

ORDINANCE #23-13

AN ORDINANCE AMENDING THE VILLAGE OF PINEHURST ZONING MAP AND DEVELOPMENT ORDINANCE TO IMPLEMENT THE VILLAGE PLACE AND PINEHURST SOUTH SMALL AREA PLANS AND FORM BASED GUIDANCE PLANS

WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance (PDO) and Map on the 8th day of October, 2014, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, Article 7 Section 160D-701 of the North Carolina General Statutes provides: "Zoning regulation shall be made [by local governments] in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health, safety, morals, or general welfare of the community. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the local government's planning and development regulation jurisdiction; and

WHEREAS, on October 22, 2019 the Village Council of the Village of Pinehurst adopted a new Comprehensive Plan and found the Implementation Strategies and recommendations of the Plan are reasonable and in the best interest of the public; and

WHEREAS, the 2019 Comprehensive Plan identified five Focus Areas which represent the most important areas to influence development and could have the most significant impact on shaping the Pinehurst of the future; and

WHEREAS, Focus Area 2 was identified as Highway 5 Commercial area (Pinehurst South) and Focus Area 4 identified as Village Place/Rattlesnake Trail Corridor (Village Place); and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.3 on page 77 states "Create a small area plan for the NC Highway 5 Commercial Area depicted in Focus Area 2 to facilitate redevelopment as an "Innovation Hub" with office, medical, life science, and research facilities supported with small-scale retail services and residential uses"; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.8 on page 91 states "Create a small area plan for the Village Place/Rattlesnake Trail Corridor depicted in Focus Area 4 to create a mixed use, walkable destination area that is connected to the Village Center"; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.13 on page 111 states "Consider the adoption of character-based zoning and Pattern Books to promote high quality design and development ; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.15 on page 111 states "Consider amending the Pinehurst Development Ordinance to allow mixed use development centers identified in the Focus Areas"; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.16 on page 111 states “Consider changes to the Pinehurst Development Ordinance to allow a broader range of housing types, including attached and multi-family housing in the mixed-use Focus Areas and in areas around employment centers ; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.17 on page 111 states “Review the zoning regulations for areas identified for future development to ensure that the zoning permits the desired scale of development. Conversely, ensure that the zoning in place for any new areas identified for development does not permit undesirable building patterns”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 2.18 on page 115 states “Explore ways to enhance the overall quality of new housing in the Village”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 4.13 on page 150 states “Explore opportunities for transportation network improvements in any new or redevelopment”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 4.14 on page 151 states “Consider amending the Pinehurst Development Ordinance to require parking to be located in the rear of the buildings in mixed-use and conservation neighborhoods”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 5.2 on page 166 states “Explore ways to create a commercial spine connecting Village Place and the Village Center”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 5.5 on page 166 states “Continue to promote first floor retail and destination uses on the street level, with office and residential uses on upper levels”; and

WHEREAS, the 2019 Comprehensive Implementation Strategy 5.13 on page 177 states “Identify appropriate areas for office uses in the Village, encouraging new office spaces in employment centers”; and

WHEREAS, a public hearing was held at 4:30 p.m. on May 23, 2023 in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in the Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction; and

WHEREAS, the Planning and Zoning Board held a duly advertised public hearing on May 4, 2023 and unanimously recommended Village Council adopt the proposed Text and Map Amendments to the Pinehurst Development Ordinance and Zoning Map to Implement the Village Place and Pinehurst South Form Based Guidance Plans; and

WHEREAS, Village Council held a public hearing on May 23, 2023, in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina, for the purpose of considering proposed amendments to the Pinehurst Development Ordinance and the recommendation made by the advisory Pinehurst Planning and Zoning Board, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to the contents of any proposed text amendments to be made by the Village Council; and

WHEREAS, the Pinehurst Village Council has determined that it is reasonable and is in the best interest of the Village of Pinehurst and its extraterritorial jurisdiction, and that these amendments are consistent with the 2019 Comprehensive Plan, the Village Place and Pinehurst South Small Area Plans and Form Based Guidance Plans and that the Official Zoning Map and Pinehurst Development Ordinance be further amended, making the amendments set forth in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED, by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled on the 23rd day of May, 2023, make the following amendments to the Official Zoning Map and Pinehurst Development Ordinance:

SECTION 1. The Village of Pinehurst Zoning Map is hereby amended as attached hereto as **EXHIBIT A** and **EXHIBIT B** and made part hereof.

