a specific zoning district;

(C) Where the zoning district boundaries lie at a scaled distance more than twenty-five (25) feet from any parallel lot line, the location of district boundaries shall be determined by use of a scale appearing on the Zoning Map;

(D) Where the zoning district boundaries lie at a scaled distance of twenty-five (25) feet or less from any parallel lot line, the location of zoning district boundaries shall be construed to be the lot line;

(E) Where other uncertainty exists, the Village Planner shall interpret the Official Zoning Map as to the location of such boundaries. This decision may be appealed to the Zoning Board of Adjustment.

(Ord. 14-35, passed 09-24-2014)

Section 8.2 General Use 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 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~~

~~8.2.12~~⁵ (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
- (Ord. 14-35, passed 09-24-2014)

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~~Conditional district 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.~~

8.3.12 Historic Preservation Overlay District

8.3.21.1 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.

8.3.21.2 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

8.3.32.8 Street Construction

(A) All streets shall be designed in accordance with the Village of Pinehurst Engineering Standards and Specifications Manual;

(B) Notwithstanding any other requirements set forth elsewhere in this Ordinance, street construction projects located in the Watershed Protection District shall be constructed with curb and gutter according to Village of Pinehurst Engineering Standards and Specifications Manual; provided that such projects shall, to the maximum extent practicable, minimize built-upon surface area, direct storm water away from surface waters and incorporate Best Management Practices to minimize water quality impacts by:

(1) Installing outlets to convey all storm water to grass swales or vegetated areas meeting NCDENR design standards for Best Management Practices prior to the runoff discharging to waters;

(2) Obtaining from the Village Engineer approval for any site-specific proposal to minimize the impact of the proposed street on water quality in any site-specific area where option 1 cannot be practicably implemented. Any site-specific proposal to be employed in a water supply watershed area as part of this standard shall be accompanied by adequate computations and documentation to demonstrate that the proposal will provide at least eighty-five percent (85%) TSS removal in accordance with the design standards of the NCDWQ "BMP Design Manual".

(Ord. 14-35, passed 09-24-2014)

Section 8.4 Form-Based Districts

Form-based districts are areas identified to implement their corresponding adopted small area plans using physical form - instead of focusing on separation of uses - to achieve high quality public realms and more predictable built results. These districts are subject to all overlay and conditional district zoning district requirements and shall conform to all other PDO requirements not specifically addressed in the regulatory requirements for the form-based district.

Section 8.4.1 Village Place (VP) Form-Based District

The Village Place (VP) Form-Based District is based on the Village Place Small Area Plan and Form-Based Plan as adopted by the Village.

Section 8.4.1.1 Purpose and Intent

Village Place is an area well-suited to accommodate growth, advance economic development goals, increase revenues and tax base and support quality of life needs of residents, businesses and visitors. The Village Place District shall achieve the following.

1. Integrate the built-environment with the public realm and improve the public realm.
2. Create a mixed-use walkable destination area that is connected to the Village Center.

3. Provide for appropriate infill development.
4. Incorporate urban design standards.
5. Provide a gateway from NC Hwy 211 to the Village Center.
6. Create a connecting spine of streets, sidewalks and paths to the Village Center.
7. Be consistent with the established Historic District.
 - a. Abundant landscaping, paths and open spaces.
 - b. Minimize traffic.
 - c. Maintain the human scale of buildings.
8. Provide for sufficient and discrete parking.

The standards contained in this section are based on the *Village Place Form-Based Code Guidance Document* adopted . The guidance document contains graphical depictions of lot and building configurations, including single family attached and detached design, as well as assistance with landscaping, street design, signage and other suggested design features for the Village Place (VP) District. This guidance document shall be considered a plan for the purpose of consistency with adopted plans.

Section 8.4.2 Pinehurst South (PS) Form-Based District

Pinehurst South is an area well-suited to accommodate growth, advance economic development goals, increase revenues and tax base and support quality of life needs of residents, businesses and visitors. The Pinehurst South District shall achieve the following.

