



AGENDA

Town Council Business Meeting

Tuesday, May 12, 2026: 6:00 PM

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

4. PUBLIC COMMENTS

5. CONSENT AGENDA

a. Budget Amendment

Finance and Grounds staff request an amendment appropriating \$7,000 from the cemetery reserve for necessary fence work.

b. Approve Construction Contract for North Pressure Zone Elevated Storage Tank

Approve Construction Contract for North Pressure Zone Elevated Storage Tank following formal bid. Staff ask Council to approve award of the Construction Contract to Phoenix Fabricators and Erectors, LLC and authorize the Town Engineer to execute the agreement.

c. Accept Non-Warranty Deed for Partner Circle

Partner Circle is currently a town-maintained road. The original dedication of the Partner Circle right-of-way was via plat. The subsequent acceptance was through inclusion in the Town's Powell Bill reporting and ongoing Town maintenance. The property owner now wishes to deed the underlying property to the Town.

d. Budget Amendment

Budget amendment to transfer funding from the Water/Sewer Upgrade fund to a new Sanitary Sewer Modernization - Phase II fund for engineering costs.

e. Reappoint Andrew Speck to Planning Board

The Planning Director requests that the Town Council consider reappointing Andrew Speck to a second term on the Planning Board.

f. Resolution #1071 Amended — Designate Public Forum Areas in Southern Pines Facilities

Resolution #1071 has been amended to include the new Town Hall facility and changes in use for the Administration Building, Finance Building and E.S. Douglas Community Center.

g. Meeting Minutes

Staff has prepared the following meeting minutes for approval:

- April 14, 2026, Town Council Business Meeting Minutes
- April 28, 2026, Town Council Work Session Meeting Minutes

6. ACTION ITEMS

a. Architectural Compliance Permit for Lot 9 of Tyler's Ridge (File #AR-04-26)

Request submitted by James B. O'Malley, Trustee for approval of an Architectural Compliance Permit for development of a 4,000 square foot single-story retail building located on Lot 9 of the Tyler's Ridge

development. The orientation of the proposed building and building materials do not meet the standards of UDO Section 4.10.4 so Town Council approval is required.

7. PUBLIC HEARINGS - EVIDENTIARY

a. Special Use Permit for Expansion of Nonconforming Building & Site at "The Barn" (File #SU-01-26)

Request for a Special Use Permit to expand an existing nonconforming commercial site at 305 Rothney Avenue (former JFR Barn or "The Barn") into a restaurant/event venue with indoor and outdoor gathering spaces. Proposed improvements include additional second-floor space, outdoor structures, landscaping upgrades, and operational enhancements.

b. Preliminary Development Plan for Mavis Tire (File #PD-07-25)

MSP Outlots, LLC has submitted a Preliminary Development Plan application to develop a Mavis Tire on Lot 4 in Phase 4 of the Morganton Park South Planned Development. The property is directly south of Morganton Road between Carolina Green Parkway and Old Morganton Road. This agenda item is continued from the April 14, 2026 Town Council meeting.

8. PUBLIC HEARINGS - LEGISLATIVE

a. Right of Way Abandonment Request - Leonard and Beth Gaddis (File #RA-01-26)

Leonard and Beth Gaddis are requesting abandonment of an approximately 10,484 square foot unimproved right-of-way located off Hill Road adjacent to their property at 1220 E. Indiana Ave. The petitioners state the purpose is to allow for additional stormwater management and landscaping between adjacent properties. This item is continued from the April 14, 2026 Town Council meeting.

b. Conditional Zoning District for Sandhills Presbyterian Church (File #Z-02-26)

A rezoning request has been submitted for an approximately 11.31-acre property at 650 Pee Dee Road, currently zoned RS-3, to GB-CD to support the continued operation and phased expansion of Covenant Preparatory School within the existing Sandhills Presbyterian Church campus. The proposal includes construction of new classroom facilities, removal of temporary structures, additional parking, and site improvements in Phase 1, followed by larger school and church expansions, administrative space conversion, enhanced outdoor amenities, and trail connections in future phases. This agenda item is continued from the April 14, 2026 Town Council meeting.

c. Proposed Amendments to UDO Regarding Open Space Design (File #OA-02-26)

Proposed amendments to the Unified Development Ordinance (UDO) to clarify and prioritize how required open space is designed, emphasizing preservation of natural features such as mature trees, sensitive areas, and buffers while maintaining existing open space quantity requirements. The proposed amendments introduce defined open space categories, establish minimum tree preservation expectations, add flexibility through administrative modifications, and include incentives to encourage developments that maximize preservation of existing natural resources.

d. FY 27 Budget - First Public Hearing

The Town Manager will present the draft FY27 Budget for Public Hearing. A second Hearing and request for adoption will occur at the June Business Meeting of Council.

9. ADJOURNMENT

Meetings/work sessions of the Southern Pines Town Council are now available on the Town's Website at sopinesnc.info/agendas. Video of the Town Council meetings will be live-streamed on the website for viewing either during the meetings or after they have concluded. Please note, the video is provided only for the purposes of viewing the meetings; public comments or questions are not accepted via the live stream.



ORDINANCE #3182
AMEND THE 2025-2026 FISCAL YEAR BUDGET
Transfer from Cemetery Fund for Cemetery Fence Repair

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 12th day of May, 2026 that the Operating Budget for the Fiscal Year 2025-2026 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
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Revenues/Fund Balance Appropriations:

General Fund	Transfer In – Cemetery Perpetual Care Fund	10-397-2200	\$7,040	
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Expenditures:

Recreation & Grounds	Contractual Services	10-620-4550	\$7,040	
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I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 12, 2026 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



ORDINANCE #3183
AMEND THE CEMETERY PERPETUAL CARE FUND BUDGET

BE IT ORDAINED, by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following budget is hereby amended:

- Section 1: The fund was established for the perpetual care of the municipal cemetery.
- Section 2: The officers of this unit are hereby directed to proceed with the perpetual care within the terms of the budget contained herein.
- Section 3: The following amount is appropriated:
- | | |
|--------------------------------|-----------------|
| Transfer to General Fund | \$ <u>7,040</u> |
| Total Additional Appropriation | \$ <u>7,040</u> |
- Section 4: The following amount is reduced:
- | | |
|-----------------------------|-----------------|
| Reserved for Future Expense | \$ <u>7,040</u> |
| Total Reduced Appropriation | \$ <u>7,040</u> |
- Section 5: Copies of this ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Officer for direction in carrying out this project.
- Section 6: This amended ordinance becomes effective May 12, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 12, 2026 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

May 4, 2026

James Michel, P.E.
Town Engineer/Assistant Public Works Director
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387

Re: Construction Contract Award Recommendation
SPN24119 | North Pressure Zone Elevated Storage Tank

Dear Mr. Michel:

A total of three bid proposals for the referenced project were opened and read publicly at 2:00 PM on Thursday April 2, 2026 in a public bid opening held in the Town of Southern Pines. The project required bidders to provide a base bid price for the below scope of work:

The Town of Southern Pines (Town) is planning to construct a 1.0 MG elevated storage tank (EST) in the North Pressure Zone. The EST will be used to reduce pressure between pressure zones and will include approximately 670 linear feet of 12-inch water line and valves to connect the EST to the existing system. Miscellaneous site items like a driveway, grading and fencing will be required as well as electrical, instrumentation and controls and SCADA.

The results of the bid are shown on the attached bid tabulation.

Freese and Nichols, Inc. (FNI) has reviewed the bid proposals for completeness and accuracy in accordance with the project documents and the bidding requirements as set forth in the applicable North Carolina General Statutes. FNI has identified Phoenix Fabricators and Erectors, LLC as the lowest responsible and responsive bidder in the total base bid amount of \$7,922,400. It is recommended that the Town proceed with Phoenix Fabricators and Erectors, LLC.

If you agree with our recommendations, we will deliver the Notice of Award to Phoenix Fabricators and Erectors, LLC along with the other contract document requirements. FNI will also initiate value engineering negotiations between the Town and Phoenix Fabricators and Erectors, LLC in an attempt to bring the project cost within the Town's budgeted amount for the project

Please let us know if you have any questions or need further information.

Sincerely,
Freese and Nichols, Inc.



Joanna Alley, PE



Freese and Nichols, Inc.
801 Cherry Street, Suite 2800
Fort Worth, TX 76102
BID TABULATION

Client: Town of Southern Pines Project: North Pressure Zone Elevated Storage Tank Bid Date: April 2, 2026 Project No.: SPN24119				Landmark Structures I, LP 3120 Sabre Drive, Suite 350 Southlake, TX 76092		Caldwell Tanks, Inc 4000 Tpower Road Louisville, KY 40219		Phoenix Fabricators and Erectors, LLC. 182 S. County Road 900 E Avon, IN 46123	
#	Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Mobilization	1	LS	\$250,000.00	\$250,000.00	\$376,400.00	\$376,400.00	\$396,120.00	\$396,120.00
2	1.0 MG Composite EST, Foundation, and Appurtenances	1	LS	\$8,127,000.00	\$8,127,000.00	\$6,699,700.00	\$6,699,700.00	\$6,414,740.00	\$6,414,740.00
3	12" Altitude Control Valve	1	EA	\$20,000.00	\$20,000.00	\$55,000.00	\$55,000.00	\$19,625.00	\$19,625.00
4	Chlorine Analyzer	1	EA	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00
5	2" Air Release Valve	1	EA	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$9,625.00	\$9,625.00
6	12" Ductile Iron Water Line	670	LF	\$180.00	\$120,600.00	\$180.00	\$120,600.00	\$231.00	\$154,770.00
7	12" Gate Valve with Box	5	EA	\$7,500.00	\$37,500.00	\$8,400.00	\$42,000.00	\$7,625.00	\$38,125.00
8	Fire Hydrant Assembly	1	EA	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00	\$9,625.00	\$9,625.00
9	Connection to Existing 12" Water Line	2	EA	\$4,000.00	\$8,000.00	\$9,800.00	\$19,600.00	\$19,125.00	\$38,250.00
10	Trench Safety	670	LF	\$5.00	\$3,350.00	\$10.00	\$6,700.00	\$5.00	\$3,350.00
11	Clearing and Grubbing	1	AC	\$60,000.00	\$54,000.00	\$21,000.00	\$18,900.00	\$31,250.00	\$28,125.00
12	Grading	1	AC	\$300,000.00	\$270,000.00	\$35,000.00	\$31,500.00	\$16,750.00	\$15,075.00
13	6" Thick Concrete Driveway	230	SY	\$150.00	\$34,500.00	\$240.00	\$55,200.00	\$150.00	\$34,500.00
14	5" Thick Asphalt Driveway	500	SY	\$65.00	\$32,500.00	\$190.00	\$95,000.00	\$100.00	\$50,000.00
15	Chain Link Fencing	610	LF	\$50.00	\$30,500.00	\$50.00	\$30,500.00	\$50.00	\$30,500.00
16	Hydro-mulch Seeding	1	LS	\$3,500.00	\$3,500.00	\$7,500.00	\$7,500.00	\$19,125.00	\$19,125.00
17	Erosion Control	1	LS	\$50,000.00	\$50,000.00	\$24,000.00	\$24,000.00	\$16,000.00	\$16,000.00
18	Manual Slide Gate	1	LS	\$5,550.00	\$5,550.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
19	Tank and Site Electrical	1	LS	\$400,000.00	\$400,000.00	\$450,000.00	\$450,000.00	\$399,845.00	\$399,845.00
20	Instrumentation and SCADA	1	LS	\$200,000.00	\$200,000.00	\$190,000.00	\$190,000.00	\$115,000.00	\$115,000.00
TOTAL AMOUNT - BASE BID					\$9,672,000.00		\$8,258,600.00		\$7,817,400.00
#	Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Owner's Allowance	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
2	Quality Control Testing by Owner Allowance	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
3	Permitting Allowance	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
TOTAL AMOUNT - ALLOWANCE					\$105,000.00		\$105,000.00		\$105,000.00
TOTAL AMOUNT - BASE BID + ALLOWANCE					\$9,777,000.00		\$8,363,600.00		\$7,922,400.00

00 41 13 BID FORM**ARTICLE 1 – BID RECIPIENT****1.01 The Offeror submits this Bid to:**

Town of Southern Pines
 Plan Scope
 801 SE Service Road
 Southern Pines, NC 28387
 Attention: James Michel, PE
 North Pressure Zone Elevated Storage Tank

ARTICLE 2 – OFFEROR'S ACKNOWLEDGMENTS

- 2.01 Offeror proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner on the form included in the Contract Documents, to perform all Work specified or indicated in Contract Documents for the Contract Price indicated in this Bid or as modified by Contract Amendment. Offeror agrees to complete the Work within the Contract Times established in the Agreement or as modified by Contract Amendment and comply with all terms and conditions of the Contract Documents.
- 2.02 Offeror accepts all terms and conditions of Section 00 11 16 "Invitation to Bid" and Section 00 21 13 "Instructions to Offerors."
- 2.03 Offeror accepts the provisions of the Agreement as to liquidated damages in the event of its failure to complete Work in accordance with the schedule set forth in the Agreement.
- 2.04 Offeror acknowledges receipt of the following Addenda:

Addendum No.	Addendum Date	Signature Acknowledging Receipt
Addendum 1	03/10/26	<i>Alexander Bott</i>
Addendum 2	03/20/26	<i>Alexander Bott</i>
Addendum 3	03/26/26	<i>Alexander Bott</i>

ARTICLE 3 – OFFEROR'S REPRESENTATIONS

- 3.01 The Offeror is currently licensed as a general contractor in the State of North Carolina.

Offeror's License Information	
Name on License	Phoenix Fabricators and Erectors, LLC.
License Number	21640
Limitation	Unlimited
Classifications	S: Metal Erection

- 3.02 The Offeror has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.
- 3.03 The Offeror has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

- 3.04 The Offeror is familiar with Laws and Regulations that may affect cost, progress, and performance of the Work.
- 3.05 The Offeror has carefully studied the following Site related reports and drawings as identified in the Supplementary Conditions:
 - A. Geotechnical Data Reports regarding subsurface conditions at or adjacent to the Site;
 - B. Drawings of physical conditions relating to existing surface or subsurface structures at the Site;
 - C. Underground Facilities referenced in reports and drawings;
 - D. Reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site; and
 - E. Technical Data related to each of these reports and drawings.
- 3.06 The Offeror has considered the:
 - A. Information known to Offeror;
 - B. Information commonly known to contractors doing business in the locality of the Site;
 - C. Information and observations obtained from visits to the Site; and
 - D. The Contract Documents.
- 3.07 The Offeror has considered the items identified in this Article with respect to the effect of such information, observations, and documents on:
 - A. The cost, progress, and performance of the Work;
 - B. The means, methods, techniques, sequences, and procedures of construction to be employed by Offeror; and
 - C. Offeror's safety precautions and programs.
- 3.08 The Offeror agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents based on the information and observations referred to in the preceding paragraphs.
- 3.09 The Offeror is aware of the general nature of Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- 3.10 The Offeror has correlated the information known to the Offeror, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- 3.11 The Offeror has given the Construction Manager written notice of all conflicts, errors, ambiguities, or discrepancies that the Offeror has discovered in the Contract Documents, and the written resolution provided by the Construction Manager is acceptable to the Offeror.
- 3.12 The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

- 3.13 Offeror is not on the North Carolina State Treasurer's list of persons engaging in business activities in Iran, nor will Offeror utilize any Subcontractor on such list on this Project in violation of NCGS §147-86.55, et seq.
- 3.14 Offeror is not on the North Carolina State Treasurer's list of companies engaged in a boycott of Israel, nor will Offeror utilize any Subcontractor on such list on this Project in violation of NCGS §147-86.80, et seq.
- 3.15 Offeror's submittal of a Bid constitutes an incontrovertible representation that, without exception, all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 4 – BASIS OF OFFER

- 4.01 Offeror will complete the Work in accordance with the Contract Documents at the unit prices shown in the attached in Section 00 41 16 "Bid Form Exhibit A":
 - A. Extended amounts have been computed in accordance with the General Conditions.
 - B. Offeror acknowledges that the estimated quantities are not guaranteed, and final payment for all Unit Price items will be based on actual quantities provided, measured as provided in the Contract Documents.
 - C. Unit Prices will be used to compute the actual Bid price.

ARTICLE 5 – TIME OF COMPLETION

- 5.01 Offeror agrees that the Work will be Substantially Complete and will be completed and ready for final payment in accordance with the General Conditions within the number of calendar days indicated in Section 00 41 16 "Bid Form Exhibit A."

ARTICLE 6 – ATTACHMENTS TO THIS BID

- 6.01 The following documents are attached to and made a condition of this Bid:
 - A. Section 00 41 16 "Bid Form Exhibit A."
 - B. Section 00 43 13 "Bid Bond."
 - C. Section 00 45 01 "Nonresident Bidders."
 - D. Section 00 45 02 "Non-Collusion Certification."
 - E. Section 00 45 03 "State Sales Tax Requirements."
 - F. Documentation showing that the Offeror is currently licensed as a general contractor in the State of North Carolina, including the license limitations and classifications.

ARTICLE 7 – VENUE

- 7.01 Offeror agrees that venue lies exclusively in Moore County, North Carolina for any legal action.

ARTICLE 8 – BID DELIVERY

8.01 This Bid is submitted by:

Offeror: Phoenix Fabricators and Erectors, LLC.
(typed or printed name of organization)

Signature: Michael Oglesby
(individual's signature)

Name: Michael Oglesby
(typed or printed)

Title: VP of Sales
(typed or printed)

Offeror's License:

License No.: 21640

Classification: S: Metal Erection

Limitation: Unlimited

Address for giving notices:

182 S County Rd 900 E, Avon, IN 46123

Phone: (317)-271-7002 Email: Alexander.Bott@phoenixtank.com

(Attach evidence of authority to sign if Offeror is a corporation, partnership, or a joint venture.)

END OF SECTION



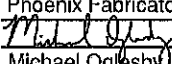
00 41 16 Bid Form Exhibit A

Project:	North Pressure Zone Elevated Tank	Project No.:
Owner:	Town of Southern Pines	SPN24119
Design Professional:	Freese and Nichols, Inc.	
Offeror:	Phoenix Fabricators and Erectors, LLC.	

Base Bid

Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Extended Amount
Items In Base Bid (excluding Allowances) per Section 01 29 01 "Measurement and Basis for Payment"					
A-01	Mobilization	LS	1	\$396,120	\$396,120
A-02	1.0 MG Composite EST, Foundation, and Appurtenances	LS	1	\$6,414,740	\$6,414,740
A-03	12" Altitude Control Valve	EA	1	\$19,625	\$19,625
A-04	Chlorine Analyzer	EA	1	\$15,000	\$15,000
A-05	2" Air Release Valve	EA	1	\$9,625	\$9,625
A-06	12" Ductile Iron Water Line	LF	670	\$231	\$154,770
A-07	12" Gate Valve with Box	EA	5	\$7,625	\$38,125
A-08	Fire Hydrant Assembly	EA	1	\$9,625	\$9,625
A-09	Connection to Existing 12" Water Line	EA	2	\$19,125	\$38,250
A-10	Trench Safety	LF	670	\$5	\$3,350
A-11	Clearing and Grubbing	AC	0.9	\$31,250	\$28,125
A-12	Grading	AC	0.9	\$16,750	\$15,075
A-13	6" Thick Concrete Driveway	SY	230	\$150	\$34,500
A-14	5" Thick Asphalt Driveway	SY	500	\$100	\$50,000
A-15	Chain Link Fencing	LF	610	\$50	\$30,500
A-16	Hydro-mulch Seeding	LS	1	\$19,125	\$19,125
A-17	Erosion Control	LS	1	\$16,000	\$16,000
A-18	Manual Slide Gate	LS	1	\$10,000	\$10,000
A-19	Tank and Site Electrical	LS	1	\$399,845	\$399,845
A-20	Instrumentation and SCADA	LS	1	\$115,000	\$115,000
A	Total Base Bid Items Amount (Sum of Extended Amounts for each Base Bid Line Item)				\$ 7,817,400 -
Allowances In Base Bid per Section 01 23 10 "Alternates and Allowances"					
B-01	Owner's Allowance	LS	1	\$50,000	50,000.00
B-02	Quality Control Testing by Owner Allowance	LS	1	\$50,000	50,000.00
B-03	Permitting Allowance	LS	1	\$5,000	5,000.00
C	Total Allowance Amount (Sum of Extended Amounts for Each Allowance Line Item)				\$ 105,000.00
D	Total Base Bid with Allowances (Sum of A and C)				\$ 7,922,400

BID SUBMITTED BY:

Offeror:	Phoenix Fabricators and Erectors, LLC.
Signature:	
Printed Name:	Michael Oglesby
Title:	VP of Sales
Date:	03/31/26

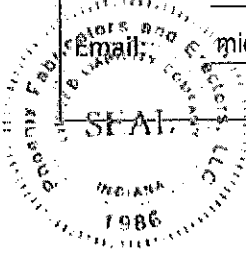
00 43 13 BID BOND

Offeror as Principal Name: Phoenix Fabricators and Erectors, LLC Mailing address (principal place of business): 182 South County Road 900 East Avon, IN 46123	Surety Name: Nationwide Mutual Insurance Company Mailing address (principal place of business): 1100 Locust St., Dept. 2006 Des Moines, IA 50391-2006
Owner Name: Town of Southern Pines Mailing address (principal place of business): 801 SE Service Road Southern Pines, NC 28387	Physical address (principal place of business): 1100 Locust St., Dept. 2006 Des Moines, IA 50391-2006 Telephone (Main): 866-387-0457 Telephone (Claims): 866-387-0457
Contract Project name and number: North Pressure Zone Elevated Tank North Pressure Zone (Project #4) Bid No.: SPN24119 Bid/Proposal Due Date: March 25, 2026	Surety's state of incorporation: Ohio <i>By submitting this bond, Surety affirms it is authorized to do business and licensed to execute bonds in the state where the Project is located.</i>
Bond Contract Price Offered: Penal Sum of Bond: 5% of Contract Price offered Date of Bond: March 18, 2026	Local Agent for Surety Name: Victoria Nabua Company: Willis Towers Watson Insurance Services West, Inc. Mailing address (principal place of business): 500 N. Akard Street, Suite 4300 Dallas, TX 75201 Telephone (Main): 425-570-6626

Surety and Offeror, intending to be legally bound by this bond, do each cause this bond to be duly executed on its behalf by its authorized officer, agent, or representative. Surety and Offeror bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally to this bond. The condition of this obligation is such that if Owner accepts the Offeror's Bid or Proposal and Offeror delivers the executed Agreement and the required bonds and evidence of insurance within the time stipulated in the Bidding or Proposal Documents this obligation is null and void. Payment under this bond will be due and payable upon default by Offeror and within 30 days after receipt by Offeror and Surety of written notice of default from Owner. This Agreement shall be administered and interpreted under the laws of the state where the Project is located. Venue lies exclusively in Moore County North Carolina for any legal action.

Offeror as Principal
Phoenix Fabricators and Erectors, LLC
 Signature: Michael Oglesby
 Name: Michael Oglesby
 Title: VP of Sales
 Email: michael.oglesby@phoenixtank.com

Surety
Nationwide Mutual Insurance Company
 Signature: [Signature]
 Name: Victoria Nabua
 Title: Attorney-in-Fact
 Email: Victoria.Nabua@wtwco.com
 (Attach Power of Attorney)



END OF SECTION

POWER OF ATTORNEY

State of Indiana

County of Hendricks

} ss:

Know all men by these present that Phoenix Fabricators and Erectors, LLC., a limited liability corporation authorized and existing under the laws of the State of Indiana authorizes and empowers Michael Oglesby, Director of Sales Engineering, to make, sign, seal, execute, amend, and deliver the Bidders Proposal on the
North Pressure Zone Elevated Tank

For and on behalf of Phoenix Fabricators and Erectors, LLC.

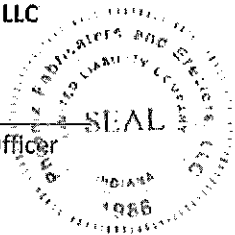
And the acts of Casey Cornett, in pursuance of this Power of Attorney shall be as binding upon said corporation as if they had been done by the duly elected officers of the corporation.

In Witness Whereof the corporation has caused this instrument to be signed by its President/Chief Executive Officer, Dallas Green, and its corporate seal hereunto affixed this 31st day of March 2026

PHOENIX FABRICATORS AND ERECTORS, LLC

By:

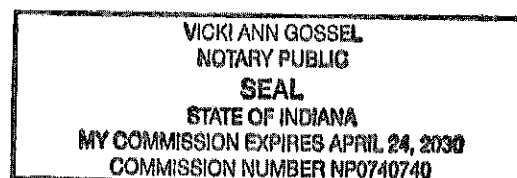
Dallas Green
Dallas Green, President/Chief Executive Officer



Subscribed and sworn to here before me this day and year last written above.

Vicki Ann Gosel
Notary Public

My Commission Expires: April 24, 2030



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:
HOLLY CLEVINGER; JACK M CROWLEY; LAURIE PFLUG; SEAN HEIDRICK; VICTORIA NABUA;

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf on the date thereof any and all: (i) bonds and undertakings; (ii) Proposal Bonds; (iii) Letters of Surety; (iv) Consent of Surety; and (v) other obligatory instruments of similar nature, in penalties not exceeding the sum of

UNLIMITED

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 23rd day of October, 2025.



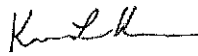
Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company

ACKNOWLEDGMENT

STATE OF OHIO COUNTY OF FRANKLIN: ss

On this 23rd day of October, 2025, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.

Karen L. Korn
Notary Public, State of Ohio
No. 2018-RE-719786
Commission Expires July 7, 2028



Notary Public
My Commission Expires
July 7, 2028

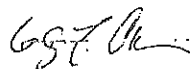
CERTIFICATE

I, Lezlie F. Chlmienti, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 18th day of

March

2026



Assistant Secretary



Nationwide Mutual Insurance Company

1100 Locust St, Dept. 2006
Des Moines, Iowa 50391-2006
Attn: Surety Claims Manager
Tel. 866-387-0457

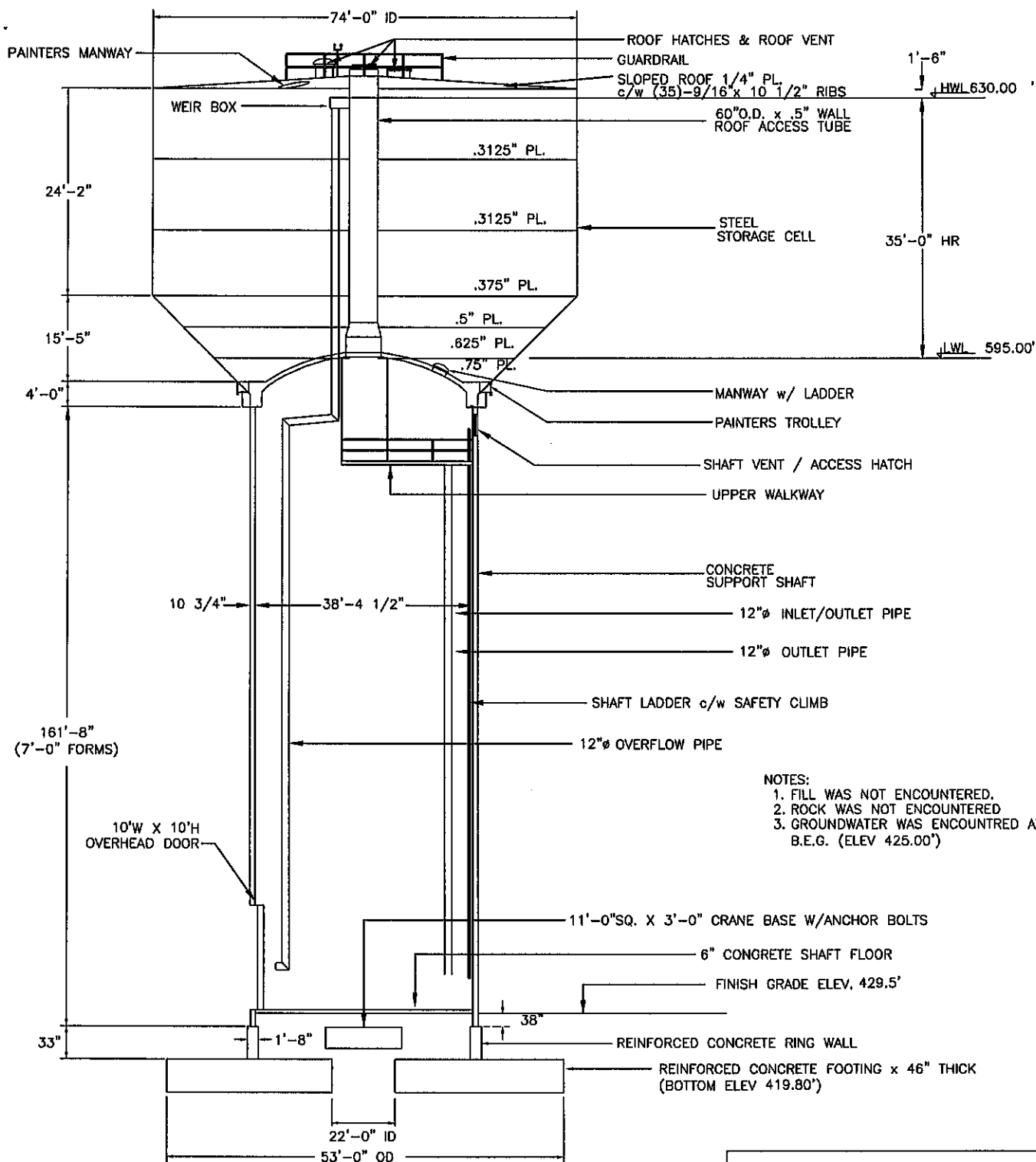
Surety Claim Notification

Claim notices should be sent to the attention of the Surety Claims Manager via e-mail to bondclms@nationwide.com or via mail to the address above.

All other notices should be sent to the attention of the Surety Underwriting Department via e-mail to bondcomm@nationwide.com or via mail to the address above.

Thank you for your cooperation.

Nationwide Mutual Insurance Company, Surety Department



PAINT AREAS (SQUARE FEET): INT WET = 18300
 PAINT AREAS (SQUARE FEET): INT DRY = 700
 PAINT AREAS (SQUARE FEET): EXTERIOR = 15300

PHOENIX FABRICATORS & ERECTORS
 1329 HWY 41 NORTH
 P.O BOX 40
 SEBREE, KENTUCKY 42455
 TEL (270) 835-2600 FAX (270) 835-9996

PROJECT

Southern Pines, NC

DETAIL

**1MM GALLON COMPOSITE
 GENERAL ARRANGEMENT**

DATE

03/12/2026

SCALE

NO SCALE

DWG #

2026-0041

Expiration Date

2026

Firm No.

21640

North Carolina

Licensing Board for General Contractors

This is to Certify That:

Phoenix Fabricators and Erectors, LLC

Avon, IN

is duly registered and entitled to practice

General Contracting

Limitation: Unlimited

Classification: Building

until

December 31, 2026

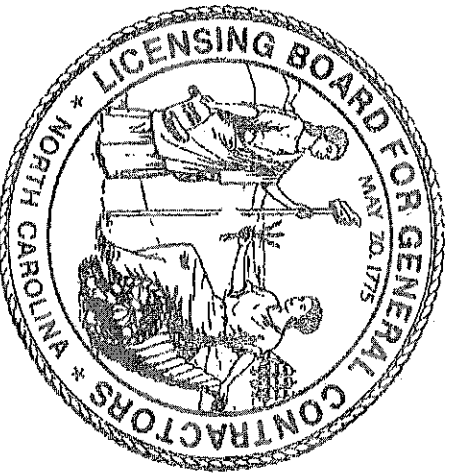
when this Certificate expires.

Witness our hands and seal of the Board.

Dated, Raleigh, N.C.

01/01/2026

This certificate may not be altered.




Secretary-Treasurer

00 45 01 NONRESIDENT BIDDERS

NCGS §143-59 applies to the award of government contracts to nonresident bidders. This law provides that:

"For the purpose only of determining the low bidder on all contracts for equipment, materials, supplies, and services valued over twenty-five thousand dollars (\$25,000), a percent of increase shall be added to a bid of a non-resident bidder that is equal to the percent of increase, if any, that the state in which the bidder is a resident adds to bids from bidders who do not reside in that state.

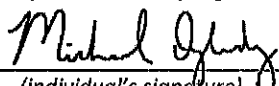
1. Resident bidder - A bidder that has paid unemployment taxes or income taxes in this State and whose principle place of business is located in this State."
2. Nonresident bidder - A bidder that is not a resident bidder as defined in subdivision (1) of this subsection."
3. Principal place of business - The principal place from which the trade or business of the bidder is directed or managed."

Check the statement that is correct for Offeror:

- ☐ Offeror (includes parent company or majority owner) qualifies as a resident bidder whose principal place of business is in North Carolina.
- ☒ Offeror qualifies as a nonresident bidder whose principal place of business or residency is in the state of: Indiana

Bidder preferences, if any, will be determined in accordance with NCGS §143-59 and the North Carolina Secretary of Administration's annual list of states that give preference to in-state bidders.

Offeror: Phoenix Fabricators and Erectors, LLC.
(typed or printed name of organization)

Signature: 
(individual's signature)

Name: Michael Oglesby
(typed or printed)

Title: VP of Sales
(typed or printed)

Business Address: 182 S County Rd 900 E, Avon, IN 46123

Phone: (317)-271-7002 Email: Alexander.Bott@phoenixtank.com
(Attach evidence of authority to sign if Offeror is a corporation, partnership, or a joint venture.)

END OF SECTION

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00 45 02 NON-COLLUSION CERTIFICATION

STATE OF Indiana §

COUNTY OF Hendricks §

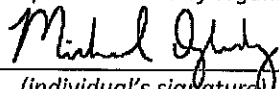
Owner: **Town of Southern Pines**
801 SE Service Road
Southern Pines, NC 28387

Contract: **North Pressure Zone Elevated Tank**
North Pressure Zone (Project #4)

Offeror certifies that it has not been a party to any collusion among Offerors in the restraint of freedom of competition by agreement to submit a Bid or Proposal at a fixed price or to refrain from submitting a Bid or Proposal; or with any official or employee of the Owner as to quantity, quality, or price in the prospective contract, or any other terms of said prospective contract; or in any discussion between Offerors and any official of the Owner concerning exchange of money or other thing of value for special consideration in the letting of a contract.

Certified this 31st day of March 20 26 .

Offeror: Phoenix Fabricators and Erectors, LLC.
(typed or printed name of organization)

Signature: 
(individual's signature)

Name: Michael Oglesby
(typed or printed)

Title: VP of Sales
(typed or printed)

Business Address: 182 S County Rd 900 E, Avon, IN 46123

Phone: (317)-271-7002 Email: Alexander.Bott@phoenixtank.com

(Attach evidence of authority to sign if Offeror is a corporation, partnership, or a joint venture.)

END OF SECTION

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March 31st, 2026

Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387
Attention: James Michel, PE
North Pressure Zone Elevated Storage Tank

Attached are lists of CET Tanks completed and under construction by Phoenix Fabricators and Erectors, LLC.

Please contact me if you have any questions at 919.830.3060 or email michael.oglesby@phoenixtank.com.

Sincerely,

Phoenix Fabricators and Erectors, LLC

A handwritten signature in black ink that reads "Michael Oglesby". The signature is written in a cursive, flowing style.

Michael Oglesby, P.E.
Director of Sales Engineering

Completed - CET Tanks



Completed	Primary	Contract Amount	Height	Owner	Engineer	Engineer - Location	Contact - Name	Engineer - Phone #
1	2006	1.50MM - CET Beaver Falls, PA	118.5'	Beaver Falls Municipal Authority			Richard Crtmm	
2	2007	1.00MM - CET Pineville, LA	110'	City of Pineville			Bill Roland	
3	2007	1.00MM - CET Conroe, TX	140'	City of Conroe			Stephen Troy Tolan	
4	2008	1.00MM - CET Ames, IA	157'	City of Ames			Lyle Hammes	(515) 239-5150
5	2009	500M - CET Newton, KS	116'	City of Newton			Joyce Muehlenbruch	
6	2009	1.00MM - CET Citronelle, AL	212'	South Alabama Utilities			Jerry Luker	
7	2010	300M - CET Cleburne, TX	50'	City of Cleburne, Texas			Robert Childress, I	
8	2010	500M - CET McMinnville, TN	201.5'	City of McMinnville			Jimmy Hailey	
9	2010	500M - CET Evansville, IN	151'	Evansville Water and Sewer			Roger Johnson	
10	2010	750M - CET Shallotte, NC	163'	Brunswick County, North			Steve Snuggs	
11	2010	1.00MM - CET Cleburne, TX	103'	City of Cleburne, Texas			Robert Childress, I	
12	2010	2.00MM - CET Oak Ridge, TN	210'	BWXT Y-12 Complex			Dan Macias	
13	2010	2.00MM - CET Oak Ridge, TN	210'	BWXT Y-12 Complex			Dan Macias	
14	2011	250M - CET Eastland, TX	141'	City of Eastland, Texas			John Voller	
15	2011	600M - CET Alamo Heights, TX	138'	City of Alamo Heights			Eric Hoffmaster	
16	2011	1.00MM - CET Basehor, KS	151.12'	Consolidated Rural Water			Mike Fulkerson	
17	2011	1.00MM - CET West Plains, MI	58'	City of West Plains			John Forrester	
18	2011	1.00MM - CET Cibola, TX	144'	Green Valley Special Utility			David Weikel	
19	2012	150M - CET Camp Lejeune, NC	178.2'	NAVFAC MIDATLANTIC			Jay Philbeck	
20	2012	500M - CET Trophy Club, TX	191.68'	Town of Trophy Club			Jim Wiegert	
21	2012	750M - CET White House, TN	150.5'	White House Utility District			Paolo Fonda	
22	2012	1.00MM - CET Granite Falls, NC	198.52'	Town of Granite Falls			Clarence Lockamy	
23	2012	1.00MM - CET Columbus, GA	69.5'	Columbus Water Works			Jason Dearing	
24	2012	1.00MM - CET Huntington, IN	143.7'	Town of Huntington			Sarah Altizer	
25	2012	1.00MM - CET Austin, TX	219'	Travis County WC & ID No. 17			Will Pena	
26	2012	1.00MM - CET Marshfield, MA	93.5'	Town of Marshfield	Amory Engineers, PC.	Duxbury, MA	Pat Brennan	(781) 934-0176
27	2013	400M - CET Cascade, IA	139.5'	City of Cascade	MSA Professional Services, Inc.	Dubuque, IA	Nick Wagner	(563) 582-3973
28	2013	1.00MM - CET Van Alstyne, TX	229.5'	South Grayson WSC			Kerry Maroney	
29	2013	1.00MM - CET Morganfield, KY	118'	City of Morganfield			Mark Askin	
30	2013	1.00MM - CET Elizabethtown, KY	154'	Hardin County Water District			Carlos Miller	
31	2013	1.00MM - CET Central City, KY	118'	Central City Water & Sewer			David Rhoades	
32	2013	1.00MM - CET Campbellsville, KY	112'	City of Campbellsville			Lee Mudid	
33	2013	2.00MM - CET Sugar Land, TX	136.09'	City of Sugar Land			Amber Hurd	
34	2014	750M - CET Cypress, TX	175.5'	Harris County MUD No. 418			Jim Schier	
35	2014	750M - CET Dewey, OK	164.2'	City of Dewey	Holloway, Updike & Bellen	Muskogee, OK	Jay Updike	(918) 682-7811
36	2014	1.00MM - CET Burleson, TX	119.5'	City of Burleson			Lance Barton	
37	2014	1.00MM - CET Hutto, TX	151'	Jonah Water SUD			Miles Whitney	
38	2015	500M - CET Canton, TX	164.5'	City of Canton			Tracy Hicks	
39	2015	500M - CET Mulvane, KS	196.6'	City of Mulvane	Young & Associates	Derby, KS	Chris Young	(316) 788-2552
40	2015	500M - CET West Siloam Springs, OK	153.5'	Town of West Siloam Springs	Holloway, Updike & Bellen	Muskogee, OK	Jay Updike	(918) 682-7811
41	2015	750M - CET Niceville, FL	145'	City of Niceville	Polyengineering, Inc.	Dothan, AL	Glenn Stephens	(334) 793-4700
42	2015	1.00MM - CET Red Oak, TX	157.5'	Rockett SUD			Robert Childress, III	
43	2015	1.00MM - CET Hewitt, TX	203'	City of Hewitt	Duff Consulting Engineers	Waco, TX	Miles Whitney	(254) 756-5414
44	2015	1.00MM - CET Ozark, MI	140.5'	City of Ozark	Oleson Associates	Springfield, MO	Bob Wilslef	(417) 890-8802
45	2015	1.00MM - CET Watford City, ND	123.5'	City of Watford City	AE2S	Bismarck, ND	Alan Wendt	(406) 257-8990
46	2016	300M - CET Lakeside, TX	141.49'	Town of Lakeside	Gary Burton Engineering, Inc.	Fort Worth, TX	Gary Burton	(817) 599-9067
47	2016	300M - CET Channelview, TX	164'	Harris County FWSD No. 6	LJA Engineering	Houston, TX	Wallace Trochesset	(713) 450-1300
48	2016	500M - CET Belton, TX	121.5'	439 Water Supply Corporation	BSP Engineers	Temple, TX	Anthony Beach	(254) 774-9611
49	2016	750M - CET Katy, TX	154.5'	Weston Municipal Utility District	Jacobs Engineering	Houston, TX	Shawn Sharkey	(281) 776-1226
50	2016	750M - CET Cave City, KY	103'	Cleveland Environmental			David Peterson	

Completed	Primary	Contract Amount	Height	Owner	Engineer	Engineer - Location	Contact - Name	Engineer - Phone #
51	2016	750M - CET Battlefield, MO	121.5'	PWSD No. 1 of Green County	Olsson Associates	Springfield, MO	Doug Owens	(417) 890-8802
52	2016	1.00MM - CET Cleburne, TX	102.3'	City of Cleburne	Childress Engineers	Cleburne, TX	Robert Childress, III	(817) 645-1118
53	2016	1.00MM - CET San Leon, TX	166.92'	San Leon Municipal Utility	AEI Engineering, LLC.	Houston, TX	Jim Schier	(281) 350-7027
54	2016	1.00MM - CET Manhattan, KS	73'	City of Manhattan	Bartlett & West	Manhattan, KS	Greg Deket	(785) 272-2252
55	2016	1.00MM - CET Edgerton, KS	187.76'	Rural Water District No. 7	Renaissance Infrastructure	Riverside, MO	Jim Challis	(913) 333-3873
56	2016	1.00MM - CET Jasper, AL	192.5'	Jasper Water Works and Sewer	Goodwyn, Mills & Cawood	Birmingham, AL	Russ Roberts	(205) 879-4462
57	2017	1.00MM - CET Yukon, OK	150'	Terra Construction, Inc.	USACE	Tulsa, OK	Pat Ruby	(918) 689-7407
58	2017	1.50MM - CET Goose Creek, SC	179'	City of Goose Creek	Design South Professionals,	Anderson, SC	Steven Price	(864) 226-6111
59	2017	750M - CET Ridgeville, SC	177'	Berkeley County Water and	Thomas & Hutton	Columbia, SC	Kyle Crager	(803) 451-6790
60	2017	500M - CET Ray, ND	193'	City of Ray	Interstate Engineering, Inc.	Williston, ND	Dean Peterson	(701) 774-3637
61	2017	750M - CET Wyoming, MN	132.5'	City of Wyoming	WSB	St. Paul, MN	Tom Roushar	(651) 286-8450
62	2017	750M - CET Portland, TN	113.5'	White House Utility District	Smith, Seckman, Reid, Inc.	Nashville, TN	Paolo Fonda	(615) 460-0543
63	2017	1.00MM - CET Campbellsville, KY	91'	City of Campbellsville	Monarch Engineering, Inc.	Lawrenceburg, KY	Lee Mudd	(502) 839-1310
64	2017	1.00MM - CET Campbellsville, KY	170'	City of Campbellsville	Monarch Engineering, Inc.	Lawrenceburg, KY	Lee Mudd	(502) 839-1310
65	2017	1.00MM - CET Ozark, MO	138.33'	City of Ozark	Olsson Associates	Springfield, MO	Bob Wilslef	(417) 890-8802
66	2017	1.00MM - CET Bee Cave, TX	232'	West Travis County Public	Murfee Engineering Company,	Austin, TX	Dennis Lozano	(512) 327-9204
67	2017	1.25MM - CET Medfield, MA	137.5'	Town of Medfield	Environmental Partners Group,	Quincy, MA	Ryan Paul	(617) 657-0200
68	2018	250M - CET Granbury, TX	136.5'	City of Granbury	Enprotech Hibbs & Todd, Inc.	Granbury, TX	Daniel Cobos	(817) 579-6791
69	2018	750M - CET Wylie, TX	153'	East Fork SUD	Daniel & Brown, Inc.	Farmersville, TX	Jim Shankles, Jr.	(972) 784-7777
70	2018	1.00MM - CET Mission, TX	115'	Sharyland Water Supply	Sigler, Winston, Greenwood &	Weslaco, TX	Jose Villegas	(956) 968-2194
71	2018	750M - CET Ozark, MI	121.5'	City of Ozark	Olsson Associates	Springfield, MO	Bob Wilslef	(417) 890-8802
72	2019	500M - CET Wilmer, TX	113'	Dallas County	AECOM	Dallas, TX	Matt Abbe	(682) 444-1752
73	2019	750M - CET Forney, TX	124.7'	City of Forney	Freeman-Millican, Inc.	Dallas, TX	Larry Freeman	(214) 503-0555
74	2019	1.00MM - CET Springfield, MO	122'	City Utilities of Springfield	City Utilities	Springfield, MO	James Okumu	(417) 831-8496
75	2019	1.00MM - CET Donna, TX	137'	City of Donna	Sigler, Winston, Greenwood &	Weslaco, TX	Jonas Gonzalez	(956) 968-2194
76	2019	1.00MM - CET Ridgeway, VA	135.5'	Henry County Public Service	Wiley-Wilson	Lynchburg, VA	Timothy Pace	(434) 947-1846
77	2020	250M - CET Stamford, TX	166.5'	City of Stamford	Enprotech Hibbs & Todd, Inc.	Ablene, TX	Colden Rich	(325) 698-5560
78	2020	500M - CET Caddo Mills, TX	154.29'	City of Caddo Mills	Daniel & Brown, Inc.	Farmersville, TX	Charles Massey	(972) 784-7777
79	2020	500M - CET Brainerd, MN	120'	Brainerd Public Utilities	SEH	Brainerd, MN	Chad Katzenberger	(218) 855-1720
80	2020	1.00MM - CET Westfield, IN	133'	Citizens Energy	Citizens Energy	Indianapolis, IN	Ryan Taylor	(317) 927-8053
81	2020	1.00MM - CET West Fargo, ND	134.5'	City of West Fargo	Moore Engineering, Inc.	West Fargo, ND	Tina Fisk	(701) 282-4692
82	2020	750M - CET Gulfport, MS	162'	City of Gulfport	Covington Civil & Environmental	Gulfport, MS	Ben Benvenuti	(228) 863-6467
83	2020	1.00MM - CET West Mobile, AL	179'	South Alabama Utilities	Speaks & Associates	Mobile, AL	Office	(251) 666-4646
84	2020	2.00MM - CET Mt. Washington, KY	180.5'	City of Mt. Washington	Derrick Engineering, Inc.	Louisville, KY	David Derrick	(502) 636-9273
85	2020	2.00MM - CET Oxford, MS	128.5'	City of Oxford	Daniels & Associates, Inc.	Oxford, MS	Office	(662) 236-3981
86	2020	2.00MM - CET Adams, TN	121'	Logan-Todd Regional Water	McGhee Engineering, Inc.	Guthrie, KY	Office	(270) 483-9985
87	2020	2.00MM - CET Cumming, GA	149.5'	City of Cumming	Civil Engineering Consultants,	Marietta, GA	Office	(770) 977-5767
88	2021	300M - CET Jackson, MS	179.75'	Department of Veterans Affairs	Heflin Engineering, Inc.	Brandon, MS	Nathan Husman	(601) 824-7669
89	2021	1.00MM - CET Cypress, TX	170.5'	Harris County MUD No. 418	Brown & Gay Engineers, Inc.	Houston, TX	Jim Schier	(281) 558-8700
90	2021	1.00MM - CET Conroe, TX	172'	Wharton-Smith, Inc.	CP&Y, Inc.	Houston, TX	Kenneth Marcell	(713) 532-1730
91	2021	750M - CET Cambridge, MN	150.25'	City of Cambridge	SEH	Brainerd, MN	Chad Katzenberger	(218) 855-1720
92	2021	1.00MM - CET Okmulgee, OK	153'	Okmulgee Municipal Authority	Holloway, Updike & Bellen, Inc.	Muskogee, OK	Jay Updike	(916) 682-7811
93	2021	750M - CET Moorhead, MN	111'	Moorhead Public Service	Apex Engineering Group, Inc.	Fargo, ND	Bill Schwandt	(701) 373-7980
94	2021	1.00MM - CET Harrisburg, NC	165.5'	Town of Harrisburg	Gaval & Dorn Engineering,	Charlotte, NC	Sean Mayo	(704) 919-1990
95	2021	2.00MM - CET Anniston, AL	118'	Anniston Water Works and	Krebs Engineering, Inc.	Birmingham, AL	Nina Williams	(205) 987-7411
96	2021	2.00MM - CET Georgetown, TX	145.25'	Jonah Water SUD	Coyote Consulting, LLC.	Waco, TX	Miles Whitney	(264) 744-3439
97	2022	500M - CET West Burlington, IA	126.9'	City of West Burlington, IA	Snyder & Associates, Inc.	Anamosa, IA	Bud Maynard	(319) 362-9394
98	2022	500M - CET Minnetrista, MN	149.5'	City of Minnetrista, MN	SEH	Brainerd, MN	Office	(218) 855-1720
99	2022	1.00MM - CET Bastrop, TX	123.5'	Hunt Communities of Bastrop,	Southwest Engineers	Gonzales, TX	Rob Hesley	(830) 672-7546
100	2022	750M - CET Copperas Cove, TX	154'	City of Copperas Cove, TX	MRB Group	Austin, TX	Cynthia Taylor	(512) 436-8571
101	2022	500M - CET Starkville, MS	200'	Okibbeha County Board of	Neel-Schaffer	Starkville, MS	Emily Garrard	(662) 266-7966

Completed	Primary	Contract Amount	Height	Owner	Engineer	Engineer - Location	Contact - Name	Engineer - Phone #	
102	2022	750M - CET Princeton, TX	\$2,558,540.00	185'	Culleoka Water Supply	Dunway DBI	Princeton, TX	Office	(972) 784-7777
103	2022	1.00MM - CET Midlothian, TX	\$2,691,000.00	167'	Sardis-Lone Elm Water Supply	Childress Engineers	Cleburne, TX	Office	(817) 645-1118
104	2022	500M - CET Johnstown, OH	\$2,818,200.00	172'	Village of Johnstown, OH	CT Consultants, Inc.	Columbus, OH	Larry Morris	(614) 779-0047
105	2022	750M - CET New Caney, TX	\$2,952,000.00	143.15'	New Caney MUD	LIA Engineering, Inc.	Houston, TX	Office	(713) 657-6013
106	2022	1.00MM - CET Crystal Beach, TX	\$4,932,337.00	156'	County of Galveston	RPS Group, Inc.	Houston, TX	Rufus Crowder	(409) 770-6566
107	2023	500M - CET Hillsboro, TX	\$2,442,227.00	162'	City of Hillsboro, TX	MRB Group	Temple, TX	Office	(254) 771-2054
108	2023	1.00MM - CET Belton, TX	\$3,157,000.00	113'	City of Belton	Kasberg, Patrick & Associates,	Temple, TX	Sam Listi	(254) 773-3731
109	2023	1.00MM - CET Lake Elmo, MN	\$3,493,000.00	143'	City of Lake Elmo, MN	SEH	Brainerd, MN	Chad Isakson	(218) 855-1720
110	2023	1.00MM - CET Paducah, KY	\$4,960,000.00	172'	Paducah Water	Hazen & Sawyer	Nashville, TN	Jason Peterson	(615) 783-1515
111	2023	1.50MM - CET Middleborough, MA	\$5,434,750.00	162.2'	Town of Middleborough	Amory Engineers, PC.	Duxbury, MA	Ric Johnson	(781) 934-0178
112	2024	2.00MM - CET Henderson, KY	\$5,460,700.00	152.5'	Henderson Water Utility	J. R. Wauford & Company,	Nashville, TN	Stephen Lee	(615) 883-3243
113	2024	1.50MM - CET Wichita Falls, TX	\$4,543,176.00	142'	City of Wichita Falls, TX	Biggs & Matthews, Inc.	Wichita Falls, TX	Kerry Maroney	(940) 781-3581
114	2024	750M - CET Copperas Cove, TX	\$3,075,560.00	154'	City of Copperas Cove, TX	MRB Group	Austin, TX	Cynthia Taylor	(512) 436-8571
115	2024	1.00MM - CET Waterloo, NY	\$4,073,000.00	121.4'	Village of Waterloo, NY	MRB Group	Rochester, NY	Don Northup	(585) 381-8250
116	2025	300M - CET Dallas, TX	\$2,000,000.00	132'	Dallas Water Utilities	Plummer	Dallas, TX	Mark Williams	(214) 631-6100
117	2025	500M - CET Granbury, TX	\$3,340,440.00	147.5'	Acton Municipal Utility District	Enprotec Hibbs & Todd, Inc.	Alibene, TX	Richard English	(628) 498-6000
118	2025	1.00MM - CET Corcoran, MN	\$4,703,386.00	156'	City of Corcoran, MN	Stantec Consulting Services	Minneapolis, MN	Kevin Mattson	(763) 252-6945
119	2025	500M - CET Savannah, GA	\$5,074,000.00	150'	Savannah Economic	Hussey Gay Bell	Savannah, GA	Trip Tollison	(912) 354-4828
120	2025	1.00MM - CET Coon Rapids, MN	\$5,557,000.00	172.3'	City of Coon Rapids, MN	Short Elliot Hendrickson, Inc.	St. Paul, MN	Sarah Greene	(218) 855-1720
121	2025	1.25MM - CET Leander, TX	\$5,650,000.00	136'	City of Leander, TX	K Friese + Associates	Austin, TX	Kay Johnson	(512) 338-1704
122	2025	2.00MM - CET Vincennes, IN	\$6,574,000.00	159'	City of Vincennes, IN	Midwestern Engineers, Inc.	Logansport, IN	John Wetzel	(812) 295-2800
123	2025	2.50MM - CET Fargo, ND	\$7,822,930.00	134'	City of Fargo, ND	Apex Engineering Group, Inc.	Fargo, ND	Steve Sprauge	(701) 373-7996
124	2025	1.25MM - CET Lacey, WA	\$8,456,619.97	110.5'	City of Lacey, WA	Murraysmith	Tacoma, WA	Aubrey Collier	(253) 627-1520
125	2025	1.00MM - CET Idaho Falls, ID	\$8,936,000.00	170.5'	City of Idaho Falls, ID	Murraysmith	Boise, ID	Ken Fugal	(208) 947-9033
126	2025	1.00MM - CET Conroe, TX	\$4,663,129.00	196'	City of Conroe, TX	City of Conroe, TX	Conroe, TX	Kristina Colville	(936) 522-3000
127	2025	1.00MM - CET Elmore, AL	\$5,945,000.00	188.8'	Alabama Department of	Goodwyn Mills Cawood, LLC	Montgomery, AL	Craig Sanford	(334) 271-3200

Under Construction - CET Tanks



Started	Completed	Primary	Contract Amount	Height	Owner	Contact - Name	Contact - Phone #	Engineer	Engineer - Location	Engineer - Phone #
1	2023	1.00MM - CET Joshua, TX	\$4,548,000.00	173.5'	Johnson County SUD	Jeremiah Bihl	(817) 760-6220	Enprotec Hibbs & Dodd	Albene, TX	(682) 498-6000
2	2024	250M - CET Lakeville, IN	\$5,637,449.00	147.5'	Town of Lakeville, IN	Joe Clady	(574) 784-3905	DLZ Indiana, LLC.	South Bend, IN	(574) 236-4400
3	2023	2.50MM - CET Franklin, TN	\$7,447,995.00	103.5'	Microton Utility District	Daniel Morgan	(479) 684-7360	Info Design Group, LLC	Brentwood, TN	(479) 684-7360
4	2023	2.00MM - CET Greenfield, IN	\$8,850,000.00	154.75'	Town of Greenfield, IN	Jason Koch	(317) 477-4320	Donohue & Associates, Inc.	Indianapolis, IN	(317) 267-8200
5	2024	750M - CET Norton, OH	\$4,163,418.00	126.58'	City of Norton, OH	Robert Fowler	(330) 825-7815	Engineering Associates, Inc.	Wooster, OH	(330) 345-6566
6	2024	500M - CET Mandaree, ND	\$5,324,040.00	205'	Three Affiliated Tribes	Mark Fox	(701) 627-8185	Bartlett & West, Inc.	Bismark, ND	(701) 258-1110
7	2024	2.00MM - CET De Soto, KS	\$6,990,150.00	159'	City of De Soto, KS	Doug Smith	(913) 238-0434	HDR	Kansas City, MO	(816) 360-2700
8	2024	1.50MM - CET Valdosta, GA	\$6,100,000.00	139.5'	Valdosta-Lowndes County	Office	(229) 259-6972	Turnispeed Engineers	Atlanta, GA	(706) 863-8800
9	2024	750M - CET Richmond Hill, GA	\$6,565,297.00	150.5'	City of Richmond Hill, GA	Nathan Clark	(912) 756-3345	Thomas & Hutton	Savannah, GA	(912) 234-5300
10	2024	1.00MM - CET Ridgeland, MS	\$3,726,269.00	138.5'	City of Ridgeland, MS	Chris Bryson	(601) 853-2027	Waggoner	Jackson, MS	(601) 335-9526
11	2024	1.50MM - CET Social Circle, GA	\$6,623,578.00	162.8'	Newton County Water &	Office	(770) 787-1375	Freese & Nichols, Inc.	Atlanta, GA	(229) 836-0744
12	2024	1.00MM - CET Bristol, IN	\$6,750,000.00	138'	Town of Bristol, IN	Mike Yoder	(574) 848-4853	Jonas Petrie Rafanski, Corp.	South Bend, IN	(574) 232-4388
13	2024	600M - CET Lumberton, NC	\$4,099,724.00	158.5'	County of Robeson, NC	Kelli Blue	(910) 671-3000	Melcon (Withers Ravenel)	Pembroke, NC	(910) 521-0013

MEMO

To: Reagan Parson, Town Manager
Cc: Mac McCarley, Town Attorney
From: James Michel, PE, Town Engineer/Asst. Public Works Director
Date: May 5, 2026
Re: Approval of Non-Warranty Deed for Partner Circle

SUMMARY

The Town has been in communication with Rachel C. Van Camp of Van Camp, Meacham & Newman, PLLC, regarding the legal status of Partner Circle. While this roadway has been historically maintained by the Town as a public street, it was recently identified that the underlying fee interest remained with a private party. Staff research confirms that a valid offer of dedication was made in 2004, which the Town accepted through maintenance and administrative actions. This deed formalizes the Town's ownership of the asset.

PRIOR ACTIONS

In January 2004, the plat for VonCannon Property, Section Two was recorded in Plat Cabinet 11, Slide 639 of the Moore County Registry

- Offer of Dedication: The 2004 plat included a formal certificate of ownership and dedication, stating that the owners "dedicate to public use all areas shown on this plat as streets, alleys, walks, parks, open space and similar utilities"
- Town Acceptance: The Town of Southern Pines formally accepted the dedication of Partner Circle through inclusion in the Town's certified mileage for the Powell Bill program, beginning in 2005, and continuous performance of roadway maintenance since its construction.

CURRENT REQUEST

Rachel C. Van Camp, representing the current owner, Corinne L. Kern Frye, reached out to the Town to clarify the status of the road. To ensure the Town holds a clear title and a recorded interest, Ms. Van Camp has provided a draft Non-Warranty Deed for Council approval.

Property Description

- Roadway Name: Partner Circle
- Area: Approximately 0.84 acres (36,756 square feet)
- Legal Description: Labeled "Roadway & Utility Easement" on the VonCannon Property map, bordered by Lot 4 to the North, Lot 6 to the West, and Lot 5 to the South
- PIN: 00016962

RECOMMENDATION

Staff recommends that the Town Council approve the acceptance of this deed. This action formalizes the existing operational status of Partner Circle and provides a clear legal record of the Town's fee-simple interest.

Upon approval, the Town Engineer and Town Attorney will coordinate with Van Camp, Meacham & Newman, PLLC to execute and record the document with the Moore County Register of Deeds.

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN THE TOWN OF SOUTHERN PINES PLANNING JURISDICTION. ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPLETED OR THAT THEIR INSTALLATION OR COMPLETION (WITHIN TWELVE MONTHS AFTER DATE BELOW) HAS BEEN ASSURED BY THE POSTING OF A SUFFICIENT BOND. THIS PLAT IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 101 OF THE SOUTHERN PINES TOWN CODE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE SOUTHERN PINES PLANNING DIRECTOR, SUBJECT TO ITS BEING RECORDED IN THE MOORE COUNTY REGISTRY WITHIN SIXTY DAYS OF THE DATE BELOW.

6/23/04
DATE
PLANNING DIRECTOR

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF SOUTHERN PINES, THAT I HEREBY FREELY ADAPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS DEDICATED TO PUBLIC USE, EXCEPT WHERE SHOWN OTHERWISE. I HAVE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE SOUTHERN PINES TOWN COUNCIL IN THE PUBLIC INTEREST.