SECTION 2. The Village of Pinehurst Development Ordinance Chapters and Sections is amended as follows.

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 8.2.16 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 Guidance 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.

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

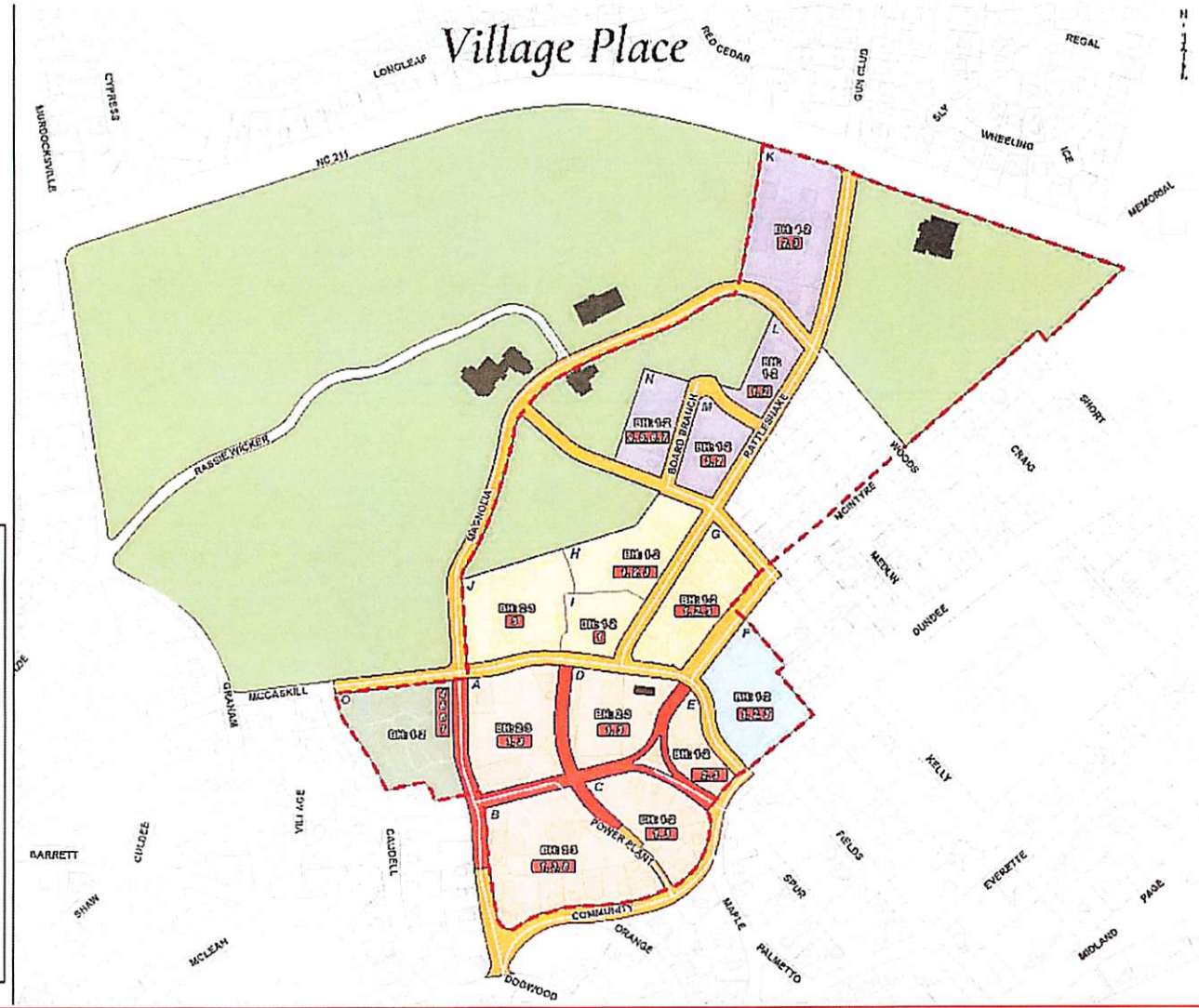
The Regulating Plan is a plan diagram that acts as a key for the application of the Site Designer and Street Design criteria, linking the criteria with physical locations.

