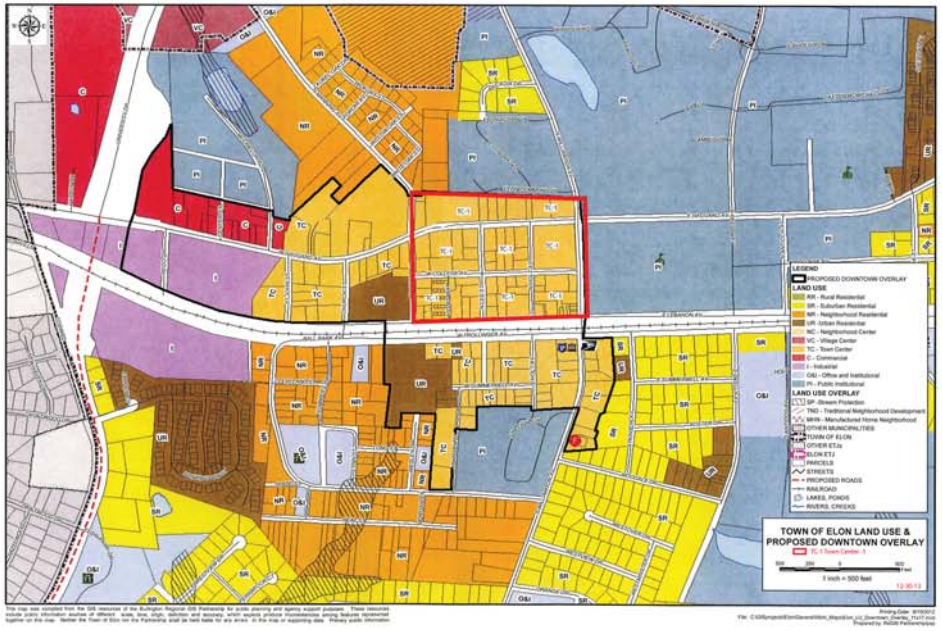
ZONING REGULATIONS

TOWN OF ELON
LAND DEVELOPMENT ORDINANCE
December 2004
(Amended 2/13)
Proposed Amendments: 12-30-13
Pertaining to Downtown Elon Master Plan
Revised: 1-15-14



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Town of Elon
LAND DEVELOPMENT ORDINANCE

Proposed Amendments: 12-30-13; Revised: 1-15-14
Pertaining to Downtown Elon Master Plan

CONTENTS

This packet contains Draft provisions to accompany the Downtown Elon Master Plan. These provisions would need to be adopted by the Board of Alderman at a later date, and include:

- Table of Contents;
- Chapter 2 – Planning Elements Established: Sections 2.1 and 2.4;
- Chapter 3 – Planning District Requirements: Section 3.3 and 3.4
- Chapter 3 – Planning District Requirements: Section 3.7-A Town Center – 1 Planning District (TC-1);
- Section 3.12 Traditional Neighborhood Development Overlay District (TND-O);
- Section 3.15 Summary of Non-Residential District Development Requirements;
- Section 3.16 Summary of Overlay District Development Requirements;
- Section 3.7- A Town Center -1 Planning District (TC-1);
- Chapter 4 – Uses Permitted With Additional Requirements;
- Chapter 5 – Design Regulations;
- Chapter 10 – Definitions

These provisions will be revised and a refined Draft will be prepared after review by the Town of Elon.

Note:

New provisions are in **bold** type; and any existing provisions that are recommended to be repealed have ~~strikeout~~.

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CHAPTER 2 – Planning Elements Established

2.1 General Planning Districts Established

Planning districts are different from conventional zoning districts in that they are defined less by land use, and more by logical areas relating to the historical, geographical, and topographical features and patterns of growth and urban services in our community. Therefore, the conventional terminology of "zoning district" has been replaced with "planning district." These planning districts have the same legal authority as zoning districts. The following general planning districts are established as shown in the table below. Reclassification of property to any general planning district is considered under the administrative procedures outlined in Chapter 8. The requirements of each general planning district are established in Chapter 3.

Symbol	General Planning Districts	Purpose
RR	Rural Residential (private wells & septic)	Very Low-Density SF Residential
SR	Suburban Residential (Town water & sewer – some private wells & septic in rural areas)	Low-Density SF Residential
NR	Neighborhood Residential (Town water & sewer)	Medium-Density SF Residential
UR	Urban Residential (Town water & sewer)	High-Density SF/MF Residential
NC	Neighborhood Center (Crossroad Development)	Mixed-Use Activity Center
VC	Village Center (Serving several neighborhoods)	Mixed-Use Activity Center
→ **TC**	Town Center (**Surrounding** Historic Downtown Area)	Mixed-Use Activity Center
→ **TC-1**	**Town Center -1 (Historic Downtown Area)**	**Master Plan Implementation**
C	Commercial	Accommodates existing Commercial
O&I	Office and Institutional	Accommodates existing Office and Institutional
PI	Public Institutional	Accommodates large scale Public and Institutional
IND	Industrial	Accommodates existing Industrial

2.2 Overlay Districts Established

Overlay districts are established as a separate set of regulations applicable to specific geographic areas. An overlay district may allow additional uses, restrict permitted uses, or impose development requirements differing from those in the underlying planning district. The underlying planning districts and overlay districts together are used in tandem to manage land development. Overlay districts take precedence over underlying planning districts if there is a conflict. The requirements of each overlay district are set forth in Chapter 3.