6/24/04
DATE
OWNER

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF
MY COMMISSION EXPIRES

NOTARY PUBLIC

FURTHER SUBDIVISION OF ANY LOT SHOWN ON THIS PLAT AS SERVED BY A PRIVATE ROAD MAY BE PROHIBITED BY THE SOUTHERN PINES LAND DEVELOPMENT ORDINANCE.
THE POLICY OF THE TOWN OF SOUTHERN PINES IS THAT, IF THE TOWN IMPROVES STREETS (1) THAT WERE NEVER CONSTRUCTED TO THE STANDARDS REQUIRED IN THE SOUTHERN PINES LAND DEVELOPMENT ORDINANCE FOR DEDICATED STREETS, AND (2) ON WHICH 75% OF THE DWELLING UNITS WERE CONSTRUCTED AFTER THE EFFECTIVE DATE OF THIS CHAPTER, THEN 100% OF THE COST OF SUCH IMPROVEMENTS SHALL BE ASSESSED TO ABUTTING LANDOWNERS.
THE MAINTENANCE OF ALL PRIVATE STREETS AND ROADS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF PROPERTY OWNERS OF LOTS WITHIN THIS SUBDIVISION. THE TOWN OF SOUTHERN PINES WILL NOT MAINTAIN ANY PRIVATE STREET OR ROAD.

NORTH CAROLINA
GRID NORTH (NAD'83)

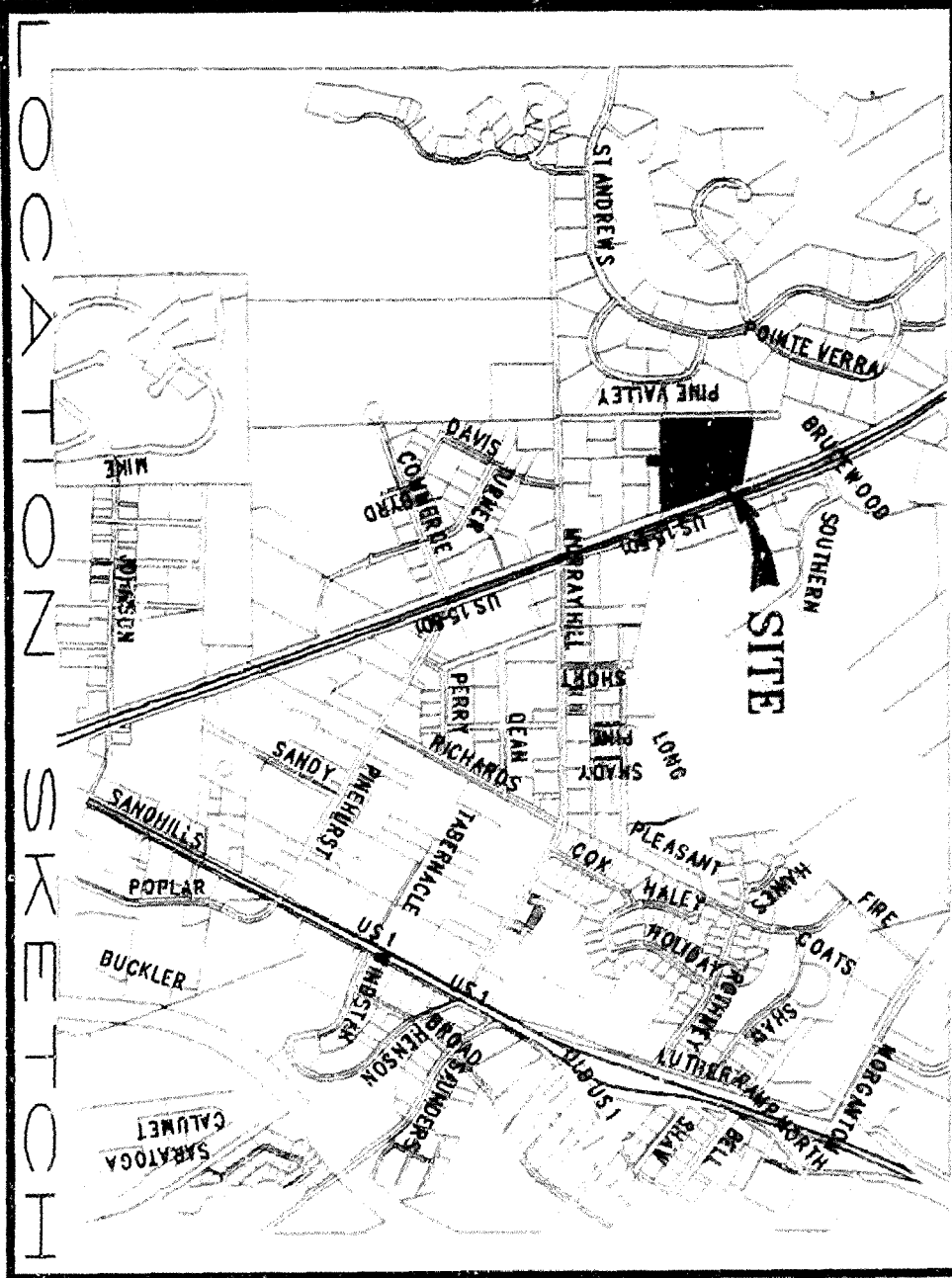
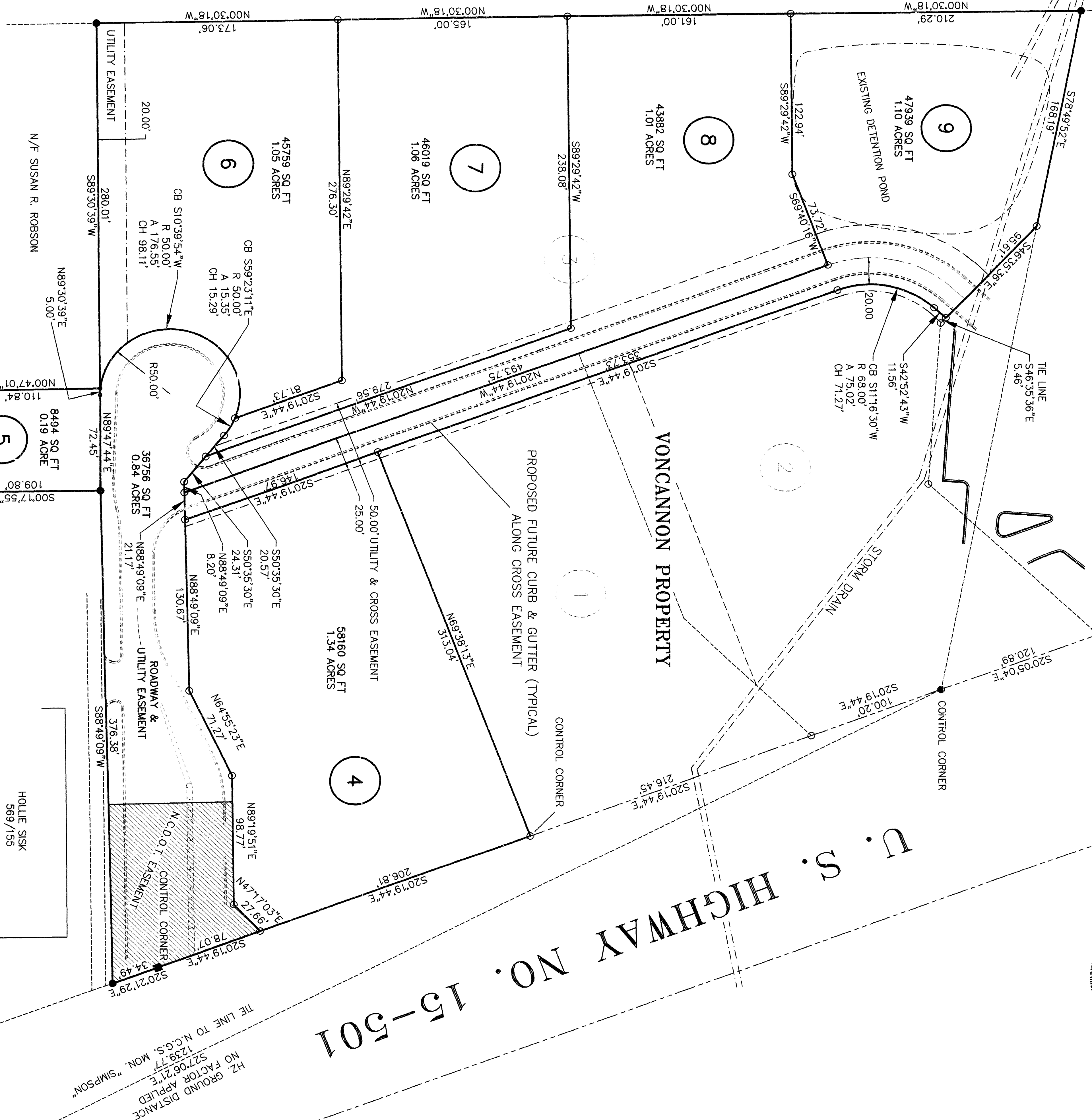
I, S. R. SHEFFIELD, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN, THAT THE BOUNDARIES SURVEYED ARE SHOWN, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000±. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. FURTHER:
THAT THE SURVEY CREATES A SUBDIVISION OF LAND SHOWN ON THIS PLAT AS DEDICATED TO PUBLIC USE, EXCEPT WHERE SHOWN OTHERWISE. THAT THIS PLAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 10th DAY OF MARCH, 2004, A.D.

S. R. SHEFFIELD
PLANNING DIRECTOR
1965

2004 JUN 24 P 4: 11
WIT: JUDY D. WARTIN
REGISTER OF DEEDS, MOORE COUNTY
CARPENTERS, NORTH CAROLINA 28327

BILCO

FOUR HUNDRED THIRTY FIVE, LLC
1897/313



OWNER:
BARREL BOYS, LLC
157 NE BROAD STREET
SOUTHERN PINES, N. C. 28387
REFERENCE:
DEED BOOK 1737, PAGE 73
MOORE COUNTY REGISTRY
ACREAGE DETERMINED
BY COORDINATE METHOD.

UNLESS OTHERWISE DENOTED:
●=EXISTING IRON STAKE
■=EXISTING CONCRETE MONUMENT
□=SET IRON STAKE
○=SET IRON STAKE
▲=POWER SERVICE STUB
●=SEWER SERVICE STUB
◎=TELEPHONE SERVICE STUB
⊙=CABLE TV SERVICE STUB
⊖=FIRE HYDRANT
⊕=SANITARY SEWER MANHOLE
⊗=UTILITY POLE

NOTE: ALL SETBACK LINES TO BE IN ACCORDANCE WITH CURRENT ZONING ORDINANCE AT THE TIME OF APPLICATION FOR A BUILDING PERMIT.

State of North Carolina
I, Matthew P. Liles
Moore County, North Carolina, certify that the map or plat which this
certification is affixed meets all statutory requirements for recording.

Review Officer
Date 6/24/04

VONCANNON PROPERTY

SECTION TWO

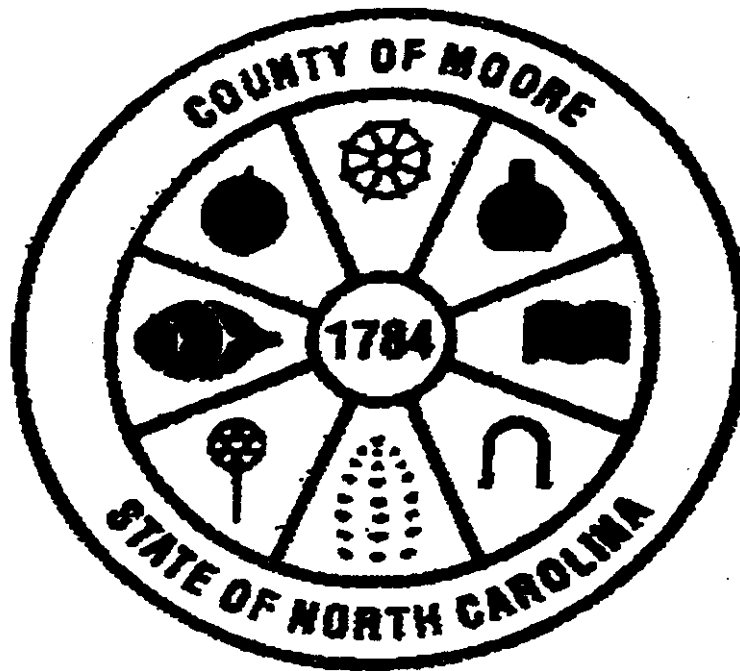
PROPERTY OF

BARREL BOYS, LLC

SANDHILLS TOWNSHIP, MOORE COUNTY,
NORTH CAROLINA

JANUARY 17, 2004 - * - SCALE 1"=50'
STEPHEN R. SHEFFIELD & ASSOCIATES, P.A.
2233 NORTH PINEHURST STREET
ABERDEEN, NORTH CAROLINA

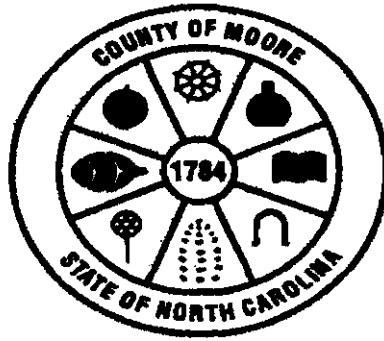




Judy D. Martin
Register of Deeds
Moore County, North Carolina

PLAT

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2004 JUN 24 04:17:56 PM
BK:11 PG:639-640 FEE:\$21.00
INSTRUMENT # 2004012123



JUDY D. MARTIN
REGISTER OF DEEDS, MOORE
JUDICIAL BUILDING
100 DOWD STREET
CARTHAGE, NC 28327

Filed For Registration: 06/24/2004 04:17:56 PM
Book: PLAT 11 Page: 639-640
Document No.: 2004012123
MAP 2 PGS \$21.00

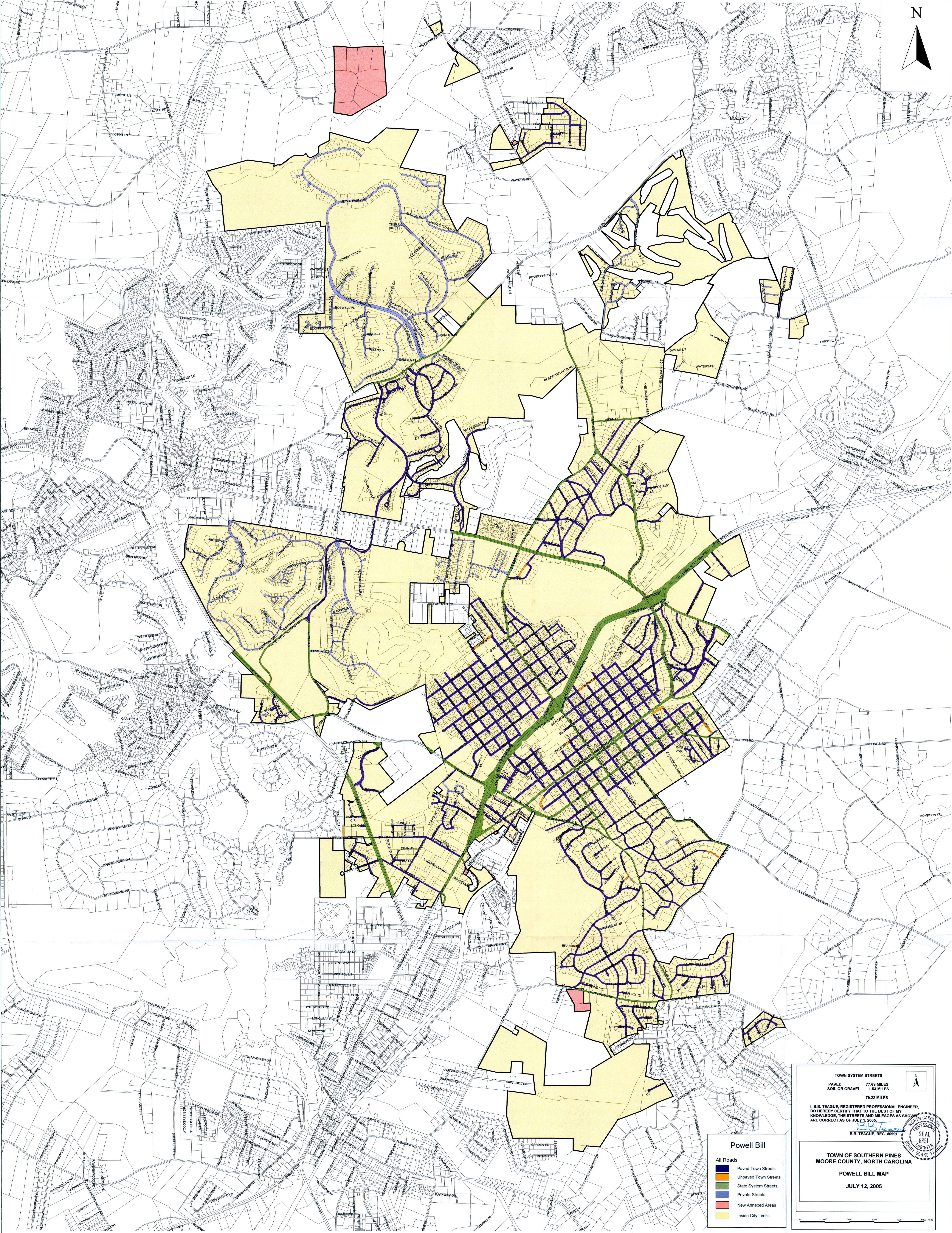
Recorder: CAROL WILSON

State of North Carolina, County of Moore

JUDY D. MARTIN , REGISTER OF DEEDS

By: Judy D. Martin
Deputy/Assistant Register of Deeds

2004012123
2004012123



Powell Bill

- All Roads
- Paved Town Streets
- Unpaved Town Streets
- State System Streets
- Private Streets
- New Annexed Areas
- Inside City Limits

TOWN SYSTEM STREETS

PAVED	77.69 MILES
SOIL OR GRAVEL	1.53 MILES
Total	79.22 MILES

I, B.B. TEAGUE, REGISTERED PROFESSIONAL ENGINEER,
DO HEREBY CERTIFY THAT TO THE BEST OF MY
KNOWLEDGE, THE STREETS AND MILEAGES AS SHOWN
ARE CORRECT AS OF JULY 1, 2005.

B.B. Teague
B.B. TEAGUE, REG. #6997

**TOWN OF SOUTHERN PINES
MOORE COUNTY, NORTH CAROLINA**

POWELL BILL MAP

JULY 12, 2005

Scale: 0 1000 2000 3000 4000 5000 Feet

NON-WARRANTY DEED

THIS INSTRUMENT PREPARED BY:

Rachel C. Van Camp, Esq.
Van Camp, Meacham & Newman, PLLC
2 Regional Circle (28374)
P.O. Box 1389
Pinehurst, North Carolina 28370

PIN.: 00016962
Excise Tax: \$0.00

TO BE RECORDED IN THE
DEED RECORDS OF
MOORE COUNTY, NC

THIS DEED made this ____ day of October, 2025, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
CORINNE L. KERN FRYE, widow	TOWN OF SOUTHERN PINES MOORE COUNTY, NC
	Mailing Address: Post Office Box 870 Southern Pines, NC 28388

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in the Sandhill Township, Moore County, North Carolina, and more particularly described as follows:

That certain parcel of land labeled “Roadway & Utility Easement”, containing approximately .84 acres and 36756 square feet, as shown on a Map recorded in Plat Cabinet 11, Slide 639 of the Moore County, North Carolina Register of Deeds entitled “VonCannon Property, Section Two”, which parcel is bordered to the North by Lot 4, bordered to the West by Lot 6, bordered to the South by lot 5 and other properties, including the

property now or formerly owned by Hollie Sisk. See also attached Exhibit A for a metes and bounds description of the same.

And being the same property received by Grantor in instrument recorded in Book 6122, Page 281 in the Moore County, North Carolina, Register of Deeds. The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

This conveyance is made subject to (i) the lien of the County of Moore for taxes and other assessments for the current year, which taxes or other assessments shall be pro-rated as of the date of closing and which Grantee by acceptance of this deed expressly agrees to pay; (ii) utility easements of record; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor covenants with the Grantee, that Grantor is sized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

(SIGNATURES AND NOTARY ACKNOWLEDGMENT TO FOLLOW ON NEXT PAGE)

(REST OF THIS PAGE INTENTIONALLY LEFT BLANK)

_____(SEAL)
Corinne L. Kern Frye

Date

STATE OF _____
COUNTY OF _____

I, _____ a notary public for the County of _____
and the State of _____, certify that Corinne L. Kern Frye,
personally appeared before me this day, and

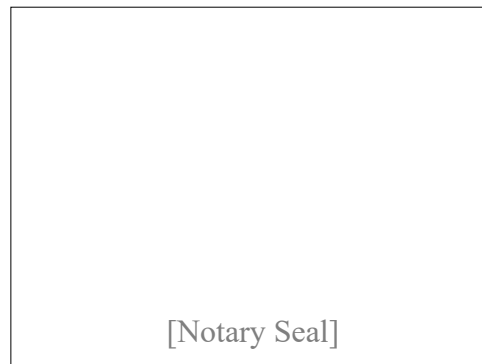
- a) () I have personal knowledge of the identity of the principal(s)
- b) () I have seen satisfactory evidence of the principal's identity, by a current state
or federal identification with the principle's photograph in the form of a:

c) () A credible witness has sworn to the identity of the principal(s)
each acknowledging to me that he or she voluntarily signed the foregoing document for
the purpose stated therein and, in the capacity, indicated.

WITNESS my hand and seal this _____ day of _____, 2025.

Signature of Notary Public: _____

My Commission Expires: _____





ORDINANCE #3184
ESTABLISHING A CAPITAL PROJECT FUND FOR SANITARY SEWER MODERNIZATION
PHASE II

BE IT ORDAINED by the Town of Southern Pines Town Council, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project budget is hereby adopted:

Section 1: The project authorized is to establish a fund for the purpose of identifying, investigating, rehabilitating and/or replacing the Town's sewer infrastructure.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amount is appropriated for the project:

Design & Construction	\$ <u>75,000</u>
	\$ <u>75,000</u>

Section 4: The following revenue is anticipated to be available to complete this project:

Transfer In – Capital Project Fund – Sewer Upgrade	\$ <u>75,000</u>
	\$ <u>75,000</u>

Section 6: Copies of this capital project ordinance shall be furnished to the Clerk of the Governing Board, and to the Finance Officer for direction in carrying out this project.

Section 7: This ordinance becomes effective May 12, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 12, 2026 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

MEMO

To: Reagan Parsons, Town Manager

From: BJ Grieve, Planning Director

Date: May 12, 2026

Re: Planning Board Reappointment and Vacancy

I. REQUEST:

The Planning Director requests that the Town Council consider reappointing Andrew Speck to a second term on the Planning Board. The Planning Director also requests that the Town Council consider appointing a new member to fill a current vacancy.

II. BACKGROUND:

Mr. Speck initially served the remainder of a former member's term beginning February 11, 2025 and ending May 8, 2026. His first full term would begin on May 12, 2026 and end on May 11, 2029. A copy of Mr. Speck's board application from January of 2025 (with his home address, email address and telephone number redacted) is attached.

Jason Scribner was an ETJ member serving his first term which was scheduled to end on February 10, 2028. Mr. Scriber resigned from the Board on April 23, 2026.

III. LEGAL REVIEW:

In accordance with UDO §8.13.1(B), the Planning Board shall consist of seven (7) members. Five members appointed by the Town Council shall reside within the Town. Two members appointed by the County Board of Commissioners shall reside within the Town's Extraterritorial Planning Area.

- *The Board currently consists of four (4) active members who reside in Town and two (2) active members who reside in the Town's ETJ.*

In accordance with UDO §8.13.1(C), Planning Board members shall be appointed for three-year staggered terms but may be appointed to not more than two (2) successive complete terms.



DATA SHEET FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION, OR BOARD IN WHICH INTERESTED: Planning Board

NAME: Andrew M. Speck TELEPHONE: _____

ADDRESS: _____ EMAIL: _____

EDUCATIONAL BACKGROUND

MS Engineering Science, Penn State University - Harrisburg

BS Engineering Mgt, Missouri University of Science and Technology

EMPLOYMENT

JOB TITLE: Sr. Project Developer

EMPLOYER: Bobbitt Construction, 2400 Weston Parkway, Cary, NC 27513 (2017 to present)

Butler Manufacturing (1996-2017)

CIVIC AND PROFESSIONAL ACTIVITIES: Professional Registered Engineer (NC, VA, SC, GA)

Certified Design Build Professional by the Design Build Institute of America, 2021 to present.

Construction Management Association of America

PAST MEMBERSHIP IN ORGANIZATIONS AND OFFICES HELD: Moore 100, 2024 to present

Moore County Chamber of Commerce (2018- present), Ambassador Committee Chair, 2019

Paxtonia Athletic Association Board Of Directors (Pennsylvania), 1998-2006

ANY ADDITIONAL INFORMATION AND COMMENTS: My professional responsibilities include managing building construction projects from cradle to grave including site analysis, project design, permitting, estimating contracting, construction, final approvals, and post construction warranty follow-up.

DATE: 13 January 2025 SIGNATURE: Andrew M. Speck

PLEASE RETURN TO: Administration
125 SE Broad Street
Southern Pines, NC 28387

admin@southernpines.net

Your application will remain on file 12 months from the date of completion



**TO AMEND AND RESTATE RESOLUTION #1071
DESIGNATE PUBLIC FORUM AREAS, LIMITED PUBLIC FORUM AREAS, AND
NON-PUBLIC FORUM AREAS IN TOWN OF SOUTHERN PINES FACILITIES**

WHEREAS, the Town of Southern Pines has acquired the property located at 300 S.W Broad Street for use as a Town Hall, and desires to add this property to the provisions of Resolution 1071, and may concurrently be vacating some space previously and currently being used as Town office or meeting space;

NOW, THEREFORE BE IT RESOLVED by the Town Council of Town of Southern Pines, North Carolina:

Section 1. Resolution 1071 is hereby amended as follows:

The paragraph in Section 1 titled “The Old Library/Finance Building” shall be amended to add the following words at the beginning of the first sentence: “To the extent that 180 S.W. Broad Street is still used as office or meeting space for the Town...”

The paragraph in Section 1 titled “Administration Building” shall be amended to add the following words at the beginning of the first sentence: “To the extent that 125 S.E. Broad Street is still used as office or meeting space for the Town...”

The paragraph in Section 1 titled “The Campbell House” shall be amended to add the following words at the beginning of the first sentence: “To the extent that 482 E. Connecticut Avenue is still used as office or meeting space for the Town...”

The paragraph in Section 1 titled “E.S. Douglas Community Center” shall be amended to add the following words at the beginning of the first sentence: “To the extent that 1185 W. Pennsylvania Avenue is still used as office or meeting space for the Town...”

After the paragraph in Section 1 titled “E.S. Community Center” add a new paragraph as follows:

Town Hall: 300 S.W. Broad Street: The front lobby of the building (that area fronting S.W. Broad Street, inside the front wall of the building and inside of the main entry doors, including a reception window and a payment window) is designated as a limited public forum, for the intent use of transacting business with the Town. The Council Chambers on the ground floor at the rear of the building are designated as a limited public forum for the purpose of holding public meeting of the Town Council, the Planning Board, the Zoning Board of Adjustment, the Historic District Commission, and other boards, committees, and commissions of the Town. All other areas of the building are hereby declared to be non-public forums.

Section 2. The Town Clerk is authorized to amend and restate Resolution 1071 and to retain the numbering of the amended and restated resolution as Resolution 1071.

Section 3. This Resolution and the actions authorized under it are effective upon adoption.

Adopted this 12th day of May, 2026.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of May 12, 2026, as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk



MINUTES

Tuesday, April 28, 2026: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Clement called the meeting to order.

The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen and Debra Gray.

Absent: Bob Curtin.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

4. ACTION ITEMS

a. Resolution Opposing State House Committee Recommendations For A Constitutional Amendment or Other Efforts to Universally Infringe on Local Authority Regarding Property Taxes

A House Study Committee recently passed on to the legislative body a recommendation that a Constitutional amendment be placed on the Fall ballot directing the State Legislature to place limits on the largest revenue source, ad valorem taxes, for Counties and Cities across the State of North Carolina. The request includes no details regarding what those limits ultimately include or entail.

Town Manager Parsons summarized the resolution, explaining that a House Study Committee had passed a recommendation to place a constitutional amendment on the fall ballot directing the legislature to limit ad valorem (property) taxes for local governments, without specifying what those limits would be. He noted the resolution was adapted from one adopted by the Town of Troutman and supplemented with local data and information from a North Carolina League of Municipalities briefing.

Key concerns discussed included: the absence of alternative revenue sources for municipalities if property tax is capped; the disproportionate impact on public safety budgets; the potential "shock" effect of delayed property revaluations; and Senator Berger's proposal for a two-year moratorium on revaluations. Town Manager Parsons also noted that a constitutional amendment is not legally necessary for the legislature to act on local property taxes, and that individual situations of perceived local overreach could be addressed through targeted local bills rather than a statewide measure.

Councilmember Petersen inquired about the League of Municipalities' position, confirming the League has been actively educating legislators with a focus on public safety impacts. Mayor Clement suggested sharing budget graphics with state legislators to demonstrate responsible stewardship of tax revenues.

Councilmember Petersen moved to adopt the resolution as written, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

b. Approve Construction Contract for EB-5864 Knoll Road Pedestrian Improvements

Approve Construction Contract for EB-5864 Knoll Road Pedestrian Improvements following formal bid and Concurrence in Award from NCDOT. Staff ask Council to approve award of the Construction Contract and authorize the Town Engineer to execute the agreement.

Town Engineer James Michel reported that the Knoll Road Pedestrian Improvements project was formally bid, receiving two bids. The lowest responsible and responsive bidder was recommended for award, and the project came in within budget. NCDOT, which is funding 80% of the project, has issued concurrence in award. Town Engineer Michel noted that a construction administration agreement and a supplementary agreement with NCDOT would follow as additional administrative steps, with no additional budget amendments required beyond what Council had previously approved.

Mayor Pro Tem Pate moved to approve the Construction Contract for EB-5864 Knoll Road Pedestrian Improvements, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

5. COUNCIL UPDATES AND DISCUSSION

a. FY27 Draft Budget Update

Staff will provide updated figures following changes made during and since the Council Retreat earlier in the month.

Town Manager Parsons summarized changes made since the Council Retreat: a one-penny reduction in the property tax rate; reversion to the current solid waste fee approach; removal of the T-box and greens project at Campbell House; reclassification of a software contract back to FY26; removal of unimplemented software modules; reductions in training and travel; an upward revision to sales tax revenue based on the updated three-year average; and a \$40,000 downward revision to projected ABC receipts for both FY26 and FY27, reflecting a return toward pre-COVID consumption trends. The revised budget shows an available fund balance above the 25% reserve of approximately \$261,784.

Pending items noted included: the fleet garage (anticipated as a future loan); the Town Hall generator bid (due mid-May, estimated at \$350,000); the reservoir dam project (seeking approximately \$800,000 in funding); a potential stormwater study (\$300,000, contingent on MS4 designation); and an enterprise fleet management pilot with Enterprise, expected to be limited to a few vehicles initially.

Town Manager Parsons also noted an upcoming budget amendment to formalize a cemetery perpetuity maintenance fund, which will have no impact on the general fund.

Finance Director Tess Brubaker-Speis presented a multi-year budget forecasting model, walking Council through key assumptions including a 15% property value increase in the upcoming revaluation year, followed by 3% annual growth; fee escalations tied to contract and usage trends; and a placeholder of \$4,000,000 in FY29 for the fleet garage loan. Town Manager Parsons emphasized that all figures are illustrative and not yet vetted, cautioning against treating projected tax rates in the model as adopted figures.

b. Project Updates

Staff will discuss the current status of projects to include FY26 Paving, the North Pressure Zone Water Tank, Reservoir Dam bids, and Town Hall progress.

Town Manager Parsons and Town Engineer Michel provided the following project updates:

Knoll Road: No additional updates beyond the action item; staff will coordinate a construction start date with the contractor.

FY26 Paving: The paving schedule has been posted online. Town Manager Parsons noted that New Hampshire Avenue will require the most significant work, including milling and reclaiming prior to paving.

Water Supply: Town Engineer Michel has been closely monitoring creek levels and the reservoir. No usage restrictions are currently in effect, though water supply remains dependent on rainfall.

North Pressure Zone Water Tank: Bids came in above budget. Staff are working with the consulting engineer to verify bid components. A future agenda item will include a transfer from water/sewer retained earnings to fund the project without borrowing.

Reservoir Dam: Bids came in significantly higher than anticipated, consistent with a statewide trend for dam work. The Town holds a valid permit and is under notice—but not formal orders—from the state. Multiple grant programs have been pursued without success, as the project is classified as maintenance rather than remediation, and Western NC Helene-related funding was not applicable. Staff continue to explore funding options.

Downtown Park: The project is substantially complete. Sod is being irrigated during the drought. Remaining work includes landscaping and tree plantings along the perimeter, which are being coordinated with the farmers market relocation plan. Assistant Town Manager Cameron reported that the farmers market is working cooperatively with staff on a layout that keeps vendors within the parking lot, eliminating vehicles from the grass to protect irrigation infrastructure. A final plan is expected by early the following week, with the market returning to the park in some form by May 9.

Whitehall Carriage House: Work has commenced on the driveway and surrounding area, with project completion anticipated soon.

Town Hall: First-floor offices are fully furnished. Second-floor work is ongoing. The meeting chamber in the basement is under active renovation. Staff are beginning a phased move into the building. A final opening date has not been set, though Town Manager Parsons expressed hope that the July 14 Council meeting could be held in the new building.

c. Planning Department Update

Planning staff will briefly update the Town Council on agenda items coming in May and progress on Phase 3 Comprehensive Plan implementation projects.

Planning Director Grieve previewed the following items for the May 12 Town Council meeting:

- **Special Use Permit – Café Boku:** Expansion of a nonconformity for the restaurant/bar formerly known as "The Bar," located within the highway corridor overlay district.
- **Preliminary Development Plan – Mavis Tire:** A tire center proposed along Morganton Road on lots previously reviewed as part of a subdivision.

- **Conditional Zoning District – Sand Hills Presbyterian Church:** The church seeks a conditional zoning district to facilitate phased expansion of school and church operations at the intersection of PD Road and Central Drive (NC-22).
- **UDO Text Amendments – Tree Protection/Open Space:** Amendments incorporating tree protection concepts into open space requirements, with a policy discussion on whether 50% or 100% of open space must include tree preservation.
- **Architectural Compliance Permit – Lot 9, Tylers Ridge ("Pizza Slice"):** Building orientation does not face the street, requiring Council approval per UDO standards.
- **Right-of-Way Abandonment:** A small right-of-way segment to be abandoned to facilitate stormwater management, previously continued from an earlier meeting.

Planning Director Grieve noted that two Planning Board positions require action: a reappointment for Andy Speck at the end of his first term, and a vacancy created by the resignation of Jason Scribner. The vacancy is an ETJ seat, requiring an ETJ resident applicant. No current applications are on file. Staff will attempt to locate a prior list of ETJ residents compiled for a previous recruitment effort.

Planning Director Grieve also updated Council on the **Rightsizing Parking** initiative, a Phase 3 Comprehensive Plan implementation project. Planner Keenan Dale has completed a thorough issue paper examining parking minimums, maximums, and peer jurisdiction approaches. The paper will be published through the Town's Engage platform in accessible, public-facing segments, and staff will actively solicit community feedback at events such as Spring Fest. Text amendment drafting is expected to begin mid-to-late summer, contingent in part on the outcome of Senate Bill 382.

6. COUNCIL ROUNDTABLE

Councilmember Petersen congratulated Town employee Greg Thompson on being named to the 40 Under 40 list. She reported that following outreach to NCDOT, engineers have confirmed that a "smart" traffic signal with a leading left-turn phase will be installed at the May Street/Indiana Avenue intersection, with completion anticipated by end of summer. She raised a constituent concern that Code Red emergency notifications are displaying a Seattle, Washington area code, and asked staff to explore whether a local 910 area code could be assigned to improve public trust and response rates. She also announced that Tristan McNeil, a young woman from the Boys and Girls Club, won the statewide competition—the first such win from Moore County—and commended the community effort that contributed to her preparation. Councilmember Petersen reiterated her support for proactive stormwater planning regardless of MS4 designation.

Councilmember Gray announced that her doctoral thesis was approved, confirming her eligibility to graduate. She extended kudos to Finance Director Brubaker-Speis and the finance team, to Communications Director Jessica Clark for her responsiveness to community concerns, and especially to Planning Director Grieve for taking time on his own initiative to meet with a West Southern Pines business owner—an act she described as meaningfully contributing to community trust and cultural change.

Mayor Pro Tem Pate had no formal items.

Mayor Clement noted the following community events and recognitions: the Arbor Day celebration at Whitehall, expressing a desire for advance notice to full Council in future years; the Broad Street Barbers' 60th anniversary celebration on Saturday; Brown Presbyterian Church's 90th anniversary on Sunday; the opening of the new ABC warehouse near the airport; a successful Spring Fest; and the upcoming 20th

anniversary celebration of First Friday on May 2. Mayor Clement also reminded residents of the statewide burning ban, directing constituents to contact the fire department regarding any open burning.

7. ADJOURNMENT

Upon motion by Mayor Pro Tem Pate and seconded by Councilmember Gray; the vote was unanimous and the meeting was adjourned at 4:18 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk

DRAFT



MINUTES

Tuesday, April 14, 2026: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Pro Tem Pate called the meeting to order.

The following members of Town Council were present: Bill Pate; Debra Gray; and Robert Curtin.

The following members of Town Council were absent: Taylor Clement and Ann Petersen

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

a. Adoption of Agenda

Agenda Adoption

Councilmember Curtin moved to approve the agenda, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

4. PUBLIC COMMENTS

Several residents addressed the Council, primarily regarding the Town Council's prior vote to deny the placement of a commemorative plaque proposed by the Alfred Moore Chapter of the Daughters of the American Revolution (DAR) in recognition of the United States' 250th anniversary.

Carolyn Loeser, past regent of the Alfred Moore DAR Chapter, emphasized that the requested plaque was intended to honor all Americans and commemorate the 250th anniversary of the country's founding, noting that the patriots it honors represented various races, religions, and beliefs.

Bruce Fensley, a Southern Pines resident and member of the Sand Hills Chapter of the Sons of the American Revolution, spoke in support of the DAR's plaque request. He provided historical context regarding the Declaration of Independence and the Constitution, and cited Martin Luther King Jr.'s words on the arc of justice. He urged the Council to approve the plaque as a patriotic commemoration.

Dorothy Brower, a resident of 102 Eastman Road, thanked the Council for ongoing support of community initiatives, including the upcoming May 23rd rededication of Pool Park as Heinz Park with the Wynn Pool. She expressed appreciation for the Cultural Arts Center and local media coverage, and requested the Council consider hosting community-based "Coffee with Council" sessions to better address residents' concerns regarding streets, sidewalks, and public safety.

Patricia Bentley, a resident of 875 East Massachusetts, expressed strong disappointment with the Council's denial of the DAR plaque. She argued that the DAR's own published work, *The Forgotten Patriots*, explicitly recognizes contributions of African Americans, Native Americans, and women to the

Revolution. She contended that the plaque's language already reflects a broad narrative, and that denying it on racial grounds was counterproductive to community unity.

Marsha Jacobs, Regent of the Alfred Moore DAR Chapter, reiterated the purpose of the America 250 Revolutionary War marker as a unifying educational tool. She questioned whether the Council had adequately researched the precedent-setting concern raised during the prior vote, stating she found no evidence that approving such a marker would legally obligate the Council to approve future requests from other organizations.

Rick Herrera, a 21-year Southern Pines resident, acknowledged the prior decision could not be reversed and proposed constructive solutions, including forming a committee to explore placing a time capsule with the marker for the 250th anniversary, and revisiting the long-discussed concept of a veterans' square to consolidate commemorative efforts. He encouraged the Council to over-communicate with constituents on significant issues.

Beth Ann Pratt thanked the Council for its efforts to preserve trees and expressed disappointment with the plaque denial. She urged the Council to use broader community input methods—such as surveys and open forums—when making decisions that affect the whole community, and cautioned against politicizing matters of national unity.

Dorothy Brower offered a brief additional comment, noting that those who did not experience segregation may not fully understand the perspective of residents who view such commemorations differently, and indicated she had organizations she would wish to have recognized if the town's property were opened to such plaques.

Mayor Pro Tem Pate thanked all speakers, observing that the act of addressing the Council in open forum was itself a reflection of the freedoms established 250 years ago.

a. Budget Amendment: Water Treatment Plant Contractual Services

Budget amendment to cover expected expenditures through June 30, 2026.

b. Budget Amendments: Knoll Road Pedestrian Path & Carriage House Paving

Budget amendments for paving on the Knoll Road Pedestrian Path project and the Carriage House driveway.

c. Budget Amendments: Close Midland Road Waterline Replacement Capital Project Fund and Transfer Funds to North Pressure Zone Capital Project Fund

Close Midland Road Waterline Replacement Capital Project Fund and transfer the remaining funds to the North Pressure Zone Capital Project Fund.

d. Budget Amendment: SBITA Agreement for Performance Management Software Renewal

Budget amendment for performance management software agreement renewal as of June 30, 2026. This agreement is a Subscription-Based Information Technology Arrangement (SBITA) and follows GASB 96 reporting requirements.

e. Town Council Meeting Minutes

Staff has prepared the following meeting minutes for approval:

- March 10, 2026, Town Council Business Meeting Minutes

- March 24, 2026, Town Council Work Session Meeting Minutes
- April 2, 2026, Town Council Budget Retreat Minutes

Town Manager Parsons confirmed the contract is with Mauldin & Jenkins, PLLC, in the amount of \$64,000, with an allowance for two single audits at \$9,000 each, for a total contract allowance of \$82,000. This is the second year of a three-year agreement, with each annual contract brought forward individually for approval.

Councilmember Curtin moved to approve the Consent Agenda, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

6. ACTION ITEMS

a. Request to Approve Audit Contract for FY26

Request approval of the Auditing Services contract for FY 2026 with the firm Mauldin & Jenkins, PLLC.

Councilmember Curtin moved to approve the Audit Contract with Mauldin & Jenkins, PLLC, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

7. PUBLIC HEARINGS - LEGISLATIVE

a. Sandhills Presbyterian Church Conditional Zoning District (Z-02-26)

A rezoning request has been submitted for an approximately 11.31-acre property at 650 Pee Dee Road, currently zoned RS-3, to GB-CD to support the continued operation and phased expansion of Covenant Preparatory School within the existing Sandhills Presbyterian Church campus. The proposal includes construction of new classroom facilities, removal of temporary structures, additional parking, and site improvements in Phase 1, followed by larger school and church expansions, administrative space conversion, enhanced outdoor amenities, and trail connections in future phases.

Town Attorney McCarley advised that both applicants scheduled for public hearings had been notified that only three council members were present, meaning a unanimous vote would be required for approval. After consulting with their clients, both applicants requested deferral. Town Attorney McCarley directed the Council to formally open each hearing and immediately continue it to the May 12, 2026 Business Meeting.

Mayor Pro Tem Pate opened the public hearing and moved to continue it to the May 12, 2026 Town Council Business Meeting The motion was seconded by Councilmember Gray and the vote was passed unanimously, The motion was seconded by Councilmember Gray and the vote was unanimous.
Motion passed.

8. PUBLIC HEARINGS - EVIDENTIARY

a. Mavis Tire Preliminary Development Plan (PD-07-25)

MSP Outlots, LLC has submitted a Preliminary Development Plan application to develop a Mavis Tire on Lot 4 in Phase 4 of the Morganton Park South Planned Development. The property is directly south of Morganton Road between Carolina Green Parkway and Old Morganton Road.

Mayor Pro Tem Pate opened the public hearing and moved to continue it to the May 12, 2026 Town Council Business Meeting The motion was seconded by Councilmember Gray and the vote was passed

unanimously, The motion was seconded by Councilmember Gray and the vote was unanimous.
Motion passed

9. ADJOURNMENT

Upon motion by Mayor Pro Tem Pate, seconded by Councilmember Gray, the meeting was adjourned at 6:42 pm.

Motion passed.

Respectfully submitted:

Elizabeth Robertson, Town Clerk

DRAFT

Planning Staff Report

To: Reagan Parsons

From: Gene Ruiz, Planner II

Date: May 12, 2026

Item: **AR-04-26** – Review of an Architectural Compliance Permit (AR) for Tyler's Ridge Retail Lot 9

EXECUTIVE SUMMARY

The applicant, James B. O'Malley (Trustee), in coordination with V3 Southeast, proposes a commercial building at 325 Capital Drive within Lot 9 of Tyler's Ridge. The site is governed by Conditional Use Permit CU-01-11 and Special Use Permit SU-01-25 and is located within the Urban Transition Highway Corridor Overlay (UTHCO) and Airport Hazard Overlay (AHO).

The proposed development is generally consistent with the Building Design Requirements of UDO §4.10.4; however, two deviations are identified related to building orientation and façade materials. The primary entrance is oriented toward the internal parking area rather than the street, which does not meet UDO §4.10.4(A). This configuration reflects site-specific constraints and the established development pattern within Tyler's Ridge, while a secondary entrance and enhanced façade treatment maintain a street-oriented presence.

Additionally, the north elevation does not meet the 80 percent brick requirement of UDO §4.10.4(C), consisting of approximately 64.6 percent brick. Notwithstanding this deviation, the building incorporates durable, high-quality materials that are consistent with the architectural character of the original Tyler's Ridge development. The visual impact is further mitigated by enhanced green space and additional plantings, including supplemental landscaping along the south elevation to improve rear screening.

The applicant has been cooperative and responsive throughout the review process. Overall, the proposal meets the intent of the UDO and remains consistent with prior development approvals. The requested deviations are supported by site constraints, the unique configuration of the lot, and continuity with the established architectural character of the development. Staff supports the requested deviations.

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II. PROJECT INFORMATION

A. Property Owner:

James B O'Malley Trustee

B. Applicant & Authorized Agent:

James B. O'Malley and V3 Southeast

C. Subject Property Description:

The subject property is located in Lot 9 of Tylers Ridge 325 Capital Drive

D. Current Zoning: Conditional Use Permit CU-01-11 & Special Use Permit SU-01-25 Overlays: Urban Transition Highway Corridor Overlay (UTHCO) & Airport Hazard Overlay (AHO)

Figure I: Vicinity Arial Image Conditions



Figure 2: Vicinity Zoning Map

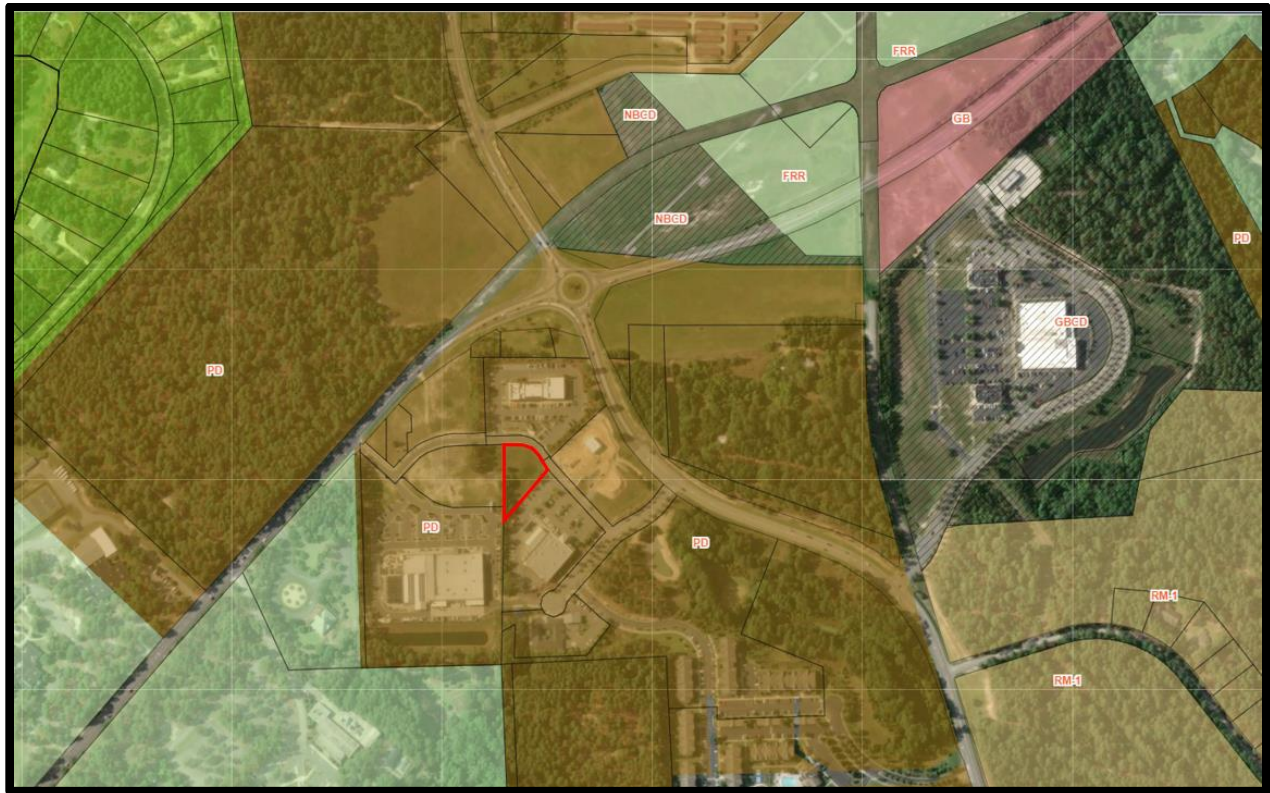


Figure 3: Tyler's Ridge and new Development Ace Hardware/Bullet Parcel.



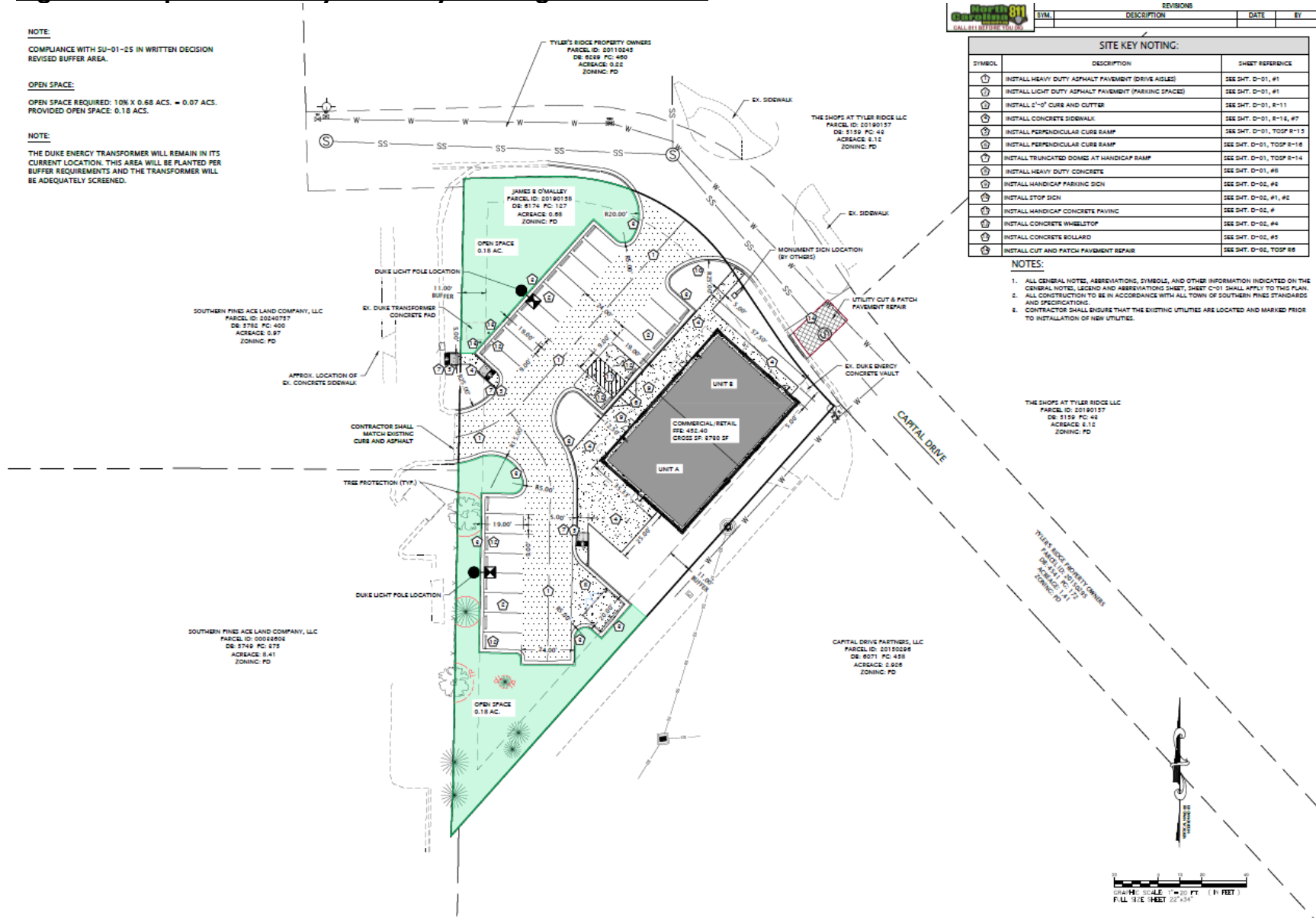
Figure 4: Tyler's Ridge from East to West



Figure 4: Original Commercial Building at Tyler's Ridge



Figure 6: Proposed Plan Layout for Tyler's Ridge Retail Lot 9



III. STAFF REVIEW

A. Application Review Date

- **Application Submitted: April 2, 2025**
 - **Additional Material Submitted: May 1, 2025**
- **Initial Application Complete: April 17, 2025**
- **Town Council Regular Meeting: May 12, 2025**

B. Process and Standards for Review

Applications for Architectural Compliance Permits are reviewed pursuant to UDO §2.26.

C. Staff Comments based on Building Design Requirements per UDO §4.10.4

Staff has reviewed the project for compliance with UDO §4.10.4 Building Design Requirements. See comments below for two areas of non-compliance. Compliance for signage will be determined during sign permit review since UDO §4.10.4 (J) states signage shall comply with the standards in section 4.6 and any applicable zoning district standards.

- *UDO §4.10.4 (A) states the front of Buildings shall face and have the primary customer entry facing that street. Corner Lot Buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. Buildings that extend the full depth of a block may be required to have entries on each street frontage.*

The proposed building orientation does not meet UDO §4.10.4(A), as the primary entrance faces the parking area rather than the street. While this layout supports functional site design and reflects a common commercial pattern, the building remains oriented toward internal parking, with only a secondary entrance facing Capital Drive. The street-facing façade incorporates design elements such as increased window area and an awning to enhance its appearance. This configuration is consistent with the previously approved 2025 Special Use Permit, which removed the original 30' buffer and 50' setback from the 2011 Tyler's Ridge Conditional Use Permit.

- *UDO §4.10.4 (C) states the exterior finish of building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows. Wood and metal may be used as trim around doors and windows. (2) Alternative materials satisfying minimum Building code standards on walls that are screened and not visible from any public street, walkway or residential zoning district.*

North Elevation – Facing the outparcel (“bullet parcel”) and Ace Provision I, this elevation does not meet the 80% brick requirement outlined in UDO §4.10.4(C). This façade consists of approximately 64.6% brick (765 sf) and 35.4% EIFS (420 sf), excluding windows and doors, which total 443 sf, for a combined façade area of 1,185 sf including glazing.

It is worth noting that the applicant has incorporated a green space exceeding the required 20%, located east of the building, which will partially screen this façade from Capital Drive. All other elevations comply with or exceed the standard, with the west elevation at 91.6%

brick, the east at 89.6%, and the south at 80.3% brick.

The proposed elevations utilize compliant materials, including modular brick, fiber cement accents, aluminum storefront systems, and metal canopies, consistent with UDO standards. While the north elevation does not meet the 80% masonry requirement, the use of fiber cement paneling aligns with nearby developments and provides architectural variation. This approach is also similar to the original Tyler's Ridge commercial building directly to the north, and staff supports it as consistent with the original development approval.

IV. STAFF RECOMMENDATION

When reviewing an application for an Architectural Compliance Permit, the Town Council shall approve, conditionally approve, or deny the application based on the following criteria, as set forth in **UDO §2.26.7**.

- (A) For Buildings with ten thousand (10,000) square feet or more of Gross Floor Area or that do not comply with the commercial Building design standards in Section 4.10, the application is consistent with the applicable Comprehensive Plan goals and policies;*
- (B) The application substantially conforms with the applicable Multi-Family or commercial design standards and other applicable provisions of the UDO;*
- (C) The application is consistent with applicable conditions of prior Development Approval.*

Considering these criteria, Planning Staff recommend approval of AR-04-26 with the following deviations and conditions:

- **Deviation I.** Regarding UDO §4.10.4(A) – Building Orientation: The primary entrance is oriented toward the internal parking area rather than the street and does not meet the requirement to face the street. However, this is a unique site with limited layout options, and the proposed configuration represents the most practical design while preserving the buffer associated with SU-01-25. The layout reflects a common commercial pattern, includes a secondary entrance facing Capital Drive, and incorporates enhanced glazing and an awning along the front-facing façade. Staff concurs with the applicant that this is the most appropriate layout given site constraints and prior approvals.
- **Deviation II.** Regarding UDO §4.10.4(C) – Building Materials: The north elevation, which faces the adjacent outparcel (“bullet parcel”), provides approximately 64.6% brick and does not meet the 80% brick requirement. However, this elevation is not prominently visible from a public street, walkway, or residential zoning district and is partially screened by existing and proposed green space along the east side of the building. In accordance with UDO §4.10.4(C)(2), alternative materials may be permitted where elevations are adequately screened and not readily visible. The proposed façade incorporates durable, high-quality materials and maintains a cohesive architectural design that is consistent with the original Tyler's Ridge commercial development approved under CU-01-11. Given the limited visibility of the elevation, the enhanced landscaping, and the overall consistency with the established architectural character of the development, the proposed materials meet the intent of the UDO.

V. ATTACHMENTS

The following materials have been provided as attachments to this staff report:

1. Application and Agent form
2. Narrative (dated 4-17-26)
3. Site Plan
4. Elevations and Renderings as of 04-17-26

Additional documents related to this application including, but not limited to: application, property deeds, Authorization of Agent forms, email correspondence, meeting minutes, and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available for public inspections during normal business hours.

VI. TOWN COUNCIL ACTION

The Town Council should consider the purpose of an architectural compliance permit per UDO §2.26 and shall vote on whether the proposed application complies with the criteria per UDO §2.26, the commercial building design requirements per UDO §4.10.4 and prior development approvals. The Town Council may make one of the following motions or any alternative they wish.

I move to:

1. **Approve AR-04-26 as set forth in the building elevations dated April 17, 2026 with proposed deviations to building materials as specifically described in the May 12, 2026 staff report.**
2. Approve AR-04-26 with the following conditions and/or deviations:

3. Deny AR-04-26.



Architectural Compliance Permit Application (Major)

Required if more than 10,000 SF of Gross Floor Area or the project is not in compliance with the UDO

REQUIRED APPLICATION MATERIALS:

— **Application fee** in the amount of \$370.00.

SCAM ALERT! Please disregard any email correspondence requesting payment of application fees not received from noreply@smartgovcommunity.com generated by the SmartGov online portal!

— **Completed Application** signed by the applicant. Please do not leave anything blank and make sure all of the information provided is correct.

— **Deed** copy to provide proof of ownership and property boundaries

— **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent

— **Written Narrative**: It is the responsibility of the applicant to demonstrate compliance with UDO §§4.10.4, 4.10.6, 4.10.7, 4.10.8, 5.4 and 5.8 as part of the narrative. Please also address compliance with the property's approved Conceptual Development Plan (CDP), if applicable.

— **Dimensioned Elevation Drawings**: in color. Dimensions should include all standards listed above.

— **Renderings**: in color with sufficient detail (UDO §2.26.4)

— **Dimensioned Site Plan**: if applicable

— **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Town Council decision**: The Town Council may approve, approve with conditions, or deny the application based on the criteria set forth in UDO §2.26.7 at its regular business meeting. (Please refer to the Application Processing Timeline document online to determine application deadlines and meeting dates.)

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SW SERVICE ROAD, SOUTHERN PINES, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

Architectural Compliance Permit (Major)

OFFICE USE ONLY

Date Received: _____ Fee Paid: _____ Case No.: AR-____-____

TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES:

I, the undersigned, do hereby make application for an Architectural Compliance Permit regarding for the following project:

Project Information:

Project Name:	Tyler's Ridge Retail - Lot 9		
Street Address:	325 Capital Drive		
PIN:	857300977253	Parcel ID:	20190158
		Zoning:	PD
Type of building (retail, office, etc.):	retail	Total square footage:	4,000



Application for: ARCHITECTURAL COMPLIANCE PERMIT (MAJOR)

Applicant:

Name:

Email: Phone:

Mailing Address:

Legal Property Owner(s), if different from Applicant:

Name(s):

Email: Phone:

Mailing Address:

Date:


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387

Application for: ARCHITECTURAL COMPLIANCE PERMIT (MAJOR)

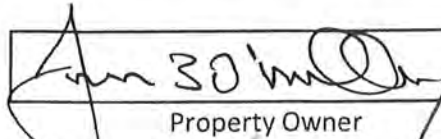
APPOINTMENT OF AGENT

The undersigned owner(s), James B O'Malley Trustee, hereby appoint(s) V3 Southeast as the exclusive agent for the purpose of making an application to the Town of Southern Pines for an amendment to the zoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

1. to submit an application and required supplemental materials;
2. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with, or arising out of, an Architectural Compliance Permit of the subject property under the Town of Southern Pines Unified Development Ordinance.
3. to accept conditions or recommendations made by the Town of Southern Pines Town Council for the issuance of an Architectural Compliance Permit for improvements to the subject property; and
4. to act on behalf of the owner(s) without limitation with regard to any and all things directly or indirectly connected with or arising out of any application for an **Architectural Compliance Permit** under the Southern Pines Unified Development Ordinance.

This Appointment of Agent shall remain in effect until final resolution of the attached application.

