

## **PUBLIC HEARING CONTINUED TO OCTOBER 17, 2024**

### **NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES PLANNING BOARD TO CONSIDER PROPOSED AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE OF SOUTHERN PINES**

The Town of Southern Pines Planning Board agenda meeting will be held on Thursday, October 17, 2024, at 6:00 PM at the E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, North Carolina. Notice is hereby given that a public hearing on amendments to the Southern Pines Unified Development Ordinance (UDO) will be held during the meeting.

**File #OA-03-24:** The Town of Southern Pines Planning Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments primarily related to tree protection procedures, open space standards, and landscaping code. The proposed amendments are an implementation of Policies 3.2, 3.8, 4.1, 4.45, 4.5, 4.9, and 4.10 in the Town's 2040 Comprehensive Plan. The planning staff is requesting Planning Board and Town Council review and approval per UDO §2.17. The proposed amendments are as follows, with reference to applicable section(s) of the UDO proposed for amendment:

1. Amend Exhibit 2-1 and add a new section, UDO §2.49, to create a new development review process called Tree Protection Plan review.
2. Amend UDO §3.5.14(G) open space standards for Planned Development districts to require that the existing 20% of gross land area Open Space requirement incorporate Usable Open Space and Tree Protection Areas.
3. Amend UDO §3.6.8(F) to differentiate riparian buffers from landscaping buffers and require a larger riparian buffer for development along perennial waters.
4. Amend UDO §4.3.1 Landscaping Code Findings and Purpose, §4.3.3 Street Trees, §4.3.4 Buffers, Exhibit 4-4 Minimum Planting Requirements in Buffers, §4.3.5 Landscape Screens, Exhibit 4-5 Vehicle Use Area Planting Requirements, §4.3.8 Variations, §4.3.9 Plant Material and Installation Standards, §4.3.11 Maintenance Responsibility, and §4.3.13 Existing Vegetation Credits to strike a balance between prescriptive standards and performance-based standards intended to improve landscaping design for new development. Provisions that have required interpretation by the Planning Director have been further detailed to provide clarification.
5. Remove Exhibit 4-3 Minimum Buffer Widths in Highway Corridor Overlay Districts due to redundancy and inconsistency with Exhibit 3-13 Highway Corridor Overlay District Development Standards.
6. Add a new section (and renumber following sections starting at UDO §4.3.8) for Stormwater Pond Landscaping.
7. Amend UDO §4.4 Tree and Ecosystem Protection, §4.4.2 Applicability, §4.4.3 Permitted Uses, and §4.4.6 Construction Activity on or Adjacent to Public Rights-of-Way to differentiate tree protection in public rights-of-way and on private land.

8. Move UDO §4.4.4 Ecosystems and §4.4.5 Specimen Trees—as they do not contain regulatory language, rather informative local context—to Appendix F Screening and Trees and Chapter 9 Definitions.
9. Remove UDO §4.4.7 Preservation and Removal on Private Property and amend UDO §4.9 Open Space to clarify tree protection on private land. Amendments to the Open Space Standards section include a reorganization of provisions for clarity, a requirement for Tree Protection Areas in Planned Development; Facilities, Recreation, and Resources; Rural Estate; Rural Residential; Residential Single Family (30,000 square-foot lot minimum, RS-3); West Southern Pines Overlay; and High-Quality Water or Critical Water Watershed Protection Overlay districts. The proposed addition, Tree Protection Areas Required, includes an applicability statement, exemptions, prioritization of areas, and standards. Lastly, UDO §4.4.6 Flexibility in Administration Authorized has proposed amendments to clarify how and under what circumstances variation may be granted from Open Space requirements.
10. Add definitions for Buffer, Riparian Buffer, Undisturbed Buffer, Certified Arborist, Certified Wildlife Biologist, Licensed Landscape Contractor, Open Space, Pollinator Garden, Registered Forester, Registered Landscape Architect, Specimen Tree, Tree, Tree Canopy, Tree Protection, Tree Protection Area, and Tree Protection Plan.
11. Amend UDO Appendix A Site Plan Checklist and Landscaping Plan Checklist and add Tree Protection Plan Checklist to UDO Appendix A.
12. Amend Appendix F Screening and Trees—proposed to become Tree Protection, Landscaping Guidelines, and Recommended Plants—to add context regarding local ecosystems, Longleaf Pines, and recommended groundcovers, wildflowers, and native grasses as well as improve guidelines for tree protection, tree planting, and recommended lists for small trees, large trees, small shrubs, and large shrubs.
13. Remove and replace all illustrations in UDO Appendix G with graphics on the typical Sandhills of North Carolina wetland profile, example of stormwater pond landscaping, tree protection zone details as well as updated landscaping requirement illustrations.

All interested citizens are invited to attend the hearing and be heard. The full text of the amendments, as well as margin comments explaining the reason(s) for each amendment and the policy from the Comprehensive Plan being implemented by each change, may be reviewed at the Planning office, 801 SE Service Road, Southern Pines, North Carolina, or online at [www.southernpines.net](http://www.southernpines.net). Due to the inter-relatedness of these subjects to other standards found throughout the UDO, multiple sections of text related to the subjects described herein may be discussed and considered for amendment.