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 B.0 Definitions for information on how building height is measured within Village Plans).

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.

Key			
	Small Area Plan (SAP) Boundary		MIXTOLGE
	Core Area Blocks		OFFICE
	Lower Multiple		RETAIL
	Lower Rattlesnake Area Blocks		SEA TOWNHOUSE
	Traditions Site		SID COF AGE
	Upper Rattlesnake Blocks		SFD - VILLA
	General Frontage		SFD - MANOR
	Active Frontage		HOTEL
	Public Conservation		MULTI FAMILY
	Civic Building		
	Monuments		
	Existing Street Centerline		



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 Guidance Plan 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 Guidance Plan.
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.

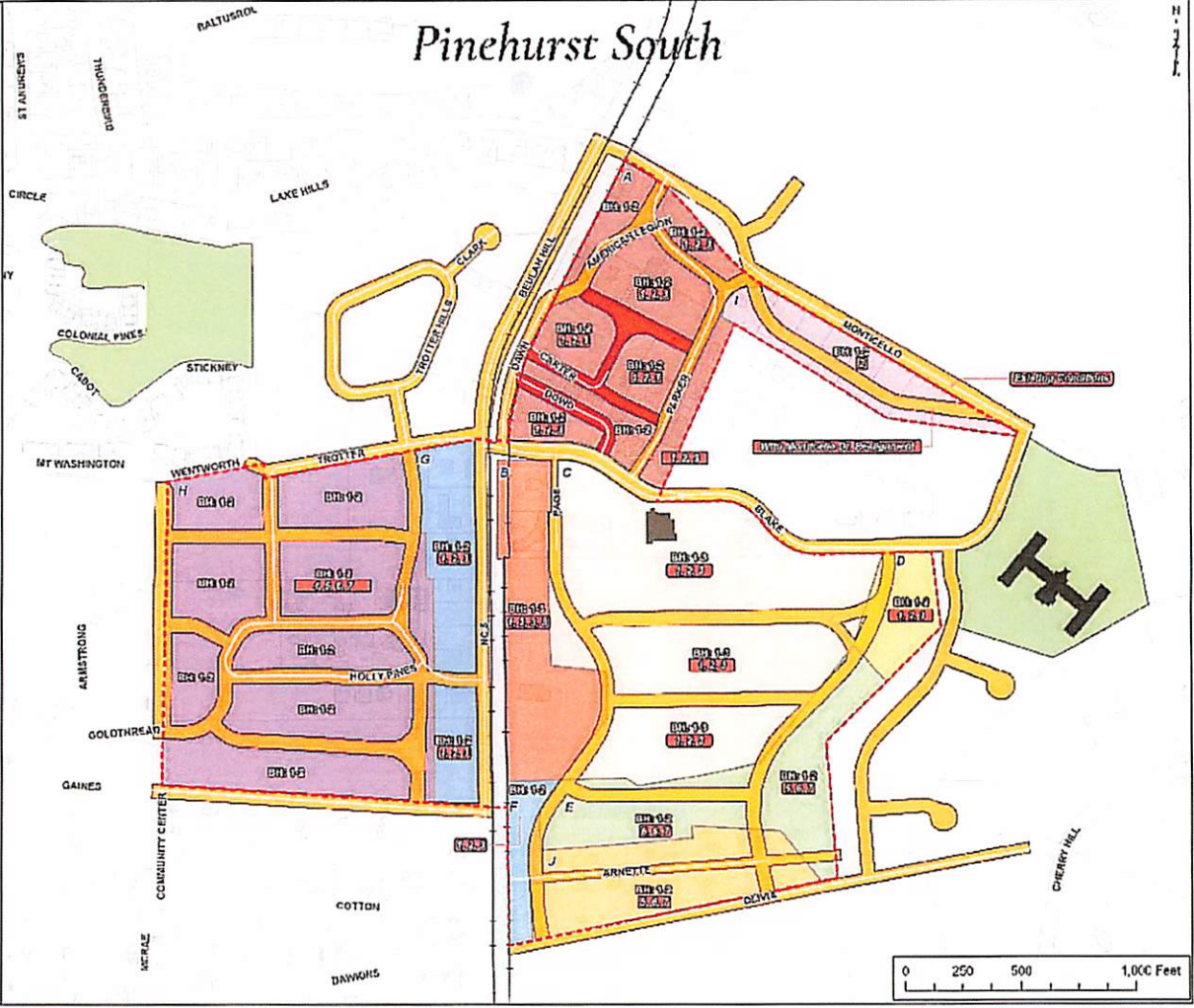
The Regulating Plan defines the boundary within which the FBC criteria apply, as shown by the SAP Boundary as a brown dashed line. The Regulating Plan also indicates allowed Uses and Building Heights within subareas. For Building Heights for example, "BH: 1-2" indicates that buildings shall be either 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.

