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## PLANNING AND INSPECTIONS DEPARTMENT COUNCIL STAFF MEMO

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**To:** Mayor Strickland and Village Council  
**From:** Alex Cameron, Senior Planner  
Kathy Liles, Senior Planner  
Darryn Burich, Director of Planning and Inspections  
**Cc:** Jeff Sanborn, Village Manager  
Natalie Dean Hawkins, Assistant Village Manager  
Kelly Chance, Village Clerk  
**Date:** March 17, 2021  
**Subject:** Proposed PDO Amendments to create buffer development standards in Sections 9.5 and 9.14.6 of the Pinehurst Development Ordinance.

*This staff memo supplements the previous staff reports/memos included in the Council's March 9<sup>th</sup> agenda packet for the public hearing item of the same subject*

During the public hearing and subsequent 24 hour public comment period following the March 9<sup>th</sup> public hearing, comments from members of the public as well from Council were given on the proposed amendments. Staff met with Council members, builders, and the Moore County Home Builders Association. These interactions have allowed for identification of code that remains unchanged except for formatting, minor modifications for clarification of the proposed text, and consolidation of issues of concern from Council. This memo intends to summarize and seek Council feedback on comments or issues of concern. Staff proposes minor modifications to the ordinance and seeks feedback from Council before making additional changes to the proposed text.

### **Staff Proposed Minor Modifications:**

- A. The column in Table 9.14.6 for spacing requirements created confusion for many. It is equivalent to the proposed language that allows for the 15' tree separation to be staggered. Staff recommends removing that column all together.
  - B. A table has been added to 9.5.1.4 to make it plain that property can be cleared and graded but trees must be replanted if removed. The table specifies the tree sizes to be planted to be consistent with the language in Section 9.14.6.
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- C. Potential conflicts with private deed restricted communities that have separate planting or preservation requirements was discussed at the previous meeting. The required buffer yards are based on the front, side street, side and rear setbacks in the zoning district. In the PDO, golf course/lakefront setbacks are different setbacks. Therefore, the rear or side buffer yard standard would not apply. Staff can provide language in the draft ordinance to make this clearer and alleviate any potential conflicts.

**Items for Further Council Discussion and Consideration:**

A. Tree Spacing/Grouping

Many comments were made concerning the required spacing and grouping.

- Adequate room for required plantings in the side yard and impacts with the building footprint and proper grading and drainage.
- Front yard vistas.
- Not allowing for flexibility in landscape design.

The draft ordinance allows for grouping if receiving credit for existing trees so long as there is no space less than one tree per 35 linear feet. Currently, no grouping or alternate spacing is allowed for newly planted trees. The intent of the spacing requirements was to maintain buffering as stated in the purpose and scope. Allowing for grouping of existing trees was another way to incentivize preservation.

Council could consider some of these options:

1. Allow for grouping and alternate spacing for newly planted trees.
2. Alter the 35 linear foot requirement to allow for increased spacing within the buffer yards.
3. Consider no spacing requirements for newly planted trees or trees preserved to meet the buffer yard requirements. The required number of trees would still need to be met within the applicable buffer yard.

B. One Tree Per 15 Linear Feet of Street Frontage Requirement/A Single 20' Driveway Credit

Staff recommended this number based on the language in the 2019 Comprehensive Plan which states "it is critically important to the character of Pinehurst that it maintain its tree-lined corridors and encourage the preservation of trees on both public and private property." Also, additional landscaping in those areas would better buffer from light and noise from the impacts of the street in line with the purpose and scope of the ordinance.

Comments received included:

- Too stringent
- Restricts second driveway

Council could consider the following options:

1. Leave unchanged.
2. Adjust the calculation for front and side street buffer yards.
3. Additional driveway credit.

#### C. Half of The Required Plantings For Single-Family Development Be Longleaf Pines

Staff recommended this based on the 2019 Comprehensive Plan which states the Village should strive to enhance and protect the longleaf pine-wiregrass ecosystem.

Comments received included:

- Plant selection is a personal choice
- Loss rate

Council could consider the following options:

1. Leave unchanged.
2. Apply this standard to front and side street buffer yards only.
3. Allow any tree listed on Appendix F of the PDO.

#### D. Tree Survey

The requirement to provide a tree survey for all clearing and grading applications and other development applications was to document the location, size and type of existing trees. This topic opens up who can prepare a submittal to document compliance with the standards.

Comments received included:

- Too costly
- Constrains who can document compliance with the standards

Council could consider the following options:

1. Leave unchanged.
2. Could a landscape plan be sufficient or should a tree survey be required.

#### E. Trees Removed in Violation

At the March 9<sup>th</sup> meeting staff recommended revising the text to Section 9.5.1.7 Trees Removed in Violation to:

9.5.1.7 Trees Removed in Violation. Replacement trees shall be planted according to Section/Table 9.5.1.4.

Council could consider the following options:

1. Leave unchanged.
2. Agree with the staff recommendation.

**Staff Recommendation**

Staff recommends Village Council provide feedback on the above items so a revised draft ordinance can be brought for consideration.