



## AGENDA

Town Council Business Meeting  
Tuesday, June 9, 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

#### a. Adoption of Agenda

### 4. PUBLIC COMMENTS

### 5. PUBLIC HEARINGS - EVIDENTIARY

#### a. Preliminary Development Plan and Major Subdivision Preliminary Plat for Phase 1 of the Caropines Development (File #PD-03-26 & MAPP-01-26)

Ascot Corporation is seeking approval for 35 single-family homes on approximately 20.6 acres within the Caropines Planned Development near Airport Road and Avenue of the Carolinas, including new private roads and utility infrastructure.

### 6. PUBLIC HEARINGS - LEGISLATIVE

#### a. 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 the same amount of required open space. This item is continued from the May 12, 2026 regular meeting.

#### b. Right of Way Abandonment Request from 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 May 12, 2026 Town Council meeting.

#### c. Conceptual Development Plan for 12.78 Acres at Waynor Road & NC 22 (File #PD-01-26)

An application for a Planned Development District – Conceptual Development Plan to allow for the construction of a religious institution on 7.41 acres and a six-lot subdivision on the remaining approximately 5.48 acres. The property is located at the north-west corner of the intersection of Waynor Road and NC Hwy 22.

#### d. FY27 Budget Hearing

The second and final Public Hearing regarding the FY27 Budget prior to requested adoption.

### 7. ACTION ITEMS

#### a. Request for Adoption Ordinance #3188 - FY 26-27 Budget, setting an ad valorem rate of \$0.29/\$100 valuation in addition to a \$0.55/\$100 valuation in Municipal Service District I (Morganton Park South.)

### 8. CONSENT AGENDA

#### a. Adopt Ordinance #3195: FY27 Public Works and Utilities Fee Schedule

An update of the published fee schedule based upon the adopted Budget.

#### b. Adopt Ordinance #3196: FY27 Permit and Inspection Fees

An update of the published fee schedule based upon the adopted Budget.

#### c. Adopt Capital Project Fund Amendments Ordinances #3190 thru #3194

Adopt necessary changes to various Capital project Funds as a result of having adopted the FY27 Budget

**d. Adopt Resolution #1151 Capital Reserve Fund - System Development Fees**

Annual resolution making appropriations to the CRF based on SDF collection estimates for the coming year and adjusted for collections over the previous twelve months.

**e. Ordinance #3198 — Amending the Capital Reserve Fund for Water System Development Fees**

**f. Ordinance #3197 — Amending the Capital Reserve Fund for Sewer System Development Fees**

Adopt Ordinance amending the Capital Reserve Fund for Sewer System Development Fees

**g. Resolution #1152 — Incorporating the Supplemental Pay benefit into the base salary of the Town Manager along with all FT employees on July 1.**

**h. Ordinance #3189 — Amending the Utility Fund for Anticipated Sewage Treatment Costs for Remainder of FY 25-26**

Staff requests approval of a budget amendment to the Utility Fund to cover anticipated sewage treatment expenses for the remainder of FY 25-26.

**i. Approve Resolution #1150 Approving Local Water Supply Plan**

Approval of the 2025 Local Water Supply plan in accordance with North Carolina General Statute 143-355 (I).

**j. Adopt Town Council Meeting Minutes**

Staff has prepared the following minutes for approval:

- May 26, 2026, Town Council Work Session Meeting Minutes

**9. ADJOURNMENT**

*Meetings/work sessions of the Southern Pines Town Council are now available on the Town's Website at [sopinesnc.info/agendas](http://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.*

# Planning Staff Report

**To:** Reagan Parsons

**From:** James Broadwell, Senior Planner

**Date:** June 9, 2026

**Item:** **Caropines Phase I:** A request to subdivide approximately 20.6-acres within the Caropines neighborhood to develop 35 detached homes.

## EXECUTIVE SUMMARY

Colin Webster, on behalf of Grosvenor Land, LLC, has submitted an application for a Preliminary Development Plan (PDP) and Major Subdivision Preliminary Plat (MAPP) to develop 35 single-family detached homes within the Caropines Neighborhood. The subject property is located adjacent to Airport Road and Avenue of the Carolinas. The site's zoning is Planned Development under the Caropines Conceptual Development Plan (CDP) (file #PD-02-18). The existing conditions comprise a large area of wetlands, mature tree stands, and the remnants of a portion of a golf course. The proposed PDP and MAPP files include the following elements:

1. Development of 35 single-family detached residential lots.
2. Designation of 9.74-acres of Open Space on five separate lots, including a 25-foot undisturbed buffer along Airport Road.
3. The construction of three 50-foot private rights-of-way.
4. The construction of water and sewer lines that will connect to each side of the Avenue of the Carolinas near each neighborhood entrance.

### Key findings:

- Shows consistency with a key aspect of the Comprehensive Plan through the preservation of wetlands and mature tree stands as Open Space (policies 4.9 and 4.10). However, staff assess that a condition is necessary specifying that tree protection fences to be installed before clearing and throughout construction. The fences should maintain at least 6-feet of separation from mature trees within areas to be protected.
- To ensure consistency with the Caropines CDP and the phase 3B and 4 approved PDP (file #PD-12-22), a condition should be included that no Final Plat for Caropines phase I be approved until the entirety of Avenue of the Carolinas is completed and approved by the Town Engineer.
- To ensure the major subdivision criteria are met pursuant to the US Fish and Wildlife Service (USFWS) agency comments for this phase, a third condition should require the applicant to demonstrate consistency with this site's Red Cockaded Woodpecker Safe Harbor Agreement and USFWS recommended updates prior to any site clearing.
- The proposed development is otherwise consistent with the approval criteria, development standards, and Unified Development Ordinance (UDO).

During the Planning Board's Preliminary Forum on May 12, 2026, no other areas of concern or non-compliance with applicable standards were identified. With the inclusion of the three conditions outlined above, staff recommend approval of the Caropines phase I PDP and MAPP applications.

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### I. PLANNING BOARD PRELIMINARY FORUM

On May 12, 2026, the Town of Southern Pines Planning Board held a Preliminary Forum on the Caropines Phase I applications (PD-03-26 and MAPP-01-26). Planning staff provided an overview of the project and outlined the staff recommended conditions of approval in relation to the approved Conceptual Development Plan (PD-02-18) and the approval criteria in UDO §2.18.5(H) and §2.20.4(G). Following a brief discussion, the Planning Board did not identify any issues outside of those related to staff’s recommended conditions of approval.

Following the Preliminary Forum, staff drafted three proposed conditions to ensure consistency with the site’s CDP and the PDP and MAPP criteria. The applicant reviewed the proposed conditions and concurred with their wording in writing on May 28, 2026.

### II. PROJECT INFORMATION AND BACKGROUND

#### A. Parcels

PARID: 96000281  
PARID: 20050760  
PARID: 00031457

#### B. Property

**Owner/Applicant**  
Caropine Venture, LLC  
71<sup>st</sup> Partners, LLC

#### C. Authorized Agent

Grosvenor Land, LLC  
(Colin Webster as Agent)

#### D. Existing Zoning

The subject property is presently zoned Planned Development (PD) and is surrounded by PD zoning and the Whispering Pines corporate limits.

**Figure 1: Zoning Vicinity Map** (Subject Property Outlined in **Yellow**).



#### E. 2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts

*General Framework Map Designation: Area to Enhance and Area to Preserve.* “Areas to Enhance” include established residential neighborhoods that are stable but should consider small-to-medium improvements. Any proposed changes to properties should be sensitive to the uses, densities, location, character, and views from surrounding areas. “Areas to Preserve” prioritize the preservation of sensitive natural areas and natural landscapes.

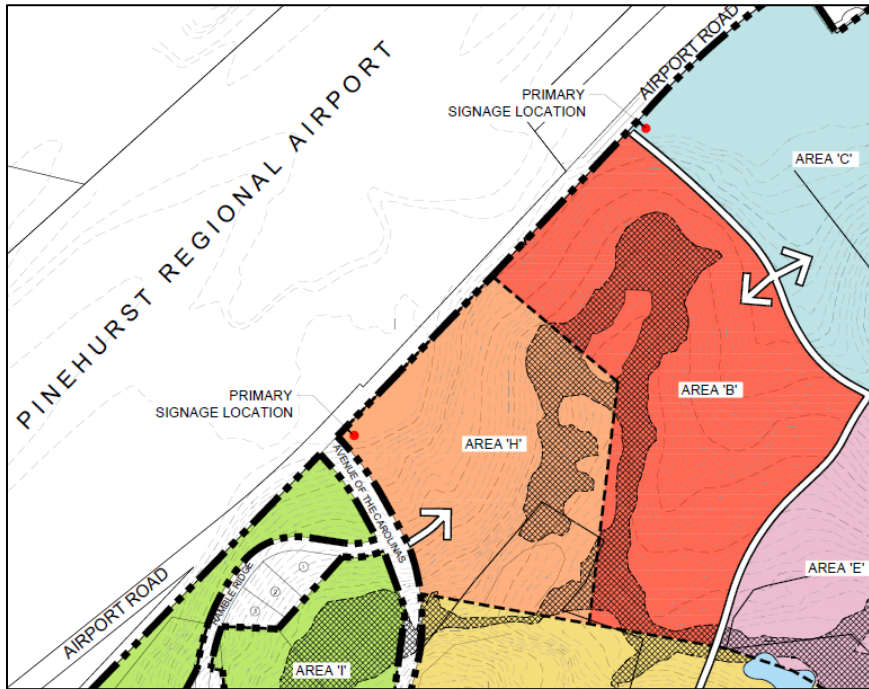
*Conservation and Development Map Designation: Neighborhood and Open Space.* Under the “Neighborhood” designation, new development should provide different home types on different lot sizes that vary enough to provide a range of home choices in the same neighborhood. New neighborhoods should also include a connected network of open space throughout the site. Under the “Open Space” designation, areas should be preserved for natural character preservation, pedestrian trails, and recreational amenities.

*Character District Map Designation: Golf Course.* A golf course is surrounded, in whole or in part, by homes. Home sites typically back up to the golf course. Home sites have small front yards that typically back up to the golf course. There are noticeably fewer trees along residential streets compared to older neighborhoods in Southern Pines. The overall design and character of golf course convey private living and exclusiveness.

**F. Description of Project**

The development intends to match the development pattern of the Caropines Planned Development neighborhood. The Phase I site falls within “Area B” and “Area H” of the Caropines CDP, which allows for the “single-family detached units” (8,000 square foot minimum lot size) and “large single-family detached units” (20,000 square foot minimum lot size). This project would construct 16 of the 50 total allowed “single-family detached” units in Area B and 19 of the 25 allowed “large single-family units” in Area H (see figure 2 below for reference).

**Figure 2: Caropines CDP Land Use Plan (Areas B and H) with Corresponding Unit Types.**



**DEVELOPMENT TABULATION:**

LAND AREA	QUANTITY	UNIT TYPE
A	100	SINGLE-FAMILY DETACHED
	60	COTTAGE
	110	TOTAL
B	65	TOWNHOME
	50	COTTAGE
	50	SINGLE-FAMILY DETACHED
	65	TOTAL
C	120	CONDOMINIUM
	65	TOWNHOME
	50	COTTAGE
	35	SINGLE-FAMILY DETACHED
	160	TOTAL
D	40	COTTAGE
	130	SINGLE-FAMILY DETACHED
	150	TOTAL
E	75	COTTAGE
	120	SINGLE-FAMILY DETACHED
	150	TOTAL
F	15	COTTAGE
	10	SINGLE-FAMILY-DETACHED
	15	TOTAL
G	9	LARGE SINGLE-FAMILY
	9	TOTAL
H	25	LARGE SINGLE-FAMILY
	25	TOTAL

Three proposed private rights-of-way, water and sewer connections, and 9.74-acres of Open Space are also proposed for this project. The proposed Open Space also comprises a 25-foot undisturbed buffer along Airport Road and a significant area of existing wetlands within the southeast portion of the project. See figures 2 and 3 below for site imagery and the proposed preliminary plat.

**Figure 3: Caropines Phase I Imagery.**





### III. STAFF REVIEW

#### Application Review Dates

TRC Pre-Application Meeting: **February 17, 2026**

Application Submitted: **April 14, 2026**

Updated Materials Submitted: **April 15, 2026**

Updated Materials Submitted: **April 22, 2026**

Updated Materials Submitted: **April 23, 2026**

Application Deemed Complete: **April 24, 2026**

Planning Board Public Hearing Notice

Publication: **May 6 and May 13, 2026**

Mail: **April 28, 2026**

Signage: **April 28, 2026**

Internet: **April 28, 2026**

TRC File Review: **May 5, 2026**

Updated Materials Submitted: **May 6, 2026**

Updated Materials Submitted: **May 12, 2026**

Planning Board Preliminary Forum: **May 21, 2026**

Town Council Evidentiary Hearing: **June 9, 2026**

#### I. Process and Standards of Review

UDO §2.18.5(H)<sup>1</sup>, criteria for Preliminary Development Plans (PDP), and UDO §2.20.4(G)<sup>2</sup>, criteria for Major Subdivision Preliminary Plats (MAPP), cover the procedures for review and approval of a PDP file in conjunction with a MAPP file.

Given that both file types involve an evidentiary hearing and quasi-judicial decision to be made by the town council, these file types may be reviewed in conjunction with one another.

#### 2. Compliance with UDO §2.18.5(H), Preliminary Development Plan Criteria.

A Preliminary Development Plan (PDP) may only be permitted if the applicant demonstrates consistency with the following four criteria. Below are staff comments regarding the applicant's consistency with each:

##### **(1) The application demonstrates that it will achieve the purposes of the PD and this section;**

- a. Planning staff do not find significant inconsistency between the proposed land uses, site layout, or utility and access designs of the proposed development. Though the site layout is notably different from the CDP's design for this phase, the outcome of separating Open Space from neighborhood development in a manner that preserves sensitive areas is still sufficiently met. Moreover, the design aligns with the purpose of the planned development in that it provides two types of lot sizes

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<sup>1</sup> When reviewing an application for a Preliminary Development Plan, the preliminary forum and evidentiary hearing bodies (Planning Board and Town Council) shall consider the criteria as set forth in UDO §2.18.5(H).

<sup>2</sup> When reviewing an application for a Major Subdivision Preliminary Plat, the preliminary forum and evidentiary hearing bodies (Planning Board and Town Council) shall consider the criteria as set forth in UDO §2.20.4(G).

that cater to multiple types of home buyers (see PD district purpose, UDO §3.5.14(A)(14)). Staff find that the applications align with this criterion.

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

- a. After staff's review of the PDP files, no substantial issues were noted in these areas. The plans meet the Open Space, utility connection, access, and fire flow requirements. The CDP's layout for Caropines Phase I reflects a slightly different configuration than the PDP proposes. However, the town engineer confirmed that this layout better suits access and utility connections. Moreover, this design better establishes boundaries between natural areas to preserve and the proposed neighborhoods, pursuant to this site's Comprehensive Plan designations mentioned above. The proposed development will also have to meet other applicable standards of the UDO, which staff will confirm during site plan review, for elements such as street trees, lighting requirements, and sidewalk installation.
- b. **Avenue of the Carolinas Completion.** The Conceptual Development Plan for Caropines (file #PD-02-18) details that the Avenue of the Carolinas was to be completed no later than March of 2022. Despite this, the PDP and Preliminary Plat for Caropines Phases 3B and 4 were still approved in January 2023. The approval included the condition that the Avenue of the Carolinas is to be completed and approved by the Town Engineer prior to the approval of Final Plats for either of these phases (file #PD-12-22). That condition has been followed, and the Avenue of the Carolinas site plan, to complete the entire road, was recently approved on March 24, 2026. As of writing this staff report, construction has yet to commence.

With this context, staff find that the same condition of approval applied to phases 3B and 4 should also apply to phase I. Without the completion of Avenue of the Carolinas, a key component of the CDP and two access points for Phase I will remain missing. Therefore, with the inclusion of a condition of approval to complete Avenue of the Carolinas prior to the issuance of this phase's Final Plat, staff find this criterion will be satisfied.

**(3) The proposed Development is located in an area of the Town that is appropriate;**

- a. Given the subject property is within the "Golf Course" character district, generally aligns with the Caropines CDP, and reflects a character commensurate with surrounding land uses, staff find the applications satisfy this criterion.

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

- a. The property is served by all necessary utilities and transportation infrastructure and the development will bear the cost of all infrastructure modifications and/or extensions. For this reason, staff assess the application is consistent with this criterion.

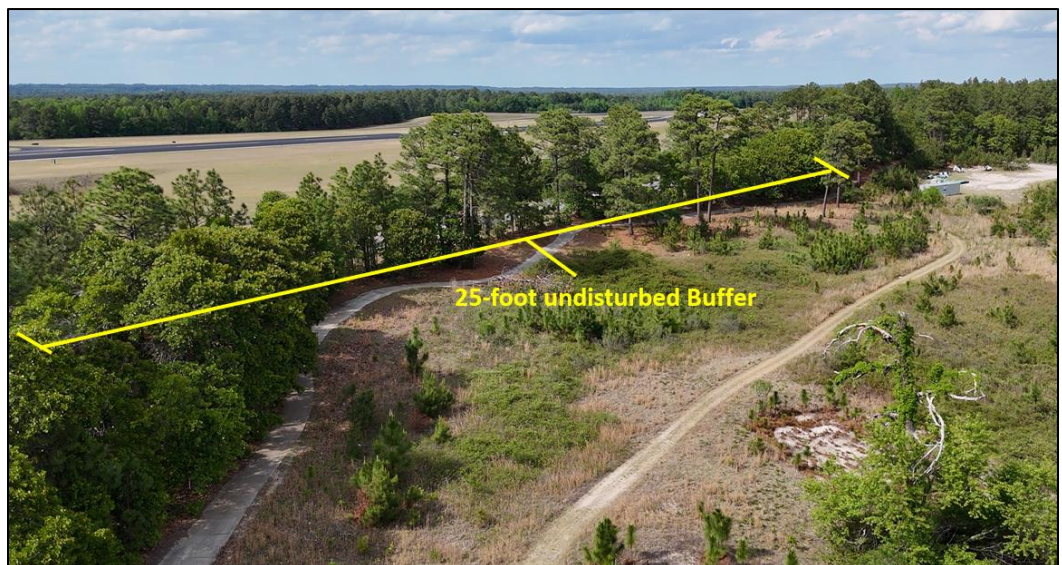
**3. Compliance with UDO §2.20.4(G), Major Subdivision Preliminary Plat Criteria.**  
A Major Subdivision Preliminary Plat (MAPP) may only be permitted if the applicant demonstrates consistency with the following five criteria. Below are staff comments regarding the applicant’s consistency with each:

**(1) The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities;**

- a. **Area Vision.** Town staff agree that the proposed development is consistent with the subject property’s PD zoning and Comprehensive Plan’s designation. The General Framework Map and Conservation and Development Map are consistent with the applicant’s intended plan, and adequate public road access is also available to this site.
  
- b. **Preservation of Natural Character and Minimizing Tree Loss During Development.** The application has included a 25-foot undisturbed buffer and a significant area of wetlands into the project’s overall 9.74-acres of Open Space. Comprehensive Plan polices 4.9 and 4.10 call for the preservation of our town’s natural character and minimizing tree loss during development wherever possible. Given these policies, staff find that the applicant’s Open Space plan strongly align with the Comp Plan. **Figure 5** below shows the significant areas of mature trees and wetlands within the subject property. These trees and wetlands are emblematic of Southern Pines’ natural character, and are a sensitive environmental asset important to the Southern Pines community.

Additionally, the applicant has provided an Open Space tabulation for the running total for the entirety of the Caropines CDP (see attachment 3). Phase I will provide 9.74-acres of the 115.5 total acres required under the Caropines CDP.

**Figure 5: Caropines Phase I Preserved Open Space Areas.**





To ensure the proposed preservation areas are adequately protected, staff recommend a condition of approval requiring all tree protection fencing to be installed prior to any site clearing, maintained throughout construction, and located a minimum of six feet from any tree with a diameter of 12 inches or greater within the 25-foot undisturbed buffer and wetland areas. Depending on the location of existing trees, this may mean the fences will need to extend slightly forward of the buffer and/or wetland delineation lines. With this condition included, staff find the application satisfies this criterion.

**(2) The proposed Subdivision complies with the UDO and applicable state and federal regulations;**

- a. **Traffic Impact Analysis.** The applicant has provided a copy of the Traffic Impact Analysis (TIA) submitted in conjunction with the Caropines CDP in December 2018. This TIA covers the estimations for phase I, and the TRC and NCDOT have both reviewed the proposed plans and have not found any traffic concerns or roadway improvement needs with the proposed development. For these reasons, staff find that this aspect of the criterion is satisfied. Copies of the TIA are available upon request at the town planning office.
- b. **Red Cockaded Woodpecker (RCW).** RCW habitat encroachment is governed by the US Fish and Wildlife Service under federal Endangered Species Act (ESA) regulation (50 C.F.R. §17 (wildlife and fisheries)) and should be considered when development is proposed in near proximity to known RCW habitat to ensure compliance with this criterion.

Agency referral comments from US Fish and Wildlife (USFWS), received by staff on May 1 and 12, 2026, strongly recommend that the applicant conduct necessary updates to the Caropines Safe Harbor Agreement. Updates will ensure consistency with the parameters of the agreement, which generally call for the protection of existing and new cavity trees for two known RCW clusters (SOPI 086 and SOPI 032) that were identified at the time of the agreement's formation. For that reason, staff recommend including a condition of approval

for the applicant to provide town staff with documentation that the Safe Harbor Agreement requirements and updates have been met pursuant to USFWS guidance. Such documentation should be provided and verified by staff prior to any site clearing to ensure consistency with this criterion.

- c. **Wetlands Delineation.** The original wetlands delineation for the Caropines phase I site was performed during the time of the Caropines CDP review. In conjunction with this application, the applicant worked with a local wetlands consultant to reconfirm the delineation lines. On May 6, 2026, the applicant provided confirmation from the wetlands consultant and the US Army Corps of Engineers that the wetlands boundaries have not changed since. Documentation of this confirmation is available upon request at the planning office. Given that the wetlands boundaries are accurately shown on the PDP and Preliminary Plat, staff find that this aspect of this criterion is satisfied.

Overall, with the inclusion of a condition to require updated documentation verifying consistency with the Caropines Safe Harbor Agreement and USFWS agency comments prior to clearing, staff find that the major subdivision will comply with applicable state and federal regulations and this criterion will be satisfied.

**(3) The proposed Development is located in an area of the Town that is appropriate;**

- a. Given the subject property is within the “Golf Course” character district, generally aligns with the Caropines CDP, and reflects a character commensurate with surrounding land uses, staff find the applications satisfy this criterion.

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

- a. The property is served by all necessary utilities and transportation infrastructure and the development will bear the cost of all infrastructure modifications and/or extensions. For this reason, staff assess the application is consistent with this criterion.

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

- a. The property will be served by all necessary utilities and transportation infrastructure and the development will bear the cost of all infrastructure modifications and/or extensions. For this reason, staff assess the application is consistent with this criterion.

**4. Outside Agency Comments**

A request for comments on this Preliminary Development Plan and Major Subdivision Preliminary Plat was emailed to agencies on April 28, 2026. Agencies notified include the Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and

Engineering departments, the Regional Land Use Advisory Commission (RLUAC), the United States Fish and Wildlife Services (USFWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). Staff have received the following comments since:

- On May 1 and 12, 2026, USFWS commented that *“Parcel ID #s 96000281/20050760/00031457 at 800-803 Ave of the Carolinas fall within the 0.5-mile foraging partition for red-cockaded woodpecker Safe Harbor cluster SOPI 32; Red-cockaded woodpecker surveys expire after 1 year, so an updated survey is needed for this property if one has not been done since 2016. RCW will often make new cavities in suitable trees within the cluster center, so the active cavity trees are likely to change over a 10-year span – which is why surveys have an expiration date.”*
- On May 1, 2026, NCDOT commented that *“Caropines has built out both drives with our recommended turn lanes along Airport Road (SR 1843). No further improvements to the roadway are required. If additional utility work is required within our right-of-way, please submit encroachment requests.”*

The initial application was reviewed by the Technical Review Committee (TRC) on May 5, 2026. During the meeting, the Town Engineer identified that the proposed stormwater pond may not be necessary when accounting for the aggregate stormwater management of the entire Planned Development, and that the applicant should consider running a calculation to make this determination. Finally, the TRC concurred that a condition should be included to require the completion of Avenue of the Carolinas prior to the approval of phase I’s Final Plat.

Town staff will provide the Town Council with any agency comments that are received following the completion of this staff report during the scheduled meeting on June 9, 2026.

## 5. Staff Recommendation

The applicant’s request supports the town’s goals for managed growth, housing diversity, natural character preservation, and neighborhood compatibility. The proposed 35-lot subdivision aligns with the greater Caropines Planned Development and maintains existing character through appropriate density, setbacks, and tree preservation.

Planning staff recommend approval of the proposed Preliminary Development Plan and Major Subdivision Preliminary Plat as proposed by the applicant and shown in the attachments, with the inclusion of the following conditions:

1. **Avenue of the Carolinas Completion.** A condition that the Avenue of the Carolinas shall be entirely completed and approved by the Town Engineer prior to approving the Caropines Phase I Final Plat.
2. **Red Cockaded Woodpecker (RCW) Safe Harbor Agreement.** A condition to provide documentation that verifies consistency with the Caropines Safe Harbor Agreement and its USFWS recommended updates prior to any tree clearing.
3. **Tree Protection Fencing.** A condition that fully clarifies that tree protection fences shall be installed along the 25-foot buffer and wetlands delineation line, with a minimum 6-foot separation from trees (of 12-inch diameter and greater) to be preserved within those areas. Depending on

the location of existing trees, this may mean the fences will need to extend slightly forward of the buffer and/or wetland delineation lines. Tree protection fences shall be installed prior to any site clearing and shall remain throughout construction.

**IV. ATTACHMENTS**

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

1. Draft Findings of Fact – File # PD-03-26
2. Draft Findings of Fact – File # MAPP-01-26
3. PDP Narrative
4. PDP Justification
5. Preliminary Development Plan
6. Preliminary Plat Narrative
7. Preliminary Plat Justification
8. Preliminary Plat

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

**V. TOWN COUNCIL ACTION – File # PD-03-26**

*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-03-26.

**-OR-**

2. Adopt Attachment **One** of the staff report as Findings of Fact for PD-03-26, with the following changes:

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*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-03-26.

**-OR-**

2. Deny the Preliminary Development Plan for PD-03-26.

**-OR-**

3. Approve the Preliminary Development Plan for PD-03-26 with the following additional conditions:

**Condition 1 – Avenue of the Carolinas Completion.**

The entirety of Avenue of the Carolinas shall be paved, completed, and approved by the Town Engineer prior to the issuance of the Final Plat approval for Caropines Phase I. Additionally, the paving and full completion of Avenue of the Carolinas shall not be further deferred through a Subdivision Performance Guarantee, as the Caropines CDP (file # PD-02-18) required completion no later than March 2022.

*Pursuant to PDP Criterion 2 under UDO §2.18.5(H) and PD-02-18.*

**VI. TOWN COUNCIL ACTION – File # MAPP-01-26**

*To either approve or deny a Preliminary Plat 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 2.20.4(G) Criteria for a Preliminary Plat, Criteria 1-5. Staff have drafted a finding of fact for consideration in Attachment **Two**. 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 **Two** of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat MAPP-01-26.