Signed this 1 day of April, 2021.


Property Owner

Property Owner


Agent

ATTACHMENT A

Criteria for Compliance with UDO §4.10.4. Building Design Requirements.

- (A) **Building Orientation and Entries:** The front of Buildings *shall face and have the primary customer entry facing that street*. Corner Lot Buildings shall face and have the primary customer entry facing the higher order street, facing the corner or facing each street. **This criteria may impact the site plan approval process.** (See UDO §4.10.4.A)
- (B) **Building Dimensions** (See UDO §4.10.4.B)
- (C) **Building Materials** (See UDO §4.10.4.C)
- (D) **Windows** (See UDO §4.10.4.D)
- (E) **Awnings** (See UDO §4.10.4.E)
- (F) **Galleries and Arcades** (See UDO §4.10.4.F)
- (G) **Roofs** (See UDO §4.10.4.G)
- (H) **Mechanical Equipment** (See UDO §4.10.4.H)
- (I) **Loading Zones and Garage Bays** (See UDO §4.10.4.I)
- (J) **Signage:** Will require a separate sign permit. No signage materials should be submitted with this Architectural Compliance application. (See UDO §4.10.4.D)
Any deviation from these standards will require Town Council approval.



TYLER'S RIDGE RETAIL – LOT 9

ARCHITECTURAL COMPLIANCE PERMIT

This application is for an architectural compliance review of a proposed $\pm 4,000$ square foot single-story retail building located on 'Lot 9' of the Tyler's Ridge development.

The following narrative describes elements from each section of 4.10.4 of the Southern Pines UDO.

Building Orientation and Entries

The proposed building orientation is *inconsistent* with the standards of 4.10.4(A), which requires buildings to 'face and have the primary customer entry facing that street.' As proposed, the primary customer entry into the building will face the proposed parking area running parallel with the building on its north side. As such, the building is oriented towards the customer parking area rather than the street facing elevation. The proposed building orientation supports a functional arrangement of the building, parking, and drive aisles, while maintaining connectivity to the adjacent development and Capital Drive. The layout reflects a common commercial pattern in which customer entrances are oriented toward primary parking areas, facilitating convenient and reasonable access. While not the primary customer entrance, a secondary access point is oriented toward Capital Drive. The street-facing (east) façade exceeds the required window percentage, and the inclusion of an awning along a portion of this elevation provides a street-oriented appearance.

While the orientation is not consistent with the UDO standards, it is consistent with plans and exhibits reviewed during the SUP process. A Special Use Permit (SUP) application for the property was approved by the Town Council in 2025. The approved SUP removed a 30' landscape buffer and 50' building setback that were a part of the original 2011 Conditional Use Permit approval for the Tyler's Ridge development. Prior to the 2025 SUP approval, the applicant team and town staff worked to develop a plan that protected existing trees along the west side of the property and, in turn, provided additional planting area along capital drive. As a condition of the approval, the Town Council requested that the area along capital drive be planted to the UDO standards for landscape buffers. Plans reviewed during the SUP process included the same building placement and entrance orientation as currently proposed. The design has remained consistent with the plans and exhibits developed and reviewed during the SUP approval process.

A **deviation** from the building orientation and entries standard is being requested with this application.

Building Dimensions

The building height is 22' -8" at the top of the highest parapet and 19' at the low parapet. The length of the building is $\pm 80' \times 50'$. The design incorporates horizontal articulation, material changes, and color variation to create the appearance of distinct building segments. The longest uninterrupted segment of a single material is approximately 24 feet in length along the main customer facing façade.

Building Materials

Building facades (not counting windows and doors) are comprised of primarily brick masonry with fiber cement panels (stone panels) as accent features. Building facades are calculated as follows and shown on the elevations:

Elevation	Fiber Cement Panels	Brick
North Side	35.4% (420 SF)	64.6% (765 SF)
South Side	19.7% (290 SF)	80.3% (1,185 SF)
East Side	10.4% (105 SF)	89.6% (905 SF)
West Side	9.4% (105 SF)	90.6% (1,010 SF)
Overall	19.2% (920 SF)	80.8% (3,865 SF)

Per section 4.10.4(C) of the UDO, *'The exterior finish of Building walls shall be primarily comprised of brick. Cementitious horizontal lap siding, textured concrete masonry, cast stone and stucco may be used for accents, provided that they cover no more than twenty (20) percent of the exterior walls, exclusive of doors and windows.'* Per the calculations provided above, brick comprises just over 80 percent of the entirety of the exterior walls, consistent with the UDO.

The submitted elevations propose a primary façade composition of modular brick masonry, with accent brick, fiber cement cladding, black-anodized aluminum storefront systems, with black metal and fabric canopies. These materials fall within the acceptable palette permitted by the Southern Pines UDO, which encourages durable, high-quality exterior finishes for commercial structures. No prohibited materials are present.

While the north side elevation does not meet the 80% masonry requirement, the use of fiber cement paneling as accents is consistent with the character of surrounding buildings (Ace Provisions, Ace Hardware Phase 2) that both used similar accent paneling to break up the predominantly brick façade providing architectural character and variation.

A **deviation** from the building materials requirement for the north side elevation is being requested with this application.

Windows

Windows are glazed in non-reflective, light gray tinted glass. Windows and doors cover 39.3% of the street facing façade (east side) between the elevations of 2' and 10' above the grade of the building entry as required by the UDO.

As part of the completeness review, Town staff noted that the south (rear) elevation is visible from Capital Drive and therefore may be considered street-facing, subject to Section 4.10.4(D)(3), which calls for windows and doors to comprise at least 25 percent of street-facing façades. While this elevation could reasonably be interpreted as non-street-facing given the requested building orientation deviation and the fact that this is not a corner lot, we recognize staff's interest in ensuring that views from Capital Drive are appropriately addressed and 'back of house' items are not in direct view from the street.

In response, the south elevation as currently designed presents a high-quality appearance from Capital Drive that meets the building material standards. The most prominent corner visible from Capital Drive,

not directly abutting the adjacent parking area, will feature a brick façade consistent with the building material standards. Electrical panels will be located on the west side of the building and will be screened with landscaping as shown on the submitted site and landscape plans. Additionally, the existing parking lot landscaping provides partial screening of views from Capital Drive along the portion of the building directly adjacent to the existing parking area.

Overall, these design elements work together to ensure that views from Capital Drive are consistent with the intent of the ordinance while maintaining the functional layout of the rear of the building and site.

A **deviation** from the window requirements for the south (rear) side elevation is being requested with this application.

Awnings

A mixture of fabricated metal and fabric canopies are proposed for the building. Canopies do not encroach into streets, parking areas, or required setbacks and are designed as pedestrian-scale building accents. Canopy heights are consistent, with a minimum clearance on the main customer entries of 10 feet, 8 inches projecting 4 feet, 8 inches. The secondary entrance on the south side has a metal canopy with a clearance 7 feet, 4 inches and projecting 3 feet, 8 inches. The secondary entrance on the north side will have no canopy. The canopies are sized to provide adequate pedestrian protection during inclement weather. No galleries or arcades are proposed.

Roofs

The roofline along all facades is broken up using two parapet heights. The building width is less than 100' thus, no continuous roof plane along any building facade is longer than 200' in compliance with Section 4.10.4 (G)(3).

Loading Zones and Garage Bays

No loading docks or garage bays are proposed.

Mechanical Equipment

Mechanical equipment will mainly be located on the roof. Any mechanical equipment located at ground level is to be screened to meet the requirements as described in the UDO.

Signage

All signage for the project will comply with UDO and zoning district standards

In addition to the standards described in section 4.10.4, an architectural compliance permit must meet the criteria set forth in section 2.26.7 of the Town of Southern Pines UDO. Below are listed the three (3) criteria required to approve an architectural compliance permit. Following the individual criteria is an explanation, indicated in **red**, describing how the project demonstrates compliance with each of these criteria.

No Architectural Compliance Permit shall be approved unless the Town Council finds that:

(A) For Buildings with ten thousand (10,000) square feet or more of Gross Floor Area or that do not comply with the commercial Building design standards in Section 4.10, the application is consistent with the applicable Comprehensive Plan goals and policies;

The application is consistent with the Town of Southern Pines Comprehensive Plan. The development supports planned commercial growth, contributes to high quality architectural design, fits the character of the surrounding commercial development, and utilizes existing infrastructure efficiently.

(B) The application substantially conforms with the applicable Multi-Family or commercial design standards and other applicable provisions of the UDO; and

The application conforms with the applicable commercial design standards and other relevant provisions of the Unified Development Ordinance unless otherwise noted as deviations in this narrative.

(C) The application is consistent with applicable conditions of prior Development Approvals.

The application is consistent with prior development approvals, including the approved Special Use Permit (SUP) for Lot 9 and other conditions of the approved Conditional Use Permit (CUP) for the Tyler's Ridge Development.

NOTE:

COMPLIANCE WITH SU-01-25 IN WRITTEN DECISION
REVISED BUFFER AREA.

OPEN SPACE:

OPEN SPACE REQUIRED: 1.0% X 0.68 ACS. = 0.07 ACS.
PROVIDED OPEN SPACE: 0.19 ACS.



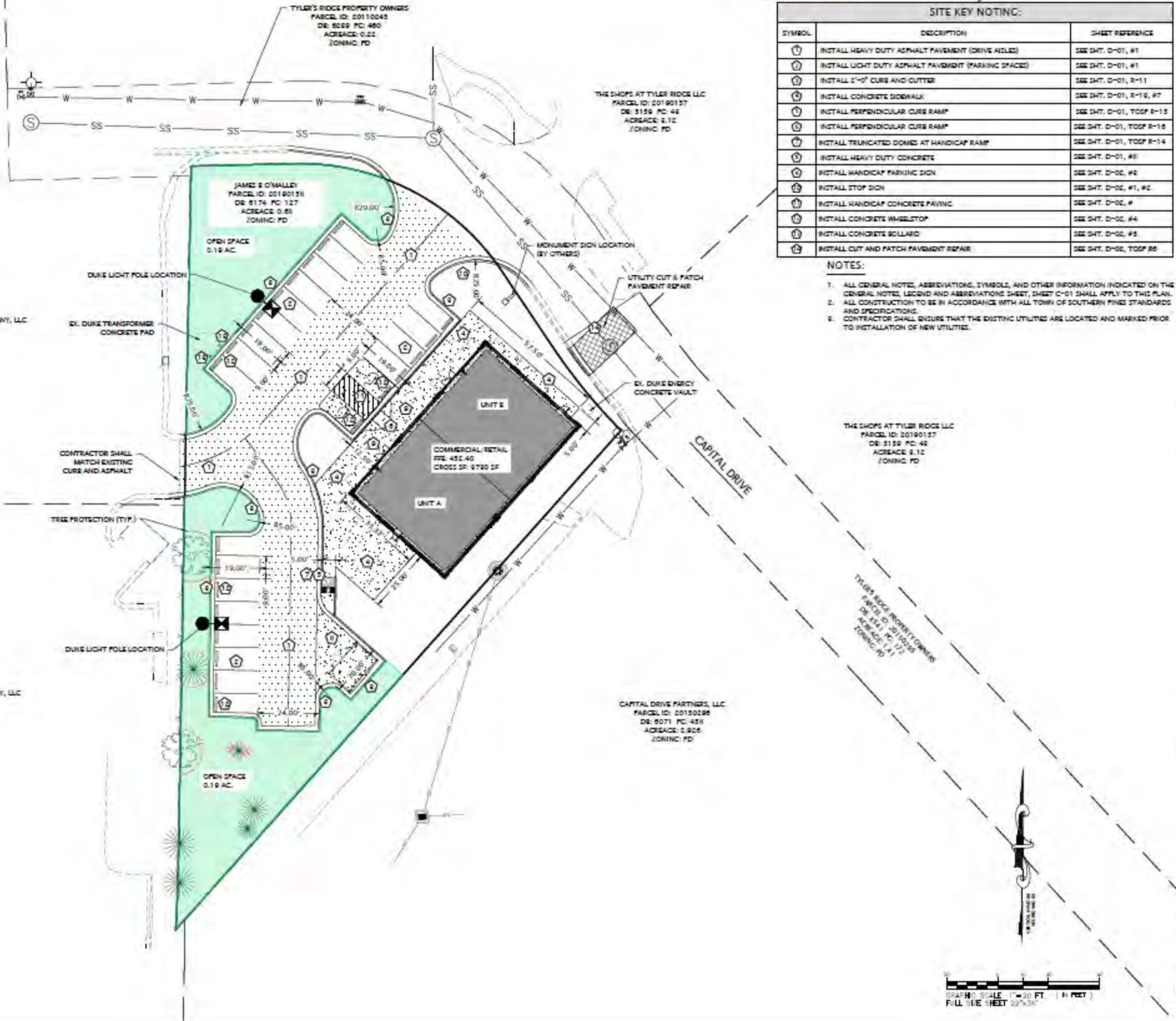
SYMBOL	DESCRIPTION	DATE	BY

SITE KEY NOTING:

SYMBOL	DESCRIPTION	SHEET REFERENCE
1	INSTALL HEAVY DUTY ASPHALT PAVEMENT (DRIVE AISLES)	SEE SHT. D-01, #1
2	INSTALL LIGHT DUTY ASPHALT PAVEMENT (PARKING SPACES)	SEE SHT. D-01, #1
3	INSTALL 2'-0" CURB AND CUTTER	SEE SHT. D-01, R-11
4	INSTALL CONCRETE SIDEWALK	SEE SHT. D-01, R-12, #7
5	INSTALL PERPENDICULAR CURB RAMP	SEE SHT. D-01, TOSP R-13
6	INSTALL PERPENDICULAR CURB RAMP	SEE SHT. D-01, TOSP R-13
7	INSTALL TRUNCATED DOMES AT HANDICAP RAMP	SEE SHT. D-01, TOSP R-14
8	INSTALL HEAVY DUTY CONCRETE	SEE SHT. D-01, #8
9	INSTALL HANDICAP PARKING SIGN	SEE SHT. D-02, #2
10	INSTALL STOP SIGN	SEE SHT. D-02, #1, #2
11	INSTALL HANDICAP CONCRETE PAVING	SEE SHT. D-02, #
12	INSTALL CONCRETE WHEELSTOP	SEE SHT. D-02, #4
13	INSTALL CONCRETE BOLLARD	SEE SHT. D-02, #3
14	INSTALL CUT AND PATCH PAVEMENT REPAIR	SEE SHT. D-02, TOSP R5

NOTES:

1. ALL GENERAL NOTES, ABBREVIATIONS, SYMBOLS, AND OTHER INFORMATION INDICATED ON THE GENERAL NOTES, LEGEND AND ABBREVIATIONS SHEET, SHEET C-01 SHALL APPLY TO THIS PLAN.
2. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL TOWN OF SOUTHERN PINES STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR SHALL ENSURE THAT THE EXISTING UTILITIES ARE LOCATED AND MARKED PRIOR TO INSTALLATION OF NEW UTILITIES.



LKC Engineering, LLC
390 W. Pennsylvania Ave.
Southern Pines, NC 28387
O: 910.420.1437
lkceengineering.com
License No. P-10915

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Surveying

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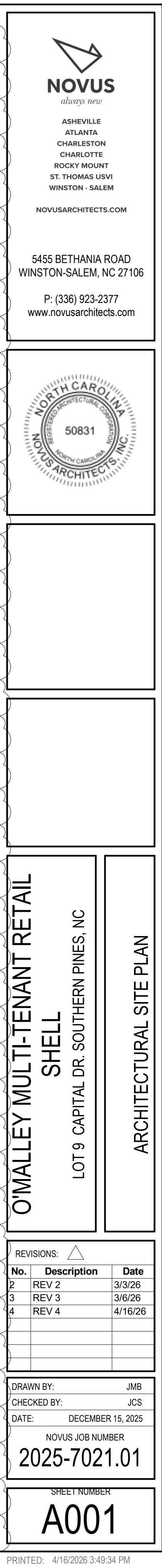
SITE LAYOUT PLAN

TYLER'S RIDGE RETAIL
Southern Pines, North Carolina

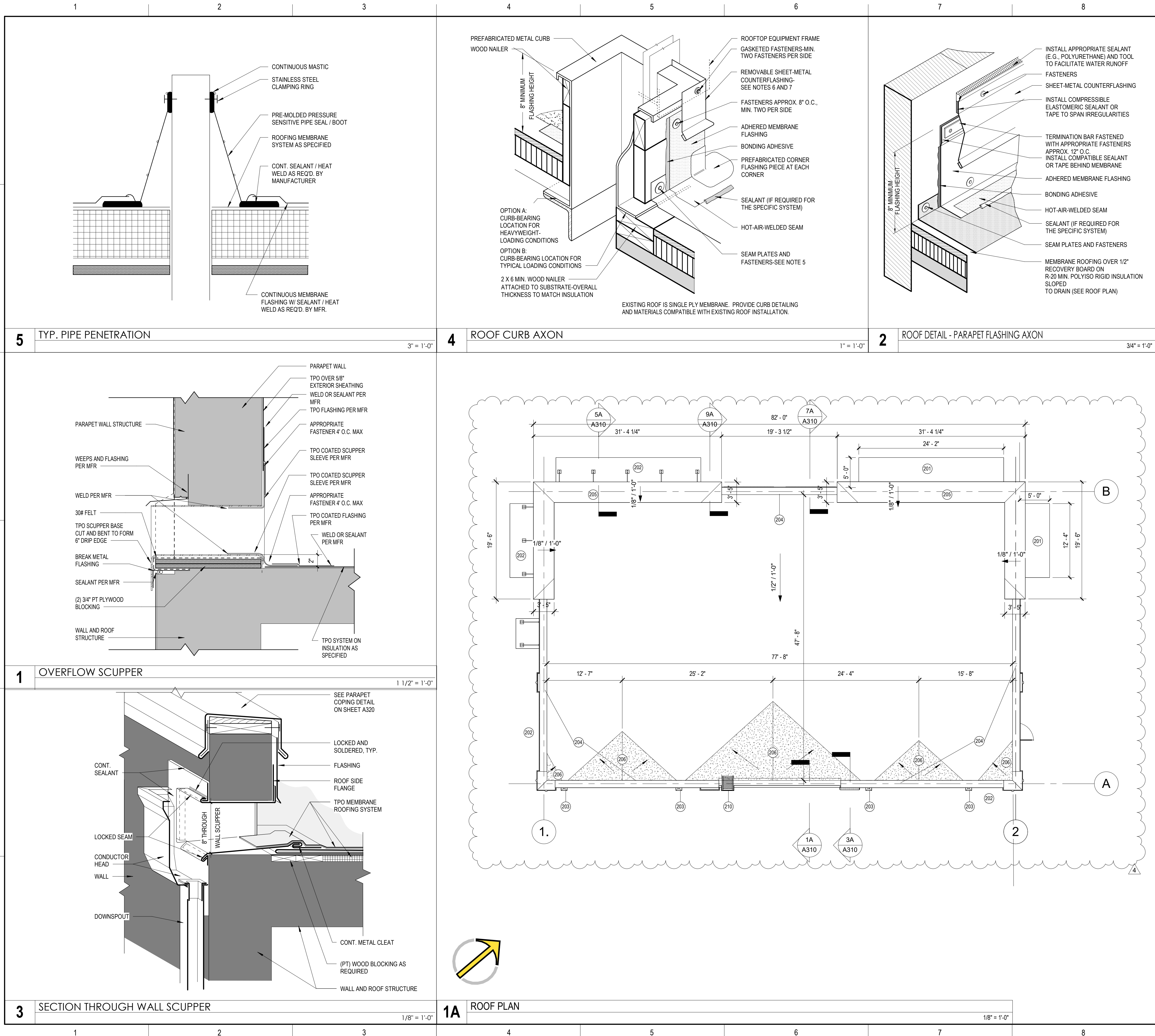
DATE	MARCH 2020
DESIGN	WLS
DRAWN	MFL
CHECKED	928
NO.	

C-03

FILE PATH: L:\Onalley-25.06 Tyers Ridge Recall\800 Drawings\810 Design Drawings\02



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GENERAL ROOF NOTES

- SEE MEP DRAWINGS FOR NEW ROOFTOP EQUIPMENT DEMOLITION AND NEW ROOF TOP EQUIPMENT.
- FOR TYPICAL REQUIRED CURB DETAILS REFER TO THIS SHEET
SEE STRUCTURAL DRAWINGS FOR SUPPORT OF ALL NEW ROOF CURBS.
- FOR TYPICAL ROOF PENETRATION DETAILS, REFER TO THIS SHEET
ALL REQUIRED ROOF PENETRATION DETAILS ARE TO BE REVIEWED AND APPROVED BY ROOFING MANUFACTURER / SUPPLIER PRIOR TO INSTALLATION. CONTRACTOR TO VERIFY LOCATION OF REQUIRED ROOF PENETRATIONS PRIOR TO INSTALLATION OF ROOF. CONTRACTOR TO SUBMIT SHOP DRAWINGS OF MANUFACTURER'S ROOF DETAILS FOR ARCHITECT'S REVIEW.
CONTRACTOR SHALL COORDINATE LOCATION OF REQUIRED PENETRATIONS WITH BUILDING'S STRUCTURAL COMPONENTS.
- ROOFING DETAILS TO COMPLY WITH LATEST ADDITION OF SMACNA
- PROTECT EXISTING ROOF. GENERAL CONTRACTOR TO PROVIDE WALK MATS AROUND ROOFING EQUIPMENT AND CURBS. MATS ARE TO BE CONTINUOUS FROM ROOF. ACCESS POINT TO EACH SERVICEABLE SIDE OF ROOFTOP EQUIPMENT.
- COORDINATE SIZE OF ROOF CURBS TO MATCH ROOFING MATERIAL THICKNESS OF NEW ROOF.
- TAPERED INSULATION CRICKET INDICATED W/ STIPPLED HATCH PATTERN.

KEYNOTE INFORMATION

1. KEYNOTE NUMBERS THROUGHOUT THIS DRAWING SET ARE NOT NECESSARILY CONTIGUOUS.

2. KEYNOTES THAT DO NOT APPEAR ON THE KEYNOTE SCHEDULE ON THIS PAGE MAY APPEAR ELSEWHERE IN THIS DRAWING SET.

#	KEYNOTES - NEW WORK
200	ROOF & EXTERIOR
201	FABRIC CANOPY, ALUMINUM FRAME, BLACK CANVAS
202	8" ALUMINUM OVERHEAD SUPPORT CANOPY, BLACK POWDER COATED FINISH
203	DOWNSPOUT AND OVERFLOW SCUPPER, COLOR TO BE BLACK
204	PREFINISHED METAL COPING, COLOR TO MATCH CANOPIES, BLACK
205	PARAPET CANTILEVER ROOF
206	ROOF CRICKET, 1/4" SLOPE
210	ROOF ACCESS LADDER WITH SECURITY CAGE

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ATLANTA
CHARLESTON
CHARLOTTE
ROCKY MOUNT
ST. THOMAS USVI
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P: (336) 923-2377
www.novusarchitects.com

O'MALLEY MULTI-TENANT RETAIL SHELL

LOT 9 CAPITAL DR. SOUTHERN PINES, NC

ROOF PLAN

REVISIONS:		
No.	Description	Date
4	REV 4	4/16/26

DRAWN BY: JMB
CHECKED BY: JCS
DATE: DECEMBER 15, 2025

NOVUS JOB NUMBER
2025-7021.01

SHEET NUMBER
A190

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O'MALLEY MULTI-TENANT RETAIL SHELL

LOT 9 CAPITAL DR. SOUTHERN PINES, NC

EXTERIOR ELEVATIONS AND MATERIALS KEY

REVISIONS:

No.	Description	Date
1	REV 1	1/28/26
3	REV 3	3/6/26
4	REV 4	4/16/26

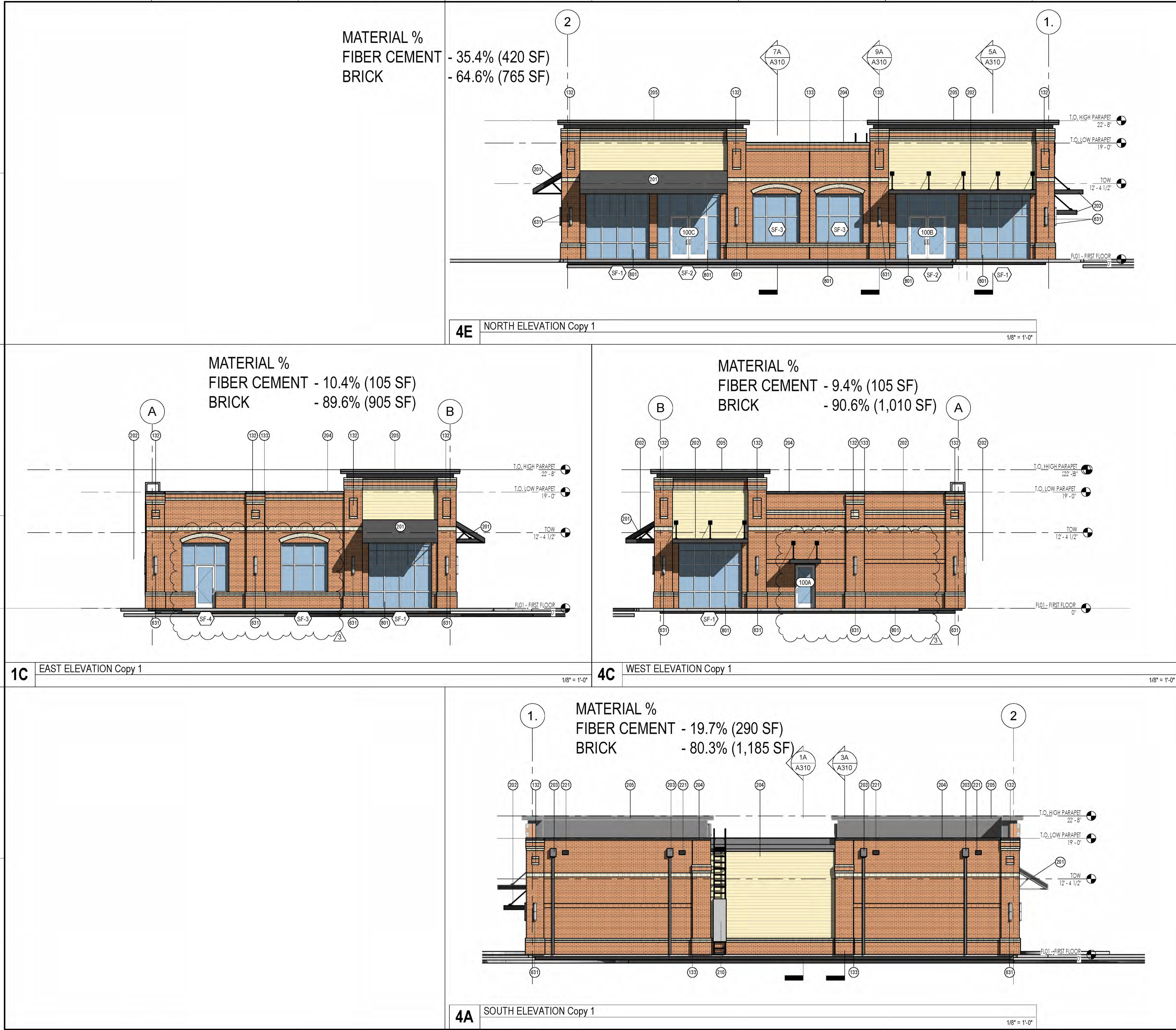
DRAWN BY: JMB
CHECKED BY: JCS
DATE: DECEMBER 15, 2025

NOVUS JOB NUMBER
2025-7021.01

SHEET NUMBER
A201

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GENERAL ELEVATION NOTES

1. NOTES

MATERIAL % (TOTAL)
FIBER CEMENT - 19.2% (920 SF)
BRICK - 80.8% (3,865 SF)

MATERIAL LEGEND

- BRICK TYPE # 1 - ENDICOTT - DESERT IRONSPOT (MAIN) LIGHTW/ "KHAKI" MORTAR
- BRICK TYPE # 2 - ENDICOTT - GOLDEN BUFF (ACCENT) W/ "KHAKI" MORTAR
- FIBER CEMENT PANEL SYSTEM CLASSICAL WHITE (SW 2829)

KEYNOTE INFORMATION

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2. KEYNOTES THAT DO NOT APPEAR ON THE KEYNOTE SCHEDULE ON THIS PAGE MAY APPEAR ELSEWHERE IN THIS DRAWING SET.

#	KEYNOTES - NEW WORK
100	WALLS & OPENINGS
132	CORBELED BRICK RECESS, VERTICAL RUNNING BOND
133	BRICK CONTROL JOINT
200	ROOF & EXTERIOR
201	FABRIC CANOPY, ALUMINUM FRAME, BLACK CANVAS
202	8" ALUMINUM OVERHEAD SUPPORT CANOPY, BLACK POWDER COATED FINISH
203	DOWNSPOUT AND OVERFLOW SCUPPER, COLOR TO BE BLACK
204	PREFINISHED METAL COPING, COLOR TO MATCH CANOPIES, BLACK
205	PARAPET CANTILEVER ROOF
210	ROOF ACCESS LADDER WITH SECURITY CAGE
221	OVERFLOW SCUPPER, COLOR TO MATCH STOREFRONT
800	COORDINATION
631	EXTERIOR WALL SCONCE, BLACK
800	FINISHES
801	NEW STOREFRONT, CLEAR ANODIZED, TYP

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50831
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JAMES C. SIEM
REGISTERED ARCHITECT
03.11.26
WINSTON-SALEM, NC

O'MALLEY MULTI-TENANT RETAIL
SHELL
LOT 9 CAPITAL DR. SOUTHERN PINES, NC

EXTERIOR ELEVATIONS AND MATERIALS KEY

REVISIONS:

No.	Description	Date
1	REV 1	1/28/26
3	REV 3	3/6/26

DRAWN BY: JMB
CHECKED BY: JCS
DATE: DECEMBER 15, 2025

NOVUS JOB NUMBER
2025-7021.01

SHEET NUMBER
A202

PRINTED: 3/11/2026 9:21:38 AM

CONTRACT DOCUMENTS

Planning Staff Report

To: Reagan Parsons

From: Gene Ruiz, Planner II

Date: May 12, 2026

Item: **File # SU-01-26** Review of a Special Use Permit (SUP) for 305 Rothney (fka “The Barn”)

I. EXECUTIVE SUMMARY

Reno and Lynn Rolle, owners of Barnyard Ventures, LLC and the subject property, have submitted a request for a Special Use Permit (SUP) to expand a nonconforming site in accordance with UDO Section 7.1.8. The property consists of an approximately 11,500-square-foot, two-story building on ±1.43 acres, formerly operated as the JFR Barn steakhouse, which has remained vacant for over a decade. The site has since undergone approved site plan and Architectural Compliance Permit review to facilitate renovations and reestablishment as “Café Boku,” (though recently the applicant has been referring to the project by the former name “The Barn”) including the addition of Mercedes EV charging stations as an accessory use. As renovations have progressed, the applicant now proposes to expand the site’s function beyond a traditional restaurant use to include an event center/venue with associated outdoor gathering spaces and a stage.

The request includes several site and structural improvements associated with the proposed expansion, including the addition of an event center use; installation of a custom-painted 40-foot CONEX container for use as an art installation and storage; construction of two (2) 26-foot by 60-foot pole barns to support outdoor dining and gathering areas within the rear “Barnyard” portion of the site; relocation of the Fire Department Connection (FDC) outside of the fenced service area along Shaw Avenue to improve emergency access; comprehensive landscaping enhancements throughout the site, particularly within the Barnyard area, including fire pits, a water feature, and associated hardscape elements; installation of an eight (8) foot tall privacy fence around the rear Barnyard area to match existing fencing and provide screening, security, and noise attenuation; modification of a previously approved cement patio to a wood-framed deck of equal or improved design; addition of a steel staircase on the north elevation to provide compliant second-floor egress; and connection to a new sewer line along Luther Avenue with written authorization from the adjacent property owner.

The applicant has been able to secure parking agreements with neighboring business and staff fully supports this expansion.

The subject property is identified as PARID 00046498 and is located at 305 Rothney.

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II. PLANNING BOARD ACTION

Mrs. Monica Brickey made a motion to adopt the Planning Board's transmission to the Town Council following the April 19, 2025 Preliminary Forum for Special Use Permit Application SU-01-26. The motion reflected that no outstanding issues or concerns were identified for Town Council consideration.

The motion carried unanimously, 6–0.

III. PROJECT INFORMATION

A. Property Owner:

Barnyard Ventures, LLC

B. Applicant & Authorized Agent:

Reno and Lynn Rolle

C. Subject Property Description:

The subject property is located 305 Rothney Ave. formally known as The JFR Barn Steakhouse

D. Current Zoning: General Business (GB)

Overlays: Urban Village Highway Corridor Overlay

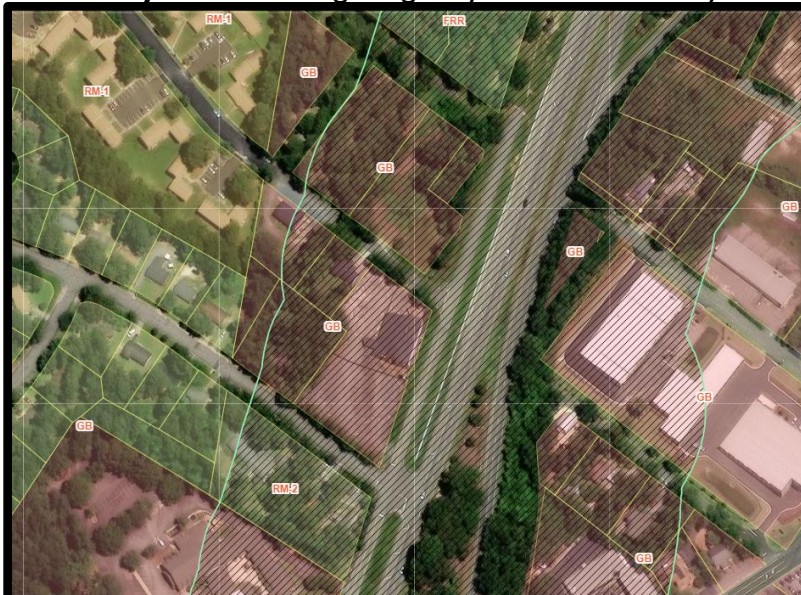


Figure 1: Vicinity Aerial Image Conditions



Figure 2: Vicinity Zoning Map



An aerial photograph showing a commercial or industrial site. A large, red, barn-style building with a grey roof and several windows is the central feature. To its left is a large, paved, empty lot. The site is bordered by a dense line of trees. Three blue labels with white text are overlaid on the image: 'Rothney Ave.' on the left, 'Luther Way Ave.' in the foreground, and 'Shaw Ave.' near the barn. In the bottom right corner, a label for 'US HWY 1' is visible. The background shows more trees and a clear sky.

KEYED SITE DEMO NOTES

REMARK: LOCATION AND DEPTH OF PORTIONS OF THE EXISTING ASPHALT AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION. REMOVE AND REPAVE EXISTING ASPHALT SURF OF OTHER CONTAINERS IN PREPARATION FOR NEW PLANTINGS.

DEMOT: DEMOLITION AND REMOVAL AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION.

CEB: EXISTING CONCRAVE PAVED TO REMAIN.

CSB: FENCE FOR NEW CONCRAVE OR OTHER CURB.

POLE: COORDINATE REMOVAL OF EXISTING LIGHT POLES WITH POWER COMPANY. REEVALUATE AS NECESSARY FOR NEW CURB AND LOCATION OF NEW CONCRAVE PAVED LANE.

RELO: RELOCATE EXISTING POLE (NEW CONCRAVE PAVED LANE) TO NEW LOCATION. CLEAN UP FOR NEW AND PREPARE FOR ASPHALT PAVING.

SAW: SAW CUT THE EXISTING ASPHALT AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION.

SCRN: DEMAND BY THE EXISTING WOODS REPAIR EQUIPMENT SCHEDULES AND EQUIPMENT.

SURF: EXISTING PAVEMENT WILL BE REPAVED AND REPLACED WITH A NEW PAVEMENT SECTION.

EXISTING SITE LEGEND

- DEMOT: DEMO ASPHALT
- CEB: DEMO CONCRAVE
- NO WORK, UNDER EXISTING PAVEMENT

811
Before you dig, call 811 before you dig.

SHAW AVE.

EXISTING BUILDING
1031 N. 1st Avenue

LUTHER WAY

ROTHNEY AVE.

1 SITE DEMO LAYOUT
SCALE: 1" = 10'-0"

REMARK: LOCATION AND DEPTH OF PORTIONS OF THE EXISTING ASPHALT AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION. REMOVE AND REPAVE EXISTING ASPHALT SURF OF OTHER CONTAINERS IN PREPARATION FOR NEW PLANTINGS.

DEMOT: DEMOLITION AND REMOVAL AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION.

CEB: EXISTING CONCRAVE PAVED TO REMAIN.

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SAW: SAW CUT THE EXISTING ASPHALT AS NECESSARY FOR NEW LOT LAYOUT AND COMPANION.

SCRN: DEMAND BY THE EXISTING WOODS REPAIR EQUIPMENT SCHEDULES AND EQUIPMENT.

SURF: EXISTING PAVEMENT WILL BE REPAVED AND REPLACED WITH A NEW PAVEMENT SECTION.

EXISTING SITE LEGEND

- DEMOT: DEMO ASPHALT
- CEB: DEMO CONCRAVE
- NO WORK, UNDER EXISTING PAVEMENT

811
Before you dig, call 811 before you dig.

SHAW AVE.

EXISTING BUILDING
1031 N. 1st Avenue

LUTHER WAY

ROTHNEY AVE.

1 SITE DEMO LAYOUT
SCALE: 1" = 10'-0"

IV. STAFF REVIEW

A. Application Review Dates

- Special Use Permit Amendment Application Submitted: **February 27, 2026**
- Application Deemed Complete: **March 23, 2026**
- Notice of **March 19, 2026**, Planning Board Meeting:
 - Posted On-site: **April 1, 2026**
 - Mailed: **April 1, 2026**
 - Internet: **March 26, 2026**
 - Published: **April 8, and April 15, 2026**
- Planning Board Preliminary Forum: **April 23, 2026**
- Town Council Evidentiary Hearing: **May 12, 2026**

B. Process and Standards for Review

The procedures for the review and approval of a Special Use Permit amendment, per UDO §2.21, establish a process and standards to approve certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right. Special Use Permit Criteria, UDO §2.21.6 (A-F) apply to the review of this amendment to an existing Special Use Permit.

C. Applicable Criteria for Review

A Special Use Permit (SUP) provides a discretionary review process for uses that may have unique characteristics or potential impacts on surrounding properties and are therefore not permitted by right. Approval is not guaranteed and must be justified by the applicant on a case-by-case basis. To receive a SUP, the applicant must demonstrate that the proposed use complies with all applicable zoning and supplemental regulations, is compatible with the surrounding neighborhood, and will not negatively impact adjacent properties or future development. Staff analysis of how the application addresses these six (6) criteria per **UDO §2.21.6 (A-F) and §7.1.8(B) (1-8)** begins below:

Special Use Permit - UDO §2.21.6 (A-F)

A. The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations;

This parcel is zoned General Business (GB) and is located within the Urban Highway Corridor Overlay. The proposed additional land use is permitted; however, the expansion triggers additional parking requirements.

The expansion includes approximately 5,500 square feet of second-story floor area and two outdoor pole barns totaling approximately 3,120 square feet. Based on the proposed uses, 130 parking spaces are required. Pursuant to UDO §2.46(D), the Planning Director approved a 26-space administrative reduction, resulting in a requirement of 104 spaces.

The site provides 74 spaces, creating a 30-space deficit. As of May 6, 2026, the applicant has secured parking agreements with the Veterans Motorcycle Club (40 spaces) and Our Savior Lutheran Church (150 spaces). These agreements exceed the required deficit and adequately address the parking demand associated with the proposed expansion of the nonconformity.

The proposed CONEX container meets applicable setback requirements. Staff recommends a condition of approval requiring the container to be fully screened from public rights-of-way and adjoining properties. The applicant has indicated agreement with this condition.

At this time, no additional zoning concerns have been identified, subject to resolution of the outstanding parking deficiency through executed parking agreements acceptable to the Town.

B. The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;

The subject property is designated in the Southern Pines 2040 Comprehensive Plan as an Employment Center across all applicable mapping frameworks, including the General Framework Map (Area to Enhance), the Conservation and Development Map (Suburban Settlements), and the Character District Map (Neighborhood Commercial). Collectively, these designations support a development pattern that encourages commercial, civic, and institutional uses intended to serve the surrounding community.

Consistent with this adopted policy guidance, the proposed special use is compatible with the existing and planned character of the area, which anticipates a mix of neighborhood-serving commercial and civic activity. The request does not introduce a use that is out of character with the surrounding context; rather, it reinforces the intended development pattern and contributes to the activation of the corridor in a manner consistent with the Town's long-range planning objectives.

In addition, the applicant is proposing site improvements, including relocation of the Fire Department Connection (FDC) along Shaw Avenue, which will improve emergency vehicle access and functionality without encroaching into the fenced service area.

Based on the information provided, the proposed use is not expected to materially injure the use and enjoyment of nearby properties for uses already permitted, but instead supports the orderly development of a cohesive, service-oriented neighborhood environment.

C. Adequate public facilities shall be provided as set forth herein;

The subject property is adequately served by existing public utilities, including available water service along Shaw Avenue and sanitary sewer infrastructure along Rothney Avenue. The applicant has indicated an intent to connect to the utility improvements currently being installed by the adjoining property owner to the north, Trophy Properties, in order to enhance service capacity and support the proposed development. Based on the availability of these public utility services, staff finds that adequate public facilities can be provided to serve the proposed special use, subject to all applicable utility connection approvals and permits.

D. The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the Neighborhood;

No expert testimony was submitted addressing orderly development nor impact of property values within the neighborhood.

- E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare;** No health, safety, comfort, or general welfare impacts have been identified by staff.
- F. The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.**

With executed off-site parking agreements now in place and sufficient to meet the identified parking demand, staff finds that the proposed use will not materially endanger the public health or safety and will not substantially injure the value of adjoining or abutting property, in accordance with UDO §2.21.6(A) and (B).

The property has historically operated as a restaurant with access to parking capacity exceeding 100 spaces and has functioned at a similar level of intensity. The proposed expansion represents reinvestment in an existing commercial site rather than the introduction of a new impact-generating use, and is consistent with the character of the surrounding area, satisfying UDO §2.21.6(C) and (D).

With adequate parking secured and subject to compliance with all conditions of approval, the proposed special use will not materially impede the normal and orderly development of the surrounding area and is consistent with the Town's adopted plans, including the Comprehensive Plan, thereby meeting UDO §2.21.6(E) and (F).

Additional Criteria for Expansion of Non-Conformity - UDO §7.1.8(B) (1-8)

1. The termination of such non-conformity will result in unnecessary hardship;

The narrative states the property contains a long-vacant former restaurant building that has remained blighted for over a decade. The applicant proposes adaptive reuse of an existing two-story commercial structure rather than demolition or abandonment. A reasonable argument can be made that strict elimination of the existing nonconforming conditions could impede practical reinvestment and reuse of the property.

Important Note: This should not be framed as financial hardship alone. The hardship should focus on the existing site layout, historic building configuration, and practical limitations of retrofitting an older developed parcel.

2. The continuation of the non-conformity will not be contrary to the public interest;

The continuation of the existing nonconformity, subject to compliance with all applicable regulations and conditions of approval, will not be contrary to the public interest. The applicant is proposing to rehabilitate a long-blighted property and reactivate a commercial site that has remained vacant for an extended period. The proposed improvements include reinvestment in the structure, upgraded utilities, enhanced fire access, and the establishment of dining and event space that will return the property to productive use. In addition, the project is expected to generate economic activity, support local employment opportunities, and improve the overall appearance and functionality of the site. Collectively, these factors support a finding that continuation of the nonconformity is consistent with and beneficial to the broader public

interest.

3. The continuation of the non-conformity will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;

The continuation of the existing nonconformity will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district. The applicant has made significant site improvements, including added green space, upgraded building systems, roof and façade repairs, new windows and shutters, enhanced buffers, and a new landscaping plan. These improvements improve the appearance of the property, strengthen compatibility with surrounding development, and complement the adjacent office use to the north.

In addition, these upgrades help mitigate potential external impacts such as parking, noise, lighting, and operational activity. Accordingly, the proposed continuation of the nonconformity is not expected to impair neighboring conforming properties.

4. The use will be in harmony with the spirit and purpose of these regulations and the Comprehensive Plan goals, objectives, and policies;

The proposed use will be in harmony with the spirit and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan. The applicant is proposing the adaptive reuse of an existing building, reinvestment in an underutilized property, and the creation of commercial activity and community gathering space. These outcomes support economic vitality, redevelopment, and productive reuse of existing commercial land, which are consistent with the intent of the zoning regulations and the broader objectives of the Comprehensive Plan.

5. The plight of the Applicant for which the continuation of the non-conformity is sought is due to unique circumstances existing on the property and/or within the surrounding district;

The plight of the applicant for which the continuation of the nonconformity is sought is due to unique circumstances existing on the property and within the surrounding district. The subject property is a previously developed site containing an older commercial building with an existing layout established under earlier regulatory standards. The site has also experienced a prolonged period of vacancy and blighted conditions. As part of the proposed redevelopment, the applicant is in the process of retrofitting the existing structure and site to meet modern requirements related to egress, utilities, fire access, and parking management. These circumstances are specific to the property itself and not the result of actions taken by the current applicant.

6. The continuation of the non-conformity will not substantially weaken the general purposes of this UDO or the regulations established for the applicable zoning district;

The continuation of the existing nonconformity will not substantially weaken the general purposes of this UDO or the regulations established for the applicable zoning district. The property remains located within a commercial zoning district, and the proposed use is commercial in nature and consistent with the intended character of the district. Provided that the applicable standards related to parking, screening, safety, and compatibility are maintained, the continuation of the nonconformity can be found consistent with the overall purpose and

regulatory framework of the UDO.

7. The continuation of the non-conformity will not adversely affect the public health, safety, and welfare; and

The applicant has conducted an extensive rehabilitation of an old commercial building that has been vacant for more than ten years. An is aware of noise occupancy, event operations fire compliance and traffic management still need to be reviewed.

8. Mere financial hardship caused by the cost of meeting the requirements of the UDO does not constitute grounds for finding that compliance is not reasonably possible.

The applicant has not claimed financial hardship to staff.

Additional Criteria for Expansion of Commercial Non-Conformity - UDO §7.1.8(C) (1-5)

1. The change or expansion is Compatible with the surrounding uses of land and is beneficial to the health, welfare and safety of the community;

The proposed change or expansion is compatible with the surrounding pattern of land uses, which includes General Business development within the Highway Corridor and nearby residential areas identified in the Comprehensive Plan. The request represents an appropriate commercial expansion in a mixed-use context and, subject to applicable conditions, is expected to support the health, welfare, and safety of the community through reinvestment in the property and continued productive use of the site.

2. All Non-Conforming Signs shall be brought into compliance with the requirements of this UDO;

All nonconforming signs shall be brought into compliance with the requirements of the Unified Development Ordinance. The applicant has acknowledged this requirement and has indicated that any existing nonconforming signage will be updated or removed as necessary to achieve full compliance with current UDO sign standards prior to installation, replacement, or continued use as required.

3. Unsightly or unsafe conditions on the site have been or will be mitigated pursuant to the Special Use Permit;

The applicant has acknowledged the need to bring the property into compliance and has indicated a commitment to correcting existing unsightly or unsafe conditions through the proposed site improvements, renovations, and any additional requirements imposed as conditions of approval. These measures are intended to enhance the appearance, safety, and overall functionality of the property.

4. Outdoor storage, displays or operations shall comply with the terms of this UDO;

Outdoor storage, displays, or operations shall comply with the terms of the Unified Development Ordinance. The applicant has acknowledged this requirement and has agreed that any outdoor storage or operational areas will be properly screened so as not to be visible from adjacent sidewalks, streets, or public rights-of-way. Any outdoor displays or activities will be conducted in a manner consistent with all applicable UDO standards and any

conditions of approval.

5. The expansion does not increase the degree of non-conformity of the property due to the Setback, height, parking or landscaping requirements of this UDO.

The proposed expansion does not increase the degree of nonconformity of the property with respect to setback, height, parking, or landscaping requirements of the Unified Development Ordinance, subject to the applicant securing the necessary parking arrangements. While the addition of the venue use may increase site intensity, the applicant has proposed mitigation through shared parking agreements with neighboring businesses and the availability of nearby on-street public parking. Any such parking resources are not exclusive to the site and must function within the broader shared parking environment. Continued coordination with adjacent property owners and compliance with all approved parking conditions will be necessary to ensure the expansion does not create a greater degree of nonconformity.

V. AGENCY REVIEW AND COMENTS

A request for comments from agencies was emailed on March 26, 2026, to representatives of the Town of Southern Pines Engineering, Streets, Utilities, Fire and Recreation & Parks Departments as well as representatives of the North Carolina Department of Transportation (NC DOT), U.S. Fish and Wildlife Service and the Regional Land Use Advisory Commission (RLUAC). There were responses of “no comment” from Duke Energy, the Moore County Economic Development Partnership, RLUAC, and USFWS. Any comments received after completion of this staff report will be shared during the evidentiary hearing.

VI. STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit to allow the expansion of a nonconforming site to include a restaurant with an accessory event venue, as the application is consistent with the criteria set forth in UDO §2.21.6.

The applicant has secured shared parking agreements with the Veterans Motorcycle Club and Our Savior Lutheran Church, providing parking well in excess of the identified deficit. These agreements adequately address parking demand associated with scheduled events and support compatibility with surrounding properties.

The proposed expansion represents reinvestment in an existing commercial site and does not preclude future development of neighborhood-serving civic, retail, or institutional uses envisioned for the area. With adequate parking secured and subject to compliance with all applicable conditions, the request is not expected to adversely impact public health, safety, or welfare.

Pursuant to UDO §2.27.7, Town Council may impose reasonable conditions as necessary to ensure continued compliance and to protect the public health, safety, and welfare.

VII. ATTACHMENTS

The following materials have been provided as attachments to this staff report:

1. Application
2. Narrative
3. Site Plan

Additional documents related to this application including, but not limited to: application, property deeds, Authorization of Agent forms, email correspondence, meeting minutes, and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available for public inspections during normal business hours.

VIII. TOWN COUNCIL ACTION

To either approve or deny a Special Use Permit application to expand a non-conforming lot, the Town Council shall make findings of fact and conclusions to the applicable standards. Approval of the request will result in the expansion of a non-conforming site by allowing the subject property to continue without a principal use and permit a new accessory structure on the property. Pursuant to UDO §2.27.7, in approving any special use permit, the Town Council may impose such reasonable standards, conditions, or requirements as it may deem necessary to protect the public health, safety and welfare.

The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case. The Town Council shall then vote on whether the application complies with the criteria as set forth in §2.21.6(A-F) Criteria for a Special Use Permit as well as additional criteria for expansion of a non-conformity. The Town Council may choose among the following motions or any alternative at their discretion.

I move to:

1. Adopt Attachment One of the staff report, as drafted, as Findings of Fact for SU-01-26.

-OR-

2. Adopt Attachment One of the staff report as Findings of Fact for SU-01-26, with the following changes:
-

Next, the Town Council shall vote on whether to approve, deny, or approve with conditions the proposed Special Use Permit. The Town Council may choose one of the following motions, or any alternative they wish.

I move to:

1. Approve the Special Use Permit for SU-01-26 with the following conditions:
 1. No more than one (1) 40-foot CONEX container shall be permitted on the subject property as part of this Special Use Permit approval. The container shall comply with the standards of UDO §5.3.2(E), shall remain outside all required setbacks, and shall be fully screened from adjacent public rights-of-way and adjoining properties through fencing and landscaping approved by the Planning Department. All required screening shall be installed prior to operation of the approved event venue use and shall be maintained in perpetuity.
2. The approved event venue and expanded restaurant use shall maintain a minimum of

104 parking spaces in accordance with the approved administrative parking reduction under UDO §2.46(D). The property owner shall maintain valid off-site parking agreements sufficient to address the identified parking deficiency associated with the expanded nonconforming use and to accommodate parking demand during special events and periods of increased occupancy. At a minimum, the executed parking agreements with the Veterans Motorcycle Club and Our Savior Lutheran Church shall remain in full force and effect for the duration of the approved use, or equivalent agreements shall be provided. Any lapse, termination, or reduction in the approved off-site parking arrangements resulting in noncompliance with the required parking count shall constitute a violation of this Special Use Permit unless otherwise approved by the Town and may result in enforcement action, including revocation of the permit.

3. The approved two (2) 26-foot by 60-foot pole barns located within the rear “Barnyard” area shall be limited to outdoor dining, gathering, and relaxation activities accessory to the approved restaurant and event venue use. The structures shall comply with all applicable standards of the Unified Development Ordinance, including required setback, height, and building code requirements. The pole barns shall remain outside all required setbacks for the General Business (GB) zoning district and Urban Highway Corridor Overlay for the duration of the approved use.
4. The approved eight (8) foot tall privacy fence associated with the rear “Barnyard” area shall be limited to the interior portions of the site and shall be designed to provide screening, security, and noise attenuation for the approved outdoor activity areas. Any portion of the fence located along the exterior perimeter of the property shall not exceed six (6) feet in height in accordance with applicable Unified Development Ordinance standards. Additional landscaping and vegetation may be utilized to supplement screening and achieve the intended buffering effect along the property perimeter, subject to Planning Department approval.

-OR-

2. Approve the Special Use Permit for SU-01-26 with the following changes or conditions:

-OR-

3. Deny the Special Use Permit for SU-01-26.

ATTACHMENT ONE
Draft Finding of Fact
Case Number SU-01-26

FINDINGS OF FACT

- I. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Special Use Permit approval for expansion of a non-conformity has fully met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Special Use Permit, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
2. The Town Council finds that the Special Use Permit application complies with the criteria of UDO §2.21.6 (A-F). Specifically, in that:
 - A. The Town Council finds that the proposed special use complies with the applicable regulations of the General Business (GB) zoning district and the Urban Highway Corridor Overlay. The proposed expansion includes additional floor area and outdoor gathering spaces which increase parking demand; however, the applicant has secured executed off-site parking agreements with the Veterans Motorcycle Club and Our Savior Lutheran Church sufficient to address the identified parking deficiency. The proposed CONEX container meets applicable setback requirements and will be screened in accordance with conditions of approval.
 - B. The Town Council finds that the proposed special use conforms to the character of the surrounding neighborhood and will not injure the use and enjoyment of nearby properties. The subject property is designated as an Employment Center and Neighborhood Commercial area within the Southern Pines 2040 Comprehensive Plan, which supports neighborhood-serving commercial, civic, and institutional uses. The proposed expansion is consistent with the existing development pattern and includes site improvements that enhance the functionality and appearance of the property.
 - C. The Town Council finds that adequate public facilities are available to serve the proposed special use, including existing public water and sewer infrastructure. The applicant has indicated coordination with adjacent utility improvements to support the proposed development.
 - D. The Town Council finds that the proposed use will not impede the orderly development of surrounding properties or substantially diminish nearby property values. No expert testimony was presented indicating adverse impacts to surrounding development patterns or property values.
 - E. The Town Council finds that the establishment, maintenance, and operation of the proposed use will not be detrimental to the public health, safety, comfort, or general welfare. Staff identified no adverse impacts related to health, safety, or general welfare associated with the proposed use.
 - F. The Town Council finds that the public interest and welfare supporting the proposed use outweigh any individual interests adversely affected by the request. The proposal represents reinvestment into an existing commercial property, is consistent with the Comprehensive Plan, and, with executed off-site parking agreements in place, will not materially impair surrounding properties or the orderly development of the area.

3. The Town Council finds that the Special Use Permit application complies with the additional criteria for expansion of a non-conformity found in UDO §7.1.8(B)(1-8). Specifically, in that:
 1. The Town Council finds that requiring the termination of the existing nonconformity would result in an unnecessary hardship due to the unique circumstances associated with the existing site layout, historic building configuration, and practical limitations of retrofitting an older developed commercial property. The subject property contains a long-vacant former restaurant building that has remained underutilized and blighted for more than a decade. The applicant proposes the adaptive reuse and rehabilitation of the existing structure rather than demolition or abandonment, thereby supporting the productive reinvestment of the property.
 2. The Town Council finds that the continuation of the existing nonconformity will not be contrary to the public interest. The applicant proposes substantial reinvestment into the property through building rehabilitation, upgraded utilities, enhanced fire access, site improvements, landscaping, and the establishment of expanded dining and event space. The redevelopment will reactivate a previously vacant commercial site, improve the overall appearance and functionality of the corridor, and contribute to local economic activity and employment opportunities.
 3. The Town Council finds that the continuation of the existing nonconformity will not substantially or permanently injure the appropriate use of adjacent conforming properties within the same district. The applicant has completed and proposed numerous site improvements, including upgraded landscaping, additional green space, façade enhancements, new windows and shutters, roof repairs, and enhanced buffering and screening elements. These improvements improve compatibility with surrounding development patterns and help mitigate potential impacts related to noise, lighting, parking, and operational activity.
 4. The Town Council finds that the proposed use is in harmony with the spirit and purpose of the UDO and the goals, objectives, and policies of the Town of Southern Pines Comprehensive Plan. The adaptive reuse of the existing structure and reinvestment into an underutilized commercial property supports economic vitality, redevelopment, and the productive reuse of existing developed land while providing a community-oriented gathering space consistent with the character of the corridor.
 5. The Town Council finds that the plight of the applicant for which the continuation of the nonconformity is sought is due to unique circumstances existing on the property and within the surrounding district. The property contains an older commercial structure and site layout established under previous regulatory standards and has experienced prolonged vacancy and deterioration. The proposed redevelopment requires retrofitting the existing building and site to address modern requirements related to utilities, egress, fire access, and parking management. These conditions are unique to the property itself and are not self-created by the applicant.
 6. The Town Council finds that the continuation of the existing nonconformity will not substantially weaken the general purposes of the UDO or the regulations established for the applicable zoning district. The subject property remains located within a commercial zoning district, and the proposed use remains commercial in nature and generally consistent with the intended character of the area. The proposed improvements and compliance with applicable conditions related to screening, parking, compatibility, and safety further support consistency with the intent and regulatory framework of the UDO.
 7. The Town Council finds that the continuation of the existing nonconformity will not adversely affect the public health, safety, or welfare. The applicant has undertaken substantial rehabilitation of a previously vacant commercial building and proposes additional improvements intended to

support safe operation of the site, including fire access upgrades, code-compliant egress improvements, utility upgrades, and site management measures. The use will remain subject to all applicable building, fire, and operational requirements.

8. The Town Council finds that the request for continuation and expansion of the nonconformity is not based upon mere financial hardship associated with meeting UDO requirements. The applicant has not asserted financial hardship as justification for the request, and the findings are instead based upon the existing physical conditions of the property, the historic site configuration, and the practical limitations associated with adaptive reuse of the structure.
4. The Town Council finds that the Special Use Permit application complies with the additional criteria for expansion of a commercial non-conformity found in UDO §7.1.8(C)(1-5). Specifically, in that:
 1. The Town Council finds that the proposed expansion is compatible with the surrounding pattern of commercial and mixed-use development and is beneficial to the health, welfare, and safety of the community through the continued reinvestment and productive reuse of the property.
 2. The Town Council finds that all nonconforming signage associated with the property shall be brought into compliance with the requirements of the Unified Development Ordinance, and the applicant has acknowledged compliance with all applicable sign regulations.
 3. The Town Council finds that existing unsightly or unsafe conditions on the property will be mitigated through the proposed renovations, site improvements, landscaping, and conditions of approval associated with the Special Use Permit.
 4. The Town Council finds that any outdoor storage, display, or operational areas associated with the proposed use will comply with the requirements of the Unified Development Ordinance and will be adequately screened from adjacent streets and public rights-of-way.
 5. The Town Council finds that the proposed expansion does not increase the degree of nonconformity related to setback, height, parking, or landscaping requirements of the Unified Development Ordinance. The applicant has secured shared parking agreements and proposed mitigation measures sufficient to address the increased parking demand associated with the expanded use.



Special Use Permit

Fee: \$ _____ Date Paid: _____ Case No.: SU- _____ - _____

Project Information:

Street Address: 305 Rothney Ave. Southern Pines, NC 28387

PIN: ~~8571-00-86-0036~~ ^(LK) 857100860036 Parcel ID: ~~8571-00-86-0036~~ 00046498

Site Size: 1.43 acres

Zoning: GB- General Business

Applicant:

Name(s): Reno R. Rolle

Email: reno@thebarnsp.com

Phone: 805-252-9962

Mailing Address: 468 Yadkin Road Southern Pines, NC 28387

Authorized Agent, if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

Legal Property Owner(s), if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

7.22.25

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

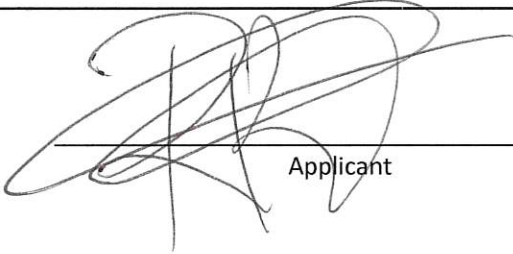
I, the undersigned, do hereby make application to and petition the Planning Board and Town Council to grant a Special Use Permit as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the west side of Luther Way (St./Ave.), between Rothney (St./Ave.) and Shaw (St./Ave.). The property has a frontage of 364 feet and a depth of 228 feet.

