VILLAGE COUNCIL
AGENDA FOR SPECIAL MEETING OF FEBRUARY 19, 2014
COUNCIL CONFERENCE ROOM
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA

5:00 P.M.

1. Call to Order.

2. Draft Pinehurst Development Ordinance Discussion Chapters 5-6

3. Adjournment.

History, Charm, & Southern Hospitality.

Vision

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions, enhanced by a unique combination of cultural arts and recreational activities.

Mission

Preserve and enhance the community's character and ambience by guiding growth, managing change, and providing services in a financially responsible manner.

Values

Competent
Courteous
Professional
Responsive

DRAFT PINEHURST DEVELOPMENT ORDINANCE DISCUSSION CHAPTERS 5-6

ADDITIONAL AGENDA DETAILS:

MEMO DETAILS:
Please see the attachments.

ATTACHMENTS:

Description

- Summary of Major Changes for Council Meeting 1 22 14
- PDO Consensus Building Matrix for Council Meeting 1 22 14

To:	Mayor Fiorillo and Village Council
From:	Bruce Gould, Senior Planner
Cc:	Andy Wilkison, Village Manager Lauren Craig, Village Clerk Andrea Correll, Director of Planning and Inspections
Date:	January 17, 2014
Subject:	Summary of Major Changes for Chapters 1-7 of the PDO

Please find below a summary of the major changes proposed in the new Pinehurst Development Ordinance. It is my hope that we can get through these elements of the Draft PDO as well as other items of discussion within these chapters at our meeting on Wednesday, January 22nd. If you have questions or need further clarifications, please contact me.

Chapter 1 - General Provisions pg. 8-9

- **Section 1.2 Statement of Intent**- Changes to the Statement of Intent & Community Goals (pg. 8-9)
- **Section 1.3 General Purpose and Authority**-Added to (d) to conserve and protect the value of buildings and land (pg. 9)
- **Section 1.8 Engineering Standards and Specifications Manual -** modified text and removed from being incorporated in the PDO (pg. 11)

Chapter 2 - Administrative Rules; Nonconformities pg. 12-17

- **Section 2.3.2 Nonconforming Uses Minor Repair (b)** - added more detail and options for repair including signage (pg.13)
- **Section 2.3.2 Nonconforming Uses Damage or Destruction (c) -** added act of God provision (tornado, flood, etc.) (pg.13-14)
- **Section 2.3.2 Nonconforming Uses Change of Use (d)** – added language that would allow changing a nonconforming use to another nonconforming use if that use is less intensive or more compatible with the Comp Plan. (pg. 14)
- **Section 2.3.2 Nonconforming Uses Cession of Use (e)** - changed to 120 days for all nonconforming uses (pg.14)

- **Section 2.3.3 Nonconforming Structures Damage or Destruction (**c) - added act of God provision (tornado, flood, etc.) (pg.15)
- **Section 2.3.4 Nonconforming Signs (**b) & (f) - added provisions to allow businesses to change out message for non-conforming, multi-tenant signs **(pg. 16)**

Chapter 3 - Decision Making and Administrative Bodies pg. 18-25

- **Section 3.6 Historic District Design Committee-** added (pg. 21)
- **Section 3.7.6 Technical Review Committee-**added TRC to Ordinance and scope of work. Previous ordinance only mentioned this group, and they were Village appointed. (pg. 25)

Chapter 4 – Public Hearings, Permits and Approvals pg. 26-37

- **Section 4.3.2 Establishment of Vested Rights** - added language to document the process, made clear minor site plans included, removed plan requirements and referenced the plan type being vested from appendix A through E.(pg. 30-31)
- **Section 4.5 Special Use Permit** - Removed minor special use permits from the ordinance. (pg. 33)
- **Section 4.5.6 Standards of Review** - reduces the number of the Standards of Review from 10 to 5 based on case law and NC School of Government study of most common used in NC.(pg. 36)

Chapter 5 – Variances and Administrative Appeals pg. 38-45

- **Section 5.1.5 Standards of Review** have been modified to reflect legislative changes (pg. 40)
- **Section 5.2 Administrative Modification of Dimensional Standards** adds administrative modification criteria (pg.41-42)

Chapter 6 – Text Amendments and Rezonings pg. 46-53

- **Section 6.1.4 Staff Review and 6.1.5 Review by the Planning and Zoning Board** is being modified to no longer require a public hearing before the Planning Board. This is in keeping with state legislation (pg. 47)
- **Section 6.1.7 Waiting Period for Subsequent Applications (b)** is being modified to require a simple majority vote vs. a 3/4ths vote (pg. 48)
- **Section 6.2 Special Provisions for Conditional Districts** setup this provision to establish conditional districts vs. conditional use districts(pg.48-49)

Chapter 7 – Enforcement Against Violations pg. 54-57

January 15th Working Session
with Village Council

Major Change	Accept	Don't Accept	No Consensus	Status
Chapter 1 - General Provisions pg.8-11				
Section 1.2 Statement of Intent - changes to the Statement of Intent & Community Goals **pg. 8-9**				
Section 1.3 General Purpose and Authority-added to (d) to conserve and protect the value of buildings and land **p.9**				
Section 1.8 Engineering Standards and Specification Manual - modified text and removed from being incorporated in the PDO **p.11**				
Chapter 2 - Administrative Rules; Nonconformities pg. 12-17				
Section 2.3.2 Nonconforming Uses Minor repair (b) - added more detail and options for repair including signage **p.13**				
Section 2.3.2 Nonconforming Uses Damage or Destruction(c) - added act of God provision (tornado, flood, etc.) **pg. 13-14**				
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Section 2.3.4 Nonconforming Signs (b) & (f) - added provisions to allow businesses to change out message for non-conforming, multi-tenant signs **p.16**				
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Section 4.5 Special Use Permit - Removed minor special use permits from the ordinance **p.33**				
Section 4.5.6 Standards of Review (special uses) - reduces the number of the Standards of Review from 10 to 5 based on case law and the NC School of Govenrment study of most common used standards in NC. **p.36**				
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Chapter 7 - Enforcement Against Violations pg. 54-57				
Additional items discussed				