**-OR-**

2. Adopt Attachment **Two** of the staff report as Findings of Fact regarding the proposed Preliminary Plat MAPP-01-26, with the following changes:

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

**I move to:**

1. Approve the Preliminary Plat for MAPP-01-26.

**-OR-**

2. Deny the Preliminary Plat for MAPP-01-26.

**-OR-**

3. Approve the Preliminary Plat for MAPP-01-26 with the following additional conditions:

**Condition 1 – Red Cockaded Woodpecker (RCW) Safe Harbor Agreement Consistency.**

Documentation demonstrating compliance with the RCW Safe Harbor Agreement for Caropines Phase I, as well as adherence to U.S. Fish and Wildlife Service guidance regarding updates to the agreement associated with the development of the site, shall be provided to town staff for verification prior to site clearing.

*Pursuant to MAPP Criterion 2 under UDO §2.20.4(G).*

**Condition 2 – Tree Protection Fences.**

Prior to any site clearing, tree protection fences shall be installed between the Limits of Disturbance/Construction and the 25-foot Undisturbed Buffer and applicable wetland delineation lines as shown in the Caropines Phase I attachments. The fences shall remain in place throughout construction. Within the 25-foot Undisturbed Buffer and protected wetland areas, all existing trees with a diameter of 12-inches or greater shall maintain a minimum 6-foot separation from the tree protection fences to protect critical root zones pursuant to UDO §4.3.13. Additionally, no trees with a diameter of 12 inches or greater shall be removed for the installation of the "mulch walking trail" depicted on the Preliminary Plat.

*Pursuant to MAPP Criterion 1 under UDO §2.20.4(G).*

**ATTACHMENT I**  
**Draft Findings of Fact**  
**Case Number PD-03-26**

- 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 PDP achieves the purposes of the Planned Development District by implementing the development program approved through the Conceptual Development Plan (CDP). The plan proposes 35 single-family detached homes and approximately 9.74-acres of Open Space, a significant portion of which comprises existing wetlands. Incorporating the preservation of this Open Space alongside development design that interconnects the wider Caropines neighborhood furthers the purpose of the PD and ensures this criterion is met.
  2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO.  
The PDP is overall consistent with the CDP and conforms to all applicable provisions within the UDO. The proposed plan carries forward the same development program, including permitted land uses, site layout, circulation, and intensity across the 20.6-acre site. With the inclusion of a condition to complete the Avenue of the Carolinas' construction prior to the issuance of the Caropines Phase I Final Plat, the application will be consistent with the CDP, and therefore, this criterion.
  3. The proposed Development is located in an area of the Town that is appropriate.  
The CDP established that the site is appropriate for the proposed development type and intensity. The subject property is a 20.6-acre site, and the PDP maintains the approved land uses, development intensity, and setbacks without introducing additional uses or expanded development. Moreover, the PDP introduces a 25-foot buffer to bolster cohesion with the surrounding neighborhood, arterial roadway (Airport Road), and nearby Moore County Airport.
  4. The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services.  
The CDP established that the property is fully served by existing Town utilities and the Caropines private roadway infrastructure. The PDP relies on the same framework and does not propose extensions or expansions of public utilities or services beyond those previously evaluated. Stormwater management will occur on-site and meet the standards

prescribed in the UDO. For these reasons, the PDP will not create inefficient extensions or expansions of public utilities or services.

**ATTACHMENT 2**  
**Draft Findings of Fact**  
**Case Number MAPP-01-26**

- A. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Major Subdivision Preliminary Plat approval has 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 Preliminary Plat, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
- B. The Town Council finds that the Preliminary Plat application complies with the provisions of UDO §2.20.4(G). Specifically, in that:

1. The application is consistent with the Comprehensive Plan, as well as other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities.

With a condition of approval requiring adequate preservation of existing trees within the 25-foot undisturbed buffer and delineated wetlands, the proposed project will be consistent with the Comprehensive Plan. The mature trees and wetlands on the site contribute significant natural character to the surrounding community, and their preservation directly supports this criterion as well as Comprehensive Plan Policies 4.9 and 4.10. Requiring buffer and wetland protection measures consistent with UDO §4.3.13 vegetation protection standards will further ensure compliance with this criterion and alignment with these Comprehensive Plan policies.

The proposed subdivision is also consistent with the General Framework Map and the Conservation and Development Maps, which identify portions of the site as both “Areas to Enhance” and “Areas to Preserve,” and as “Neighborhood” and “Open Space,” respectively. In addition, site access and utility connections provided by the Town of Southern Pines Public Works Department are readily available, demonstrating compatibility with surrounding infrastructure.

2. The proposed subdivision complies with the UDO and applicable state and federal regulations.

With a condition of approval requiring documentation demonstrating compliance with the Caropines Safe Harbor Agreement and adherence to U.S. Fish and Wildlife Service guidance regarding any agreement updates associated with the site’s development, the proposed project will satisfy this criterion. Consistency with all other applicable UDO provisions has been adequately demonstrated through the submitted application materials.

3. The proposed Subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property.

The 35 single-family detached lots and their respective dimensions meet the density and dimensional standards as provided in the Caropines CDP. The proposed driveways and

private rights-of-way will be properly aligned and will provide sufficient access to the new homes.

4. the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties.

The project does not present a safety or viability concern for the surrounding area. With the proper installation of roadways and utilities as presented, sufficient emergency and fire access will be established to the entire development phase. No other safety or viability concerns were identified from the town staff's analysis.

5. The proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development.

The proposed utility plan adequately meets water, fire flow, and sewer requirements. The Town of Southern Pines will provide all utility extensions and connections, which will serve this development adequately and efficiently.



PDP - APPLICATION  
**CAROPINES  
 PROPERTY**  
 SOUTHERN PINES, NC

PRELIMINARY  
 DEVELOPMENT PLAN  
 NARRATIVE

The purpose of this PD – Preliminary Development Plan #4 (PDP) application is to fully describe the proposed phase of development for the Caropines Property that meets all standards of the Caropines Property Conceptual Development Plan (CDP). As stated in the Town of Southern Pines Unified Development Ordinance (UDO) in Section 2.18(A), the PDP is intended to show, with greater detail, the proposed portion of development and illustrate how “proposed land use mix and intensity are consistent with the Comprehensive Plan, the purposes of the PDD and the approved CDP”. The following narrative will provide information related to the submitted plans and provide details of Phase 1 of the proposed development of the Caropines CDP. This narrative will describe how the PDP meets the criteria set forth in Section 2.18.5(A). Phase 1 is consistent with the PD zoning district, CDP and the Town’s Comprehensive Long-Range Plan (CLRP). The property is indicated as Residential/Golf in the Town’s CLRP.

**Residential Development**

Phase 1, as described in the PDP application, is intended to include the next phase of development for the Caropines property and includes a total of 35 units. This development conforms with the Development Program in Section 5.1 and Table 1.0 of the CDP booklet as well as all standards indicated in the CDP document.

**Density Tabulation**

1. “Area B” is allotted to 50 single-family detached units at 8,000 sqft. minimum lot sizes. This PDP allocates 16 of those 50 units.
2. “Area H” is allotted to 25 “large single-family units” at 20,000 sqft. minimum lot sizes. This PDP allocates 19 of the 25 units.

The PDP plan includes all associated infrastructure to accommodate the development of this phase. All lots meet the dimensional requirements provided in the CDP document. Lots in this phase are configured with streets that connect to the existing street network.

**Overall Community**

**Walkability**

Walkability is an important component of the proposed development. A concrete sidewalk is provided along one side of all streets within this phase of development as required by the CDP. These sidewalks connect to the community’s existing pedestrian network/greenway and the Southern Pines greenway trail system through access points provided in previous phases of the development.

The greenway extends the full length of the property to Whispering Pines.



### **Amenities**

Amenities, as described below, have been provided with previous phases of development. The amenities provided through previous phases of the development are consistent with language in the approved CDP. Many of the possible amenities that were considered in the CDP documents have been provided. While no phasing of amenities was part of the approved CDP, the amenities that have been provided are proportional to or exceed the current buildout of the community. Amenities provided include the following:

A \$1.8 million dollar clubhouse and pool were constructed in the early stages of the development. The clubhouse has a fitness facility, meeting and event rooms and member/residence events are held at the clubhouse regularly.

In addition to the clubhouse, a 3-hole golf course loop consisting of holes from the original Arnold Palmer golf course was restored in the early stages of the development and is being maintained. The 3-hole loop is open for play by HOA members. The driving range has also been restored/maintained and is also open for use by residents with golf balls available in the clubhouse. The driving range is adjacent to Phase 3B.

Former golf holes 1, 18 & 9 are being maintained as open play fields with regular mowing and maintenance. These are adjacent to and accessible from Phase 3B. In addition to the open play fields, former golf hole corridors remain as dedicated open space (Land Area 'I') with existing cart paths serving as trails through the open space area.

A greenway trail connection was also constructed during the early phases of the development. The greenway extends the full length of the property (over 1.5 miles) and provides connections to the greenway trail network.

Future amenities are also currently being planned for the community including a splash pad addition to the clubhouse pool featuring playful water features and arrangements geared towards children's play. Soil amendments have also been made for a community garden area near the eastern airport road entrance.

### **Stormwater Management**

Stormwater management for all sites on the property will be provided per Section 5.5.10 of the CDP booklet. Appropriate state and local stormwater and erosion control permits will be required by the Town prior to any land disturbance activity on the site.



**Lighting**

All lighting on the property will follow Section 4.8 of the UDO. Lighting levels along streets will be provided to meet the UDO standards for safety and match the existing community. Proposed lighting fixtures will match previous phases of development. All light will be projected downward to limit any light spilling onto adjacent properties.

**Endangered Species**

A woodpecker study has been prepared for the property and included in the CDP document. Furthermore, an assessment completed is provided as Exhibit XXI, showing Phase 1 is under Inactive cluster. The property is also enrolled in the Red Cockaded Woodpecker Safe Harbor Program. During the full construction and engineering design phases, letters will be obtained from U.S. Fish and Wildlife Service to clear the areas of the property for Phase 1. Letters permitting removal of trees will be required prior to any tree clearing on the property and all clearing must be completed within the guidelines.

Necessary survey study will be conducted during the site planning.

**Landscaping**

Streetscape – Street trees will reflect the planting scheme shown in Exhibit XX of the CDP document. Street trees will be adjusted to accommodate existing driveways and future driveway locations within the development. Street trees will be planted with random spacing, rather than at regimented distances on center to provide a more natural character within the development of new sections. Street tree plantings will be installed at a rate of one tree for every 30’ of roadway on both sides of the street, however, trees may exceed 30’ on center and be planted with random spacing as described above. Street trees will not exceed a maximum of 80’ on center.

Individual Lot Landscaping – Individual single-family detached lots will be landscaped as follows:

Large Trees*	5 (1 shade tree and all others Longleaf Pines)
Understory Trees	2 (Dogwoods, Redbuds, etc.)
Shrubs	50 (Minimum of (10) 5-gallon shrubs, all other shrubs to be Minimum 3-gallon containers)
Groundcover	20 (Minimum 1-gallon containers)
Sod	1,800 squarefeet

\*Large tree plantings on individual lots do not include street trees required by this section.



### **Wetlands Delineation**

Wetland delineation is confirmed by USACE. This will be provided with the packet.

### **Utilities/Infrastructure**

This PDP follows the criteria described in Sections 5.5.5 of the CDP booklet. Due to the complexity of designing a gravity system to serve this phase, coordination with the town engineer and applicant team is ongoing. The applicant and applicant's engineer and applicant team is ongoing. The applicant and applicant's engineer have worked with the town to prepare a master utility plan to serve these phases and will continue to work with the town to produce an acceptable gravity sewer system. Water is readily available for the project. All required infrastructure improvements will be provided by the developer for the lots described in this PDP.

### **Roadways**

Roadways will be constructed in accordance with Section 5.5.1 of the CDP document. A traffic Impact Assessment (TIA) has been provided showing the phasing of development within the property. A phasing study was prepared with previous PDP applications and a phasing letter from NCDOT (dated 2/6/2019) required improvements based on the number of units built/occupied.

An updated phasing study was prepared with latest PDP #3 (Phase 3A & 4) submittal to re-evaluate required improvements per current traffic conditions and buildout. An updated phasing letter from NCDOT, dated November 17<sup>th</sup>, 2022 (provided), lists the traffic improvements that will be required/scheduled as follows:

#### **Airport Road and Site Drive 1 (Ave. of The Carolinas Eastern Entrance)**

- Provide stop control for Site Drive 1.
- Provide two egress lanes on Site Drive 1 with separate left and right turn lanes. A minimum of 75 feet of storage and appropriate taper at the proposed Site Drive 1.
- Construct an exclusive westbound left-turn lane on Airport Road with a minimum of 75 feet of storage and appropriate taper at the proposed Site Drive 1.
- Construct an exclusive eastbound right-turn lane on Airport Road with a minimum of 150 feet of storage
- ***Required before final plat approval which would equal 51 additional units***

#### **Airport Road and NC 22**

- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]

---

[REDACTED] [REDACTED] [REDACTED]



### Current Buildout

A total of 205 units has been approved with the previously approved Preliminary Development Plans being Phase 3B and 4. To date, only 80 of the approved units have been completed. The table below describes the current buildout status per phase. As described earlier, the phased NCDOT improvements were based on the number of units built. Per discussion with the town of Southern Pines, tying improvements were based on the number of units built. Per discussion with the Town of Southern Pines, tying improvements to completed units could be difficult to track and could result in issues with real estate closing, etc. Thus, the town is requiring improvements be tied to final plat approval rather than completion of a unit. Traffic improvements must be completed before final plat approval equaling the number of lots that would trigger said improvement. The table below also includes number of units with final plat approval.

APPROVED PHASES	UNITS APPROVED	UNITS PLATTED	UNITS COMPLETED	STATUS
2A	25	25	25	All approved units have been built
9	11	8	8	8 lots have been built
15	9	0		On hold
8 (H&H Contractors)	8	8	8	All approved units have been built
2	12	0		On hold
12 (H&H Contractors)	32	25	25	25 lots have been built.
14A	24	0		On hold
7A	21	21	11	
3A	8	8	3	
3B	23	-		Infrastructure underway
4	52	0		On hold
<b>TOTAL</b>	<b>205</b>	<b>95</b>	<b>80</b>	

In summary, this phase of development meets the standards of the CDP, and the proposed PD-PDP is consistent with the Town's Comprehensive Long-Range Plan (CLRP) and promotes its objectives. The CLRP designates the property as Residential/Golf. This PDP contains additional residential lots within the overall residential community that meet the standards of the approved CDP. The approved CDP describes a master planned residential community. The proposed PDP is the commencement of the next phases of development for the Caropines property. Phase 1, as indicated in this PDP, meet the description of the community vision described in Section 2.2 of the CDP and will create new residential housing in the Caropines community and Southern Pines.

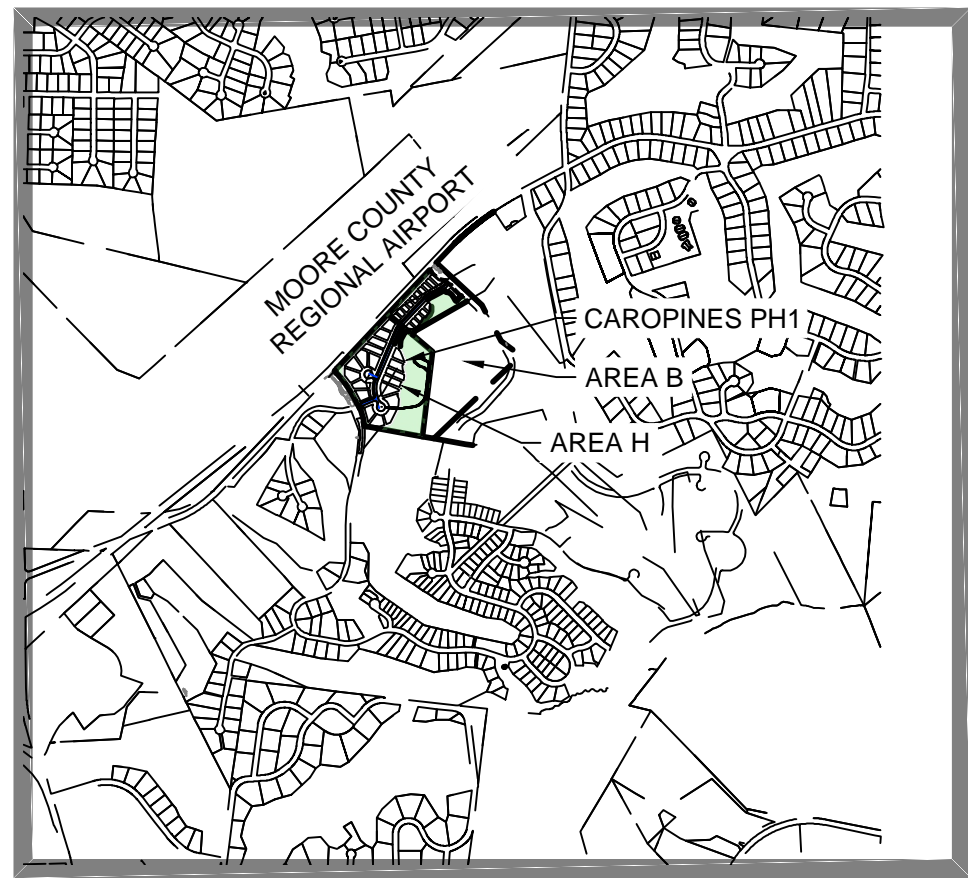
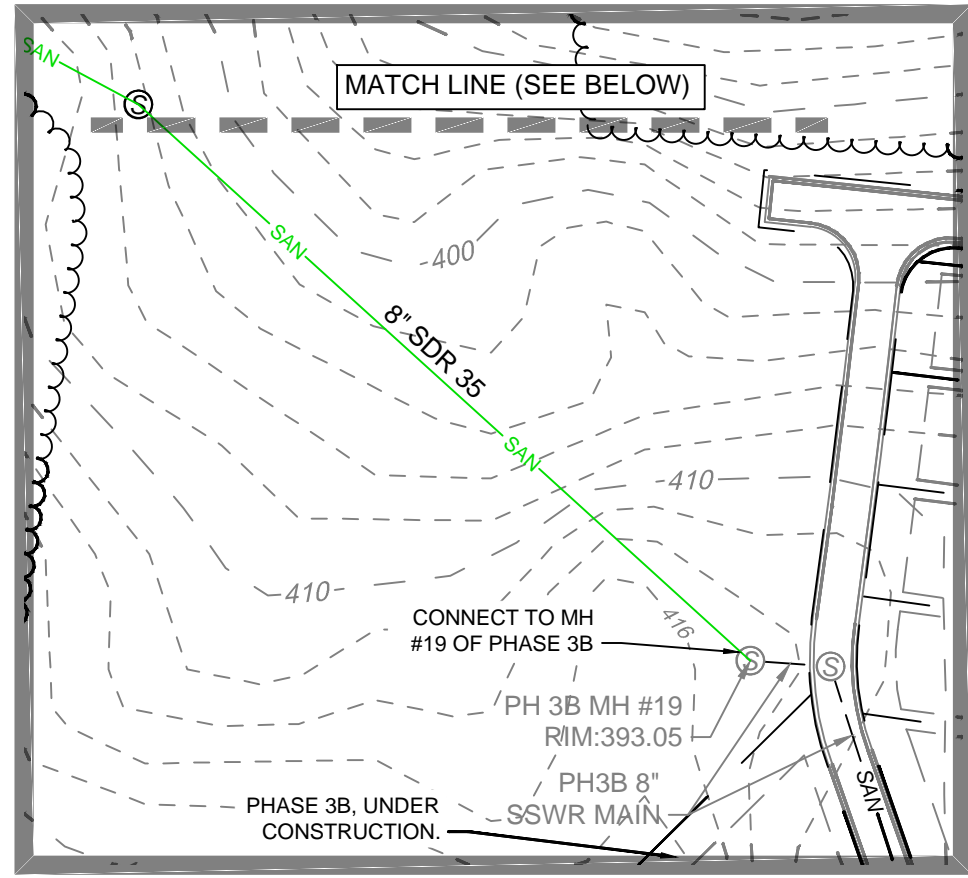


**Caropines PDP-4**  
**Preliminary Development Plan Justification**

Below are listed the four criteria required to approve a Preliminary Development Plan (PDP) application as described in Section 2.18.5(H) of the Town of Southern Pines Unified Development Ordinance (UDO). Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

A Preliminary Development Plan is permitted if the Applicant demonstrates that:

- (1) The application demonstrates that it will achieve the purposes of the PDD and this section  
The PDP conforms to all standards set forth in the Conceptual Development Plan (CDP) and the standards set forth in the UDO. The booklet included with the approved CDP demonstrates the overall compliance with the UDO and this PDP follows the standards of the CDP. The PD District, Comprehensive Long-Range Plan (CLRP) and the CDP all encourage a residential community that reflects the standards of the existing community that surrounds the phase of development described in the PDP. The PDP submitted meets these goals.
- (2) The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO  
The PDP is consistent with and meets all standards and requirements provided in the CDP booklet and plans and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses in the CDP. The development of 16 single family residential lots and 19 large single family lots is consistent with Table 1.0 Development Program in the CDP booklet. The residential units follow all standards of the CDP included in Section 5 of the CDP.
- (3) The proposed Development is located in an area of the Town that is appropriate  
The PDP is consistent with the CDP and surrounding community. The CLRP, which takes into account surrounding land uses, designates this property as residential/golf. The property is bordered by: Airport Road and the Moore County Airport on its Northern boundary, the Mill Creek Commercial Shopping Center on its Western Boundary, the Whispering Woods golf course community in the Whispering Pines jurisdiction on its Eastern boundary, and the Mill Creek and the Warrior Woods residential subdivision on its Southern boundary. The continued residential use included in the PDP is consistent with the surrounding land uses and appropriate for this area. With the development standards set forth in the UDO and CDP, the PDP will be compatible with the surrounding neighborhoods and land uses.
- (4) The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services  
This PDP follows the criteria described in Sections 5.5.5 of the CDP booklet, and water and sewer utilities are readily available for the project and have been developed in previous phases of The Carolina development.



- PRELIMINARY PLAT NOTES**
- BOUNDARY, TOPOGRAPHIC AND UTILITY DATA FROM GIS AND OLD SURVEY DATA
  - PROPOSED PAVEMENT SECTIONS IS MINIMUM STANDARDS, FINAL PROPOSED PAVEMENT SECTION DESIGN WILL NEED TO BE PROVIDED TO THE TOWN PRIOR TO APPROVAL OF CONSTRUCTION DRAWINGS.
  - DIMENSIONS ARE TO FACE OF CURB AND EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
  - THE SITE IS LOCATED IN THE CAPE FEAR WATERSHED.
  - OTHER MISCELLANEOUS ZONING REQUIREMENTS MAY NOT BE ILLUSTRATED ON THIS PLAN AS THIS PLAN IS PRELIMINARY IN NATURE.

ACRES: +/- 24.99 AC  
 OPEN SPACE: +/- 9.74 AC (39%)  
 USABLE OPEN SPACE: +/- 6.86 AC (27.5%)  
 ZONING: PLANNED DEVELOPMENT (PD) - CDP FILE #PD-02-18  
 OVERLAY: HIGH QUALITY WATERSHED (WS-IIIP) - MILL CREEK  
 PROPOSED UNITS: 35

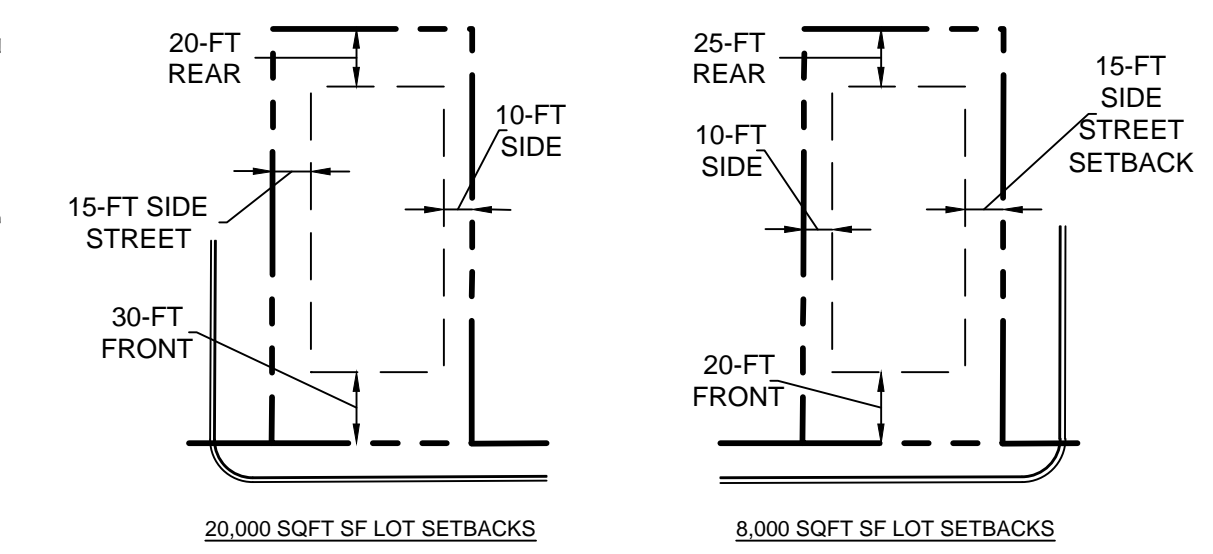
**LOT DIMENSION STANDARDS**

**AREA B (16 UNITS):**  
 MIN. LOT: 8,000 SF  
 MIN. LOT WIDTH: 50'  
 FRONT SETBACK: 20'  
 SIDE INTERIOR SETBACK: 10'  
 SIDE STREET SETBACK: 15'  
 REAR SETBACK: 25'

**AREA H (19 UNITS):**  
 MIN. LOT: 20,000 SF  
 MIN. LOT WIDTH: 50'  
 FRONT SETBACK: 30'  
 SIDE INTERIOR SETBACK: 10'  
 SIDE STREET SETBACK: 15'  
 REAR SETBACK: 20'