The special use sought is based upon Section(s) 2.21 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Date:

2/24/26


Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES

plan@southernpines.net (910) 692-4003 www.southernpines.net

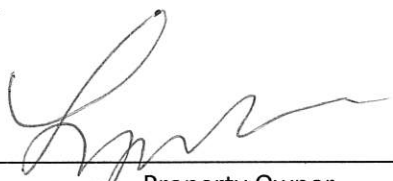
APPOINTMENT OF AGENT

The undersigned owner(s), Barnyard Ventures LLC, hereby appoint(s) Reno & Lynn Rolle as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Special Use Permit on the property described in the attached application. The owner(s) hereby agree that this agent has the authority to act for and on behalf of the owner(s) as follows:

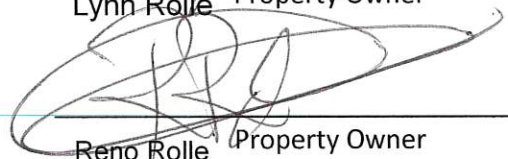
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for the issuance of a Special Use Permit on the subject property; and
4. to act on behalf of the owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Special Use Permit under the Southern Pines Unified Development Ordinance.

This Appointment of Agent shall remain in effect until final resolution of the attached application.

Signed this 20 day of February, 2026.



Lynn Rolle Property Owner



Reno Rolle Property Owner

Agent

Written Narrative for Special Use Permit Application

Property Address: 305 Rothney Avenue, Southern Pines, NC 28387

PIN: 8571-00-86-0036

Zoning District: GB - General Business

Applicant: Barn Yard Ventures, LLC/Reno & Lynn Rolle

Project Overview

The applicant proposes to renovate and reactivate a long-vacant 11,500-square-foot, two-story building on approximately 1.43 acres, previously the iconic JFR Barn steakhouse (Moore County's largest by seating capacity) from 1974 until its closure around 2012. The property has remained blighted and an eyesore for over a decade. Phase 1 focuses on interior renovations to the first floor for a restaurant/event center featuring a superfood-infused cafe offering ultra-healthy pizza, drinks, cocktails, beer, wine, and other food/beverage options. Major systems (HVAC, electrical, plumbing) are being fully updated or replaced to meet current codes.

The use will operate as both a restaurant for daily dining and an event center for private parties, weddings, markets, holiday festivals, and similar gatherings. Phase 2 will activate the second floor for expanded event and dining capacity.

Key elements requiring the Special Use Permit include:

- A custom-painted/decorated 40' Connex container as a dynamic art installation featuring the work of local artists, and storage for event furniture/equipment, not visible to any neighbors or from any road.
- Two 26'x60' pole barns for shaded/sheltered outdoor dining and relaxation in the rear "Barnyard" area.
- Relocation of the Fire Department Connection (FDC) point outside the fenced service area along Shaw Avenue for improved fire access.
- Comprehensive landscaping updates throughout the property, with special focus on the outdoor "Barnyard" (rear portion of the site) featuring the pole barns, three fire pits, a water feature, and other hardscape elements.
- Modification of the previously approved cement patio on the south end of the building to a wood-framed deck (with equivalent or improved design standards).

- Addition of an exterior staircase on the north end of the building to service an existing second-floor exit door, providing compliant exterior egress.
- Tie-in to a new sewer line along Luther Avenue (with written permission from Trophy Point Properties IV, LLC owner John Pandich).

The site provides 65 on-site parking spaces (excluding any EV charging spaces). A written agreement is pending with the Veterans Motorcycle Club (360 Shaw Avenue) to provide up to 30 overflow parking spaces. We are also in active discussions with both Grace Church and Our Savior Lutheran Church for formal written agreements to utilize up to 50 spaces at each church (totaling up to 100 spaces) in their ample parking lots for additional overflow during special events and, upon activation of Phase 2 (second floor), to provide the necessary additional capacity. While on-street parking should easily satisfy any overflow demands, these agreements should be finalized well before the Town Council hearing on May 12, 2026.

To meet parking requirements transparently:

- Routine restaurant operations will be served by the 65 on-site spaces.
- The addition of outdoor seating in the pole barns requires an additional 26 spaces per Town standards; this will be addressed through on-street parking (a minimum of 30 spaces available on Rothney Avenue and 10 on Shaw Avenue, subject to approval by the Fire Marshal and Public Works), and the pending Veterans Motorcycle Club agreement (up to 30 spaces).
- For Phase 2 (second-floor activation) and larger special events, the proposed agreements with Grace Church and Our Savior Lutheran Church will provide up to 100 additional spaces (50 at each church), supplemented by on-street options (Rothney and Shaw), the pending Veterans Motorcycle Club agreement, and potential valet service during high-demand events.

These arrangements would ensure full compliance with UDO parking standards and minimize neighborhood impacts. Sealed engineering drawings for the interior renovations and prior landscape/site plans were previously approved by the Town. Updated sealed engineer drawings and artist renderings for the pole barns, along with details for the proposed deck modification and exterior staircase, will be submitted with this application. The "Barnyard" enhancements are located entirely in the rear of the property and are not visible from any frontage roads (Rothney Avenue, Shaw Avenue, or Luther Avenue), ensuring they remain screened from public view and neighboring streets. The exterior staircase is a functional addition on the north end for safety/egress. This project revives a historic community landmark into a modern, welcoming gathering place (as detailed on thebarnsp.com).

The narrative below demonstrates compliance with UDO §2.21.7 criteria:

(A) The proposed special use shall comply with all regulations of the applicable zoning district and any applicable supplemental use regulations.

The property is zoned GB (General Business), which permits restaurants, event centers, outdoor dining, accessory structures, and similar commercial uses (subject to any supplemental standards). The proposed restaurant/event center use aligns with the GB district's intent for business and commercial activities. The Connex container (as artistic/storage only visible to patrons), pole barns (as open-sided shaded structures for outdoor use), FDC relocation, landscaping enhancements, sewer tie-in, wood-framed deck modification, and exterior staircase (for compliant egress per building code standards) are accessory or site improvements. These comply with dimensional, setback, screening, and design standards (or seek relief only where necessary via this SUP). Parking is provided with 65 on-site spaces plus a pending agreement with the Veterans Motorcycle Club for up to 30 overflow spaces, pending agreements with Grace Church and Our Savior Lutheran Church for up to 50 spaces each (totaling 100 spaces for Phase 2/events), consistent with UDO allowances for satellite/shared parking, on-street credits (minimum 30 on Rothney Avenue and 10 on Shaw Avenue subject to approval, and phased/event accommodations. Prior approved engineering drawings confirm base compliance for interior renovations, system updates (HVAC/electrical/plumbing), and core site work. Submitted sealed drawings and renderings ensure engineering and structural compliance.

(B) The proposed special use shall conform to the character of the neighborhood in which it is located and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted.

The neighborhood features commercial and mixed uses near downtown Southern Pines, with compatible businesses (e.g., retail, dining). Revitalizing a vacant, blighted former restaurant enhances neighborhood character by eliminating an eyesore and restoring a historic dining hub. The "Barnyard" area—with pole barns (open-sided, agricultural-inspired design), custom-painted Connex container (as functional art), fire pits, water feature, and landscaping—is located entirely in the rear of the property and is not visible from any frontage roads or public rights-of-way. This rear placement, combined with natural screening and site buffers, ensures no visual intrusion or adverse impact on neighboring properties. The deck modification maintains functional outdoor space without expanded footprint or impacts. The exterior staircase on the north end is a minimal, functional addition for egress and does not alter building character or viewshed. Parking is managed with 65 on-site spaces, pending Veterans Motorcycle Club agreement for 30 spaces, pending agreements with Grace Church and Our Savior Lutheran Church for up to 100 spaces total, on-street use (minimum 30 on Rothney and 10 on Shaw, subject to approvals, and potential valet—preventing any neighborhood parking disruption or

injury to nearby uses. No elements will generate excessive noise, light, or activity beyond typical restaurant/event uses in the GB district. The project complements surrounding properties and supports the enjoyment of permitted commercial activities.

(C) Adequate public facilities shall be provided as set forth herein.

Adequate facilities are ensured:

- Utilities: Full HVAC/electrical/plumbing upgrades; permitted sewer tie-in to the new Luther Avenue line (with owner permission).
- Fire safety: Relocated FDC along Shaw Avenue improves emergency vehicle access without encroaching on the fenced service area.
- Parking/Traffic: 65 on-site spaces supplemented by a pending agreement with the Veterans Motorcycle Club for up to 30 spaces, pending agreements with Grace Church and Our Savior Lutheran Church for up to 50 spaces each (totaling 100 spaces for Phase 2/events), on-street parking (minimum 30 on Rothney Avenue and 10 on Shaw Avenue subject to Fire Marshal/Public Works approval, and potential valet service; traffic impacts remain minimal due to reuse of existing site access and established patterns.
- Water/stormwater: Addressed in prior approved site plans; enhanced landscaping improves drainage and aesthetics. All public facilities meet or exceed Town requirements.

(D) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood.

This redevelopment positively impacts surrounding properties by removing blight and introducing a high-quality restaurant/event venue. The rear-only placement of the "Barnyard" enhancements ensures no aesthetic or functional disruption to adjacent parcels or streetscapes. The exterior staircase is a safety-focused addition with minimal visual/functional impact. Aesthetic upgrades (artistic container, landscaped rear oasis, pole barns) increase overall site appeal without negative effects. Parking is adequately addressed with on-site provision, a pending agreement with the Veterans Motorcycle Club (30 spaces at no cost), pending agreements with Grace Church and Our Savior Lutheran Church (up to 100 spaces total), on-street options, and potential valet—avoiding overflow concerns. Property values are likely to benefit from the site's revitalization and removal of a long-vacant eyesore. No impediments to permitted GB uses (e.g., retail, offices, dining) are anticipated.

(E) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.

No detriments are anticipated:

- Health/Safety: Updated building systems, improved FDC access, fire pits (with standard safeguards), and exterior staircase (providing compliant exterior egress from the second floor) ensure safety.
- Comfort/Welfare: Controlled operations, rear placement of outdoor features (screened from public view), and landscaping buffers minimize any noise or light concerns. The project reuses an established site with no added traffic/safety hazards, and parking is managed via 65 on-site spaces plus pending agreements/on-street/valet options. Overall, it removes a dangerous vacant structure, significantly improving public welfare.

(F) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.

Public benefits substantially outweigh any minimal or hypothetical impacts:

- Revitalizes a long-blighted property, restoring a community landmark and former dining destination.
- Provides healthy dining options, versatile event space (private parties, weddings, markets, festivals), and a shaded outdoor "Barnyard" oasis for residents and visitors.
- Enhances sustainability and wellness through thoughtful site design.
- Aligns with the Town's Comprehensive Plan goals for economic vitality, community gathering spaces, and adaptive reuse of underutilized properties.
- Ensures parking adequacy with 65 on-site spaces, pending Veterans Motorcycle Club agreement for 30 spaces, pending agreements with Grace Church and Our Savior Lutheran Church for up to 100 spaces total, on-street use (minimum 30 on Rothney and 10 on Shaw, pending Town approval), and potential valet—minimizing community disruption.
- Generates high paying jobs, tax revenue, and positive activity in a high-visibility location. Any individual concerns (e.g., occasional event activity or parking) are mitigated by ample on-site parking, neighbor agreements, operational controls, and phased planning. The project serves broad public interest in blight removal and community enhancement.

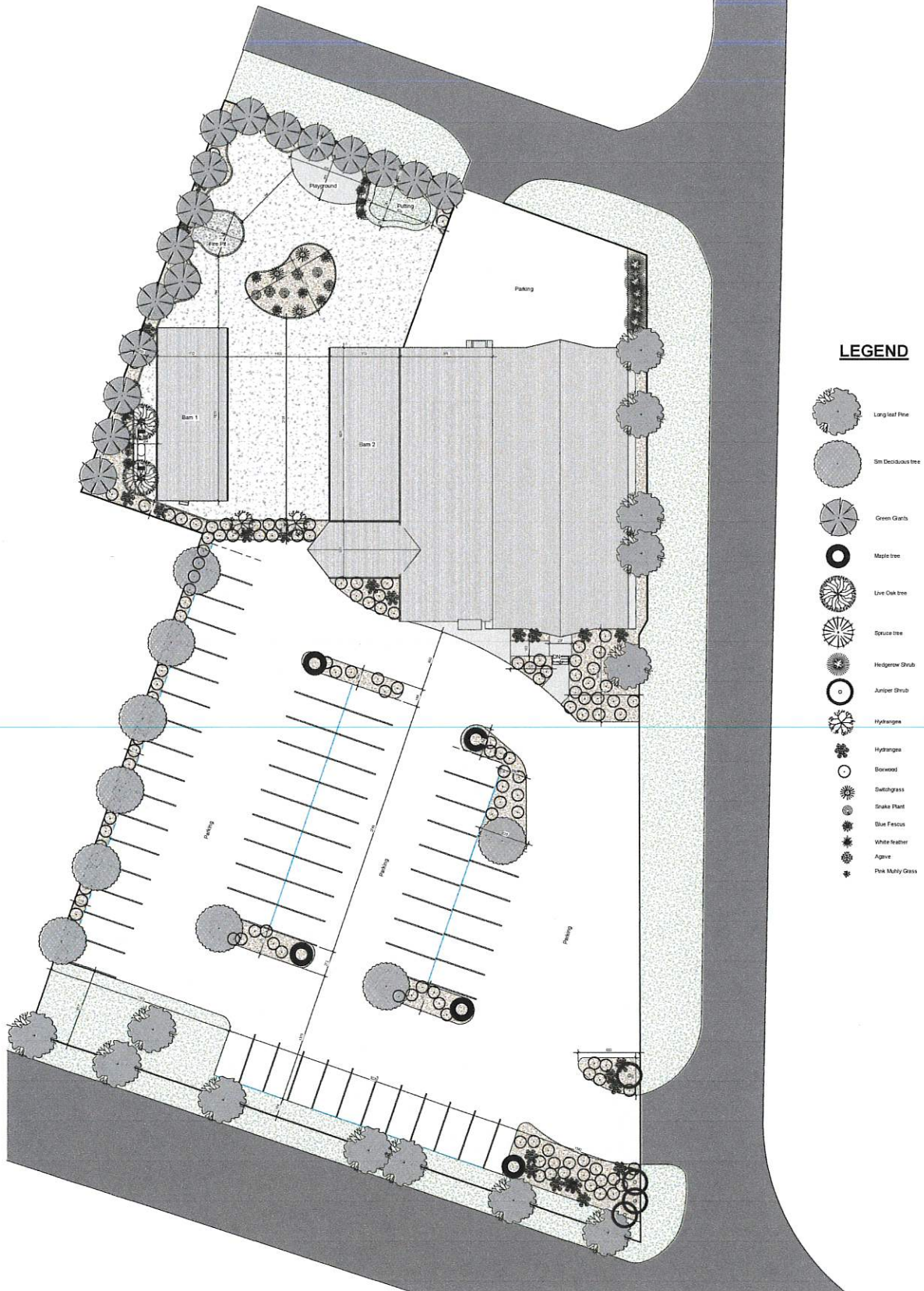
The applicant respectfully requests approval of the Special Use Permit, subject to any reasonable conditions. We are available for questions and will attend the Planning Board and Town Council hearings.

Thank you for your consideration.

Reno Rolle

Date:4/15/2026

SITE PLAN



Planning Staff Report

To: Reagan Parsons, Town Manager

From: Gene Ruiz, Planner II

Date: May 12, 2026

Item: **PD-07-25** – Review of a Planned Development District Preliminary Development Plan (PDP) for Mavis Tire in Morganton Park South

EXECUTIVE SUMMARY

The applicant has submitted a Preliminary Development Plan (PDP) in accordance with Unified Development Ordinance (UDO) §2.18, which establishes the two-step review process for Planned Development (PD) districts, consisting of a Conceptual Development Plan (CDP) and a PDP. The CDP for this site (PD-08-21) was approved on September 29, 2021, and this application represents a subsequent PDP stage of review.

The proposed use, classified as LBCS 2117 – Automotive Repair and Maintenance (including tire sales), is permitted within the retail/office land use category identified for Phase 3 of the approved CDP. The site is also designated as a Retail Center and Community Activity Center in the 2040 Comprehensive Plan, supporting the appropriateness of the proposed use at this location.

At the March 19, 2026 Preliminary Forum, the Planning Board identified several areas of non-compliance related to parking quantity, parking location, and building orientation, noting inconsistencies with the approved CDP and the UDO. The Board transmitted these concerns to the Town Council for further consideration.

Following the Preliminary Forum, the applicant, Andrew Mueller with BL Companies, worked closely with staff to address all identified issues. The revised PDP reflects substantive changes to bring the project into full compliance with the approved CDP and all applicable UDO standards. These revisions include adjustments to parking quantity consistent with staff-supported thresholds, reconfiguration of parking to meet required placement standards, and correction of building orientation to align with frontage requirements along the future Northern Road.

As revised, the proposal demonstrates consistency with the approved CDP, compliance with the applicable provisions of the UDO, and responsiveness to the Planning Board's recommendations. Staff find the application to be compliant and suitable for consideration of approval by the Town Council.

This application was continued from the April 14, 2026, Town Council regular meeting because only three members of the Town Council were present to vote. The applicant was informed of the circumstances and elected to continue the matter to the following Town Council meeting on May 12, 2026.

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I. PLANNING BOARD RECOMMENDATION

On March 19, 2026, the Town of Southern Pines Planning Board held a Preliminary Forum on application PD-07-25. Planning staff provided an overview of the project and outlined the requested deviations in relation to the approved Conceptual Development Plan (CDP), PD-08-21, and the applicable provisions of the UDO. Following discussion, the Board identified several outstanding issues with the proposal.

After deliberation, Monica Brickey made a motion, seconded by Jeremy Haskell, to transmit these issues to the Town Council, noting that the requested deviations were not consistent with the approved CDP PD-08-21 and did not comply with the applicable provisions of the UDO. The motion carried by a vote of 4-0. The Board's findings and justifications are detailed in the Planning Board Resolution included in Attachment One of this staff report.

Following the Preliminary Forum and in response to the Planning Board's comments and recommendations, the applicant, Andrew Mueller with BL Companies, has revised the proposal to address the identified issues. The updated plans have been modified to meet town standards and demonstrate consistency with the approved CDP PD-08-21 and the applicable provisions of the UDO.

II. PROJECT INFORMATION

A. Property Owner:

MSP Outlots, LLC

B. Applicant & Authorized Agent:

Kristen Morse, Mavis Tire and Andy Mueller, BL Companies

C. Subject Property Description:

The subject property is located in Lot 4 of Phase 4 of the Morganton Park South Planned Development

D. Current Zoning: Planned Development (PD)

Overlays: Planned Development. Urban Village Highway Corridor Overlay & Morganton Road Overlay

Figure 1: Vicinity Arial Image Conditions



Figure 2: Vicinity Zoning Map



Figure 3: Site from Intersection of W. Morganton Road and Northern Rd.



Figure 4: Portion of Major Subdivision Preliminary Plat (MAPP-04-24)

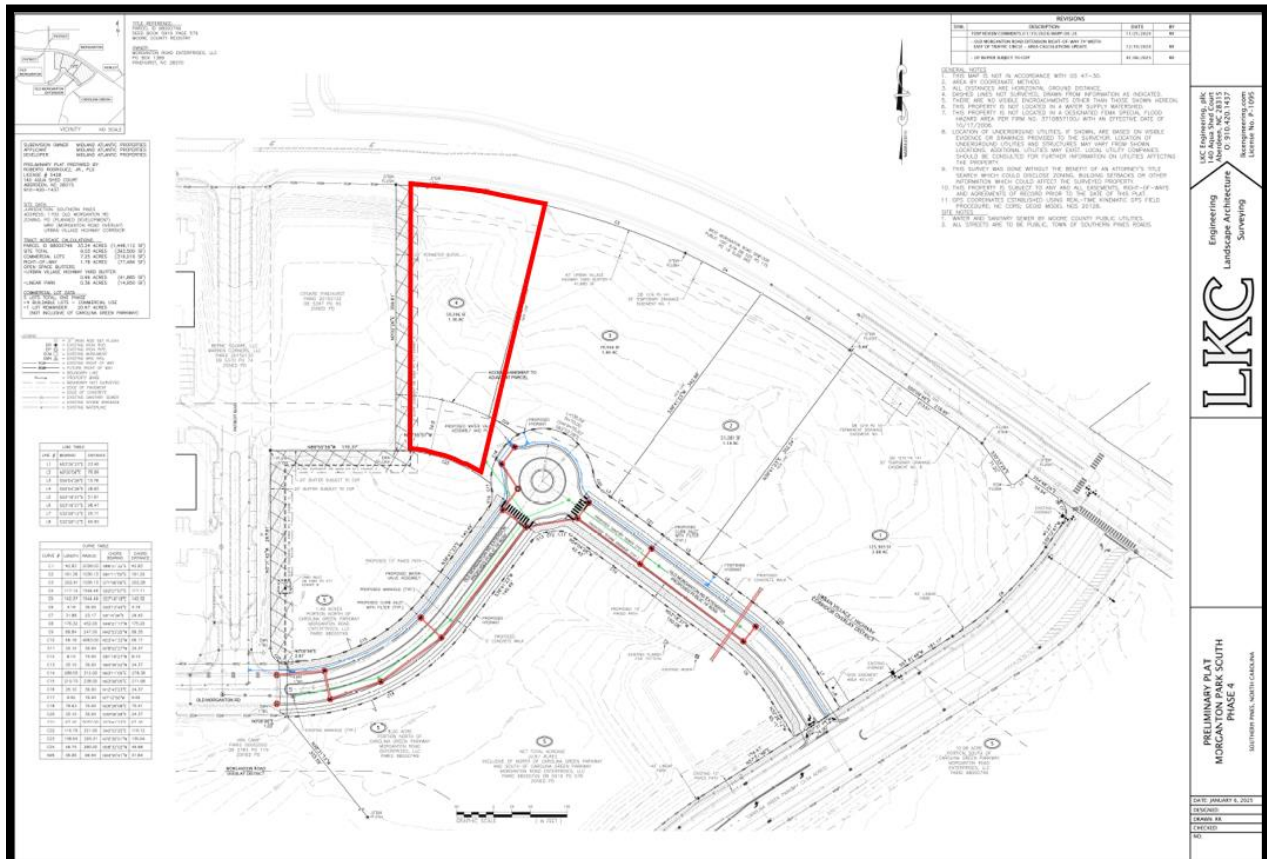
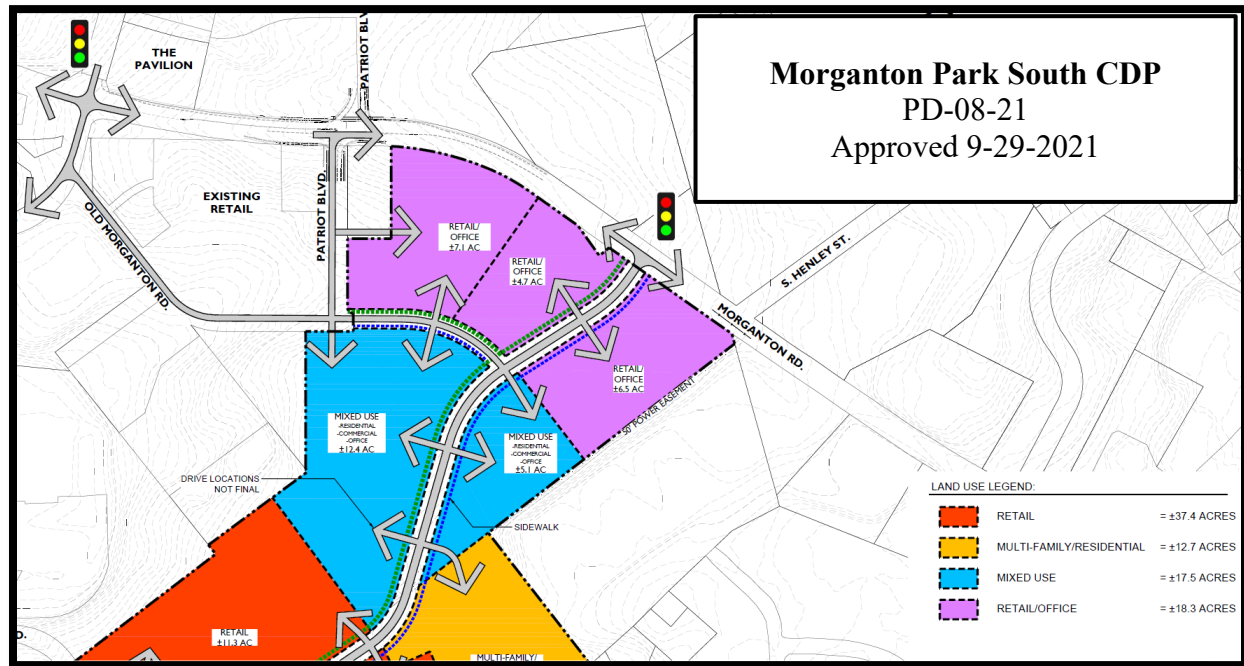


Figure 5: CDP Land-Uses (PD-08-21)



PD-07-25: Mavis Tire PDP



III. STAFF REVIEW

A. Application Review Dates

- Conceptual Development Plan Approved: **29 September 2021**
- Approval of MAPP-04-24: **25 January 2025**
- Preliminary Development Plan Application Submitted: **December 24, 2025**
- Application Deemed Complete: **January 6, 2026**
- Application Continued: **February 11, 2026**
 - Comments Requested from Outside Agencies: **January 30, 2026**
- Notice of **March 19, 2026**, Planning Board Meeting:
 - Posted On-site: **February 25, 2026**
 - Mailed: **March 3, 2026**
 - Internet: **February 25, 2026**
 - Published: **January 30, and February 11, 2026**
- Notice of **April 14, 2026**, Town Council Meeting:
 - Mailed: **March 23, 2026**
 - Internet: **March 20, 2026**
 - Published: **April 1, and April 8, 2026**
- Application Continued: **April 14, 2026**
- Notice of **May 12, 2026**, Town Council Meeting:
 - Continued at request of the applicant on April 14, 2026.

B. Process and Standards for Review

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP), and Final Development Plan (FDP). This application is for a PDP.

C. Applicable Criteria for Review

The criteria for review and approval of a PDP are found in Chapter 2, §2.18.5(H), of the Town of Southern Pines Unified Development Ordinance. The applicants have provided a narrative addressing the purpose of a Planned Development per UDO §2.18.5(A), and addressing the criteria for a PDP per UDO §2.18.5(H). Copies of the applicant's narrative documents containing their descriptions of the project's alignment with applicable criteria are attached to this staff report. Staff analysis of how the application addresses these four (4) criteria begins below:

Preliminary Development Plan - UDO §2.18.5(H)

I. The application demonstrates that it will achieve the purposes of the PD and this section.

Pursuant to UDO §3.5.14 (PD – Planned Development), the Preliminary Development Plan (PDP) demonstrates consistency with the stated purposes of the Planned Development (PD) district as outlined in the Town's Unified Development Ordinance. The PDP achieves this by promoting a coordinated development pattern that integrates a mix of uses, including residential, office, and commercial components.

2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;

The previously identified zoning and design issues associated with the PDP have been comprehensively addressed by the applicant. Earlier concerns related to parking counts and configuration, building orientation, and overall consistency with the approved Conceptual Development Plan (CDP PD-08-21) and applicable provisions of the UDO have been resolved through revised plans and coordination with staff.

Specifically, the applicant has revised the parking layout to meet both the minimum and maximum requirements established under the UDO and the Highway Corridor Overlay, while adhering to the approved administrative reduction. Parking has been relocated to comply with required placement standards, ensuring it is no longer situated between the building and the street in a manner inconsistent with UDO §3.6.6(F)(2). Additionally, the building orientation has been modified so that the primary entrance now faces the future Northern Road, which is consistent with UDO §4.10.4(A) and town design standards.

These revisions bring the PDP into alignment with the CDP and applicable UDO standards, eliminating the need for the previously requested deviations. Based on the updated submittal, the proposed development now demonstrates full compliance with all applicable design standards.

3. The proposed Development is located in an area of the Town that is appropriate; and;

The proposed development is located in an area of Southern Pines that is appropriate for the proposed use. The 2040 Comprehensive Plan designates this area as both a Retail Center and a Community Activity Center, and the Planned Development (PD) zoning allows for a wide range of commercial uses. The proposed PDP generally aligns with the broader development framework established in the approved CDP by contributing to the site's role within a connected commercial corridor.

The proposed use is classified under LBCS 21 I 7: Automotive Repair and Maintenance, which includes tire sales. Within the approved CDP, the Phase 3 area is described as accommodating retail and office space, and the LBCS 21 I 7 land use was explicitly identified as a permitted use within that retail/office category. As such, the proposed use is consistent with the land use framework established in the CDP.

4. The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services.

As stated in Section 4.2.3 and further detailed in Section 5.5.5 of the CDP, all necessary utility infrastructure including water, sewer, electric, gas, and communications, is either already available or will be extended by the developer. The PDP narrative confirms that water and sewer utilities will be readily available upon the completion of the Northern Rd.

IV. AGENCY REVIEW AND COMENTS

A request for comments was emailed to agencies on January 30, 2026. Agencies notified include Town of Southern Pines Streets, Utilities, Fire, Recreation and Parks, and Engineering

departments, the Regional Land Use Advisory Commission, U.S. Fish and Wildlife Service, Moore County Airport and the North Carolina Department of Transportation.

- The Town's Engineering Department formally responded with "no issues" regarding the Traffic Design Analysis.
- The U.S. Fish and Wildlife Service (USFWS) Raleigh Field Office reviewed the proposal and noted that the site is located just outside the Moore County red-cockaded woodpecker (RCW) red zone. The nearest active RCW cluster is approximately 0.9 miles away, with the edge of the active partition about 0.3 miles from the site. Because the property is outside the red zone, a survey is not required. However, USFWS recommends that a qualified environmental consultant conduct a cavity tree survey prior to removing pine trees greater than 10 inches DBH to ensure no cavity trees are inadvertently removed. If no trees exceed 10 inches DBH, a survey is not necessary. USFWS indicated it has no further comments on the project.
- NCDOT commented if any utility connections are proposed within the W. Morganton Road right-of-way, an encroachment agreement/permit from NCDOT will be required for that work. Plans do not propose any utility connections on Morganton Road.
- No additional comments have been received as of the publication of this staff report. Any additional agency comments received will be presented at the public meeting.

V. STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Development Plan (PDP), as the applicant has satisfactorily addressed all previously identified issues and revised the plans to reflect consistency with the approved Conceptual Development Plan (PD-08-21) and the applicable standards of the UDO. Specifically, the applicant has provided a compliant parking count consistent with the 20% administrative reduction permitted under UDO §2.46.3(D), revised the parking layout to meet CDP and UDO location requirements, and reoriented the building to ensure the primary entrance faces and is accessible from the future Northern Road in accordance with UDO §4.10.4(A).

Based on these revisions, planning staff find that the proposed PDP is now consistent with the approved CDP and fully complies with the applicable provisions of the UDO. Staff therefore supports approval of the plan as submitted.

VI. ATTACHMENTS

The following materials have been provided as attachments to this staff report:

1. Draft Findings of Fact
2. Application
3. Narrative (dated 4-02-26)
4. Preliminary Development Plan (as of 4-01-26)
5. Major Subdivision Preliminary Plat

Additional documents related to this application including, but not limited to: application, property deeds, Authorization of Agent forms, email correspondence, meeting minutes, and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available for public inspections during normal business hours.

VII. TOWN COUNCIL ACTION

To either approve or deny a Preliminary Development Plan application, the Town Council must make findings of fact and conclusions to the applicable standards.

- The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case.*
- The Town Council shall then vote on whether the application complies with the criteria as set forth in Section 2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4. Staff has drafted a finding of fact for consideration in Attachment One. The Town Council may make modifications or provide an alternative to the draft findings of fact and related motions at their discretion.*

I move to:

1. Adopt Attachment One of the staff report, as drafted, as Findings of Fact for PD-07-25.

-OR-

2. Adopt Attachment One of the staff report as Findings of Fact for PD-07-25, with the following changes:

Next, the Town Council shall vote on whether to approve, deny, or approve with conditions the proposed Preliminary Development Plan. The Town Council may choose one of the following motions, or any alternative they wish.

I move to:

1. Approve the Preliminary Development Plan for PD-07-25.

-OR-

2. Approve the Preliminary Development Plan for PD-07-25 with the following changes or conditions:

-OR-

3. Deny the Preliminary Development Plan for PD-07-25.

ATTACHMENT One
Draft Findings of Fact
Case Number PD-07-25

- A. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the Preliminary Development Plan application has met the specified submittal requirements in accordance with the Town of Southern Pines Unified Development Ordinance (UDO). The applicant has submitted sufficient documentation and narrative addressing the applicable criteria for a Preliminary Development Plan, and staff has reviewed the materials for accuracy and consistency with adopted regulations.
- B. The Town Council finds that the Preliminary Development Plan application complies with the provisions of UDO §2.18.5(H). Specifically, in that:
1. The application demonstrates that it will achieve the purposes of the PD and this section.
The Town Council finds that the application achieves the purposes of the Planned Development (PD) district in that the proposal supports a coordinated development pattern and contributes to the mix of commercial uses envisioned in the approved Conceptual Development Plan (PD-08-21). The proposed Automotive Repair and Maintenance use is permitted within the PD and is consistent with the intent to promote economic development and an organized land use pattern.
 2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO.
The Town Council finds that the Preliminary Development Plan is consistent with the approved Conceptual Development Plan (PD-08-21) and complies with the applicable provisions of the UDO in that, as revised, the plan addresses previously identified inconsistencies related to parking, building orientation, and site layout. Moreover, no deviations from the UDO are requested.
 3. The proposed Development is located in an area of the Town that is appropriate.
The Town Council finds that the proposed development is located in an appropriate area of the Town for the proposed use in that the site is designated as a Retail Center and Community Activity Center in the adopted 2040 Comprehensive Plan and is surrounded by existing and planned commercial development. The proposed use is compatible with the surrounding area and consistent with the land use framework established in the CDP.
 4. The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services.
The Town Council finds that the proposed development will not require inefficient extensions or expansions of public facilities, utilities, or services in that water, sewer, and other necessary infrastructure are available or will be extended to serve the site in accordance with the approved CDP and supporting plans. The development is, therefore, adequately served by existing and planned infrastructure.

REQUIRED APPLICATION MATERIALS:

- ☒ **Application fee** in the amount of **\$2,210.00 plus \$30.00 per lot with a preliminary plat.**
- ☒ **Completed Application** for a Planned Development District - Preliminary Development Plan signed by the applicant.
- ☒ **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- ☒ **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ☒ **Written narrative** describing the application's consistency with the Conceptual Development Plan, the UDO, and any other applicable regulations.
- ☐ **N/A** **Neighborhood meeting records** if not provided in conjunction with an application for Conceptual Development Plan approval or if additional meetings have been held.
- ☐ **N/A** **Additional documentation**: Additional text and/or maps to demonstrate consistency with **UDO §2.18.5(H) Criteria (1) through (4)**.
- ☒ **PDD Preliminary Development Plan**: One (1) full-size copy of a preliminary plat or scaled drawings of the entire tract to be subdivided. Please refer to the **UDO Appendices** for plan requirements.
- ☒ **Drainage concept plan** if applicable.
- ☐ **N/A** **Traffic Impact Analysis** if applicable.
- ☒ **Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net.

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional information or materials are needed.
2. **Public hearing**: The applicant is expected to attend a public hearing on the application before the Town Council at its regular monthly meeting. (Please refer to the **Application Processing Timeline** to determine the hearing date.) The Town Council will consider evidence and testimony presented and may approve, conditionally approve or deny the request.
3. **Approval**: Please refer to **UDO §2.18.5(I) Effect of Approval**.



Planned Development District - Preliminary Development Plan

Fee: \$ _____ Date Received: _____ Case No.: PD- _____ - _____

Project Information:

Project Name: Mavis Tires 2354

Physical Address: 540 Northern Road, Southern Pines, NC

PIN: 85710588078 Parcel ID: 98000749

Site Size: 1.36 ac Zoning: PD with an approved CDP PD-08-21

Applicant:

Name(s): Mavis Tire - Kristen Morse

Email: kmorse@mavis.com Phone: 570.337.9919

Mailing Address: 100 Hillside Ave White Plains, NY 10603

Authorized Agent, if different from Applicant:

Name(s): Andy Mueller

Email: amueller@blcompanies.com Phone: 704.851.7102

Mailing Address: 3240 Torringdon Way, Suite 210, Charlotte, NC 28277

Legal Property Owner(s), if different from Applicant:

Name(s): MSP Outlots, LLC

Email: wmees@midlandatlantic.com Phone: (513) 792-5000

Mailing Address: 8044 Montgomery Road, Suite 370, Cincinnati, OH 45236

7.22.25

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council for approval of a Planned Development District – Preliminary Development Plan as required by the Town of Southern Pines Zoning Ordinance. The following information is submitted in support of this application:

The property which is the subject of this application is located on the North side of Northern (St./Ave.), between Old Morganton Rd (St./Ave.) and Carolina Green Pkwy (St./Ave.). The property has a frontage of 140 feet and a depth of 370 feet.

The request is based upon **Section 2.18.5** of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Minor Auto Repair

Date: 12/18/2025

Kristen N. Morse

Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

APPOINTMENT OF AGENT

The undersigned owner(s), MSP Outlots, LLC, hereby appoint(s) Mavis Tire as the exclusive agent for the purpose of making an application to the Town of Southern Pines for the approval of the Planned Development District – Preliminary Development Plan described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Town Council for the approval of a Planned Development District – Preliminary Development Plan; and
4. to act on behalf of the property owner(s) without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Planned Development District -Preliminary Development Plan under the Southern Pines Unified Development Ordinance.

This Appointment of Agent shall remain in effect until final resolution of the attached application.

Signed this 18TH day of DECEMBER, 2025.

MSP OUTLOTS, LLC


Property Owner

WILLIAM M. KEES, JR.
DIRECTOR OF DEVELOPMENT

Property Owner

Agent

UDO §2.18 Planned Development

§2.18.5(H) Preliminary Development Plan Criteria

- (1) The application demonstrates that it will achieve the purposes of the PDD and this section;
- (2) The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;
- (3) The proposed Development is located in an area of the Town that is appropriate; and
- (4) The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services.

April 2, 2026

Planning Department
Town of Southern Pines
801 SE Service Road
Southern Pines, NC 28387

Re: Mavis Tires #2254 – Preliminary Development Plan
PIN: 085710588078
Address: 540 E. Morganton Rd

Dear Sir or Madam:

On behalf of our client Mavis Tire, LLC we are hereby submitting our preliminary Development Plan for a Mavis Tire store at 540 E. Morganton Rd as part of the Morganton Park South Planned Development District. The site is consistent with the Conceptual Development Plan approved on 9-29-2021 as described below.

The proposed project meets the criteria listed in Section 2.18.5(H) as follows:

1. The application demonstrates that it will achieve the purposes of Preliminary Development by being an acceptable use and meeting the conditions of the PD.
2. The plan is consistent with the CDP and meets all provisions of the plan.
3. The proposed development is located within a commercial center and is an appropriate use.
4. The proposed development will not cause need for inefficient extensions and expansions of public utilities and services as it will use the already proposed utilities and services and infrastructure from the overall development center.

The project is within multiple overlays including the Urban Village Highway Corridor Overlay and Morganton Park Overlay. Site design will follow the requirements of all applicable overlays and ordinances.

1. Zoning and Land Use

The Morganton Park South CDP calls for a mixed-use development to include Multi-family, Residential, commercial and office use. The commercial nature of the Mavis Tire fits within that intention. An auto parts, accessories or tire facility allowed per the land use table in exhibit 7.2 of the CDP.

2. Architectural Standards

The architectural standards of the project will be in accordance with Section 4.10.4 of the Southern Pine UDO.

3. Site Design and Infrastructure

The project will provide stormwater management in accordance with the Southern Pines Stormwater Management Ordinance and regulation of the NCDEQ. An underground SWM BMP will be provided to treat the 1" storm water quality storm and reduce the runoff from the 2- and 10-year storms.

An administrative parking deviation will be requested for the site to reduce the required parking by greater 20% in accordance with the Southern Pines UDO. Vehicular circulation will be via a driveway entrance to the extension of Old Morganton Rd. A requested cross connection to the property to the west will not be installed as the adjacent owner was not required to provide such a connection.

Landscaping will be provided that meets or exceeds the requirements of Section 3.5.14(H) of the Southern Pines UDO. Open space will be provided per the UDO and all vegetation buffers and overlay requirements will be provided.

Utilities will be installed to connect to the utility system for Morganton Park South in compliance with Southern Pines and NCDEQ regulations.

As part of the Planned Development Plan, we are requesting the following Deviations from the Southern Pine Unified Development Ordinance.

1. Relief from parking requirements. Per the Urban Highway Overlay ordinance a total of 35 parking spaces are required for a retail building of 6,950 sf (1 per 200 sf). A 20% administrative reduction of the requirement is requested for the 28 spaces.

Should you require additional information, feel free to contact me at 704-851-7102.

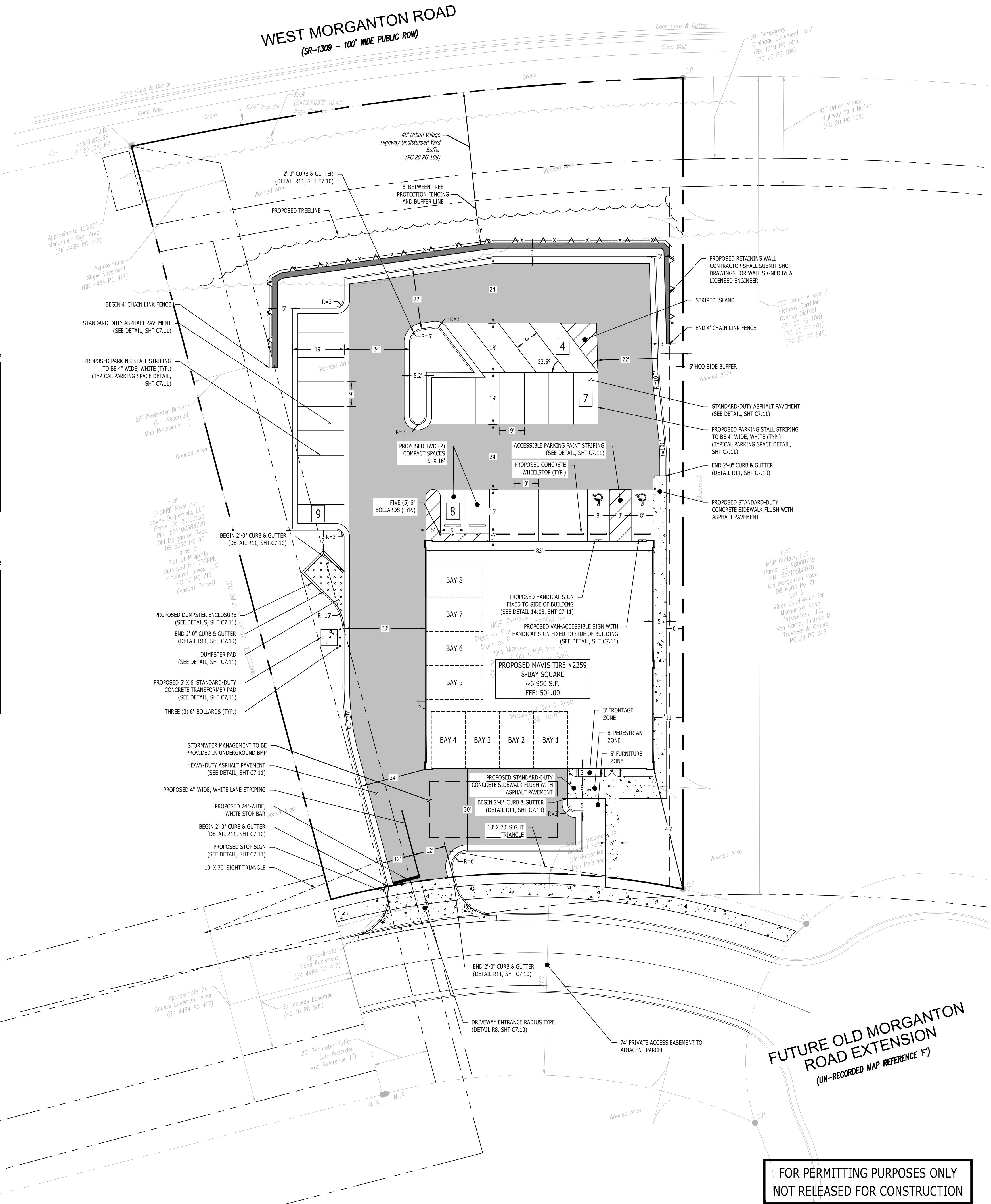
Sincerely,

Andrew Mueller, P.E.
Project Manager II

Diagram illustrating a standard concrete sidewalk layout. The layout includes a gravel area (LOD) on the left, a concrete sidewalk (PROVIDE AND INSTALL STANDARD DUTY CONCRETE SIDEWALK) in the middle, and a gravel area (LOD) on the right. A chain link fence (PROVIDE AND INSTALL 4" CHAIN LINK FENCE) is shown running along the top edge of the concrete sidewalk. The gravel areas are labeled "LOD" and "LIMIT OF DISTURBANCE". The concrete sidewalk is labeled "PROVIDE AND INSTALL STANDARD DUTY CONCRETE SIDEWALK". The gravel areas are labeled "LOD" and "LIMIT OF DISTURBANCE".

LOCATION: SOUTHERN PINES, MOORE COUNTY			
ZONE: PD (PLANNED DEVELOPMENT)			
USE: AUTOMOBILE SALES AND MAINTENANCE			
ITEM	REQUIREMENTS	PROPOSED	VARIANCE
MINIMUM LOT AREA	NONE REQUIRED	59,396 S.F. (±1.36 AC.)	NO
MAXIMUM BUILDING HEIGHT	45 FEET	35 FEET	NO
FRONT LANDSCAPE BUFFER	40 FEET (HIGHWAY CORRIDOR OVERLAY)	47 FEET	NO
SIDE LANDSCAPE BUFFER	EAST - 5 FEET (HIGHWAY CORRIDOR OVERLAY) WEST - 20 FEET (EXTERIOR PERIMETER BUFFER FOR CDP)	EAST - 5 FEET WEST - 21 FEET	NO

ITEM	REQUIREMENTS	REQUIRED	PROPOSED	VARIANCE
PARKING REQUIRED	RETAIL: 1 SPACE PER 200 S.F. OF GROSS FLOOR AREA	35 SPACES	28 SPACES	YES
MINIMUM ADA PARKING SPACES REQUIRED	1 VAN ACCESSIBLE AND 1 STANDARD SPACE FOR 26 TO 50 TOTAL SPACES	1 VAN ACCESSIBLE 1 STANDARD	1 VAN ACCESSIBLE 1 STANDARD	NO
MINIMUM PARKING DIMENSIONS	9 FEET X 19 FEET (STANDARD) 8 FEET X 16 FEET (COMPACT)	9 FEET X 19 FEET (S) 8 FEET X 16 FEET (C)	9 FEET X 19 FEET (S) 9 FEET X 16 FEET (C)	NO
MINIMUM AISLE WIDTH	22 FEET - 2-WAY ANGLED PARKING 24 FEET - 2-WAY 90° PARKING	22 FEET - 2-WAY 52.5° 24 FEET - 2-WAY 90°	22 FEET - 2-WAY 52.5° 24 FEET - 2-WAY 90°	NO
MINIMUM INTERIOR LANDSCAPING	ONE TREE PER 250 S.F.	TBD	TBD	NO
OPEN SPACE	10%	5,940 SF	~23,000 SF (38%)	NO



Planning Staff Report

To: Reagan Parsons, Town Manager
From: Cindy Williams, Planning Technician
Date: May 12, 2026
Re: RA-01-26 Abandonment of a $\pm 10,484$ SF Right-of-Way off of Hill Road

I. SUMMARY OF APPLICATION REQUEST:

Jeremy Sparrow, on behalf of Leonard and Beth Gaddis, is requesting an abandonment of a $\pm 10,484$ SF unimproved right-of-way located off of Hill Road, south of its intersection with Little Road. The purpose of the request is to provide additional space for stormwater management and landscaping. The right-of-way for which the applicants are requesting abandonment is situated between the parcels identified as PIN 858114427502 (PAIRD 00048964) owned by Leonard & Beth Gaddis; and PIN 858118424461 (PARID 00050480) owned by Justin Michael & Hannah Richey.

II. PRIOR TOWN COUNCIL ACTION:

Pursuant to NCGS §160A-299 and UDO §2.29, in order for a public right-of-way to be abandoned, a Resolution of Intent to Vacate a Town Right-of-Way must be adopted by the Town Council and a public hearing regarding the request must be held. During the March 24, 2026 Town Council work session, the Council approved Resolution #1138, setting April 14, 2026 as the date of the public hearing.

This application was continued from the April 14, 2026 Town Council Regular Meeting after the applicant was advised by the Town's legal counsel that two Council members would be absent. In response, the applicant elected to defer consideration to the subsequent meeting.

III. STAFF COMMENTS:

- The right-of-way for which the applicant is requesting abandonment is not included in the Town's street listing and the Town does not receive any state street aide allocations under the NCDOT Powell Bill Program for the right-of-way.
- There are no existing water or sewer utilities located within the right-of-way. The Town Engineer has confirmed that there should be no impact on existing or future utilities as a result of abandonment of the section of right-of-way.

Figure I: Vicinity Map (approximate location of right-of-way outlined in Red)



IV. ATTACHMENTS:

1. Request to abandon the right-of-way
2. Map of the subject right-of-way
3. Draft Order to Vacate

V. TOWN COUNCIL ACTION:

The Town Council shall vote on whether the request to vacate the proposed right-of-way does or does not deny adjacent property owners their rights or means of reasonable access and whether or not the closure is in the public interest. The Town Council may choose one of the following motions or any alternative they wish:

- 1) I move that the request to vacate the right-of-way **is not** contrary to the public interest, and that no individual owning property in the vicinity in which it is located would thereby be deprived of reasonable means of ingress and egress to his or her property.

-or-

- 2) I move that the request to vacate the right-of-way **is** contrary to the public interest, and those individuals owning property in the vicinity in which it is located would thereby be deprived of reasonable means of ingress and egress to their property.

Therefore, I further move to:

1) approve the Order to Vacate a Town Right-of-Way as drafted;

-or-

2) approve the Order to Vacate a Town Right-of-Way with the following modifications:

-or-

3) deny the request to vacate a Town right-of-way.

February 5, 2026

Reagan Parsons, Town Manager
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

**RE: Right-of-Way Abandonment Request
(South of Hill Road, West of Indiana Avenue)**

Dear Mr. Parsons,

On behalf of Leonard and Beth Gaddis, we respectfully request the abandonment of the vacant right-of-way ($\pm 10,484$ SF) located off Hill Road, south of its intersection with Little Road, and in between the parcels (PIN 858114427502 and PIN 858118424461). This right-of-way is adjacent to the Gaddis property (PARID 00048964) located at 1220 East Indiana Avenue, and as recorded in Deed Book 1423 on Page 35.

According to the Town's GIS website there are no existing water or sewer utilities within this section of right-of-way. This has been reviewed with the Town's Engineering Department (James Michel and David Byrd) and has been determined that there should be no impact to existing or future utilities with the abandonment of this section of right-of-way.

This abandonment would allow for the recombination of the existing right-of-way with the Gaddis tract, giving adequate area to provide stormwater management and landscape area off Hill Road onto the Gaddis property due to the existing runoff from this area.

Longitude Planning Group (LPG), on behalf of Leonard and Beth Gaddis, request the abandonment of the aforementioned right-of-way be considered by the Town Council and pursuant to UDO 2.29.2 to advertise and conduct a public hearing at its next available meeting.

Please advise of any additional information needed by the Town to execute this abandonment process.

Sincerely,



Jeremy Sparrow, PLA, LEED AP®
Partner



APPOINTMENT OF AGENT FORM (OPTIONAL)

I Leonard and Beth Gaddis, owner of the property located on 1220 E. Indiana Avenue
(Name) (Street Name)
recorded in DB 1423 PG 35 and having a parcel identification number of 00048964
(Deed Book/Page) (ParlD)
located in Southern Pines, North Carolina, do hereby appoint Longitude Planning Group, PLLC
(Jeremy Sparrow)
(Agent's Name)

to represent me in an **application to the Town Council** and authorize him/her to act as my agent **in all matters**, formal and informal except as stated herein, and authorize him/her to receive all official correspondence.

I however understand that as the listed property owner, I must sign all affidavits and statements required by any applicable ordinance.

PLM A Gaddis
Property Owner

December 30, 2016
Date

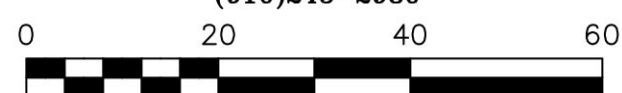


REFERENCE:
DEED BOOK 1423, PAGE 35
MAP BOOK 1, PAGE 53
MOORE COUNTY REGISTRY
RATIO OF PRECISION= 1/10,000+
ACREAGE DETERMINED
BY COORDINATE METHOD.
NOT INTENDED TO BE PREPARED
FOR RECORDATION IN ACCORDANCE
WITH G. S. 47-30 AS AMENDED.
UNLESS OTHERWISE DENOTED,
●= EXISTING 1/2" SOLID IRON STAKE
■= EXISTING CONCRETE MONUMENT
□= SET CONCRETE MONUMENT
○= SET 1/2" REBAR
X= CALCULATED POINT
▲= POWER SERVICE STUB
⊙= SEWER SERVICE STUB
⊕= TELEPHONE SERVICE STUB
⊗= CABLE TV SERVICE STUB
⊖= WATER METER
⊙= FIRE HYDRANT
⊙= SANITARY SEWER MANHOLE
⊙= UTILITY POLE
EIP= EXISTING 1" IRON PIPE
EPK= EXISTING PK NAIL
NPK= NEW PK NAIL
EIS= EXISTING 1/2" SOLID IRON STAKE



Matthew Callahan
I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 1423, PAGE 35 OR OTHER REFERENCE SOURCE (MB 1, Pg 53); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____ PAGE _____ OR OTHER REFERENCE SOURCE MB 1, Pg 52; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).
THIS 23rd DAY OF October, 2025.

TOPOGRAPHIC SURVEY FOR
Leonard T. Gaddis
& WIFE
Beth A. Gaddis
LOT NO. 208
Weymouth Heights
SANDHILLS TOWNSHIP, MOORE COUNTY,
NORTH CAROLINA
OCTOBER 22, 2025 -*- SCALE 1"=20'
MATTHEW A. CALLAHAN SURVEYING
P.O. BOX 988, YASS, N.C.
(910)245-2980



**ORDER TO VACATE TOWN RIGHT-OF-WAY
OFF OF HILL ROAD
(RA-01-26)**

THAT WHEREAS, North Carolina General Statute 160A-299 authorizes towns to vacate streets or portions thereof; and

WHEREAS, the Town has adopted, at its Regular Meeting on March 24, 2026, a Resolution Declaring Its Intent to Vacate a Town Right-of-Way south of its intersection with Little Road and calling a public hearing thereon; and

WHEREAS, the Town published notice each week for four (4) weeks before a hearing thereon and posted notice on Hill Road; and

WHEREAS, the Town has held a public hearing at which the Town Council found, and hereby finds, that closing a right-of-way off of Hill Road is not contrary to the public interest and that no individual owning property in the vicinity of the street or in any subdivision in which it is located will be deprived of reasonable means of ingress and egress to that individual's property by the vacation of the right-of-way.

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town of Southern Pines Town Council in regular session assembled this 12th day of May, 2026:

- A. That the right-of-way in the Town of Southern Pines is hereby vacated.
- B. That the total area of the right-of-way to be vacated is approximately 10,484 square feet off of Hill Road that is situated between the parcels identified as PIN 858114427502 (PAIRD 00048964) and PIN 858118424461 (PARID 00050480).
- C. That the unimproved right-of-way is described as follows:

Being all of an unimproved and un-open street in the Town of Southern Pines, bounded on the north by Hill Road, on the east by Lot 208 of Weymouth Heights as shown in Map Book 1, Page 53, on the south by Lot 301, and the west by Lot 300 of Weymouth Heights as shown in Map Book 1, Page 52 of the Moore County Registry and being described as follows:

BEGINNING at an existing concrete monument in the southern right-of-way of Hill Road and being further described as being a common corner of Lots 207 and 208 of Weymouth Heights as shown in Map Book 1, Page 53 of the Moore County Registry and running thence from said beginning and with the western line of Lot 208 S 33°46'14" E 177.72 feet to an existing iron pipe, a common corner with Lot 301 of Weymouth Heights as shown in Map Book 1, Page 52; thence with the northern line of Lot 301 S 53°13'39" W 60.07 feet to an existing iron pipe, common corner with Lot 300 of Weymouth Heights; thence with the eastern line of Lot 300 N 33°47'26" W 172.98 feet to an existing iron pipe in the southern right-of-way of Hill Road; thence with Hill Road as a curve to the left with a radius of

628.95 feet and having a chord bearing of N 48°44'50" E and a chord distance of 60.57 feet to the beginning containing 10,495.1 Square Feet (0.24 acres).

D. That this Order shall be and remain in full force and effect from and after the date of its adoption.

Adopted this the 12th day of May, 2026.

ATTEST:

TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Taylor Clement, Mayor

I certify that this Order was adopted by the Town of Southern Pines Town Council at its regular meeting on May 12, 2026, as shown in the Minutes of the Town of Southern Pines Town Council for that date.

Elizabeth Robertson, Town Clerk

COUNTY OF MOORE
STATE OF NORTH CAROLINA

I swear that this is a true and accurate copy of an Order to Vacate Section of Town Right-of-Way for a portion of Town Right-of-Way adjacent to Hill Road within the Town of Southern Pines jurisdiction, adopted on May 12, 2026.

Date: _____

Elizabeth Robertson, Town Clerk

DRAFT

Planning Staff Report

To: Reagan Parsons, Town Manager
From: Mason Mattox, Planner II
Date: May 12, 2026
Item: Application #Z-02-26 Conditional Zoning District for Sandhills Presbyterian Church to Rezone from RS-3 to GB-CD.

I. EXECUTIVE SUMMARY

Longitude Planning Group, PLLC, on behalf of Sandhills Presbyterian Church, has submitted an application to rezone the ±11.31-acre parcel located at 650 Pee Dee Road. The property is currently zoned Residential Single-Family 30,00 sq. ft. lots (RS-3). The site is developed with Sandhills Presbyterian Church and Covenant Preparatory School (Pre-K through Grade Eight), with the school currently operating from a modular classroom structure.

The applicant requests rezoning to a General Business Conditional Zoning District (GB-CD) to unify the property under a single set of zoning standards for the church and school, while facilitating continued operation and phased expansion.

The proposal includes the following elements in two phases:

Phase One (A) – School Expansion

1. Construction of a ±9,000 SF building to have seven (7) classrooms.
2. Remove the existing modular classroom structure upon completion of the new facility.
3. Provide additional parking for the school building.
4. Construction of port-cochere at the main entrance of the church building.
5. Construction of front and rear patios at the church building.
6. Provide a service / dumpster / recycle area.

Phase Two (B) Future Phases – Church Expansion & Second School Expansion

1. Construction of a new 2-story school building (±30,000 SF) to provide additional classroom space and supporting facilities, along with additional parking, a drop-off loop, and associated stormwater facilities.
2. Convert the Phase I School Building into administrative offices.
3. Expand the existing church facilities with a multi-story structure.
4. Additional outdoor patio / gathering spaces for the church.
5. Trail connections to Whitehall Park, which borders the existing property.
6. Construction of a campanella (bell tower) structure.

Based on the criteria for approval set within UDO §2.17.9 and the proposed Conditional Zoning District's consistency with the 2040 Comprehensive Plan, staff recommend approval of the proposed application and conditions as written. The full staff analysis as it pertains to the criteria for approval is enclosed within this report.

This application was continued from the April 14, 2026 Town Council Regular Meeting after the applicant was advised by the Town's legal counsel that two Council members would be absent. In response, the applicant elected to defer consideration to the subsequent meeting.

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II. PLANNING BOARD RECOMMENDATION

On March 19, 2026, the Town of Southern Pines Planning Board held a public hearing on application Z-02-26. Planning staff presented the proposal and explained how the requested Conditional Zoning District is consistent with the 2040 Comprehensive Plan and satisfies the approval criteria set forth in UDO §2.17.9. During the hearing, one member of the public expressed concerns about increased traffic on NC-22 associated with the proposed school, particularly during peak morning and evening hours. A representative of Kimley-Horn responded to questions and provided information regarding the Traffic Impact Analysis prepared by the firm. In response to these concerns, the Planning Board recommended adding a condition requiring the applicant to comply with the NCDOT requirements for future roadway improvements. The applicant agreed to this condition, which has been incorporated into the list of conditions included in this report. Following the public comment period, the Planning Board voted 4-0, with three members absent, to recommend approval.

III. PROJECT INFORMATION

A. Physical Address

650 Pee Dee Road (Parcel ID 99000100)

B. Property Owner and Applicant

Sandhills Presbyterian Church
650 Pee Dee Road
Southern Pines, NC 28387

C. Authorized Agent:

Longitude Planning Group, PLLC
PO Box 1466
Southern Pines, NC 28388

D. Existing Zoning

The subject property is currently zoned RS-3 (Residential Single-Family).

Two zoning overlays are present on the site:

- Water Supply Watershed High Quality Water (See Figure 4).
- Urban Transition Highway Corridor (See Figure 5).

Figure 1. Drone Aerial



Figure 2. Aerial Vicinity Map (Subject Property Outlined in Blue).



Figure 3. Zoning Vicinity Map (Subject Property Outlined in Blue).