Symbol	Overlay Planning Districts	Purpose
TND-O	Traditional Neighborhood Development Overlay	Encourages development of new traditional mixed-use neighborhoods
MH-O	Manufactured Home Neighborhood Overlay	Accommodates manufactured homes
SP-O	Stream Protection Overlay (floodplains and buffers along perennial & intermittent streams)	Preserves natural resources & functions, and provides recreational opportunities

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2.3 Interpretation of Planning District Boundaries

The Town of Elon Land Development Ordinance Map, as adopted by the Town of Elon Board of Aldermen and certified by the Land Development Ordinance Administrator, establishes the official planning districts and overlay districts. The following rules apply in the interpretation of district boundaries and the location of centers shown on the official land development ordinance map:

A. Boundaries approximately following streets, highways, or alleys will follow the centerlines of rights-of-ways or easements
B. Boundaries approximately following railroad lines will be midway between the main tracks
C. Boundaries approximately following lot lines, corporate limits, and extraterritorial jurisdiction boundaries of the Town of Elon will follow such boundaries
D. Boundaries shown parallel to or extensions of features indicated in this section will be construed as such. Distances not specifically indicated on the land development ordinance map will be determined by the scale of the map
E. Where the actual location of existing physical or natural features vary with those shown on the land development ordinance map, or in other circumstances not covered by this section, the Planning Board will have the authority to interpret the district boundaries
F. Centers shown at the intersection of streets will be at the intersection of the street centerlines
G. Centers shown at parks or other civic spaces will be at the center of such areas

2.4 Building Types Established

Building types are used as a regulatory mechanism in this **L**and **D**evelopment **O**rdinan**ce**. Not all building types are allowed in all planning areas. The ~~seven~~ types of buildings are:

- Detached houses: The dominant residence type in Elon, detached houses are suitable for single-family occupancy.
- Attached houses: Rowhouses and townhouses are attached houses. Their scale can range from duplexes (two attached units) to a longer series of attached residences.
- Apartment buildings: Apartment buildings are residential buildings accommodating several households. When well designed, this building type can coexist with a variety of other residential building types.
- Live/Work units: Live/work units combine commercial, office, and residential uses within a single dwelling unit of two or more stories.
- Civic building: Civic buildings are used for public purposes. These buildings should be designed appropriately to fit within neighborhoods as integral parts of the community. Their uses include churches, libraries, post offices, and schools.
- Storefront building: Storefront buildings may accommodate a variety of uses. A group of storefront buildings can be combined to form a mixed-use neighborhood center. Individual storefront buildings can provide limited commercial services close to homes.
- Workplace building: The workplace building may have either single or multiple uses or tenants. Office, industrial, and commercial tenants are typical. Small towns and mill villages throughout North Carolina provide examples of how workplace buildings can reasonably coexist with other nearby building types.
- **Multi-Family Dwellings above Commercial: Multi-family dwelling units located above floor Commercial Use.**
- **Office above Retail: Offices located above ground floor Retail Use.**

CHAPTER 3 – Planning District Requirements

3.3 Neighborhood Residential Planning District (NR)

3.3.5 General Design Provisions

A. All buildings must comply with the provisions of Chapter 5 – Design Regulations.
B. All lots must front along a minimum of 20 ft. of publicly dedicated road R.O.W. in order to be built on.
C. Minimum lot width at building line: 60 ft. Lot widths for lots platted prior to adoption of this ordinance must be of sufficient width to accommodate a home within required side yard setbacks.
D. Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the building setbacks a maximum of 10 ft. Open decks and patios are permitted to encroach into the rear and side setbacks.
E. Accessory structures are incidental to the principal use. Accessory buildings, pools, satellite dishes, doghouses, and other similar structures must be constructed in the rear yard only and must be set back a minimum of 3 ft. from the side and rear property lines. Two or more garages, each located on a separate lot, may be attached to each other at the side property line. In such cases, sideyard setbacks will not be required.
F. Lots which are less than ~~75~~ **45** ft. in width must provide access to on-site parking from the rear alley only. Lots greater than ~~75~~ **45** ft. in width may provide access to on-site parking from the fronting street. Alley accessed garages should be setback a minimum of 20 ft. from the edge of pavement of the alley to allow for sufficient maneuvering area and the storage of one car outside of the garage without encroaching or blocking alley passage.
G. Hedges, garden walls, or fences may be built on property lines. Front yard fences must not exceed 4 ft. in height. Side and rear yard fences must not exceed 6 feet in height.
H. The following uses are permitted within accessory structures: parking, gazebo, pool house, equipment storage, artist studio space, sauna, workshop, conservatory, home office and rental cottage.
I. The aggregate floor area of all accessory structures may not exceed half the total floor area of the principal structure. (Exception: Pools, patios and open decks)
J. Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard.
K. Trash containers, mechanical equipment and outdoor storage must be located in the side or rear yard and must be screened from view from the street.
L. All off-street parking spaces for multi-family buildings must be in the rear yard only accessed from a rear lane or alley.
M. All new neighborhoods must have a minimum of 10% dedicated as open space, or provide a payment in lieu of this dedication requirement, as specified in Chapter 5 – Design Regulations.

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3.4 Urban Residential Planning District (UR)

3.4.5 General Design Provisions

A. All buildings must comply with the provisions of Chapter 5 – Design Regulations.

B. All lots must front along a minimum of 12 ft. of publicly dedicated R-O-W in order to be built on.

C. Minimum lot width at building line: 40 ft. Lot widths for lots platted prior to adoption of this ordinance must be of sufficient width to accommodate a home within required side yard setbacks.

D. Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the building setbacks a maximum of 5 ft. Open decks and patios are permitted to encroach into the rear and side setbacks.

E. Accessory structures are incidental to the principal use. Accessory buildings, pools, satellite dishes and other similar structures must be constructed in the rear yard only and must be set back a minimum of 3 ft. from the side and rear property lines. Two or more garages, each located on a separate lot, may be attached to each other at the side property line. In such cases, sideyard setbacks will not be required.

F. Lots which are less than ~~60~~ **45** ft. in width must provide access to on-site parking from the rear alley only. Lots greater than ~~60~~ **45** ft. in width may provide access to on-site parking from the fronting street. Alley accessed garages should be setback a minimum of 20 ft. from the edge of pavement of the alley to allow for sufficient maneuvering area and the storage of one car outside of the garage without encroaching or blocking alley passage.

G. Satellite dishes may not exceed 15 feet in height, 8 feet in diameter, and must be screened from view from all abutting properties. Satellite dishes less than 3 feet in diameter are exempt from these provisions.

H. Hedges, garden walls, or fences may be built on property lines. Front yard fences must not exceed 4 ft. in height. Side and rear yard fences must not exceed 6 feet in height.

I. The following uses are permitted within accessory structures: parking, gazebo, pool house, equipment storage, artist studio space, sauna, workshop, conservatory, home office and rental cottage.

J. The aggregate floor area of all accessory structures must not exceed ½ the total floor area of the principal structure. (Exception: Pools, patios and open decks)

K. Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard. Doghouses may be placed in rear yards only.

L. Trash containers, mechanical equipment and outdoor storage must be located in the side or rear yard and must be screened from view from the street.

M. All off-street parking spaces for multi-family buildings must be in the rear yard only accessed from a rear lane or alley.

N. All new neighborhoods must have a minimum of 10% dedicated as open space, or provide a payment in lieu of this dedication requirement, as specified in Chapter 5 – Design Regulations.

3.7-A Town Center-1 Planning District (TC-1)

3.7.1-A Intent

The intent of the Town Center-1 District is to encourage the revitalization, re-use, and expansion of Elon's historic town center, the Downtown. As the traditional focal point of community life, the Town Center-1 District is intended to serve as the hub of commercial civic, cultural, and governmental activity in accordance with the "Downtown Elon Master Plan" of January 2014. The storefront shops, restaurants, and public uses help define the general character of this area. The street network and blocks this district are part of the Town's historic fabric that is poised to accommodate a variety of mixed-use and redevelopment opportunities. New infill development is encouraged, to accommodate a variety of commercial, civic, and mixed-use buildings that add to the character, charm, and economic viability of this vital, community-wide activity center.

3.7.2-A Permitted Uses

The section number in parenthesis following listed permitted uses indicates the ordinance section of applicable development conditions.

Uses Permitted by Right:
- bed and breakfast inns
- civic, cultural, club, fraternal, and community facilities, (excluding correctional & waste management facilities)
- commercial and office uses
- congregate housing designed within the "civic" building type
- hotels
- indoor recreation
- indoor commercial amusement
- multi-family dwellings above commercial
- offices above retail

Uses Permitted with Requirements:
- churches and religious institutions (4.15)
- daycare centers (4.21)
- essential (utility) services 1 and 2 (4.24)
- parking lot as principle use (4.39)
- recreation facilities, parks & greenways (4.40)
- schools, elementary or secondary (4.44)
- temporary outdoor sales of seasonal products - pumpkins, Christmas trees (4.36)
- transit shelters (4.48)

Permitted Accessory Uses With Requirements:
- drive-through windows & services, excluding those associated with restaurants (4.22)

Uses Permitted with Special Use Permit:
- building greater than 4 stories in height (4.7)
- building greater than 30,000 square feet of gross floor area
- multi-family residential (4.31)

Appropriate Building and Lot Types:
- civic buildings – up to 16,000 square feet of first floor area
- storefront - up to 30,000 square feet of gross floor area
- workplace - up to 30,000 square feet of gross floor area
- specified urban building types in approved TND-Overlay District
- multi-family dwellings above commercial
- offices above retail

Appropriate Overlay Districts with Approval
- Traditional Neighborhood Development Overlay District (TND-O)

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3.7.3-A General Design Requirements in the Town Center-1 Planning District

A. Along existing and proposed streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships as shown in The "Downtown Elon Master Plan", 2014.

   1. New buildings which adhere to the scale, massing, volume, spacing, and setback of buildings as shown in The "Downtown Elon Master Plan", 2014 exhibit demonstrable compatibility.
   2. New buildings which exceed the scale and volume of buildings as shown in The "Downtown Elon Master Plan", 2014 may demonstrate compatibility by varying the massing of buildings to adjust perceived scale and volume if such adjustments are consistent with Sections 5.3 and 5.4.
   3. Special emphasis shall be placed on designing new buildings that respect and are compatible with the architectural character of existing historic structures.

B. On new streets, allowable building types and blocks will establish the development pattern as shown in The "Downtown Elon Master Plan", 2014.

C. Every building lot shall have frontage on a public street Town Commons, or Plaza, as shown in the Downtown Elon Master Plan, 2014.

D. New two to four story storefront buildings shall have retail uses located on the first floor, and office or residential uses on the second to fourth floors.

E. See Section 7.1 for improvements required in all new developments.

F. Demolition of an existing building requires a demolition permit.

G. All buildings, site plans, and master plans shall conform to the design regulations set out in Chapter 5, and the Downtown Elon Master Plan, 2014.