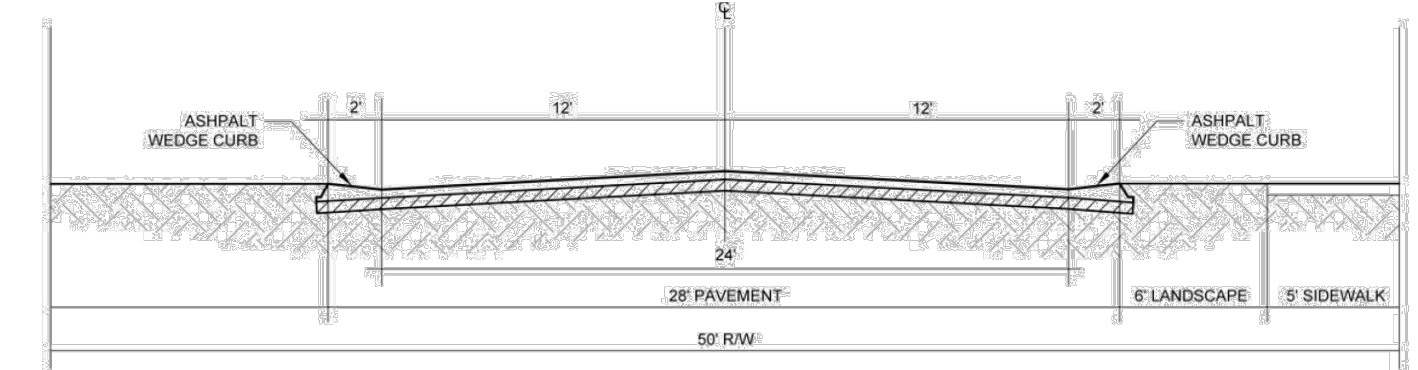
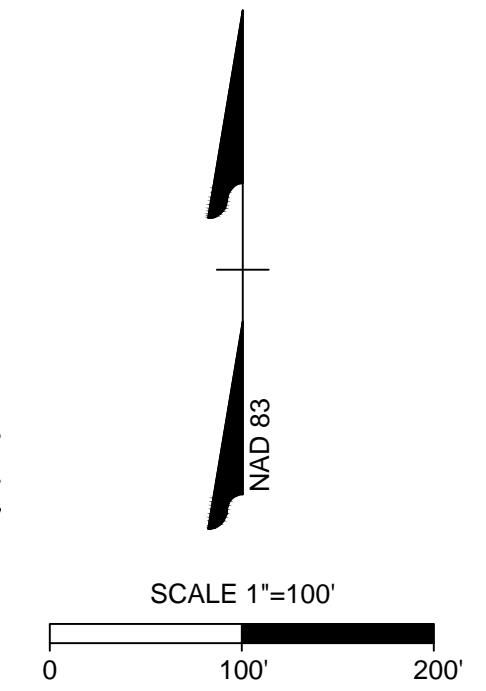
**LEGEND:**

OPEN SPACE

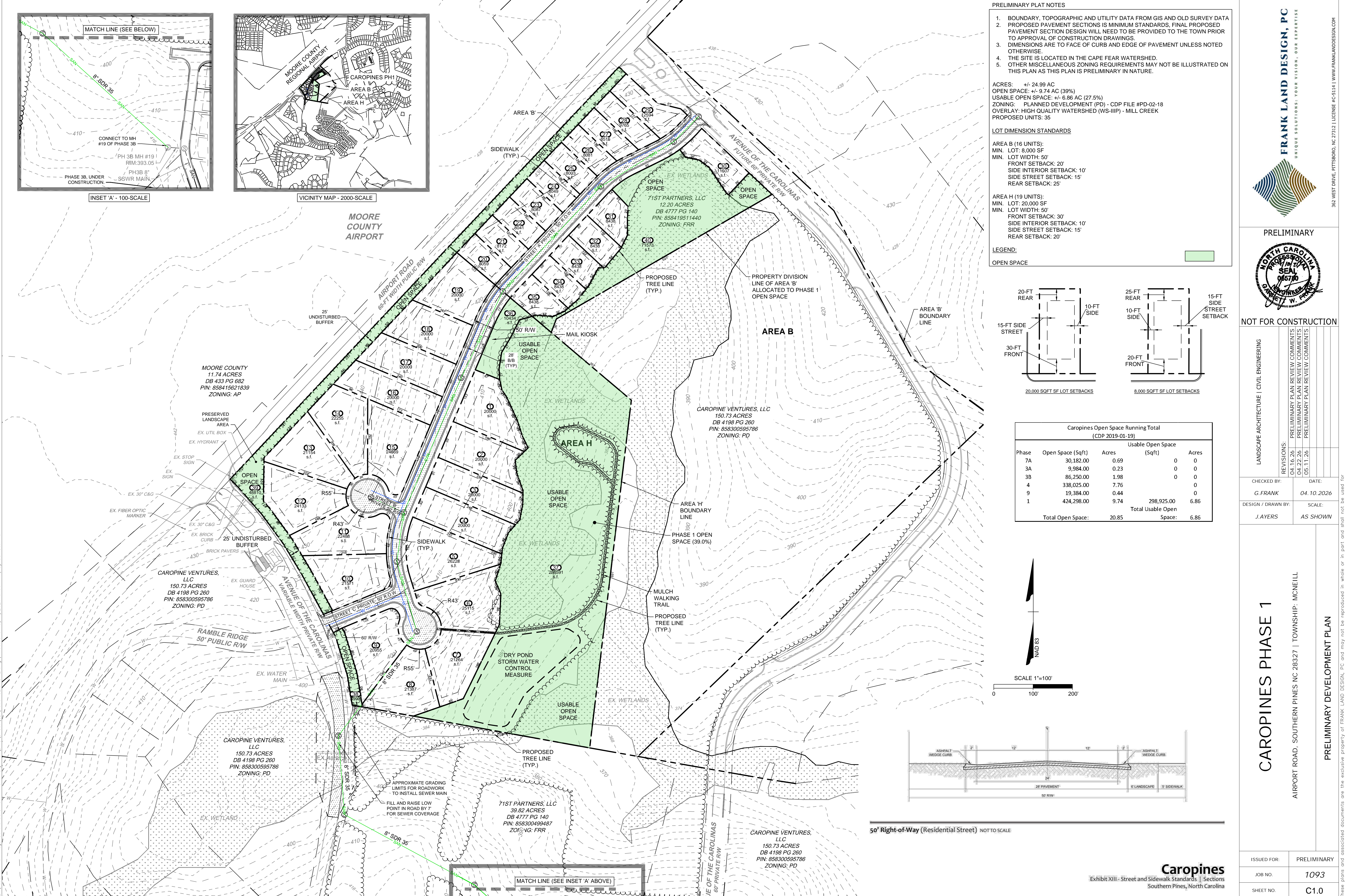


**Caropines Open Space Running Total (CDP 2019-01-19)**

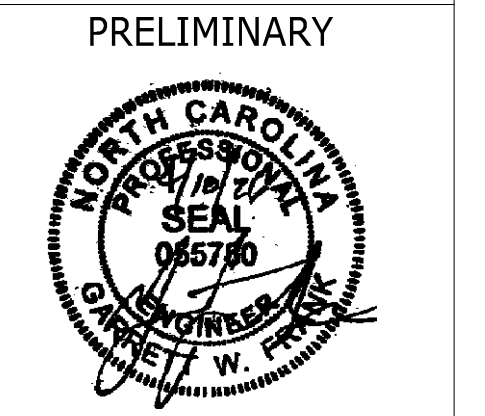
Phase	Open Space (Sqft)	Acres	Usable Open Space (Sqft)	Acres
7A	30,182.00	0.69	0	0
3A	9,984.00	0.23	0	0
3B	86,250.00	1.98	0	0
4	338,025.00	7.76	0	0
9	19,384.00	0.44	0	0
1	424,298.00	9.74	298,925.00	6.86
<b>Total Open Space:</b>	<b>20.85</b>		<b>Space:</b>	<b>6.86</b>



50' Right-of-Way (Residential Street) NOT TO SCALE



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NOT FOR CONSTRUCTION

LANDSCAPE ARCHITECTURE | CIVIL ENGINEERING

REVISIONS:	PRELIMINARY PLAN REVIEW COMMENTS	DATE
04.10.2026	PRELIMINARY PLAN REVIEW COMMENTS	04.10.2026
05.11.26	PRELIMINARY PLAN REVIEW COMMENTS	

CHECKED BY: G. FRANK DATE: 04.10.2026  
 DESIGN / DRAWN BY: J. AYERS SCALE: AS SHOWN

**CAROPINES PHASE 1**  
 AIRPORT ROAD, SOUTHERN PINES NC 28327 | TOWNSHIP: MCNEILL  
**PRELIMINARY DEVELOPMENT PLAN**

ISSUED FOR:	PRELIMINARY
JOB NO.	1093
SHEET NO.	C1.0

**Caropines**  
 Exhibit XIII - Street and Sidewalk Standards | Sections  
 Southern Pines, North Carolina

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**MAPP - APPLICATION  
CAROPINES PROPERTY  
SOUTHERN PINES, NC**

**PRELIMINARY MAJOR SUBDIVISION NARRATIVE**

This application is submitted to advance Phase 1 of development within the Caropines Preliminary Development Plan (PDP) in accordance with the Town’s UDO and the approved CDP. The Preliminary Plat and PDP are intended to provide a detailed framework for this phase of development, demonstrating how the proposed subdivision layout, land use and infrastructure are consistent with the Town’s CLRP, PD zoning district and the approved CDP.

The proposed subdivision represents the next phase of a master-planned residential community and includes a total of 35 units, consisting of 16 single-family and 19 large single-family lots. All lots are designed to meet the dimensional and development standards established in the CDP and are configured within an interconnected street network that ties into existing phases of development. The Preliminary Plat establishes the overall pattern of lots, streets, open space and drainage systems, providing the basis for subsequent engineering design and final plat approval in accordance with Town requirements.

The development reflects a coordinated and comprehensive planning approach that considers both on-site conditions and the relationship to surrounding properties and infrastructure. The layout promotes compatibility with adjacent development, maintains the established character of the Caropines community and avoids adverse impacts through thoughtful design, access management and integration with existing systems. Public infrastructure, including water, sewer, transportation and emergency services, is available or will be extended to adequately serve the proposed lots, with ongoing coordination between the applicant and Town staff to ensure compliance with all applicable standards.

Walkability and connectivity are key components of the development, with sidewalks provided along internal streets and connections to the existing greenway network and regional trail system. The broader Caropines community includes significant amenities constructed in earlier phases, including a clubhouse, pool, fitness facilities, restored golf features, open play areas, and an extensive greenway system extending through the property. These amenities are proportional to and supportive of the overall development and contribute to a cohesive and high-quality residential environment, with additional enhancements planned as the community continues to build out.

Environmental considerations have been incorporated into the planning and design of this phase. Stormwater management will be implemented in accordance with the CDP and applicable state and local regulations, and all necessary permits will be obtained prior to land disturbance. The project also complies with environmental protection requirements, including coordination related to protected species and participation in the Red Cockaded Woodpecker Safe Harbor Program. Lighting, landscaping, and buffering will be consistent with established standards to ensure compatibility with surrounding properties and minimize impacts.

Transportation infrastructure will be constructed in accordance with CDP requirements and supported by previously completed traffic analyses and phasing strategies. Required roadway improvements will be implemented in coordination with development phasing and in accordance with Town and NCDOT requirements, ensuring that infrastructure keeps pace with growth and maintains safe and efficient access. This Preliminary Plat represents an intermediate step in the subdivision process and does not constitute final approval for development or lot conveyance. Final Plat approval and recordation will be completed in accordance with UDO requirements prior to the sale of lots or construction of improvements. The proposed subdivision has been designed to comply with all applicable regulations and to support the orderly, phased development of the Caropines community.

In summary, the proposed Phase 1 development is consistent with the approved CDP, the PD zoning framework and the CLRP designation of Residential/Golf. The plan demonstrates a well-coordinated subdivision design that supports compatible growth, adequate infrastructure, environmental stewardship, and the continued development of a cohesive residential community within Southern Pines.



## Caropines PDP-4 Major Subdivision Justification

Below are listed the six criteria required to approve a Major subdivision Preliminary Plat (MAPP) application as described in Section 2.20.4(G) Criteria of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in red, describing how the project demonstrates compliance with each of these criteria.

- (1) The application is consistent with the approved Sketch Plat, if applicable.

Not Applicable

- (2) The application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds and public utility facilities.

The PDP conforms to all standards set forth in the Conceptual Development Plan (CDP) and the standards set forth in the UDO. The booklet included with the approved CDP demonstrates the overall compliance with the UDO and this PDP follows the standards of the CDP. The PD District, Comprehensive Long-Range Plan (CDLRP) and the CDP all encourage a residential community that reflects the standards of the existing community that surrounds the phase of development described in the PDP. The PDP submitted meets these goals.

- (3) The proposed subdivision complies with the UDO and applicable state and federal regulations.

The proposed development complies with the UDO and will meet all the requirements as provided in the approved Conceptual Development Plan (CDP).

- (4) The proposed subdivision, including its lot size, density, access and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property.

This PDP is consistent with and meets all standards and requirements provided in the CDP booklet and plans and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses in the CDP. The development of 16 single family residential lots and 19 large single family lots is consistent with Table 1.0 Development Program in the CDP booklet. The residential units follow all standards of the CDP included in Section 5 of the CDP.

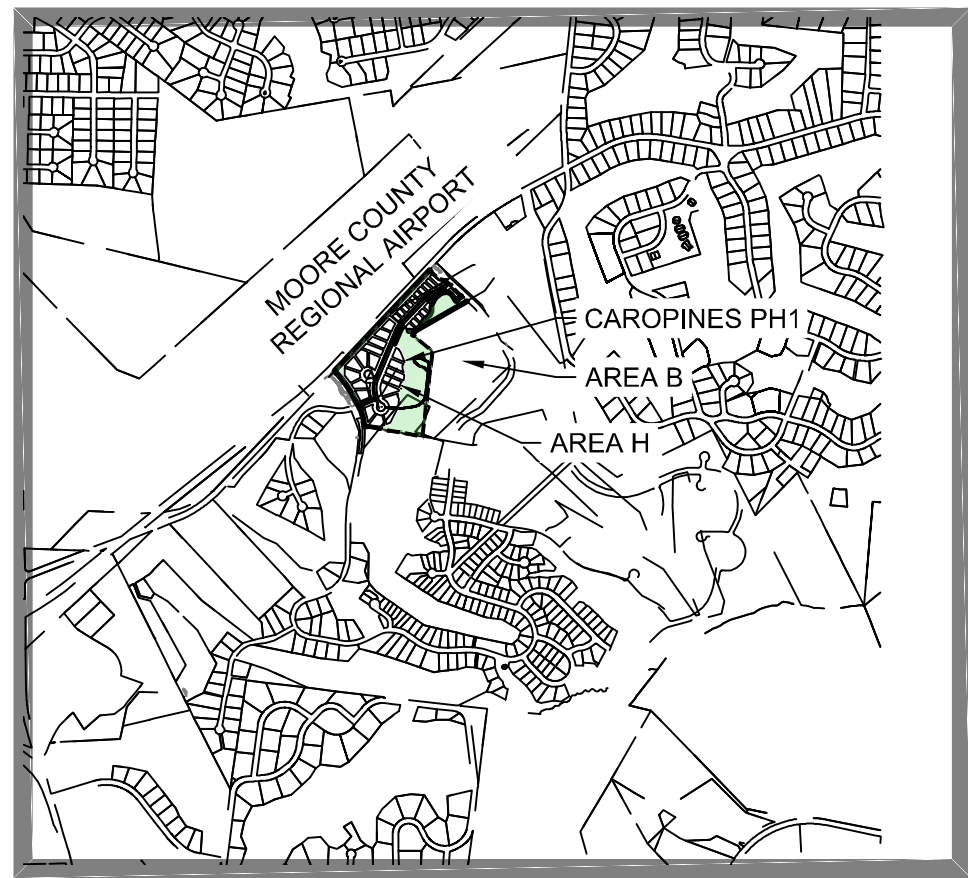
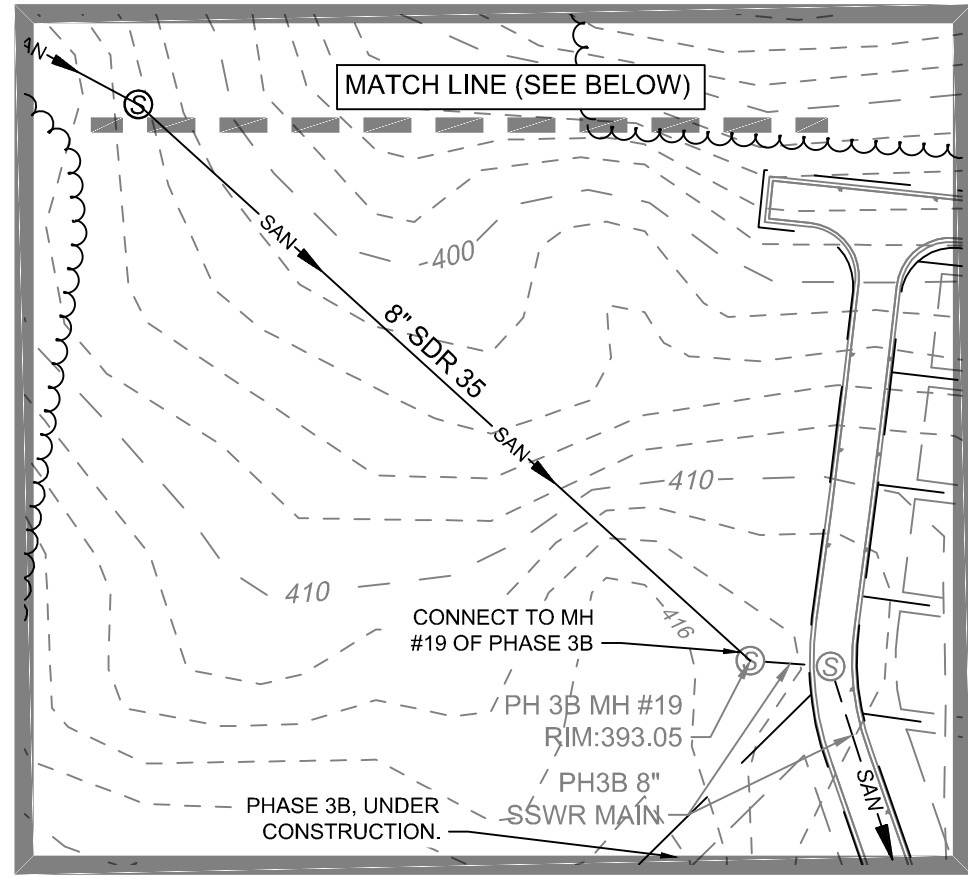
- (5) The proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties.

The PDP is consistent with the CDP and surrounding community. The CLRP, which takes into account surrounding land uses, designates this property as residential/golf. The property is bordered by: Airport Road and the Moore County Airport on its Northern boundary, the Mill Creek Commercial Shopping Center on its Western boundary, the Whispering Woods golf course community in the Whispering Pines jurisdiction on its Eastern boundary, and the Mill Creek and the Warrior Woods

residential subdivision on its Southern boundary. The continued residential use included in the PDP is consistent with the surrounding land uses and appropriate for this area. With the development standards set forth in the UDO and CDP, the PDP will be compatible with the surrounding neighborhoods and land uses.

- (6) The proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development.

This PDP follows the criteria described in Sections 5.5.5 of the CDP booklet, and water and sewer utilities are readily available for the project and have been developed in previous phases of The Carolina development.



- PRELIMINARY PLAT NOTES
- BOUNDARY, TOPOGRAPHIC AND UTILITY DATA FROM GIS AND OLD SURVEY DATA
  - PROPOSED PAVEMENT SECTIONS IS MINIMUM STANDARDS, FINAL PROPOSED PAVEMENT SECTION DESIGN WILL NEED TO BE PROVIDED TO THE TOWN PRIOR TO APPROVAL OF CONSTRUCTION DRAWINGS.
  - DIMENSIONS ARE TO FACE OF CURB AND EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
  - THE SITE IS LOCATED IN THE CAPE FEAR WATERSHED.
  - OTHER MISCELLANEOUS ZONING REQUIREMENTS MAY NOT BE ILLUSTRATED ON THIS PLAN AS THIS PLAN IS PRELIMINARY IN NATURE.

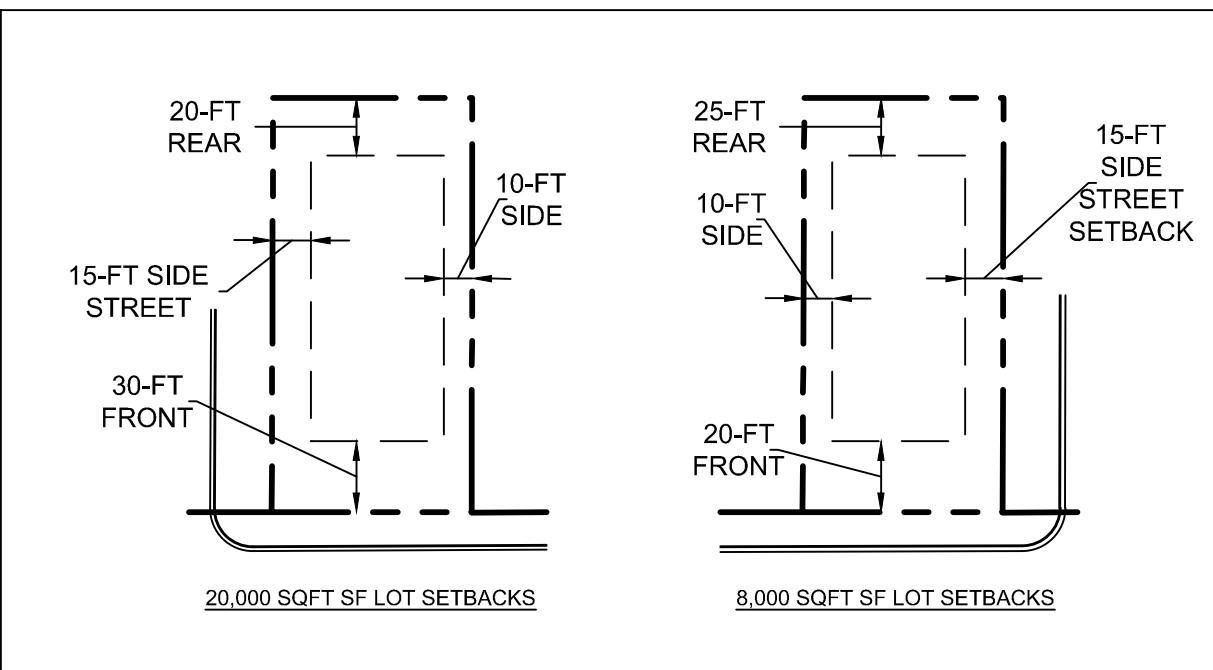
ACRES: +/- 24.99 AC  
 OPEN SPACE: +/- 9.62 AC (38.5%)  
 ZONING: PLANNED DEVELOPMENT (PD) - CDP FILE #PD-02-18  
 OVERLAY: HIGH QUALITY WATERSHED (WS-IIIP) - MILL CREEK  
 PROPOSED UNITS: 35

LOT DIMENSION STANDARDS

AREA B (16 UNITS):  
 MIN. LOT: 8,000 SF  
 MIN. LOT WIDTH: 50'  
 FRONT SETBACK: 20'  
 SIDE INTERIOR SETBACK: 10'  
 SIDE STREET SETBACK: 15'  
 REAR SETBACK: 25'

AREA H (19 UNITS):  
 MIN. LOT: 20,000 SF  
 MIN. LOT WIDTH: 50'  
 FRONT SETBACK: 30'  
 SIDE INTERIOR SETBACK: 10'  
 SIDE STREET SETBACK: 15'  
 REAR SETBACK: 20'

LEGEND:



PRELIMINARY

NOT FOR CONSTRUCTION

LANDSCAPE ARCHITECTURE   CIVIL ENGINEERING	REVISIONS:	DATE:
	04.16.26 PRELIMINARY PLAN REVIEW COMMENTS	04.10.2026
	04.22.26 PRELIMINARY PLAN REVIEW COMMENTS	

CHECKED BY:	G. FRANK
DESIGN / DRAWN BY:	J. AYERS
DATE:	04.10.2026
SCALE:	AS SHOWN

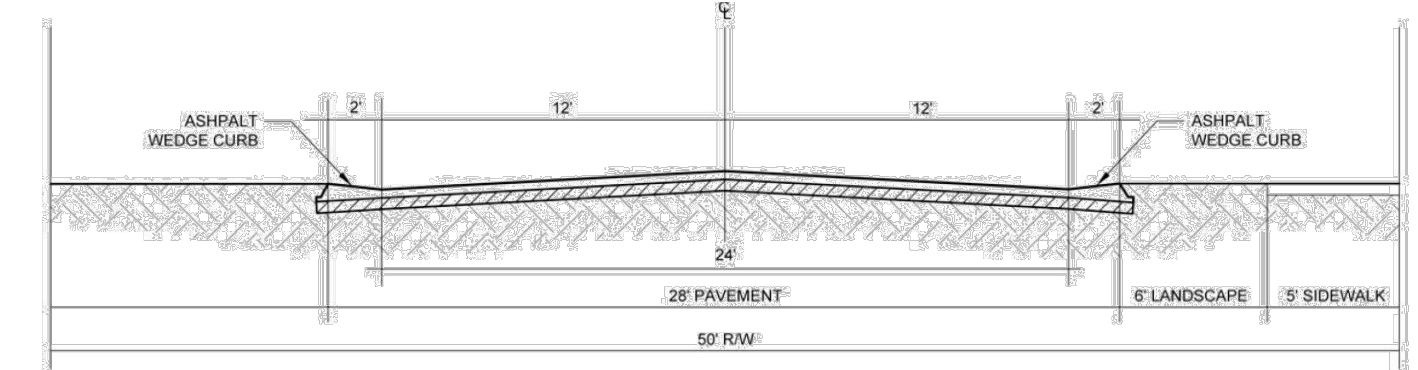
CAROPINES PHASE 1

AIRPORT ROAD, SOUTHERN PINES NC 28327 | TOWNSHIP: MCNEILL

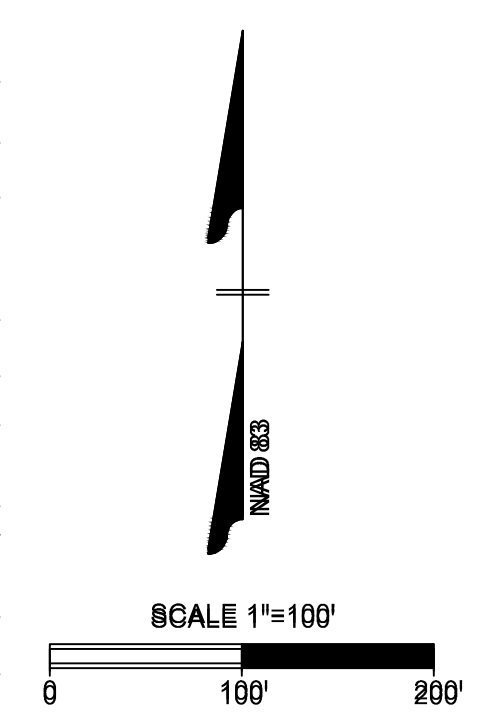
PRELIMINARY SUBDIVISION PLAT

ISSUED FOR:	PRELIMINARY
JOB NO.	1093
SHEET NO.	C1.0

Caropines  
 Exhibit XIII - Street and Sidewalk Standards | Sections  
 Southern Pines, North Carolina



50' Right-of-Way (Residential Street) NOT TO SCALE



Z:\1093 - The Village at the Carolina - Preliminary Plat\DWG\Sheet\CD\1093-C2-0-SITE.dwg | Plotted on 4/22/2026 11:58 AM | by Garrett Frank

# Planning Staff Report

**To:** Reagan Parsons

**From:** James Broadwell, Senior Planner

**Date:** June 9, 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 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 “full-preserved Open Space 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. TOWN COUNCIL ACTION:

At the May 12, 2026 Town Council regular meeting, a public hearing was held on the proposed Open Space and tree protection amendments. After discussing the proposal, the Town Council decided to continue the file to the June 9, 2026 regular meeting to allow more time for evaluating the amendment options and details.