Key

General Frontage	MIXED USE
Active Frontage	OFFICE
Public Green/Open Space	RETAIL
Civic Building/Community Center	SFA TOWNHOUSE
Block A	SFD COU PAGE
Block B	SFD VILLA
Block C	SFD MANOR
Block D	HOTEL
Block E	
Block F	
Block G	
Block H	
Block I	
Block J	
Existing Street Centerline	
Railroads	
Pinehurst South Form Based District Boundary	



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

8.3.21.1 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 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.

8.3.21.3 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.

8.3.21.4 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.

8.3.21.5 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.

8.3.21.6 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.

8.3.21.7 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.

8.3.21.8 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.

8.3.21.9 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.

8.3.21.10 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.~~21~~.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 Guidance 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 Tables 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 and 8.4). 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.

(~~CD~~) 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.

(~~DE~~) 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;

(~~EF~~) 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	921
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					
<u>Medical Office</u>											<u>X</u>		<u>X</u>	<u>X</u>					
<u>Office</u>											<u>X</u>			<u>X</u>	<u>X</u>		<u>X</u>	<u>X, SR</u>	<u>21</u>

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

<u>Dormitory</u>																	
<u>Hotel</u>		<u>CZ</u>															<u>8</u>
<u>Recreational Vehicle Park</u>																	
<u>Short Term Rental</u>																	<u>9</u>
<u>Neighborhood Lodging Accommodation</u>														<u>CZ, SR</u>	<u>CZ, SR</u>		<u>10</u>
OFFICE/SERVICE																	
<u>OFFICE/SERVICE</u>	<u>A*</u>	<u>B*</u>	<u>C*</u>	<u>D*</u>	<u>E*</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>	<u>O*</u>	<u>SR</u>	
<u>Banks, Credit Unions, Financial Services</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				<u>21</u>
<u>Business Support Services</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				
<u>Crematoria</u>																	
<u>Dry Cleaning & Laundry Services</u>						<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>						<u>23</u>
<u>Funeral Home</u>																	
<u>Medical Clinic</u>											<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				
<u>Medical Office</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				
<u>Office</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				
<u>Personal Services</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				
<u>Personal Services, Restricted</u>																	
<u>Post Office</u>																	<u>21</u>
<u>Professional Services</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>				<u>21</u>
<u>Radio/TV Studio</u>																	
<u>Small Equipment Repair/Rental</u>						<u>CZ</u>											
<u>Small Engine Repair/Sales</u>																	
<u>Veterinary Services/ Indoor Kennels</u>							<u>CZ</u>	<u>CZ</u>			<u>CZ</u>						<u>11</u>

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

<u>LODGING</u>	<u>A*</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>SR</u>
<u>Bed and Breakfast Homes</u>											<u>7</u>
<u>Boarding or Rooming House</u>											
<u>Dormitory</u>											
<u>Hotel</u>		<u>CZ</u>									<u>8</u>
<u>Recreational Vehicle Park</u>											
<u>Short Term Rental</u>											<u>9</u>
<u>Neighborhood Lodging Accommodation</u>					<u>CZ</u>			<u>CZ</u>		<u>CZ</u>	<u>10</u>

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

Floats/Rafts and Mooring Buoy												113
<u>TEMPORARY USE</u>	<u>A*</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>SR</u>	
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	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	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) ~~(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.
- (2) In Block J of the Pinehurst South Form-Based District, development and redevelopment of existing lots of record shall conform to the standards of the R-5 district in 9.2a Table of Dimensional Requirements.

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 Public 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.