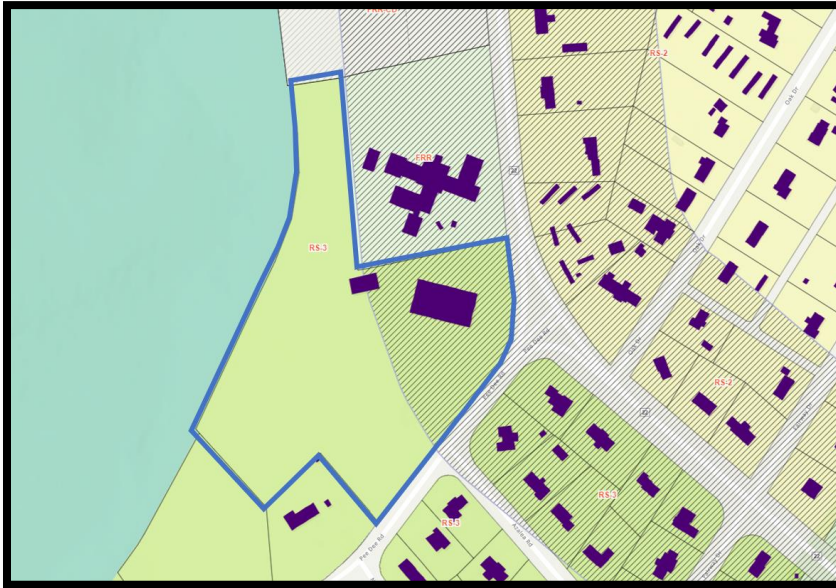


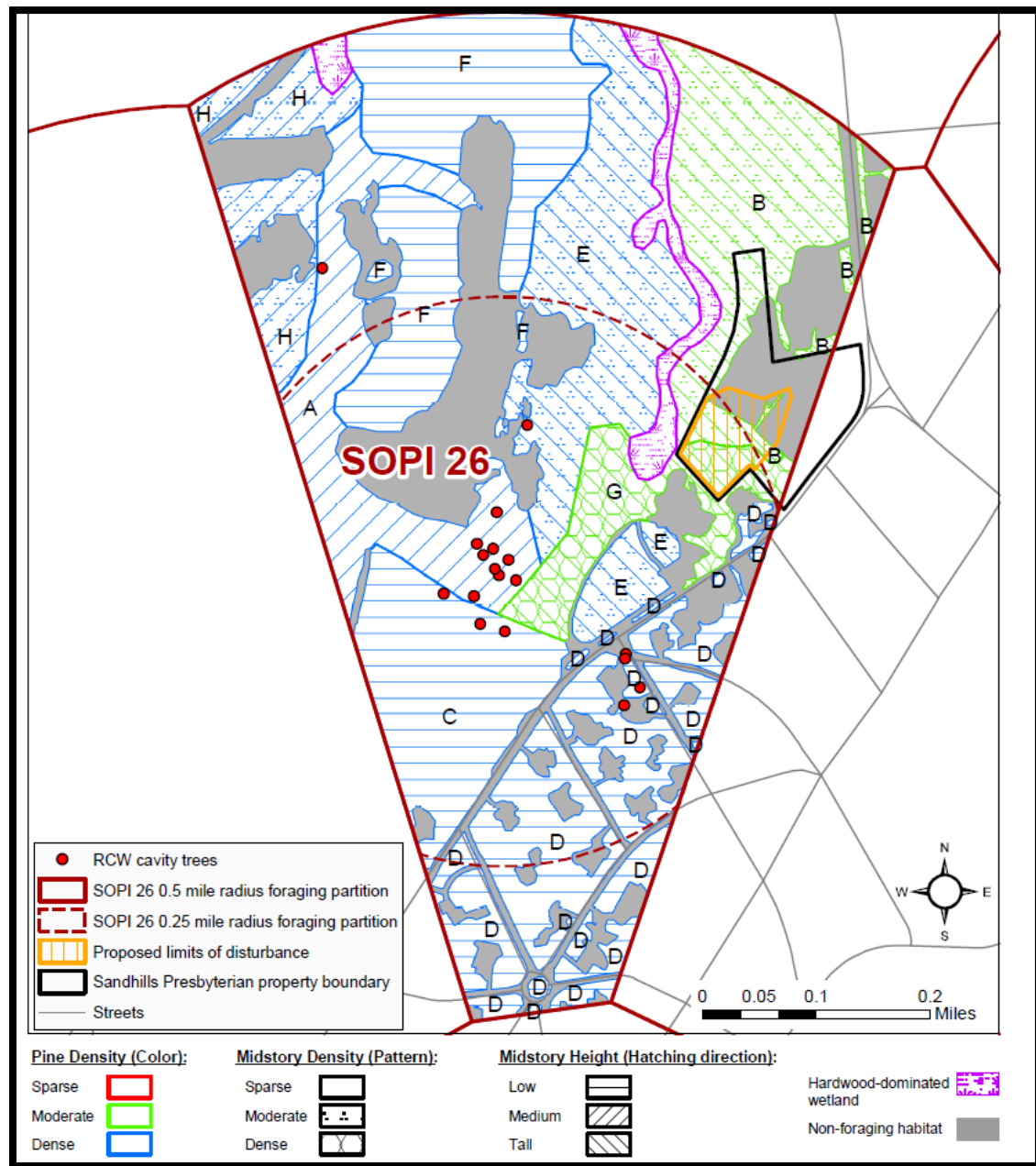
Figure 4. High Quality Watershed (Entire Site)



Figure 5. Highway Corridor Overlay



Figure 6. Red Cockaded Woodpecker Survey



[illegible][illegible]

CONCEPTUAL MASTER PLAN
FEBRUARY 9, 2026

PHASE 1

- A** Phase 1 - (7) Classrooms / Future Admin (2-Story Walk-out)
- B** Phase 1 - Proposed Porte-cochère
- C** Phase 1 - Proposed Rear Patio
- D** Phase 1 - Proposed Front Patio

FUTURE PHASES

- E** Phase 2 - (15) Classrooms - 2-Story
- F** Seating Terrace
- G** Drop-off Area
- H** Stacking / Car Line
- I** Existing Modular (To be removed)
- J** Existing Open Field / Play Area (Expand)
- K** Existing Stormwater Area
- L** Proposed Trail (Connect to Southern Pines Trail System)
- M** Proposed Stormwater Area
- N** Proposed Retaining Wall
- O** Relocated Basketball Court
- P** Proposed Pavilion
- Q** Outdoor Classroom
- R** Proposed Campanella

E. Applicant's Proposed Conditions

Condition 1. Land Uses.

The land uses shall be limited to the following Land-Based Classification Standard (LBCS) Codes:

- Religious Institution – Other (more than 250 seats) (LBCS #6600).
- Grade School – Elementary (PreK – 8th) (LBCS # 6121).
- Grade School – Middle or Junior (LBCS #6122).

Condition 2. Site Access.

Main access to the parcel will be provided by the existing access road from Pee Dee Road. All stacking / queueing for the school during drop-off and pick-up will be provided on-site.

Condition 3. Traffic.

The site shall meet the North Carolina Department of Transportation's requirements for improvements.

Condition 4. Buffers and Setbacks.

The site shall comply with buffering and setback requirements of the Unified Development Ordinance as depicted in "Preliminary Plans" document S100.

Condition 5. Landscaping.

All landscaping shall comply with the Unified Development Ordinance.

Condition 6. Open Space.

The site shall comply with the Open Space standards of the Unified Development Ordinance.

Condition 7. Water Supply Watershed.

The entire property is located within High Quality / Protected Water (WS-IIIP), making the maximum impervious surface 24% without Watershed Allocation from the Town Council. The site will not be permitted to exceed this percentage without approval from the Town Council.

Condition 8. Stormwater

There is an existing retention pond that collects stormwater for the existing church and parking areas. All proposed stormwater design will be consistent with all aspects of applicable local and state regulations for stormwater management and watershed protection. This will also include erosion and sedimentation control. Best management practices will be utilized in accordance with NCDEQ and shall be maintained as required. Final design and location of these systems will be completed at site plan review.

Condition 9. Utilities (Water / Sewer)

The current property is served by both water and sewer from the Town of Southern Pines and is adequately available for the proposed development. Final layout and design of these utilities will be provided during final site plan approval and will meet all local utility regulations / design requirements.

Condition 10. Grading.

The overall property has rolling terrain that slopes towards the rear the property. In order to balance the site and maintain existing vegetation (where feasible), low retaining walls will be required. These locations will be determined during final engineering design.

Condition 11. Religious Institution Parking.

Off-street parking requirements shall apply for the following:

(1) space for every four seats in the portion of the church Building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus (1) space for every 200 square feet of Gross Floor Area designed to be used neither for services nor residential purposes.

Condition 12. School Parking.

Off-street parking requirements shall apply for the following:

(1.175) spaces per classroom in elementary schools, and 3 spaces per classroom in bicycle parking spaces.

Condition 13. Interconnectivity with Existing Trail Networks.

A natural trail path at least three feet wide will be provided from the project site to Whitehall Park, located west of the existing parcel. The final location will be determined based on coordination with the Town of Southern Pines, as well as final grading and engineering design.

Condition 14. Lighting.

Lighting shall comply with the Unified Development Ordinance.

Condition 15. Signage.

New signage shall comply with the Unified Development Ordinance.

Condition 16. Phasing.

Phase One of the Site Plan shall include the new School Building (±9,000 sf) and associated parking as depicted on S100 (Exhibit C).

Condition 17. Final Building Layouts and Locations.

Final building layouts and locations for future phases will be determined by engineering design based on architecture, grading, and utilities and shall meet the standards and conditions set forth by this application and the UDO. These future uses / buildings are proposed as depicted on the Overall Master Plan (Exhibit B).

Condition 18. Architectural Compliance of Existing Church Structure.

Any expansion to the existing Church may be administratively approved by staff, provided that the following standards are met:

1. Materials shall match or be substantially similar in type, color, texture, quality, and pattern to those of the existing structure.
2. Roof design shall match the existing structure in pitch, form, and color.
3. Windows and doors shall be consistent with the existing structure in proportion, style, and placement to the greatest extent practicable.
4. Architectural detailing (Trim, cornices, façade articulation, etc.) shall be consistent with the existing structure.
5. Any deviation from the above architectural standards shall require approval by the Town Council through an Architectural Compliance permit.

Condition 19. Architectural Compliance of New Buildings.

New principal or accessory buildings on the site may be administratively approved by staff, regardless of size, provided they are fully compliant with all applicable Architectural Standards of the Unified Development Ordinance. Any proposed deviation from the architectural standards shall require approval by the Town Council through an Architectural Compliance permit.

Condition 20. Height.

The maximum height of structures shall be restricted to the General Business default of 45' (forty-five feet), except for the portion of the site within the Highway Corridor Overlay, which restricts height to 35' (thirty-five feet).

Planning staff recommends approval of the proposed list of conditions, as they provide a clear and enforceable framework that limits the range of permitted uses while ensuring compliance with applicable Unified Development Ordinance standards. The conditions also address potential impacts likely to be identified during the review process, including traffic, site access, watershed protection, and architectural compliance. Collectively, staff find that these conditions mitigate potential adverse impacts on neighboring properties while preserving the rural living designation of the site.

II. STAFF REVIEW

Application Review Dates

1. Pre-Application with the Technical Review Committee: **November 25, 2025**
2. Additional Internal Technical Review Committee Review: **February 24, 2026**
3. Application Submitted: **February 10, 2026**
4. Application Deemed Complete: **February 17, 2026**

March 19, 2026 Planning Board Public Hearing Notice

- Publication: **March 04 & March 11, 2026**
- Mail: **March 03, 2026**
- Signage: **March 04, 2026**
- Internet: **February 25, 2026**

April 14, Town Council Public Hearing Notice

- Publication: **March 27 & April 01, 2026**
- Mail: **March 23, 2026**
- Signage: **March 04, 2026**
- Internet: **March 20, 2026**

May 12, Town Council Public Hearing Notice

- Continued at request of the applicant on April 14, 2026.

1. Process and Criteria for Review

When reviewing an application for rezoning, the hearing bodies (Planning Board and Town Council) shall consider the criteria as set forth in UDO §2.17.9. Furthermore, additional standards are expected of a Conditional Zoning District—a reclassification of property subject to specific conditions that ensure compatibility of the use with the use and enjoyment of neighboring properties—such as the one being proposed by the applicant. Conditional zoning is voluntary. Additionally, UDO §2.17.11(G) notes that “in approving a petition for the reclassification of property to a Conditional Zoning district, the petitioner, Planning Board and the Council may propose specific conditions to approval of the petition, but only those conditions approved by the Council and consented to by the petitioner in writing may be incorporated into the Conditional Zoning district.”

2. Consistency with UDO §2.17.9, Zoning Map Amendment Criteria.

Each criterion is listed below in **bold**, followed by underlined staff comments.

(A) **Consistency.** Rezoning shall be consistent with the adopted Comprehensive Plan.

General Framework Map Designation: Area to Preserve. These areas safeguard rural and environmentally-sensitive lands, protect open space and viewsheds, and limit future development primarily to very low-intensity uses such as large-lot homes, horse farms, park-related activities, and trails or greenways. Areas to Preserve may also include historic or cultural resources where protection of their integrity and context-sensitive development is paramount. The applicant states that the proposed new school structures will be located toward the rear of the property with building heights consistent with the Comprehensive Plan (recommended two story limit) and that the project will maintain connections to surrounding open space through trail connections to adjacent parks. Staff find the narrative to be consistent with the intent of protecting the rural character and open space connections identified for Areas to Preserve.

Conservation and Development Map Designation: Rural Living. Rural Living areas are characterized by large lots, significant separation between buildings, and development that is integrated into the natural landscape with minimal grading and tree removal. Small nodes of commercial or institutional activity may occur at rural crossroads to serve the daily needs of nearby residents, provided they are designed at a small scale and reinforce the surrounding rural character. The applicant notes that the church and school are located at the intersection (‘crossroads’) of NC 22 and Pee Dee Road, functioning as a local institutional use serving nearby residents, and indicates that building placement and scale will remain compatible with the rural setting. Staff agree with the applicant’s narrative, and finds the proposed expansion to be consistent with the Rural

Living designation.

Character District Map Designation: Rural Living. The Rural Living Character District is defined by low-intensity development, irregularly shaped lots, large setbacks, and significant separation between buildings, often served by rural roads and private driveways. Homes and other structures are integrated into the landscape with natural features such as trees, pastures, and drainage patterns preserved where possible. The applicant states that new school structures will be located toward the rear of the property to maintain large setbacks and will remain within the typical building height range identified in the Comprehensive Plan. Staff again agree with the applicant's narrative and find the proposed expansion to be consistent with the character and development patterns described for the Rural Living Character District.

Staff find that the proposed rezoning from RS-3 to GB-CD is generally consistent with the Southern Pines 2040 Comprehensive Plan. The property lies within the Rural Living Character District and contains an established church and school campus that has operated on the site since 2001 and 2014, respectively. The proposal also supports Comprehensive Plan policies encouraging reinvestment in existing areas and improved connectivity through the proposed trail connection to Whitehall Park.

- (B) **Adverse Impacts on Neighboring Lands.** The Hearing Body shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. The Town finds and determines that vast acreages of single-use zoning produce uniformity with adverse consequences, such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings may promote mixed uses subject to a high degree of design control.

The proposed rezoning is unlikely to produce significant adverse impacts. The church campus has existed for more than two decades, and the proposal represents expansion of an existing institutional use rather than the introduction of a new land use. The applicant has included a Traffic Impact Analysis (TIA) which estimates an additional 80 A.M. peak-hour trips and an additional 48 PM peak-hour trips after the site is fully built-out. This represents 2% of traffic at the NC-22 and Pee Dee Road Intersection. The TIA did not recommend that any roadway improvements are warranted as a result of this proposal. Future development will remain subject to site plan review and other applicable regulations, unless otherwise noted in the applicant's list of conditions.

- (C) **Suitability as Presently Zoned.** The Hearing Body shall consider the suitability or unsuitability of the Tract for its use as presently zoned. This factor, like the others, should be weighed in relation to the other standards, and instances can exist in which the land may be rezoned to meet public need, to reflect substantially changed conditions in the neighborhood, or to effectuate important goals, objectives and policies of the Comprehensive Plan or UDO.

The property is currently zoned RS-3, which does not currently permit the School land uses, which are only permitted under Conditional Zoning. The Religious Institution is allowed to exist and expand on the property per UDO 5.15.2(A) which states that: "Existing religious institutions that are not authorized shall be considered confirming uses for purposes of reconstruction or expansion, subject to the provisions of this section." The proposed conditional zoning district would allow these existing uses to remain and expand while bringing the school property into compliance with the Unified Development Ordinance.

- (D) **Health, Safety, and Welfare.** The amending ordinance must bear a substantial relationship to the public health, safety or general welfare, or protect and preserve historical and cultural places and areas. The rezoning may be justified, however, if a substantial public need or purpose exists, even if the private owner of the Tract will also benefit.

The proposed development will comply with all applicable Town regulations related site development, including but not limited to utilities, stormwater management, site design, and parking requirements. The rezoning would formalize the existing campus and allow future improvements under current development standards.

- (E) **Public Policy.** Certain public policies in favor of the rezoning may be considered. Examples include a need for affordable housing, economic Development, mixed-use Development, or sustainable environmental features, which are consistent with Neighborhood, area, or specific plans.

The proposal supports public policy goals encouraging reinvestment in existing institutional facilities and expanding connections to public open space. The proposed trail connection to Whitehall Park would improve access to the Town's recreational network.

- (F) **Size of Tract.** The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.

The subject property contains approximately 11.31 acres, which provides sufficient area to accommodate the existing campus and potential future buildings, parking, and stormwater facilities based on staff's review of a conceptual site plan.

- (G) **Other Factors.** The Hearing Body may consider any other factors relevant to a rezoning application under state law.

The property is located within the Cape Fear Little River (Intake No. 2) watershed, designated WS-IIIIP, with the Town's restrictions for Protected/High Quality water, which limits built-upon area to 24 percent unless additional allocation is obtained.

Environmental review from J.H. Carter and Associates determined that no Red-cockaded Woodpecker cavity trees are present on the site.

(H) **Applicant Representations.** Except for rezoning requests submitted in accordance with the provisions herein for conditional zoning districts, the Hearing Body shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible ranges of uses permitted in the requested classification. Rather, the Hearing Body shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

Because the request is for a Conditional Zoning District, the applicant's proposed conditions, site plan, and conceptual plan may be considered as part of the rezoning review and approval process. The applicant's list of conditions consents to limiting land uses to those associated with a Religious Institution and School, rather than the full list of allowable uses under the General Business designation.

3. **Agency Comments**

Planning staff distributed the rezoning application for review to the following Agencies and Departments on **February 25, 2026**:

The Town of Southern Pines:

- Engineering and Public Works Department
- Utilities Department
- Fire Department
- Parks and Recreation Department

Outside Agencies:

- The Regional Land Use Advisory Commission (RLUAC)
- The United States Fish and Wildlife Services (USFWS)
- The Moore County Airport
- The Moore County Economic Development Partnership (MCEDP)
- The North Carolina Department of Transportation (NCDOT)

The initial pre-application was reviewed by the Technical Review Committee (TRC) on November 25, 2025. The Town's Engineering Department stated that a Traffic Impact Analysis (TIA) would be required. A TIA has been submitted and included with this report. As of the publication of this report, staff received "no comment" from the MCEDP and the comment that the development "may affect, but is not likely to adversely affect the RCW" from USFWS. Any additional comments received following this staff report's publication, but prior to the public hearing, will be shared during staff's presentation.

4. **Staff Recommendation**

Planning staff recommend approval of the proposed rezoning from RS-3 to GB-CD with the list of conditions as proposed by the applicant. Staff finds that the application satisfies the rezoning criteria of UDO §2.17.9, including consistency with the 2040 Comprehensive Plan.

III. ATTACHMENTS

The following materials are provided as attachments to this staff memorandum:

1. Planning Board Resolution
2. Application
3. Narrative
4. Conditions
5. Applicant's Plans
6. Red Cockaded Woodpecker Study
7. Traffic Impact Analysis Executive Summary

Additional documents related to this application including, but not limited to: the full Traffic Impact Analysis (TIA), property deeds, Authorization of Agent forms, email correspondence, meeting minutes, and adjacent property notification records are on file in the Town of Southern Pines Planning Office and available by public information request.

IV. TOWN COUNCIL ACTION

A request for a zoning map amendment approval is a request for a rezoning. Per North Carolina General Statute 160D-601(a), before adopting the rezoning, the Town Council shall hold a legislative hearing. Per North Carolina General Statute 160D-605(a) the Town Council shall also approve a statement addressing consistency or inconsistency with the 2040 Comprehensive Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning and shall approve a brief statement describing whether its action is consistent with an adopted comprehensive plan.

To assist the Town Council in performing this task, Town staff have prepared the following draft motions for consideration, possible modification as necessary, and adoption.

* * *

I move that after reviewing the proposed Conditional Zoning District and after considering the criteria for approval of zoning map amendments found in UDO §2.17.9:

- 1. The proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9.**

-OR-

2. The proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. However, the following amendments to the proposed conditions and/or site plan are necessary to fully comply with the rezoning criteria under UDO §2.17.9 and/or the 2040 Comprehensive Plan:
-

With the above listed amendments, the requested conditional rezoning is a reasonable request for the reasons described within the Z-02-26 staff report and as modified by the Town Council above.

-OR-

3. The requested rezoning is inconsistent with the 2040 Comprehensive Plan and is not a reasonable request for the following reasons:

And, therefore, I move to:

1. **Approve Z-02-26 with the conditions submitted by the applicant and as listed in this Staff Report for the General Business Conditional Zoning District.**

-OR-

2. Approve Z-02-26 with the following amendments made by the Town Council and accepted by the applicant:

-OR-

3. Deny Z-02-26 for the following reasons:

Note that the effect of Town Council approval of a Conditional Zoning District and all conditions that have been attached to the approval are binding on the property as an amendment to the Zoning Map. All subsequent Development and use of the property shall be in accordance with the standards for the approved Conditional Zoning district; the approved petition and all conditions attached to the approval. Only those uses and structures indicated in the approved petition shall be allowed on the subject property. Any Development in the district shall comply with all provisions of and conditions to the approved petition. Any uses and structures on the subject property also shall comply with all standards and requirements for Development in the underlying general zoning district. Lastly, minor changes in the detail of the approved petition or Site Plan that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards. Lastly, minor changes in the detail of the approved petition that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.



ATTACHMENT 1

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR ZONING MAP AMENDMENT APPLICATION FOR A CONDITIONAL ZONING DISTRICT Z-02-26

WHEREAS, Section 160D-701 of the North Carolina General Statutes specifies that zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to protect the public health, safety and general welfare; and

WHEREAS, Section 160D-604 of the North Carolina General Statutes specifies that the Planning Board shall, with any ordinance amendment or zoning map amendment, advise and comment on whether the proposed action is consistent with the adopted comprehensive plan and on other matters as deemed appropriate by the Planning Board, and that the Planning Board shall provide this in the form of a written recommendation to the Town Council; and

WHEREAS, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report and application materials showing the proposed district boundaries, and has conducted a public hearing on March 19, 2026, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-02-26.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council approve the zoning map amendment request for the subject parcel, identified as PIN 858317203682 (PARID 99000100), totaling 11.38 acres, which rezones the property from Residential Single-Family Three (RS-3) to General Business Conditional Zoning District (GB-CD) with the following conditions, to which the applicant has consented (below), **and with a recommendation that a condition be added that the applicant meet NCDOT requirements for improvements:**

1. Land Use

The proposed land uses are indicated below by LBCS Code:

- a. Religious Institution – Other (more than 250 seats) 6600
- b. Grade School – Elementary (PreK – 8th) 6121
- c. Grade School – Middle or Junior 6122

2. Site Access

- a. Main access to the parcel will be provided by the existing access road from Pee Dee Road. All stacking / queueing for the school during drop-off and pick-up will be provided on-site.

3. Landscape / Buffers

- a. All landscaping and buffer requirements set forth in the UDO, including street trees, buffers, landscape screening, and parking / Vehicular Use Areas shall apply.
- b. A portion of the property is located in the Highway Corridor Overlay District – Urban Transition. The standards set forth in 3.6.5 shall apply for this portion of the property.

4. Open Space

- a. The proposed project will meet the required open space requirements per section 4.9 of the Town's UDO.

5. Stormwater

- a. The property is located within a state regulated and protected drainage basin (WS-IIIP). There is an existing retention pond that collects stormwater for the existing church and parking areas. All proposed stormwater design will be consistent with all aspects of applicable local and state regulations for stormwater management and watershed protection. This will also include erosion and sedimentation control. Best management practices will be utilized in accordance with NCDEQ and shall be maintained as required. Final design and location of these systems will be completed at site plan review.

6. Utilities (Water / Sewer)

- a. The current property is served by both water and sewer from the Town of Southern Pines and is adequately available for the proposed development. Final layout and design of these utilities will be provided during final site plan approval and will meet all local utility regulations / design requirements.

7. Grading

- a. The overall property has rolling terrain that slopes towards the rear the property. In order to balance the site and maintain existing vegetation (where feasible), low retaining walls will be required. These locations will be determined during final engineering design.

8. Parking

Off-street parking requirements shall apply for the following:

- a. Religious Institutions
 - (1) space for every four seats in the portion of the church Building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus (1) space for every 200 square feet of Gross Floor Area designed to be used neither for services nor residential purposes.
- b. Elementary / Middle Schools

(1.175) spaces per classroom in elementary schools.

9. Pedestrian Connections

- a. A natural trail path (min. 3' wide) will be provided from the project site to Whitehall Park, located west of the existing parcel. The final location will be determined based on coordination with the Town of Southern Pines, as well as final grading and engineering design.

10. Lighting

- a. All lighting on the property will follow the standards set forth in the Town of Southern Pines UDO (Section 4.8). Lighting levels within the parking areas will be provided to meet the UDO standards for safety.

11. Signage

- a. Any proposed signage will be designed in conformance with the Town of Southern Pines UDO (Section 4.6).

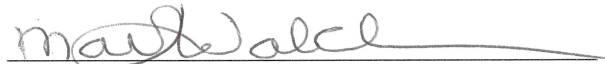
12. Site Plan

- a. Phase 1 Site Plan will include the new School Building ($\pm 9,000$ sf) and associated parking as depicted on S100 (Exhibit C).
- b. Final building layouts / locations for future phases will be determined by engineering design based on architecture, grading, and utilities and shall meet the standards and conditions set forth by this application and the UDO. These future uses / buildings are proposed as depicted on the Overall Master Plan (Exhibit B).

13. Architecture

- a. Per Sections 2.26 and 4.10.4, commercial structures, including religious institutions, must comply with the Architectural Standards set forth in the UDO, and are to be approved via an Architectural Compliance Permit.
- b. All frontage zone requirements per 4.10.5 shall apply.

ADOPTED this the 19th day of March, 2026.


Matthew Walden, Chair

ATTEST:


Cindy Williams
Secretary to the Planning Board



Conditional Zoning District Application

Fee: \$1,840.00

Date Received: _____

Case No.: Z-____-____

Project Information:

Street Address: 650 Pee Dee Road

PIN: 858317203682 Parcel ID: 99000100

Site Size: ±11.31 Acres Current Zoning: RS-3

Applicant:

Name(s): Sandhills Presbyterian Church (Scott Boulton)

Email: rscottboulton@gmail.com Phone: (910) 725-7038

Mailing Address: 650 Pee Dee Road, Southern Pines, NC 28387

Authorized Agent, if different from Applicant:

Name(s): Jeremy Sparrow (Longitude Planning Group)

Email: jsparrow@longitudeplanninggroup.com Phone: (734) 478-1917

Mailing Address: PO Box 1466, Southern Pines, NC 28388

Legal Property Owner(s), if different from Applicant:

Name(s): _____

Email: _____ Phone: _____

Mailing Address: _____

TO THE TOWN OF SOUTHERN PINES PLANNING BOARD AND TOWN COUNCIL:

I, the undersigned, do hereby make application to and petition the Planning Board and Town Council to approve a zoning map amendment to GB - Conditional Zoning District per the requirements of the Town of Southern Pines Unified Development Ordinance (UDO) §2.17. The information included is submitted in support of this application. I grant Town of Southern Pines staff, Planning Board and Town Council access to the subject property/properties while this zoning map amendment application is under review.

Date: 2026-02-09

R Scott Barton, Elder
Applicant

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
801 SE Service Road, Southern Pines, NC 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

Sandhills Presbyterian Church

Conditional Zoning District Application

Project Narrative and Conditions
February 9, 2026

Project Narrative

Sandhills Presbyterian Church, located at 650 Pee Dee Road, is requesting a Conditional Zoning for the ±11.31 AC parcel (ParID 99000100) from RS-3 (Residential Single-Family) to GB-CZ (General Business – Conditional Zoning) for the use and operation of a church and Covenant Preparatory School (PreK-8). The original church was constructed in 2001 and has grown over the past several years and is currently seeking to expand its current facilities. In 2014, Sandhills Presbyterian commenced operations of Covenant Preparatory School, which currently operates within the existing church facilities and a modular classroom structure.

Covenant Preparatory School (PreK-8) operates out of Sandhills Presbyterian Church three (3) days a week (Monday, Wednesday and Friday) and has a current enrollment of 180 students and 12-15 faculty and staff. The school is looking to increase its enrollment to 220 students and 18-21 faculty and staff.

The overall goal for this application is to provide for future phases / expansion of the existing church, while expanding and bringing the existing school into compliance with the Town of Southern Pine's Unified Development Ordinance (UDO). Below is a summary of the proposed development and phasing of both the church and school, along with the proposed conditions. The future phases / timing of these projects have not yet been determined and will be based on need and funding of the projects.

File #Z-02-26

Sandhills Presbyterian Church List of Conditions Proposed by the Applicant:

Condition 1. Land Uses.

The land uses shall be limited to the following Land-Based Classification Standard (LBCS) Codes:

- Religious Institution – Other (more than 250 seats) (LBCS #6600).
- Grade School – Elementary (PreK – 8th) (LBCS # 6121).
- Grade School – Middle or Junior (LBCS #6122).

Condition 2. Site Access.

Main access to the parcel will be provided by the existing access road from Pee Dee Road. All stacking / queueing for the school during drop-off and pick-up will be provided on-site.

Condition 3. Traffic.

The site shall meet the North Carolina Department of Transportation's requirements for improvements.

Condition 4. Buffers and Setbacks.

The site shall comply with buffering and setback requirements of the Unified Development Ordinance as depicted in "Preliminary Plans" document S100.

Condition 5. Landscaping.

All landscaping shall comply with the Unified Development Ordinance.

Condition 6. Open Space.

The site shall comply with the Open Space standards of the Unified Development Ordinance.

Condition 7. Water Supply Watershed.

The entire property is located within High Quality / Protected Water (WS-IIIP), making the maximum impervious surface 24% without Watershed Allocation from the Town Council. The site will not be permitted to exceed this percentage without approval from the Town Council.

Condition 8. Stormwater

There is an existing retention pond that collects stormwater for the existing church and parking areas. All proposed stormwater design will be consistent with all aspects of applicable local and state regulations for stormwater management and watershed protection. This will also include erosion and sedimentation control. Best management practices will be utilized in accordance with NCDEQ and shall be maintained as required. Final design and location of these systems will be completed at site plan review.

Condition 9. Utilities (Water / Sewer)

The current property is served by both water and sewer from the Town of Southern Pines and is adequately available for the proposed development. Final layout and design of

these utilities will be provided during final site plan approval and will meet all local utility regulations / design requirements.

Condition 10. Grading.

The overall property has rolling terrain that slopes towards the rear the property. In order to balance the site and maintain existing vegetation (where feasible), low retaining walls will be required. These locations will be determined during final engineering design.

Condition 11. Religious Institution Parking.

Off-street parking requirements shall apply for the following:

(1) space for every four seats in the portion of the church Building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus (1) space for every 200 square feet of Gross Floor Area designed to be used neither for services nor residential purposes.

Condition 12. School Parking.

Off-street parking requirements shall apply for the following:

(1.175) spaces per classroom in elementary schools, and 3 spaces per classroom in bicycle parking spaces.

Condition 13. Interconnectivity with Existing Trail Networks.

A natural trail path at least three feet wide will be provided from the project site to Whitehall Park, located west of the existing parcel. The final location will be determined based on coordination with the Town of Southern Pines, as well as final grading and engineering design.

Condition 14. Lighting.

Lighting shall comply with the Unified Development Ordinance.

Condition 15. Signage.

New signage shall comply with the Unified Development Ordinance.

Condition 16. Phasing.

Phase One of the Site Plan shall include the new School Building ($\pm 9,000$ sf) and associated parking as depicted on S100 (Exhibit C).

Condition 17. Final Building Layouts and Locations.

Final building layouts and locations for future phases will be determined by engineering design based on architecture, grading, and utilities and shall meet the standards and conditions set forth by this application and the UDO. These future uses / buildings are proposed as depicted on the Overall Master Plan (Exhibit B).

Condition 18. Architectural Compliance of Existing Church Structure.

Any expansion to the existing Church may be administratively approved by staff, provided that the following standards are met:

- Materials shall match or be substantially similar in type, color, texture, quality, and pattern to those of the existing structure.
- Roof design shall match the existing structure in pitch, form, and color.
- Windows and doors shall be consistent with the existing structure in proportion, style, and placement to the greatest extent practicable.
- Architectural detailing (Trim, cornices, façade articulation, etc.) shall be consistent with the existing structure.
- Any deviation from the above architectural standards shall require approval by the Town Council through an Architectural Compliance permit.

Condition 19. Architectural Compliance of New Buildings.

New principal or accessory buildings on the site may be administratively approved by staff, regardless of size, provided they are fully compliant with all applicable Architectural Standards of the Unified Development Ordinance. Any proposed deviation from the architectural standards shall require approval by the Town Council through an Architectural Compliance permit.

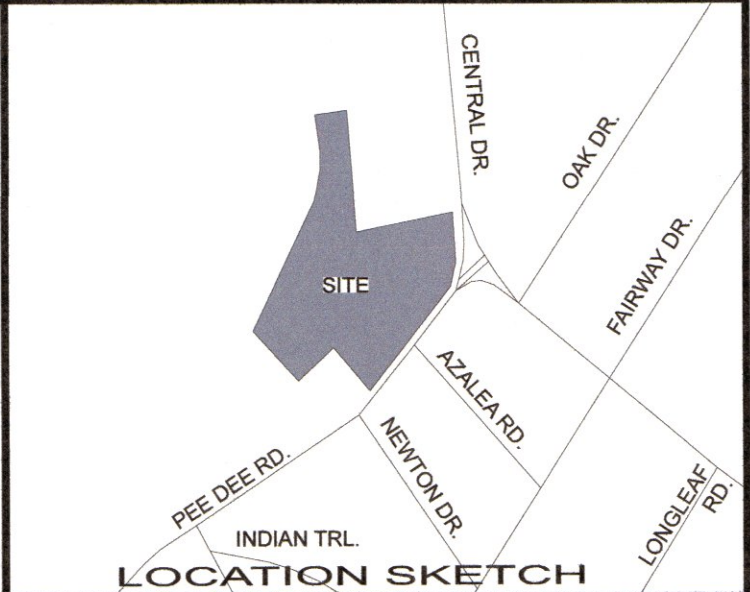
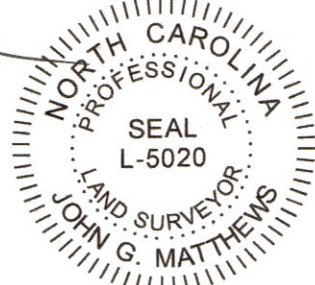
Condition 20. Height.

The maximum height of structures shall be restricted to the General Business default of 45' (forty-five feet), except for the portion of the site within the Highway Corridor Overlay, which restricts height to 35' (thirty-five feet).

I, JOHN G. MATTHEWS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS/GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
(1) CLASS OF SURVEY: CLASS A
(2) POSITIONAL ACCURACY: <0.10'
(3) TYPE OF GPS FIELD PROCEDURE: RTK NETWORKS
(4) DATES OF SURVEY: OCTOBER 10, 2022
(5) DATUM/EPOCH: NAD83(2011)
(6) PUBLISHED/FIXED CONTROL USE: NC CORS
(7) GEOID MODEL: ContinentalUS_NGS2012B
(8) COMBINED GRID FACTOR(S): 0.99996146
(9) UNITS: US SURVEY FEET
GRID TO GROUND SCALE POINT:
N(y): 530,596.42642355 US SURVEY FEET
E(x): 1,882,362.34227503 US SURVEY FEET

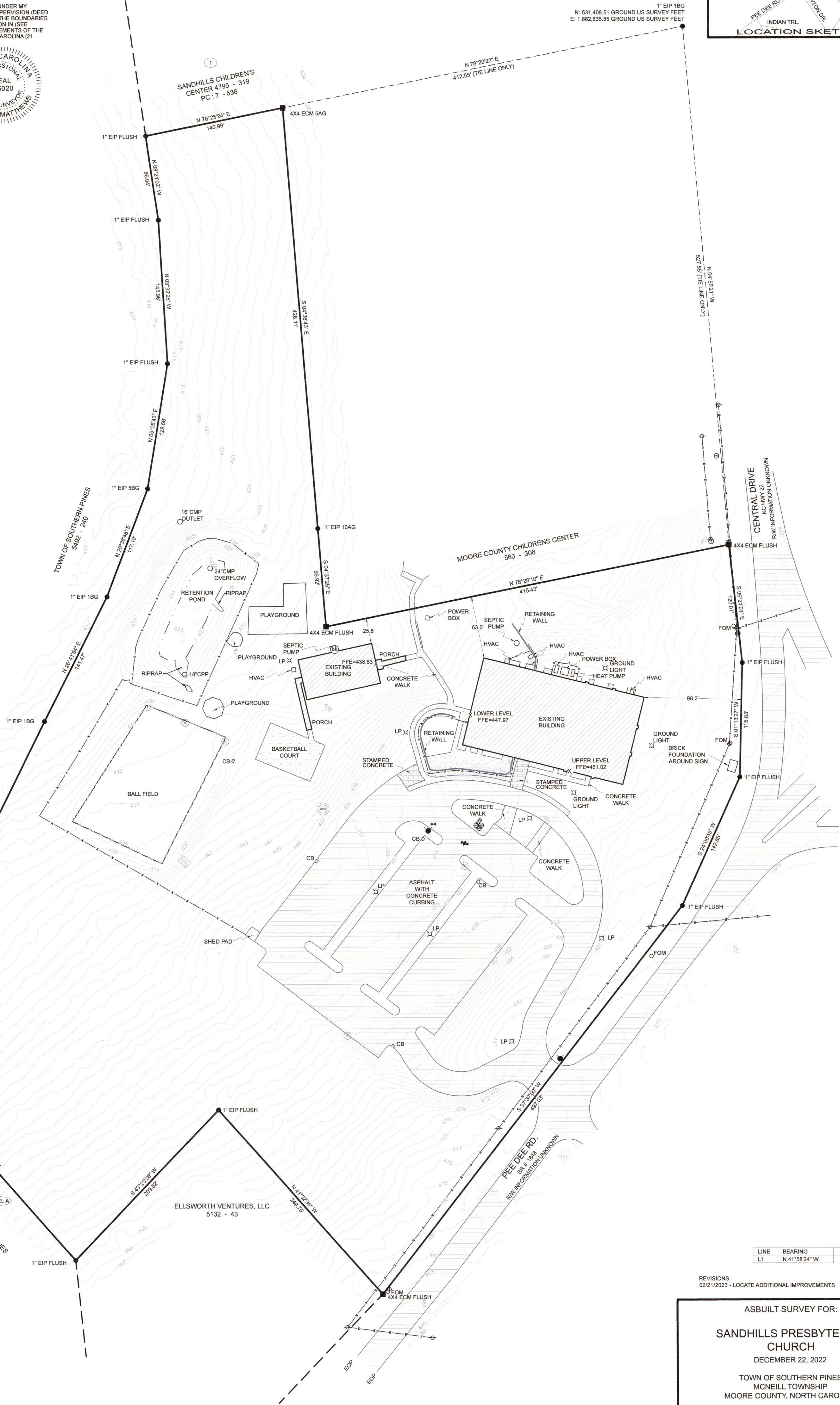
I, JOHN G. MATTHEWS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE REFERENCE TABLE); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN (SEE REFERENCE TABLE); AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS 22ND DAY OF FEBRUARY, A.D., 2023
PROFESSIONAL LAND SURVEYOR, L-5020



LEGEND OF SYMBOLS & ABBREVIATIONS

- LP LIGHT POLE
- CP COMPUTED POINT
- EA EXISTING AXLE
- ECM EXISTING CONCRETE MONUMENT
- EIP EXISTING IRON PIPE
- EIS EXISTING IRON STAKE
- NIS NEW IRON STAKE
- FIRE HYDRANT
- GAS VALVE
- POWER POLE
- SANITARY SEWER
- STORM MANHOLE
- TELEPHONE PEDESTAL
- CABLE PEDESTAL
- TRANSFORMER
- WATER METER
- WATER VALVE
- IRRIGATION CONTROL VALVE
- PROPOSED HVAC
- REDUCED PRESSURE ZONE
- #AG (#) INCHES ABOVE GRADE
- #BG (#) INCHES BELOW GRADE
- CB CATCH BASIN
- CL CENTERLINE
- CO CLEAN OUT
- CMP CORRUGATED METAL PIPE
- CPP CORRUGATED PLASTIC PIPE
- DI DROP INLET
- EJB ELECTRIC JUNCTION BOX
- EM ELECTRIC METER
- EMN EXISTING MANHOLE
- EOP EDGE OF PAVEMENT
- EPK EXISTING PAVEMENT
- ERRS EXISTING RAILROAD SPIKE
- FOM FIBER OPTIC MARKER
- FL FLUSH WITH GRADE
- ICV IRRIGATION CONTROL VALVE
- MBS MINIMUM BUILDING SETBACKS
- NF NOW OR FORMERLY
- NMN NEW MAG NAIL
- RCP REINFORCED CONCRETE PIPE
- R/W RIGHT-OF-WAY
- TBC TOP BACK CURB
- TOC TOE OF CURB
- YI FLOW LINE
- SPOT ELEVATION
- EXISTING CONTOUR LINES
- PROPOSED CONTOUR LINES
- SURVEYED PROPERTY BOUNDARY
- OTHER SURVEYED LINE
- LINE NOT SURVEYED
- RIGHT-OF-WAY
- OVERHEAD ELECTRIC LINES
- FENCE
- SANITARY SEWER LINES
- TIE LINE



LINE	BEARING	DISTANCE
L1	N 41°58'24" W	10.19'

REVISIONS: 02/21/2023 - LOCATE ADDITIONAL IMPROVEMENTS

ASBLT SURVEY FOR:

SANDHILLS PRESBYTERIAN CHURCH

DECEMBER 22, 2022

TOWN OF SOUTHERN PINES
MCNEILL TOWNSHIP
MOORE COUNTY, NORTH CAROLINA



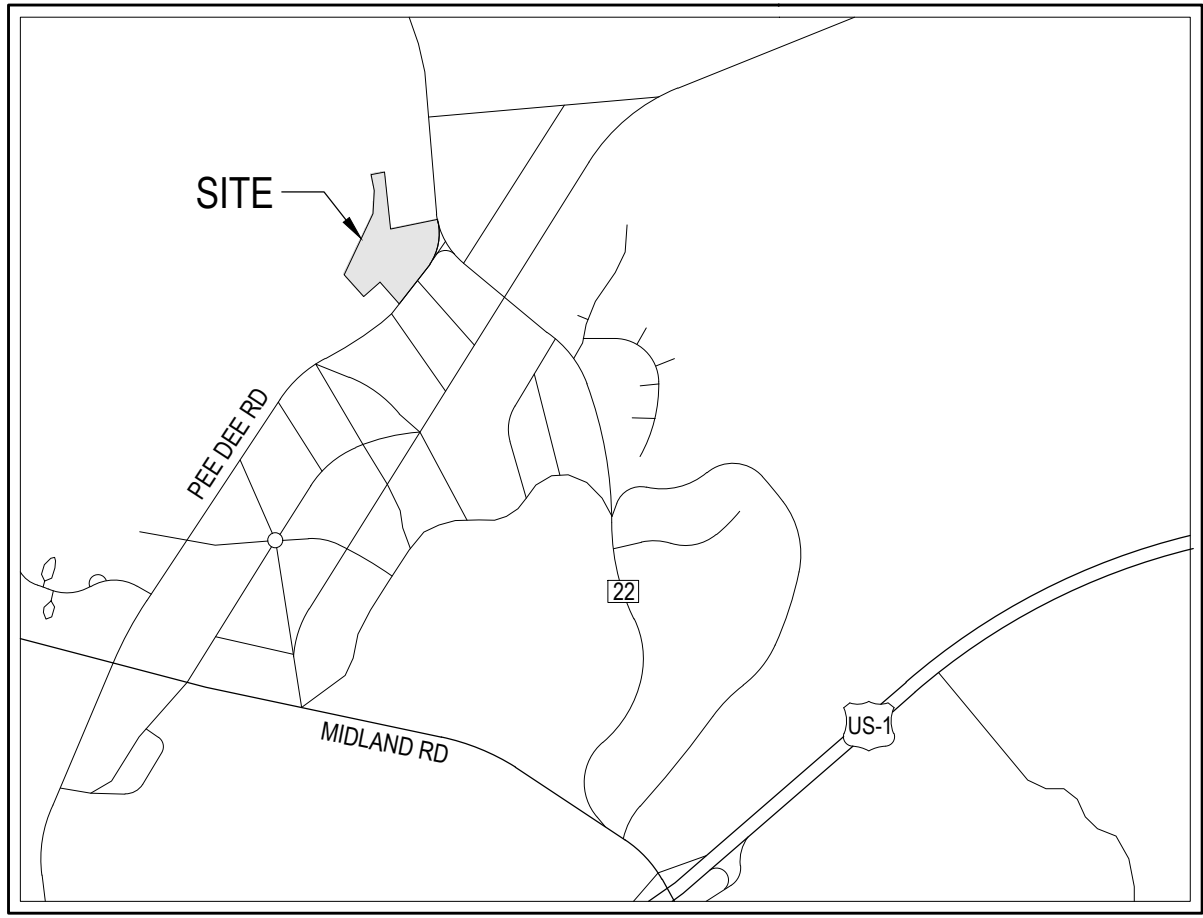
SCALE 1"=50'

REFERENCE TABLE:	MINIMUM BUILDING SETBACKS PER UDO:
DEED BOOK 1483, PAGE 100	FRONT - 30'
PLAT CABBET 7, SLIDE 331	SIDE - 15'
MOORE COUNTY REGISTRY	REAR - 30'

PROPERTY ADDRESS:	OWNER'S ADDRESS:
650 PEE DEE RD. SOUTHERN PINES, NC 28387	SANDHILLS PRESBYTERIAN CHURCH 650 PEE DEE RD SOUTHERN PINES, NC 28387

MATTHEWS
LAND SURVEYING & MAPPING
FIRM LICENSE: P-1343
10 COURTHOUSE SQUARE
CARTHAGE, NC 28327
910-947-2671
JOB#: 11535

- NOTES:
- ACREAGE DETERMINED BY COORDINATE METHOD
 - TAX PARCEL ID: 99000100
 - ZONING: RS-3
 - PUBLIC WATER SUPPLY WATERSHED: WS-III
 - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY EASEMENTS OR CONVEYANCES OF RECORD.
 - NO ATTEMPTS MADE TO LOCATE UNDERGROUND UTILITIES
 - CONTOURS ARE GENERATED FROM LIDAR TAKEN FROM SPATIAL DATA DOWNLOAD WEBSITE.



VICINITY MAP
(NOT TO SCALE)

2.0 TREE PROTECTION:

- 2.1 THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREVENTING DAMAGE TO EXISTING TREES LOCATED ALONG ACCESS AND HAUL ROADS, AND ADJACENT TO, OR WITHIN BUILDING CONSTRUCTION SITES AND MATERIAL AND EQUIPMENT STORAGE AREAS. THOSE TREES TO BE SAVED SHALL BE FLAGGED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- 2.2 MATERIALS SHALL NOT BE STORED, NOR VEHICLES PARKED WITHIN THE DRIP-LINE OF THE TREE UNLESS AUTHORIZED BY LANDSCAPE ARCHITECT OR OWNER.
- 2.3 VEHICLES AND EQUIPMENT SHALL NOT BE DRIVEN OVER EXPOSED ROOTS AND ROADS SHALL NOT BE LOCATED WITHIN THE DRIP-LINE OF TREES UNLESS APPROVAL IS OBTAINED FROM THE LANDSCAPE ARCHITECT OR OWNER.
- 2.4 NO CUTTING OR FILLING OF EXISTING GRADE, TRENCHING OR PRUNING SHALL OCCUR UNLESS SPECIFICALLY DIRECTED BY THE CONSTRUCTION DOCUMENTS, OR WITH WRITTEN CONSENT BY THE LANDSCAPE ARCHITECT OR THE OWNER.
- 2.5 NO BURNING OF TRASH IS ALLOWED WITHIN 75' OF EXISTING TREES AND CARE SHALL BE TAKEN TO PREVENT ANY SMOKE DAMAGE TO TREES.

LINE	BEARING	DISTANCE
L1	N 41°58'24" W	10.19'



PROPERTY INFORMATION	
PROPERTY OWNER(S):	
SANDHILLS PRESBYTERIAN CHURCH	
650 PEE DEE ROAD	
SOUTHERN PINES, NC 28387	
APPLICANT:	
SANDHILLS PRESBYTERIAN CHURCH	
650 PEE DEE ROAD	
SOUTHERN PINES, NC 28387	
TOTAL ACREAGE:	
±11.31 ACRES	
PARCEL INFORMATION:	
PARCEL ID:	99000100
PIN:	858317203682
DEED BOOK:	SOS
DEED PAGE:	0428386
EXISTING ZONING:	RS-3

ZONING INFORMATION	
PROPOSED ZONING:	
GB-CZ	
REQUIRED SETBACKS:	
FRONT:	NONE
FRONT: (FROM STREET CENTERLINE)	NONE
EXTERIOR SIDE:	NONE
EXTERIOR SIDE: (FROM STREET CENTERLINE)	NONE
INTERIOR SIDE:	NONE
REAR:	NONE
MAX. BUILT UPON SURFACE (WS-III):	
MAX. BUILT UPON SURFACE:	24%
MAX. BUILDING HEIGHT:	
HEIGHT:	50 FT

OPEN SPACE CALCULATIONS	
AREA OF OPEN SPACE:	± 3.54 AC
DIVIDED BY TOTAL SITE AREA:	± 11.31 AC
EQUALS PERCENT OPEN SPACE:	31.25%
MINIMUM OPEN SPACE REQUIRED:	10.00%

ADDITIONAL PARKING CALCULATIONS	
NUMBER OF CLASSROOMS	7
MULTIPLY BY 1.175	X1.175
EQUALS NUMBER OF SPACES REQUIRED	8 SPACES
NUMBER OF SPACES PROVIDED	12 SPACES

HIGHWAY CORRIDOR OVERLAY DISTRICT URBAN TRANSITION	
YARD / BUFFER DIMENSIONS, ROADWAYS:	
BUILDING SETBACK:	75 FT
PARKING AREA SETBACK:	50 FT
LANDSCAPE BUFFER:	50 FT
YARD / BUFFER DIMENSIONS, SIDE AND REAR YARDS:	
FROM RESIDENTIAL ZONES:	50 FT
FROM NON-RESIDENTIAL ZONES:	25FT
MAX. BUILT UPON SURFACE:	
MAX. BUILT UPON SURFACE:	65%
MAX BUILDING FOOTPRINT:	30%
MAX. BUILDING HEIGHT:	
HEIGHT:	35 FT

FLOODPLAIN DATA	
THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)	
THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY	
PANEL(S) NO:	8583
MAP(S):	3710858300J
DATE:	OCTOBER 17TH 2006

IMPERVIOUS AREA CALCULATIONS	
EXISTING IMPERVIOUS	
BUILDINGS	±19,260 SF
PARKING	±57,815 SF
SIDEWALKS	±8,012 SF
WALLS	±191 SF
TOTAL AREA IMPERVIOUS	±85,078 SF
DIVIDED BY TOTAL SITE AREA	±492,871 SF
EQUALS PERCENT IMPERVIOUS	17.26%
PHASE 1 IMPERVIOUS	
BUILDINGS	±33,643 SF
PARKING	±62,879 SF
SIDEWALKS	±8,085 SF
WALLS	±68 SF
TOTAL AREA IMPERVIOUS	±104,475 SF
DIVIDED BY TOTAL SITE AREA	±492,871 SF
EQUALS PERCENT IMPERVIOUS	21.20%
*FUTURE PHASE WILL REQUIRE A WATERSHED ALLOCATION ABOVE 24%	



- LEGEND:
- = PROPERTY BOUNDARY
 - - - = EXISTING MAJOR CONTOUR
 - - - = EXISTING MINOR CONTOUR
 - - - = EXISTING TREE CANOPY

CAUTION

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT DEPICTED ON THESE PLANS. THE LANDSCAPE ARCHITECT AND ENGINEER ASSUME NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE PROJECT LIMITS. ALL DAMAGE MADE TO THE EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

SANDHILLS
PRESBYTERIAN CHURCH
650 PEE DEE ROAD
SOUTHERN PINES, NORTH CAROLINA

REVISIONS:

SHEET TITLE:

SITE PLAN
(PHASE 1)

DATE: 2026-04-06
DESIGNED BY: JWS
DRAWN BY: TTK

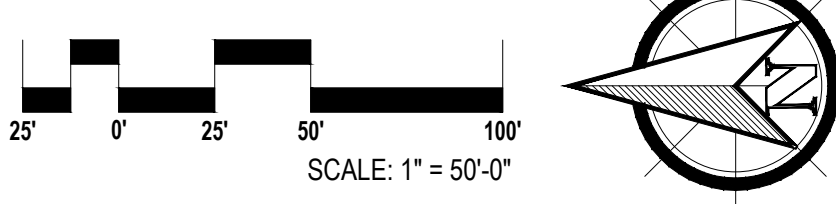
SCALE: 1" = 50'
PROJECT #: LPG2024-0006

SHEET #:

S100

LONGITUDE
planning group

10 PARKER LANE (SUITE 3)
SOUTHERN PINES, NC 28374
P: 810-490-1146
W: www.longitudeplanning.com



I, JOHN G. MATTHEWS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
(1) CLASS OF SURVEY: CLASS A
(2) POSITIONAL ACCURACY: < 0.10'
(3) TYPE OF GPS FIELD PROCEDURE: RTK NETWORKS
(4) DATES OF SURVEY: OCTOBER 10, 2022
(5) DATUM/EPOCH: NAD83(2011)
(6) PUBLISHED/FIXED-CONTROL: USE: NC CORRS
(7) GEOID MODEL: ContinentalUS_NGSD012B
(8) COMBINED GRID FACTOR(S): 0.99986148
(9) UNITS: US SURVEY FEET
GRID TO GROUND SCALE POINT:
N(1): 530,598.42842355 US SURVEY FEET
E(1): 1,882,362.34227503 US SURVEY FEET

I, JOHN G. MATTHEWS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE REFERENCE TABLE), THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN (SEE REFERENCE TABLE), AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 38.1600).

THIS 22ND DAY OF FEBRUARY A.D. 2023
PROFESSIONAL LAND SURVEYOR, L-5020



LEGEND OF SYMBOLS & ABBREVIATIONS

- LP LIGHT POLE
- CP COMPUTED POINT
- EA EXISTING AXLE
- ECM EXISTING CONCRETE MONUMENT
- EIP EXISTING IRON PIPE
- EIS EXISTING IRON STAKE
- NIS NEW IRON STAKE
- FH FIRE HYDRANT
- GV GAS VALVE
- PP POWER POLE
- SS SANITARY SEWER
- SM STORM MANHOLE
- TP TELEPHONE PEDESTAL
- CP CABLE PEDESTAL
- TR TRANSFORMER
- WM WATER METER
- WV WATER VALVE
- ICV IRRIGATION CONTROL VALVE
- RPZ REDUCED PRESSURE ZONE
- AG (#) INCHES ABOVE GRADE
- BG (#) INCHES BELOW GRADE
- CB CATCH BASIN
- CL CENTERLINE
- CO CLEAN OUT
- CMP CORRUGATED METAL PIPE
- CPP CORRUGATED PLASTIC PIPE
- DI DROP INLET
- EJB ELECTRIC JUNCTION BOX
- EM ELECTRIC METER
- EMN EXISTING MAG NAIL
- EOP EDGE OF PAVEMENT
- EPK EXISTING PK NAIL
- ERRS EXISTING RAILROAD SPIKE
- FBM FIBER OPTIC MARKER
- FL FLUSH WITH GRADE
- ICV IRRIGATION CONTROL VALVE
- MBS MINIMUM BUILDING SETBACKS
- NF NOW OR FORMERLY
- NMN NEW MAG NAIL
- RCP REINFORCED CONCRETE PIPE
- R/W RIGHT-OF-WAY
- TBC TOP BACK CURB
- TOC TOE OF CURB
- YI YARD INLET
- FL FLOW LINE
- SE SPOT ELEVATION
- EL EXISTING CONTOUR LINES
- PL PROPOSED CONTOUR LINES
- SB SURVEYED PROPERTY BOUNDARY
- OL OTHER SURVEYED LINE
- LS LINES NOT SURVEYED
- RO RIGHT-OF-WAY
- OE OVERHEAD ELECTRIC LINES
- FC FENCE
- SS SANITARY SEWER LINES
- TL TIE LINE

1" = 50.00'

1" = 100.00'

1" = 200.00'

1" = 400.00'

1" = 800.00'

1" = 1600.00'

1" = 3200.00'

1" = 6400.00'

1" = 12800.00'

1" = 25600.00'

1" = 51200.00'

1" = 102400.00'

1" = 204800.00'

1" = 409600.00'

1" = 819200.00'

1" = 1638400.00'

1" = 3276800.00'

1" = 6553600.00'

1" = 13107200.00'

1" = 26214400.00'

1" = 52428800.00'

1" = 104857600.00'

1" = 209715200.00'

1" = 419430400.00'

1" = 838860800.00'

1" = 1677721600.00'

1" = 3355443200.00'

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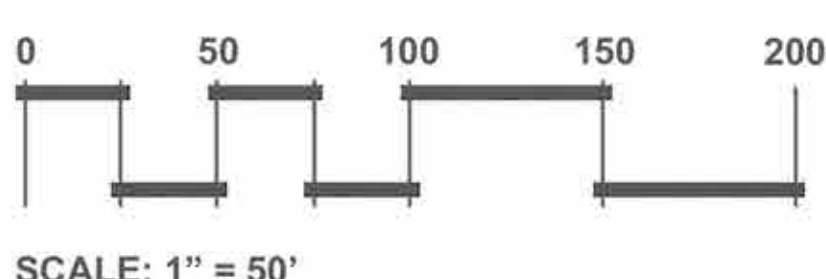
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1" = 247588007857076054979824844800.00'

CONCEPTUAL MASTER PLAN FEBRUARY 9, 2026



SCALE: 1" = 50'

DISCLAIMER: THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON FINAL DESIGN AND ENGINEERING

PHASE 1

- A Phase 1 - (7) Classrooms / Future Admin (2-Story Walk-out)
- B Phase 1 - Proposed Porte-cochère
- C Phase 1 - Proposed Rear Patio
- D Phase 1 - Proposed Front Patio

FUTURE PHASES

- E Phase 2 - (15) Classrooms - 2-Story
- F Seating Terrace
- G Drop-off Area
- H Stacking / Car Line
- I Existing Modular (To be removed)
- J Existing Open Field / Play Area (Expand)
- K Existing Stormwater Area
- L Proposed Trail (Connect to Southern Pines Trail System)
- M Proposed Stormwater Area
- N Proposed Retaining Wall
- O Relocated Basketball Court
- P Proposed Pavilion
- Q Outdoor Classroom
- R Proposed Campanella

LONGITUDE
planning group

**RED-COCKADED WOODPECKER
FORAGING HABITAT ANALYSIS AND BIOLOGICAL
ASSESSMENT FOR IMPROVEMENTS TO
SANDHILLS PRESBYTERIAN CHURCH,
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA**

27 January 2025

Prepared By:

**Ms. Alicia Jackson and Dr. J.H. Carter III
Dr. J.H. Carter III & Associates, Inc.
Environmental Consultants
515 F Midland Road
Southern Pines, North Carolina 28387**

Submitted to:

**Mr. R. Scott Boulton
Sandhills Presbyterian Church
650 Pee Dee Road
Southern Pines, NC 28387**

RED-COCKADED WOODPECKER
FORAGING HABITAT ANALYSIS AND BIOLOGICAL ASSESSMENT
FOR IMPROVEMENTS TO
SANDHILLS PRESBYTERIAN CHURCH,
SOUTHERN PINES, MOORE COUNTY, NORTH CAROLINA

1. INTRODUCTION

Sandhills Presbyterian Church is proposing to expand their existing church building and construct additional facilities on their 11.38 acre property on Pee Dee Road, Southern Pines, Moore County, North Carolina (NC). The proposed project will impact foraging habitat associated with an active cluster (SOPI 26) of the federally Threatened red-cockaded woodpecker (*Dryobates borealis*) (RCW). This assessment evaluates the impacts of this project on the RCW pursuant to Section 9 of the Endangered Species Act (ESA), as amended.

2. PROJECT AREA

The project is located in the Greater Sandhills of south-central NC (Figure 1), an area characterized by pine-forested, gently rolling topography and sandy soils. Elevations in the immediate project area range from 400-500 feet (ft.) above mean sea level. Upland soils are well drained and consist predominantly of Candor sand and Ailey, Gilead and Vaucluse loamy sands (US Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2019). The most widespread wetland soil is Bibb loam. The project area is located in the Cape Fear River Basin. Major hydrological features include Reservoir Park Lake, Mill Creek and unnamed tributaries thereof.

Historically, upland vegetative communities in the project area were predominantly Xeric Sandhill Scrub, Pine-Scrub Oak Sandhill and Mesic Pine Savanna. The most widespread palustrine communities were Streamhead Pocosin and Coastal Plain Small Stream Swamp.