H. All buildings constructed for a permitted use shall be one of the building types permitted in the planning area.

I. The operation of facilities may not cause a nuisance to adjacent property owners in the form of dust, odor, vibration, or noise.

J. All streets, blocks, Renovation Buildings, New Buildings, Town Commons, Plazas, On-Street Parking, Parking Lots, Street Trees, Sidewalks and Crosswalks shall be as shown in The "Downtown Elon Master Plan", 2014.

3.7.4-A Lot and Building Placement

Permitted building types and frontages shall be constructed in accordance with specifications outlined in Chapter 5 - Design Regulations. Civic buildings are exempt from all yard setback requirements.

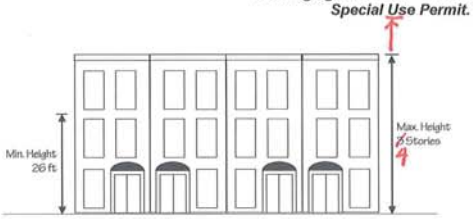
Building Setbacks: Minimum Front: 0 ft. Maximum Front: 10 ft. Minimum Side Yard (Principal Structure): 0 ft. Minimum Side Yard (Accessory Structure): 5 feet Minimum Rear yard: 10 ft. Minimum Lot Width: 16 ft.	**Building Encroachments:** Front: 5 ft. (Encroachments into R-O-W permitted on second to fourth story only) Exception: Arcades **Frontage Build-Out:** Minimum: 70%

3.7.5 Building Height

Minimum Height
Principal Structures: 26 ft.

Maximum Height
All Structures: 4 Stories

Buildings greater than 4 stories require a *Special Use Permit.*



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3.7.6-A General Provisions

A. **Canopies and awnings are permitted to encroach into the front setback up to 5 feet. Arcades are permitted to encroach into the ROW with permission from the Town and/or the State DOT. Open decks and patios are permitted to encroach into the rear setback.**

B. **Accessory structures are incidental to the principal use. Accessory buildings, pools, satellite dishes and other similar structures shall be constructed in the rear yard only and shall be set back a minimum of 5 feet. from the side and 10 feet from the rear property lines. Two or more garages, each located on a separate lot, may be attached to each other at the property line. In such cases, side yard setbacks are not required.**

C. **Drive-through windows and services shall be in accordance with Chapter 4 - Uses Permitted with Additional Requirements.**

D. **Satellite dishes may not exceed 15 feet in height, 8 feet in diameter, and shall be screened from view from all abutting properties. Satellite dishes less than 3 feet in diameter are exempt.**

E. **Hedges, garden walls, or fences may be built on property lines. Front yard fences and walls shall be designed as the extension of the building walls. Side and rear yard fences may not exceed 6 feet in height.**

F. **The following uses are permitted within accessory structures: parking, gazebo, pool house, equipment storage, artist studio space, sauna, workshop, and conservatory.**

G. **Trash containers, mechanical equipment and outdoor storage shall be located in the rear yard and shall be screened from view with a wood fence, brick wall, landscaping or any combination thereof, and shall be set back 5 feet. from the side and 10 feet from the rear property lines.**

3.12 Traditional Neighborhood Development Overlay District (TND-O)

3.12.1 Intent

The traditional neighborhood development overlay (TND-O) district provides an alternative to conventional large-lot, single-use subdivisions. The TND Overlay encourages development of neighborhoods with small blocks, interconnected, pedestrian-oriented streets and sidewalks, and a mixture of buildings, uses, and public spaces. The intent of this overlay district is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation. The TND Overlay District calls for neighborhoods with a recognizable center and clearly defined edges. The optimum size is a quarter mile from center to edge – about a fifteen minute walk. TNDs contain a mixture of uses and housing types in close proximity to one another and have a variety of civic buildings and public spaces which are prominently sited, to provide a strong sense of community. The TND Overlay District may be applied in all general planning districts through map adoption for TNDs with completed designs and overlay district approval.

3.12.2 Permitted Uses

Uses Permitted By Right:
- bed and breakfast inns
- churches
- civic, cultural, club, fraternal, and community facilities, (excluding correctional & waste management facilities)
- commercial uses – retail, service, and office, (excluding wholesaling)
- congregate housing
- entertainment uses (theaters, putt-putt)
- multi-family attached homes – apartments, live/work units, condominiums, town homes.
- **multi-family dwellings above commercial**
- office uses
- **offices above retail**
- single family detached homes

Permitted Accessory Uses With Requirements:
- accessory dwelling (4.1)
- day care home (4.21)
- drive-through windows & services, excluding those associated with restaurants (4.22)

Uses Permitted with Requirements:
- boarding or rooming houses for up to four roomers (4.6)
- ~~cemeteries (4.13)~~
- daycare centers (4.21)
- essential (utility) services 1 and 2 (4.24)
- neighborhood center (see 3.6 above)
- village center (see 3.6 above)
- ~~neighborhood gasoline stations, excluding major service & repair shops (4.28)~~
- parking lot as **principal** use (4.39)
- recreation facilities, parks & greenways (4.40)
- schools, elementary or secondary (4.44)
- transit shelters (4.48)
- outdoor storage - sale of goods at street front - when goods are removed at closing (4.37) – allows farmers market

Appropriate Building and Lot Types:
- apartments
- attached houses
- civic buildings
- detached houses
- live/work units - up to 3,000 SF first floor
- **multi-family dwellings above commercial**
- **offices above retail**
- storefront - up to 30,000 SF gross floor area
- workplace - up to 30,000 SF gross floor area

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3.12.3 General Design Requirements in the TND Overlay District

A. Along existing **and proposed** streets, new buildings ~~must~~ **shall** respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings. **In the TC-1 Planning District, refer to Section 3.7.3-A.**

1. New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
2. New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. Design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings are provided in Sections 5.3 and 5.4.