To improve clarity, staff renamed attachments 2 and 3 as the “half-preserved Open Space option” and the “full-preserved Open Space option.” The revised titles underscore that the proposed amendments *do not change the total land required for Open Space*; they update the Open Space standards to specify the form of Open Space depending on the characteristics of a site when development is applied for.

In addition, since the May 12, 2026 meeting, staff made minor revisions to the proposed UDO §4.9.1(B)(2)(e) and §4.9.1(B)(3)(d) following public feedback. Staff agreed that these provisions should more clearly state that vegetation undermining the ecological health of a Tree Protection Area or Undisturbed Buffer may be removed. Both sections have been revised to incorporate this clarification.

### II. 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 “full-preserved Open Space option.” The motion carried unanimously by a vote of 5–0.

### III. 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.<sup>1</sup> 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

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<sup>1</sup> Town of Southern Pines. 2040 Comprehensive Plan, pages 34, 158-161, and 186-190.

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.<sup>2</sup>

**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 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.

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<sup>2</sup> Town of Southern Pines. 2040 Comprehensive Plan, pages 176-189.

**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 precedent<sup>3</sup>, 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 (“Half-Preserved Open Space 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%.

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<sup>3</sup> *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003 (1992)

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.

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.

#### **IV. ATTACHMENTS:**

1. Planning Board Resolution
2. **“Half-Preserved Open Space Option”** – Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.
3. **“Full-Preserved Open Space Option”** – Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.
4. RLUAC Agency Comment

#### **V. 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** (i.e. half preserved Option) 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** (i.e. full preserved Option) 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** (i.e. half preserved Option) 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** (i.e. full preserved Option) 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).

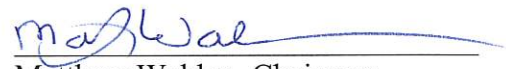
The Comprehensive Plan was written and adopted with the guiding priority of protecting the town's natural character, safeguarding open space as a meaningful development component, and minimizing tree loss during new development within the Southern Pines jurisdiction. Policies 3.2, 4.1, 4.4, 4.7, 4.9, 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.

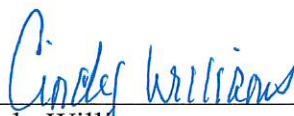
For these reasons, the Planning Board recommends that the Town Council consider both staff-provided options for the OA-02-26 text amendment as part of a policy discussion and decision. Both options support the intent and goals of the Comprehensive Plan. However, the Planning Board ultimately concludes 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 23<sup>rd</sup> 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;

- (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.

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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

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	<ul style="list-style-type: none"> <li>• At least 50 percent of large trees shall be evergreens</li> <li>• Longleaf pines shall be a minimum 2 inch Caliper and 8 feet tall</li> <li>• Other large trees shall be a minimum 2 inch Caliper</li> </ul>
Small Trees	One tree per 400 square feet	<ul style="list-style-type: none"> <li>• At least 20 percent and not more than 30 percent of small trees shall be deciduous</li> <li>• At least 50 percent of evergreen trees shall be species other than pines</li> <li>• Small trees shall be a minimum 1.5 inch Caliper</li> </ul>
Shrubs	For buffers 20 feet or narrower – one shrub per 50 square feet	<ul style="list-style-type: none"> <li>• Not more than 30 percent of shrubs shall be deciduous</li> <li>• 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</li> </ul>
	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 or other vegetation that undermines the ecological health of the TPA, to be confirmed by the Town Arborist, 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 or other vegetation that undermines the ecological health of the Undisturbed Buffer, to be confirmed by the Town Arborist, 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

(c) Is capable of being used and enjoyed for purposes of sidewalk, provided, however that Multi-user Trails may be counted as Usable Open Space; 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

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- (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.

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**Commented [JB15]:** Clarifying definitions between planted and undisturbed buffers will help improve landscaping plans and Open Space plans.

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**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

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- (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 is 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

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 [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 of 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;

- (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

## Chapter 3. Zoning

- (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)

(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
<b>RE, RR, RS-1, RS-2, RS-3</b>	none	none	none	30'	80'	none
<b>RM-1, RM-2</b>	10'	10'	none	20'	80'	20' if Multi-Family Building proposed
<b>NB, OS</b>	20'	20'	none	none	20'	20'
<b>GB</b>	50'	30'	none	none	20'	20'
<b>I</b>	80'	80'	20'	20'	10'	30'
<b>Golf Course</b>	10'	10'	10'	10'	30'	10'
<b>Active Recreational Facilities</b>	20'	20'	none	10'	30'	20'
<b>Institutions (public, private or religious)</b>	20'	20'	none	none	20'	20'
<b>Shopping Centers</b>	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
<b>Highway Yard</b>	50'	40'
<b>Side and Rear Yard</b>	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	<ul style="list-style-type: none"> <li>At least 50 percent of large trees shall be evergreens</li> <li>Longleaf pines shall be a minimum 2 inch Caliper and 8 feet tall</li> <li>Other large trees shall be a minimum 2 inch Caliper</li> </ul>
Small Trees	One tree per 400 square feet	<ul style="list-style-type: none"> <li>At least 20 percent and not more than 30 percent of small trees shall be deciduous</li> <li>At least 50 percent of evergreen trees shall be species other than pines</li> <li>Small trees shall be a minimum 1.5 inch Caliper</li> </ul>
Shrubs	For buffers 20 feet or narrower – one shrub per 50 square feet	<ul style="list-style-type: none"> <li>Not more than 30 percent of shrubs shall be deciduous</li> <li>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</li> </ul>
	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 or other vegetation that undermines the ecological health of the TPA, to be confirmed by the Town Arborist, 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 or other vegetation that undermines the ecological health of the Undisturbed Buffer, to be confirmed by the Town Arborist, 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

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- (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

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**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.

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**Commented [JB13]:** Clarifying definitions between planted and undisturbed buffers will help improve landscaping plans and Open Space plans.

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**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

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- (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.

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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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**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.

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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 is 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 [JB16]:** 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 [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.

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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.

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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 [JB18]:** Adding this definition further reinforces SNAs as a type of Open Space.

9-9

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 of 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

# Planning Staff Report

**To:** Reagan Parsons, Town Manager  
**From:** Mason Mattox, Planner II  
Cindy Williams, Planning Technician  
**Date:** June 09, 2026  
**Re:** RA-01-26 Abandonment of a ±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 ±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 Section §2.29 of the Town's Unified Development Ordinance, 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 required public hearing.

The request was first scheduled for the April 14, 2026 Town Council Business Meeting. Prior to the hearing, the applicant and their technical representative were advised that two Council members would be absent. The applicant subsequently requested a continuance, which was approved by the Town Council.

The matter was then considered at the May 12, 2026 Town Council Business Meeting, at which time the applicant's technical representative requested an additional continuance. The Town Council approved the request.

During its discussion of the matter, the Town Council expressed concerns regarding the future division of the vacated right-of-way, potential stormwater and erosion impacts to adjacent properties. To assist in its consideration of the request, the Council requested written correspondence from adjacent property owners indicating their support (or opposition) to the proposal, as well as topographic information and a detailed stormwater and erosion control plan addressing potential impacts to neighboring properties.

As of the publication date of this staff report, no additional materials have been submitted to Town staff. Any materials received prior to the June 9, 2026 Town Council Business Meeting will be provided to the Council and entered into the record.

### 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 1: Vicinity Map (approximate location of right-of-way outlined in Red)**



### IV. ATTACHMENTS:

1. Request to Abandon Right-of-Way
2. Map of 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) (ParID)  
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.

Leonard and Beth 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.  
 Camina  
 DB 523 Pg 261

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

Camina  
 DB 523 Pg 261

(207)  
 Holden  
 DB 777 Pg 558

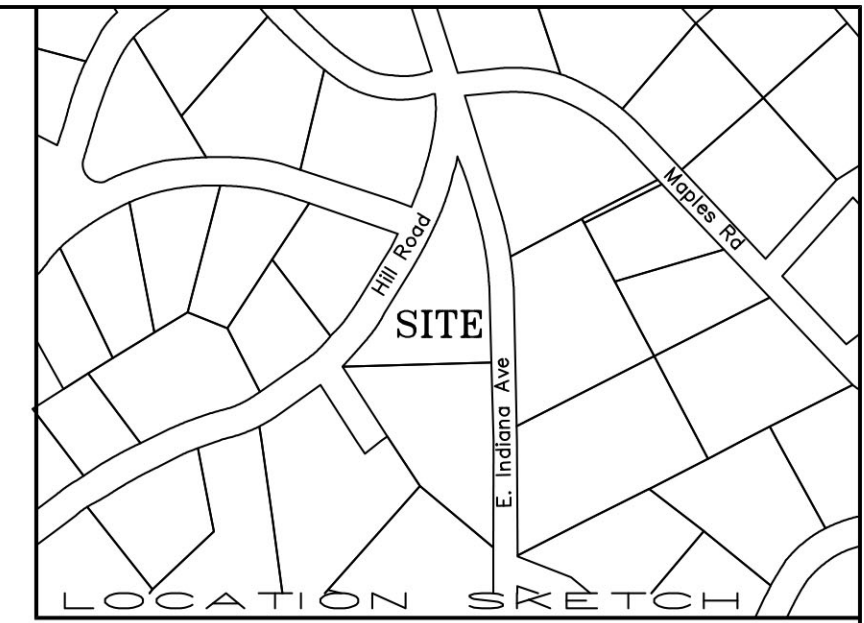
(208)  
 1.60 Acres  
 Leonard & Beth Gaddis  
 DB 1423 Pg 35  
 Parcel ID# 00048964  
 Zoned RS-3

(300)  
 Michael  
 DB 6293 Pg 69

(301)  
 Michael  
 DB 6293 Pg 69

Young  
 DB 4105 Pg 348

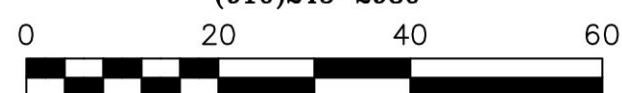
Right-of-Way to be  
 Abandoned  
 (±10,484 sf)



*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



S 00°02'06" W  
 389.77'

East Indiana Ave.

**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 public hearing was opened on April 14, 2026 and subsequently continued to May 12, 2026 and June 09, 2026; 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 9<sup>th</sup> day of June, 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 9th day of June, 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 June 09, 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 June 09, 2026.

Date: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk

DRAFT

# Planning Staff Report

**To:** Reagan Parsons, Town Manager

**From:** Mason Mattox, Planner II

**Date:** June 09, 2026

**Item:** Review of Chandler Pond Way Planned Development District (CDP) on Waynor Road.

## I. EXECUTIVE SUMMARY

Kevin Lindsay, on behalf of Chandler Pond Properties, LLC, has submitted an application for a Planned Development District – Conceptual Development Plan pursuant to §2.18.4 of the Town of Southern Pines Unified Development Ordinance (UDO). The request is to rezone the property from Planned Development (PD) to Planned Development (PD) with an approved Conceptual Development Plan to allow for the construction of a religious institution on 7.41 acres and a subdivision of the remaining approximately 5.48 acres into six (6) single-family residential lots. The property is located at the northwest corner of the intersection of Waynor Road and NC Hwy 22.

Staff's review of this request has focused on consistency with the Town's 2040 Comprehensive Plan and the adequacy of site development standards outlined within the Conceptual Development Plan.

The Town Council will need to make the following key decisions following a legislative public hearing:

- I. Whether the proposed Planned Development rezoning with a Conceptual Development Plan satisfies the requirements of the Unified Development Ordinance and further the intent and purpose of the Planned Development zoning designation.

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## II. PLANNING BOARD RECOMMENDATION

On April 23, 2026 the Planning Board held a public hearing on the proposed Planned Development – Conceptual Development Plan. Planning staff presented the application and identified outstanding concerns regarding the proposed cul-de-sac serving the residential portion of the development. Staff advised that the Town’s Engineering Department would not support acceptance of the cul-de-sac as public right-of-way due to its limited connectivity and public benefit. Staff further expressed concerns that a privately maintained street serving a small number of lots would create long-term maintenance and governance challenges. In response to these concerns, the Planning Board voted 5-0 to continue the matter to allow the applicant time to explore alternative site designs.

The application returned to the Planning Board on May 21, 2026, with a revised Conceptual Development Plan eliminating the cul-de-sac and instead providing direct driveway access to Waynor Road for the proposed residential lots. Staff supported this revision, finding that it addressed the primary concerns that prompted the continuance. Remaining discussion focused on the extent and location of proposed buffering, particularly the balance between preserving existing undisturbed vegetation and allowing limited disturbance with replanting, as well as the retention of mature trees between the front of the Church and Waynor Road, and the retention of mature trees in residential setbacks. Following discussion, the Planning Board found the proposal consistent with the Comprehensive Plan for reasons stated in the staff report and voted 6-0 to recommend approval to the Town Council, subject to the following (recommended) conditions:

1. Recommend that the staff and the applicant discuss prior to the Town Council meeting the buffer area adjoining the stormwater pond to preserve trees as much as possible with up to a 30% encroachment into the buffer area adjoining the stormwater pond, with the applicant replanting what was removed.
2. Trees 6-inches diameter and greater will be retained within the residential rear 30’ setback.
3. Trees 8-inches and diameter and greater directly south of building footprint shall be retained, with the understanding that the understory may be cleared.

Staff note that since the May 21 Planning Board, the applicant has revised the application to address the concerns outlined above.

### III. PROJECT INFORMATION

**A. Property Address**

PARID 00991862 (PIN 857400914852)

**B. Property Owner:**

Chandler Pond Properties, LLC.

**C. Applicant**

Chandler Pond Properties, LLC (Lynn Clark Samuelson)

**D. Authorized Agent:**

Kevin S. Lindsay, PE (Crawford Design Company)

**E. Existing Zoning:**

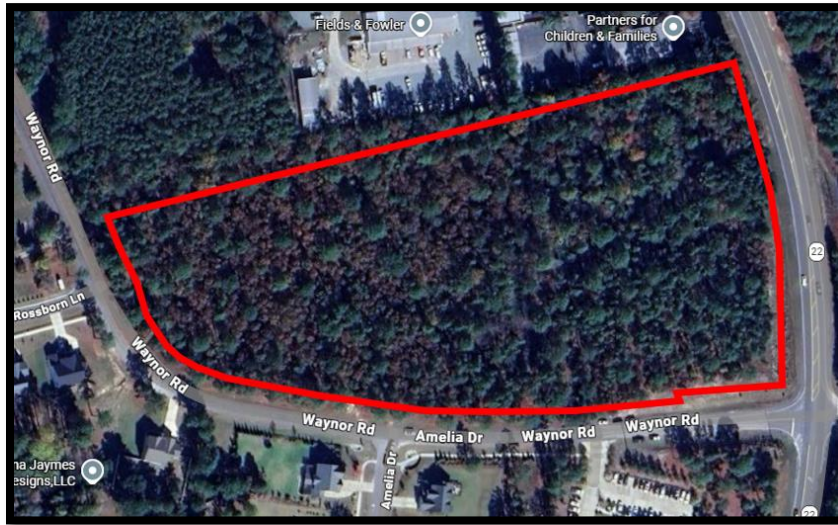
Planned Development (PD) without an associated Conceptual Development Plan (CDP). The Urban Transition Highway Corridor Overlay covers a portion of the site, and the entire site is located within the Protected Water designation of the Water Supply Watershed.

**F. Proposed Zoning:** Planned Development (PD) with an associated Conceptual Development Plan (CDP).

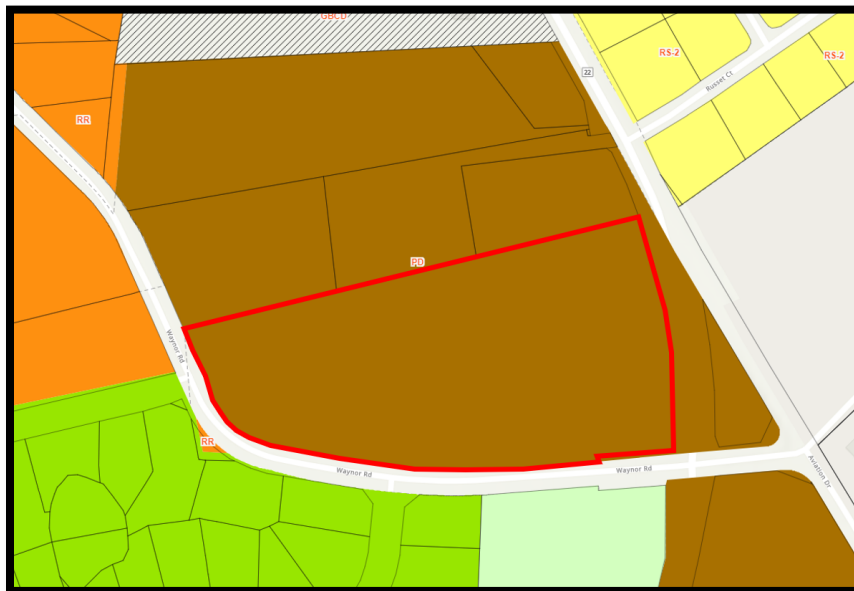
**G. Existing Uses:** None; site is presently vacant of structures or known land uses.

**H. Proposed Uses:** Religious Institution; Single-Family Detached Homes.

**Figure 1: Aerial Vicinity Map** (Approximate Property Boundary Shown in **Red**).



**Figure 2: Zoning Vicinity Map** (Approximate Property Boundary Shown in **Red**).



**Figure 3: Urban Transition Highway Corridor Overlay** (Shown in Hatched Lines).



**Figure 4: Drone Aerial Image (Looking Northward).**





## IV. STAFF REVIEW

### 1. Application Review Dates

1. Pre-Application with the Technical Review Committee: **April 04, 2025**
2. Application Submitted: **March 09, 2026**
3. Application Deemed Complete: **March 16, 2026**

#### **April 23, 2026 Planning Board Public Hearing Notice**

- Publication: **April 08 & April 15, 2026**
- Mail: **April 01, 2026**
- Signage: **March 30, 2026**
- Internet: **March 26, 2026**

#### **May 21, 2026 Planning Board Public Hearing Notice**

- Continued by action of the Board on April 23, 2026.

#### **June 09, 2026 Planning Board Public Hearing Notice**

- Publication: **May 27 & June 03, 2026**
- Mail: **May 22, 2026**
- Signage: **March 30, 2026**
- Internet: **May 22, 2026**

### 2. Process and Standards of Review

Applications for a Planned Development District (PD) are reviewed under UDO §2.18 through a three-step process: Conceptual Development Plan (CDP), Preliminary Development Plan (PDP), and Final Development Plan (FDP). This application is for a CDP, which establishes the zoning standards for the project through a rezoning process. As such, it must address the criteria for both a zoning map amendment (UDO §2.17.9) and a CDP (UDO §2.18.4(H)).

### 3. Zoning Map Amendment Criteria (UDO §2.17.9)

#### **A. Consistency with Comprehensive Plan**

General Framework – Areas to Transform

- The subject area is designated “Areas to Transform” intended for new employment centers, shopping, entertainment, and mixed residential uses.

Conservation and Development – Mixed-Use Area

- The subject area is within a designated Mixed-Use Area, which calls for integrated uses – residential, commercial, and civic – organized on walkable blocks with active public spaces and diverse housing types.

Character Districts – Complete Community

- These districts are envisioned as self-contained neighborhoods with a mix of uses, identifiable centers, and walkable design.

The narrative states that proposal supports these designations by introducing a mix of institutional and residential uses while avoiding additional high-intensity commercial development.

Staff find that the proposed development introduces one institutional and a residential subdivision land use, which satisfies the very baseline mixed-use criteria. However, staff note that the level of integration between uses remains limited, and the proposal does not fully achieve the intensity, connectivity, or walkable design envisioned by the Comprehensive Plan. Aside from these limitations, and following a neutral application of the definition of “mixed-use,” staff finds that the proposal to be consistent with the Comprehensive Plan at a baseline level, though it represents a lower-intensity development pattern than what is desired for this area.

**B. Adverse Impacts on Neighboring Lands**

The narrative indicates that impacts are minimized through low-density residential development, preservation of existing topography, and buffering along NC-22 and adjacent properties. The narrative also emphasizes that traffic impacts are reduced by concentrating peak activity on weekends and avoiding higher-density alternatives. (pp. 3-4, 7).

Staff generally concur that the proposed low-density development pattern may reduce potential impacts relative to more intensive alternatives that could be developed on the site. However, staff also note that the 2040 Comprehensive Plan calls for a higher-intensity, more integrated development pattern in this location, which would likely generate greater activity and associated impacts.

**C. Suitability as Presently Zoned**

The narrative explains that while PD zoning can allow higher intensity uses, such development would be incompatible with surrounding residential areas. The proposed lower-density mixed uses are presented as more appropriate given surrounding existing conditions. (pp. 6-7).

The site is presently zoned Planned Development and does not have an associated Conceptual Development Plan, required to develop. As such, staff find the request to rezone to achieve the next required entitlement to be reasonable with respect to suitability.

**D. Health, Safety, and Welfare**

The applicant notes that traffic congestion along NC-22 and Airport Road is a growing concern and that the proposed development would minimize additional impacts by limiting density and aligning peak use with non-peak traffic periods. (pp. 6-7).

Staff acknowledges that the proposed lower-density development is likely to generate fewer impacts than higher-intensity alternatives, however, staff also notes that certain design elements such as the proposed cul-de-sac raise questions about long-term maintenance of private road infrastructure, which might become a burden to homeowners in the future. Staff overall does not find that the rezoning itself would adversely impact public health, safety, or welfare.

**E. Public Policy**

The proposal responds to concerns raised during the neighborhood meeting, particularly regarding traffic and overdevelopment, and supports broader Comprehensive Plan goals of managing growth and avoiding overconcentration of commercial uses (pp. 1-2, 7).

Staff find that the proposal reflects responsiveness to neighborhood concerns regarding development intensity and traffic. However, the Comprehensive Plan also encourages a more robust mix of uses and greater intensity in this area. While the proposal does not fully advance those long-term policy objectives, it represents a balance between adjacent community concerns and broader planning goals. Staff find that the request does not conflict with adopted public policy.

**F. Size of Tract**

The narrative states that the tract is sufficient to accommodate development, buffers, an open space, proposing significant open space preservation and natural buffering across the site. (pp. 7-8).

Staff finds that the subject property is of sufficient size to accommodate the proposed uses, including buffering and open space. The tract could support a more intensive and integrated development pattern; however, the current proposal does not exceed the site’s physical constraints.

**G. Other Factors**

The narrative outlines a two-phase development approach (religious institution and residential), with each phase functioning independently while maintaining connectivity via sidewalks (p. 6).

Staff find that the proposed phasing plan provides a reasonable framework for development of the site, and note that the relative independence of the phases reflects the limited integration between uses.

**H. Applicant Representations**

The narrative indicates that the Conceptual Development Plan establishes the framework for future development. (p. 8).

Staff concurs that the Conceptual Development Plan establishes the zoning framework for future development of the site. All representations made by the applicant are binding at this stage, and additional technical details and site design will be subject to further review during the Preliminary Development Plan (PDP) and Site Plan phases.

**4. Conceptual Development Plan Criteria (UDO §2.18.4)**

**A. The proposed PD satisfies the criteria for a Zoning Map amendment established in this chapter;**

See Section 3(A-H) above.

**B. The Conceptual Development Plan represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan, Official Zoning Map, Capital Improvements Program, and any other applicable planning documents adopted by the Town;**

See Section 3(A) above.

**C. The proposed development is appropriate for the area of the Town in which it is located; and**

The applicant identifies compatibility with surrounding land uses, including Ravensbrook Subdivision, institutional uses, and low-density commercial properties. (pp. 5-6). Staff note that the area is most appropriate according to the 2040 Comprehensive Plan for mixed-use development.

**D. The proposed development will not generate the need for inefficient extensions and expansions of public facilities, utilities and services.**

The narrative states that water and sewer are available along Waynor Road and that stormwater and infrastructure improvements will be handled on-site without requiring inefficient public extensions. (p. 9). Staff concur with this finding, but note that the site is not presently within the Town's corporate limits. Therefore, a petition for annexation should be submitted.

## **V. ADDITIONAL COMMENTS**

The Conceptual Development Plan standards document contains zoning standards for land uses, setbacks, buffering, access, parking, signage, lighting, tree protection, phasing, and architecture. Staff support this list of standards, including two requested deviations from the architectural requirements of UDO 4.10.4, and requested deviations from the highway corridor overlay parking maximum. Buffering has been offered throughout the site, most predominantly adjacent to NC-22, shielding the site from the highway, which staff supports.

Staff also note that a Water Supply Watershed allocation permit will need to be submitted with the Preliminary Development Plan, along with a petition for annexation.

## **VI. AGENCY REVIEW AND COMMENTS**

Planning staff distributed the application for review to the following Agencies and Departments on **March 26, 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)

Town staff met on March 24, 2026 to discuss additional site concerns. The Fire Marshal stated that the anticipated occupancy of the Church may impact sprinkling requirements. As of the publication of this report, Town staff do not know the anticipated occupancy of the Church. The Fire Department commented that if the distance of the western parking area (seen below) from the curve to its southernmost point exceeds a certain distance, looping this drive aisle may be required. This factor is also impacted by whether or not the building will be sprinklered.



The Town's Engineering Department confirmed that a Traffic Impact Analysis (TIA) will be required at or before the Preliminary Development Plan (PDP) phase.

The U.S. Fish and Wildlife Service Raleigh Field Office noted that the site is located within a red-cockaded woodpecker Moore County red zone and near multiple active clusters with potential foraging habitat, and therefore recommends a cavity tree survey be done by a qualified consultant prior to removing any pine trees greater than 10 inches diameter at breast height (DBH) to avoid inadvertent impacts.

Any additional comments received following this staff report's publication, but prior to the public hearing, will be shared during staff's presentation.

## VII. STAFF RECOMMENDATION

Staff find that the proposal satisfies the minimum criteria for consistency with the 2040 Comprehensive Plan by providing a mix of institutional and residential uses. While the development does not fully achieve the intensity or integration envisioned for this area, it is also not inconsistent with the Plan when applying a neutral definition of "mixed-use" development. The proposal therefore represents a lower-intensity development pattern that will not result in unreasonable adverse impacts to neighboring properties. Staff recommend approval of the Conceptual Development Plan for Chandler Pond Way and associated Site Development Standards as submitted by the applicant.

## VIII. ATTACHMENTS

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

1. Planning Board Resolution
2. Application
3. Applicant's Narrative
4. Conceptual Development Plan
5. Conceptual Development Plan Standards

## 6. Neighborhood Meeting Report

*Additional documents related to this application including, but not limited to the application materials, applicant information, property deeds, authorization forms, correspondence, meeting records, and notification documentation, are maintained by the Town of Southern Pines Planning Department. Such records constitute public records under North Carolina law and are available upon request in accordance with applicable public records requirements. To mitigate the potential misuse of personal or contact information, these materials are not routinely published online, but are available by public information request.*

## **IX. TOWN COUNCIL ACTION**

A request for approval of a Conceptual Development Plan is a request for a rezoning. Per North Carolina General Statute 160D-605, the Town Council must adopt a statement of plan consistency and reasonableness.