<u>Minimum Separation of Accessory Structure from Primary Structure (3)</u>	<u>5'</u>	<u>5'</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Accessory Structure Rear Setback (3)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Accessory Structure Side Setback (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>5' (3)</u>	<u>10' (3)</u>	<u>10' (3)</u>	<u>10' (3)</u>	<u>10' (3)</u>
<u>Minimum Amount of Open Space Per Overall Development</u>	<u>8%</u>	<u>8%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>
<u>Maximum Residential Density (gross) Village Place Form Based District</u>			<u>12 units per acre</u>	<u>12 units per acre</u>	<u>12 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>
<u>Maximum Residential Density (gross) Pinehurst South Form Based District</u>			<u>10 units per acre</u>	<u>10 units per acre</u>	<u>10 units per acre</u>	<u>7 units per acre</u>	<u>7 units per acre</u>	<u>7 units per acre</u>	<u>7 units per acre</u>	<u>7 units per acre</u>	<u>7 units per acre</u>

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

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)			
<i>Pinus serotina</i>	Pond Pine	W-M/P	C,S
<i>Pinus taeda</i>	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 falcata	Southern Red Oak	M-D/F-P	S-L
Quercus michauxii	Swamp Chestnut	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
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 florida	Flowering Dogwood	M-D/F-P	F,N,L
Gyrillia racemiflora	Titi	W-M/F-S	C,N
Halesia carolina	Carolina Silverbell	M/P-S	N
Hamamelis virginiana	Witch hazel	M/F-S	S
Latin Name	Common Name	Soil Moisture/Light	Wildlife
Latin Name	Common Name	Soil Moisture/Light	Wildlife
Small Trees/Shrubs (10-30 ft.)		(1)	Value(2)
(Undersory)		(1)	Value(2)
Hex-deciuas	Possunhaw*	W-D/F-P	F,N,L
Hex-verticillata	Winterberry*	W-M/F-S	F,N,L

Latin Name	Common Name	Soil-Moisture/Light (1)	Wildlife Value(2)
Latin Name	Common Name	Soil-Moisture/Light (1)	Wildlife Value(2)
Hex-vomitorea	Yaupon*	W-D/F-S	G,F,N,L
Morus-rubra	Red-Mulberry*	M-D/F-S	F,L
Myrica-cerifera	Wax-Myrtle	W-D/F-P	G,F,L
Ostrya-virginiana	Hophornbeam	M-D/F-S	F,L
Prunus-angustifolia	Chickasaw-Plum*	D/F	F,N,L
Prunus-caroliniana	Carolina-Laurel	M-D/F-P	G,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-fufidulum	Rusty-Blackhaw	D/F-S	F,L
Ampelopsis-arborea	Peppervine*	W-M/F-P	F
Bigonia-capreolata	Crossvine	M-D/F-P	H
Campsis-radicans	Trumpet-creeper*	M-D/F-P	H
Centrosema-virginianum	Spurred-Butterfly-Pea	D/F-P	S,N,L
Glitoria-marina	Butterfly-Pea	D-F-P	S,N,L
Desmodium-rudiflorum	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	G,F
Vitis-spp.	Grape	W-D/F-P	F
Latin Name	Common Name	Soil-Moisture/Light (1)	Wildlife Value(2)
Latin Name	Common Name	Soil-Moisture/Light (1)	Wildlife Value(2)
Ferns			
Polystichum-aerosioides	Christmas-Fern	M/S-P	G
Osmunda-cinamomea	Cinnamon-Fern	W-M/S-P	G,L
Herbs-and-Wildflowers			
Apoeynum-cannabinum	Hemp-Dogbane*	M-D/F-P	N
Aquilegia-canadensis	Columbine	M-D/P-S	S,H,N

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

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

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

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.

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

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

*** Recommended Street Tree Type**

<u>Latin Name</u>	<u>Common Name</u>	<u>Native</u>	<u>Notes</u>
<u>Large Shrubs (6-12 ft)</u>			

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

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

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

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

SECTION 3. That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance

SECTION 4. Severability: Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall affect the validity of any ordinance as a whole or any part thereof which is not specifically declared to be invalid. If any court of competent jurisdiction invalidates the application of any provision of this ordinance, then such judgement shall not affect the remaining portions not specifically included in that judgment.