B. On new streets, allowable building and lot types **and block types** will establish the development pattern.

C. A master plan in compliance with Traditional Neighborhood Development standards must be provided with any application to reclassify property to a TND-O. The master plan must include a topographic survey and show the location and hierarchy of streets and public open spaces, location of residential, commercial, and civic building lots, street sections and/or plans, a master sign program, an outline of any additional regulatory intentions, phasing, and any other information, including building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges.

D. See Section 7.1 for improvements required in all new developments.

3.12.4 TND Development Provisions

A. Minimum Development Size: 20 acres
1. TND-Overlay District designation may be applied to all tracts of land (or multiple tracts under common ownership) from 20 to 200 acres in size.
2. Tracts less than 20 acres in size may be considered for designation as a TND-Overlay District on a case-by-case basis by the Town Board of Aldermen. To allow for the gradual development of a TND, which may include the participation of several property owners over an extended period of time, a partial TND of less than the minimum number of acres may be considered for approval, so long as the project shows an integrated design for at least the minimum size and the potential to become a TND of at least 20 acres over time.

B. Maximum Development Size: 200 acres
1. Tracts larger than 200 acres must be developed as multiple Traditional Neighborhood Developments, each individually subject to all provisions.

C. Maximum permitted density and the total number of dwelling units is determined by the standards of the underlying district and must be established during the site plan review process as a function of open space design, applicable watershed and water quality protection standards, and permitted building types.

D. All Traditional Neighborhood Developments must follow the preliminary and final plat procedures specified in Chapter 6 – Development Review Process, and Chapter 7 – Development Proposal Requirements.

3.12.5 Traditional Neighborhood Design Guidelines

As Elon continues to grow over time, neighborhoods must serve as the primary building blocks of our community. Each new neighborhood should contain a variety of land uses, arranged to serve the needs of its residents in a convenient, pedestrian-friendly environment as outlined in the following provisions:

A. Neighborhood Form
1. The area of the TND must be divided into blocks, streets, lots, and open space areas.
2. There must be a substantial mix of housing types; No TND may be comprised of all multi-family housing (see Sub-Section 3.12.6 below, for specific requirements).
3. Similar land uses must generally front across each street. Dissimilar categories must generally abut at rear lot lines. Corner lots which front on streets of dissimilar use must generally observe the setback established on each fronting street.
4. Illustrations of traditional neighborhoods are provided (see diagrams below) to show the general arrangement and distribution of design elements in a more urban TND (overlaying the Neighborhood and Urban Residential Districts), and in a less urban TND (overlaying the Rural Residential District).
5. **Development in Downtown Elon shall comply with the TC-1 District requirements.**

B. Lots and Buildings
1. All lots must share a frontage line with a street or square; lots fronting a square must be provided rear alley access.
2. All buildings, except accessory structures, must have their main entrance opening onto a street or square.
3. Consistent build-to lines (i.e. minimum and maximum setbacks) must be established along all streets and public space frontages; to determine the width and ratio of enclosure for each public street or space. A minimum percentage build-out at the build-to line must be established on the plan along all streets and public square frontages.
4. Building and lot types must comply with Chapter 5 – Design Regulations.
5. Large-scale, single use facilities (conference spaces, theaters, athletic facilities, for example) must generally occur behind or above smaller scale uses of pedestrian orientation. Such facilities may exceed maximum first floor area standards if so sited.
6. Stoops, open colonnades, and open porches may encroach up to 12 feet into front setbacks.

C. Streets and Alleys
1. All public street and alleyway design must be approved by the public works director, and comply with the *Traditional Neighborhood Development Guidelines Manual* published by NCDOT and hereby incorporated by reference.
2. Public streets and alleys must provide access to all tracts and lots.
3. The TND street system must be organized according to a hierarchy based on function, size, capacity, and design speed. Therefore, streets and rights-of-way should differ in dimension and be designated and separately detailed on submitted site plans using the street types provided in Section 5.7.5. Site plans should also indicate the placement of buildings, utilities, sidewalks, planting strips, curb and gutter, parallel parking (where appropriate), and travel lanes. Alternative methods of assembling the required street elements may be considered to allow neighborhood street designs that are most appropriate to the setting and proposed uses.

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4. All streets and alleys must, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected through-streets surrounding and outside of the TND development.