1. Integrate the built-environment with the public realm and improve the public realm.
2. Create a mixed-use walkable destination area.
3. Provide for appropriate infill development.
4. Incorporate urban design standards.
5. Create a connecting spine of streets, sidewalks and paths to create a multi-modal district integrating live, work and play while minimizing traffic impacts within the district and on Highway 5.
6. Provide for sufficient and discrete parking.

The standards contained in this section are based on the *Pinehurst South Form-Based Code Guidance Document* adopted . The guidance document contains graphical depictions of lot and building configurations, including single family attached and detached design, as well as assistance with landscaping, street design, signage and other suggested design features for the Pinehurst South (PS) District. This guidance document shall be considered a plan for the purpose of consistency with adopted plans.

Section 8.4–5 ~~Conditional Zoning~~ Conditional district zoning Districts

8.54.1 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. 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.

8.45.2 Conditional Districts

For each General District establish in Section 8.2 and Form-Based District established in Section 8.4, 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;~~
 - (~~JK~~) RD-CD - Recreation Development Conditional District
 - (~~LK~~) OP-CD - Office and Professional Development Conditional District;
 - (~~ML~~) H-CD - Hotel Conditional District;
 - (~~NM~~) HD-CD - Hospital Development Conditional District;
 - (~~NO~~) VC-CD - Village Commercial Conditional District;
 - ~~(OP) VCP-CD - Village Cottage Professional Conditional District~~ VP-CD - Village Place Conditional District
 - ~~(PQ) VMU-CD - Village Mixed Use Conditional District~~ PS-CD - Pinehurst South Conditional District
 - (~~RQ~~) NC-CD - Neighborhood Commercial Conditional District.
- (Ord. 14-35, passed 09-24-2014, Amended)

Section 8.5~~6~~ Table of Permitted and Special Uses and Special Requirements

Publisher's Note: This Section has been AMENDED by new legislation (Ord. 22-21, adopted 10-25-2022). The text of the amendment will be incorporated below when the ordinance is codified.

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.

Use Tables for Village Place and Pinehurst South are contained within their design standards in Section 9.3.

8.5~~6~~.1 Symbols Used on Table of Uses

Publisher's Note: This Section has been AMENDED by new legislation (Ord. 22-15, adopted 10-26-2022). The text of the amendment will be incorporated below when the ordinance is codified.

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) 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) 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;

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.

(Ord. 14-35, passed 09-24-2014; Ord. 15-13, passed 07-14-2015; Ord. 16-17, passed 10-25-2016; Ord. 21-12, passed 07-27-2021)

Section 9.3 ~~Village-Form-Based~~ Districts Design Standards

9.3.1 ~~Village-Mixed Use~~Village Place District Design Standards

~~—The Village Mixed Use District~~Village Place shall be developed in a way that it is functionally and structurally compatible with the existing Village Center and a pedestrian friendly area. All development shall comply with the design standards set forth below. In addition, reference should be made to the architectural design-guidelines and content found in the Village Place Form-Based Guidance Document and Small Area NewCore Master Plan, as well as the Local Historic District Standards ~~and Guidelines~~.

Section 9.3.1.1 Implementation of the Village Place (VP) Form-Based District

(A) Nonconforming Buildings and Uses. Any change of use, building footprint, or proposed use of a nonconforming lot shall comply with the requirements of Section 2.3 and Section 9.3 of the Pinehurst Development Ordinance, as applicable.

(B) New Commercial Uses, Mixed Uses, Multi-family and Major and Minor Subdivisions shall be approved through the process for Conditional District Zoning, following the requirements of Section 9.3 and the recommendations of the Village Place Form-Based Code Guidance Document. Expansions of buildings and uses that do not qualify as continuation of a nonconforming use shall also follow the process for Conditional District Zoning.