The Xeric Sandhill Scrub community had a longleaf pine (*Pinus palustris*) overstory, turkey oak (*Quercus laevis*) understory and a Carolina wiregrass (*Aristida stricta*) ground cover. It occurred on very dry sandy sites such as ridges. The Pine-Scrub Oak Sandhill community had

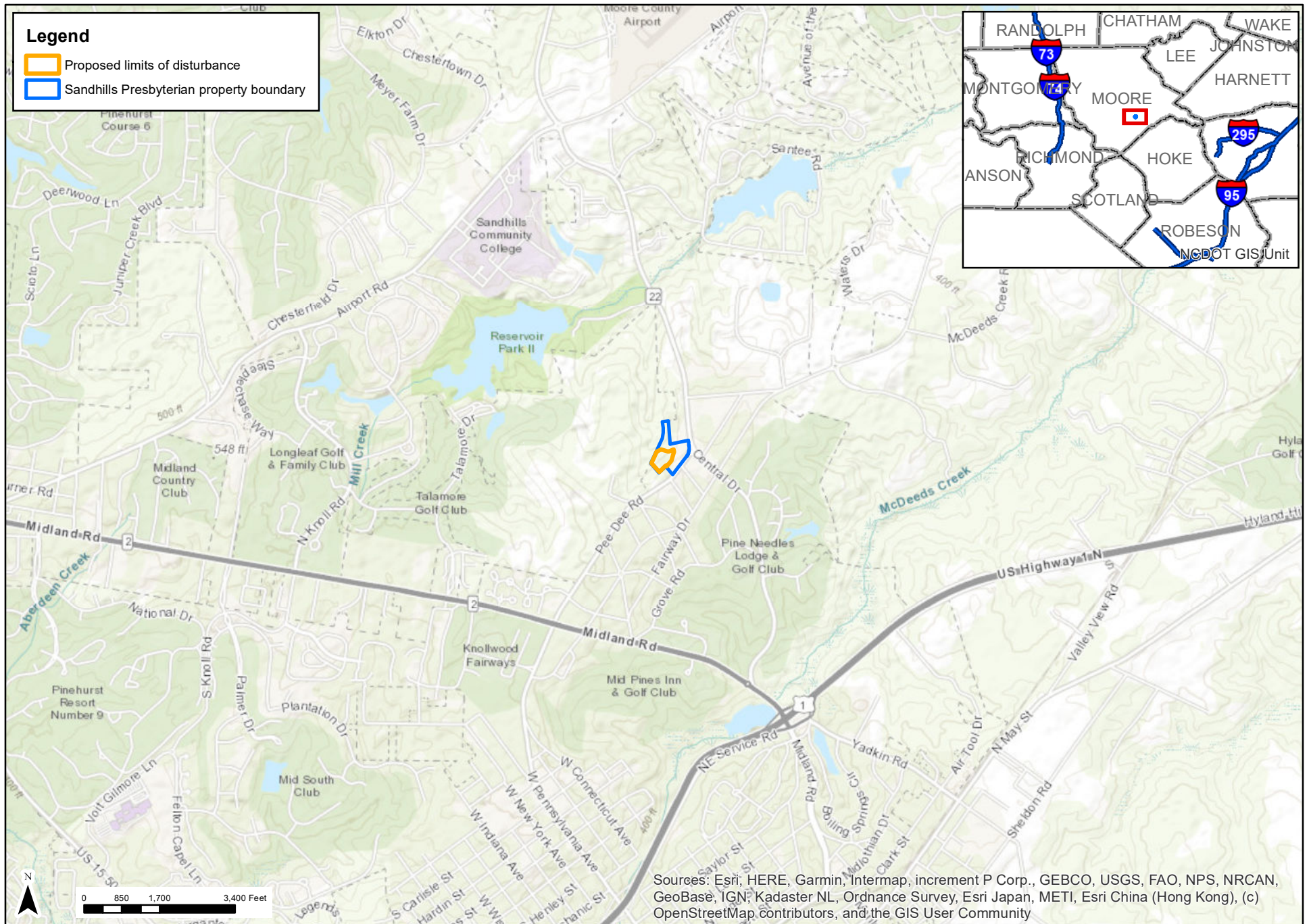


Figure 1. Location of the Sandhills Presbyterian Church, Southern Pines, Moore County, North Carolina.

a longleaf pine overstory, mixed scrub oak (*Quercus* spp.) or xeric hardwood understory and an often-diverse ground cover dominated by Carolina wiregrass.

Mesic Pine Savanna on frequently burned, undisturbed sites typically had a canopy of longleaf pine and an open or sparse midstory of mesic hardwoods, especially sweetgum (*Liquidambar styraciflua*). The ground cover was dominated by Carolina wiregrass and a very diverse assemblage of herbaceous plants. In unburned or rarely burned sites, the midstory was sparse to dense and the ground cover was sparser and less diverse, sometimes dominated by bracken fern (*Pteridium latiusculum*).

Streamhead Pocosins occurred in small drainages, on poorly drained flats and along some of the larger streams. Dense thickets of shrubs and vines characterized this habitat, along with an overstory of pond pine (*P. serotina*), sometimes mixed with loblolly pine (*P. taeda*), tulip poplar (*Liriodendron tulipifera*), swamp blackgum (*Nyssa biflora*) and red maple (*Acer rubrum*). Typical understory vegetation consisted of swamp red bay (*Tamala palustris*), fetterbush (*Lyonia lucida*), sweet gallberry (*Ilex coriacea*), inkberry (*I. glabra*), titi (*Cyrilla racemiflora*), sweet pepperbush (*Clethra alnifolia*), switch cane (*Arundinaria tecta*) and laurel-leaved greenbrier (*Smilax laurifolia*). Cinnamon fern (*Osmundastrum cinnamomeum*) was common in the sparse herb layer. Small stands of Atlantic white cedar (*Chamaecyparis thyoides*) sometimes occurred in these communities.

Coastal Plain Small Stream Swamp communities were found along small to medium-sized streams and were predominantly forested with swamp blackgum, red maple, tulip poplar and pond pine. Midstory species included red maple, sweetbay magnolia (*Magnolia virginiana*) and titi and understory species included coastal fetterbush (*Leucothoe axillaris*), Virginia sweetspire (*Itea virginica*) and yellowroot (*Xanthorhiza simplicissima*). The ground cover was typically sparse with cinnamon fern and netted chain-fern (*Lorinseria areolata*).

The Sandhills area contains the second largest metapopulation of RCWs and is a designated Primary Core Recovery Population (US Fish and Wildlife Service (USFWS) 2003). This metapopulation includes RCWs on the Fort Liberty Military Reservation, Camp Mackall, Sandhills Game Land (SGL), Calloway Tract, McCain Tract, Carver's Creek State Park, Weymouth Woods Sandhills Nature Preserve and private lands around Southern Pines and Pinehurst (SOPI). In 2005, the Sandhills East Primary Core Population, which includes Fort Liberty, reached its population goal of 350 potential breeding groups (pbgs) (USFWS 2006) and

the Sandhills West Essential Support Population, which includes the SGL and Camp Mackall, reached its population goal of 100 pbgs in 2002 (NC Sandhills Conservation Partnership, unpublished data).

3. PROJECT SITE

The project site is located on Pee Dee Road (Rd.) (State Route (SR) 1848) just west of its convergence with NC Highway (Hwy.) 22 in Southern Pines, Moore County, NC (Figure 2). The site is bordered by the Sandhills Children's Center to the north, the Town of Southern Pines' Whitehall at Reservoir Park to the west and southwest, a private parcel to the south and SR 1848 and Hwy. 22 to the east.

4. PROJECT DESCRIPTION

Proposed construction on the Sandhills Presbyterian campus include construction of 2 new buildings with classrooms and administrative offices, expansion of the church and a pavilion (Figure 2). Additional improvements will include a relocated basketball court, a new stormwater pond, new parking areas, an outdoor classroom and a walking trail to connect with the Southern Pines trail system. Construction will be completed in phases, beginning with one classroom building and associated parking.

5. METHODS

Natural vegetative communities were classified according to Schafale (2023) and plant nomenclature follows Weakley et. al (2024).

5.1. RCW Survey

All cavity trees associated with Cluster SOPI 26 were visited by JCA or Sandhills Ecological Institute (SEI) biologists in the spring and summer of 2024 and their activity status and other attributes were updated.

The Sandhills Presbyterian Church property, the adjacent Town of Southern Pines property and additional areas within 0.5 mile of the affected RCW cluster (SOPI 26) were surveyed for RCW cavity trees in October 2024 by a qualified JCA biologist (JCA 2024a, b).

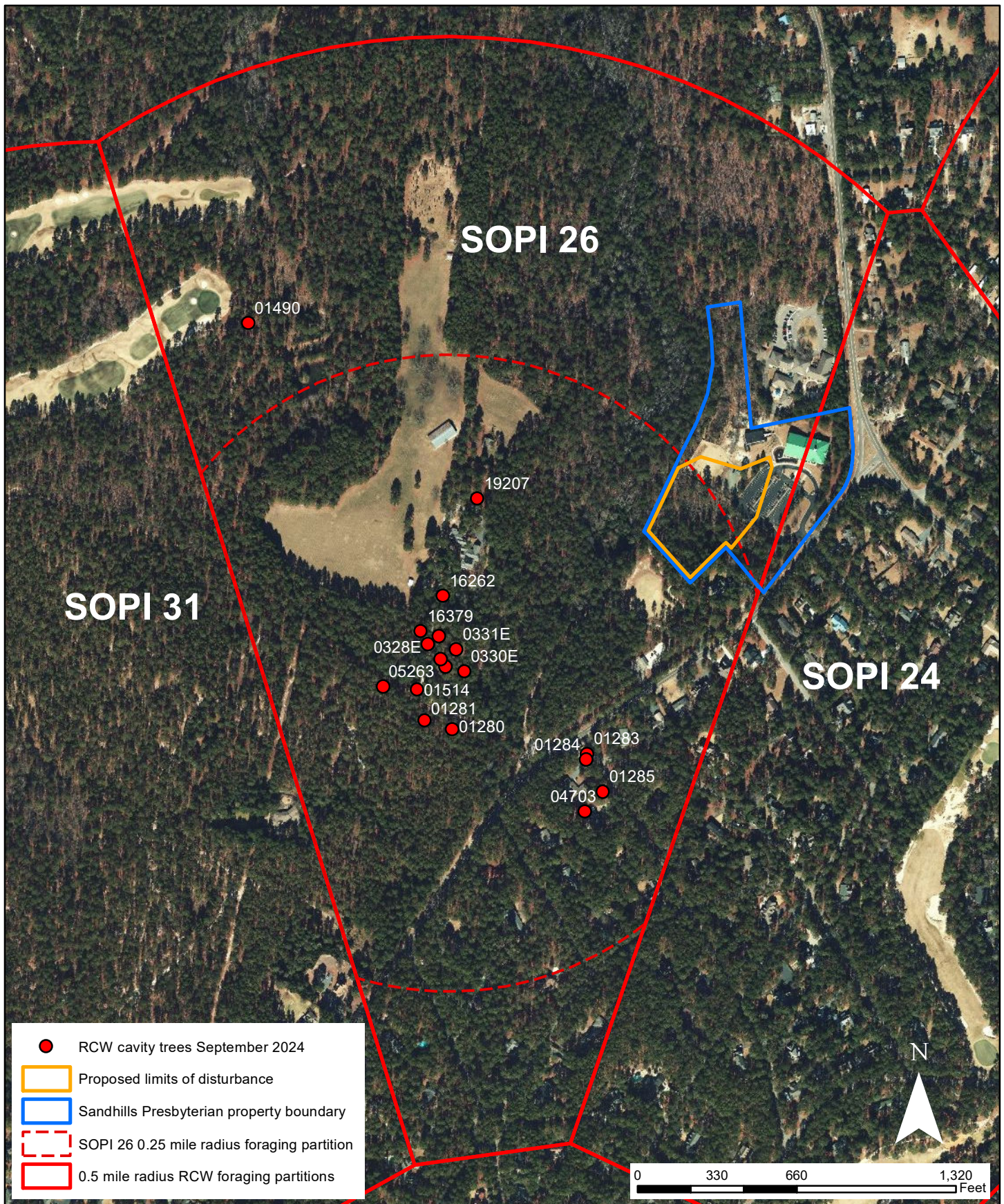


Figure 2. Location of the proposed limits of disturbance for improvements to Sandhills Presbyterian Church, Southern Pines, Moore County, North Carolina. Also shown are cavity trees and the foraging habitat partition associated with red-cockaded woodpecker (*Dryobates borealis*) (RCW) SOPI Cluster 26.

Surveys were conducted and transects spaced so that all potential RCW nesting habitat (defined as pine or pine-hardwood stands potentially containing pines ≥ 60 years old) was viewed at least once (USFWS 2003).

5.2. Foraging Habitat Analysis

A foraging habitat analysis (FHA) was completed for SOPI 26 in October 2024 for an unrelated project (JCA 2024a). North-south transects were plotted on aerial photography 5 chains apart (1 chain = 66 ft.) within the 0.5-mile radius RCW foraging habitat partition. Sample plots were placed 5 chains apart along the transect lines. Foraging substrate was measured with a 10-factor basal area (BA) prism using the prism-plot method. Pine BA, the number of pine stems ≥ 4 inches in diameter at breast height (dbh) in 2-inch diameter classes and the age of a representative dominant pine were obtained in each plot.

Stands were delineated in the field on aerial photographs according to characteristics such as pine age or density. Hardwood encroachment in a given pine stand was assessed by the density and height of the midstory in accordance with the 2003 RCW Recovery Plan (USFWS 2003) and its designation of quality requirements for RCW foraging habitat. Determining midstory density was subjective, but followed these basic criteria: a stand with a sparse hardwood midstory had few or no hardwoods present, a stand with a dense hardwood midstory had limited visibility and movement through the stand was difficult, and a stand with a moderately dense hardwood midstory was intermediate. Each habitat type was further subdivided according to hardwood midstory height. Midstory hardwoods less than 7 ft. in height were considered low, hardwoods 7-15 ft. high were considered medium and hardwoods more than 15 ft. high were considered tall.

Impacts were assessed pursuant to Section 9 of the Endangered Species Act, as amended, using the 2003 RCW Recovery Plan – Standard for Managed Stability (SMS) foraging habitat guidelines (USFWS 2003). The SMS requires a minimum of 3,000 square feet (ft.²) of pine BA in stems ≥ 10 inches dbh on at least 75 acres of good quality foraging habitat as defined below (USFWS 2003).

1. Pine stands must be at least 30 years of age or older.
2. Average BA of pines ≥ 10 inches dbh should be between 40 and 70 ft.²/acre.

3. Average BA of pines < 10 inches dbh should be less than 20 ft.²/acre.
4. No hardwood midstory exists, or if a midstory is present, it must be sparse and less than 7 ft. in height.
5. Total stand BA, including overstory hardwoods, should be < 80 ft.²/acre.

Additionally, it is recommended that all land counted as foraging habitat be within 200 ft. of another foraging stand or the cluster and all stands counted as foraging habitat be within 0.25 mile of the cluster (USFWS 2003).

USFWS guidance (W. McDearman, USFWS, pers. comm.) since the 2003 Recovery Plan has established the following clarifications of the total stand BA requirement:

- Overstory hardwood BA must be ≤ 10 ft.²/acre.
- Total stand BA can exceed 80 ft.²/acre if the maximum limits for overstory hardwood BA and pines < 10 inches dbh are not exceeded, and the BA in pines 10-14 inches dbh is 40-70 ft.²/acre (in other words, the excess BA is comprised of pines ≥ 14 inches dbh) (W. McDearman, USFWS, personal communication).

Pine stands that met the SMS overstory guidelines and had a sparse midstory, a moderately dense midstory that was low in height or a dense midstory that was low in height were considered “suitable” foraging habitat.

“Potentially suitable habitat” was described as stands that met all minimum requirements, but exceeded the maximum limits for pine BA in certain dbh classes, hardwood midstory density/height and/or overstory hardwood density. These stands have the necessary pine BA and could meet the SMS with midstory removal, prescribed burning and/or thinning. Stands with suitable overstory characteristics containing a moderately dense or dense midstory that was moderate or tall in height were categorized as potentially suitable.

All pine-dominated stands that did not fall into the suitable or potentially suitable categories were classified as “future potential habitat.” These stands will require time and management to meet the SMS requirements.

Foraging habitat available for a cluster was first evaluated using a 0.25-mile radius foraging partition. If the minimum SMS requirements were not met within the 0.25-mile radius partition, a 0.50 mile radius partition was used.

RCW foraging habitat separated by more than 200 ft. from other foraging habitat was considered non-contiguous and was not counted as available habitat (USFWS 2003).

The acreage for each stand was calculated using ArcGIS software. These acreages were multiplied by the average pine BA and stems per acre calculated for each stand to determine the total amount of foraging substrate available within the foraging habitat partition.

Foraging habitat impacts within the RCW partition were calculated using project designs and input from Longitude Planning Group, PLLC.

6. RESULTS

6.1. RED-COCKADED WOODPECKER (*DRYOBATES BOREALIS*)

The RCW is a small black and white woodpecker with horizontal bars on its back, spotted flanks and a white belly. The cap and chin stripe are black and the male has a small red spot on each side of the black cap that is difficult to see. RCWs are most easily identified by the large white cheek patch that distinguishes them from similar species (USFWS 2003).

The RCW is endemic to mature, fire-maintained pine forests in the southeastern United States, where it was historically common. Typical nesting habitat includes pine or pine-hardwood stands with a minimum age of 80 to 120 years where the RCW excavates nest and roost cavities in living pines. The RCW requires a large area of pines ≥ 30 years old for foraging habitat with a preference for pine trees ≥ 14 inches dbh (Walters et al. 2002). Logging, fire exclusion and conversion of forestlands to agricultural and other uses have destroyed most of this species' habitat.

6.2. RCW CLUSTERS IMPACTED BY THE PROJECT

No previously undocumented RCW cavity trees were found during ground surveys of the project site or within the SOPI Cluster 26 0.5-mile foraging partition in October 2024 (JCA 2024a, b).

In 2024, SOPI 26 contained 18 trees with RCW cavities in various stages of completion and suitability. Three cavities were active and 3 cavities were possibly active. SOPI Cluster 26 has been active for over 20 years and the group successfully nested and fledged 3 young in 2024 (Sandhills Ecological Institute, unpublished data).

6.3. FORAGING HABITAT ANALYSIS

Foraging habitat analyses using the SMS for SOPI Cluster 26 are summarized below.

6.3.1. 0.25 mile radius foraging habitat totals

Within the 0.25 mile radius foraging habitat partition for SOPI Cluster 26, the pre-project SMS foraging habitat totals were 6,649.91 ft² of pine BA on 50.56 acres of suitable habitat and 2,552.77 ft² of pine BA on 23.81 acres of potentially suitable habitat (Figure 3, Table 1).

The proposed improvements to the Sandhills Presbyterian Church will remove 42.37 ft² of pine BA on 2.06 acres of potentially suitable habitat within the 0.25-mile radius foraging partition (Table 1).

The post-project SMS foraging habitat totals are 6,649.91 ft² of pine BA on 50.56 acres of suitable habitat and 2,510.40 ft² of pine BA on 21.75 acres of potentially suitable habitat (Figure 3, Table 1). This cluster will not meet the SMS requirements post-project within a 0.25-mile radius foraging partition due to a lack of acreage (deficient by 2.69 acres, using suitable and potentially suitable acreage).

6.3.2. 0.5 mile radius foraging habitat totals

Within the 0.5 mile radius foraging habitat partition for SOPI Cluster 26, the pre-project SMS foraging habitat totals were 10,391.21 ft² of pine BA on 89.76 acres of suitable habitat and 4,788.10 ft² of pine BA on 68.66 acres of potentially suitable habitat (Figure 3, Table 2).

The proposed improvements to the Sandhills Presbyterian Church will remove 124.58 ft² of pine BA on 2.44 acres of potentially suitable habitat (Table 2).

The post-project SMS foraging habitat totals are 10,391.21 ft² of pine BA on 89.76 acres of suitable habitat and 4,663.52 ft² of pine BA on 66.22 acres of potentially suitable habitat (Figure 3, Table 2). This cluster will meet the SMS requirements post-project within the 0.5 mile radius foraging partition.

7. BIOLOGICAL CONCLUSION

The proposed driveway and parking lot project will remove approximately 2.44 acres of potentially suitable RCW foraging habitat from the foraging partition associated with active SOPI Cluster 26. This cluster meets the SMS guidelines post-project using suitable habitat

Table 1. Red-cockaded woodpecker (*Dryobates borealis*) (RCW) foraging habitat totals using the Standard for Managed Stability (USFWS 2003) within the 0.25 mile radius foraging habitat partition for SOPI Cluster 26, Southern Pines, Moore County, North Carolina. Habitat impacts assessed for proposed improvements to Sandhills Presbyterian Church, January 2025.

Stand ID	Forested Habitat (acres)	Avg. Stand Age (years)	4.0-9.9 inches dbh		10-13.9 inches dbh		≥ 14.0 inches dbh		≥ 10.0 inches dbh		Overstory Hardwood BA	Pine Density ≥10 in. dbh	Hardwood Midstory Density	Hardwood Midstory Height	Suitable Habitat				Potentially Suitable Habitat				Future Potential Habitat			
															Pre-project		Removals		Pre-project		Removals		Pre-project		Removals	
			Avg. Stems	Avg. BA	Avg. Stems	Avg. BA	Avg. Stems	Avg. BA	Avg. Stems	Avg. BA					Acres	BA	Acres	BA	Acres	BA	Acres	BA	Acres	BA	Acres	BA
A	12.51	95	59.01	17.78	59.71	46.67	28.79	47.78	88.50	94.44	0.00	Dense	Sparse	Moderate	12.51	1509.21										
														Sub-total	12.51	1,509.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
B	1.89	116	19.19	4.00	3.36	2.50	24.96	46.50	28.32	49.00	0.00	Moderate	Moderate	Tall					1.89	931.00	0.86	42.37				
														Sub-total	0.00	0.00	0.00	0.00	1.89	931.00	0.86	42.37	0.00	0.00	0.00	0.00
C	17.29	102	5.66	2.50	23.59	21.25	74.08	113.75	97.67	135.00	0.00	Dense	Sparse	Low	17.29	2,332.80										
														Sub-total	17.29	2,332.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
D	15.63	95	7.55	3.33	58.55	50.00	65.70	93.33	124.50	143.33	0.00	Dense	Sparse	Low	15.63	2,269.25										
														Sub-total	15.63	2,269.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E	12.59	106	12.98	4.55	32.71	26.36	36.83	61.36	69.54	87.73	0.00	Dense	Moderate	Tall					12.59	1,127.28						
														Sub-total	0.00	0.00	0.00	0.00	12.59	1,127.28	0.00	0.00	0.00	0.00	0.00	0.00
F	5.13	99	49.33	15.00	49.10	36.67	33.12	55.00	82.22	91.67	0.00	Dense	Sparse	Low	5.13	538.65										
														Sub-total	5.13	538.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
G	9.32	94	0.00	0.00	11.49	9.00	23.60	44.00	35.09	53.00	0.00	Moderate	Dense	Tall					9.33	494.49	1.19					
														Sub-total	0.00	0.00	0.00	0.00	9.33	494.49	1.19	0.00	0.00	0.00	0.00	0.00
Total	74.36														50.56	6,649.91	0.00	0.00	23.81	2,552.77	2.06	42.37	0.00	0.00	0.00	0.00

BA = basal area
dbh = diameter at breast height
S&P = Suitable + Potentially Suitable habitat

	Value does not meet Standard for Managed Stability requirements.
	Dense pine stands with a BA of >80 ft ² /acre were counted as suitable only if the excess BA was in pines >14 inches dbh (USFWS personal communication).

Stand Descriptions

Stand A - Dense, approximately 95 year old, longleaf pine habitat.

Stand B - Moderately dense 116 year old longleaf pine habitat with a moderately dense, tall midstory.

Stand C - Dense 102 year old longleaf pine habitat with a sparse, low midstory.

Stand D - Dense 95 year old longleaf pine habitat in a residential area.

Stand E - Dense 106 year old longleaf pine habitat with a moderately dense, tall midstory.

Stand F - Dense 99 year old longleaf pine habitat with a sparse, low midstory.

Stand G - Moderately dense 94 year old longleaf pine habitat with a dense, tall midstory.

Acreage	Suitable	Potential	Future	Totals	Total S&P
Total Pre-Project	50.56	23.81	0.00	74.37	74.37
Total Removals	0.00	2.06	0.00	2.06	2.06
Total Post-Project	50.56	21.75	0.00	72.31	72.31
BA					
Total Pre-Project	6,649.91	2,552.77	0.00	9,202.68	9,202.68
Total Removals	0.00	42.37	0.00	42.37	42.37
Total Post-Project	6,649.91	2,510.40	0.00	9,160.31	9,160.31

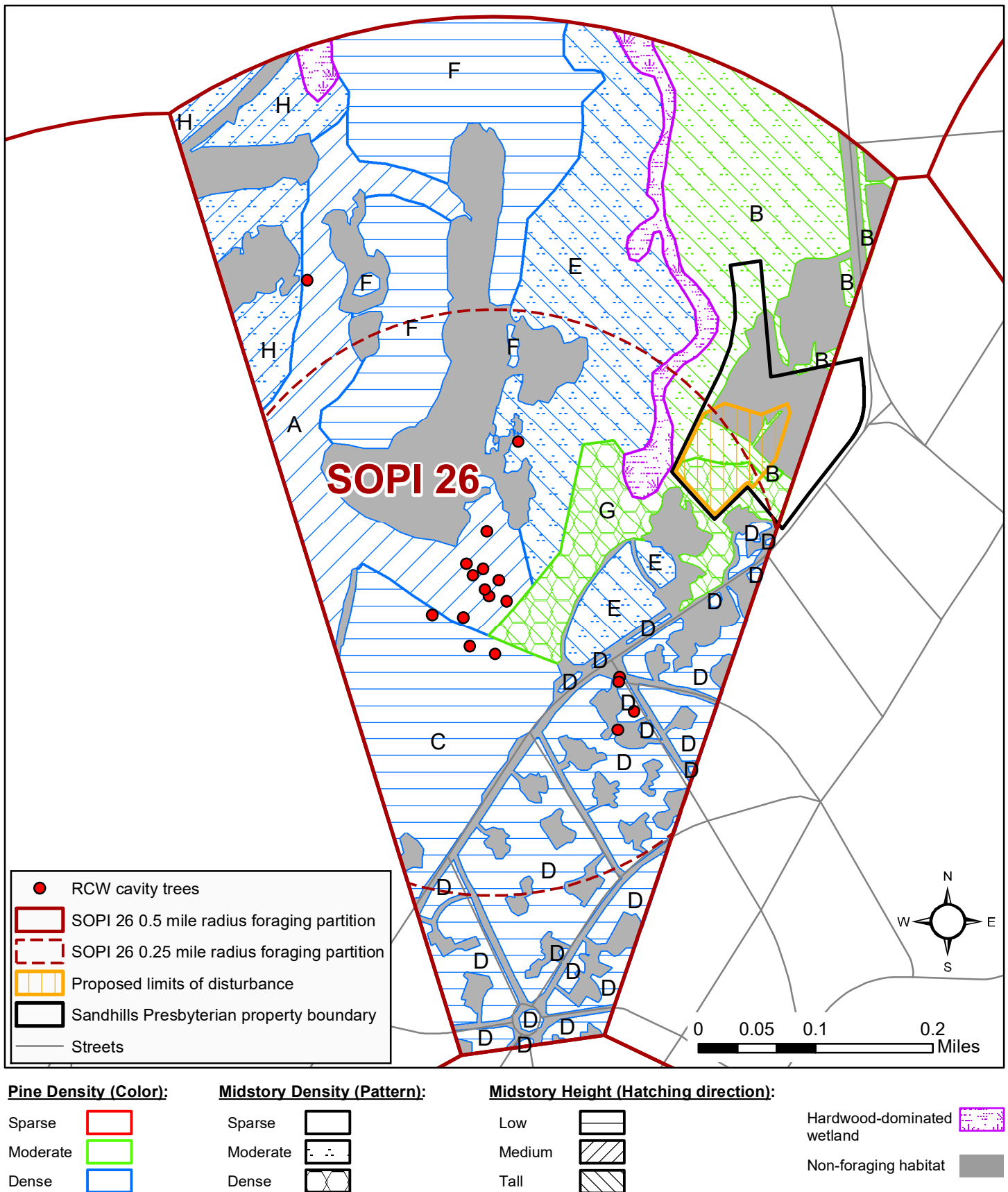


Figure 3. Red-cockaded woodpecker (*Dryobates borealis*) (RCW) habitat within the 0.25- and 0.5-mile radius foraging habitat partitions for SOPI Cluster 26, Southern Pines, Moore County, North Carolina. Also shown are the limits of disturbance for proposed improvements at Sandhills Presbyterian Church.

Table 2. Red-cockaded woodpecker (*Dryobates borealis*) (RCW) foraging habitat totals using the Standard for Managed Stability (USFWS 2003) within the 0.5 mile radius foraging habitat partition for Cluster SOPI 26, Southern Pines, Moore County, North Carolina. Habitat impacts assessed for proposed improvements to Sandhills Presbyterian Church, January 2025.

Stand ID	Forested Habitat (acres)	Avg. Stand Age (years)	4.0-9.9 inches dbh		10-13.9 inches dbh		≥ 14.0 inches dbh		≥ 10.0 inches dbh		Overstory Hardwood BA	Pine Density ≥10 in. dbh	Hardwood Midstory Density	Hardwood Midstory Height	Suitable Habitat				Potentially Suitable Habitat				Future Potential Habitat			
															Pre-project		Removals		Pre-project		Removals		Pre-project		Removals	
			Avg. Stems	Avg. BA	Avg. Stems	Avg. BA	Avg. Stems	Avg. BA	Avg. Stems	Avg. BA					Acres	BA	Acres	BA	Acres	BA	Acres	BA	Acres	BA	Acres	BA
A	19.04	90	59.01	17.78	59.71	46.67	28.79	47.78	88.50	94.44	0.00	Dense	Sparse	Moderate	19.04	1798.24										
														Sub-total	19.04	1,798.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
B	22.04	103	19.19	4.00	3.36	2.50	24.96	46.50	28.32	49.00	0.00	Moderate	Moderate	Tall					22.04	1,080.16	1.22	59.84				
														Sub-total	0.00	0.00	0.00	0.00	22.04	1,080.16	1.22	59.84	0.00	0.00	0.00	0.00
C	17.36	100	5.66	2.50	23.59	21.25	74.08	113.75	97.67	135.00	0.00	Dense	Sparse	Low	17.36	2,343.07										
														Sub-total	17.36	2,343.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
D	26.28	96	7.55	3.33	58.55	50.00	65.70	93.33	124.50	143.33	0.00	Dense	Sparse	Low	26.28	3,767.14										
														Sub-total	26.28	3,767.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E	27.45	106	12.98	4.55	32.71	26.36	36.83	61.36	69.54	87.73	0.00	Dense	Moderate	Tall					27.45	2,408.62		0.00				
														Sub-total	0.00	0.00	0.00	0.00	27.45	2,408.62	0.00	0.00	0.00	0.00	0.00	0.00
F	27.08	97	49.33	15.00	49.10	36.67	33.12	55.00	82.22	91.67	0.00	Dense	Sparse	Low	27.08	2,482.76										
														Sub-total	27.08	2,482.76	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
G	9.80	94	0.00	0.00	11.49	9.00	23.60	44.00	35.09	53.00	0.00	Moderate	Dense	Tall					9.80	519.31	1.22	64.74				
														Sub-total	0.00	0.00	0.00	0.00	9.80	519.31	1.22	64.74	0.00	0.00	0.00	0.00
H	9.36	95	49.39	10.00	38.66	31.67	27.89	51.67	66.55	83.33	0.00	Dense	Moderate	Moderate					9.36	780.01						
														Sub-total	0.00	0.00	0.00	0.00	9.36	780.01	0.00	0.00	0.00	0.00	0.00	0.00
Total	158.42														89.76	10,391.21	0.00	0.00	68.66	4,788.10	2.44	124.58	0.00	0.00	0.00	0.00

BA = basal area
dbh = diameter at breast height
S&P = Suitable + Potentially Suitable habitat

Value does not meet Standard for Managed Stability requirements.

Dense pine stands with a BA of >80 ft²/acre were counted as suitable only if the excess BA was in pines >14 inches dbh (USFWS personal communication).

Stand Descriptions

Stand A - Dense, approximately 90 year old, longleaf pine habitat.

Stand B - Moderately dense 103 year old longleaf pine habitat with a moderately dense, tall midstory.

Stand C - Dense 100 year old longleaf pine habitat with a sparse, low midstory.

Stand D - Dense 96 year old longleaf pine habitat in a residential area.

Stand E - Dense 106 year old longleaf pine habitat with a moderately dense, tall midstory.

Stand F - Dense 97 year old longleaf pine habitat with a sparse, low midstory.

Stand G - Moderately dense 94 year old longleaf pine habitat with a dense, tall midstory.

Stand H - Dense, approximately 95 year old, pine-scrub oak habitat.

Acreage	Suitable	Potential	Future	Totals	Total S&P
Total Pre-Project	89.76	68.66	0.00	158.42	158.42
Total Removals	0.00	2.44	0.00	2.44	2.44
Total Post-Project	89.76	66.22	0.00	155.98	155.98
BA					
Total Pre-Project	10,391.21	4,788.10	0.00	15,179.31	15,179.31
Total Removals	0.00	124.58	0.00	124.58	124.58
Total Post-Project	10,391.21	4,663.52	0.00	15,054.73	15,054.73

within its 0.5 mile radius foraging habitat partition. No disturbance or clearing within 50 ft. of cavity trees will occur.

Biological Determination: May Affect, Not Likely to Adversely Affect

8. LITERATURE CITED

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Traffic Impact Analysis

Sandhills Presbyterian
Southern Pines, NC

Prepared for:
Longitude Planning Group, PLLC

Kimley»Horn

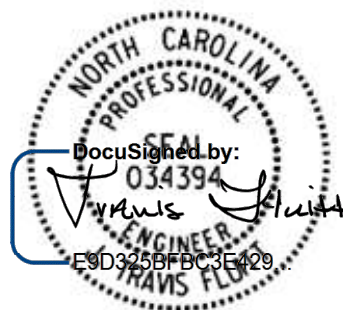
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Traffic Impact Analysis for
Sandhills Presbyterian
Southern Pines, North Carolina

Prepared for:
Longitude Planning Group, PLLC
Southern Pines, North Carolina

Prepared by:
Kimley-Horn and Associates, Inc.
NC License #F-0102
421 Fayetteville Street, Suite 600
Raleigh, NC 27601
(919) 677-2000



1/28/2026

January 2026
015153000

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Executive Summary

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis for the proposed expansion of Sandhills Presbyterian Church and of Covenant Preparatory School, located on the northwest quadrant NC 22 (Central Drive) and Pee Dee Road in Southern Pines, NC. The church is proposing to expand their existing fellowship hall. Covenant Preparatory School currently operates out of the existing fellowship hall with approximately 140 students in grades K-8. The proposed expansion will happen in two phases. The first phase will add a new building on the west side of campus with Covenant Preparatory School relocating to this building with no increase in enrollment. The second phase will include a second larger building and increase enrollment to 220 students in grades K-8. As there is no change in enrollment with the first phase, no analysis was prepared for that scenario. The site is currently accessed via a full movement driveway along Pee Dee Road, and no changes to site access are proposed with the expansion. Build-out of the development is anticipated by the year 2030.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the development. The traffic conditions studied include the existing (2025) traffic condition and the projected (2030) background and build-out traffic conditions. The weekday AM and school PM peak hours were studied.

Study Intersections

The following study intersections were included in this analysis:

- NC 22 (Central Drive) at Pee Dee Road
- Pee Dee Road at Azalea Road/Existing Site Access

Existing Traffic Data

Weekday AM (7:00 – 9:00am) and school PM (2:00 – 4:00pm) peak hour turning movement counts were collected at each of the existing study intersections on February 26, 2025, while Moore County schools and Covenant Preparatory School were in session.

Background Traffic Data

To calculate projected (2030) traffic volumes, a 1.5% annual growth rate was applied to the existing traffic volumes up to the build-out year of 2030. Based on coordination with the North Carolina Department of Transportation (NCDOT) and Town of Southern Pines (Town) staff, no approved developments were included in this analysis.

Trip Generation

The traffic generation potential of the proposed expansion was determined using the NCDOT Municipal and School Transportation Assistance (MSTA) Private/Non-Urban Charter School Traffic Calculator. As currently envisioned, the proposed expansion is expected to increase enrollment by approximately 80 students.

Table ES-1 Trip Generation (Vehicles)						
Condition	Intensity		AM Peak Hour		School PM Peak Hour	
			In	Out	In	Out
Grades K-8 (Existing)	140	students	85	65	45	65
Grades K-8 (Proposed)	220	students	130	100	64	94
Proposed Increase	80	students	45	35	19	29

Table ES-1 shows that the proposed expansion of the development has the potential to generate 80 new trips during the AM peak hour and 48 new trips during the school PM peak hour.

Capacity Analysis

Capacity analyses were performed using Synchro Version 12 software. For purposes of this analysis, NC 22 was assumed to run east/west, and Pee Dee Road was assumed to run north/south. Due to the configuration of the intersection of NC 22 at Pee Dee Road, multiple nodes were used to model the intersection in Synchro as follows:

- Node 1
 - NC 22 eastbound through movement (*free-flow*)
 - NC 22 westbound left-turn (*yield to eastbound through*) and through movement (*free-flow*)
 - Pee Dee Road northbound left-turn (*stop-control*)
- Node 102
 - Pee Dee Road northbound through movement (*free-flow*) and right-turn (*free-flow*)
 - NC 22 eastbound right-turn (*free-flow*)
 - Pee Dee Road southbound through movement (*yield to eastbound right-turn*)
- Node 103
 - NC 22 eastbound through movement (*free-flow*)
 - NC 22 westbound through movement (*free-flow*)
 - Pee Dee Road northbound right-turn (*stop-control*)

Table ES-2 summarizes the operation of the study intersections for the AM and school PM peak hour traffic conditions.

Table ES-2 - Level of Service Summary								
Intersection and Approach/Movement	Traffic Control	Synchro Node Number	Existing (2025) Traffic		Background (2030) Traffic		Build-out (2030) Traffic	
			AM	PM	AM	PM	AM	PM
NC 22 (Central Drive) at Pee Dee Road	Unsignalized	1	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Northbound			F (76.6)	F (61.4)	F (129.2)	F (98.9)	F (167.5)	F (118.8)
Westbound Left			A (8.9)	A (8.6)	A (9.1)	A (8.7)	A (9.2)	A (8.7)
NC 22 (Central Drive) at Pee Dee Road	Unsignalized	102	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Southbound			A (5.6)	A (3.2)	A (5.6)	A (3.2)	A (5.8)	A (3.7)
NC 22 (Central Drive) at Pee Dee Road	Unsignalized	103	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Northbound			B (12.2)	B (11.6)	B (12.7)	B (12.0)	B (12.9)	B (12.1)
Pee Dee Road at Azalea Road/Existing Site Access	Unsignalized	2	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Eastbound			C (15.1)	B (13.0)	C (16.0)	B (13.4)	C (18.4)	B (14.2)
Westbound			B (14.6)	B (13.4)	C (15.4)	B (14.0)	C (17.3)	B (14.6)
Northbound Left			A (8.7)	A (8.0)	A (8.8)	A (8.1)	A (9.0)	A (8.2)
Southbound Left			A (7.5)	A (7.8)	A (7.6)	A (7.8)	A (7.6)	A (7.8)

On-Site Vehicular Operations

The current enrollment of Covenant Preparatory School is 140 students in one academic building. For the given student capacity, MSTA calculations state that the school should provide enough storage to accommodate an average queue length of 466 feet and a high demand queue length of 607 feet. The current site layout provides approximately 350 feet of single-lane queue for the school.

The first phase of the proposed expansion is expected to add a new building to the west side of the campus with the school relocating to this building. This relocation is expected to provide an additional 300 feet of queue length for a total of approximately 650 feet, satisfying MSTA requirements. With the second phase of the proposed expansion, enrollment is expected to increase to 220 students. Based on this enrollment, MSTA calculations state that the school should provide enough storage to accommodate an average queue length of 596 feet and a high demand queue length of 774 feet. The proposed site layout and circulation provides approximately 950 feet of queue for the school, exceeding the MSTA required high demand length.

Conclusions

The intersection of NC 22 (Central Drive) at Pee Dee Road currently operates with long delays for the northbound left-turn from Pee Dee Road onto NC 22. This minor street approach is expected to continue to operate with long delays in both peak hours. While the proposed expansion is expected to account for only approximately 2% of the projected build-out traffic volumes, projected delays at this intersection are expected to increase by more than 10% at this minor street approach from background to build-out traffic conditions. Per the Town of Southern Pines Unified Development Ordinance (UDO), improvements must be identified to mitigate this increase in delay. The only feasible improvement to achieve an acceptable level of service at this intersection is the installation of a traffic signal. Therefore, it is recommended that this intersection be monitored for signalization.

All other approaches and intersections are expected to operate at acceptable levels-of-service and no queuing issues at project build-out. Therefore, no additional improvements are recommended with the proposed church and school expansions.

Planning Staff Report

To: Reagan Parsons

From: James Broadwell, Senior Planner

Date: May 12, 2026

Item: Proposed Open Space and Tree Protection Amendments to the Unified Development Ordinance (UDO)

I. EXECUTIVE SUMMARY

The Town of Southern Pines Planning Department, in accordance with the 2040 Comprehensive Plan and Phase III of implementing that plan, is proposing to amend the Unified Development Ordinance (UDO) with multiple text amendments aimed to improve the Open Space standards and tree protection provisions during new development. Planning staff request that the Town Council review the proposed changes per UDO §2.17. The proposed amendments are as follows, with reference to applicable UDO sections:

Amend: UDO **§3.5.14** (PD)–Planned Development District), **§4.3** (Landscaping), **§4.9** (Open Space), and **§9.3** (Definitions).

Fundamentally, the proposed changes intend to revise the town’s Open Space standards and related sections to foster new development design that better integrates with the natural environment and preserves more existing mature trees. The proposed changes will bring the town’s UDO in closer alignment with the [2040 Comprehensive Plan](#), and especially further **Policies 3.2, 4.1, 4.4, 4.7, 4.9, and 4.10**. The changes will also not conflict with NC G.S. §160D-601(d) (Down-Zoning).

With these changes: depending on the natural conditions at the date of development application, Open Space will be prioritized as one or a combination of five types:

1. **Sensitive Natural Areas**
2. **Tree Protection Areas**
3. **Undisturbed Buffers**
4. **Usable Open Space**
5. **Planted Buffers**

A key policy decision arises in the proposed §4.9.1(C). As originally drafted, if a development site contains sufficient natural areas (Open Space types 1-3), at least half (50%) of required Open Space must use those areas. The Planning Board recommends reviewing both policy options (found in Attachments 2 and 3), but ultimately recommends adopting the “100% requirement” option as written in Attachment 3.

The specific text of the proposed changes, along with margin comments providing additional explanation and staff analysis, is in the attachments to this staff report. Planning staff will present the proposed options at the public hearing on May 12, 2026.

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I. PLANNING BOARD REVIEW AND RECOMMENDATION:

At the April 23, 2026 Planning Board regular meeting, a public hearing was held on the proposed Open Space and tree protection amendments. Planning staff presented a summary of the proposed amendments to the UDO. Staff also answered questions from the Planning Board about how implementing the changes would play out, and about the tradeoffs between requiring 100% of Open Space to be preservation-types or only 50% (if such types existing on a proposed development site), with included incentives. The Planning Board recognized the merits of including flexibility and incentives in the original draft proposal. However, the board overall agreed that requiring 100% of Open Space to be preservation types (if existing) is more consistent with the Comprehensive Plan and will better protect natural areas and integrate Open Space as a meaningful development component. No members of the public spoke during the hearing. After closing the public hearing, the Planning Board made a motion to adopt a Resolution regarding consistency between the proposed amendments and the Comprehensive Plan, and recommended approval of OA-02-26 to the Town Council. Additionally, the Planning Board recommended that the council review both text amendment options, as drafted by staff, but ultimately recommend that the Town Council adopt the “100% option.” The motion carried unanimously by a vote of 5–0.

II. APPLICATION REVIEW:

A. Review Process:

Applications for text amendments are reviewed pursuant to UDO §2.17.

B. Criteria for Review:

When reviewing an application for amendments to the text of the UDO, the hearing bodies (Planning Board followed by Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.10:

2.17.10. Criteria for UDO Text Amendments

In its review of an application for a UDO text amendment, the Hearing Bodies shall consider the following criteria. No single factor is controlling; instead, each must be weighed in relation to the other standards.

(A) Consistency. *The text amendment shall be consistent with the adopted Comprehensive Plan.*

- (B) Health, Safety, and Welfare.** *The amending ordinance must bear a substantial relationship to the public health, safety, or general welfare, or protect and preserve historical cultural places and areas.*
- (C) Public Policy.** *Certain public policies in favor of the text amendment may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with the Town, area, neighborhood, or specific plans.*
- (D) Other Factors.** *The Hearing Body may consider any other factors relevant to a text amendment application under state law.*
- (E) Impacts.** *The Hearing Bodies shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed amendment on the public at large.*

C. Overall Timeline:

- **September 2023:** The 2040 Comprehensive Plan was adopted and the Phase I implementation project of “Tree Protection and Landscaping Reform” was chosen (to further Comp Plan policies 3.2, 4.1, 4.4, 4.7, 4.9 and 4.10 especially).
- **October 2023–July 2024:** Planning staff craft the proposed “Tree Protection and Landscaping” amendments (file **#OA-03-24**) alongside a tree protection focus group of professional experts.
- **July–October 2024:** OA-03-24 Planning Board hearings and review.
- **November 2024:** OA-03-24 Town Council hearing and review (continued).
- **December 2024:** Senate Bill 382 (new “Down-Zoning” rules) is passed by the NC legislature as S.L. 2024-57, which precluded OA-03-24’s legal adoption; the Town Council opted to continue OA-03-24 until possible changes occurred with the Down-Zoning provision.
- **December 2024–February 2026:** OA-03-24 subsequent continuances.
- **February 9, 2026:** The Town Council adopted the proposed amendments to Appendix F (recommended species list) of OA-03-24 only, ended the remainder of the file, and instructed staff to initiate a new file that achieves the same purpose under the Comp Plan without violating the new state Down-Zoning provisions (now known as NC G.S. 160D-601(d)).
- **February–April 2026:** Staff worked with the tree protection focus group, the town’s land use legal consultant, the town attorney, and other stakeholders to reformulate the “Tree Protection and Landscaping Amendments” into the “Open Space and Tree Protection” amendments – now as file **#OA-02-26**.
- **April 23, 2026:** “Open Space and Tree Protection” Text Amendment Planning Board public hearing.
- **May 12, 2026:** “Open Space and Tree Protection” Text Amendment Town Council public hearing.

D. Staff Comments:

Both versions of the proposed amendments to the UDO are depicted on copies of the UDO that are attached to this staff report using ~~strikeouts~~ for proposed deletions and underline for proposed additions. Only the sections being amended are attached. Margin comments that explain the reason for each proposed amendment are also included.

2040 Comprehensive Plan Consistency. The Town Council, when reviewing proposed amendments to the UDO, should assess whether the proposed amendments are consistent with the [2040 Comprehensive Plan](#) (criterion A), timely and salient public policy (criterion C), and impacts to the public at large (criterion E).

The Town of Southern Pines 2040 Comprehensive Plan (Comp Plan) establishes a vision to help guide growth for the next decade. Zoning is adopted (and amended from time to time) in order to implement the vision contained in the plan. In multiple instances, the Comp Plan calls for changes to the UDO that improve protections of the town's natural character, safeguard Open Space as a meaningful development component, discourage the disturbance of sensitive natural areas, and minimize tree loss during new development.¹ For that reason, in the Fall of 2023, updates to the UDO to improve tree protection and landscaping provisions were selected as a top priority for phase I implementation.

Due to changes with the NC legislature, this implementation project had to be largely reformed to ensure consistency with state statute, which is why it's now a part of phase III implementation under the new file # OA-02-26. However, the original tree protection amendments (file OA-03-24) and these proposed amendments both intend to achieve the same purpose and goals within the Comprehensive Plan. Staff find that the changes are especially consistent with policies 3.2, 4.1, 4.4, 4.7, 4.9, and 4.10.²

Proposed Open Space Changes. Following renewed recommendations from a focus group of technical and industry experts and legal consultation, staff are proposing UDO amendments to foster development design that better integrates with the natural environment and preserves more existing trees. Dedicated Open Space is required for most new development in Southern Pines – 10% for new commercial sites and major subdivisions, and 20% for Planned Developments, for example. The proposed amendments do not alter the required amount of Open Space or the types of projects for which they apply. Rather, they clearly define what Open Space should comprise, prioritize certain types, require a baseline level of tree preservation (if existing), and incentivize maximized tree preservation.

Under the changes, Open Space may be defined as one or a combination of the five types listed below. The composition will depend on the existing natural

¹ Town of Southern Pines. 2040 Comprehensive Plan, pages 34, 158-161, and 186-190.

² Town of Southern Pines. 2040 Comprehensive Plan, pages 176-189.

conditions of the site proposed for development at the date of application, and will follow the order of prioritization listed below. For example, a site that's a 100% mature forest will need to utilize types 1, 2, and/or 3 below, whereas an entirely vacant lot would only need to use types 4 and 5.

Open Space Types by Priority:

1. **Sensitive Natural Areas (SNAs)** – Wetlands, Flood Hazard Areas, Specimen Tree root zones, or other areas of significant natural resources.
2. **Tree Protection Areas (TPAs)** – Existing tree stands that comprise at minimum the following requirements:
 - **Density** – a minimum of 1-inch diameter per 100 square feet of open space.
For example, for a 100,000 square foot site requiring 20% of Open Space, or 20,000 square feet, 200 total inches of tree diameter would be required (or twenty 10-inch trees).
 - **Dimensions** – TPAs must be at least 20-feet in width.
 - **Maturity** – only trees at least 6-inches in diameter may count toward the TPA tree total.
3. **Undisturbed Buffers** – Buffers adjacent to property lines or rights-of-way that are at least 20-feet in width that comprise the same minimum standards as TPAs.
4. **Usable Open Space** – Recreational type Open Space that is properly landscaped and typically includes amenities like playgrounds, picnic areas, ball fields, and walking trails.
5. **Planted Buffers** – These buffers are planted according to the buffers section of the UDO under §4.3.4 and are at least 20-feet in width.

New State Down-Zoning Statute (NC G.S. §160D-601(d)) and the Administrative Minor Modifications Provision. An important note about this text amendment is the careful attention that was taken to ensure compliance with NC G.S. 160D-601(d) (the state Down-Zoning statute change). First, by ensuring Open Space may be defined as any or a combination of the five types mentioned above, no nonconformities are created on existing sites. For example, a commercial site may only meet its 10% Open Space requirement through a 40-foot-wide highway yard planted Buffer. That works fine under this change, as the site's Open Space is a type 5 – Planted Buffer. Only when applications for new development occurs for a site with existing trees or natural features would staff require designating types 1, 2, and/or 3 of Open Space, as applicable.

Additionally, after significant focus group and legal feedback, the new UDO §4.9.1(D) was crafted (Open Space Administrative Minor Modifications). This section ensures that the new standards would not render a property undevelopable, reduce the otherwise allowable density, or make the property

inaccessible due to preservation requirements. For example, without an Administrative Minor Modification provision, if a 10,000 square foot site had nine 15-inch trees in the middle of it, the new requirements could largely preclude the ability to develop the site according to what the underlying zoning allows. A requirement for the Planning Director to modify the Open Space prioritization, location, and/or composition under such circumstances will prevent conflict with the Down-Zoning provision, legal precedent³, and/or any unreasonable use and design limitations. Lastly, the provision prohibiting a reduction in otherwise allowable density derives directly from the Down-Zoning statute and ensures consistency with its intent.

Unlocked Incentives (“50% Option” Only). Finding a way to employ incentives was an idea raised by multiple parties in the crafting of this text amendment. For that reason, four have been outlined in the first text amendment option of the proposed amendments (see the second attachment). If a proposed development designates 100% of its required Open Space as Sensitive Natural Areas, Tree Protection Areas, or Undisturbed Buffers, as opposed to just 50%, then the following incentives are unlocked:

- **Setbacks:** Front setbacks can be 75% and side and rear setbacks can be 60% of the underlying zoning standards.
- **Street Trees:** The street tree planting rate can drop from one tree per 30-feet to one tree per 50-feet.
- **Shrub Plantings:** For planted buffers less than 50-feet in width, the planting rate can drop to one shrub per 100 square feet.
- **Parking:** the minimum parking requirement applicable is reduced by 50%.

The second text amendment option, or *requiring* 100% of a proposed development’s Open Space to use preservation types (if existing), eliminates the purpose of the incentives. Therefore, this section is not included in the second text amendment option (see third attachment).

Town Actions for Preemptive or Unauthorized Clearing. Under the proposed changes, if preemptive or unauthorized clearing to influence the outcome of a Development’s Open Space takes place, then the proposed UDO §4.9.1(F) permits the town to take one of three possible courses of action. Those actions are:

1. Prohibiting development approval for a period of three years.
2. Require the replanting of all applicable cleared areas with longleaf pines (at the rate of one tree per 400 square feet) and appropriate ground cover plants.
3. Double the width of required buffers, or increase their width to 20-feet, whichever is greater.

³ *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003 (1992)

These penalty provisions come from the originally proposed tree protection and landscaping amendments file from 2024, but they were amended slightly for greater clarity and overall results (if used). When the original file underwent its hearing process, including penalties for preemptive or unauthorized tree clearing was strongly called for. Moreover, these measures do not present any conflicts with the state Down-Zoning provision, so staff opted to keep them in this proposed amendment package.

E. Staff Conclusion:

Comprehensive Plan Consistency. Staff find that both versions of the proposed amendments to the town's Open Space standards will meaningfully increase the preservation of trees and natural areas during new development and fully align with 2040 Comprehensive Plan and the criteria for text amendments found in UDO §2.17.10. The amendments establish enhanced tools and requirements to more effectively integrate existing natural features with the built environment and the town's landscaping code. Achieving increased tree preservation and protection is a key priority of the Comp Plan, and why this implementation project was one of the first projects chosen to execute following its adoption.

Policy Decision—Maximized Preservation vs. Flexibility & Incentives.

Staff find that the choice between the proposed amendment options would be best decided with a policy discussion and decision from the Town Council. The proposed §4.9.1(C) says: *“if a proposed Development site contains sufficient Sensitive Natural Areas, Tree Protection Areas, and/or Undisturbed Buffers, then these areas shall account for at least 50% of the required Open Space and may satisfy up to 100% of the total Open Space requirement.”*

One may ask why – if a site can reasonably provide 100% of its Open Space requirement as Sensitive Natural Areas, Tree Protection Areas, and/or Undisturbed Buffers – would it not be required?

The requirement that 50% of Open Space consist of preservation-type areas (when such areas exist), while allowing the remaining 50% to be met through Usable Open Space and planted buffers originated with the 2024 amendment package (OA-03-24). The rationale was that this framework would provide greater design flexibility and recognize the Usable Open Space typically incorporated into Planned Developments, which often include recreational amenities. Requiring 100% of Open Space to consist of preserved areas – where such areas exist – in addition to meeting buffer requirements and accommodating desired recreational features, may be viewed as overly restrictive and inflexible. For that reason, the original proposal maintained the 50% requirement while introducing incentives to encourage 100% of Open Space as preservation-types.

By including the incentives, staff intended to bridge the gap in promoting development to maximize preservation without instituting requirements that may be too strict. The tree protection focus group overall concurred with retaining this level of flexibility.

However, the Planning Board found that not requiring Open Space to be 100% preserved areas (if existing) does not align as closely with the goals and intent of the Comprehensive Plan. Two of the guiding principles and six policies of the Comp Plan revolve around Open Space and natural character preservation. Given that updating the UDO to better reflect these policy goals was a top priority following the Comp Plan's adoption, staff overall concur with the Planning Board's assessment and recommendation. However, staff also assess that choosing the best course of action should involve a policy discussion and choice from the Town Council.

Both courses of action, being:

- (1) requiring 50% of Open Space to be preservation-type (where such areas exist) while incentivizing the full 100% to be preservation-type (to maintain design flexibility) (attachment 2), OR
 - (2) requiring 100% of Open Space to be preservation-type (where such areas exist) to maximize the protection of trees and natural areas (attachment 3)
- are consistent with the Comprehensive Plan. The remaining policy question is which approach better advances its intent.

Planning staff are available during regular business hours prior to the Town Council public hearing on May 12, 2026 for questions and/or to discuss any of the proposed amendments.

F. Outside Agency Comments:

A request for comment was emailed to representatives from the Regional Land Use Advisory Commission (RLUAC), North Carolina Department of Transportation (NCDOT), U.S. Fish and Wildlife Service (USFWS), the Sandhills Metropolitan Planning Organization, the Moore County Airport, and representatives of the Town of Southern Pines on March 27, 2026.

As of the completion of the staff report, the two comments received have come from the USFWS, stating they have no comments, and RLUAC, stating their support for the amendments (see attachment four). Any responses received from agencies following completion of this staff report but prior to the Town Council public hearing will be provided verbally at the hearing.

III. ATTACHMENTS:

- 1. Planning Board Resolution
- 2. **"50% Option"** – Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.
- 3. **"100% Option"** – Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.
- 4. RLUAC Agency Comment

IV. TOWN COUNCIL ACTION:

The Town Council shall consider the criteria for text amendments found in UDO §2.17.10, including consistency with the Comprehensive Plan. Per NCGS §160D-605, the Town Council shall approve a brief statement addressing plan consistency and reasonableness of the proposed amendments. The Town Council may wish to use the following motions for guidance:

I move that after considering the criteria for text amendments found in in UDO §2.17.10, the Town Council finds that:

- 1. The proposed text amendments are consistent with the Comprehensive Plan and are a reasonable way to implement that plan for the reasons set forth in the Planning Board's resolution that was included as an attachment to the staff report for OA-02-26;**
2. The proposed text amendment is consistent with the Comprehensive Plan and is a reasonable way to implement that plan for the reasons set forth in the Planning Board's resolution that is included as an attachment to the staff report for OA-02-26, but with the following edits or additions to the resolution...
3. The proposed text amendment is not consistent with the Comprehensive Plan and/or is unreasonable for the following reasons...;

And, therefore, I move to:

1. Approve the proposed amendments to the UDO as shown in the **second attachment** to staff report OA-02-26 in the May 12, 2026 Town Council packet *(if desired, the Town Council may state any additional reasons you support the proposed amendment, besides those already listed in the Planning Board resolution);*
2. Approve the proposed amendments to the UDO as shown in the **third attachment** to staff report OA-02-26 in the May 12, 2026 Town Council packet *(if desired, the Town Council may state any additional reasons you support the proposed amendment, besides those already listed in the Planning Board resolution);*
3. Approve the proposed amendments to the UDO as shown in the **second attachment** to staff report OA-02-26 in the May 12, 2026 Town Council packet, with the following additional changes... *(if any changes were made to the proposed revisions, list the changes and reason(s) the text was changed);*
4. Approve the proposed amendments to the UDO as shown in the **third attachment** to staff report OA-02-26 in the May 12, 2026 Town Council packet, with the following additional changes... *(if any changes were made to the proposed revisions, list the changes and reason(s) the text was changed);*

5. Deny OA-02-26 (*the Town Council shall state any reasons for denial of the proposed amendment*); OR
6. Other...



ATTACHMENT 1

PLANNING BOARD RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION FOR ORDINANCE AMENDMENT APPLICATION OA-02-26

WHEREAS, Section 160D-701 of the North Carolina General Statutes specifies that zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to protect the public health, safety and general welfare; and

WHEREAS, Section 160D-604 of the North Carolina General Statutes specifies that the Planning Board shall, with any ordinance amendment or zoning map amendment, advise and comment on whether the proposed action is consistent with the adopted Comprehensive Plan and on other matters as deemed appropriate by the Planning Board, and that the Planning Board shall provide this in the form of a written recommendation to the Town Council; and

WHEREAS, the Planning Board conducted a duly-noticed public hearing during a meeting held on April 23, 2026 to listen to public comments, ask questions of the Town's Planning staff, and to consider ordinance amendment application OA-02-26.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the revisions to the Unified Development Ordinance (UDO) that have been prepared by town staff are reasonable, in the public interest, and are consistent with the Town of Southern Pines 2040 Comprehensive Plan (Comprehensive Plan).

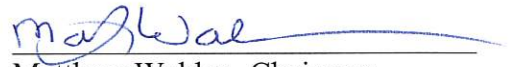
The Comprehensive Plan was written and adopted with the guiding priority of protecting the town's natural character, safeguarding open space as a meaningful development component, and minimizing tree loss during new development within the Southern Pines jurisdiction. Policies 3.2, 4.1, 4.4, 4.7, 4.9, and 4.10 specifically call for changes to the UDO that foster these goals. Through standards that require prioritizing delineated types of open space as they pertain to new development, the natural character of Southern Pines will be better protected and integrated into development design. Moreover, the proposed text amendments will protect substantively more mature trees and natural areas without degrading overall development capacity and built environment design. The Planning Board therefore concludes that the proposed amendments to UDO §3.5.14, §4.3, §4.9, and §9.3 are consistent with the Comprehensive Plan. Establishing the requirement to integrate natural features into development design, when such features are existing, fully aligns with policies 3.2, 4.1, 4.4, 4.7, 4.9, and 4.10, as well as key guiding principles within chapter 2 of the Comprehensive Plan.

However, the Planning Board finds that when preservation-type Open Space exists on a proposed development site, it should constitute 100 percent of the development's required Open Space. Such a provision more effectively advances the relevant Comprehensive Plan policies than the proposed text amendments presented at the April 23, 2026 hearing. Alternatively, requiring a minimum of 50 percent – where such areas exist – combined with incentives that allow greater design flexibility, remains a viable strategy for advancing this key priority of the Comprehensive Plan.

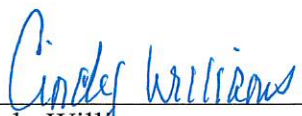
For these reasons, the Planning Board recommends that the Town Council consider both staff-provided options for the OA-02-26 text amendment as part of a policy discussion and decision. Both options support the intent and goals of the Comprehensive Plan. However, the Planning Board ultimately concludes that revising the amendment to require 100 percent of a development's Open Space to consist of preservation types, where applicable, will produce the strongest outcomes for preserving natural character and ensuring that Open Space functions as a meaningful component of new development.