To assist the Town Council, Town Staff have prepared the following draft motions for consideration, modification as necessary, and adoption:

**I move that after reviewing the application, applicable criteria, the Planning Board's written recommendation, and public comments:**

- 1. The requested Conceptual Development Plan is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment One.**

**-OR-**

2. The requested Conceptual Development Plan is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment One, and revised by the Town Council as follows...

**-OR-**

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

**And therefore, I move to:**

- 1. Approve PD-01-26 as presented at the June 9, 2026 Town Council public hearing.**
2. Approve PD-01-26, subject to the following condition(s) of approval...
3. Deny PD-01-26 for the following reasons...



**ATTACHMENT 1**

**RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION  
FOR ZONING MAP AMENDMENT APPLICATION  
FOR A PLANNED DEVELOPMENT DISTRICT  
PD-01-26**

**WHEREAS**, Section 160D-604(d) of the North Carolina General Statutes specifies that the Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but that a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board;

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

**WHEREAS**, the Planning Board conducted a public hearing on April 23, 2026, and continued the matter to the May 21, 2026, for further consideration of a Planned Development – Conceptual Development Plan for The Chandler Pond Way Planned Development; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board finds that the proposed Planned Development – Conceptual Development Plan is consistent with the Town of Southern Pines 2040 Comprehensive Plan and recommends approval to the Town Council of application PD-01-26, contingent on the following revisions:

1. Recommend that the staff and the applicant discuss prior to the Town Council meeting the buffer area adjoining the stormwater pond to preserve trees as much as possible with up to a 30% encroachment into the buffer area adjoining the stormwater pond, with the applicant replanting what was removed.
2. Trees 6-inches diameter and greater will be retained within the residential rear 30’ setback.
3. Trees 8-inches and diameter and greater directly south of building footprint shall be retained, with the understanding that the understory may be cleared.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the foregoing constitutes the Planning Board’s Written Recommendation to the Town Council in accordance with N.C.G.S. §160D-604(d).

**ADOPTED** this the 21<sup>st</sup> day of May, 2026.

*Matthew Walden*

Matthew Walden (May 28, 2026 11:49:01 EDT)

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Matthew Walden, Chair

**ATTEST:**

*Cindy Williams*

Cindy Williams (May 28, 2026 12:02:09 EDT)

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Cindy Williams  
Secretary to the Planning Board

**Cindy Williams**

E-signed 2026-05-28 12:02PM EDT  
cwilliams@southernpines.net



**Matthew Walden**

E-signed 2026-05-28 11:49AM EDT  
walm\_@hotmail.com













# PD-01-26 Written Decision of the Board

Final Audit Report

2026-05-28

Created:	2026-05-28
By:	Mason Mattox (mmattox@southernpines.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAApOJsaJhGnlp88zlnMedmnC0SSZFg32_A

## "PD-01-26 Written Decision of the Board" History

-  Document created by Mason Mattox (mmattox@southernpines.net)  
2026-05-28 - 3:34:52 PM GMT
-  Document emailed to M Walden (walm\_@hotmail.com) for signature  
2026-05-28 - 3:38:09 PM GMT
-  Email viewed by M Walden (walm\_@hotmail.com)  
2026-05-28 - 3:46:52 PM GMT
-  Signer M Walden (walm\_@hotmail.com) entered name at signing as Matthew Walden  
2026-05-28 - 3:48:59 PM GMT
-  Document e-signed by Matthew Walden (walm\_@hotmail.com)  
Signature Date: 2026-05-28 - 3:49:01 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Document emailed to cwilliams@southernpines.net for signature  
2026-05-28 - 3:49:03 PM GMT
-  Email viewed by cwilliams@southernpines.net  
2026-05-28 - 4:01:49 PM GMT
-  Signer cwilliams@southernpines.net entered name at signing as Cindy Williams  
2026-05-28 - 4:02:07 PM GMT
-  Document e-signed by Cindy Williams (cwilliams@southernpines.net)  
Signature Date: 2026-05-28 - 4:02:09 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Agreement completed.  
2026-05-28 - 4:02:09 PM GMT

# Waynor Road Planned Development

## Conceptual Development Plan (CDP)

1. Concept: The proposed district is located on a 12.9-acre parcel located at the northwest corner of NC-22 and Waynor Road. The parcel is currently wooded. The proposed Planned Development (PD) District calls for splitting the property into a 7.41-acre site for a Jesus Christ of Latter-Day Saints church and 5.48-acre tract that will be further subdivided into a residential area for five single family homes meeting the RS-3, Unified Development Ordinance (UDO), requirements. Current Zoning is “Planned Development” PD and the portion of the property along NC-22 is in the “Urban Transition Highway Corridor”.
2. Exhibit A shows Option 1:
  - a. The proposed Jesus Christ of Latter-Day Saints Church will comply with the UDO requirements of a General Business (GB) zoning. Regarding the Urban Transition Highway Corridor, an exception is requested for the Vehicle Use Area limitation on parking between the building and the highway. The lot has a prominent hill at the intersection. This hill and a minimum of 100-foot natural buffer will be maintained instead (excepting the “right in” “right out” entrance on NC-22). This will block the majority of parking spaces from view on both NC-22 and Waynor roads.
  - b. The proposed five RS-3 single family lots will comply with RS-3 UDO requirements. While lower in density than that typically found in PD districts, they match the RS-3 zoning across the Waynor Road in Ravensbrook and the sizable area of Rural Residential (RR) just to the north better than a higher density.
3. Exhibit B Shows Option 2:
  - a. Based on comments from Southern Pines Planning Staff to create more inter connection between uses, a greater mixture of uses, and to be more closely aligned with the 2040 comprehensive plan, an alternative Option 2 was prepared (See Exhibit B).
  - b. In this option a right of way runs from NC-22 to Waynor Road, opposite Bellcroft Drive. The church is moved closer to NC-22 (which will require removing the hill, and trees on the hill, located at the northwest corner of the intersection of NC-22 and Waynor Roads).
  - c. A commercial center and a high-density housing area are were also added.
4. A Neighborhood Meeting was conducted on February 24, 2026. The meeting was attended by seven nearby residents. The two options were presented and all seven residents ardently supported Option 1. Stated reasons were:

- a. Traffic congestion. Residents complained that traffic already backs up to the fire stations from the traffic circle at NC-22 and Airport Road during rush hour. Option 2 would only make the situation worse.
- b. Property values. Residents of Ravensbrook (zoned RS-3) complained that the housing shown in option 2 would reduce their property values. Whereas the RS-3 residential in Option 1 would not.
- c. Lack of need. Residents stated that “we already have enough coffee shops, restaurants, stores, and auto repair shops”.
- d. Additional traffic on Waynor Road. Currently, there is little need for anyone other than Ravensbrook residents to drive down Raynor Road past the fire station. Option 2 would dramatically change that for the worse.
- e. Based on input from residents and the owner’s desires, we are submitting for Option 1 approval, while including Option 2 as a lesser desirable alternative for comparison.

**Following paragraphs will be in support of Option 1.**

- 5. Applicable Zoning and Land Use Plans: As per the Southern Pines UDO, the PD district is designed to accommodate mixed land uses, such as office, residential, service, commercial, residential, and other uses appropriate for the area as set forth in the Town’s zoning and land use plans. This tract is in a large area of PD zoning and according to the 2040 Comprehensive Plan:

- a. On the “General Framework Map”, (see exhibit C) the site is listed as an “Area to Transform.”

*“Areas to transform provide opportunities to re-imagine Southern Pines Future, and introduce new, energized activity areas that provide key locations for new employment center, shopping centers, entertainment areas, and upper story or adjacent residential units in appropriate locations. In the context of more development, these areas require more deliberate planning and phasing to keep them viable over longer periods of change. However, once completed, redeveloped areas have the potential to serve as new and reinvigorated activity center for the whole of Southern Pines.”*

-Option 1 will transform a wooded area into a church and low-density single-family housing area. While some may argue that the proposed PD does meet the vision described in this paragraph, taking a step back and looking at the larger area, it clearly does. The area around the intersection of NC-22 and Airport Road is listed as a Regional Activity Center and a Growth Priority (the proposed site is not shown as either a Regional, Community or Neighborhood Activity Center, nor is it designated as a Growth Priority Area). The traffic circle at the intersection of NC-22 and Airport Road is .71 miles south of Waynor Road. In the last 20 years that area has transformed from a wooded area to a dense, commercial activity center with a large

apartment complex (which appears to have room for future phases). It includes a Harris Teeter, Ace Provisions, Starbucks, McDonald's, Dollar General, Medical Clinic, large day care facility, and many other restaurants and shops. An ABC store is under construction along with more restaurant and retail space.

-In addition, just .57 miles north of Waynor Road is the Food Lion Shopping Center. While not in Southern Pines, it along with several other retailers (Dollar Tree, O'Reilly Auto Parts, a pharmacy, gas station, and several others) are an activity center for Whispering Pines and the surrounding area. So, there are developed activity centers within one mile to the north and south of the proposed project.

-Two miles north of Waynor Road is the new Magnolia Hill (130 units) apartment complex.

-Due to all of this growth in close proximity, not only is another commercial center / high density housing project not needed, it would be highly undesirable and create the urban sprawl Southern Pines is trying to prevent. The proposed Option 1 minimizes adverse impacts by retaining the prominent wooded hill in the northwest corner of the Waynor Road and NC-22 Intersection. This will help provide a green break from the commercial areas to the north and south. The church's main traffic flow will be on weekends and not conflict with local rush our traffic. Several of those who attended the Neighborhood Meeting on the development complained of traffic already backing up from the traffic circle to the fire station during rush hour. At the Neighborhood Meeting, two options were presented. Option 1 included the church and 5 single family homes. Option 2 included the church with a road connecting it to a commercial and high-density housing. The seven nearby residents who attended were unanimous and very adamant in their support for Option 1 over Option 2.

-The proposed low density residential will minimize additional traffic and matches the zoning of Ravensbrook on the south side of Waynor Road. Several of those who attended the Neighborhood Meeting expressed concern for the impact of Option 2 on their home values in addition to the added traffic.

-The second to last sentence in the 2040 plan is particularly appropriate to this development: *"In the context of more development, these areas require more deliberate planning and phasing to keep them viable over longer periods of change."* The PD process allows the Town and its citizens to adjust PDs to the needs of the community over time. This area has seen rapid commercial and high-density growth in recent years and this proposed project fits very well with the community's current needs. When large areas, such as this area along NC-22 are designated as PD or to be "Transformed", each development must be looked at in the context of what has already been done to prevent it from turning into an undesirable homogeneous urban sprawl.

- b. On the Conservation and Development Map (See Exhibit D), this site it is listed as a “Mixed Use Area”: *“This category describes land offering the opportunity to serve broader economic, entertainment, and housing needs in the community. Land uses and buildings on small blocks encourage active public spaces between buildings. Public spaces should be sized and designed to be gathering places for mixed use areas and their surrounding neighborhoods.”*

-While Option 1 is a mixed use of a church and low density single-family residential, it appears this description is envisioning a more urban environment than where this project is located. This site is specifically bordered by low density commercial properties to the north, a low-density single-family residential subdivision to the west and south, the fire department to the south, and the airport to the east. Further, at 12.9 acres, the site is arguably too small and isolated to create the mixed-use pattern described above. The rights of way needed to create the small blocks described would take up too much of the site in addition to increasing impervious areas and runoff. With a well-developed, designated Regional Activity Center to the South and an existing commercial center to the north—just outside the Town’s boundaries, this area is already well served with a wide variety of dining, shopping, public gathering spaces, and high density “missing middle” housing. When the “mixed use” description is extrapolated to the larger area around the proposed project—which is more suburban than urban—it fits a mixed-use description quite well. The church offers its services to the wider community and the proposed single-family homes will have a very short drive to the commercial centers to the north and south. Also, residents can connect to the Town’s recreational trail system through the Ravensbrook neighborhood. A sidewalk along Waynor Road will connect to the sidewalks going through Ravensbrook and to the Fire Department.

- c. On the Character District Map (See Exhibit E), the site is listed as a “Complete Community”: *“Complete communities represent large, vacant parcels of land aimed at becoming self-sustaining communities in the landscape. Generally speaking, a complete community includes a mixed-use area that may serve a broad economic, entertainment, employment, shopping, or civic needs of the community.”*

-Per the 2040 plan, this site is part of “Complete Community” stretching from this site to the Regional Activity Center south of the Airport Road and NC-22 intersection. It also includes the Community College and O-Neal School. As previously discussed, this area has already become a complete community with everything listed in the description above. Several things should be noted about this “Complete Community” area (See Exhibit F):

1. The Ravensbrook “Suburban Settlement” is much larger now than indicated on the map. It and the Fire Station take up the entire southern boundary of Waynor Road across from the proposed PD.
  2. The new 12-acre Moore Humane Animal Welfare Center is located on the southeast corner of the Waynor Road/NC-22 Intersection.
  3. The Community College, Moore County, and Airport own all of the remaining land around the traffic circle.
  4. The remaining undeveloped land between the Fire Station and traffic circle includes considerable areas in the US Fish and Wildlife wetland inventory—see exhibit F2.
  5. Therefore, while it appears that this area is easily connected to the activity center to the south, in reality it is not.
  6. The area north of this site is listed “Rural Living”. With this in mind, the proposed project fits very well between “Rural Living” to the north, “Suburban Settlement” to the west and south, the fire department, and the new Animal Welfare Center and airport to the east. It provides a church to the community, single family homes matching the adjacent zoning, and avoids adding significant traffic to an already congested rush hour. Also, with several commercial shopping centers constructed in the area in the last twenty years, the proposed open space adjacent to NC-22 will help maintain a more rural appearance and provide a visual break from high density mixed use commercial and residential areas to the north and south.
- The district will have a sidewalk along Raynor road between the church entrance and the residential subdivision entrance. This sidewalk will allow easy access to the sidewalks in Ravensbrook and, through them, to the Town’s Greenway system.

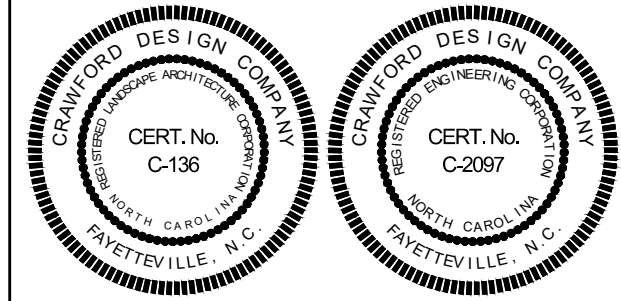
6. Appropriateness of Proposed District:

- a. Surrounding Area: As Exhibits G1&2 show, the area around site has experienced extensive development since 2003. What was once predominantly forest and single-family housing, now contains several commercial developments, apartment complexes, and additional single-family housing. Other major land uses include Sandhills Community College, the O’Neal School, Moore Regional Airport, and several single-family residential subdivisions. New, since 2003, are the Harris Teeter Shopping Center, Food Lion Shopping Center, Ace Provisions Shopping Center, Tyler’s Ridge Apartments, the new Magnolia Hill apartment complex (less than 2-miles north), and several other commercial and residential developments. Recent additions include a McDonalds, Starbucks, Dollar General, and the Ravensbrook Subdivision.
- b. District “Fit”: Traffic congestion along NC-22 and Airport Road has been a growing community concern. Students attending Sandhills and O’Neal and commuters

traveling to Fort Bragg and other places of work often conflict and back up the traffic circle at the intersections of NC-22 and Airport roads. The proposed district will include a church and five single family homes. Under the PD district, much higher densities are allowed and typically proposed as illustrated by Option 2 (Exhibit B). Such a mix of commercial and high-density homes would contribute to the traffic congestion in the area. Instead, the Church's main traffic would be limited to weekends and would not conflict with school and work traffic peak hours. The Church will not include a school or daycare.

7. Conceptual Development Plan (CDP) Requirements:

- a. Mix and intensity consistent with Comprehensive Plans: *As stated in paragraph 5, above, the district fits into the 2040 Comprehensive Plan designations of this site as an "Area to Transform", "mixed Use", and as being a "Complete Community" by having more than one use, fitting in with existing uses around it, avoiding additional commercial "sprawl" along NC-22, and by allowing access to the Town's trail system via Ravensbrook. The proposed church matches well with the adjacent low density commercial uses: a small non-retail commercial center, Fields & Fowler Electric, Whispering Pines Animal Hospital, Southern Pines Fire Station, and the Moore Human Animal Welfare Center under construction. The proposed single-family housing matches the zoning of the Adjacent Ravensbrook neighborhood. There is already ample commercial retail space to the north (Food Lion, Dollar Tree, etc.) and south (Harris Teeter, Dollar General, Ace Provisions, McDonalds, Starbucks, ABC store under construction and many others). There is additional room for development within these areas.*
- b. Street layout is consistent with the Town and Development: *The District will have an intersection opposite the fire departments entrance on Waynor Road, a right in/right out on NC-22, and cul-de-sac entrance opposite of Belcroft Drive on Raynor Road. Church traffic will primarily be on weekends and not conflict with Community College, O'Neil School, and commuter traffic. The low-density residential development and off-peak church traffic will avoid significantly stressing the already stressed NC-22 and Airport Road corridors.*
- c. Phasing plan enables each phase to be developed in a way that creates a sustainable neighborhood and enhance each successive phase: *The church will likely be the first phase and the residential subdivision the second phase. Each phase will operate independent of the other but will be connected with a sidewalk along Raynor Road. Each phase will be useful to the community: a place of worship and low-density housing.*
- d. The proposed arrangement of land uses and the phasing plans are compatible with surrounding neighborhoods: *The low-density single-family development matches*



SEALS

REVISIONS	DESCRIPTION
0	mm-dd-yy Description

MICHAEL R. MCLEOD, ARCHITECT, PA  
NEW CHURCH MEETING HOUSE  
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS  
OVERALL DEVELOPMENT PLAN

PROJECT DETAILS  
Project Manager: KSL  
CAD Technician: REN/GER  
Reviewed / Approved:  
Project Number: 25013

SCALE  
Full Scale: Horiz.: 1" = 60'  
Half Scale: Horiz.: 1" = 120'

ISSUE DATE: 10/08/2025

SHEET NUMBER

**C2.0**



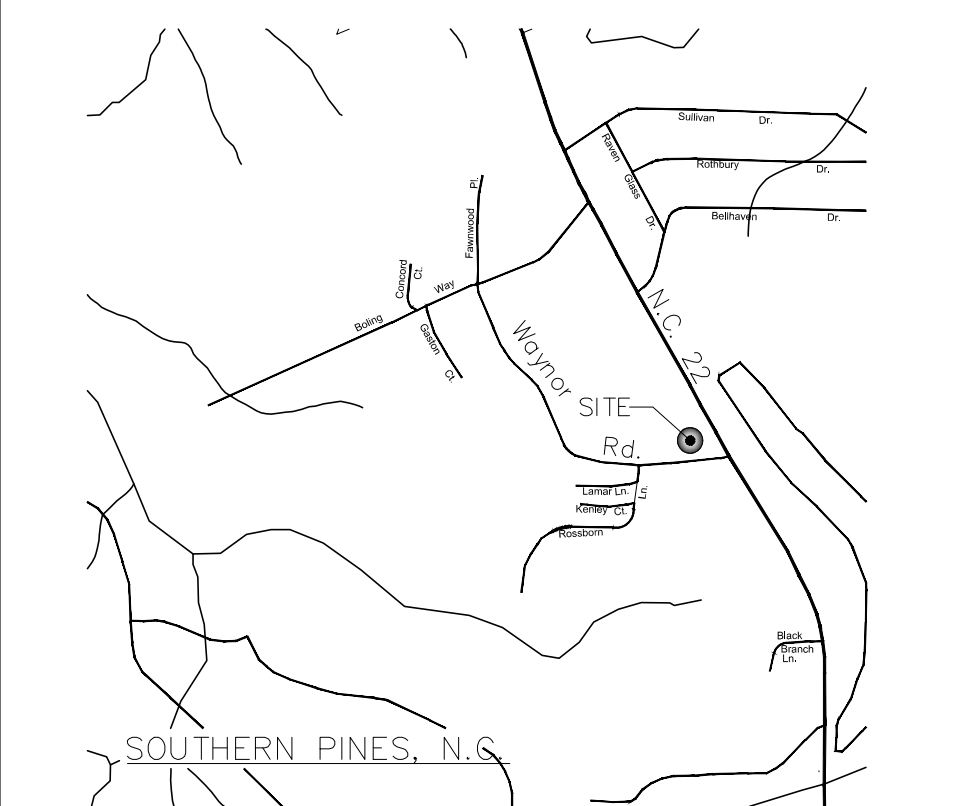
Know what's below.  
Call before you dig.

UNDISTURBED BUFFER TO BE MAINTAINED. UNDESIRABLE TREES SMALLER THAN 6" MAY BE REMOVED AS DESIRED BY DEVELOPER. LARGER UNDESIRABLE / DISEASED TREES MAY BE REMOVED WITH TOSP APPROVAL

DEPENDING ON THE FINAL DESIGN OF THE STORMWATER CONTROL MEASURE, DEVELOPER MAY REMOVE SOME TREES UP TO 10' (OR 33% OF 30' WIDTH) INTO THE UNDISTURBED BUFFER. AFTER GRADING, THE BUFFER WILL BE REESTABLISHED TO TOSP STANDARDS.

KEEPING THIS AREA AS AN UNDISTURBED BUFFER IS DEPENDANT ON NOT HAVING TO CONNECT THE PARKING ON THE WEST WITH THE ENTRANCE ROAD TO MEET FIRE MARSHAL REQUIREMENTS.

TREES 8" AND LARGER IN DIAMTER SHALL BE MAINTAINED IN THIS AREA IN FRONT OF THE CHURCH. TO ALLOW VISIBILITY FROM WAYNOR ROAD, SMALLER TREES AND UNDERBRUSH MAY BE REMOVED AND THE AREA LANDSCAPED AND SODDED AS DESIRED BY DEVELOPER.

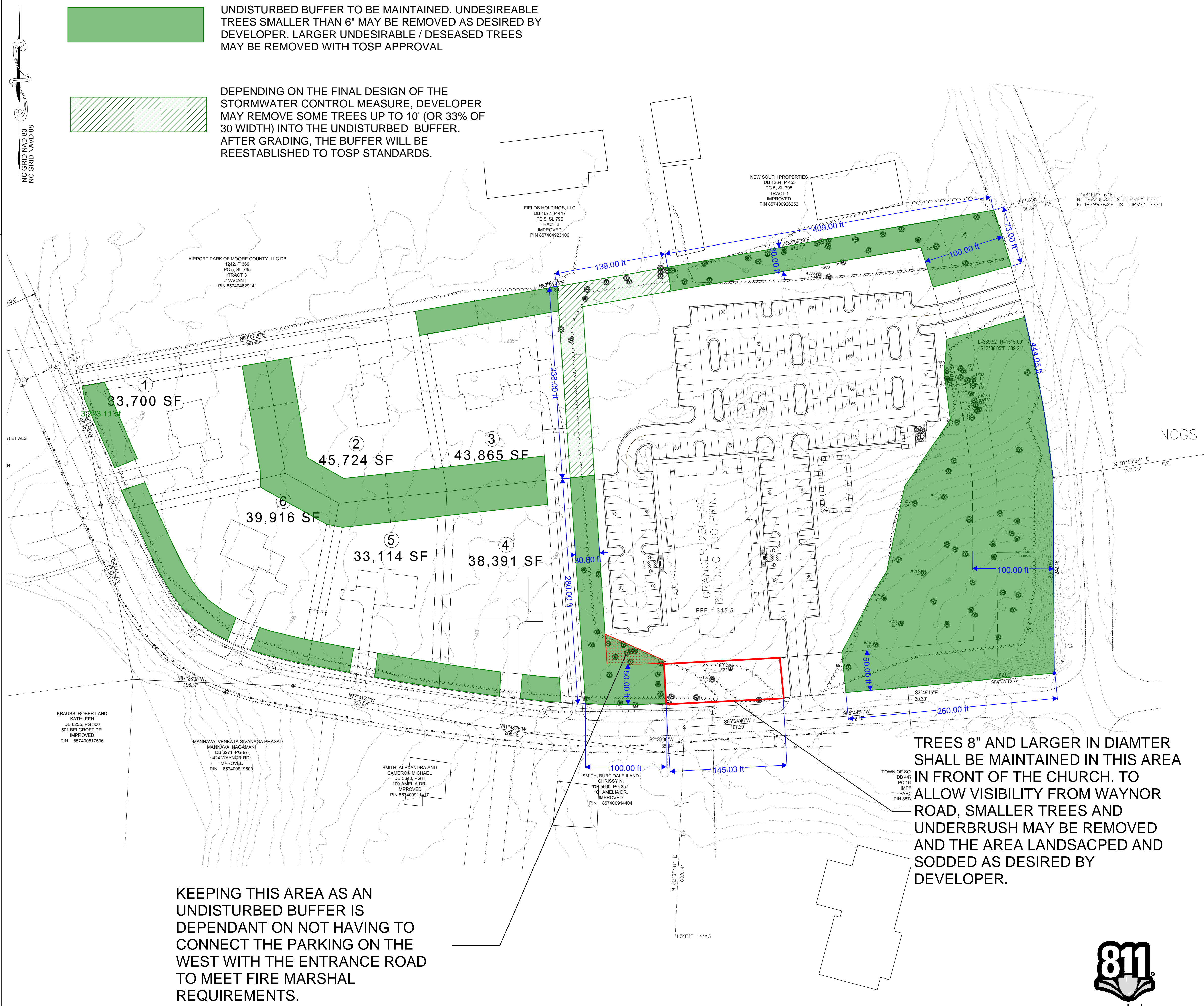


**SITE NOTES**

- 1) INSTALL HEAVY DUTY ASPHALT (SEE CDC DETAIL 1.1908)
- 2) INSTALL LIGHT DUTY ASPHALT (SEE CDC DETAIL 1.1910)
- 3) INSTALL 24" CURB AND GUTTER (SEE TOSP DETAIL R11)
- 4) ADA RAMP (SEE TOSP DETAIL R-13, R14)
- 5) ADA RAMP (SEE CDC DETAIL 1.1602)
- 6) DUMPSTER ENCLOSURE SEE ARCHITECTURAL PLANS
- 7) 5' WIDE SIDEWALK SEE TOSP DETAIL R13
- 8) CONCRETE WHEELSTOP SEE CDC DETAIL 1.1217
- 9) INSTALL PAVEMENT MARKINGS AND STRIPING (SEE TOSP DETAIL R19)
- 10) INSTALL STOP SIGN (SEE CDC DETAIL 1.2704)
- 11) INSTALL 8.67' x 8.16' TRANSFORMER PAD
- 12) SPILL-OFF CURB SEE TOSP DETAIL R-11 (SHADED)
- 13) BICYCLE RACK (2 BICYCLES) (SEE CDC DETAIL 1.2612)
- 14) INSTALL (4) 24"-DIA PRE-CAST CONCRETE DECORATIVE BOLLARD (SEE CDC DETAIL 1.1006)
- 15) THREE-RAIL ALUMINUM PICKET FENCE (BLACK) (3.5' TALL) SEE ARCHITECTURAL PLAN DETAIL 5.A0.