(C) Unless approved through conditional district zoning, new single-family attached and detached structures and duplex residential uses on existing lots of record in blocks that allow for such uses are encouraged but not required to use the Village Place Form-Based Code Guidance Document for architectural recommendations. All other requirements for the lot types shall be met to the greatest extent possible.

Section 9.3.1.2 Regulating Plan with Subdistricts

The VP regulating plan uses a key that defines the subdistricts by block. Each block denotes BH for allowed building height(s) and is numbered for building types allowed.

(A) To facilitate the development of projects that are designed with a blend of compatible uses, the Village Place Zoning District consists of five (5) subdistricts assigned to land as shown on the Village Place Regulating Plan. The sixth area, Public Conservation, is owned by the Village and exempt from the form-based requirements:

1. Public Conservation, shown in light green on the regulating plan,
2. Core Area, blocks A-E, as shown in peach on the regulating plan and table of uses,
3. Clark Cad, block F, shown in blue on the regulating plan and table of uses,
4. Lower Rattlesnake Area, blocks G-J, as shown in yellow on the regulating plan and table of uses,
5. Upper Rattlesnake Area, blocks L-M, shown in purple on the regulating plan and table of uses, and
6. Traditions, block O, shown in sage green on the regulating plan and table of uses.

(B) The Village Place Regulating Plan depicted in Figure 9.1.3.2 below identifies the subdistricts contained in this division and is hereby officially adopted as an integral part of these regulations.

(C) Active Frontage identifies locations where retail or restaurant space, lobbies, or building amenities must be located on the ground floor facing the street.

Section

9.3.1.3 Allowable Uses in Village Place

The full list of allowed uses in the Village of Pinehurst is listed in Table 8.6.1a. Table 9.3.1.3 is a subset of uses specific to Village Place and allocates uses on a block by block basis as identified on the Regulating Plan.

The Regulating Plan is color-coded to the Use Table to Improve ease of use.

(A) Except as determined in Section 9.3.1.1, final uses and design in Village Place shall be determined through the Village's Conditional District Zoning process.

(B) Uses not listed in this Section are not allowed in Village Place, but are allowed in the remainder of the Village as specified in Table 8.6.1a.

(C) Prohibited uses may not be mixed with allowed uses in a mixed-use building.

[illegible]

[illegible]

	Core Area Blocks					Clark Cad	Lower Rattlesnake Area Blocks				Upper Rattlesnake Blocks				Traditions Site	
TEMPORARY USE	A*	B*	C*	D*	E*	F*	G*	H	I*	J	K	L	M	N	O*	
Temporary Facilities during replacement of existing facilities or until permanent establishment of new facilities	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ	CZ	
Temporary Real Estate Offices												CZ	CZ	CZ		
Model Homes												CZ	CZ	CZ		
Yard Sales														CZ	CZ	
Temporary Uses Other	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	

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

** Residential one and two family homes, single and detached on existing lots of record shall be permitted in accordance with Section 9.1.1. One and two-family residences on new lots shall be approved as part of the conditional zoning process for subdivisions.

Section 9.3.1.4 Village Place Lot Types

Once an applicant has determined the block and the use, the lot configuration requirements may be determined.

(A) On a block-by-block basis, the regulating plan determines the allowed number of stories as well as the lot configuration type.

(B) The following lot configuration types are allowed in Village Place.

1. Mixed-Use/Commercial (Retail, Office, Hotel, Live/Work, or Multi-Family)
2. SFA - Rear-Loaded
3. SFD - Cottage Rear-Loaded
4. SFD - Manor Rear-Loaded
5. SFD - Villa Front- Loaded

(C) General Provisions for all lot configurations.