5. To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of visual enclosure, long uninterrupted segments of straight streets should be avoided by using some of the following methods:
   (1) a street can be interrupted by intersections designed to calm the speed and disperse the flow of traffic and terminate vistas with a significant feature (building, park, natural feature)
   (2) a street can be terminated with a public monument, specifically designed building facade, or a gateway to the ensuing space
   (3) perceived street length can be reduced by a noticeable street curve where the outside edge of the curve is bounded by a building or other vertical elements that hug the curve and deflect the view
   (4) other traffic calming configurations are acceptable if emergency access is adequately provided.
6. Culs-de sac may not exceed 250 feet in length, must be accessed from a street providing internal and external connectivity, must be permanently terminated by a vehicular turnaround, and are generally only permitted where topography makes a street connection impracticable. In most instances, a "close" or "eyebrow" is preferred to a cul-de-sac. Vehicular turnarounds of various configurations are acceptable if emergency access is adequately provided.
7. Provision of a continuous network of alleys to the rear of lots is encouraged, where appropriate within a TND – rear alleys must provide vehicular access to lots less than ~~60~~ **45** feet in width.
8. Utilities must run along alleys wherever possible.
9. ~~The average perimeter of all blocks within a TND may not exceed 1,350 feet~~. No block face may have a length greater than ~~500~~ **600** feet without a dedicated alley or pathway providing through-access.
10. ~~Street lamps~~ **Lampposts** must be installed on both sides of the ~~street no less than 100~~ **in the range of 90 to 110** feet apart.
11. The long axis of the street ~~must~~ **should** have appropriate termination with either a public monument, specifically designed building facade, or a gateway to the ensuing space.

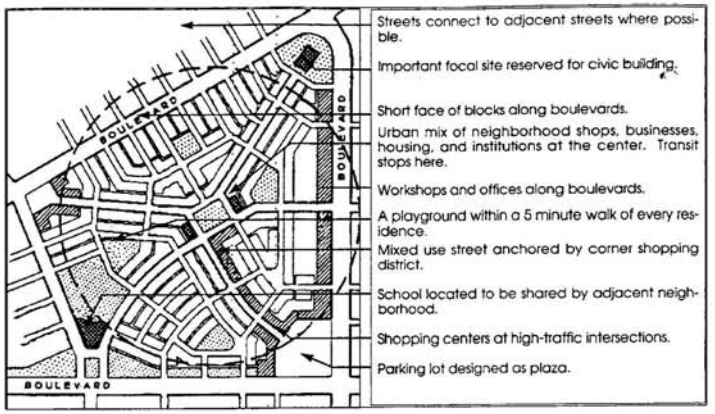
D. Open Space

1. Open Space is defined as any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements. Design of urban and rural open space must comply with Section 5.5.
2. Each new traditional neighborhood must contain, as its central focus, at least one square or park no smaller than ~~one acre~~ **one-half acre**, and no greater than 3 acres within 500 ft. of the geographical center of the neighborhood. This requirement may be used to fulfill the provisions of Section 5.5 - Open Space Preservation and Design Regulations.
3. No portion of a new neighborhood may be further than one-quarter mile (1,320 ft.) from a park, square, **plaza** or other form of open space.

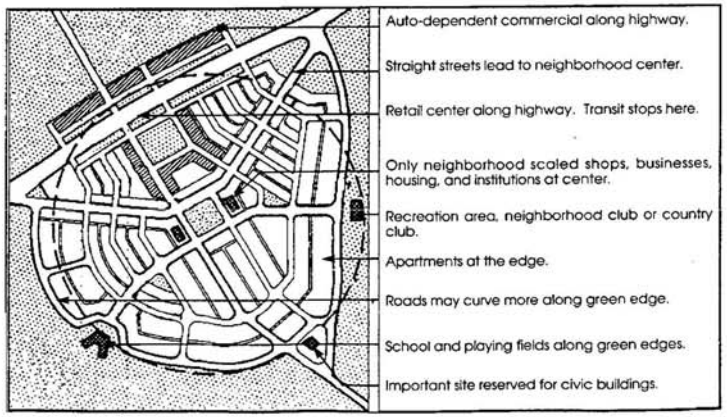
E. Parking and Landscaping

1. Parking and landscaping must comply with all pertinent requirements in Chapter 5 – Design Regulations.

Typical TND Design Characteristics - In More Urban Conditions (Overlaying the Neighborhood Residential District)



Typical TND Design Characteristics - In More Rural Conditions (Overlaying the Rural Residental District)



(TND Illustrations are courtesy of the Town of Mocksville Zoning Ordinance)

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3.12.6 Required Mix of Building Types in the TND Overlay District

A TND-O must contain a mix of building types. The list below specifies the minimum and maximum percentages of units to be developed for each residential building type. Normal rounding rules apply:

Detached Houses	~~30 to 60%~~ **15 to 50%**
Attached Houses or Apartments*	~~20 to 40%~~ **10 to 30%**
Live/Work Units**	~~3 to 20%~~ **2 to 10%**
Multi-Family Dwellings above Commercial**	**5 to 20%**

The clustering of non-residential uses, especially within designated neighborhood and village centers is strongly encouraged. The following list specifies the minimum and maximum percentages of land area for non-residential building types:

Storefront or Workplace***	2 to 30%
Civic	2 to 15%
Offices above Retail	**0 to 15%**

* *Attached house includes single family detached houses on lots 50' wide or less.*
~~**When 3% is less than one unit, no live/work units are required. No live/work units are required unless the development includes 15 or more total units.~~
***** Apartments above Commercial may be used in the TC-1 Planning District.***
*** a minimum of *5% combined storefront and workplace is required in developments with 200 feet of* ***street or*** *road frontage or more, exclusive of road rights-of-way, adjacent to all major and minor thoroughfares. A minimum of 2% combined storefront and workplace is required otherwise.*