SECTION 5. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

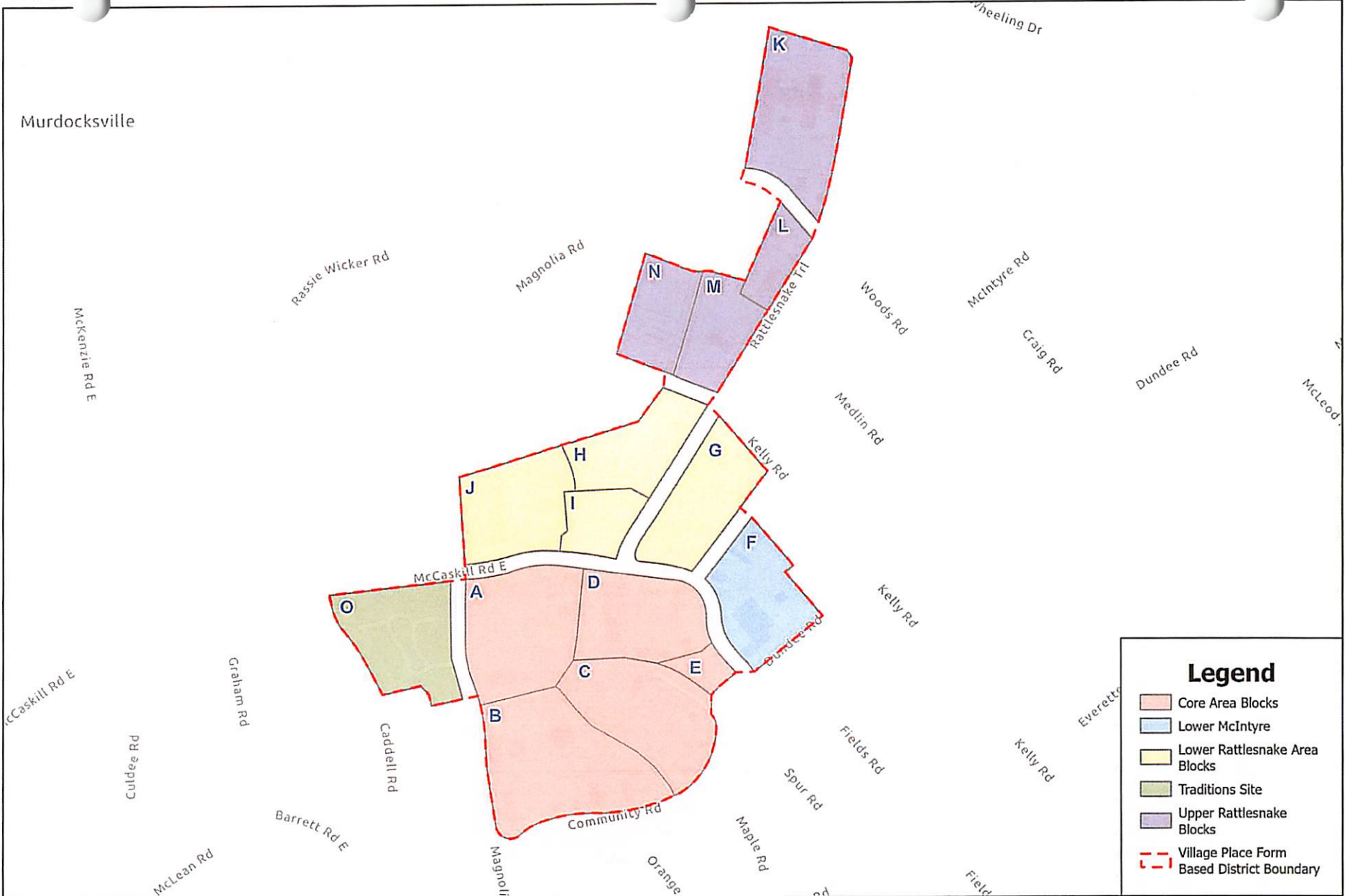
By *John C. Strickland*
John C. Strickland, Mayor

Attest:

Kelly Chance
Kelly Chance, Village Clerk

Approved as to Form:

[Signature]
Michael J. Newman, Village Attorney



Legend

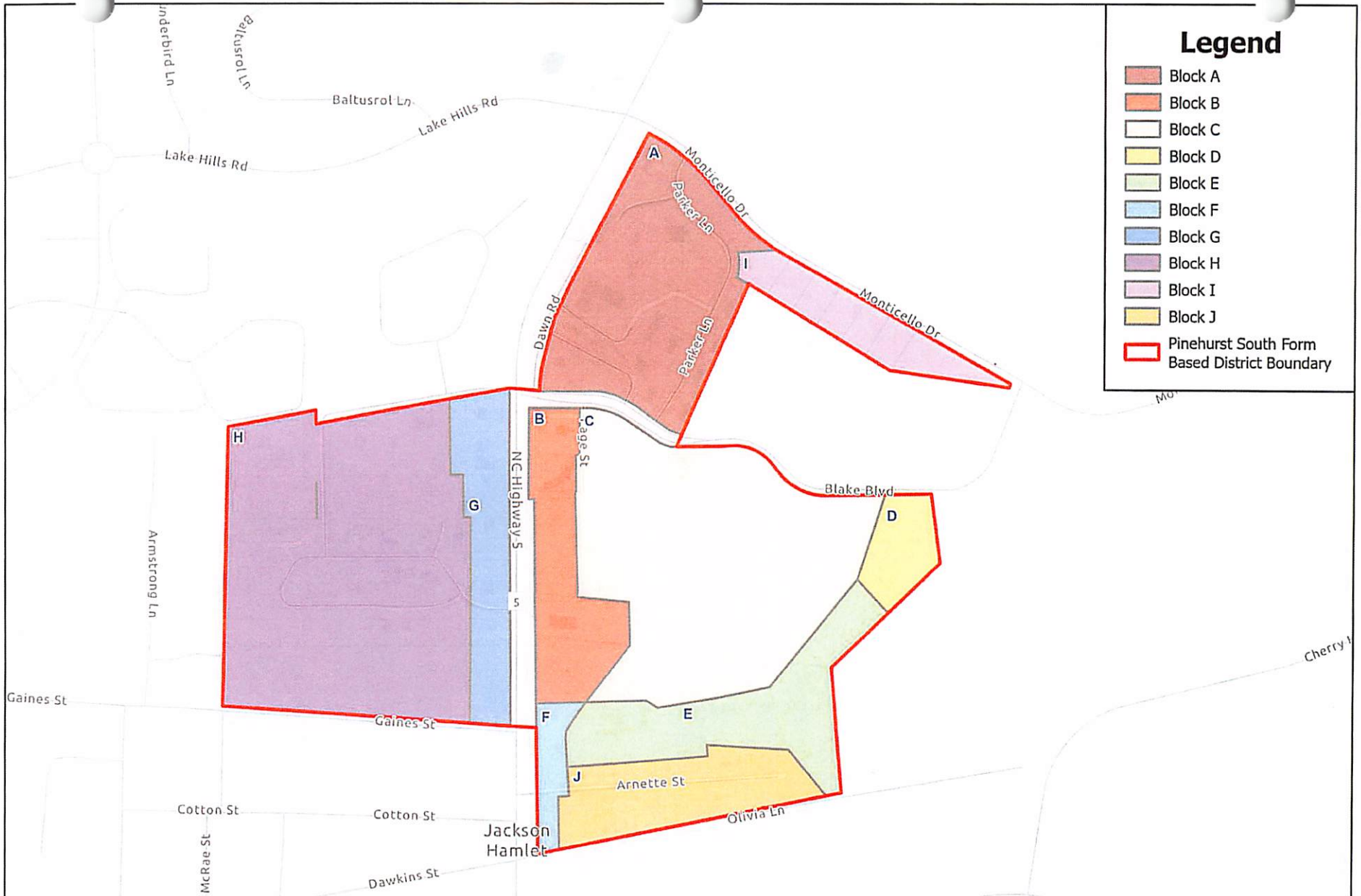
- Core Area Blocks
- Lower McIntyre
- Lower Rattlesnake Area Blocks
- Traditions Site
- Upper Rattlesnake Blocks
- Village Place Form Based District Boundary

0 125 250 500 750 1,000 Feet

Village of Pinehurst Disclaimer: It is understood that the data contained herein is subject to control charge 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 reuse of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10. GIS is based on North Carolina State Plane Coordinate System NAD83 (feet).

Proposed Village Place Form Based District





Legend

- Block A
- Block B
- Block C
- Block D
- Block E
- Block F
- Block G
- Block H
- Block I
- Block J
- Pinehurst South Form Based District Boundary

0 150 300 600 900 1,200 Feet

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4/19/2023

Proposed Pinehurst South Form Based District

N