1. The following encroachments may extend into the lot front and side setbacks up to 1 foot from the build-to line: stoops, steps, bays, and similar building elements; porches may extend into the lot front and side setbacks up to 2 feet from the build-to line. Masonry veneers may encroach a maximum of 6 inches into any required setback.
2. Encroachments into the rights-of-way are not allowed. Exterior arcade features are not allowed.
3. Where alleys or shared-access driveways are provided, service areas and off-street parking (whether in garages or on surface lots, parking pads, or driveways) shall be accessed from the alley or shared-access driveway, unless otherwise approved by the Village.
4. On corner lots with no access from an alley or shared-access driveway, garage or parking access may be from the side street.
5. For driveways accessed directly from streets, the driveway shall be either less than 6 feet in length (and, therefore, not allowing vehicles to park in the driveway) or equal to or greater than 20 feet in length (allowing vehicles to park in the driveway, clear of the street right-of-way).
6. All sample drawings are illustrative in nature in depicting the lot configurations.

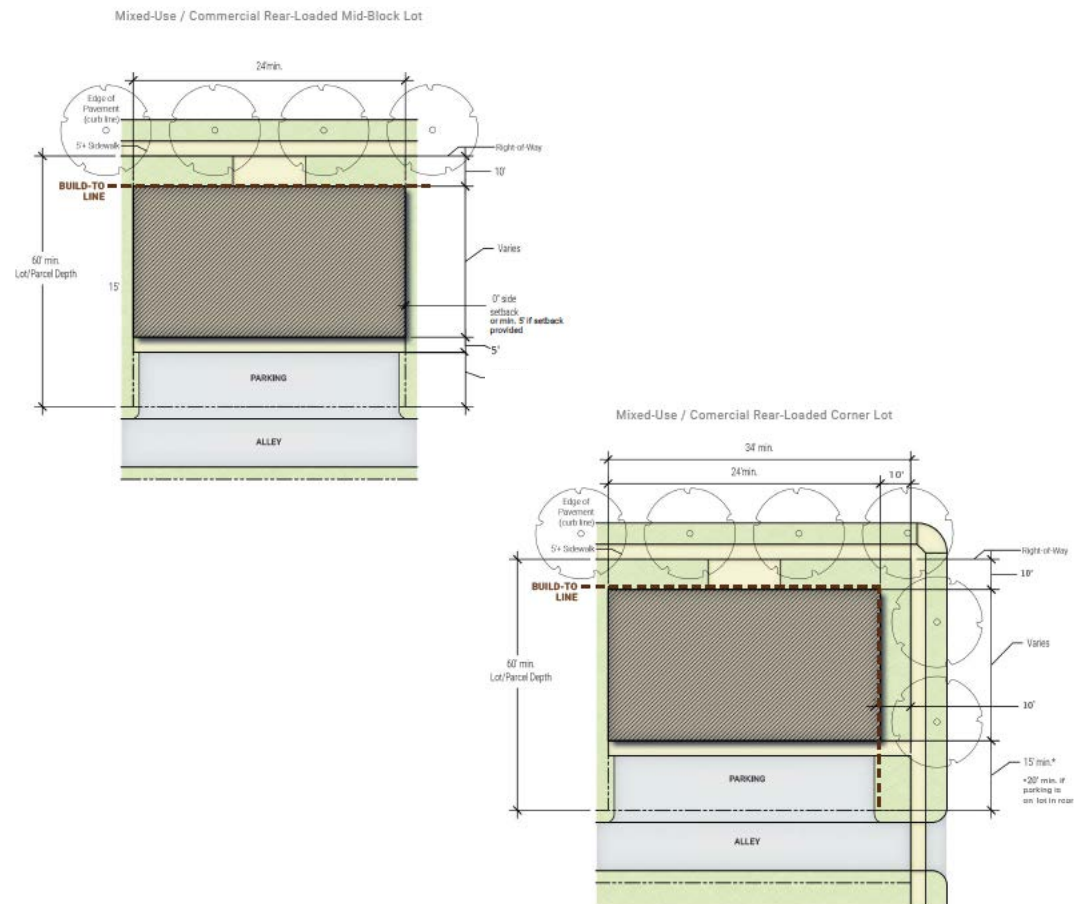
(D) Mixed Use/Commercial Rear-Loaded Lots (Regulating Plan Key #1, 2, 3, 8 and 9)

1. A mixed-use/commercial lot has a building with ground-floor commercial and an upper floor that may be commercial or residential (known as live/work).
2. Lobby or amenity space for the upstairs use may be included on the first floor.
3. On-site parking is in the rear and accessed by way of an alley or a shared access drive. The shared access drive may be accessed from either street for a corner lot.