Therefore, the proposed text amendments are reasonable, in the public interest, and consistent with the 2040 Comprehensive Plan.

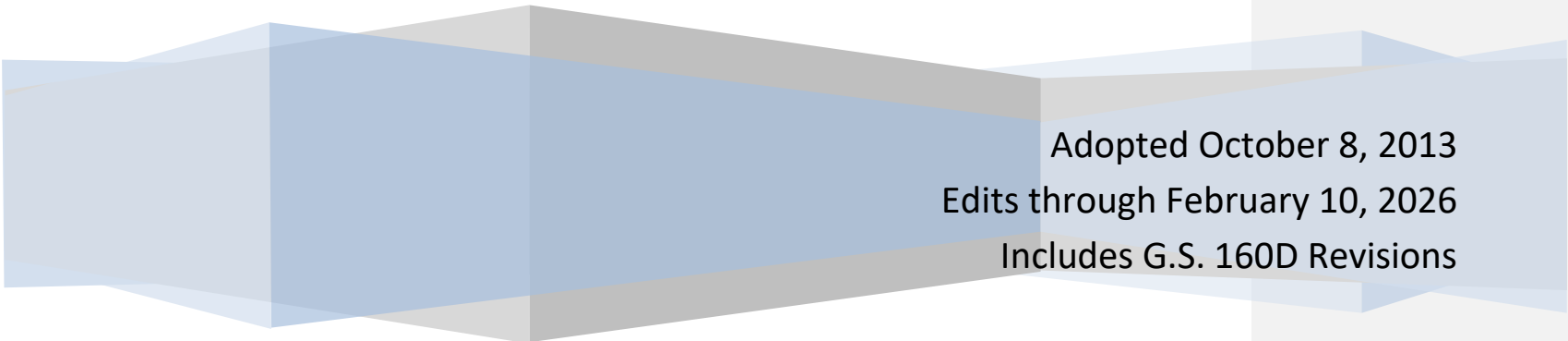
ADOPTED this the 23rd day of April, 2026.


Matthew Walden, Chairman

ATTEST:


Cindy Williams
Secretary to the Planning Board

Southern Pines Unified Development Ordinance



Adopted October 8, 2013
Edits through February 10, 2026
Includes G.S. 160D Revisions

(D) District Development Standards

Building heights and Setbacks shall conform to those of the abutting district. Required buffers shall be based on the use established in the FRR district and the abutting use or district, whichever requires the greater buffer.

3.5.14. PD - Planned Development District

(A) Purpose

The **PD** district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development, and where consistent with the future land use map, light manufacturing and assembly uses that comply with the employment center Development Patterns in section 6.5 of this UDO. This district is intended to allow mixed-use Developments in areas where sufficient public water and sewer service is available (or can be readily extended) and where the street system is adequate (or can be readily improved) to handle the projected traffic volumes generated by the Development. The regulations of this district are intended to:

- (1) Encourage planned, large-tract Development, including service, office, commercial, residential, public or private recreational Development or light industrial uses;
- (2) Exclude heavy commercial and heavy industrial land uses;
- (3) Encourage Development in areas located on major thoroughfares and collector streets;
- (4) Encourage vehicular access from service drive and other local streets;
- (5) Provide performance standards to help ensure Compatible land uses;
- (6) Encourage common or shared parking;
- (7) Promote creativity and innovation in the design that leads to more appropriate relationships between land uses and features;
- (8) Facilitate clustering of Development thereby increasing the amount of saved land;

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- (9) Foster Development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas;
- (10) Improve connectivity within and between Developments to promote mobility and enhance walkability;
- (11) Integrate public spaces and amenities to promote community gatherings and activities;
- (12) Establish coordinated land plan and consistent treatment of common design elements;
- (13) Provide the flexibility to respond to market conditions over longer projected Development periods due to the scale of such Developments; and
- (14) If residential land uses are proposed, provide a variety of Lot sizes and Dwelling types to expand the spectrum of housing choices for households of various type, size, income and age.

(Ord. #1714)

(B) Applicability

A **PD** district may be established to accommodate large-scale, master-planned, mixed-use Developments that cannot be accomplished through conventional zoning districts. Development within a PD district shall occur in accordance with unique conditions and standards established during the rezoning process that may vary from those contained within other sections of the UDO. Such conditions and standards shall be applicable only to the specific Parcel of land that comprises that PD District, and shall run with the land regardless of ownership.

(C) Procedures

PD districts shall be established and developed in accordance with the procedures established in chapter 2 of this UDO.

(D) Land Use Mix

Each PD district approval shall identify the authorized land uses, which may include a mix of residential, retail, office, recreational or light industrial uses. The type and location of any and all uses within the PD District must be

Southern Pines Unified Development Ordinance

demonstrated to be appropriate for the project area and surrounding area. All land uses listed in the approved zoning application are permitted subject to the conditions established through the rezoning process.

(E) Development Patterns

The PD district approval may establish any of the Development Patterns described in chapter 6 or accommodate alternative Development Patterns that comply with PD district standards.

(F) General Provisions

(1) Minimum Size and Contiguity

The PD district shall encompass a sufficient area to accommodate the proposed mix of Uses and ensure Compatibility between both internal and external land uses.

(2) Ownership and Division of Land

No Tract of land may be considered for a PD District unless such Tract is under single or unified ownership or control. If listed in several ownerships, the application for zoning shall be accompanied by each landowner's written consent. The holder of a written option to purchase or a Developer under contract shall be considered an owner for purposes of this section provided the landowner's (or landowners') written consent is included with the application.

(3) Relationship to the UDO

Each proposal for development under the PD district is anticipated to be unique. Except as provided by this section and the PD approval, PD district Development shall be subject to all of the applicable standards, procedures, and regulations in other sections of this UDO. Development Conditions approved as part of the PD District zoning application shall supersede conflicting UDO regulations, unless otherwise prohibited by law. Alternative standards may be approved for Development within the PD district if they:

- (a) Meet or exceed the general intent of the UDO standards for base zoning districts;
- (b) Are appropriate given the specific mix of uses and character of the Development; and

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- (c) Achieve a more efficient, safe or economical land use without detracting from the quality of the Development or detrimentally impacting its surrounding Development or the community as a whole.

(4) Relationship to Other Regulations

Unless otherwise specified in the PD approval, all PDs shall be subject to all local, State and Federal regulations.

(G) Open Space

Unless otherwise authorized for a specific development pattern established in chapter 5, the following Open Space requirements apply within a PD district:

- (1) Not less than twenty (20) percent of the gross land area of the PD shall be devoted to Open Space. The composition of the Open Space shall follow the standards as set in the Open Space section of this Unified Development Ordinance.

- ~~(2) Not less than fifty (50) percent of the required Open Space (ten (10) percent of gross land area) shall be Usable Open Space as defined in this UDO.~~

- ~~(3) The remaining Open Space may be comprised of, but is not limited to, any combination of the following: natural areas, wetlands, trails, boardwalks, parks, ball fields, equestrian fields or tracks, golf courses (not including clubhouse or other vertical structures), buffers (outside of a platted Lot), any water bodies including ponds and lakes, and/or innovative and accessible water quality ponds that are designed as an amenity.~~

- ~~(4)(2)~~ No more than fifty (50) percent of the required Open Space shall consist of ponds, lakes, and/or water quality ponds.

- ~~(5)(3)~~ The site's natural features and surroundings, unique features of the subject and surrounding property shall be considered by the Town when evaluating the configuration and uses of planned Open Space. Where practical, Open Space shall be configured to provide connectivity with other Open Space, both on- and off-site, and to allow for connectivity to and the extension of the existing Greenway Trail System.

Commented [JB1]: This change intends to simplify Open Space composition standards under §4.9.

Southern Pines Unified Development Ordinance

~~(6)(4)~~ Unless dedicated to and accepted by the Town or a similar legal entity, the owner or property owners association is required to provide for the continuing maintenance of Open Space.

(H) Landscaping, Screening, Buffers and Trees

The standards for landscaping, screening, buffers and trees included in chapter 4 of this UDO shall apply to all Development within the PD District, with the following exceptions:

- (1) Buffer requirements apply only to the perimeter of the PD unless otherwise specified in the PD District Conditions. The minimum required buffer for each sub-area shall be based on the most intensive use authorized within the sub-area that is adjacent to the property boundary and shall meet or exceed the standards established in chapter 4 of this UDO.
- (2) Land uses internal to the PD shall be buffered in accordance with the provisions of chapter 4 unless approved as part of the PD Development Conditions.
- (3) Other deviations from landscaping, buffer, street tree and screening standards of chapter 4 shall not be allowed unless approved as a PD Development Condition.

~~(4) If landscaping, buffer or other requirements are included in a platted Lot, they shall be protected by the PD's Covenants and Restrictions and shall not count as Open Space.~~

(I) Common Sign Plan

Signs within the development shall adhere to the standards set forth in section 4.6 of this UDO or set forth in the Conceptual Development Plan or an amendment thereto. The Applicant may include unique standards for signage with the Conceptual Development Plan that establish more specific design standards (size, height, color, materials, illumination) and Sign locations for the project to ensure a coordinated theme across the PD District. A Unified Sign Plan may then be submitted after the approval of the Conceptual Development Plan and may be approved by the Planning Director as an alternate to individual Sign permits. Any Unified Sign Plan that deviates from the standards set forth in section 4.6 of this UDO or set forth in the approved Conceptual

Chapter 3. Zoning

Development Plan shall require approval by the Board of Adjustment pursuant to section 2.22.

(Ord. #2052)

(J) Landmark Signs

The Town Council may approve the establishment of one or more on-premises Landmark Signs as a condition of approval within a PD district subject to the requirements of section 4.12.

(Ord. #2052)

(K) Storm Water Control

Storm water management shall meet or exceed the State's minimum requirements for storm water management. A common master storm water management plan may be developed for the project as a whole and may employ Best Management Practices. This neither prohibits the Development of the PD district in phases nor the phased implementation of the storm water management system.

(L) Street Design

- (1) Street design shall adhere to the Town's standards as set forth in chapter 4 of the UDO. The Applicant may submit alternative street design standards that vary in response to proposed function of the street, anticipated adjacent land uses, character of the Neighborhood, anticipated traffic volume (subject to Town and/or NCDOT approval), hierarchy within the street network, and need for traffic calming measures. At a minimum, turn lanes shall be studied and contemplated in relation to all intersections of Arterial streets within the site and shall be considered for appropriateness as part of the Traffic Impact Analysis (TIA), which must be approved by the Town.
- (2) Streets within the PD may be private or may be dedicated to the Town of Southern Pines with the Town's consent. Dedicated streets may be maintained by the Town of Southern Pines or NCDOT according to rules of the applicable jurisdiction.

Commented [JB2]: This section is not consistent with UDO §4.3.4(B)(5)

- (1) All Subdivisions, Development subject to Site Plan approval, and planned Developments shall provide street trees along their frontage with adjacent public streets.
 - (2) Street trees shall be selected from the list of large trees, or, where power lines are located, small trees included in section 4.3.9.
 - (3) Planting strips shall be a minimum of six (6) feet wide.
 - (4) Planting location shall take into consideration planned roadway widening, public safety, standard drainage requirements and maintenance of sight distances for traffic safety. Street trees may be planted within the Right-of-Way, within planting strip abutting the Right-of-Way or other location approved by the Permit Issuing Authority.
- (C) Street trees, unless subject to overhead power lines, shall be planted at the rate of one (1) two-inch Caliper tree per thirty (30) feet of property line abutting a public street, excluding driveways and Traffic Visibility Zones. This rate may be varied based upon existing trees and the crowns of planted trees.
(Ord. #1890, 1-6-21)
- (D) Trees used to meet buffer, 4.3.5 and Vehicle Use Area requirements in sections 4.3.4, 4.3.5 and 4.3.6, may be used to meet the street requirements to the extent that the trees are located within twenty-five (25) feet of a street.

4.3.4. Buffers

Buffers provide Compatible transitions between differing land uses, reduce the visual impacts of Development and retain existing plant materials.

(A) Applicability

These standards apply to all new Multi-Family, commercial, industrial and mixed-use Development; substantial modifications subject to Architectural Compliance Permit review; and all Development subject to Subdivision approval.

- (1) Buffers are required along the common property lines between Developments in different zoning districts or between Developments of different uses as established in this section.
- (2) Buffer requirements shall not apply when a public street or railroad Right-of-Way separates applicable zoning districts or uses.

(B) Buffer Requirements

- (1) Exhibit 4-2 and 4-3 establish the minimum buffer widths for proposed Development. Chapters 5 and 6 establish buffer requirements for specific uses and Development Patterns.
 - (a) Buffers within and surrounding PDs shall be established during the PD approval process.
 - (b) Exhibit 4-3 establishes minimum buffer widths for the sides of properties abutting the highway corridor within HCO districts. These apply to Front Yard buffers, as well as for the Side and Rear Yards abutting properties of similar zoning. Exhibit 4-2 shall apply to the Side and Rear Yards of all Development on property in a HCO District that is adjacent to property zoned for residential use.
- (2) Exhibit 4-4 establishes the minimum planting requirements within required buffers. Large trees, small trees and shrubs shall be dispersed along the entire length of the buffer. Species shall be planted in locations in which they are expected to thrive and should be dispersed in irregular patterns that reflect natural patterns rather than in formal rows or patterns.
- (3) Buffers may have undulating boundaries provided that the narrowest point of the buffer is not narrower than eighty (80) percent of the minimum buffer width and the total area of the buffer is equal to or greater than the product of the length of the buffer times the minimum required buffer width.

Exhibit 4-2: Minimum Buffer Widths

Zoning District or Use of Proposed Development	Zoning/Use of Abutting Development					
	RE, RR, RS-1, RS-2, RS-3	RM-1, RM-2	NB, OS	GB	I	Single-Family Residence
RE, RR, RS-1, RS-2, RS-3	none	none	none	30'	80'	none
RM-1, RM-2	10'	10'	none	20'	80'	20' if Multi-Family Building proposed
NB, OS	20'	20'	none	none	20'	20'
GB	50'	30'	none	none	20'	20'
I	80'	80'	20'	20'	10'	30'
Golf Course	10'	10'	10'	10'	30'	10'
Active Recreational Facilities	20'	20'	none	10'	30'	20'
Institutions (public, private or religious)	20'	20'	none	none	20'	20'
Shopping Centers	80'	80'	10'	10'	20'	80'

(Ord. # 1716)

Exhibit 4-3: Minimum Buffer Widths in Highway Corridor Overlay Districts

Planted Buffer	Urban Transition Corridor Overlay District	Urban/Village Corridor Overlay District
Highway Yard	50'	40'
Side and Rear Yard	15'	5'

Exhibit 4-4: Minimum Planting Required in Buffers

Plant Type	Minimum Planting Rate	Additional Conditions
Large Trees	One tree per 400 square feet	- At least 50 percent of large trees shall be evergreens - Longleaf pines shall be a minimum 2 inch Caliper and 8 feet tall - Other large trees shall be a minimum 2 inch Caliper
Small Trees	One tree per 400 square feet	- At least 20 percent and not more than 30 percent of small trees shall be deciduous - At least 50 percent of evergreen trees shall be species other than pines - Small trees shall be a minimum 1.5 inch Caliper
Shrubs	For buffers 20 feet or narrower – one shrub per 50 square feet	- Not more than 30 percent of shrubs shall be deciduous - Shrubs shall be at least 18 inches in height at time of planting and reach a height of at least 4 feet within five years of planting
	For buffers between 20 and 50 feet wide – one shrub per 75 square feet	
	For buffers 50 feet or wider – one shrub per 200 square feet	

(Ord. #1890, 1-6-21)

- (4) The entire buffer shall be located on the property subject to the Development Approval requiring the buffer. However, if the affected property owners enter into an agreement to establish and maintain a buffer meeting the requirements for the most intensive zoning or use to be developed next to the less intensive use, the Planning Director may allow the buffer to be located on one or both of the affected properties.
- (5) Buffers may be established in required Setback areas and may be counted towards required open space if located in a Common Area measuring at least twenty (20) feet in width.
- (6) When an easement crosses a buffer or is located within a buffer area, the TRC shall recommend, and the Planning Director shall approve all plantings in the easement to ensure that the plantings do not interfere with the use of the easement. When an easement is located along a property line that requires a buffer, the portion of the buffer located outside the easement shall be at least half the width of the required buffer.
- (7) The Planning Director, at time of Site Plan approval, may reduce buffer widths and required plantings by up to fifty (50) percent if the Site Plan indicates that existing condition or vegetation, alternate landscaping, walls, opaque fence or topographic

features will achieve the intent of this section and are designed to complement adjacent properties.

(8) No additional plantings are required within an Undisturbed Buffer unless more than 400 contiguous square feet of the required area is devoid of trees. In such cases, that portion shall be planted pursuant to the Buffer planting standards, less any preservation credits earned pursuant to the existing vegetation credits section of this UDO.

(C) Permitted Uses Within Buffer Areas:

- (1) Buffers shall be left in an undisturbed natural vegetative state or provided with supplemental plantings.
- (2) Selective thinning of vegetation under one and one-half (1.5) inch Caliper and removal of dead vegetation shall be permitted as long as the intent of the buffer requirement is maintained.
- (3) All Longleaf Pines (*Pinus Palustris*), Loblolly Pine (*Pinus Taeda*) shall be maintained in a buffer area. The buffer shall be cleared of the following under story trees: Black Jack Oak (*Quercus Marilandica*), and Turkey Oak (*Quercus Laveus*)
- (4) Driveways may cross a buffer at as near a perpendicular angle as practical. Walkways and paths may pass through a buffer.
- (5) Grading in the designated buffer may be allowed subject to PD, Subdivision, Special Use or Architectural Compliance Permit approval, if the re-vegetation plan is determined to meet the intent of this section.
- (6) When stormwater improvements are located within the buffer, the TRC shall recommend and the Director shall approve plantings to ensure that the vegetation does not interfere with the function of the stormwater improvement.

(Ord. # 1919)

(D) Landscaping Design Requirements for Buffer Areas:

- (1) Existing Vegetation. Buffers require provision of both physical separation and landscape elements to meet the intent of this ordinance. Existing vegetation shall be used to meet all or part of the requirements of this section wherever possible, if it provides the same level of opacity, as the required buffer. Vegetation to be saved shall be identified on Site Plans along with protection measures to be used during grading and construction.
- (2) Planted Vegetation. Exhibit 4-4 allows for a mix of large hardwood and/or pine trees, small trees/large shrubs and smaller shrubs to provide variable height screening and a naturalized planting typical of the ecosystem of the site or surroundings. Evergreen trees, other than pine, should be added to the wider buffers to provide a more opaque screen, as well as a more natural appearance to the buffer. A plant mix shall be designed to create a buffer that will give a satisfactory screen within five years of planting, under normal maintenance, while allowing room for the various plants to grow. In calculating buffer planting requirements, areas of driveways and sight distance triangles shall be excluded.

4.3.5. Landscape Screens

- (A) The intent of a screen is to use plant materials and/or other landscape architectural elements to obscure views from adjacent properties. Breaks in screens shall be permitted to provide adequate ingress and egress as needed.
- (B) The following uses shall be screened from unobstructed off-site views:
 - (1) Loading docks for semi-trailers and trucks over thirty-five (35) feet in length;
 - (2) Mini-warehouses;
 - (3) Correctional institutions;

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- (I) A Developer or homeowner's association may request non-standard street lighting within a Development provided that the street light fixture types and locations must be approved by the Town of Southern Pines; the Developer or homeowner's association shall be responsible for all installation costs and monthly operation costs associated with non-standard lighting; the Developer or homeowner's association shall be responsible for any costs associated with deletion of non-standard street lights and any costs associated with installing the Town's standard street lights prior to the expiration of the ten (10) year contract with Progress Energy; the Developer shall include all responsibilities of the homeowner's association pertaining to non-standard lighting in the Development covenants. The Developer shall inform all purchasers of property in the Development of these same responsibilities; non – standard street lighting shall not be used on arterial streets and the Developer or the homeowner's association will not have the option of deleting the private, non-standard street lighting at any time in the future. Staff consultation includes discussion of reflector caps or similar devices to reduce Light Pollution.
- (J) The Applicant, Developer, homeowner's association or other responsible organization representing the Subdivision Development will be responsible for the installation, maintenance and power consumption for all landscape lighting or any other device or fixture requiring electrical power.

4.8.8. Excessive Illumination

Lighting within any Lot that unnecessarily illuminates any other Lot and substantially interferes with the use or enjoyment of such other Lot is prohibited. Lighting unnecessarily illuminates another Lot if it clearly exceeds the standard set forth in section 4.15.6 or if the standard set forth therein could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

4.9. OPEN SPACE ~~/GREENSPACE~~

This section 4.9 shall be referred to as the Town of Southern Pines Open Space Standards ~~or open space standards.~~

4.9.1. Usable Open Space Required

- (A) Except as provided in ~~paragraph (C) of~~ this section or within a PD district, Conditional Zoning district, or authorized Development Pattern, every new commercial, industrial, institutional, and Multi-Family Development and Major Subdivision shall be developed so that at least ten (10) percent of the total area of the Development remains permanently as ~~Usable~~ Open Space.

(Ord. #3031)

- (B) ~~For purposes of this section, Usable Open Space means an area that may be defined as any of the five (5) Open Space types listed below, and a combination may be used to satisfy the total Open Space requirement. Development Applicants must determine the Open Space type(s) and label them on the plans based on the site's existing natural conditions as of the date of Development application, to be confirmed by town staff during Development review. Technical surveys performed by the Applicant may be required by staff to make a determination as to whether the standards for an Open Space type are met. Finally, the Development plans shall apply the applicable Open Space type(s) in the following order of priority to preserve:~~

- (1) Sensitive Natural Areas – delineated wetlands, flood hazard areas, the critical root zones of Specimen Trees, or other areas of significant natural resources. Sensitive Natural Areas must be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.
- (2) Tree Protection Areas (TPA) – existing tree stands that comprise at least the minimum density, dimensional, and maturity standards described below.

Commented [JB3]: This portion intends to make it clear that applicants must provide any technical surveying, if necessary, on the site plan (wetlands, tree diameters in proposed open space, etc.) to determine if the open space type's standards are met. It's then on the staff to confirm it. If there's any doubt, the staff and town arborist can always visit the site to measure tree diameters, etc., to confirm if a TPA or Sensitive Natural area is indeed in the location shown on the site plan.

There are certainly scenarios where detailed surveys wouldn't be necessary. For example, in a PD with 20 acres of dedicated open space, if those 20 acres are clearly a mature forest and the developer is claiming it as a TPA, staff would not require a detailed tree survey.

(a) TPAs should reflect the character of the land as of the date of Development application. TPAs shall be left in their natural or undisturbed state except for the installation of pervious surface pedestrian trails.

(b) Protection – TPAs shall be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.

(c) **Composition Standards** – TPAs must comprise the following density, dimensional, and maturity standards:

1. **Density** - a minimum ratio of 1-inch diameter-breast-height (DBH) per 100 square feet;

For example, for a 50,000 square foot site requiring 10% (or 5,000 square feet) of Open Space, 50 total inches DBH would be required to meet the density standard – or five 10-inch diameter trees.

2. **Dimensions** – TPAs must be a minimum of 20 feet in width and maintain protection of all applicable critical root zones; and

3. **Maturity** – only trees greater than or equal to 6-inches DBH may count toward the TPA density requirement.

(d) TPAs that do not meet the requisite density requirement may be augmented with additional tree plantings to meet the TPA standard, provided that supplemental plantings are placed outside of the existing critical root zones and are a minimum of 2-inch caliper.

(e) Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed. However, the TPA must still meet all composition standards described above. Additionally, any Invasive Species within the TPA may be removed.

(3) **Undisturbed Buffers.**

(a) Undisturbed Buffers must be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.

(b) Undisturbed Buffers must comprise the same density, dimensional, and maturity standards as TPAs.

(c) No additional plantings are required within an Undisturbed Buffer unless more than 400 contiguous square feet of the required area is devoid of trees. In such cases, that portion shall be planted pursuant to the Buffer planting standards, less any preservation credits earned pursuant to the existing vegetation credits section of this UDO.

(d) Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed. However, Undisturbed Buffers must still meet all composition standards described above. Additionally, any Invasive Species within the Undisturbed Buffer may be removed.

(4) **Usable Open Space** – If a proposed development site does not comprise Open Space types (1), (2), or (3), or has already designated at least 50% of the required Open Space using those types, Usable Open Space may be utilized. Usable Open Space is an area that:

(a) Is not encumbered with any substantial structure;

(b) Is not devoted to use as a roadway, parking area, or sidewalk, provided, however that Multi-user Trails may be counted as Usable Open Space;

(c) Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;

Commented [JB4]: These standards ensure that TPAs and Undisturbed Buffers have at least a minimum substantive composition.

Commented [JB5]: This standard ensures a minimum density. It's a relatively low density as to ensure some tree stands don't get eliminated from qualifying as a TPA. An even more permissive option could be 1-inch DBH per 200 square feet. Staff decided to go with the 1" per 100sf because if we need to make it less restrictive down the line we can, whereas we cannot go back to make it more restrictive under G.S. 160D-601(d) (SB 382 / S.L. 2024-57).

Commented [JB6]: The Tree Protection Focus Group recommended increasing from 20 to 30 feet in width because existing trees, even if younger than specimen trees, usually need more root zone area than newly planted trees. However, after consulting with the town's land use law legal consultant, he pointed out there could be a scenario under SB 382 / S.L. 2024-57 where this creates a nonconformity. Depending on interpretation, when does a planted buffer become an undisturbed buffer for the purposes of minimum width? If one is redeveloping a site and – though may meet the Open Space percentage requirement – may not meet this minimum width requirement. For this reason, staff adjusted back down to 20-foot width.

Commented [JB7]: To ensure trees are mature enough to verify long-term viability.

- (d) Is legally and practically accessible to the residents and/or visitors of the Development for which the required Open Space is provided, or to the public if the Open Space is dedicated to the Town pursuant to this section.
- (e) If applicable and feasible, includes existing trees that are not otherwise incorporated in Open Space types (1), (2), or (3) above.
- (f) Is properly landscaped and may include recreational amenities like open play fields, playgrounds, picnic areas or similar facilities, outdoor recreational or pedestrian areas, or other areas consistent with the objective of this section.
- (5) **Planted Buffers** – If a proposed development site does not comprise Open Space types (1), (2), or (3), or has already designated at least 50% of the required Open Space using those types, planted Buffers may be utilized. Planted Buffers must be at least 20-feet in width to count as Open Space, must meet the planting rate requirements of this UDO, and may use a combination of planted and Undisturbed Buffers, if applicable.
- (C) If a proposed Development site contains sufficient Sensitive Natural Areas, Tree Protection Areas, and/or Undisturbed Buffers, then these areas shall account for at least 50% of the required Open Space and may satisfy up to 100% of the total Open Space requirement.
- (D) **Open Space Administrative Minor Modifications.** Developments shall comply with the Open Space prioritization and composition standards to the maximum extent feasible. However, the Planning Director shall modify the Open Space prioritization and/or composition standards to the extent necessary to avoid:
- (1) Rendering a site undevelopable,
 - (2) Reducing the allowable density otherwise authorized by the underlying zoning district and standards of this UDO,
 - (3) Rendering a site inaccessible, or

- (4) Precluding a proposed Development from meeting one or more other applicable standards of this UDO without modification.

- (E) **Incentives.** If a proposed Development designates the entirety of its required Open Space as Sensitive Natural Areas, Tree Protection Areas, and/or Undisturbed Buffers, then the town shall afford the following incentives:

- (1) Setbacks – the minimum setbacks shall be reduced according to the “Building Setback Reduction” standards found under the Administrative Relief section of this UDO.
- (2) Street trees – the street tree planting rate shall be reduced to one 2-inch Caliper tree per 50 feet of property line abutting a public street, excluding driveways and Traffic Visibility Zones.
- (3) Shrub plantings in Buffers – the shrub planting rate for all required landscape Buffers less than 50 feet in width shall be reduced to one (1) shrub per 100 square feet.
- (4) The minimum parking requirement, pursuant to the parking section of the UDO, for the proposed Development shall be reduced by 50%.

- (F) **Preemptive Clearing.** In the event that preemptive or unauthorized site clearing occurs with the clear intent to influence the design and outcome of a proposed Development and/or the type of its required Open Space, the Town shall take one of the following actions, regardless of whether the tree removal was a willful violation of this UDO or not:

- (1) Prohibit the approval of a Site Plan, Major Subdivision Plat, or Building Permit for a period of three (3) years from the date of the most recent unauthorized tree removal activities for which the Development Approval is sought.
- (2) If the soil has not been graded nor compacted, the applicant shall provide new longleaf pines at a minimum 2-inch caliper

Commented [JB10]: Because Planned Developments require 20% open space and often call for a sizable portion of usable Open Space, requiring types 1-3 to comprise 100% of the requirement may not always be the best outcome. Requiring 50%, but incentivizing up to 100% of types 1-3, allows for some flexibility for PDs while promoting entirely tree protection areas for more standard applications.

Commented [JB11]: The tree protection focus group highlighted that more space between shrubs would help the vitality at this rate.

Commented [JB12]: The following 3 punitive measures originated from the Planning Board in 2024. Andy Bleggi and a few other board members recommended presenting options for punitive measures, as the first one (no approvals for 3 years) could present erosion control and other issues in certain contexts. “unauthorized” was added in the event Open Space type 1, 2, or 3 clearing happened after development plan approval.

Commented [JB8]: This is a policy choice and should be well evaluated. Requiring only 50% allows for more flexibility and usable open space to be better employed in PDs especially; since PDs require 20% Open Space, a portion of that Open Space is typically devoted to recreational amenities. With this in mind, 100% Undisturbed areas may not be the most desired outcome in every instance. However, it could result in more tree loss even with the incentives. To fully maximize natural areas saved, requiring 75% or 100% of Open Space types 1, 2, or 3 may be something to consider (if they’re present on site of course).

Commented [JB9]: This provision requires staff to adjust the Open Space’s configuration and makeup if an issue presented itself that meets the listed criteria. This provision also ensures the amendments align with G.S. §160D-601 (down-zoning provisions from SB 382).

and wiregrass and/or another appropriate ground cover plantings (following guidance in Appendix F) for all applicable cleared areas at the densities of:

(a) For longleaf pines – one 2-inch caliper tree per 400 square feet, and

(b) For wiregrass or another appropriate ground cover – one plant per 100 square feet.

(3) Any Buffer otherwise required by this UDO shall have a minimum width that is 100% greater than the otherwise required width or 20-feet, whichever is greater. Such Buffers shall comply with the Buffer planting rate standards of this UDO, and the selected plantings shall include at least three different native species.

(G) The following activities are exempt from the Open Space standards of this section:

- (1) The removal or replacement of specific trees approved by the Planning Director as part of an administrative minor modification during Site Plan review;
- (2) Tree removal associated with normal forestry activity that is conducted on land taxed on the basis of its present-use value as forestland pursuant to NCGS Chapter 105, Article 12, in accordance with a forest management plan prepared or approved by a registered forester;
- (3) Agricultural, forestry, or horticultural land activities;
- (4) The selective and limited removal of trees less than 2-inch diameter for the purpose of performing authorized field survey work and preliminary testing;
- (5) The removal of trees or vegetation for the purpose of sale by established commercial garden centers, greenhouses, or nurseries;

(6) Tree removal for non-Development purposes on properties zoned for single-family, two-family, three-family, and four-family Dwelling Units;

(7) Permitted temporary uses pursuant to this UDO;

(8) Tree removal for utilities and public works projects;

(9) Repair or re-use of existing buildings or lands where there is no enlargement or additions to existing structures;

(10) The removal of dead, diseased, or naturally-fallen trees, trees that pose an imminent threat of falling onto an existing structure or adjacent trees, trees that are so close to an existing structure as to endanger the stability of the structure, or the removal of trees otherwise found by the Town to be a threat to the public health, safety, or welfare, as verified by a certified arborist, registered landscape architect, or registered forester;

(11) The removal of Invasive Species, provided the removal results in the complete removal of the Trees (including roots), as verified by a certified arborist, registered landscape architect, or registered forester;

(12) The selective and limited removal of trees or vegetation necessary to obtain clear visibility within intersection sight distance regulations of this UDO;

(13) The removal of trees that the Town Engineer determines to be a hazard to traffic or to interfere with the provision of utility lines or public services; and

(14) The removal of trees as necessary for rescue in an emergency.

~~(B)~~

~~(1) Is not encumbered with any substantial structure;~~

Commented [JB13]: For new plantings, the trees will need more space for the root systems to flourish. For a 10,000 square foot site, this would mean the planting of 25 two-inch caliper longleaf pines. Though this may seem like a lot, some trees will likely not make it over time, so an extra number planted will likely even out to an appropriate equilibrium. Additionally, the focus group for this project emphasized planting specifically pine savannah species because they will best represent the natural environment of the sandhills.

Commented [JB14]: These exemptions are modeled off of Holly Springs UDO §4.4(E), Apex UDO §2.3.15(C), and NCGS § 105, Article 12; they intend to cover reasonable and statutorily protected tree removal activities that may conflict with the Open Space composition standards.

- ~~(2) Is not devoted to use as a roadway, parking area, or sidewalk, provided, however that Multi-user Trails may be counted towards required open space;~~
- ~~(3) Reflects the character of the land as of the date Development began. Wooded Areas shall be left in their natural or undisturbed state except for the cutting of trails for walking, bicycling or jogging. Areas not wooded shall be landscaped for open play fields, picnic areas or similar facilities, or be properly vegetated and landscaped with the objective of creating a Wooded Area or other area that is consistent with the objectives of this section;~~
- ~~(4) Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;~~
- ~~(5) Is part of an independent Lot shown on the plan as being reserved for open space; and~~
- ~~(6) Is legally and practicably accessible to the residents of the Development from which the required open space subdivided or to the public if the open space is dedicated to the Town pursuant to section 4.9.3.~~

~~(C)(H)~~ **Areas Not Allowed as Open Space**

The following areas shall not count toward common open space set-aside requirements:

- (1) Private Lots, Yards, balconies and patios dedicated for use by a specific Dwelling Unit;
- (2) Electric or gas transmission line rights-of-way;
- (3) Public Right-of-Way or private streets and drives;
- (4) Open parking areas and driveways for Dwellings;
- (5) Land covered by structures except for ancillary structures associated with the use of the open space such as gazebos and picnic shelters;

- (6) Designated outdoor storage areas;
- (7) Land areas between Buildings of less than forty (40) feet;
- (8) Land areas between Buildings and parking lots or driveways of less than forty (40) feet in width;
- (9) Required Setbacks; and
- (10) Detention/Retention facilities except as provided section 4.9.7.

~~(D)(I)~~ Subdivided residential Developments of five (5) or fewer Dwelling Units are exempt from the requirements of this section.

(Ord. #3031)

4.9.2. Ownership and Maintenance of Recreational Areas and Required Open Space:

- (A) Open space required to be provided by the Applicant in accordance with these open space standards shall not be dedicated to the public but shall remain under the ownership and control of the Developer (or his successor) or a homeowners association or similar organization that satisfies the criteria established in section 4.9.4. Open space shall be designated as an independent Lot on the plat and shall be noted as being reserved for their intended purposes.
- (B) The person or entity identified in paragraph (A) as having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing upkeep and proper maintenance of the same.
- (C) Open space may be dedicated to a registered land trust, if approved by the Town Council.

4.9.3. Dedication of Open Space

- (A) If any portion of any Lot proposed for residential or commercial Development lies within an area designated on the officially adopted recreation master plan as a Neighborhood park or part of the

Southern Pines Unified Development Ordinance

- (7) **TIA:** Traffic Impact Analysis
- (8) **TRC:** Technical Review Committee
- (9) **UDO:** Unified Development Ordinance

9.3. DEFINITIONS

As used in the UDO, the following terms shall have the meanings assigned to them in this section. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

Administrative Decision: Decisions made in the implementation, administration, or enforcement of Development regulations that involve the Determination of facts and the application of objective standards set forth in this Chapter or local government Development regulations. These are sometimes referred to as ministerial decisions or administrative Determinations.

Adult Bookstore: An establishment having as a substantial or Significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", or an establishment with a segment or section devoted to the sale or display of such material.

Adult Motels and Hotels: A place where motion pictures not previously submitted to or not rated by the Motion Picture Association of America are shown in rooms designed primarily for lodging, which said motion pictures have as the dominator primary theme matters depicting, describing or relating to Specified Sexual Activities.

Adult Motion Picture Theater: An enclosed Building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Amended

2-10-2026

Chapter 9. Definitions

Applicant: A person, including any governmental entity, seeking Development Approval approval or a refund, a waiver or a credit.

Bed and Breakfast Home: A private home of not more than 4 guest rooms that offers bed and breakfast accommodations, and that:

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Bed and Breakfast Inn: A private home of more than 4 but not more than 12 guest rooms that offers bed and breakfast accommodations, and that:

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Best Management Practices (BMP): A structural or non-structural management-based practice used singularly or in combination to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Boarding House: A residential use consisting of at least one Dwelling Unit together with more than two rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate Dwelling Units. A rooming house or Boarding House is distinguished from a Tourist Home in that the former is designed to be occupied by longer-term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.

Buffer: Land with existing or planted vegetation located between a structure and the right-of-way or a side or rear Lot line intended to obstruct views from rights-of-way and nearby properties.

9-2

Commented [JB15]: Clarifying definitions between planted and undisturbed buffers will help improve landscaping plans and Open Space plans.

Southern Pines Unified Development Ordinance

Buffer, Undisturbed: A natural area used to satisfy Buffer requirements. Activities typically associated with the development process, including, but not limited to, grading and installing stormwater improvements, are prohibited in Undisturbed Buffers.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory or Accessory Structure: A Building or structure that is located on the same Lot as a Principal Building or Structure, used incidentally to a Principal Building or used for purposes that are secondary the Principal Use of the site. For example, a storage shed is considered an Accessory Building when located on a Lot with a Single-Family residence.

Building, Principal or Principal Structure: The Building or structure on a Lot that houses the Principal Use. For example, in the example for the previous definition, the Single-Family home would be the Principal Building

Building Front or Frontage: The length of that side of the Principal Building that faces the street. For corner Lots, the front shall be determined by the Planning Director based on other Development along the faces of the block on which the corner Lot is located.

Built-Upon Area: Impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. In order to comply with G.S. 143-214.7, the following shall not be considered Built-Upon Area or an impervious or partially impervious surface:

- (A) A slatted deck.
- (B) The water area of a swimming pool.
- (C) A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.
- (D) A trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).

Amended

2-10-2026

Chapter 9. Definitions

- (E) Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.
- (F) Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.

Caliper: A standard measure of size for newly planted trees. Caliper refers to the trunk diameter, in inches, at a point six (6) inches above the ground (for trees equal to or less than a 4" Caliper), at a point twelve (12) inches above the ground (for trees larger than 4" Caliper), or as defined by the American Standard for Nursery Stock ANSI Z60.1.

Certified Arborist: A professional tree care specialist who maintains the designation of Certified Arborist as defined and governed by the International Society of Arboriculture (ISA). For the purposes of this UDO, a certified arborist may also refer to a professional tree care specialist who maintains the designation of consulting arborist with the American Society of Consulting Arborists (ASCA).

Child Care Home: A home for not more than nine orphaned, abandoned, dependent, abused or neglected children together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.

Child Care Institution: An institutional facility housing more than nine orphaned, abandoned, dependent, abused or neglected children.

Circulation Area: That portion of the Vehicle Use Area used for access to parking or loading areas or other facilities on the Lot. Driveways and other maneuvering areas (other than Parking Aisles) comprise the Circulation Area

Combination Use: A use consisting of a combination on one Lot of two or more Principal Uses separately listed in Exhibit 3-15.

Compatible/Compatibility - A condition in which land uses or conditions can coexist in a relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by

Commented [JB16]: Clarifying this definition will help staff during site plan review processes, as well as assessing damage done during construction.

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care or assistance to such persons, all living together as a single housekeeping unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.

Handicapped or Infirm Institution: An institutional facility housing and providing care or assistance for more than nine persons who are physically or mentally handicapped or infirm. Persons residing in such homes, including the aged or disabled, principally need residential care rather than medical treatment.

Hazardous Material: Any substance listed as such in: SARA Section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances or Section 311 of CWA (oil and hazardous substances).

Hearing Body: The entity assigned responsibility for conducting a hearing on any application pursuant to this UDO.

Illuminating Engineering Society of North America (IES or IESNA): The professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.

Intermediate Care Home: A facility maintained for the purpose of providing accommodations for not more than nine occupants needing medical care and supervision at a lower level than that provided in a Nursing Care Institution but at a higher level than that provided in institutions for the handicapped or infirm.

Intermediate Care Institution: An institutional facility maintained for the purpose of providing accommodations for more than nine persons needing medical care and supervision at a lower level than that provided in a Nursing Care Institution but at a higher level than that provided in institutions for the handicapped or infirm.

Invasive Species: Exotic vegetation transported outside their historic home ranges and considered invasive in North Carolina due to their tendency to overcrowd vegetation in native natural habitats. Species considered Invasive Species in this UDO are those listed as such in the North Carolina State University Extension Gardener Plant Toolbox.

Large Scale Retail: Retail Development including of one or more businesses that encompass at 25,000 square feet or more of Gross Leasable Floor Area.

Amended

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Chapter 9. Definitions

Legislative Decision: The adoption, amendment, or repeal of a regulation under North Carolina General Statute or an applicable local act. The term also includes the decision to approve, amend, or rescind a Development agreement consistent with the provisions of Article 10 of Chapter 160D, North Carolina General Statute.

Legislative Hearing: A hearing to solicit public comment on a proposed Legislative Decision.

Licensed Landscape Contractor: Any person licensed by the North Carolina Landscape Contractors' Licensing Board who for compensation or other consideration, does landscape construction or contracting as described in North Carolina General Statute Chapter 89D-11(3).

Light Pollution: Any adverse effect of manmade light including, but not limited to, Light Trespass, up-lighting, the uncomfortable distraction to the eye, or any manmade light that diminishes the ability to view the night sky; often used to denote urban sky glow.

Light Trespass: Light falling where it is not wanted or needed, generally caused by a light on a property that shines onto the property of others.

Lot: A Parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title. If a public body or any authority with the power of eminent domain condemns, purchases or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a Parcel of land otherwise characterized as a Lot by this definition or a private road is created across a Parcel of land otherwise characterized as a Lot by this definition and the interest thus obtained or the road so created is such as effectively to prevent the use of this Parcel as one Lot, then the land on either side of this strip shall constitute a separate Lot. The permit-issuing authority and the owner of two or more contiguous Lots may agree to regard the Lots as one Lot if necessary or convenient to comply with any of the requirements of this ordinance.

Lot Area: The total area circumscribed by the boundaries of a Lot, except that:

- (A) When the legal instrument creating a Lot shows the boundary for purposes of computing the Lot Area shall be the street Right-of-Way

Commented [JB17]: The proposed TPA and Undisturbed Buffer Open Space types allow for the removal of invasive species, and this definition is necessary for species delineation during Development review.

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line or if the Right-of-Way line cannot be determined, a line running parallel to and thirty feet from the center of the traveled portion of the street; and

- (B) In a residential district, when a private road that serves more than three Dwelling Units is located along any Lot boundary, then the Lot boundary for purposes of computing the Lot Area shall be the nearest boundary of the traveled portion of that road.

Major Amendment: Any change to a PD plan, Architectural Compliance permit or other approval not classified as a Minor Amendment.

Major Work: Exterior work that involves a significant alteration, addition, reconstruction or demolition of an existing Building or structure, or the erection of new Buildings or structures.

Manufactured Home: A Dwelling Unit that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed for installation or assembly and installation on the Building site.

Manufactured Home, Class A: A Dwelling Unit constructed with one or more components which are pre-fabricated and hauled to the site that are capable of producing a Dwelling which is indistinguishable from conventionally built homes and which meets the construction requirements of the North Carolina Uniform Residential Building Code as amended.

Manufactured Home, Class B: A Dwelling Unit that:

- (A) Is not constructed in accordance with the requirements of the North Carolina Uniform Residential Building Code as amended; and
- (B) Is composed of two or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site; and
- (C) Meets or exceeds the construction standards of the U.S. Department of Housing and Urban Development and (iv) conforms to the following appearance criteria.

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Manufactured Home, Class C: Any Manufactured Home that does not meet the definition criteria of a Class A or Class B Manufactured Home but which, at a minimum, exceeds 32 feet in length and 8 feet in width.

Manufactured Home Park: A residential use in which more than one Class B or Class C Manufactured Home is located on a single Lot.

Minor Work: Exterior work that involves the repair and/or partial replacement of an architectural feature or Building element but does not involve a significant alteration or addition to the existing Building or structure. All Minor Work shall be undertaken in accordance with adopted design standards. In addition, Minor Work shall include alterations and new construction of significant landscape and natural features.

Multi-Family Residence: A Building including three (3) or more Dwelling Units.

Multi-Use Trail or Path: A trail designed for Compatible and safe concurrent use by pedestrians and bicyclists.

Neighborhood: An area of a community with characteristics which distinguish it from others that may include distinct ethnic or economic bases, housing types, schools, or boundaries defined by distinct physical barriers such as railroads, arterial streets, rivers, or major drainage channels.

Non-conforming Project: Any structure, Development or undertaking that is incomplete at the effective date of this UDO and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nursing Care Home: A facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.

Nursing Care Institution: An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Open Space: Land area that preserves Sensitive Natural Areas, preserves Tree Protection Areas, preserves Undisturbed Buffers, creates Usable Open Space, and/or creates new planted Buffers.

Commented [JB18]: A definition of Open Space was necessary to further reinforce the 5 types that it may be defined by.

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Open Space, Usable: Usable Open Space areas are comprised of, but not limited to, any combination of the following: natural areas, wetlands, trails, boardwalks, parks, ball fields for structured recreation, picnic areas, playgrounds, equestrian fields or tracks, golf courses (not including clubhouse or other vertical structures), buffers (outside of a platted Lot), any accessible water bodies including ponds and lakes, and/or innovative and accessible water quality ponds (that are designed as an amenity).

Ordinary Maintenance: Exterior work that is undertaken on a frequent and routine basis to maintain the functional and structural integrity of an existing Building, structure, or architectural or appurtenant features. Ordinary Maintenance is defined further as being repair work that maintains, and does not change, the architectural material, design, style, size and scale, arrangement, detailing or texture of the feature.

Outlot: A Parcel of real property having access to at least one public street, private roadway or private drive that is part of a larger commercial Development, but that may be sold or leased without further Subdivision.

Parcel: An area of land not dedicated for public or common use capable of being described with such definiteness that its location and boundaries may be established and includes but is not limited to Lots.

Parking Aisles. That portion of the Vehicle Use Area consisting of lanes providing access to parking spaces.

Permit Issuing Authority: A person or entity authorized by this UDO to grant Development Approval, whether discretionary or administrative.

Planning Director or Director: The person designated by the Town Manager to carry out the responsibilities established in this UDO or the Planning Director's designee.

Planning Jurisdiction: The area within the Town limits as well as the area beyond the Town limits within which the Town is authorized to plan for and regulate Development, as set forth in this UDO.

Premises: A single piece of property as conveyed in a deed or a Lot or a number of adjacent Lots on which is situated a land use, a Building or group of Buildings designed as a unit or on which a Building or a group of Buildings are to be constructed.

Amended

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Principal Use Classification: Exhibit 3-15 ~~Exhibit 3-15~~ establishes use classifications. For purposes of this UDO, each numbered row is assumed to represent a separate Principal Use Classification.

Quasi-judicial Decision: A decision involving the finding of facts regarding a specific application of a Development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, Special Use Permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of Subdivision plats and Site Plans are Quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

Registered Landscape Architect: A professional who—on the basis of demonstrated knowledge acquired by professional education or practical experience, or both—has been granted and holds a current certificate entitling them to practice mathematical, physical, social, and natural science principles in landscape architectural consultation, evaluation, planning, design, and construction services, and to use the title “Landscape Architect” in North Carolina under the authority of NCGS Chapter 89A. Practice includes preparation, submittal, and administration of plans, drawings, specifications, permits, and other contract documents for work involving natural and built environment.

Residence, Accessory Dwelling: A residential Dwelling that is secondary to the Principal Use.

Residence, Multi-Family: A Building including three (3) or more Dwelling Units.

Residence, Condominium: A Multi-Family Residential use consisting of individually owned Dwelling Units and common elements owned by an association of the owners of the Dwelling Units.

Residence, Multi-Family Conversion: A Multi-Family Residence containing not more than four Dwelling Units and results from the conversion of a single Building containing at least 2,000 square feet of Gross Floor Area that was in

Commented [JB19]: Updating the Usable Open Space definition further delineates its difference from other types of Open Space. This type is generally the “recreation” type of Open Space.

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existence on the effective date of this provision and that was originally designed, constructed and occupied as a Single-Family residence.

Residence, Townhouse: A Single-Family attached Dwelling in which each Dwelling Unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other Dwelling Unit and in which each Dwelling Unit has living space on the ground Floor and a separate ground Floor entrance and each Dwelling Unit is conveyed through a Subdivision plat.

Residence, Two-Family or Duplex: A Two-Family Residential use in which the Dwelling Units share a common wall (including without limitation the wall of an attached garage or porch) and in which each Dwelling Unit has living space on the ground Floor and a separate ground Floor entrance.

Residential Zone: Areas zoned for residential use include Residential Single-Family (RS), Residential Multi-Family (RM), Rural Residential (RR), Rural Estate (RE), and Planned Development (PD) districts.

Retention Pond: A pond that has a permanent pool and which also collects storm water runoff, filters the water and releases it slowly over a period of days.

Reviewing Body or Recommending Body: The entity assigned responsibility for reviewing and making recommendations or taking action on an application pursuant to this UDO.

Right-of-Way: An interest in land to the Town, County or State that provides for the perpetual right and privilege of the Town, its agents, franchise holders, successors, and assigns to construct, install, improve, reconstruct, remove, replace, inspect, repair, maintain, and use a public street, including related and customary uses of street rights-of-way such as sidewalks, bike paths, landscaping, mass transit facilities, traffic control, traffic control devices and Signage, sanitary sewer, stormwater drainage, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way.

Sensitive Natural Areas – delineated wetlands, flood hazard areas, the critical root zones of one (1) or more Specimen Trees, or other areas of significant natural resources.

Setback: The shortest distance between the Building and the property line.

Amended

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Setback, Front: The shortest distance between the Building Front and the front property line or the distance from the street centerline where the Right-of-Way line is undefined.

Setback, Exterior Side: The shortest distance between the street side of the Building and the side property line abutting a street or the distance from the street centerline where the Right-of-Way line is undefined.

Setback, Interior Side: The shortest distance from the side of a Building and the property line abutting another Lot or Parcel.

Setback, Rear: The shortest distance from the rear of a Building and the property line abutting another Lot or Parcel.

Shopping Center: A collection of commercial businesses located in one or more Buildings on a site that is under common ownership or management. Shopping Centers may include Outlots.

Sign: Any device, depiction, lettering, or symbol that:

- (A) Is sufficiently visible to persons not located on the Lot where it is located to accomplish either of the objectives set forth in paragraph (b) of this definition, and
- (B) Is designed to attract the attention of such persons or communicate information to them.

Sign, Awning: A Sign that is printed, painted or otherwise placed on an awning.

Sign, Digital: A sign, any portion of which displays moving, static or stationary illuminated digital images, produced by technology such as LED (light emitting diode) or LCD (liquid crystal display) display screens, plasma, high-definition, interactive touch-screen, or other such technology.

Sign, Dynamic Digital: Dynamic Digital Sign means any electronic display or signage capable of changing its content or appearance based on real-time data, interaction with individuals or vehicles, or environmental conditions. This includes, but is not limited to, signs that alter their images, text, brightness, or messages in response to movement, presence, or other external stimuli.

Sign, Electronic Message Center: An electrically activated, changeable Sign with a variable message and/or graphic presentation capability that can be

Commented [JB20]: Adding this definition further reinforces SNAs as a type of Open Space.

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- (E) The division of a Tract into Parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

(Ord. #1871, 8-24-20)

Temporary Emergency, Construction or Repair Residence: A residence (which may be a Manufactured Home if permitted in the district in which located) that is:

- (A) Located on the same Lot as a residence made uninhabitable by fire, flood or other natural disaster and occupied by the persons displaced by such disaster;
- (B) Located on the same Lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed; or
- (C) Located on a non-residential construction site and occupied by persons having construction or security responsibilities over such construction site.

Tourist Home: A Dwelling Unit used for periods of less than 30 days for the lodging of transients and travelers for compensation.

Town: The Town of Southern Pines, North Carolina.

Town Engineer: The person designated by the Town Manager to carry out the responsibilities established in this UDO or the Town Engineer's designee.

Tract: A Lot. The term Tract is used interchangeably with the term Parcel, particularly in the context of Subdivisions, where one "tract" is subdivided into several "Lots".

Travel Trailer: A structure that (i) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and (ii) is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definition criteria of a Manufactured Home.

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Tree Protection Area: One of the five types of Open Space. More specifically, an area shown on a development plan, master plan, and/or preliminary plan and recorded on the final plat for the protection of existing tree stands that comprise at least the minimum density, dimensional, and maturity standards according to the Open Space section of this UDO.

Use, Accessory: A use incidental to and customarily associated with a specific Principal Use located on the same Lot, Tract or Parcel.

Use, Principal: The primary or main use of land or structures, as distinguished from a secondary or Accessory Use.

Vehicle Use Area. That portion of a Lot or Parcel that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of Circulation Areas, loading and unloading areas and parking areas (spaces and aisles).

Watershed. The entire land area contributing surface drainage to a specific point (e.g. the water supply intake).

Wooded Area: An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater Caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

Yard: The area between a Building and the property line.

Yard, Front: The area between the Building Front and the front property line.

Yard, Side: The area between the side of a Building and the side property line that extends from the Building Front to the rear-most part of the Building.

Yard, Rear: The area between the rear of a Building and the rear property line.

Zoning Map or Official Zoning Map: The map pursuant to this UDO and showing the boundaries of zoning districts established herein.

(Ord. #1716; Ord. #1703; Ord. #1820; Ord. #1981; Ord. #2052; Ord. #3024; Ord. #3116; Ord. #3141)

Commented [JB21]: This definition was added to further reinforce the TPA as one of the five types of Open Space.

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Amendments

Agenda/Ordinance Number	Text Amendment Summary	Date Adopted
Ord. #3031	Amending the Authorized Land Use Table, provisions related to Conditional Zoning districts, and open space.	3/13/24
Ord. #3044	Amending limitations on telecommunications towers.	5/14/24
Ord. #3116	Amending provisions related to performance guarantees; certificates of occupancy; WPO district; curbs, gutters and sidewalks; Board of Adjustment voting; and the definition of built-upon area.	5/13/25
Ord. #3141	Amending sign regulations in Chapters 2 and 4 of the UDO	8/26/25
Ord. #3148	Amending exhibit 3-1 and section 8.11(C)	9/9/25
Ord. #3149	Amending the PD amendment process	9/23/25
Ord. #3154	Creating the minor-2 and minor-3 Subdivision provisions within §2.19, §2.49, §2.50, Appendix A, and Appendix B; clarifying the original "minor Subdivision" as the "minor-1 Subdivision."	12/9/25
<u>Ord. 3166</u>	<u>Amend the recommended landscaping species list under Appendix F.</u>	<u>2/10/26</u>
Ord. #3167	Amending procedural and Temporary Sign provisions.	2/10/26
<u>Ord. #XXXX</u>	<u>Amend the Open Space chapter of the UDO along with related sections under "Planned Development" in chapter 3 and "Landscaping" in chapter 4; add definitions in chapter 9.</u>	<u>MM/DD/YY</u>

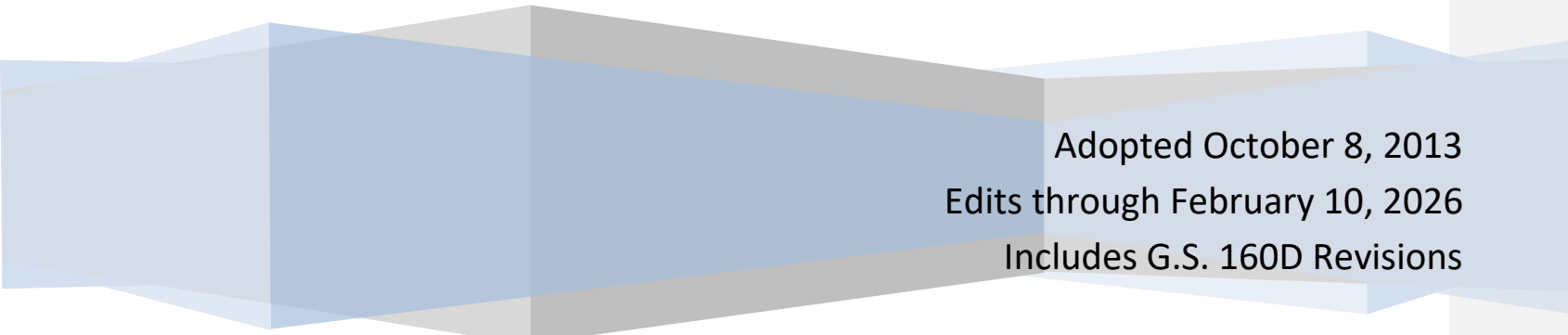
Commented [JB22]: Ordinance #3166 was not notated in the text amendment summary of the 2/10/26 UDO update, and it should be added to the summary.

File Number	Zoning Map Amendment Summary	Date Adopted
Z-01-14	Rezoning of the Southern Pines Corporate Park from Industrial (I) to Planned Development (PD)	5/13/14
Z-03-14	Rezoning of Property from OS-CD to RM-2; 360 N. Bennett St.	5/13/14
Z-04-14	Rezoning of Property from RS-1 to NB; 1064 W. Massachusetts Avenue	5/13/14
Z-02-15 1539	Rezoning of Property from GB to RM-2; Between Midlothian Drive and Clark Street	11/10/15
Z-01-16	Rezoning of Property from RS-1 to NB-CD: 1650 W. New York Avenue - American Legion Post 177	3/8/16
Z-02-16	Rezoning of 1515 Midland Rd from RS-2 to RS-1CD	2/14/17
Z-03-17	Rezoning of 93.04 ac. on Waynor Rd from RR to RS-3	10/16/17
Z-04-17	Rezoning of 2250 E Connecticut Ave and Lot 1A Ft. Bragg Rd from RS-3 to RE	10/16/17
Z-06-17	Rezoning of Waynor Road & Hwy 22 from PD to FRR	11/14/17

Amended

2-10-2026

Southern Pines Unified Development Ordinance



Adopted October 8, 2013
Edits through February 10, 2026
Includes G.S. 160D Revisions

(D) District Development Standards

Building heights and Setbacks shall conform to those of the abutting district. Required buffers shall be based on the use established in the FRR district and the abutting use or district, whichever requires the greater buffer.

3.5.14. PD - Planned Development District

(A) Purpose

The **PD** district is designed to accommodate mixed land uses, such as office, residential, service, commercial, public or private recreational Development, and where consistent with the future land use map, light manufacturing and assembly uses that comply with the employment center Development Patterns in section 6.5 of this UDO. This district is intended to allow mixed-use Developments in areas where sufficient public water and sewer service is available (or can be readily extended) and where the street system is adequate (or can be readily improved) to handle the projected traffic volumes generated by the Development. The regulations of this district are intended to:

- (1) Encourage planned, large-tract Development, including service, office, commercial, residential, public or private recreational Development or light industrial uses;
- (2) Exclude heavy commercial and heavy industrial land uses;
- (3) Encourage Development in areas located on major thoroughfares and collector streets;
- (4) Encourage vehicular access from service drive and other local streets;
- (5) Provide performance standards to help ensure Compatible land uses;
- (6) Encourage common or shared parking;
- (7) Promote creativity and innovation in the design that leads to more appropriate relationships between land uses and features;
- (8) Facilitate clustering of Development thereby increasing the amount of saved land;

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- (9) Foster Development of a network of open space to serve a variety of recreational and environmental purposes designed and located with respect to existing unique natural features and environmentally sensitive areas;
- (10) Improve connectivity within and between Developments to promote mobility and enhance walkability;
- (11) Integrate public spaces and amenities to promote community gatherings and activities;
- (12) Establish coordinated land plan and consistent treatment of common design elements;
- (13) Provide the flexibility to respond to market conditions over longer projected Development periods due to the scale of such Developments; and
- (14) If residential land uses are proposed, provide a variety of Lot sizes and Dwelling types to expand the spectrum of housing choices for households of various type, size, income and age.

(Ord. #1714)

(B) Applicability

A **PD** district may be established to accommodate large-scale, master-planned, mixed-use Developments that cannot be accomplished through conventional zoning districts. Development within a PD district shall occur in accordance with unique conditions and standards established during the rezoning process that may vary from those contained within other sections of the UDO. Such conditions and standards shall be applicable only to the specific Parcel of land that comprises that PD District, and shall run with the land regardless of ownership.

(C) Procedures

PD districts shall be established and developed in accordance with the procedures established in chapter 2 of this UDO.

(D) Land Use Mix

Each PD district approval shall identify the authorized land uses, which may include a mix of residential, retail, office, recreational or light industrial uses. The type and location of any and all uses within the PD District must be

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demonstrated to be appropriate for the project area and surrounding area. All land uses listed in the approved zoning application are permitted subject to the conditions established through the rezoning process.

(E) Development Patterns

The PD district approval may establish any of the Development Patterns described in chapter 6 or accommodate alternative Development Patterns that comply with PD district standards.

(F) General Provisions

(1) Minimum Size and Contiguity

The PD district shall encompass a sufficient area to accommodate the proposed mix of Uses and ensure Compatibility between both internal and external land uses.

(2) Ownership and Division of Land

No Tract of land may be considered for a PD District unless such Tract is under single or unified ownership or control. If listed in several ownerships, the application for zoning shall be accompanied by each landowner's written consent. The holder of a written option to purchase or a Developer under contract shall be considered an owner for purposes of this section provided the landowner's (or landowners') written consent is included with the application.