3.15 Summary of Non-Residential District Development Requirements

District Development Requirements	NC & VC	TC	TC -1	C	O&I	PI	IND
Minimum Lot Size	-	-	-	-	-	-	2 Acres (87,000 S.F.)
Maximum Lot Size	Diameter: NC – 1/8 mile VC – 1/4 mile	-	-	-	-	-	-
Minimum Lot Width at Building Line	16 ft.	16 ft. (attached housing & shopfront bldgs.)	**16 ft.**	50 ft.	50 ft.	50 ft.	300 ft.
Maximum Front Yard Encroachment	5 ft. (2nd & 3rd story)	5 ft. (except arcades)	**5 ft.**	5 ft.	5 ft.	5 ft.	5 ft.
Minimum Road ROW Frontage	16 ft.	16 ft.	**16 ft.**	35 ft.	35 ft.	35 ft.	100 ft.
Front Yard Setback (from Road ROW)	10 ft. (min) 25 ft. (max)	0 ft. (min) 10 ft. (max)	**0 ft. (min) 10 ft. (max)**	10 ft.	30 ft.	30 ft.	50 ft.
Rear Yard Setback	10 ft.	10 ft.	**10 ft.**	15 ft.	15 ft.	25 ft.	30 ft.
Side Yard Setback (for Principal Structure)	0 ft.	0 ft.	**0 ft.**	0 ft. (10 ft. next to residential)	10 ft.	10 ft.	30 ft.
Corner Lot Side Yard Setback Fronting *Minor* T.F.: Fronting *Major* T.F.:	-	-	-	-	-	-	-
Accessory Structure Setback (Side & Rear Yard)	5 ft.	5 ft.	**5 ft.**	10 ft.	10 ft.	10 ft.	15 ft.
Alley-Accessed Garage Setback	-	-	-	-	-	-	-
Open Space Preservation	-	-	-	-	-	-	-
Maximum Impervious Surface Lot Coverage	-	-	-	-	-	-	30%
Maximum Principal Building Height: Maximum Accessory Building Height:	2-stories 3-stories (TND)	Min – 26 ft. Max – 3-stories >3-stories (SUP)	**Min – 26 ft. Max – 4 stories > 4 stories (SUP)**	Max – 3-stories	Max – 3-stories	Max – 3-stories >3-stories (SUP)	Max – 3-stories
Minimum Frontage Build-Out	70%	70%	**70%**	-	-	-	-

*[or provide payment in lieu of open space dedication with approval as provided in Chapter 5 – Design Regulations]

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3.16 Summary of Overlay District Development Requirements

District Development Requirements	TND-O	MH-O
Minimum Lot Size	20 Acres	5 Acres
Maximum Lot Size	200 Acres	40 Acres
Minimum Lot Width at Building Line	-	-
Maximum Front Yard Encroachment	12 ft. into setback (3.12.5 B)	
Minimum Road ROW Frontage	-	-
Front Yard Setback (from Road ROW)	-	-
Rear Yard Setback	-	-
Side Yard Setback (for Principal Structure)	-	-
Corner Lot Side Yard Setback Fronting *Minor* T.F.: Fronting *Major* T.F.:	-	-
Accessory Structure Setback (Side & Rear Yard)	-	-
Alley-Accessed Garage Setback	-	-
Open Space Preservation	Min. 1-3 acres within 500 ft. of a Neighborhood Center	-
Maximum Impervious Surface Lot Coverage	-	-
Maximum Principal Building Height: Maximum Accessory Building Height:	-	-
Minimum Frontage Build-Out	-	-

**[or provide payment in lieu of open space dedication with approval as provided in Chapter 5 – Design Regulations]*

CHAPTER 4 - Uses Permitted With Additional Requirements

4.20 Commercial and Workplace Uses (Exceeding 30,000 Square Feet)

Commercial and workplace uses exceeding 30,000 square feet of gross floor area are permitted in the Commercial Center, **Town Center–1**, Office and Institutional, and Public Institutional Planning Districts subject to the issuance of a Special Use Permit by the Town Board of Aldermen, in accordance with, but not limited to the following conditions:

A. Building facades must be articulated to create the impression that the building is more than one structure – by using differing treatments, materials, and/or heights every 35 to 50 feet (if the façade exceeds 80 feet in length).
B. Parking may be accommodated on-site, on-street, or within 800 feet of the site. Shared parking with other uses is encouraged.
C. All loading areas must be placed in the rear or to the side of the structure.
D. Uses generating 7,500 or more trips must be required to improve adjoining streets and intersection infrastructure, as determined by the Town and/or the NC Department of Transportation.

4.23 Duplexes on Corner Lots

Duplexes are permitted on corner lots in residential districts that allow it, or mixed use district (such as a TND development **except in the TC-1 District**) according to the following standards:

A. The entrances to each unit in the structure must face different streets;
B. The dwelling must meet the minimum front yard setback from both streets upon which a unit faces;
C. The lot has at least 1.5 times the minimum lot area, if any, for the district.
D. Duplexes which meet the standard for the attached house or the apartment building, are permitted without corner lot restrictions in those districts which permit attached housing and apartment building types.

4.31 Multi-Family Residential Uses

A. Location: Allowed in the Urban Residential District with a special-use permit and in other specified districts that permit a Traditional Neighborhood Development Overlay District (TND-O) and with approval of a TND-O District.
B. Relationship to Other Uses within a TND-O District: Multi-Family Residential uses within an approved traditional neighborhood development overlay (TND-O) district shall be no less that ~~20%~~ **10%** and no more than ~~40%~~ **30%** of the total number of residential units to be built.
C. Access: All multi-family residential sites must have primary access to a collector or higher capacity street**, or to a street shown in the Downtown Elon Master Plan**.
D. Use Separation: Fifty (50) foot minimum distance between a multi-family use and any adjacent single-family residential property.
E. Lighting: Outdoor lighting associated with the use must not shine directly into adjacent properties.
F. Screening: Service and parking areas must be separated by an opaque screen from the view from any street and from abutting properties.