Section 9.3.1.4(D) 5.

Configuration Standards:

- a) Lot Width: 24' min. for mid-block, 34' min for corner lot
- b) Lot Depth: 60' min.
- c) Building Height: see Regulating Plan
- d) Building Depth: no min.
- e) Principal Building Setbacks:
 - a. Front: 10' Build-To Line
 - b. Side: 0' min. for mid-block and 5' if setback is provided, 10' on corner lot. (see drawings)
 - c. Rear: 15', 20' if parking is on-lot to rear
- f) 75% of building façade is to be built on the build-to line
- g) Accessory Building Setbacks:
 - a. Front: 5' from rear of principal building
 - b. Side: to be directly behind the principal building
 - c. 15' min, 20' if parking is on-lot to rear of primary structure



(E) Single-Family Attached (SFA) Rear-Loaded Lots (Regulating Plan Key #4)

1. A single-unit residential building (a townhouse) that shares one or two side walls with adjacent units.
2. Parking is accessed from an alley or shared-access drive and may be in an attached or detached garage
3.

~~—(A) Façade materials shall consist of brick, shake, wood clapboard, or a similar synthetic material. No more than fifteen percent (15%) of exterior materials along a given block front shall be shake.~~

~~—(B) Upper and lower floors shall be distinguished through a change in material and/or color or the addition of balconies, bays, awnings, or other accent features.~~

~~—(C) Special attention shall be given to entrances; they may be set back from the primary façade as long as they are clearly visible from the street. Building entrances and exits shall be well lit to provide visibility and promote safety. Buildings that occur at the intersection of roadways should angle the entrance toward the corner of the street whenever possible.~~

~~—(D) Windows are required, where they allow views to interior activity areas or displays. However, glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.~~

~~—(E) Exterior building colors shall be consistent with the Village Center.~~

~~—(F) When used, façade lighting shall provide a sense of safety without excessive light and glare.~~

~~—(G) All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.~~

~~—(H) Architectural ornaments along the roof line, such as molding entablature or friezes, are required.~~

~~—(I) Sidewalks, streets, and plantings (streetscapes) shall be designed in accordance with the guidelines and principles of the NewCore Master Plan.~~

~~—(J) Mid-Block Pedestrian Pathways are required. Pathways should be brick and must clearly delineate the pathway separate from any driving surfaces. The pathways shall be highly visible with proper lighting. They shall be designed to link the sidewalk at the street side of the building to parking areas in the rear.~~

~~—(K) Public spaces and plazas shall be incorporated to create a pedestrian friendly environment.~~

~~—(L) Street furniture, outdoor eating areas, and sitting areas shall be incorporated at the ground floor.~~

~~{Ord. 21-12, passed 07-27-2021}~~

~~9.3.2 Village Cottage Professional District Design Standards~~

~~—The Village Cottage Professional District shall be developed in a way that is functionally and structurally compatible with the existing Village Center and a pedestrian friendly area. All development shall comply with the design standards set forth below. In addition, reference should be made to the design guidelines and content found in the NewCore Master Plan, as well as the Local Historic District Standards.~~

~~—(A) New structures in the VCP District shall be built to resemble single family residences.~~

~~—(B) Front porches are encouraged when possible.~~

~~—(C) Exterior building colors shall be consistent with the Village Center and be found in the Village of Pinehurst color palette.~~

~~—(D) Rear and side load garages are encouraged.~~

~~—(E) Primary entrances shall be highly visible along the street front, distinguished with different materials or textures and lighting.~~