**ADDITIONAL NOTES**

1. ALL GENERAL NOTES, ABBREVIATIONS, SYMBOLS, AND OTHER INFORMATION INDICATED ON THE COVER SHEET SHALL APPLY TO THIS PLAN
2. ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR WITH THE SURVEYOR OF RECORD PRIOR TO BEGINNING CONSTRUCTION. BENCHMARK IS AN (INSERT DESCRIPTION) LOCATED (DIRECTION) OF PROJECT SITE, WITH COORDINATES (N 11111.1111, E 22222.2222) AND HAVING AN (ASSUMED) ELEVATION OF (123.45).



## **Chandler Pond Way Conceptual Development Plan Site Standards (File #PD-01-26)**

### **Religious Institution Portion**

1. Land Uses
  - a. Land uses shall be limited to a Religious Institution and customarily accessory uses.
2. Setbacks
  - a. NC-22 100 feet (measured from ROW).
  - b. Waynor Road: 50 feet
  - c. North property line: 30 feet.
  - d. West property line (adjacent to single-family residential): 30 feet.
3. Buffers
  - a. NC-22: 100-foot undisturbed buffer, except for approved access points.
  - b. Waynor Road: 50-foot undisturbed buffer for 260-feet closest to NC-22. Remainder of area will be landscaped to screen parking, while making the church clearly visible from Waynor Road. Trees 8-inches and diameter and greater directly south of building footprint shall be retained, with the understanding that the understory may be cleared, as depicted in development plan.
  - c. Boundary with Residential portion (west): A 30-foot undisturbed buffer directly west of the building footprint, and a 30-foot replanted buffer directly west of the northern parking area, as depicted in development plan.
  - d. Boundary with adjacent property to the north: 30-foot undisturbed buffer directly north of the parking area, and a 30-foot replanted buffer directly north of the proposed Stormwater Management Area as depicted in development plan.
4. Parking
  - a. Parking shall be provided at a rate of up to one (1) space per 60 square feet of building area (283 spaces for a 17,000 sq. ft. building), including a minimum of eight (8) ADA-compliant spaces.
  - b. Parking on the institutional portion of the property shall not exceed 300 spaces.
  - c. The 40% Highway Yard maximum and maximum parking requirements of UDO Exhibit 3-13 shall not apply; parking within the Highway Corridor Overlay (HCO) may exceed this limit.
5. Signage
  - a. Signage shall comply with applicable standards of the General Business (GB) zoning district.
6. Lighting
  - a. Lighting shall comply with applicable standards of the General Business (GB) zoning district.
7. Architecture
  - a. Maximum building height permitted shall be 45 feet.
  - b. Special Architectural Features such as a steeple may be constructed up to 66 feet above the finished floor elevation.
  - c. Principal Religious Institution Structure shall be exempt from Building Orientation Requirements and shall instead face south toward Waynor Road.

- d. Principal Religious Institution Structure shall be exempt from Windows requirements of the UDO.

### **Residential Portion**

1. Land Uses
  - a. Land uses shall be limited to single-family detached dwellings.
2. Lot Yield and General Layout
  - a. Development shall consist of five (5) to seven (7) lots.
3. Access
  - a. Lots shall have direct access to Waynor road. Two long driveway “flag lots” will be used to provide access to the rear of the property.
4. Setbacks
  - a. Front: 30 feet.
  - b. Exterior Side: 15 feet.
  - c. Interior Side: 10 feet.
  - d. Rear: 30 feet.
5. Buffers
  - a. Waynor Road: 30-foot undisturbed buffer, except for approved driveway access points, as depicted in development plan.
  - b. Trees 6-inches diameter and greater shall be retained within the residential rear setbacks, as depicted in development plan.

### **Phasing**

1. It is the intent of the current land owner to donate the land for construction of the church. The remainder of the land will then be sold for residential development as per the approved CDP and PDP. The construction will therefore be phased with the church being constructed first and the residential portion being constructed later.

## Neighborhood Meeting for: Raynor Road Planned Development

Conducted: Tuesday, February 22, 2026 at Crawford Design Company, 230 West Pennsylvania Ave., Suite C, Souther Pines, NC 28387

### Meeting Summary:

Seven people attended the meeting.

The design Engineer, Kevin Lindsay, went over the Planned Development concept and process of submitting a Conceptual Development Plan (CDP) and Preliminary Development Plan (PDP). And, that we were in the CDP process.

Kevin Lindsay went over two options. Option 1 being the church with a low density residential subdivision and Option 2 being the church with a mix of commercial and high density residential (see attached). Key differences being the right of way through the project in option 2 and the church being closer to NC-22 in option 2 which would result in removing much of the hill at the corner of NC-22 and Waynor Road.

The attendees were unanimous in favoring option 1. They expressed concern over:

- Increased traffic from commercial and apartments/townhomes. Several expressed frustration at traffic already backing up to the fire station during rush hour.
- They expressed concern about their property values in Ravensbrook if option 2 was chosen.
- They expressed concern that the commercial and high density residential in option 2 is not needed. "We have plenty of coffee shops, fast food, and apartments." The large Magnolia Hill apartment complex just built to the north at the corner of NC-22 and McCaskill Roads was mentioned. Also that Ace Provisions area's new McDonald's and Starbucks are not even complete and that an ABC store and more restaurants are coming.
- The expressed concern about increased traffic on Waynor Road--especially if option 2 was chosen. It was also mentioned that there is still underutilized commercial space available in the area. Specifically at the Harris Teeter and Ace Provision shopping centers
- Several attendees said they had no problem with the church, but did not want to see commercial or high density residential.

The Architect, Mike McLeod, joined the meeting by phone and answered specific questions on the church and how it would be used.

- He went over uses and how the church would serve up to four congregations that would be kept to 250 or fewer. That these congregations would rotate through the church on Sundays with no more than two overlapping at one time.
- He also mentioned that once or twice a year a large meeting would take place that would bring additional people to the church for Saturday and Sunday meetings.
- There will be not day care or school at the church.
- There would be teen groups meeting (less than 20) on some mornings and some evening gatherings that would be smaller than Sunday meetings and take place after rush hour traffic.
- A question was asked if the church would own the houses and concern expressed about that. Mr. McLeod said no, the church would not own or control anything other than the church property.
- it was asked if this would be a fundamentalist Mormon church. Mr. McLeod said it would not be.

Kevin Lindsay invited attendees to e-mail him to receive a copy of the options and draft application and to e-mail him any comments they had. Comments and questions were only received from one person--see attached. It should be noted that the comments were from Robert Krauss--who does not appear to have attended the meeting.

Notes by:

Kevin S. Lindsay, PE  
Crawford Design Company





Planned Development District -  
Conceptual Development Plan

Fee: \$2,210.00      Date Received: \_\_\_\_\_      Case No.: PD-\_\_\_\_-\_\_\_\_

**Project Information:**

Project Name: Waynor Road Planned Development

Physical address: Northwest Corner of Waynor Road and NC-22

PIN: 857400914852

Parcel ID: 00991862

Site Size: 12.9 acres

Zoning: PD

**Applicant:**

Name(s): Chandler Pond Properties, LLC, Lynn Clark Samuelson, Managing Member

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: 16 Liberty Oak Lane, Surfside Beach, SC 29575

**Authorized Agent, if different from Applicant:**

Name(s): Kevin S. Lindsay, PE

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: 230 West Pennsylvania Avenue, Suite C, Southern Pines, NC 28387

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

Name(s): Same as applicant

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

12.4.25

**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 – Conceptual 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 northwest side of Waynor Road (St./Ave.), between \_\_\_\_\_ (St./Ave.) and NC-22 \_\_\_\_\_ (St./Ave.). The property has a frontage of 570 (NC-22) feet and a depth of 1,114 feet.

The request is based upon **Section 2.18** of the **Town of Southern Pines Unified Development Ordinance**.

The proposed use of the property is as follows:

A Meeting House for Church of Jesus Christ of Latter-Day Saints and Single Family Homes

Date: \_\_\_\_\_

2/9/26

Gyan Clark Samuelson <sup>MM</sup>

Applicant

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

**ORDINANCE #3188**  
**ADOPT THE FISCAL YEAR 2026/2027 BUDGET**  
**AND LEVYING THE TAX RATE**

**BE IT ORDAINED AND ESTABLISHED** by the Town Council of Southern Pines assembled in regular session this 9th day of June 2026, as follows:

**SECTION 1.** That for the expenses of the Town government and its activities for the fiscal year ending June 30, 2027 as set forth in the Town of Southern Pines, North Carolina Annual Budget, the amounts in the following section, or as much thereof as may be necessary, are hereby appropriated in the manner prescribed in the budget document, and the revenue estimates as forth are hereby adopted:

I. GENERAL FUND

		<u>BUDGET</u> <u>2026-2027</u>
1.	REVENUES	
	AD VALOREM TAXES:	
	Current	\$ 14,076,212
	Delinquent	7,000
	Penalties & Interest	4,000
	TOTAL	\$ 14,087,212
	OTHER TAXES AND LICENSES	
	1 Cent Local Sales Tax-Article 39	\$ 2,772,931
	1/2 Cent Local Sales Tax-Article 40	1,379,708
	1/2 Cent Local Sales Tax-Article 42	1,375,328
	1/2 Cent Local Sales Tax-Article 44/Hold Harmless	1,259,496
	Short Term Rental Property Tax	85,000
	Beer/Wine License	3,000
	Solid Waste Disposal Tax	12,500
	Municipal Vehicle Tax	69,000
	Alcoholic Beverage Ctrl	240,000
	TOTAL	\$ 7,196,963
	UNRESTRICTED INTERGOVT REVENUE:	
	Beer and Wine Tax	\$ 60,000
	Video Programming	130,000
	Utilities Franchise/Sales	1,267,752
	TOTAL	\$ 1,457,752
	RESTRICTED INTERGOVT REVENUE:	
	Powell Bill Allocation	\$ 607,867
	Fire Grant	0
	Planning Grant	0
	State Aid Library	10,000
	Police Grants	61,300
	TOTAL	\$ 679,167
	PERMITS AND FEES:	
	Inspections	\$ 500,000
	Planning	90,000
	Zoning Fees	20,000
	Homeowner Recovery Fee	3,000
	Street Department	60,000
	Public Works	60,000
	Police Department	10,000
	TOTAL	\$ 743,000

**BUDGET  
2026-2027**

<b>SALES AND SERVICES:</b>			
Library	\$	60,000	
Police Extra Duty		48,000	
Fire Extra Duty		1,500	
Recreation Fees		280,000	
Rents		3,600	
Reservoir Park		10,000	
Facility Rental - Recreation		68,000	
Disposal Fee/Recycling Fee		2,820,924	
<b>TOTAL</b>	<b>\$</b>	<b>3,292,024</b>	
 <b>INVESTMENT EARNINGS:</b>		 <b>\$</b>	 <b>650,000</b>
 <b>OTHER REVENUES:</b>			
Miscellaneous Revenue	\$	50,000	
Surplus Property Sale		250,000	
Lease Revenue		363,552	
Cemetery		1,500	
Court Costs		2,200	
Fire District Revenue		568,000	
Fire District Revenue - Capital		129,200	
Fire Donations		0	
Donations		50,770	
<b>TOTAL</b>	<b>\$</b>	<b>1,415,222</b>	
 <b>OTHER FINANCING SOURCES:</b>			
Lease/SBITA Financing	\$	320,820	
Financing Proceeds		-	
	<b>\$</b>	<b>320,820</b>	
 <b>FUND BALANCE:</b>			 <b>4,585,671</b>
 <b>TOTAL GENERAL FUND REVENUES</b>		 <b>\$</b>	 <b>34,427,831</b>
 <b>Legislative Administration</b>		 <b>\$</b>	 <b>323,830</b>
Information Technology			1,629,111
Financial Services			2,088,747
Police Administration & Patrol			1,377,799
Police Communications			6,647,910
Police Investigations			805,655
Fire			1,304,823
Planning			5,293,830
Inspections			860,413
Streets			740,134
Public Works & Environmental Services			3,536,751
Fleet Maintenance			3,714,067
Recreation & Grounds			607,698
Library			2,849,356
Facility Maintenance			1,253,362
Special Appropriations			1,629,152
W/S Indirect Cost			49,500
Debt Service - Fire Sub-Station			(1,991,021)
Debt Service - Annex Up Fit			397,009
Debt Service - Town Hall			66,231
Debt Service - Leases/SBITAS			643,082
Transfer to CP General Capital Reserve			350,392
Transfer to CP Facility Modernization			0
Transfer to CP Garage Construction			0
Transfer to CP Sidewalks - Phase II			0
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>		<b>\$</b>	<b>34,427,831</b>

WATER AND SEWER OPERATING FUND

BUDGET  
2026-2027

II. 1. REVENUES

Water Charges	\$	6,762,600
Sewer Charges		3,929,685
Connection and Tap Fees		250,000
Service Charge & Penalties		50,000
Interest on Investments		275,000
Bulk Water Sales		1,020,000
Gain on Sale of Assets		10,000
Miscellaneous		50,000
Transfer Out - Retained Earnings		(1,227,826)
<b>TOTAL WATER/SEWER FUND OPERATING REVENUES</b>	<b>\$</b>	<b>11,119,459</b>

Water Treatment	\$	2,149,076
Water Extension/Maintenance		1,741,974
Sewer Extension/Maintenance		1,735,178
Business Services		732,201
Sewage Treatment		2,500,000
Water/Sewer Indirect Cost		1,991,021
Transfer to CP Sanitary Sewer		
Transfer to CP Water Treatment Modernization		
Interest Expense/Financing Principal		270,009
<b>TOTAL WATER/SEWER OPERATING APPROPRIATIONS</b>	<b>\$</b>	<b>11,119,459</b>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
<b>CEMETERY PERPETUAL CARE</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Interest Earned	\$ 35,000	\$ -	\$ 35,000
Sale of Plots	130,000	-	130,000
<b>TOTAL</b>	<b>\$ 165,000</b>	<b>\$ -</b>	<b>\$ 165,000</b>
<b>2. APPROPRIATIONS</b>			
Reserved for Future Exp	\$ 157,960	\$ -	\$ 157,960
Transfer to General Fund	7,040	-	7,040
<b>TOTAL</b>	<b>\$ 165,000</b>	<b>\$ -</b>	<b>\$ 165,000</b>
<b>SPECIAL REVENUE FUND - WATER &amp; SEWER AIA GRANT</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
ARPA Grant Proceeds - Water	\$ 200,000	\$ -	\$ 200,000
ARPA Grant Proceeds - Sewer	200,000	-	200,000
<b>TOTAL</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 400,000</b>
<b>2. APPROPRIATIONS</b>			
Engineering & Admin - Water	\$ 200,000	\$ -	\$ 200,000
Engineering & Admin - Sewer	200,000	-	200,000
<b>TOTAL</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 400,000</b>
<b>SPECIAL REVENUE FUND - MUNICIPAL SERVICE DISTRICT #1</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Installment Financing	\$ 6,960,000	\$ -	\$ 6,960,000
Ad Valorem Taxes	1,412,580	787,836	2,200,416
<b>TOTAL</b>	<b>\$ 8,372,580</b>	<b>\$ 787,836</b>	<b>\$ 9,160,416</b>
<b>2. APPROPRIATIONS</b>			
Principal & Interest Payments	\$ 898,000	\$ 660,000	\$ 1,558,000
Parkway Acquisition	6,960,000	-	6,960,000
County Collection Fee Expense	30,000	10,000	40,000
Reserve for Future Parkway Expenses	484,580	117,836	602,416
<b>TOTAL</b>	<b>\$ 8,372,580</b>	<b>\$ 787,836</b>	<b>\$ 9,160,416</b>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
CAPITAL PROJECT - FACILITY MODERNIZATION			
1. REVENUES AND OTHER FINANCING SOURCES			
Transfer In-Facility Modernization	\$ 275,977	\$ -	\$ 275,977
Transfer In-General Fund	95,000	-	95,000
TOTAL	<u>\$ 370,977</u>	<u>\$ -</u>	<u>\$ 370,977</u>
2. APPROPRIATIONS			
Construction	\$ 370,977	\$ -	\$ 370,977
TOTAL	<u>\$ 370,977</u>	<u>\$ -</u>	<u>\$ 370,977</u>
CAPITAL PROJECT - STORM WATER IMPROVEMENTS			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest Earned	\$ 40,000	\$ -	\$ 40,000
Transfer In-CP Patrick Rd	50,000	-	50,000
Transfer In-General Fund	528,100	-	528,100
TOTAL	<u>\$ 618,100</u>	<u>\$ -</u>	<u>\$ 618,100</u>
2. APPROPRIATIONS			
Construction	\$ 618,100	\$ -	\$ 618,100
TOTAL	<u>\$ 618,100</u>	<u>\$ -</u>	<u>\$ 618,100</u>
CAPITAL PROJECT - GARAGE DESIGN & CONSTRUCTION			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest Earned	\$ -	\$ -	\$ -
Transfer In-GF	300,000	-	300,000
TOTAL	<u>\$ 300,000</u>	<u>\$ -</u>	<u>\$ 300,000</u>
2. APPROPRIATIONS			
Construction	\$ -	\$ -	\$ -
Transfer Out - Reservoir Dam	300,000	-	300,000
TOTAL	<u>\$ 300,000</u>	<u>\$ -</u>	<u>\$ 300,000</u>
CAPITAL PROJECT - BIKE TRANSPORTATION PROJECT			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest Earned	\$ 50,000	\$ -	\$ 50,000
Transfer In-CP Patrick Rd	138,000	-	138,000
Transfer In-General Fund	1,143,265	-	1,143,265
Grant Proceeds	3,032,000	-	3,032,000
TOTAL	<u>\$ 4,363,265</u>	<u>\$ -</u>	<u>\$ 4,363,265</u>
2. APPROPRIATIONS			
Knoll Rd Grant Expenditure	\$ 3,032,000	\$ -	\$ 3,032,000
Construction	1,331,265	-	1,331,265
TOTAL	<u>\$ 4,363,265</u>	<u>\$ -</u>	<u>\$ 4,363,265</u>
CAPITAL PROJECT - CAPITAL SOFTWARE UPGRADES			
1. REVENUES AND OTHER FINANCING SOURCES			
Transfer In-EIDMS	\$ 169,057	\$ -	\$ 169,057
Transfer In-General Fund	-	-	-
TOTAL	<u>\$ 169,057</u>	<u>\$ -</u>	<u>\$ 169,057</u>
2. APPROPRIATIONS			
Software Upgrade Expenditures	\$ 169,057	\$ -	\$ 169,057
TOTAL	<u>\$ 169,057</u>	<u>\$ -</u>	<u>\$ 169,057</u>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
<b>CAPITAL PROJECT - FIRE TRUCKS</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Transfer In-General Fund	\$ 2,577,365	\$ -	\$ 2,577,365
<b>TOTAL</b>	<b>\$ 2,577,365</b>	<b>\$ -</b>	<b>\$ 2,577,365</b>
<b>2. APPROPRIATIONS</b>			
Equipment/Trucks	\$ 2,577,365	\$ -	\$ 2,577,365
<b>TOTAL</b>	<b>\$ 2,577,365</b>	<b>\$ -</b>	<b>\$ 2,577,365</b>
<b>CAPITAL PROJECT - RESERVOIR DAM IMPROVEMENTS</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Interest Earned	\$ 25,600	\$ -	\$ 25,600
Transfer In-Garage	300,000	-	300,000
Transfer In-GF	949,400	-	949,400
<b>TOTAL</b>	<b>\$ 1,275,000</b>	<b>\$ -</b>	<b>\$ 1,275,000</b>
<b>2. APPROPRIATIONS</b>			
Construction	\$ 1,275,000	\$ -	\$ 1,275,000
<b>TOTAL</b>	<b>\$ 1,275,000</b>	<b>\$ -</b>	<b>\$ 1,275,000</b>
<b>CAPITAL PROJECT - TOWN HALL</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Financing Proceeds	\$ 7,000,000	\$ -	\$ 7,000,000
Interest Earned	25,000	-	25,000
Transfer In-General Capital Reserve	800,000	-	800,000
<b>TOTAL</b>	<b>\$ 7,825,000</b>	<b>\$ -</b>	<b>\$ 7,825,000</b>
<b>2. APPROPRIATIONS</b>			
Building Purchase & Upfit	\$ 7,825,000	\$ -	\$ 7,825,000
<b>TOTAL</b>	<b>\$ 7,825,000</b>	<b>\$ -</b>	<b>\$ 7,825,000</b>
<b>CAPITAL PROJECT - SIDEWALKS - PHASE II</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Interest Earned	\$ 30,000	\$ -	\$ 30,000
Transfer In-General Fund	2,121,150	250,000	2,371,150
Transfer In-CP SIDEWALKS	46,727	-	46,727
<b>TOTAL</b>	<b>\$ 2,197,877</b>	<b>\$ 250,000</b>	<b>\$ 2,447,877</b>
<b>2. APPROPRIATIONS</b>			
Construction	\$ 2,197,877	\$ 250,000	\$ 2,447,877
<b>TOTAL</b>	<b>\$ 2,197,877</b>	<b>\$ 250,000</b>	<b>\$ 2,447,877</b>
<b>CAPITAL PROJECT - RECREATION IMPROVEMENTS</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Interest Earned	\$ 50,000	\$ -	\$ 50,000
Grant Funds - CVB	185,000	-	185,000
Transfer In-General Fund	2,147,699	-	2,147,699
<b>TOTAL</b>	<b>\$ 2,382,699</b>	<b>\$ -</b>	<b>\$ 2,382,699</b>
<b>2. APPROPRIATIONS</b>			
Construction	\$ 2,197,699	\$ -	\$ 2,197,699
Grant Expenditures	185,000	-	185,000
<b>TOTAL</b>	<b>\$ 2,382,699</b>	<b>\$ -</b>	<b>\$ 2,382,699</b>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
GENERAL CAPITAL RESERVE			
1. REVENUES AND OTHER FINANCING SOURCES			
Transfer In-General Fund	\$ 612,500	\$ -	\$ 612,500
Transfer In-Streambank Stabilization	53,656	-	53,656
Transfer In-Facility Modernization	46,811	-	46,811
Transfer In-SRF ARPA	24,009	-	24,009
Transfer In-Building Rennovation	105	-	105
Transfer In-Open Space	54,248	-	54,248
Transfer In-Nicks Creek	3,758	-	3,758
Transfer In-CP EIDMS	32,328	-	32,328
Transfer In-Parking Lot	28,649	-	28,649
Transfer In-CP Fiber Optics	2,120	-	2,120
Transfer In-Public Access Road	27,590	-	27,590
Transfer In-CP Patrick Rd	80,773	-	80,773
Transfer In-CP Library HVAC	161	-	161
Transfer In-Fire Sub Station	273,642	-	273,642
Transfer In-CP PS Comm	3,697	-	3,697
Transfer In-CP Paving	208,575	-	208,575
Transfer In-CP Tyr Tactical	620	-	620
Transfer In-Downtown Park	6,748	-	6,748
Transfer In-Pool Park	12,740	-	12,740
TOTAL	<u>\$ 1,472,730</u>	<u>\$ -</u>	<u>\$ 1,472,730</u>
2. APPROPRIATIONS			
Transfer to Capital Project Fund	\$ 160,230	\$ -	\$ 160,230
Transfer to Capital Town Hall	800,000	-	800,000
Transfer to CP Open Space	245,000	-	245,000
Transfer to CP Streambank Stabilizator	180,000	-	180,000
Transfer to CP Building Renovation	87,500	-	87,500
TOTAL	<u>\$ 1,472,730</u>	<u>\$ -</u>	<u>\$ 1,472,730</u>
CAPITAL PROJECT - WARRIOR WOODS LIFT STATION			
1. REVENUES AND OTHER FINANCING SOURCES			
Transfer In-Utility Fund	\$ 263,750	\$ -	\$ 263,750
Transfer In-System Dev Fees-Sewer	1,040,734	73,475	1,114,209
Transfer In-ASADRA Loan Proceeds	2,998,000	-	2,998,000
Transfer In-Warrior Woods Lift Station	59,960	-	59,960
Transfer In-Sewer Impact	846,550	-	846,550
TOTAL	<u>\$ 5,208,994</u>	<u>\$ 73,475</u>	<u>\$ 5,282,469</u>
2. APPROPRIATIONS			
Construction	\$ 2,091,074	\$ 73,475	\$ 2,164,549
Engineering Admin Construction	2,998,000	-	2,998,000
Closing Cost ASADRA Loan	59,960	-	59,960
Transfer to WW ASADRA Construction	59,960	-	59,960
TOTAL	<u>\$ 5,208,994</u>	<u>\$ 73,475</u>	<u>\$ 5,282,469</u>
CAPITAL PROJECT - NORTH PRESSURE WATER ZONE			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest Earned	\$ 460,000	\$ -	\$ 460,000
Transfer In-Utility Fund	5,500,000	-	5,500,000
Transfer In-CP Penn/PeeDee WL	1,194,642	-	1,194,642
Transfer In-CP Midland Rd (Impact Fees)	186,995	-	186,995
Transfer In-System Dev Fees-Water	1,161,268	-	1,161,268
TOTAL	<u>\$ 8,502,905</u>	<u>\$ -</u>	<u>\$ 8,502,905</u>
2. APPROPRIATIONS			
Construction	\$ 8,502,905	\$ -	\$ 8,502,905
TOTAL	<u>\$ 8,502,905</u>	<u>\$ -</u>	<u>\$ 8,502,905</u>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
<b>CAPITAL PROJECT - SANITARY SEWER MODERNIZATION</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Transfer In-System Dev Fees	\$ 817,156	\$ -	\$ 817,156
Grant Proceeds	7,916,897	-	7,916,897
Transfer In-Utility Fund	3,066,360	-	3,066,360
<b>TOTAL</b>	<b>\$ 11,800,413</b>	<b>\$ -</b>	<b>\$ 11,800,413</b>
<b>2. APPROPRIATIONS</b>			
Construction	\$ 3,883,516	\$ -	\$ 3,883,516
Sewer Rehab Grant Expense	7,916,897	-	7,916,897
<b>TOTAL</b>	<b>\$ 11,800,413</b>	<b>\$ -</b>	<b>\$ 11,800,413</b>
<b>CAPITAL PROJECT - WATER SYSTEM DEVELOPMENT FEES</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
System Develop Fees	\$ 5,394,573	\$ 665,836	\$ 6,060,409
<b>TOTAL</b>	<b>\$ 5,394,573</b>	<b>\$ 665,836</b>	<b>\$ 6,060,409</b>
<b>2. APPROPRIATIONS</b>			
Transfer to Cap Imp Water	\$ -	\$ -	\$ -
Transfer to Penn/PeeDee Rd	1,252,869	-	1,252,869
Transfer to Water Treatment Modern	2,529,663	-	2,529,663
Transfer to Water Treatment Modern II	-	665,836	665,836
Transfer to North Pressure Zone	1,161,268	-	1,161,268
Transfer to NCDOT Waterline Relo	274,845	-	274,845
Transfer to East Morganton Rd	175,928	-	175,928
<b>TOTAL</b>	<b>\$ 5,394,573</b>	<b>\$ 665,836</b>	<b>\$ 6,060,409</b>
<b>CAPITAL PROJECT - SEWER SYSTEM DEVELOPMENT FEES</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
System Develop Fees	\$ 1,857,890	\$ 366,491	\$ 2,224,381
<b>TOTAL</b>	<b>\$ 1,857,890</b>	<b>\$ 366,491</b>	<b>\$ 2,224,381</b>
<b>2. APPROPRIATIONS</b>			
Transfer to Cap Imp Sewer	\$ -	\$ -	\$ -
Transfer to Sanitary Sewer	817,156	-	817,156
Transfer to Sanitary Sewer II	-	293,016	293,016
Transfer to Warrior Woods	1,040,734	73,475	1,114,209
<b>TOTAL</b>	<b>\$ 1,857,890</b>	<b>\$ 366,491</b>	<b>\$ 2,224,381</b>
<b>CAPITAL PROJECT - SANITARY SEWER MODERNIZATION PHASE II</b>			
<b>1. REVENUES AND OTHER FINANCING SOURCES</b>			
Transfer In-Sewer Improvement Fund	\$ 75,000	\$ -	\$ 75,000
Transfer In-System Dev Fees	-	293,016	293,016
Transfer In-Utility Fund	-	-	-
<b>TOTAL</b>	<b>\$ 75,000</b>	<b>\$ 293,016</b>	<b>\$ 368,016</b>
<b>2. APPROPRIATIONS</b>			
Design & Construction	\$ 75,000	\$ 293,016	\$ 368,016
<b>TOTAL</b>	<b>\$ 75,000</b>	<b>\$ 293,016</b>	<b>\$ 368,016</b>