(3) Relationship to the UDO

Each proposal for development under the PD district is anticipated to be unique. Except as provided by this section and the PD approval, PD district Development shall be subject to all of the applicable standards, procedures, and regulations in other sections of this UDO. Development Conditions approved as part of the PD District zoning application shall supersede conflicting UDO regulations, unless otherwise prohibited by law. Alternative standards may be approved for Development within the PD district if they:

- (a) Meet or exceed the general intent of the UDO standards for base zoning districts;
- (b) Are appropriate given the specific mix of uses and character of the Development; and

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- (c) Achieve a more efficient, safe or economical land use without detracting from the quality of the Development or detrimentally impacting its surrounding Development or the community as a whole.

(4) Relationship to Other Regulations

Unless otherwise specified in the PD approval, all PDs shall be subject to all local, State and Federal regulations.

(G) Open Space

Unless otherwise authorized for a specific development pattern established in chapter 5, the following Open Space requirements apply within a PD district:

- (1) Not less than twenty (20) percent of the gross land area of the PD shall be devoted to Open Space. The composition of the Open Space shall follow the standards as set in the Open Space section of this Unified Development Ordinance.

- ~~(2) Not less than fifty (50) percent of the required Open Space (ten (10) percent of gross land area) shall be Usable Open Space as defined in this UDO.~~

- ~~(3) The remaining Open Space may be comprised of, but is not limited to, any combination of the following: natural areas, wetlands, trails, boardwalks, parks, ball fields, equestrian fields or tracks, golf courses (not including clubhouse or other vertical structures), buffers (outside of a platted Lot), any water bodies including ponds and lakes, and/or innovative and accessible water quality ponds that are designed as an amenity.~~

- ~~(4)(2)~~ No more than fifty (50) percent of the required Open Space shall consist of ponds, lakes, and/or water quality ponds.

- ~~(5)(3)~~ The site's natural features and surroundings, unique features of the subject and surrounding property shall be considered by the Town when evaluating the configuration and uses of planned Open Space. Where practical, Open Space shall be configured to provide connectivity with other Open Space, both on- and off-site, and to allow for connectivity to and the extension of the existing Greenway Trail System.

Commented [JB1]: This change intends to simplify Open Space composition standards under §4.9.

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~~(6)(4)~~ Unless dedicated to and accepted by the Town or a similar legal entity, the owner or property owners association is required to provide for the continuing maintenance of Open Space.

(H) Landscaping, Screening, Buffers and Trees

The standards for landscaping, screening, buffers and trees included in chapter 4 of this UDO shall apply to all Development within the PD District, with the following exceptions:

- (1) Buffer requirements apply only to the perimeter of the PD unless otherwise specified in the PD District Conditions. The minimum required buffer for each sub-area shall be based on the most intensive use authorized within the sub-area that is adjacent to the property boundary and shall meet or exceed the standards established in chapter 4 of this UDO.
- (2) Land uses internal to the PD shall be buffered in accordance with the provisions of chapter 4 unless approved as part of the PD Development Conditions.
- (3) Other deviations from landscaping, buffer, street tree and screening standards of chapter 4 shall not be allowed unless approved as a PD Development Condition.

~~(4) If landscaping, buffer or other requirements are included in a platted Lot, they shall be protected by the PD's Covenants and Restrictions and shall not count as Open Space.~~

(I) Common Sign Plan

Signs within the development shall adhere to the standards set forth in section 4.6 of this UDO or set forth in the Conceptual Development Plan or an amendment thereto. The Applicant may include unique standards for signage with the Conceptual Development Plan that establish more specific design standards (size, height, color, materials, illumination) and Sign locations for the project to ensure a coordinated theme across the PD District. A Unified Sign Plan may then be submitted after the approval of the Conceptual Development Plan and may be approved by the Planning Director as an alternate to individual Sign permits. Any Unified Sign Plan that deviates from the standards set forth in section 4.6 of this UDO or set forth in the approved Conceptual

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Development Plan shall require approval by the Board of Adjustment pursuant to section 2.22.

(Ord. #2052)

(J) Landmark Signs

The Town Council may approve the establishment of one or more on-premises Landmark Signs as a condition of approval within a PD district subject to the requirements of section 4.12.

(Ord. #2052)

(K) Storm Water Control

Storm water management shall meet or exceed the State's minimum requirements for storm water management. A common master storm water management plan may be developed for the project as a whole and may employ Best Management Practices. This neither prohibits the Development of the PD district in phases nor the phased implementation of the storm water management system.

(L) Street Design

- (1) Street design shall adhere to the Town's standards as set forth in chapter 4 of the UDO. The Applicant may submit alternative street design standards that vary in response to proposed function of the street, anticipated adjacent land uses, character of the Neighborhood, anticipated traffic volume (subject to Town and/or NCDOT approval), hierarchy within the street network, and need for traffic calming measures. At a minimum, turn lanes shall be studied and contemplated in relation to all intersections of Arterial streets within the site and shall be considered for appropriateness as part of the Traffic Impact Analysis (TIA), which must be approved by the Town.
- (2) Streets within the PD may be private or may be dedicated to the Town of Southern Pines with the Town's consent. Dedicated streets may be maintained by the Town of Southern Pines or NCDOT according to rules of the applicable jurisdiction.

Commented [JB2]: This section is not consistent with UDO §4.3.4(B)(5)

(B) To accomplish this objective the following shall apply:

- (1) All Subdivisions, Development subject to Site Plan approval, and planned Developments shall provide street trees along their frontage with adjacent public streets.
- (2) Street trees shall be selected from the list of large trees, or, where power lines are located, small trees included in section 4.3.9.
- (3) Planting strips shall be a minimum of six (6) feet wide.
- (4) Planting location shall take into consideration planned roadway widening, public safety, standard drainage requirements and maintenance of sight distances for traffic safety. Street trees may be planted within the Right-of-Way, within planting strip abutting the Right-of-Way or other location approved by the Permit Issuing Authority.

(C) Street trees, unless subject to overhead power lines, shall be planted at the rate of one (1) two-inch Caliper tree per thirty (30) feet of property line abutting a public street, excluding driveways and Traffic Visibility Zones. This rate may be varied based upon existing trees and the crowns of planted trees.

(Ord. #1890, 1-6-21)

(D) Trees used to meet buffer, 4.3.5 and Vehicle Use Area requirements in sections 4.3.4, 4.3.5 and 4.3.6, may be used to meet the street requirements to the extent that the trees are located within twenty-five (25) feet of a street.

4.3.4. Buffers

Buffers provide Compatible transitions between differing land uses, reduce the visual impacts of Development and retain existing plant materials.

(A) Applicability

These standards apply to all new Multi-Family, commercial, industrial and mixed-use Development; substantial modifications subject to Architectural

Compliance Permit review; and all Development subject to Subdivision approval.

- (1) Buffers are required along the common property lines between Developments in different zoning districts or between Developments of different uses as established in this section.
- (2) Buffer requirements shall not apply when a public street or railroad Right-of-Way separates applicable zoning districts or uses.

(B) Buffer Requirements

- (1) Exhibit 4-2 and 4-3 establish the minimum buffer widths for proposed Development. Chapters 5 and 6 establish buffer requirements for specific uses and Development Patterns.
 - (a) Buffers within and surrounding PDs shall be established during the PD approval process.
 - (b) Exhibit 4-3 establishes minimum buffer widths for the sides of properties abutting the highway corridor within HCO districts. These apply to Front Yard buffers, as well as for the Side and Rear Yards abutting properties of similar zoning. Exhibit 4-2 shall apply to the Side and Rear Yards of all Development on property in a HCO District that is adjacent to property zoned for residential use.
- (2) Exhibit 4-4 establishes the minimum planting requirements within required buffers. Large trees, small trees and shrubs shall be dispersed along the entire length of the buffer. Species shall be planted in locations in which they are expected to thrive and should be dispersed in irregular patterns that reflect natural patterns rather than in formal rows or patterns.
- (3) Buffers may have undulating boundaries provided that the narrowest point of the buffer is not narrower than eighty (80) percent of the minimum buffer width and the total area of the

buffer is equal to or greater than the product of the length of the buffer times the minimum required buffer width.

Exhibit 4-2: Minimum Buffer Widths

Zoning District or Use of Proposed Development	Zoning/Use of Abutting Development					
	RE, RR, RS-1, RS-2, RS-3	RM-1, RM-2	NB, OS	GB	I	Single-Family Residence
RE, RR, RS-1, RS-2, RS-3	none	none	none	30'	80'	none
RM-1, RM-2	10'	10'	none	20'	80'	20' if Multi-Family Building proposed
NB, OS	20'	20'	none	none	20'	20'
GB	50'	30'	none	none	20'	20'
I	80'	80'	20'	20'	10'	30'
Golf Course	10'	10'	10'	10'	30'	10'
Active Recreational Facilities	20'	20'	none	10'	30'	20'
Institutions (public, private or religious)	20'	20'	none	none	20'	20'
Shopping Centers	80'	80'	10'	10'	20'	80'

(Ord. # 1716)

Exhibit 4-3: Minimum Buffer Widths in Highway Corridor Overlay Districts

Planted Buffer	Urban Transition Corridor Overlay District	Urban/Village Corridor Overlay District
Highway Yard	50'	40'
Side and Rear Yard	15'	5'

Exhibit 4-4: Minimum Planting Required in Buffers

Plant Type	Minimum Planting Rate	Additional Conditions
Large Trees	One tree per 400 square feet	- At least 50 percent of large trees shall be evergreens - Longleaf pines shall be a minimum 2 inch Caliper and 8 feet tall - Other large trees shall be a minimum 2 inch Caliper
Small Trees	One tree per 400 square feet	- At least 20 percent and not more than 30 percent of small trees shall be deciduous - At least 50 percent of evergreen trees shall be species other than pines - Small trees shall be a minimum 1.5 inch Caliper
Shrubs	For buffers 20 feet or narrower – one shrub per 50 square feet	- Not more than 30 percent of shrubs shall be deciduous - Shrubs shall be at least 18 inches in height at time of planting and reach a height of at least 4 feet within five years of planting
	For buffers between 20 and 50 feet wide – one shrub per 75 square feet	
	For buffers 50 feet or wider – one shrub per 200 square feet	

(Ord. #1890, 1-6-21)

- (4) The entire buffer shall be located on the property subject to the Development Approval requiring the buffer. However, if the affected property owners enter into an agreement to establish and maintain a buffer meeting the requirements for the most intensive zoning or use to be developed next to the less intensive use, the Planning Director may allow the buffer to be located on one or both of the affected properties.
- (5) Buffers may be established in required Setback areas and may be counted towards required open space if located in a Common Area measuring at least twenty (20) feet in width.
- (6) When an easement crosses a buffer or is located within a buffer area, the TRC shall recommend, and the Planning Director shall approve all plantings in the easement to ensure that the plantings do not interfere with the use of the easement. When an easement is located along a property line that requires a buffer, the portion of the buffer located outside the easement shall be at least half the width of the required buffer.
- (7) The Planning Director, at time of Site Plan approval, may reduce buffer widths and required plantings by up to fifty (50) percent if the Site Plan indicates that existing condition or vegetation,

alternate landscaping, walls, opaque fence or topographic features will achieve the intent of this section and are designed to complement adjacent properties.

(8) No additional plantings are required within an Undisturbed Buffer unless more than 400 contiguous square feet of the required area is devoid of trees. In such cases, that portion shall be planted pursuant to the Buffer planting standards, less any preservation credits earned pursuant to the existing vegetation credits section of this UDO.

(C) Permitted Uses Within Buffer Areas:

- (1) Buffers shall be left in an undisturbed natural vegetative state or provided with supplemental plantings.
- (2) Selective thinning of vegetation under one and one-half (1.5) inch Caliper and removal of dead vegetation shall be permitted as long as the intent of the buffer requirement is maintained.
- (3) All Longleaf Pines (*Pinus Palustris*), Loblolly Pine (*Pinus Taeda*) shall be maintained in a buffer area. The buffer shall be cleared of the following under story trees: Black Jack Oak (*Quercus Marilandica*), and Turkey Oak (*Quercus Laveus*)
- (4) Driveways may cross a buffer at as near a perpendicular angle as practical. Walkways and paths may pass through a buffer.
- (5) Grading in the designated buffer may be allowed subject to PD, Subdivision, Special Use or Architectural Compliance Permit approval, if the re-vegetation plan is determined to meet the intent of this section.
- (6) When stormwater improvements are located within the buffer, the TRC shall recommend and the Director shall approve plantings to ensure that the vegetation does not interfere with the function of the stormwater improvement.

(Ord. # 1919)

(D) Landscaping Design Requirements for Buffer Areas:

- (1) Existing Vegetation. Buffers require provision of both physical separation and landscape elements to meet the intent of this ordinance. Existing vegetation shall be used to meet all or part of the requirements of this section wherever possible, if it provides the same level of opacity, as the required buffer. Vegetation to be saved shall be identified on Site Plans along with protection measures to be used during grading and construction.
- (2) Planted Vegetation. Exhibit 4-4 allows for a mix of large hardwood and/or pine trees, small trees/large shrubs and smaller shrubs to provide variable height screening and a naturalized planting typical of the ecosystem of the site or surroundings. Evergreen trees, other than pine, should be added to the wider buffers to provide a more opaque screen, as well as a more natural appearance to the buffer. A plant mix shall be designed to create a buffer that will give a satisfactory screen within five years of planting, under normal maintenance, while allowing room for the various plants to grow. In calculating buffer planting requirements, areas of driveways and sight distance triangles shall be excluded.

4.3.5. Landscape Screens

- (A) The intent of a screen is to use plant materials and/or other landscape architectural elements to obscure views from adjacent properties. Breaks in screens shall be permitted to provide adequate ingress and egress as needed.
- (B) The following uses shall be screened from unobstructed off-site views:
 - (1) Loading docks for semi-trailers and trucks over thirty-five (35) feet in length;
 - (2) Mini-warehouses;

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- (I) A Developer or homeowner's association may request non-standard street lighting within a Development provided that the street light fixture types and locations must be approved by the Town of Southern Pines; the Developer or homeowner's association shall be responsible for all installation costs and monthly operation costs associated with non-standard lighting; the Developer or homeowner's association shall be responsible for any costs associated with deletion of non-standard street lights and any costs associated with installing the Town's standard street lights prior to the expiration of the ten (10) year contract with Progress Energy; the Developer shall include all responsibilities of the homeowner's association pertaining to non-standard lighting in the Development covenants. The Developer shall inform all purchasers of property in the Development of these same responsibilities; non – standard street lighting shall not be used on arterial streets and the Developer or the homeowner's association will not have the option of deleting the private, non-standard street lighting at any time in the future. Staff consultation includes discussion of reflector caps or similar devices to reduce Light Pollution.
- (J) The Applicant, Developer, homeowner's association or other responsible organization representing the Subdivision Development will be responsible for the installation, maintenance and power consumption for all landscape lighting or any other device or fixture requiring electrical power.

4.8.8. Excessive Illumination

Lighting within any Lot that unnecessarily illuminates any other Lot and substantially interferes with the use or enjoyment of such other Lot is prohibited. Lighting unnecessarily illuminates another Lot if it clearly exceeds the standard set forth in section 4.15.6 or if the standard set forth therein could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

4.9. OPEN SPACE ~~/GREENSPACE~~

This section 4.9 shall be referred to as the Town of Southern Pines Open Space Standards ~~or open space standards~~.

4.9.1. Usable Open Space Required

- (A) Except as provided in ~~paragraph (C) of~~ this section or within a PD district, Conditional Zoning district, or authorized Development Pattern, every new commercial, industrial, institutional, and Multi-Family Development and Major Subdivision shall be developed so that at least ten (10) percent of the total area of the Development remains permanently as ~~Usable~~ Open Space.

(Ord. #3031)

- (B) ~~For purposes of this section, Usable Open Space means an area that may be defined as any of the five (5) Open Space types listed below, and a combination may be used to satisfy the total Open Space requirement. Development Applicants must determine the Open Space type(s) and label them on the plans based on the site's existing natural conditions as of the date of Development application, to be confirmed by town staff during Development review. Technical surveys performed by the Applicant may be required by staff to make a determination as to whether the standards for an Open Space type are met. Finally, the Development plans shall apply the applicable Open Space type(s) in the following order of priority to preserve:~~

- (1) Sensitive Natural Areas – delineated wetlands, flood hazard areas, the critical root zones of Specimen Trees, or other areas of significant natural resources. Sensitive Natural Areas must be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.
- (2) Tree Protection Areas (TPA) – existing tree stands that comprise at least the minimum density, dimensional, and maturity standards described below.

Commented [JB3]: This portion intends to make it clear that applicants must provide any technical surveying, if necessary, on the site plan (wetlands, tree diameters in proposed open space, etc.) to determine if the open space type's standards are met. It's then on the staff to confirm it. If there's any doubt, the staff and town arborist can always visit the site to measure tree diameters, etc., to confirm if a TPA or Sensitive Natural area is indeed in the location shown on the site plan.

There are certainly scenarios where detailed surveys wouldn't be necessary. For example, in a PD with 20 acres of dedicated open space, if those 20 acres are clearly a mature forest and the developer is claiming it as a TPA, staff would not require a detailed tree survey.

(a) TPAs should reflect the character of the land as of the date of Development application. TPAs shall be left in their natural or undisturbed state except for the installation of pervious surface pedestrian trails.

(b) Protection – TPAs shall be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.

(c) **Composition Standards** – TPAs must comprise the following density, dimensional, and maturity standards:

1. **Density** - a minimum ratio of 1-inch diameter-breast-height (DBH) per 100 square feet;

For example, for a 50,000 square foot site requiring 10% (or 5,000 square feet) of Open Space, 50 total inches DBH would be required to meet the density standard – or five 10-inch diameter trees.

2. **Dimensions** – TPAs must be a minimum of 20 feet in width and maintain protection of all applicable critical root zones; and

3. **Maturity** – only trees greater than or equal to 6-inches DBH may count toward the TPA density requirement.

(d) TPAs that do not meet the requisite density requirement may be augmented with additional tree plantings to meet the TPA standard, provided that supplemental plantings are placed outside of the existing critical root zones and are a minimum of 2-inch caliper.

(e) Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed. However, the TPA must still meet all composition standards described above. Additionally, any Invasive Species within the TPA may be removed.

(3) **Undisturbed Buffers.**

(a) Undisturbed Buffers must be entirely protected before any site disturbance pursuant to the Existing Vegetation Credits section of this UDO.

(b) Undisturbed Buffers must comprise the same density, dimensional, and maturity standards as TPAs.

(c) No additional plantings are required within an Undisturbed Buffer unless more than 400 contiguous square feet of the required area is devoid of trees. In such cases, that portion shall be planted pursuant to the Buffer planting standards, less any preservation credits earned pursuant to the existing vegetation credits section of this UDO.

(d) Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed. However, Undisturbed Buffers must still meet all composition standards described above. Additionally, any Invasive Species within the Undisturbed Buffer may be removed.

(4) **Usable Open Space** – If a proposed development site does not comprise a sufficient amount of Open Space types (1), (2), or (3), Usable Open Space may be utilized. Usable Open Space is an area that:

(a) Is not encumbered with any substantial structure;

(b) Is not devoted to use as a roadway, parking area, or sidewalk, provided, however that Multi-user Trails may be counted as Usable Open Space;

(c) Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;

(d) Is legally and practically accessible to the residents and/or visitors of the Development for which the required Open

Commented [JB4]: These standards ensure that TPAs and Undisturbed Buffers have at least a minimum substantive composition.

Commented [JB5]: This standard ensures a minimum density. It's a relatively low density as to ensure some tree stands don't get eliminated from qualifying as a TPA. An even more permissive option could be 1-inch DBH per 200 square feet. Staff decided to go with the 1" per 100sf because if we need to make it less restrictive down the line we can, whereas we cannot go back to make it more restrictive under G.S. 160D-601(d) (SB 382 / S.L. 2024-57).

Commented [JB6]: The Tree Protection Focus Group recommended increasing from 20 to 30 feet in width because existing trees, even if younger than specimen trees, usually need more root zone area than newly planted trees. However, after consulting with the town's land use law legal consultant, he pointed out there could be a scenario under SB 382 / S.L. 2024-57 where this creates a nonconformity. Depending on interpretation, when does a planted buffer become an undisturbed buffer for the purposes of minimum width? If one is redeveloping a site and – though may meet the Open Space percentage requirement – may not meet this minimum width requirement. For this reason, staff adjusted back down to 20-foot width.

Commented [JB7]: To ensure trees are mature enough to verify long-term viability.

Space is provided, or to the public if the Open Space is dedicated to the Town pursuant to this section.

(e) If applicable and feasible, includes existing trees that are not otherwise incorporated in Open Space types (1), (2), or (3) above.

(f) Is properly landscaped and may include recreational amenities like open play fields, playgrounds, picnic areas or similar facilities, outdoor recreational or pedestrian areas, or other areas consistent with the objective of this section.

(5) **Planted Buffers** – If a proposed development site does not comprise a sufficient amount of Open Space types (1), (2), or (3), planted Buffers may be utilized. Planted Buffers must be at least 20-feet in width to count as Open Space, must meet the planting rate requirements of this UDO, and may use a combination of planted and Undisturbed Buffers, if applicable.

(C) If a proposed Development site contains sufficient Sensitive Natural Areas, Tree Protection Areas, and/or Undisturbed Buffers to satisfy the required Open Space, then 100% of the Open Space requirement shall be from those areas. If preservation-type Open Space does not exist in sufficient quantity to meet the full requirement, the remaining obligation may be fulfilled through the provision of Usable Open Space and/or planted Buffers. For example, where existing Tree Protection Areas can only satisfy 50% of the required Open Space, the remaining 50% may be provided as Usable Open Space and/or planted Buffers. In the absence of any preservation-type Open Space on a subject site, 100% of the required Open Space may be provided as Usable Open Space and/or planted Buffers

(D) **Open Space Administrative Minor Modifications.** Developments shall comply with the Open Space prioritization and composition standards to the maximum extent feasible. However, the Planning Director shall modify the Open Space prioritization and/or composition standards to the extent necessary to avoid:

(1) Rendering a site undevelopable,

(2) Reducing the allowable density otherwise authorized by the underlying zoning district and standards of this UDO,

(3) Rendering a site inaccessible, or

(4) Precluding a proposed Development from meeting one or more other applicable standards of this UDO without modification.

(E) **Preemptive Clearing.** In the event that preemptive or unauthorized site clearing occurs with the clear intent to influence the design and outcome of a proposed Development and/or the type of its required Open Space, the Town shall take one of the following actions, regardless of whether the tree removal was a willful violation of this UDO or not:

(1) Prohibit the approval of a Site Plan, Major Subdivision Plat, or Building Permit for a period of three (3) years from the date of the most recent unauthorized tree removal activities for which the Development Approval is sought.

(2) If the soil has not been graded nor compacted, the applicant shall provide new longleaf pines at a minimum 2-inch caliper and wiregrass and/or another appropriate ground cover plantings (following guidance in Appendix F) for all applicable cleared areas at the densities of:

(a) For longleaf pines – one 2-inch caliper tree per 400 square feet, and

(b) For wiregrass or another appropriate ground cover – one plant per 100 square feet.

(3) Any Buffer otherwise required by this UDO shall have a minimum width that is 100% greater than the otherwise required width or 20-feet, whichever is greater. Such Buffers shall comply with the Buffer planting rate standards of this

Commented [JB10]: The punitive measures originated from the Planning Board in 2024. Andy Bleggi and a few other board members recommended presenting multiple punitive measure options, as the first one (no approvals for 3 years) could present erosion control and other issues in certain contexts. “Unauthorized” was added in the event that clearing happened *after or during* development plan approval.

Commented [JB8]: This is a policy choice and should be well evaluated. Requiring only 50% of Open Space to be preservation-type, alongside incentives to encourage 100%, allows for greater flexibility (as shown in the first version of OA-02-26). However, requiring 100% as preserved Open Space types would capture significantly more natural areas preserved, but would be less flexible and (at times) more challenging to employ.

Commented [JB11]: For new plantings, the trees will need more space for the root systems to flourish. For a 10,000 square foot site, this would mean the planting of 25 two-inch caliper longleaf pines. Though this may seem like a lot, some trees will likely not make it over time, so an extra number planted will likely even out to an appropriate equilibrium. Additionally, the focus group for this project emphasized planting specifically pine savannah species because they will best represent the natural environment of the sandhills.

Commented [JB9]: This provision requires staff to adjust the Open Space’s configuration and makeup if an issue presented itself that meets the listed criteria. This provision also ensures the amendments align with G.S. §160D-601 (down-zoning provisions from SB 382).

UDO, and the selected plantings shall include at least three different native species.

(F) The following activities are exempt from the Open Space standards of this section:

- (1) The removal or replacement of specific trees approved by the Planning Director as part of an administrative minor modification during Site Plan review;
- (2) Tree removal associated with normal forestry activity that is conducted on land taxed on the basis of its present-use value as forestland pursuant to NCGS Chapter 105, Article 12, in accordance with a forest management plan prepared or approved by a registered forester;
- (3) Agricultural, forestry, or horticultural land activities;
- (4) The selective and limited removal of trees less than 2-inch diameter for the purpose of performing authorized field survey work and preliminary testing;
- (5) The removal of trees or vegetation for the purpose of sale by established commercial garden centers, greenhouses, or nurseries;
- (6) Tree removal for non-Development purposes on properties zoned for single-family, two-family, three-family, and four-family Dwelling Units;
- (7) Permitted temporary uses pursuant to this UDO;
- (8) Tree removal for utilities and public works projects;
- (9) Repair or re-use of existing buildings or lands where there is no enlargement or additions to existing structures;
- (10) The removal of dead, diseased, or naturally-fallen trees, trees that pose an imminent threat of falling onto an existing structure or adjacent trees, trees that are so close to an existing

structure as to endanger the stability of the structure, or the removal of trees otherwise found by the Town to be a threat to the public health, safety, or welfare, as verified by a certified arborist, registered landscape architect, or registered forester;

- (11) The removal of Invasive Species, provided the removal results in the complete removal of the Trees (including roots), as verified by a certified arborist, registered landscape architect, or registered forester;
 - (12) The selective and limited removal of trees or vegetation necessary to obtain clear visibility within intersection sight distance regulations of this UDO;
 - (13) The removal of trees that the Town Engineer determines to be a hazard to traffic or to interfere with the provision of utility lines or public services; and
 - (14) The removal of trees as necessary for rescue in an emergency.
- ~~(B)—~~
- ~~(1) Is not encumbered with any substantial structure;~~
 - ~~(2) Is not devoted to use as a roadway, parking area, or sidewalk, provided, however that Multi-user Trails may be counted towards required open space;~~
 - ~~(3) Reflects the character of the land as of the date Development began. Wooded Areas shall be left in their natural or undisturbed state except for the cutting of trails for walking, bicycling or jogging. Areas not wooded shall be landscaped for open play fields, picnic areas or similar facilities, or be properly vegetated and landscaped with the objective of creating a Wooded Area or other area that is consistent with the objectives of this section;~~
 - ~~(4) Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;~~

Commented [JB12]: These exemptions are modeled off of Holly Springs UDO §4.4(E), Apex UDO §2.3.15(C), and NCGS § 105, Article 12; they intend to cover reasonable and statutorily protected tree removal activities that may conflict with the Open Space composition standards.

~~(5) Is part of an independent Lot shown on the plan as being reserved for open space; and~~

~~(6) Is legally and practicably accessible to the residents of the Development from which the required open space subdivided or to the public if the open space is dedicated to the Town pursuant to section 4.9.3.~~

~~(C)(G)~~ Areas Not Allowed as Open Space

The following areas shall not count toward common open space set-aside requirements:

- (1) Private Lots, Yards, balconies and patios dedicated for use by a specific Dwelling Unit;
- (2) Electric or gas transmission line rights-of-way;
- (3) Public Right-of-Way or private streets and drives;
- (4) Open parking areas and driveways for Dwellings;
- (5) Land covered by structures except for ancillary structures associated with the use of the open space such as gazebos and picnic shelters;
- (6) Designated outdoor storage areas;
- (7) Land areas between Buildings of less than forty (40) feet;
- (8) Land areas between Buildings and parking lots or driveways of less than forty (40) feet in width;
- (9) Required Setbacks; and
- (10) Detention/Retention facilities except as provided section 4.9.7.

~~(D)(H)~~ Subdivided residential Developments of five (5) or fewer Dwelling Units are exempt from the requirements of this section.
(Ord. #3031)

4.9.2. Ownership and Maintenance of Recreational Areas and Required Open Space:

- (A) Open space required to be provided by the Applicant in accordance with these open space standards shall not be dedicated to the public but shall remain under the ownership and control of the Developer (or his successor) or a homeowners association or similar organization that satisfies the criteria established in section 4.9.4. Open space shall be designated as an independent Lot on the plat and shall be noted as being reserved for their intended purposes.
- (B) The person or entity identified in paragraph (A) as having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing upkeep and proper maintenance of the same.
- (C) Open space may be dedicated to a registered land trust, if approved by the Town Council.

4.9.3. Dedication of Open Space

- (A) If any portion of any Lot proposed for residential or commercial Development lies within an area designated on the officially adopted recreation master plan as a Neighborhood park or part of the greenway system or bikeway system, the area so designated (not exceeding ten (10) percent of the total Lot Area) shall be included as part of the area set aside to satisfy the requirement of section 4.9.1. This area shall be dedicated to public use.
- (B) If more than ten (10) percent of a Lot proposed for Development lies within an area designated as provided in paragraph (A), the Town may attempt to acquire the additional land in the following manner:
 - (1) The Applicant may voluntarily dedicate the additional land to the Town;
 - (2) The Applicant may be encouraged to develop an integrated Subdivision, cluster Development or some other applicable

Southern Pines Unified Development Ordinance

- (7) **TIA:** Traffic Impact Analysis
- (8) **TRC:** Technical Review Committee
- (9) **UDO:** Unified Development Ordinance

9.3. DEFINITIONS

As used in the UDO, the following terms shall have the meanings assigned to them in this section. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

Administrative Decision: Decisions made in the implementation, administration, or enforcement of Development regulations that involve the Determination of facts and the application of objective standards set forth in this Chapter or local government Development regulations. These are sometimes referred to as ministerial decisions or administrative Determinations.

Adult Bookstore: An establishment having as a substantial or Significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", or an establishment with a segment or section devoted to the sale or display of such material.

Adult Motels and Hotels: A place where motion pictures not previously submitted to or not rated by the Motion Picture Association of America are shown in rooms designed primarily for lodging, which said motion pictures have as the dominant primary theme matters depicting, describing or relating to Specified Sexual Activities.

Adult Motion Picture Theater: An enclosed Building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Amended

2-10-2026

Chapter 9. Definitions

Applicant: A person, including any governmental entity, seeking Development Approval approval or a refund, a waiver or a credit.

Bed and Breakfast Home: A private home of not more than 4 guest rooms that offers bed and breakfast accommodations, and that:

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Bed and Breakfast Inn: A private home of more than 4 but not more than 12 guest rooms that offers bed and breakfast accommodations, and that:

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Best Management Practices (BMP): A structural or non-structural management-based practice used singularly or in combination to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Boarding House: A residential use consisting of at least one Dwelling Unit together with more than two rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate Dwelling Units. A rooming house or Boarding House is distinguished from a Tourist Home in that the former is designed to be occupied by longer-term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.

Buffer: Land with existing or planted vegetation located between a structure and the right-of-way or a side or rear Lot line intended to obstruct views from rights-of-way and nearby properties.

Commented [JB13]: Clarifying definitions between planted and undisturbed buffers will help improve landscaping plans and Open Space plans.

9-2

Southern Pines Unified Development Ordinance

Buffer, Undisturbed: A natural area used to satisfy Buffer requirements. Activities typically associated with the development process, including, but not limited to, grading and installing stormwater improvements, are prohibited in Undisturbed Buffers.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory or Accessory Structure: A Building or structure that is located on the same Lot as a Principal Building or Structure, used incidentally to a Principal Building or used for purposes that are secondary the Principal Use of the site. For example, a storage shed is considered an Accessory Building when located on a Lot with a Single-Family residence.

Building, Principal or Principal Structure: The Building or structure on a Lot that houses the Principal Use. For example, in the example for the previous definition, the Single-Family home would be the Principal Building

Building Front or Frontage: The length of that side of the Principal Building that faces the street. For corner Lots, the front shall be determined by the Planning Director based on other Development along the faces of the block on which the corner Lot is located.

Built-Upon Area: Impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. In order to comply with G.S. 143-214.7, the following shall not be considered Built-Upon Area or an impervious or partially impervious surface:

- (A) A slatted deck.
- (B) The water area of a swimming pool.
- (C) A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.
- (D) A trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).

Amended

2-10-2026

Chapter 9. Definitions

- (E) Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.
- (F) Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.

Caliper: A standard measure of size for newly planted trees. Caliper refers to the trunk diameter, in inches, at a point six (6) inches above the ground (for trees equal to or less than a 4" Caliper), at a point twelve (12) inches above the ground (for trees larger than 4" Caliper), or as defined by the American Standard for Nursery Stock ANSI Z60.1.

Certified Arborist: A professional tree care specialist who maintains the designation of Certified Arborist as defined and governed by the International Society of Arboriculture (ISA). For the purposes of this UDO, a certified arborist may also refer to a professional tree care specialist who maintains the designation of consulting arborist with the American Society of Consulting Arborists (ASCA).

Child Care Home: A home for not more than nine orphaned, abandoned, dependent, abused or neglected children together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.

Child Care Institution: An institutional facility housing more than nine orphaned, abandoned, dependent, abused or neglected children.

Circulation Area: That portion of the Vehicle Use Area used for access to parking or loading areas or other facilities on the Lot. Driveways and other maneuvering areas (other than Parking Aisles) comprise the Circulation Area

Combination Use: A use consisting of a combination on one Lot of two or more Principal Uses separately listed in Exhibit 3-15.

Compatible/Compatibility - A condition in which land uses or conditions can coexist in a relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by

Commented [JB14]: Clarifying this definition will help staff during site plan review processes, as well as assessing damage done during construction.

Southern Pines Unified Development Ordinance

care or assistance to such persons, all living together as a single housekeeping unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.

Handicapped or Infirm Institution: An institutional facility housing and providing care or assistance for more than nine persons who are physically or mentally handicapped or infirm. Persons residing in such homes, including the aged or disabled, principally need residential care rather than medical treatment.

Hazardous Material: Any substance listed as such in: SARA Section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances or Section 311 of CWA (oil and hazardous substances).

Hearing Body: The entity assigned responsibility for conducting a hearing on any application pursuant to this UDO.

Illuminating Engineering Society of North America (IES or IESNA): The professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.

Intermediate Care Home: A facility maintained for the purpose of providing accommodations for not more than nine occupants needing medical care and supervision at a lower level than that provided in a Nursing Care Institution but at a higher level than that provided in institutions for the handicapped or infirm.

Intermediate Care Institution: An institutional facility maintained for the purpose of providing accommodations for more than nine persons needing medical care and supervision at a lower level than that provided in a Nursing Care Institution but at a higher level than that provided in institutions for the handicapped or infirm.

Invasive Species: Exotic vegetation transported outside their historic home ranges and considered invasive in North Carolina due to their tendency to overcrowd vegetation in native natural habitats. Species considered Invasive Species in this UDO are those listed as such in the North Carolina State University Extension Gardener Plant Toolbox.

Large Scale Retail: Retail Development including of one or more businesses that encompass at 25,000 square feet or more of Gross Leasable Floor Area.

Amended

2-10-2026

Chapter 9. Definitions

Legislative Decision: The adoption, amendment, or repeal of a regulation under North Carolina General Statute or an applicable local act. The term also includes the decision to approve, amend, or rescind a Development agreement consistent with the provisions of Article 10 of Chapter 160D, North Carolina General Statute.

Legislative Hearing: A hearing to solicit public comment on a proposed Legislative Decision.

Licensed Landscape Contractor: Any person licensed by the North Carolina Landscape Contractors' Licensing Board who for compensation or other consideration, does landscape construction or contracting as described in North Carolina General Statute Chapter 89D-11(3).

Light Pollution: Any adverse effect of manmade light including, but not limited to, Light Trespass, up-lighting, the uncomfortable distraction to the eye, or any manmade light that diminishes the ability to view the night sky; often used to denote urban sky glow.

Light Trespass: Light falling where it is not wanted or needed, generally caused by a light on a property that shines onto the property of others.

Lot: A Parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title. If a public body or any authority with the power of eminent domain condemns, purchases or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a Parcel of land otherwise characterized as a Lot by this definition or a private road is created across a Parcel of land otherwise characterized as a Lot by this definition and the interest thus obtained or the road so created is such as effectively to prevent the use of this Parcel as one Lot, then the land on either side of this strip shall constitute a separate Lot. The permit-issuing authority and the owner of two or more contiguous Lots may agree to regard the Lots as one Lot if necessary or convenient to comply with any of the requirements of this ordinance.

Lot Area: The total area circumscribed by the boundaries of a Lot, except that:

- (A) When the legal instrument creating a Lot shows the boundary for purposes of computing the Lot Area shall be the street Right-of-Way

Commented [JB15]: The proposed TPA and Undisturbed Buffer Open Space types allow for the removal of invasive species, and this definition is necessary for species delineation during Development review.

Southern Pines Unified Development Ordinance

line or if the Right-of-Way line cannot be determined, a line running parallel to and thirty feet from the center of the traveled portion of the street; and

- (B) In a residential district, when a private road that serves more than three Dwelling Units is located along any Lot boundary, then the Lot boundary for purposes of computing the Lot Area shall be the nearest boundary of the traveled portion of that road.

Major Amendment: Any change to a PD plan, Architectural Compliance permit or other approval not classified as a Minor Amendment.

Major Work: Exterior work that involves a significant alteration, addition, reconstruction or demolition of an existing Building or structure, or the erection of new Buildings or structures.

Manufactured Home: A Dwelling Unit that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed for installation or assembly and installation on the Building site.

Manufactured Home, Class A: A Dwelling Unit constructed with one or more components which are pre-fabricated and hauled to the site that are capable of producing a Dwelling which is indistinguishable from conventionally built homes and which meets the construction requirements of the North Carolina Uniform Residential Building Code as amended.

Manufactured Home, Class B: A Dwelling Unit that:

- (A) Is not constructed in accordance with the requirements of the North Carolina Uniform Residential Building Code as amended; and
- (B) Is composed of two or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site; and
- (C) Meets or exceeds the construction standards of the U.S. Department of Housing and Urban Development and (iv) conforms to the following appearance criteria.

Chapter 9. Definitions

Manufactured Home, Class C: Any Manufactured Home that does not meet the definition criteria of a Class A or Class B Manufactured Home but which, at a minimum, exceeds 32 feet in length and 8 feet in width.

Manufactured Home Park: A residential use in which more than one Class B or Class C Manufactured Home is located on a single Lot.

Minor Work: Exterior work that involves the repair and/or partial replacement of an architectural feature or Building element but does not involve a significant alteration or addition to the existing Building or structure. All Minor Work shall be undertaken in accordance with adopted design standards. In addition, Minor Work shall include alterations and new construction of significant landscape and natural features.

Multi-Family Residence: A Building including three (3) or more Dwelling Units.

Multi-Use Trail or Path: A trail designed for Compatible and safe concurrent use by pedestrians and bicyclists.

Neighborhood: An area of a community with characteristics which distinguish it from others that may include distinct ethnic or economic bases, housing types, schools, or boundaries defined by distinct physical barriers such as railroads, arterial streets, rivers, or major drainage channels.

Non-conforming Project: Any structure, Development or undertaking that is incomplete at the effective date of this UDO and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nursing Care Home: A facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.

Nursing Care Institution: An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Open Space: Land area that preserves Sensitive Natural Areas, preserves Tree Protection Areas, preserves Undisturbed Buffers, creates Usable Open Space, and/or creates new planted Buffers.

Commented [JB16]: A definition of Open Space was necessary to further reinforce the 5 types that it may be defined by.

Southern Pines Unified Development Ordinance

Open Space, Usable: Usable Open Space areas are comprised of, but not limited to, any combination of the following: natural areas, wetlands, trails, boardwalks, parks, ball fields for structured recreation, picnic areas, playgrounds, equestrian fields or tracks, golf courses (not including clubhouse or other vertical structures), buffers (outside of a platted Lot), any accessible water bodies including ponds and lakes, and/or innovative and accessible water quality ponds (that are designed as an amenity).

Ordinary Maintenance: Exterior work that is undertaken on a frequent and routine basis to maintain the functional and structural integrity of an existing Building, structure, or architectural or appurtenant features. Ordinary Maintenance is defined further as being repair work that maintains, and does not change, the architectural material, design, style, size and scale, arrangement, detailing or texture of the feature.

Outlot: A Parcel of real property having access to at least one public street, private roadway or private drive that is part of a larger commercial Development, but that may be sold or leased without further Subdivision.

Parcel: An area of land not dedicated for public or common use capable of being described with such definiteness that its location and boundaries may be established and includes but is not limited to Lots.

Parking Aisles. That portion of the Vehicle Use Area consisting of lanes providing access to parking spaces.

Permit Issuing Authority: A person or entity authorized by this UDO to grant Development Approval, whether discretionary or administrative.

Planning Director or Director: The person designated by the Town Manager to carry out the responsibilities established in this UDO or the Planning Director's designee.

Planning Jurisdiction: The area within the Town limits as well as the area beyond the Town limits within which the Town is authorized to plan for and regulate Development, as set forth in this UDO.

Premises: A single piece of property as conveyed in a deed or a Lot or a number of adjacent Lots on which is situated a land use, a Building or group of Buildings designed as a unit or on which a Building or a group of Buildings are to be constructed.

Amended

2-10-2026

Chapter 9. Definitions

Principal Use Classification: Exhibit 3-15 ~~Exhibit 3-15~~ establishes use classifications. For purposes of this UDO, each numbered row is assumed to represent a separate Principal Use Classification.

Quasi-judicial Decision: A decision involving the finding of facts regarding a specific application of a Development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, Special Use Permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of Subdivision plats and Site Plans are Quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

Registered Landscape Architect: A professional who—on the basis of demonstrated knowledge acquired by professional education or practical experience, or both—has been granted and holds a current certificate entitling them to practice mathematical, physical, social, and natural science principles in landscape architectural consultation, evaluation, planning, design, and construction services, and to use the title “Landscape Architect” in North Carolina under the authority of NCGS Chapter 89A. Practice includes preparation, submittal, and administration of plans, drawings, specifications, permits, and other contract documents for work involving natural and built environment.

Residence, Accessory Dwelling: A residential Dwelling that is secondary to the Principal Use.

Residence, Multi-Family: A Building including three (3) or more Dwelling Units.

Residence, Condominium: A Multi-Family Residential use consisting of individually owned Dwelling Units and common elements owned by an association of the owners of the Dwelling Units.

Residence, Multi-Family Conversion: A Multi-Family Residence containing not more than four Dwelling Units and results from the conversion of a single Building containing at least 2,000 square feet of Gross Floor Area that was in

Commented [JB17]: Updating the Usable Open Space definition further delineates its difference from other types of Open Space. This type is generally the “recreation” type of Open Space.

Southern Pines Unified Development Ordinance

existence on the effective date of this provision and that was originally designed, constructed and occupied as a Single-Family residence.

Residence, Townhouse: A Single-Family attached Dwelling in which each Dwelling Unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other Dwelling Unit and in which each Dwelling Unit has living space on the ground Floor and a separate ground Floor entrance and each Dwelling Unit is conveyed through a Subdivision plat.

Residence, Two-Family or Duplex: A Two-Family Residential use in which the Dwelling Units share a common wall (including without limitation the wall of an attached garage or porch) and in which each Dwelling Unit has living space on the ground Floor and a separate ground Floor entrance.

Residential Zone: Areas zoned for residential use include Residential Single-Family (RS), Residential Multi-Family (RM), Rural Residential (RR), Rural Estate (RE), and Planned Development (PD) districts.

Retention Pond: A pond that has a permanent pool and which also collects storm water runoff, filters the water and releases it slowly over a period of days.

Reviewing Body or Recommending Body: The entity assigned responsibility for reviewing and making recommendations or taking action on an application pursuant to this UDO.

Right-of-Way: An interest in land to the Town, County or State that provides for the perpetual right and privilege of the Town, its agents, franchise holders, successors, and assigns to construct, install, improve, reconstruct, remove, replace, inspect, repair, maintain, and use a public street, including related and customary uses of street rights-of-way such as sidewalks, bike paths, landscaping, mass transit facilities, traffic control, traffic control devices and Signage, sanitary sewer, stormwater drainage, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way.

Sensitive Natural Areas – delineated wetlands, flood hazard areas, the critical root zones of one (1) or more Specimen Trees, or other areas of significant natural resources.

Setback: The shortest distance between the Building and the property line.

Amended

2-10-2026

Chapter 9. Definitions

Setback, Front: The shortest distance between the Building Front and the front property line or the distance from the street centerline where the Right-of-Way line is undefined.

Setback, Exterior Side: The shortest distance between the street side of the Building and the side property line abutting a street or the distance from the street centerline where the Right-of-Way line is undefined.

Setback, Interior Side: The shortest distance from the side of a Building and the property line abutting another Lot or Parcel.

Setback, Rear: The shortest distance from the rear of a Building and the property line abutting another Lot or Parcel.

Shopping Center: A collection of commercial businesses located in one or more Buildings on a site that is under common ownership or management. Shopping Centers may include Outlots.

Sign: Any device, depiction, lettering, or symbol that:

- (A) Is sufficiently visible to persons not located on the Lot where it is located to accomplish either of the objectives set forth in paragraph (b) of this definition, and
- (B) Is designed to attract the attention of such persons or communicate information to them.

Sign, Awning: A Sign that is printed, painted or otherwise placed on an awning.

Sign, Digital: A sign, any portion of which displays moving, static or stationary illuminated digital images, produced by technology such as LED (light emitting diode) or LCD (liquid crystal display) display screens, plasma, high-definition, interactive touch-screen, or other such technology.

Sign, Dynamic Digital: Dynamic Digital Sign means any electronic display or signage capable of changing its content or appearance based on real-time data, interaction with individuals or vehicles, or environmental conditions. This includes, but is not limited to, signs that alter their images, text, brightness, or messages in response to movement, presence, or other external stimuli.

Sign, Electronic Message Center: An electrically activated, changeable Sign with a variable message and/or graphic presentation capability that can be

Commented [JB18]: Adding this definition further reinforces SNAs as a type of Open Space.

Southern Pines Unified Development Ordinance

- (E) The division of a Tract into Parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

(Ord. #1871, 8-24-20)

Temporary Emergency, Construction or Repair Residence: A residence (which may be a Manufactured Home if permitted in the district in which located) that is:

- (A) Located on the same Lot as a residence made uninhabitable by fire, flood or other natural disaster and occupied by the persons displaced by such disaster;
- (B) Located on the same Lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed; or
- (C) Located on a non-residential construction site and occupied by persons having construction or security responsibilities over such construction site.

Tourist Home: A Dwelling Unit used for periods of less than 30 days for the lodging of transients and travelers for compensation.

Town: The Town of Southern Pines, North Carolina.

Town Engineer: The person designated by the Town Manager to carry out the responsibilities established in this UDO or the Town Engineer's designee.

Tract: A Lot. The term Tract is used interchangeably with the term Parcel, particularly in the context of Subdivisions, where one "tract" is subdivided into several "Lots".

Travel Trailer: A structure that (i) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and (ii) is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definition criteria of a Manufactured Home.

Chapter 9. Definitions

Tree Protection Area: One of the five types of Open Space. More specifically, an area shown on a development plan, master plan, and/or preliminary plan and recorded on the final plat for the protection of existing tree stands that comprise at least the minimum density, dimensional, and maturity standards according to the Open Space section of this UDO.

Use, Accessory: A use incidental to and customarily associated with a specific Principal Use located on the same Lot, Tract or Parcel.

Use, Principal: The primary or main use of land or structures, as distinguished from a secondary or Accessory Use.

Vehicle Use Area. That portion of a Lot or Parcel that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of Circulation Areas, loading and unloading areas and parking areas (spaces and aisles).

Watershed. The entire land area contributing surface drainage to a specific point (e.g. the water supply intake).

Wooded Area: An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater Caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

Yard: The area between a Building and the property line.

Yard, Front: The area between the Building Front and the front property line.

Yard, Side: The area between the side of a Building and the side property line that extends from the Building Front to the rear-most part of the Building.

Yard, Rear: The area between the rear of a Building and the rear property line.

Zoning Map or Official Zoning Map: The map pursuant to this UDO and showing the boundaries of zoning districts established herein.

(Ord. #1716; Ord. #1703; Ord. #1820; Ord. #1981; Ord. #2052; Ord. #3024; Ord. #3116; Ord. #3141)

Commented [JB19]: This definition was added to further reinforce the TPA as one of the five types of Open Space.

Southern Pines Unified Development Ordinance

Amendments

Agenda/Ordinance Number	Text Amendment Summary	Date Adopted
Ord. #3031	Amending the Authorized Land Use Table, provisions related to Conditional Zoning districts, and open space.	3/13/24
Ord. #3044	Amending limitations on telecommunications towers.	5/14/24
Ord. #3116	Amending provisions related to performance guarantees; certificates of occupancy; WPO district; curbs, gutters and sidewalks; Board of Adjustment voting; and the definition of built-upon area.	5/13/25
Ord. #3141	Amending sign regulations in Chapters 2 and 4 of the UDO	8/26/25
Ord. #3148	Amending exhibit 3-1 and section 8.11(C)	9/9/25
Ord. #3149	Amending the PD amendment process	9/23/25
Ord. #3154	Creating the minor-2 and minor-3 Subdivision provisions within §2.19, §2.49, §2.50, Appendix A, and Appendix B; clarifying the original "minor Subdivision" as the "minor-1 Subdivision."	12/9/25
<u>Ord. 3166</u>	<u>Amend the recommended landscaping species list under Appendix F.</u>	<u>2/10/26</u>
Ord. #3167	Amending procedural and Temporary Sign provisions.	2/10/26
<u>Ord. #XXXX</u>	<u>Amend the Open Space chapter of the UDO along with related sections under "Planned Development" in chapter 3 and "Landscaping" in chapter 4; add definitions in chapter 9.</u>	<u>MM/DD/YY</u>

Commented [JB20]: Ordinance #3166 was not notated in the text amendment summary of the 2/10/26 UDO update, and it should be added to the summary.

File Number	Zoning Map Amendment Summary	Date Adopted
Z-01-14	Rezoning of the Southern Pines Corporate Park from Industrial (I) to Planned Development (PD)	5/13/14
Z-03-14	Rezoning of Property from OS-CD to RM-2; 360 N. Bennett St.	5/13/14
Z-04-14	Rezoning of Property from RS-1 to NB; 1064 W. Massachusetts Avenue	5/13/14
Z-02-15 1539	Rezoning of Property from GB to RM-2; Between Midlothian Drive and Clark Street	11/10/15
Z-01-16	Rezoning of Property from RS-1 to NB-CD: 1650 W. New York Avenue - American Legion Post 177	3/8/16
Z-02-16	Rezoning of 1515 Midland Rd from RS-2 to RS-1CD	2/14/17
Z-03-17	Rezoning of 93.04 ac. on Waynor Rd from RR to RS-3	10/16/17
Z-04-17	Rezoning of 2250 E Connecticut Ave and Lot 1A Ft. Bragg Rd from RS-3 to RE	10/16/17
Z-06-17	Rezoning of Waynor Road & Hwy 22 from PD to FRR	11/14/17

Amended

2-10-2026



Fort Bragg Regional Land Use Advisory Commission

SOUTHERN PINES COURTESY REVIEW

Case: OA-02-26 (Open Space and Tree Protection Amendments)

April 14, 2026

Following a review of the above referenced text amendment by the RLUAC Land Use Committee, it has been determined the amendments will improve development outcomes with regard to the preservation of open space and protection of trees which serve as critical wildlife habitat. By encouraging the conservation of natural areas and existing tree cover as part of the development process, the amendments help to protect habitat, maintain natural landscape features, and reduce the loss of environmental resources associated with more intensive site clearing. These outcomes are consistent with Fort Bragg's environmental mission, which, in turn, supports its military training and operational missions. Therefore, RLUAC supports the adoption of the amendments.

While RLUAC's findings and recommendations are non-binding on the Town of Southern Pines, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole.

Thank you for providing the opportunity for RLUAC to review this case.

Hon. Kia Anthony, Chairwoman
Fort Bragg Regional Land Use Advisory Commission

Vagn K. Hansen II, AICP, Executive Director
Fort Bragg Regional Land Use Advisory Commission

FY 26-27 BUDGET:

Residents Review



NORTH CAROLINA



Maintains
existing
services &
staff



Tax rate
remains
\$0.29



Capital
projects
funded



Funds new
programs
& projects



25%
reserved
for fund
balance



Funds all
debt
payments

\$34.2M
IN EXPENDITURES

\$250K
CAPITAL PROJECTS TRANSFERS

\$8.5M
"RAINY DAY" FUND



Want more detail? View the full budget at sopinesnc.info/budget

\$34.4M Total General Fund expenditures and capital project transfers. With an estimated Town population of 17,000, this means we spend about \$2,025 per citizen.

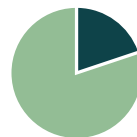
47% Property taxes make up just under one half of all General Fund revenues or \$14.1M. Property taxes are the largest source of General Fund revenues.

29

\$0.29 The proposed rate for property taxes is \$0.29, which is the same rate for a third consecutive year.

99% Property taxes are budgeted at a 99% collection rate, which is based on past receipts. Thank you Southern Pines taxpayers for making your payments on time & in full!

\$6.8M Sales taxes are the 2nd largest source of General Fund revenues, projected to bring in around \$6.79M. This is a little more than 23% of all revenues.



#10 Moore County's tourism industry is ranked #10 in NC for visitor spending. We are the only county in the top 10 that is not located along the coast or in the mountains. This visitor spending helps contribute to strong sales tax revenues.

\$8.5M The Town will reserve \$8.54M in fund balance, which is 25% of expenditures. This is 3 months of expenditures and is similar to “rainy day” savings that many set aside for emergencies.



\$26.50 Residential customers will pay \$26.50 per month for solid waste services effective July 1. This is an increase of \$1.25.

1,000 We expect our environmental services team to collect an average of 1,000 pounds or ½ ton of yard waste per each home served. That’s about the weight of a grand piano, a fully loaded vending machine, or a full-grown polar bear— or about 3,400 tons total.



2,131 The number of recycling subscribers, as of mid March. Our “opt-in” recycling subscription will be \$10.50 per month for residential & commercial subscribers, who receive a 95-gallon recycling cart that is collected every 2 weeks.



11k Our water system serves over 11,000 customer accounts.

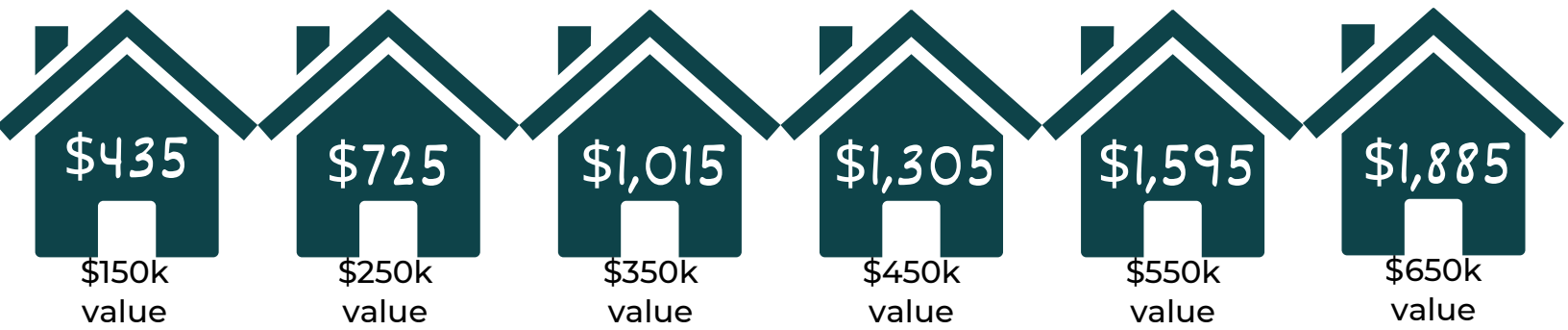
2% Water & sewer rates will increase 2% effective July 1, 2026.

\$1.61 The expected increase in the monthly water & sewer bill for the average customer who uses 5,000 gallons a month. While 5,000 gallons might sound like a lot, it quickly adds up!

- 25 gallons: average water usage for a low-flow showerhead for a 10-minute shower
- 6 gallons: amount of water a typical energy-efficient dishwasher uses per cycle
- 20 gallons: typical water usage for a high-efficiency front-loading washer
- 1.6 gallons: water used for a standard, newer model toilet



TOSP Property Tax Bills with a 29-cent Rate



What is the formula to calculate my property taxes?

Use the formula below to calculate the amount of property taxes owed to Southern Pines in 2026. Moore County also collects property taxes so this formula *only* applies to the portion of the tax bill that is owed to Southern Pines.

\$497,767

ASSESSED VALUE

100

=

\$4,977.67

X

0.29

TAX RATE

=

\$1,443.52

OWED TO TOSP

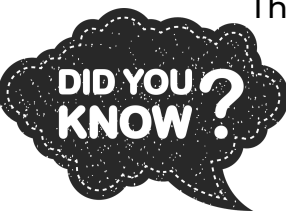
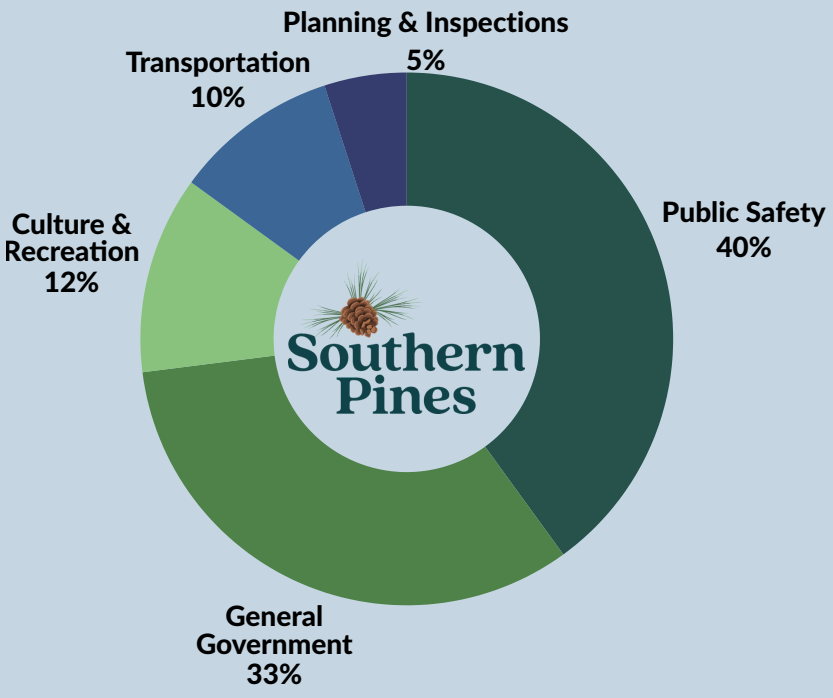
How does the Town spend its money?

The budget is based on \$34.2M in expenditures & \$250k in capital project transfers between July 1, 2026 and June 30, 2027. If your property tax bill was \$1,443.52 from the formula above, here is a break-down of how your tax payment would be applied toward different expenditures & transfers.

2027 PROPERTY TAX RECEIPT

Public Safety.....	\$577.41
General Government.....	\$476.36
Culture & Recreation.....	\$173.22
Transportation.....	\$144.35
Economic & Phys Dev.....	\$72.18
TOTAL.....\$1,443.52	

thank you!



There is a "homestead exclusion" that can reduce the amount of taxes certain property owners will pay? There are 3 criteria and ALL must have been met by January 1:

- 1) 65 years or older OR totally & permanently disabled;
- 2) income of \$38,800 or less; and
- 3) Moore County resident who owns & occupies the home.



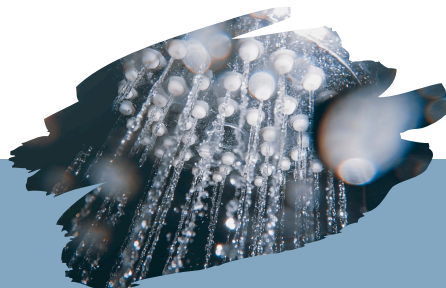
Solid Waste

Fee increases on July 1 to
\$26.50 for residents
\$1.25 increase/month

\$10.50/month

Voluntary opt-in recycling
program via 95-gallon
recycling cart that is
collected every 2 weeks.

Need a 2nd garbage cart
collected? Opt-in for
\$7/month plus a one-time
\$75 fee for the 2nd cart

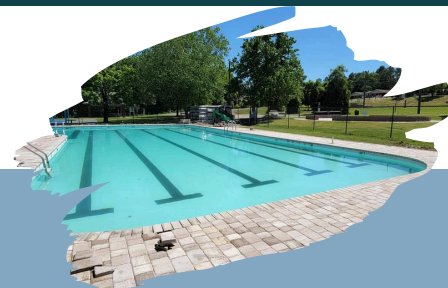


Water & Sewer

\$23.40 base rate
\$0.50 increase/month

2% increase to
consumption rates

\$1.61 increase/month for
average water & sewer
customer
(5,000 gallons)



Library & Recreation

Free SPPL cards for
residents & business
owners

Season passes & punch
cards available for pool

Resident discounts on
recreation programs &
rentals



How Can We Help?

Town of Southern Pines
Main Phone: 910-692-7021

Leadership Team

Town Manager: Reagan Parsons
Assistant Town Manager: Jessica Roth
Assistant Town Manager & Fire Chief: Mike Cameron

Administrative Services & HR: Bruce Rosenberger
Finance & Utility Billing: Tess Brubaker-Speis
IT & GIS: Nedra Norton
Library: Amanda Brown
Parks & Recreation: Greg Thompson
Planning: B.J. Grieve
Police: Chief Nick Polidori
Public Works: Cory Albers
Utilities & Engineering: James Michel, P.E.



sopinesnc.info/budget