~~—(F) All roof and wall mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.~~

~~—(G) Sidewalks, streets, and plantings (streetscapes) shall be designed in accordance with the guidelines and principles of the NewCore Master Plan.~~

~~{Ord. 21-12, passed 07-27-2021}~~

~~9.3.3 Village Residential District Design Standards~~

~~—The Village Residential District shall be developed in a high density residential fashion, providing pedestrian access to the Village Center and compatible in design to the residential development adjacent to the existing Village Center. All development~~

~~shall comply with the design standards set forth below. In addition, reference should be made to the design guidelines and content found in the NewCore Master Plan, as well as the Local Historic District Standards and Guidelines.~~

- ~~—(A) Primary entrances shall be oriented toward the street.~~
- ~~—(B) Facades shall be varied to distinguish the buildings as separate modules, even in attached housing.~~
- ~~—(C) Brick sidewalks should be provided and provide access along street fronts and to interior areas.~~
- ~~—(D) Gable roofs with roof pitch 4:12 and greater are required.~~
- ~~—(E) Facades shall consist of traditional architectural features, typical to the Historic Preservation Overlay District. Front porches, balconies, porticos, or dormers are required on all structures.~~
- ~~—(F) Exterior building colors shall be consistent with the Village Center and be found in the Village of Pinhurst color palette.~~
- ~~—(G) Garages shall either be accessed by rear alleys or side or rear loaded.~~
- ~~—(H) All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.~~
- ~~—(I) Columns shall be a minimum of six (6) inches, if used. Porch railing shall be traditionally sized.~~
- ~~—(J) Sidewalks, streets, and plantings (streetscapes) shall be designed in accordance with the guidelines and principles of the NewCore Master Plan.~~

~~{Ord. 14-35, passed 09-24-2014; Ord. 21-12, passed 07-27-2021}~~

Section 9.4 Off-Street Parking Requirements

9.4.1 Purpose and Scope

In order to relieve traffic congestion in the streets, to minimize any detrimental effects of off-street parking areas on adjacent properties, and to ensure the proper and uniform development of parking areas throughout the jurisdiction of the Village, off-

Landscape Architect: a professional landscape architect registered by the State of North Carolina.

Landscape Protection Plan: a plan identifying existing landscape elements, proposed changes, and protection measures to be used to aid the survival of such landscape elements as set forth in this Ordinance.

Landscape Screen: A method of visually obscuring one abutting structure or use from another by fencing, walls, berms, or densely planted vegetation.

Landscaped Area: a portion of the site or property containing vegetation to exist after construction is completed. Landscaped areas can include, but are not limited to, natural areas, buffers, lawns and plantings.

Large Trees: deciduous or evergreen trees with a mature height and spread of thirty (30) feet or greater.

Legislative Decision: the adoption, amendment, or repeal of a regulation in this Ordinance. This term also includes the decision to approve, amend, or rescind a development agreement.

Legislative Hearing: a hearing to solicit public comment on a proposed legislative decision.

Live-Work Units: an attached residential building type with a small commercial enterprise on the ground floor and a residential unit above ~~or behind with a common tenant in both spaces (no dual occupancy is permitted)~~. Live-work units exist as variations of either the detached house building type or the townhome building type and shall be subject to their applicable requirements.

Local Bank: any bank, savings and loan association, or trust company with a physical branch located in the State of North Carolina and within a one hundred (100) miles radius of the Village of Pinehurst.

Lodging Unit: a furnished room of a minimum two hundred (200) square feet that includes sanitary facilities, and that may include limited kitchen facilities.

Lot Coverage: determined by dividing that area of the lot that is occupied or covered by the total horizontally projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

Lot Depth: the depth of a lot is the average distance between the front and back lot lines measured at right angles to its frontage.

Lot Front: in the case of an interior or corner lot, the house frontage lot line along the street right-of- way.