	2025-2026 PROJECT AUTHORIZATION	2026-2027 ADJUSTMENTS INCR/(DECR)	AMENDED PROJECT AUTHORIZATION
CAPITAL PROJECT - WATER TREATMENT PROCESS MODERNIZATION II			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest	\$ -	\$ -	\$ -
Transfer In- System Develop Fees	-	665,836	665,836
Transfer In- Water Treatment Process	5,291,985	-	5,291,985
Transfer In-Utility Fund	-	-	-
TOTAL	<u>\$ 5,291,985</u>	<u>\$ 665,836</u>	<u>\$ 5,957,821</u>
2. APPROPRIATIONS			
Construction	<u>\$ 5,291,985</u>	<u>\$ 665,836</u>	<u>\$ 5,957,821</u>
TOTAL	<u>\$ 5,291,985</u>	<u>\$ 665,836</u>	<u>\$ 5,957,821</u>

CAPITAL PROJECT - WATER DISTRIBUTION UPGRADES & REPAIR			
1. REVENUES AND OTHER FINANCING SOURCES			
Interest Earned	\$ -	\$ -	\$ -
Transfer In-CP Water Improvements	471,398	-	471,398
Transfer In-SR ARPA	4,584	-	4,584
Transfer In-CP Facility Modernization	219,072	-	219,072
Transfer In-CP NC DOT Waterline Relo	538,765	-	538,765
Transfer In-Utility Fund	330,000	-	330,000
TOTAL	<u>\$ 1,563,819</u>	<u>\$ -</u>	<u>\$ 1,563,819</u>
2. APPROPRIATIONS			
Construction	<u>\$ 1,563,819</u>	<u>\$ -</u>	<u>\$ 1,563,819</u>
TOTAL	<u>\$ 1,563,819</u>	<u>\$ -</u>	<u>\$ 1,563,819</u>

CAPITAL PROJECT - SEWER COLLECTION SYSTEM UPGRADES & REPAIR			
1. REVENUES AND OTHER FINANCING SOURCES			
Transfer In-CP Sewer Dist	\$ 499,018	\$ -	\$ 499,018
Transfer In-CP Lift Station Upgrades	503,013	-	503,013
Transfer In-Utility Fund	200,000	-	200,000
TOTAL	<u>\$ 1,202,031</u>	<u>\$ -</u>	<u>\$ 1,202,031</u>
2. APPROPRIATIONS			
Construction	<u>\$ 1,127,031</u>	<u>\$ -</u>	<u>\$ 1,127,031</u>
Transfer to Sanitary Sewer Phase II	75,000	-	75,000
TOTAL	<u>\$ 1,202,031</u>	<u>\$ -</u>	<u>\$ 1,202,031</u>

**SECTION 2.** That in order to raise the revenue to meet the expenses of the Town Government and its activities as provided in the foregoing appropriation for the fiscal year ending June 30, 2027, there is hereby levied a tax of twenty-nine cents (\$0.29) per one hundred dollars (\$100) valuation of taxable property as listed for taxes on January 1, 2026. This rate is based on a total valuation of \$4,902,895,014 and an estimated collection rate of 99.0%.

**SECTION 3.** There is hereby levied a tax at the rate of fifty-five cents (\$0.55) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2026, for the purpose of raising revenue in the Municipal Service District Fund #1 in Section 1 of this ordinance. The area is comprised of 99.97+/- acres contained in the approved Morganton Park South Planned Development District (PD08-21) lying between 15-501 to the south and Morganton Road to the north, as graphically depicted in Ordinance #1993, exhibit A according to Moore County tax records as of January 1, 2026 with a total current valuation of property for the purposes of taxation of \$129,421,101 and at an estimated collection rate of 100%.

**SECTION 4.** There is hereby levied a fee of five dollars (\$5.00) for each vehicle within the Town of Southern Pines, as authorized by North Carolina General Statute 20-97, for the purpose of raising the revenue listed as "Municipal Vehicle Tax" revenue as listed in Section 1 of this ordinance. Under North Carolina Statute 20-97, five dollars (\$5.00) is available for any lawful purpose.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026, as shown in the minutes of the Town Council for that date.

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Elizabeth Robertson, Town Clerk



**ORDINANCE #3195**  
**AMEND THE PUBLIC WORKS & UTILITIES FEE SCHEDULE FOR**  
**FISCAL YEAR 2026-2027**

**BE IT ORDAINED** by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled on the 9<sup>th</sup> day of June, 2026, that the Fee Schedule adopted by Town Council at the June 10, 2025, Regular Business Meeting be amended as follows:

1. Adopt the attached fee schedule in its entirety and replace the Fee Schedule adopted June 10, 2025.
2. This ordinance amendment and fee schedule are both effective July 1, 2026.
3. The fee schedule shall be administered by the Town Manager or his/her designee.
4. The fee schedule shall be maintained by the Town Clerk.

Adopted this 9<sup>th</sup> day of June, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

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Elizabeth Robertson, Town Clerk

<b>TOWN OF SOUTHERN PINES FEE SCHEDULE: PUBLIC WORKS &amp; ENGINEERING</b>	
<i>Description</i>	<i>Amount</i>
<b>ENVIRONMENTAL SERVICES CUSTOMER FEES</b>	<b>MONTHLY FEE</b>
Residential waste collection & disposal: 95-gallon cart	\$ 26.50
Residential waste collection & disposal: 2nd cart at same location	\$ 7.00
Commercial waste collection & disposal: 95-gallon cart	\$ 28.50
Commercial waste collection & disposal: 2nd cart at same location	\$ 9.00
Residential recycling subscription	\$ 10.50
Commercial recycling subscription (per cart)	\$ 10.50
Repair/replacement of existing cart	\$ -
Delivery & use of additional cart(s): one-time fee	\$75.00 per cart
<b>CONSTRUCTION INSPECTIONS</b>	<b>FEE</b>
<b>The fee for the following inspections is \$150.00 or the rate per linear foot/hour, whichever is higher.</b>	
Street and/or fire lane (per linear foot)	\$ 2.00
Sidewalk, trail, or greenway (per linear foot)	\$ 0.75
Storm line (per linear foot)	\$ 1.00
Curb and gutter (per linear foot)	\$ 0.75
Water line and Fire Line (per linear foot)	\$ 1.25
Sewer line (per linear foot)	\$ 1.25
Reinspection of improvements (per event)	\$ 150.00
Construction/improvements not otherwise classified (per hour)	\$ 45.00
<b>PLAN REVIEW: SOIL EROSION &amp; SEDIMENTATION CONTROL PLANS</b>	<b>FEE</b>
First acre	\$ 300.00
Each additional acre or part thereof	\$ 150.00
Substantial revision to previously approved or active plan	\$50.00 per acre or part thereof
Revised plan review fee - beginning with third review	\$50 per submittal
<b>MISCELLANEOUS</b>	<b>FEE</b>
Signs (materials and installation)	Town cost + 20%
Labor performed by Town staff	Town cost + 20%
<b>STREET REPAIRS</b>	<b>FEE</b>
Asphalt cut repair per location: 300 square feet or less	\$5.00 per SF
Asphalt cut repair per location: over 300 square feet	Town cost + 20%
Sidewalk repair per location: 100 square feet or less	\$7.00 per SF
Sidewalk repair per location: over 100 square feet	Town cost + 20%
Curb & gutter repair per location: 50 linear feet or less	\$29.00 per LF
Curb & gutter repair per location: over 50 linear feet	Town cost + 20%

EQUIPMENT	CHARGE PER HOUR
Pick-up truck (less than 1-ton)	\$ 20.00
1-ton truck	\$ 35.00
Dump truck	\$ 55.00
Backhoe or mini excavator	\$ 75.00
Skid steer loader	\$ 50.00
Leaf Vac	\$ 150.00
Grapple Truck	\$ 75.00
Street sweeper	\$ 150.00
Combination jet/vacuum truck	\$ 300.00
Tractor with attachments	\$ 50.00
Air compressor	\$ 35.00
Asphalt recycler	\$ 150.00
ATV/UTV	\$ 30.00
Zero turn mower	\$ 25.00
Aerial lift	\$ 20.00
Wood chipper	\$ 50.00
Dewatering pump	\$ 15.00
Asphalt roller	\$ 30.00
Concrete mixer	\$ 40.00
Chain saw	\$ 15.00
Pipe saw	\$ 15.00
Floor saw	\$ 25.00
Tamp	\$ 20.00
Trench roller	\$ 65.00
Wet tap (per use)	\$ 25.00

**TOWN OF SOUTHERN PINES FEE SCHEDULE: WATER, SEWER, AND UTILITY BILLING**

**WATER RATES**

Description	In Town	Out of Town
per 1,000 gallons of water provided the Town	\$ 4.16	\$ 30.80
3/4" Water Meter	\$ 15.40	\$ 50.54
1" Water Meter	\$ 25.27	\$ 106.80
1.5" Water Meter	\$ 53.40	\$ 185.66
2" Water Meter	\$ 92.83	\$ 411.14
3" Water Meter	\$ 205.57	\$ 726.54
4" Water Meter	\$ 363.27	\$ 726.54
6" Water Meter	\$ 814.10	\$ 1,628.20
8" Water Meter	\$ 1,445.22	\$ 2,890.44

**SEWER CHARGES**

Description	In Town	Out of Town
per 1,000 gallons of water provided the Town	\$ 7.52	\$ 14.74
3/4" Water Meter	\$ 8.00	\$ 16.00
1" Water Meter	\$ 10.42	\$ 20.84
1.5" Water Meter	\$ 17.18	\$ 34.36
2" Water Meter	\$ 26.74	\$ 53.48
3" Water Meter	\$ 53.92	\$ 107.84
4" Water Meter	\$ 91.97	\$ 183.94
6" Water Meter	\$ 200.82	\$ 401.64
8" Water Meter	\$ 353.19	\$ 706.38

**WATER CONNECTION CHARGES\***

Description	Inside Town Limits	Outside Town Limits
3/4" Water Tap	\$ 3,748.27	\$ 4,373.94
3/4" Split Service	\$ 1,575.17	\$ 1,837.71
3/4" Meter Only (preset)	\$ 676.56	\$ 789.90
1" Water Tap	\$ 4,231.70	\$ 4,937.17
1" Meter Only (preset)	\$ 846.56	\$ 987.67
1 1/2" Water Tap	\$ 7,274.48	\$ 8,486.52
1 1/2" Meter Only (preset)	\$ 1,279.10	\$ 1,491.90
2" Water Tap	\$ 8,378.96	\$ 9,776.04
2" Meter Only (preset)	\$ 1,572.86	\$ 1,835.39

**SEWER CONNECTION CHARGES\***

Description	Inside Town Limits	Outside Town Limits
4" Connection	\$ 2,980.34	\$ 3,477.64
6" Connection	\$ 6,622.21	\$ 7,725.52
Materials/Labor Furnished	\$ 151.50	\$ 176.96

**WATER AND SEWER COMBINED CONNECTION CHARGES\***

Description	Inside Town Limits	Outside Town Limits
3/4" Water Tap and 4" Sewer Connection	\$ 4,919.82	\$ 5,739.79

**WATER AND SEWER TAP ASPHALT CUT/ROAD CROSSING**

Description	Inside Town Limits	Outside Town Limits
Asphalt Cut or Road Crossing by bore	\$ 350.00	\$ 500.00

<b>NON-STANDARD CONNECTIONS</b>		
Charges for water connections and sewer connections for sizes larger than the above or non-standard connections will be at actual cost of materials, labor, overhead, equipment, engineering and all other costs, or the cost of contracting the work to others, plus 20% in town or 40% out of town. Billing for other services, such as moving meters, water extensions, sewer connections, and the like, will be per the above, with an advance deposit as required by the Town Engineer or designee. Charges for equipment will be for total time at the job site, whether operating or not. Rates for labor and equipment shall be as listed in the Schedule of Fees and Rates		
<b>SYSTEM DEVELOPMENT FEE</b>		
Water Meter Size	Water	Sewer
3/4"	\$ 3,070.00	\$ 1,555.00
1"	\$ 6,754.00	\$ 3,422.00
1.5"	\$ 12,281.00	\$ 6,222.00
2"	\$ 19,649.00	\$ 9,955.00
3"	\$ 68,772.00	\$ 34,841.00
4"	\$ 135,088.00	\$ 68,438.00
6"	\$ 245,615.00	\$ 124,433.00
8"	\$ 429,827.00	\$ 217,758.00
<b>UTILITY BILLING FEES</b>		<b>CHARGES</b>
Connection fee for new customer		\$ 15.00
Special meter reading at customer's request		\$ 15.00
Reconnection after service is cut off for non-payment		\$ 20.00
Online credit card convenience fee		4% of bill
Turn-off		\$ -
Handling fee for bad check/bank draft		\$ 25.00
<b>GREASE TRAPS</b>		<b>CHARGES</b>
Annual Grease Trap Fee		\$ 75.00
Violation of grease trap requirement		\$100 per billing period
<b>VERIFICATION OF METER ACCURACY (See § 50.026)</b>		<b>CHARGES</b>
¾" and 1" meter		\$ 30.00
Meters greater than 1" in diameter		Cost of test
<b>DEPOSITS</b>		<b>CHARGES</b>
¾" and 1" meter water only		\$ 100.00
¾" and 1" meter water and sewer		\$ 150.00
All meters larger than 1"		\$ 300.00
<b>HYDRANT AND BULK FILL METERS/STATIONS</b>		<b>CHARGES</b>
Rate		Standard out-of-town rates
Deposit		\$ 1,000.00
Rental		\$75 per day

\*Fees will increase automatically on July 1 each year, according to the annual average increase in the Consumer Price Index for all urban consumers (CPI-U), U.S. city average, detailed expenditure category, for water and sewerage maintenance for the for the time period between April of the previous calendar year to April of the current calendar year.



**ORDINANCE #3196**  
**AMEND THE PERMIT & INSPECTIONS FEE SCHEDULE FOR**  
**FISCAL YEAR 2026-2027**

**BE IT ORDAINED** by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled on the 9<sup>th</sup> day of June, 2026, that the Fee Schedule adopted by Town Council at the June 9, 2019, Regular Business Meeting be amended as follows:

1. Adopt the attached fee schedule in its entirety and replace the Fee Schedule adopted June 9, 2019.
2. This ordinance amendment and fee schedule are both effective July 1, 2026.
3. The fee schedule shall be administered by the Town Manager or his/her designee.
4. The fee schedule shall be maintained by the Town Clerk.

Adopted this 9<sup>th</sup> day of June, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

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Elizabeth Robertson, Town Clerk



**PERMIT & INSPECTION FEES**  
**Effective July 1, 2026**

**Building Permits - fees are per SF of gross footprint \$60.00 minimum**

Commercial - addition or new structure	\$0.60
Commercial - alteration	\$0.60
Multi-Family - addition or alteration	\$0.60
Multi-Family - new	\$0.60
Residential - addition or new structure	\$0.25
Residential - alteration	\$0.25

**Homeowners Recovery Fee (Residential only) \$10.00**

**Electrical Permits**

Residential & Commercial Up to 200 Amps	\$110.00	plus \$110.00 ea. add'l 200 amps
Load Control & Disconnects	\$50.00	plus \$15.00 each
Service Panel Change or Alteration	\$60.00	
Temporary Power	\$100.00	
Temporary Service Pole	\$60.00	
Generator	\$100.00	
Other Misc - Transformer	\$60.00	

**Insulation Permits**

Commercial	\$0.05	per sq/ft
Residential	\$0.05	per sq/ft

**Mechanical Permits**

Commercial	\$100.00	plus \$10.00 per ton after 1st ton
Commercial Change Out	\$100.00	
Commercial Range and Grease Hoods	\$100.00	
Gas line only	\$60.00	
Residential	\$60.00	per system
Other miscellaneous	\$60.00	

**Plumbing Permits**

Residential	\$60.00	plus \$5.00 per fixture
Commercial	\$60.00	plus \$5.00 per fixture

**Miscellaneous Permits**

Awning - New Structure	\$60.00
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Business Inspections	\$60.00
DayCare/Home Health Inspection	\$100.00
Demolition	\$150.00

**Manufactured Housing**

Manufactured Home/Singlewide	\$125.00
Manufactured Home/Double or Triple Wide	\$150.00
Modular Construction	Use Residential Fees
Moving and Relocation of Structure	\$150.00
Petroleum Product Dispenser	\$60.00 plus \$30.00 each add'l
Sign - If New Electrical Service	\$60.00
Sign - Ground Sign (Footing Inspection)	\$60.00
Swimming Pool - incl Elec. Barrier or Fence	\$150.00
Tent	\$60.00
ABC	\$100.00

**Penalties**

If no permit before work begins	Double Fee
1st Re-Inspection Fee	\$60.00
2nd Re-Inspection Fee	\$120.00
Subsequent Re-Inspection Fee	Previous Fee Doubled



**ORDINANCE #3190**  
**AMEND THE WATER TREATMENT PROCESS MODERNIZATION – PHASE II CAPITAL PROJECT FUND**

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 amended:

Section 1: The project authorized is for the purpose of modernizing equipment and processes at the Water Treatment Plant.

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 additional amount is appropriated for the project:

Construction	<u>\$ 665,836</u>
Total Additional Project Appropriation	<u>\$ 665,836</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Transfer In – System Development Fees – Water	<u>\$ 665,836</u>
Total Additional Project Revenues	<u>\$ 665,836</u>

Section 5: Copies of this capital project 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 ordinance becomes effective July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



**ORDINANCE #3191**  
**AMENDING THE MUNICIPAL SERVICE DISTRICT SPECIAL REVENUE FUND**

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 ordinance is hereby established:

Section 1: The project authorized is the Municipal Service District #1, described in Ordinance #1993, dated the 12<sup>th</sup> of April, 2022 and approved at two meetings, May 10<sup>th</sup>, 2022 and June 14<sup>th</sup>, 2022.

Section 2: The officers of this unit are hereby directed to proceed with the project within the terms of the ordinance documents, the rules and regulations of the appropriate state laws and the budget contained herein.

Section 3: The following additional revenue is anticipated to be available for the project:

Ad Valorem Tax Revenue	<u>\$787,836</u>
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Total Additional Project Revenues:	<u>\$787,836</u>
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Section 4: The following additional amount is appropriated for the project:

Principal & Interest	\$660,000
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Parkway Expenses – Collection Fee	10,000
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Reserve for Future Parkway Expenses	<u>117,836</u>
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Total Additional Project Costs:	<u>\$787,836</u>
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Section 5: The Finance Officer will hereby maintain a separate special revenue fund for the Municipal Service District project. The Finance Officer is hereby directed to maintain within the Special Revenue Fund sufficient specific detailed accounting records to provide accounting to the agency required by the agreement and federal and state regulations.

Section 6: Copies of the special revenue project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Section 7: The Finance Officer is directed to report annually on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8: The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this board.

Section 9: This amendment becomes effective July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



**ORDINANCE #3192**  
**AMEND THE SIDEWALKS – PHASE II CAPITAL PROJECT FUND**

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 amended:

Section 1: The project authorized is for the purpose of constructing additional and repairing and modifying existing sidewalks in the Town.

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 additional amount is appropriated for the project:

Construction	<u>\$250,000</u>
Total Additional Project Appropriation	<u>\$250,000</u>

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

Transfer In- General Fund	<u>\$250,000</u>
Total Additional Project Revenues	<u>\$250,000</u>

Section 5: Copies of this capital project 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 ordinance becomes effective July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



**ORDINANCE #3193**  
**AMEND THE SANITARY SEWER MODERNIZATION – PHASE II**  
**CAPITAL PROJECT FUND**

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 amended:

Section 1: The project authorized is for the purpose to identify, investigate, rehabilitate and/or replace 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 additional amounts are appropriated for the project:

Construction	<u>\$ 293,016</u>
Total Project Appropriation	<u>\$ 293,016</u>

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

Transfer In – System Dev Fees - Sewer	<u>\$ 293,016</u>
Total Project Revenues	<u>\$ 293,016</u>

Section 5: Copies of this capital project 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 ordinance becomes effective July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



**ORDINANCE #3194**

**AMEND THE WARRIOR WOODS LIFT STATION PROJECT FUND**

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 amended:

Section 1: The project authorized is for the purpose of upgrades to the lift station, which will increase capacity and meet expected future demand.

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 additional amount is appropriated for the project:

Construction	<u>\$ 73,475</u>
Total Project Appropriation	<u>\$ 73,475</u>

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

Transfer In – System Development Fees – Sewer	<u>\$ 73,475</u>
Total Project Revenues	<u>\$ 73,475</u>

Section 5: Copies of this capital project 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 ordinance becomes effective July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

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Elizabeth Robertson, Town Clerk



**RESOLUTION # 1151  
AMEND THE CAPITAL RESERVE FUND  
TO APPROPRIATE SYSTEM DEVELOPMENT FEES**

**WHEREAS**, there is a need in the Town of Southern Pines to provide funds for future capital projects related to its combined water and wastewater system; and

**WHEREAS**, NCGS 159-18 authorizes the creation of a capital reserve fund; and

**WHEREAS**, NCGS 162A, Art. 8 requires that all system development fee (SDF) proceeds be accounted for in a capital reserve fund. The revenue assumptions below reflect an estimate of system development fees to be collected over a period of twelve months beginning April 1, 2026, in addition to any adjustments made necessary as a result of actual collections over/under estimates during the previous twelve-month period.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of Southern Pines that:

Section 1: The Town Council hereby amends the Capital Reserve Fund -Water for the purpose of funding the following capital projects related to the Town's water system:

**East Morganton Road Water Line Replacement.** An existing 6-inch water line was replaced with a 12-inch water line along East Morganton Road from Ridge Street to Valley Road. This project was initiated in FY19-20 and completed in FY 20-21. Changes resulting from in-field findings during construction and NCDOT requirements, in addition to a volatile construction market at the time, resulted in the project coming in above original estimate. The Town adjusted the SDF appropriations based on final costs at the time of closing the East Morganton Water Line Project Fund. **The final SDF appropriation was \$158,678.88** or thirty-eight percent (38%) of the adjusted final project cost. Final actual cost was \$556,768, while the adjusted cost becomes \$417,576 after accounting for the 25% statutorily mandated developer's discount. The project will address future infill development while reducing areas of low fire flow along Morganton Road, south of Weymouth Woods.

*No further appropriation from the budget ordinance to the CRF-Water of SDF proceeds is necessary.*

**Pennsylvania Avenue/Pee Dee Road Water Line Replacement.** An existing 10-inch water line was replaced with a 16-inch water line originally planned along Pennsylvania/Pee Dee Road from Connecticut Avenue to Central Drive, but eventually re-routed due to right-of-way acquisition costs and what would have become excessive tree removal along a heavily traveled corridor. This project was originally implemented in 2019 and estimated costs were updated to \$1,957,800 as part of the 2020 SDF Report. Market and supply chain realities resulted in significant cost escalation leading up to bids being opened, with the low bid for construction coming in at \$3,251,748.61 plus contingency. Following completion, a final project accounting occurred in May 2024 establishing a final cost of \$3,320,570.30. Based on the 2020 SDF Report, 51% of the project was eligible for SDF funding following the 25% front-end discount amounting to an eligible SDF figure of **\$1,270,118.10**. \$180,025 in SDF collections were recognized by Town Council, and transferred to the CPF for this project. The remaining balance of the CPF, \$1,194,642, was transferred to the North Pressure Zone CPF and the Fund closed by the Town Council. The project will address future growth, pressure, and flow rates to the northern portion of Town and in particular the proposed North Elevated Storage Tank.

*No further appropriation from the budget ordinance to the CRF-Water of SDF proceeds is necessary.*

**Midland Road Water Line Replacement.** An existing 6-inch and 8-inch water line will be replaced with a 12-inch water line along Midland Road from Knoll Road to Pee Dee Road. This project is currently scheduled for possible implementation in FY2028 following the adoption of the 2024 SDF Report update. The original estimated cost upon which the SDF Fee is based is \$2,536,000. Based on this estimate, the project would be eligible for \$570,600 in SDF, based on 30% of project cost after 25% discount. The balance of upfront costs will be covered by water capital funds. The project will

address future growth and pressures to anticipated further development in the Mid-South and Talamore areas.

*The 2026-2027 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**North Pressure Zone.** The Town plans to install a 200 ft. high 1.0 MG North Elevated Storage Tank and associated valves. Following completion of design, the project was bid and a contract awarded 05/12/26 in the amount of \$7,922,400. The project is eligible for 60% of the final costs to be funded by SDF following the statutory 25% discount, amounting to \$3,565,080. The balance of upfront costs, including yet to be collected SDF, are being covered by water capital funds and retained earnings. A total of \$1,161,268 in SDF was previously appropriated to this project between FY25 and FY26. The project will successfully add a pressure zone in the northern portion of our service area to address potential low flow conditions which could impact future growth in this area.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**US 1 Booster Pump Addition.** The Town plans to install infrastructure to provide for an additional 4,500 gpm Pumping Capacity to the US 1 Booster Pump Station. This project is currently scheduled for implementation in 2028 with an estimated cost of \$731,000. Based on original estimates, the Town would appropriate approximately \$301,537.50 based on 55% of project costs after 25% discount, of System Development Fee revenues to the CRF for this purpose with the balance of upfront costs covered by water capital funds and potentially loans. The additional flow will support ongoing development throughout our Water service area.

*The FY27 appropriation from the budget ordinance to the CRF – Water of SDF proceeds for this purpose is \$0*

**Water Treatment Plant Expansion.** The Town Water Plant operates off of a license to produce 8.0 MGD but has the ability to produce up to 11.0 MGD. It is anticipated based on current growth models that an application for expansion of Plant capacity will need to be developed and filed around the year 2028. Fees and adjustments associated with application are estimated to be \$150,000 and after 25% discount the Town intends to appropriate \$112,500 of System Development Fee revenues to the CRF for this purpose with the balance of upfront costs covered by water capital funds and Retained Earnings. The additional licensed capacity will support ongoing development throughout our Water service area.

*The FY26 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**US1 Parallel Transmission Main.** This project was envisioned to install a 20" water line parallel to the existing 18" transmission main from the US1 Booster Pump Station to the intersection of US1 and Saunders in addition to replacing a 6" line along the west side of Old US1 from Murray Hill to Morganton. This project is scheduled for implementation in FY28. Projected at a cost of \$3,747,000, the project is 90% SDF eligible resulting in a planned SDF appropriation of \$2,529,225 after the 25% discount. The project improvements will provide increased transmission capacity into the system and reduce excessive head loss and velocity in the existing transmission main. These improvements are needed to meet future demands.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**US 15-501 Water Line Replacement.** An existing 8-inch waterline will be replaced with a 12-inch waterline along US-15-501/Commerce Avenue from Murray Hill Road to Turner Street. This project will improve transmission capacity and eliminate an existing bottleneck in the system. The project had an estimated cost of \$1,511,000 and is eligible for \$226,650 in SDF Revenues based on 20% of estimated final costs after the 25% discount.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**System Development Fee Analysis.** The \$20,000 update to the SDF report is eligible for 75% SDF funding, 50% (\$7,500) of which will be appropriated from water SDF.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

**Water Treatment Plant (Buy-In project).** The 2024 depreciated value of the Water Plant adopted as part of the SDF update is \$25,357,808 and an additional \$14,453,968 in rehabilitation projects are scheduled per the adopted CIP.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$665,836*

**Water Distribution System (Buy-In project).** The 2024 depreciated value of the Water Distribution System adopted as part of the SDF update is \$7,802,402 and an additional \$2,490,000 in rehabilitation projects are scheduled per the adopted CIP. \$274,845 of SDF were transferred to the transmission relocation fund in November 2024. This represented 20% of the Town cost for that NCDOT project, which was 25% of the overall costs.

*The FY27 appropriation from the budget ordinance to the CRF-Water of SDF proceeds for this purpose is \$0*

Section 2: The Town Council hereby amends the Capital Reserve Fund- Sewer for the purpose of funding the following capital projects related to the Town's wastewater system:

**Warrior Woods Pump Station Improvements:** Significant upgrades to both the Warrior Woods Pump Station and associated Force Main will occur through a series of projects that are ultimately scheduled for completion in 2037. The estimated cost of all projects is \$9,239,300. The Town intends to appropriate approximately \$4,880,812.50 of System Development Fee revenues to the CRF for this purpose with the balance derived from Retained Earnings, Sewer Capital Funds, loans, and remaining Impact Fees collected prior to October 1, 2018. The first phase of this project was initiated in FY 2018-2019 with completion in 2020 with \$791,250 appropriated in the 2018-2019 Budget from the previous Impact Fee account and \$263,750 appropriated from Sewer Capital Funds. Previously, \$1,040,734 in SDF funds have been appropriated to the CRF-Wastewater SDF toward this multi-phased project. The upgrades will address additional capacity needed to support further development within all wastewater infrastructure in addition to replacing the maintenance heavy current facilities.

*The FY27 appropriation from the budget ordinance to the CRF-Sewer of SDF proceeds for this purpose is \$73,475*

**System Development Fee Analysis.** The \$20,000 update to the SDF report is eligible for 75% SDF funding, 50% (\$ 7,500) of which will be appropriated from sewer SDF.

*The FY27 appropriation from the budget ordinance to the CRF-Sewer of SDF proceeds for this purpose is \$0*

**Waste Water Collection Rehabilitation (Buy-In project).** The 2024 Depreciated value of the Waste Water Collection system is \$5,851,802 and an additional \$11,097,802 in rehabilitation projects are scheduled per the adopted CIP. Previously \$817,156 has been appropriated to the CRF for this purpose.

*The FY27 appropriation from the budget ordinance to the CRF-Sewer of SDF proceeds for this purpose is \$293,016*

Section 3: These Capital Reserve Funds shall remain effective until all the above listed projects, and any projects added in the future, are completed. Capital Reserve Funds may be amended by the Town Council as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects.

Section 4: This resolution becomes effective July 1, 2027.

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9<sup>th</sup>, 2026 as shown in the minutes of the Town Council for that date.

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Elizabeth Robertson, Town Clerk



**ORDINANCE #3198**  
**AMENDING THE CAPITAL RESERVE FUND WATER SYSTEM DEVELOPMENT FEES**

**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 reserve fund budget is hereby amended:

Section 1: The project authorized is to establish a fund for the purpose of accounting for water system development fees to be utilized in the manner described in the Water Capital Reserve Fund Resolution.

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

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

Transfer to Water Treatment Modernization Phase II Capital Project Fund	<u>\$ 665,836</u>
Total Additional Project Appropriation	<u>\$ 665,836</u>

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

Water System Development Fees	<u>\$ 665,836</u>
Total Additional Project Revenues	<u>\$ 665,836</u>

Section 5: Copies of this capital project 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 July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



## ORDINANCE #3197

### AMEND THE CAPITAL RESERVE FUND SEWER SYSTEM DEVELOPMENT FEES

**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 reserve fund budget is hereby amended:

Section 1: The project authorized is to establish a fund for the purpose of accounting for sewer system development fees to be utilized in the manner described in the Sewer Capital Reserve Fund Resolution.

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

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

Transfer to Sanitary Sewer Phase II Capital Project Fund	\$ 293,016
Transfer to Warrior Woods Lift Station Capital Project Fund	<u>73,475</u>
Total Additional Project Appropriation	<u>\$ 366,491</u>

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

Sewer System Development Fees	<u>\$ 366,491</u>
Total Additional Project Revenues	<u>\$ 366,491</u>

Section 5: Copies of this capital project 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 July 1, 2026.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
Elizabeth Robertson, Town Clerk



**RESOLUTION #1152**  
**TO INCORPORATE THE ANNUAL SUPPLEMENTAL PAY BENEFIT INTO THE**  
**BASE SALARY OF THE TOWN MANAGER**

**WHEREAS**, the compensation of the Town Manager is addressed via a separate employment agreement and thus changes to his base salary do not accrue automatically with across-the-board adjustments for other employees; and

**WHEREAS**, The Town Manager receives the same Supplemental Pay benefit of \$100/pay (\$2600 annually) that all full-time personnel of the Town receive; and

**WHEREAS**, following a Compensation Study it has been determined that the former supplemental pay benefit should be included in the base pay of all employees for the purpose of competitiveness and overall recruitment and retention strategy; and

**WHEREAS**, it is not the intent of the Town Council to decrease the total compensation of the Town Manager through discontinuance of the Supplemental Pay benefit and its inclusion in base pay for all FT employees;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of Southern Pines that effective with the same pay period and check within which the \$2600/yr. is included in all FT employees' salaries, the base pay of the Town Manager will also increase by the same \$2,600.

Adopted this the 9<sup>th</sup> day of June 2026.

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on June 9, 2026, as shown in the Minutes of the Town Council meeting for that date.

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Elizabeth Robertson, Town Clerk



**ORDINANCE #3189**  
**AMEND THE 2025/2026 FISCAL YEAR BUDGET**  
**Sewage Treatment Contractual Services**

**BE IT ORDAINED AND ESTABLISHED** by the Town Council of the Town of Southern Pines in regular session assembled this 9th day of June, 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:**

Utility Fund	Fund Balance Appropriations	60-397-6000	\$ 100,000	
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**Expenditures:**

Sewage Treatment	Contractual Services	60-991-4500	\$ 100,000	
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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 June 9, 2026 as shown in the minutes of the Town Council for that date.

\_\_\_\_\_  
 Elizabeth Robertson, Town Clerk

DRAFT

# Southern Pines

2025 ▾

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

## 1. System Information

### Contact Information

Water System Name: Southern Pines PWSID: 03-63-010  
Mailing Address: 801 SE Service Rd Ownership: Municipality  
Southern Pines, NC 28387  
Contact Person: Ron Istre Title: Utilities Superintendent  
Phone: 910-692-1983 Cell/Mobile: 618-979-1678

**Complete**

### Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6-12	8.50 %
Cast Iron	1-12	14.60 %
Ductile Iron	6-18	4.70 %
Galvanized Iron	2	0.69 %
Other	1-16	12.51 %
Polyvinyl Chloride	2-12	59.00 %

What are the estimated total miles of distribution system lines? **246 Miles**

How many feet of distribution lines were replaced during 2025? **210 Feet**

How many feet of new water mains were added during 2025? **957 Feet**

How many meters were replaced in 2025? **34**

How old are the oldest meters in this system? **13 Year(s)**

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? **2,128**

What is this system's finished water storage capacity? **7.5000 Million Gallons**

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* **No**

### Programs

Does this system have a program to work or flush hydrants? **Yes, Annually**

Does this system have a valve exercise program? **Yes, Annually**

Does this system have a cross-connection program? **Yes**

Does this system have a program to replace meters? **No**

Does this system have a plumbing retrofit program? **No**

Does this system have an active water conservation public education program? **No**

Does this system have a leak detection program? **No**

### Water Conservation

What type of rate structure is used? Flat/Fixed

How much reclaimed water does this system use? 0.0000 MGD For how many connections? 0

Does this system have an interconnection with another system capable of providing water in an emergency? Yes

## 2. Water Use Information

### Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Lumber River (09-1)	60 %	Moore	100 %
Cape Fear River (02-3)	40 %		

What was the year-round population served in 2025? 16,200

Has this system acquired another system since last report? No

### Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	10,440	1.9722	0	0.0000
Commercial	1,048	0.4792	0	0.0000
Industrial	6	0.0024	0	0.0000
Institutional	158	0.0896	0	0.0000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? 0.1815 MGD

Estimated unmetered uses include backwash water, hydrant flushing, fire flow testing, large main breaks, FD response and training, storage tank draining/cleaning, line flushing, public events, etc.

### Water Sales

Purchaser	PWSID	Average Daily Sold (MGD)	Days Used	Contract		Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
				MGD	Expiration			
Dept of the Army (Camp Mackall) cust#: 16388	03-63-617	0.0611	365	0.0450	2025	Yes	8	Regular
Moore Co - Addor	03-63-153	0.0036	365	0.0450	2025	Yes	6	Regular
Moore Co - Pinehurst (Midland Rd)	03-63-108	0.4901	365	1.0000	2025	Yes	8	Regular
Oakwood Hills-Pinebluff Cust#: 010258	03-63-151	0.0143	365	0.0000	2025	Yes	6	Regular
Town of Aberdeen - Emergency	03-63-020	0.0000	0	0.5000	2053	Yes	8	Emergency
Town of Aberdeen - Shaw Landing	03-63-020	0.0046	365			Yes	8	Regular
Town of Carthage	03-63-025	0.0642	97	0.5000	2027	Yes	8	Emergency
Whispering Pines (Carolina Water)	03-63-112	0.3036	365	0.6000	2025	Yes	8	Regular

Southern Pines checked and confirmed sales of 0.0046 MGD of water to Aberdeen (Shaw Landing), averaged over 365 days, in 2025. No Emergency use water was sold to the Town of Aberdeen in 2025.

## 3. Water Supply Sources

### Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	2.7043	4.2050	May	5.2129	5.6590	Sep	5.8509	8.4130

Feb	2.7000	3.5820	Jun	5.2924	6.6280	Oct	4.3681	5.0950
Mar	2.9983	3.1680	Jul	5.2187	6.1940	Nov	3.5634	4.2260
Apr	4.6748	6.1360	Aug	5.2335	6.1060	Dec	3.3610	4.7450

Raw to plant plus Aberdeen purchased water.



**Ground Water Sources**

Name or Number	Average Daily Withdrawal (MGD)		Max Day Withdrawal (MGD)	12-Hour Supply (MGD)	CUA Reduction	Year Offline	Use Type
	MGD	Days Used					
No. 1 - Weymouth	0.0000	0		0.1200			Emergency
No. 2 - Henley	0.0000	0		0.1500			Emergency
No. 4 - Douglas Center	0.0000	0		0.1200			Emergency
Water Plant / 5	0.0000	0		0.1300			Emergency

**Ground Water Sources (continued)**

Name or Number	Well Depth (Feet)	Casing Depth (Feet)	Screen Depth (Feet)		Well Diameter (Inches)	Pump Intake Depth (Feet)	Metered?
			Top	Bottom			
No. 1 - Weymouth	250	180	180	220	10	231	Yes
No. 2 - Henley	250	180	180	220	10	231	Yes
No. 4 - Douglas Center	180	120	120	160	10	150	Yes
Water Plant / 5	122	80	80	112	10	117	Yes

Are ground water levels monitored? No,

Does this system have a wellhead protection program? Yes

**Surface Water Sources**

Stream	Reservoir	Average Daily Withdrawal		Maximum Day Withdrawal (MGD)	Available Raw Water Supply		Usable On-Stream Raw Water Supply Storage (MG)
		MGD	Days Used		MGD	* Qualifier	
Drowning Creek	Southern Pines Plant Reservoir	4.2526	365	0.0000	14.0000	F	0.0000

\* Qualifier: C=Contract Amount, SY20=20-year Safe Yield, SY50=50-year Safe Yield, F=20% of 7Q10 or other instream flow requirement, CUA=Capacity Use Area Permit

**Surface Water Sources (continued)**

Stream	Reservoir	Drainage Area (sq mi)	Metered?	Sub-Basin	County	Year Offline	Use Type
Drowning Creek	Southern Pines Plant Reservoir	178	Yes	Lumber River (09-1)	Moore		Regular

What is this system's off-stream raw water supply storage capacity? 160 Million gallons

Are surface water sources monitored? Yes, Daily

Are you required to maintain minimum flows downstream of its intake or dam? No

Does this system anticipate transferring surface water between river basins? No

**Water Purchases From Other Systems**

Seller	PWSID	Average Daily Purchased (MGD)		Contract		Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
		MGD	Days Used	Expiration	Recurring			
Aberdeen - Cypress Creek	03-63-020	0.0124	365			Yes	8	Regular
Aberdeen - Emergency Connection	03-63-020	0.0000	0	0.1000		Yes	8	Emergency

Carthage - Emergency Connection    03-63-011    0.0000    0    0.5000    2013    Yes    Yes    8    Emergency

**Water Treatment Plants**

Plant Name	Permitted Capacity (MGD)	Is Raw Water Metered?	Is Finished Water Output Metered?	Source
Southern Pines	8.0000	Yes	Yes	Drowning Creek

Did average daily water production exceed 80% of approved plant capacity for five consecutive days during 2025? **No**

If yes, was any water conservation implemented?

Did average daily water production exceed 90% of approved plant capacity for five consecutive days during 2025? **No**

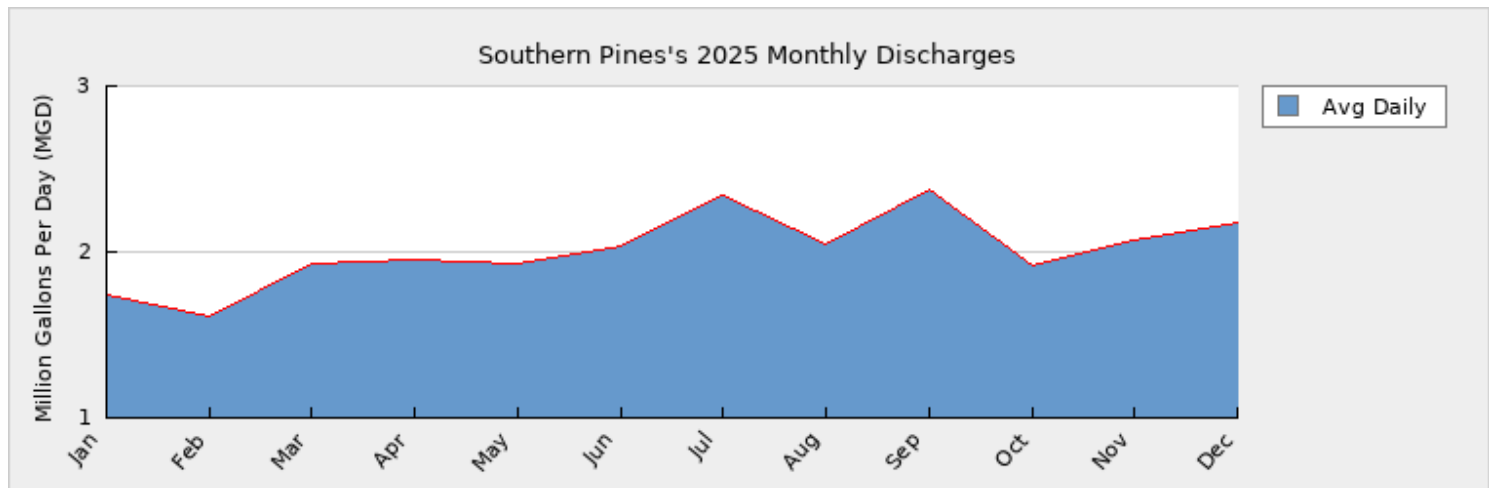
If yes, was any water conservation implemented?

Are peak day demands expected to exceed the water treatment plant capacity in the next 10 years? **No**

**4. Wastewater Information**

**Monthly Discharges**

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	1.7469	May	1.9340	Sep	2.3709
Feb	1.6083	Jun	2.0411	Oct	1.9169
Mar	1.9236	Jul	2.3410	Nov	2.0685
Apr	1.9549	Aug	2.0506	Dec	2.1780



How many sewer connections does this system have? **6,940**

How many water service connections with septic systems does this system have? **2,372**

Are there plans to build or expand wastewater treatment facilities in the next 10 years? **No**

These daily discharge averages are a combination of filter backwash discharge, collection system discharge to Aberdeen and collection system discharge to Moore County.

**Wastewater Permits**

Permit Number	Type	Permitted Capacity (MGD)	Design Capacity (MGD)	Average Annual Daily Discharge (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin
NCG590018	WTP	0.4800	0.8640	0.2000	0.5000	Aberdeen Creek	Lumber River (09-1)

**Wastewater Interconnections**

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Moore Co Public Utilities	03-63-108	Discharging	1.7830	365	

Town of Aberdeen - Poplar St	03-63-020	Discharging	0.0405	365	
Town of Aberdeen	03-63-020	Receiving	0.0302	365	0.0306

## 5. Planning

### Projections

	2025	2030	2040	2050	2060	2070
Year-Round Population	16,200	17,400	19,850	22,200	24,700	27,100
Seasonal Population	0	0	0	0	0	0
Residential	1.9722	2.0017	2.3020	2.6473	3.0443	3.5010
Commercial	0.4792	0.5151	0.5953	0.6879	0.7950	0.9187
Industrial	0.0024	0.0025	0.0029	0.0034	0.0039	0.0046
Institutional	0.0896	0.0793	0.0916	0.1059	0.1224	0.1414
System Process	0.1815	0.1951	0.2254	0.2605	0.3011	0.3479
Unaccounted-for	0.6457	0.7111	0.8217	0.9496	1.0970	1.2690

### Demand v/s Percent of Supply

	2025	2030	2040	2050	2060	2070
Surface Water Supply	14.0000	14.0000	14.0000	14.0000	14.0000	14.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.0124	0.0124	0.0124	0.0124	0.0124	0.0124
Future Supplies		0.0000	0.0000	0.0000	0.0000	0.0000
Total Available Supply (MGD)	14.0124	14.0124	14.0124	14.0124	14.0124	14.0124
Service Area Demand	3.3706	3.5048	4.0389	4.6546	5.3637	6.1826
Sales	0.8944	1.7892	1.7892	1.7892	1.7892	1.7892
Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	4.2650	5.2940	5.8281	6.4438	7.1529	7.9718
Demand as Percent of Supply	30%	38%	42%	46%	51%	57%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is **122** gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs?

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs?

How does the water system intend to implement the demand management and supply planning components above?

### Additional Information

Has this system participated in regional water supply or water use planning? **No**

What major water supply reports or studies were used for planning?

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues: **Additional elevated storage (1MG) in northern distribution zone. This project is being designed and approved this year, with construction next year.**

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is

completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

JOSH STEIN  
Governor

D. REID WILSON  
Secretary

RICHARD E. ROGERS, JR.  
Director



March 16, 2026

Ron Istre  
Utilities Superintendent  
Town of Southern Pines  
801 SE Service Road  
Southern Pines, NC 28387

**Subject: LWSP Meets Minimum Criteria**  
Southern Pines Water System  
PWSID#: 03-63-010  
Moore County

Dear Mr. Istre,

This letter is to notify you that our staff has reviewed the information contained in the 2025 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the LWSP for the 03-78-030 system hereby meets the minimum criteria established in North Carolina General Statute 143-355 (l).

Your water system's 2025 LWSP is now viewable online from the LWSP website found at: <http://www.ncwater.org/WUDC/app/LWSP/search.php>. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2025 LWSP complete.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Louis Murray at [louis.murray@deq.nc.gov](mailto:louis.murray@deq.nc.gov) or 919-707-9017 or Linwood Peele at [linwood.peele@ncdenr.gov](mailto:linwood.peele@ncdenr.gov) or (919) 707-9024 if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linwood Peele", is written over a blue circular stamp.

Linwood Peele, Water Supply Planning  
Branch Head  
Division of Water Resources, NCDEQ





**RESOLUTION #1150  
APPROVING LOCAL WATER SUPPLY PLAN**

**WHEREAS,** North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

**WHEREAS,** as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Southern Pines, has been developed and submitted to the Town Council of the Town of Southern Pines for approval; and

**WHEREAS,** the Town Council of the Town of Southern Pines finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Town of Southern Pines, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

**NOW, THEREFORE, BE IT RESOLVED:** by the Town Council of the Town of Southern Pines that the Local Water Supply Plan entitled, Southern Pines Local Water Supply Plan dated 2025 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

**BE IT FURTHER RESOLVED** that the Southern Pines Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted this the 9<sup>th</sup> day of June 2026.

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on June 9, 2026, as shown in the Minutes of the Town Council meeting for that date.

---

Elizabeth Robertson, Town Clerk



## MINUTES

Tuesday, May 26, 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; Debra Gray; and Bob Curtin.

#### 2. PLEDGE OF ALLEGIANCE

#### 3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

#### 4. ACTION ITEMS

##### a. Written Decision for Mavis Tire Preliminary Development Plan (#PD-07-25)

Planning staff have prepared a draft Written Decision summarizing Town Council approval of a Preliminary Development Plan (PDP) for Mavis Tire in the Morganton Park South development.

bc bp 5-0

##### b. Written Decision for The Barn Special Use Permit (#SU-01-26)

Planning staff have prepared a draft Written Decision summarizing Town Council approval of a Special Use Permit for expansion of The Barn restaurant.

#### 5. COUNCIL UPDATES AND DISCUSSION

##### a. Friends of Southern Pines

A group of Southern Pines residents is working to form a 501c3 called "Friends of Southern Pines" to serve as an independent nonprofit partner to support Town initiatives through fundraising, volunteer engagement, and advocacy. They would like to use the Town's logo in their marketing and merchandising, which can be granted under certain criteria through a license agreement. Before crafting such an agreement, they are seeking general feedback from Council on this request. More details are included in the staff memo.

Assistant Town Manager Jessica Roth presented the request to the Council. Friends of Southern Pines is a 501c3 group of locals whose goal is to advocate and fundraise on behalf of the Town. Members are: Kate Shinkwin, Michael White, Ashley Tremotin, Ashley Jurgens and Town representative Recreation Director Greg Thompson. The group is asking for permission to incorporate part of the Town's logo into their logo with the belief that the association would be beneficial.

The Council discussed the request and agreed that the group was a wonderful addition to the Town and applauded their goal of assisting the Town. Councilmembers worry about the precedent set and legal ramifications that could arise by granting permission to use parts of the Town logo. Ms. Shinkwin offered to bring the Council a policy and draft license agreement to review to assuage some of their concerns. The Council was in agreement that they did not like the two logo options currently being presented.

**b. Budget Amendment - Town Hall Generator**

Staff requests budget amendments to transfer funding from the General Capital Reserve Fund to the Town Hall Fund to purchase and install a generator for the facility.

Town Manager Parsons presented the request to the Council. The amendment is to cover the expense of a generator for the new Town Hall. Request for bids was advertised and two were received.

Mayor Pro Tem Pate moved to approve Ordinance #3186 and #3187, seconded by Councilmember Gray; the vote was unanimous.  
Motion passed.

**c. FY27 Budget**

Staff will update Town Council regarding the current status of the FY27 draft Budget ahead of the June Hearing and request for adoption.

Town Manager Parsons presented an update on the proposed FY 26-27 Budget and reviewed the proposed fee schedule.

**d. Planning Department Update**

Planning staff will briefly update the Town Council on agenda items coming in June and seek feedback on the department's presentations at regular meetings.

Planning Director BJ Grieve presented an overview of what the Council can expect on the next meeting's agenda.

**6. COUNCIL ROUNDTABLE**

Councilmember Petersen

- congratulated Councilmember Gray on her presentation at the Pool Park kick-off and Hines Park event the past weekend.
- repaving on W. Michigan Ave. looks good and questioned where will the sidewalk be going in?
  - Town Manager Parson responded that he will verify but believes the area being paved will get the sidewalks due to the installation of a curb at the same time.
- questioned the email reporting a wastewater spill into Mill Creek
  - Town Manager Parsons answered that a contractor error during work in Warrior Woods resulted in some wastewater being released but will verify the facts for Councilmember Petersen.
- requested that the Council review the June and July scheduled meeting dates for conflicts and requested the two meetings in July be merged into one.
  - Town Manager Parsons is not prepared to guarantee the Town Hall chambers will be ready for meetings in July due to uncertainty regarding the installation of the AV equipment.

Councilmember Petersen moved to cancel the July 14, 2026, Town Council Business Meeting and the July 28, 2026, Town Council Work Session, and to instead hold a Town Council Business Meeting on July 28, 2026, at 6:00 p.m. at the E.S. Douglass Community Center. The motion was seconded by Councilmember Gray and the vote was unanimous.  
Motion passed.

Councilmember Gray

- gave kiddos to staff and especially Recreation Director Thompson for all of his work with Miss Taylor organizing the Hines Park event last Saturday.
- is pleased to see the citizens of West Southern Pines attending and speaking at Town meetings and events.

- recognized Town Manager Parsons for taking the time to listen and engage with residents

Mayor Pro Tem Pate

- attend the Tri Cities meeting with Mayor Clement and Town Manager Parsons where the legislative bills regarding municipal control of local zoning regulations was discussed.

Councilmember Curtin

- attended the Saturday ceremony at Hines Park and congratulated Councilmember Gray on her speech.
- thanked Town staff for providing information when asked so that councilmembers can accurately address citizen questions or concerns.

Mayor Clement

- thanked Councilmember Gray for speaking at the Hines Park event this past weekend.
- attended the NC Economic Summit in DC regarding federal policies that affect the Town and commended the Town on being proactive on issues that are now being discussed elsewhere.
- county commissioners are potentially getting rid of the highway corridor overlay and are holding a hearing on the subject next week.
- attended a Duke Site Readiness meeting with Town Manager Parsons.
- would like to recognize the past week as Public Workers Week and thank all members of the Town's Public Works department for their hard work they do.
- there will be a quick honor guard ceremony to raise the flags at the new Town Hall this Friday at 9am.
- would like to see the input the Police are getting from their resident CALEA input system.
- asks that Chief Polidori attend a work session to address resident's concerns regarding the new Flock camera system.

**7. ADJOURNMENT**

Upon motion by Councilmember Petersen, seconded by Councilmember Gray and carried unanimously, Council adjourned at 4:56 pm.

Respectfully submitted:

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Elizabeth Robertson, Town Clerk