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CHAPTER 4 - Uses Permitted With Additional Requirements

4.20 Commercial and Workplace Uses (Exceeding 30,000 Square Feet)

Commercial and workplace uses exceeding 30,000 square feet of gross floor area are permitted in the Commercial Center, **Town Center–1**, Office and Institutional, and Public Institutional Planning Districts subject to the issuance of a Special Use Permit by the Town Board of Aldermen, in accordance with, but not limited to the following conditions:

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B. Parking may be accommodated on-site, on-street, or within 800 feet of the site. Shared parking with other uses is encouraged.
C. All loading areas must be placed in the rear or to the side of the structure.
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D. Use Separation: Fifty (50) foot minimum distance between a multi-family use and any adjacent single-family residential property.
E. Lighting: Outdoor lighting associated with the use must not shine directly into adjacent properties.
F. Screening: Service and parking areas must be separated by an opaque screen from the view from any street and from abutting properties.

D. Building design will take the natural topography of the site into consideration. Buildings will be located so as not to disturb significant scenic vistas throughout the community.
E. In areas with a slope greater than 20 percent, developers are required to use construction techniques causing the least amount of site impact and erosion.
F. Structures on corner lots will observe the front yard setback requirements of the street they face. The side yard setback for the elevation facing the intersecting street will be the average of the front yard setbacks of the houses within 300 feet.

5.2.3 Relationship of Building to Surrounding Built Environment

A. Development should incorporate predominant characteristics of the neighborhood, including built form, vegetation, topography, and influences such as road **or street** layout, lot size, and pattern and translate them into innovative design solutions.
B. Buildings will not significantly overshadow public or private open spaces.
C. Active recreation and service areas will be located away from the secluded private open spaces of adjacent dwellings.
D. Large-scale recreational uses, such as sports fields, will be located on the perimeter of neighborhoods.
E. Houses with either or both identical or similar building elevations or floor plans should not be located on adjacent lots or directly across the street from each other. Where a single house design is used repeatedly, materials and detailing of major façade elements should be varied.

5.3 General Building Design Regulations

5.3.1 Architectural Style

A. Design regulations are not intended to promote the replication of the existing built form of Elon, but to allow imaginative design that is respectful of its neighborhood. The regulations are meant to help achieve good design, not a certain stylistic result. They will also establish a consistent framework for submitting and assessing proposed development.
B. New downtown buildings should be designed to be respectful in context to the existing built environment not as explicit reproductions of past historical styles. This regulation does not preclude use of materials, scale or massing found on older buildings. Spatial elements like massing, proportions, scale, setbacks, spaces between buildings, and their relative positions should be used to integrate new development into existing neighborhoods.
C. Buildings that are stylized in an attempt to use the building itself as advertising will be discouraged, particularly where the proposed architecture is the result of a "corporate" or franchise style. New construction should provide variety and diversity and express its own uniqueness of structure, location or tenant.
D. Practices, methods, techniques and principles found in the Downtown Elon Master plan will be used in the TC-1 District.

5.3.2 Mass, scale and proportion

A. The height and scale of each building will take into consideration its site and existing (or anticipated) neighboring buildings which includes those on properties behind a proposed building and beyond the immediately adjacent neighbors.
B. Windows, doors, columns, eaves, parapets, **pilasters,** and other building components will be proportional to the overall scale of the building.

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C. Changes of plane should have clearly delineated material transitions.

5.3.3 Street Rhythm

A. Facades along primary streets will be individually interesting, yet fit well into the streetscape.
B. Important street vistas should terminate in a focal point, such as a building or other architectural or natural feature.

5.3.4 Roof Form and Pitch

A. Rooflines will accommodate simple lines such as hip, flat, shed, gable to front, or gable to side, and avoid excessive articulation.
B. Mansard roofs will have functional dormers which project out from the roof. Dormers will have a symmetrical gable or hip roof.

5.3.5 Façade Articulation and Detailing

A. Architectural elements like openings, sill details, bulkhead, posts, and other architectural features will be used to establish human scale at the street level.
B. Buildings will avoid long, monotonous, uninterrupted walls or roof planes on their visible facades. Building wall offsets, including projections, recesses, and changes in floor level will be used in order to: add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human size proportions. Similarly, roofline offsets will be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. For larger scale developments, the building façade will create repetitive bays, or the façades will be divided into a balanced, yet asymmetrical, composition.
C. All sides of the building will use materials consistent with those on the front if visible from public streets or neighboring properties, and should be carefully designed with similar detailing, and be comparable in quality and materials.
D. All visibly exposed facades should have:
   1. a recognizable base course consisting of, but not limited to:
      - thicker walls, ledges or sills;
      - integrally textured materials such as stone or other masonry;
      - integrally colored and patterned materials such as smooth finished stone or tile;
      - lighter or darker colored materials, mullions, or panels.
   2. a recognizable top consisting of, but not limited to:
      - cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone or other masonry or differently colored materials;
      - sloping roof with overhangs and brackets;
      - stepped parapets; and
      - a cornice capping the top of a building wall.

5.3.6 Window and Door Proportions and Design

A. Window, door and roof trim and the arrangement of windows will be architecturally related to the style, materials, colors, and details of the building.
B. Windows will be vertically proportioned wherever possible. To the extent possible, upper story windows will be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.

5.3.7 Building Materials

A. The color of roof stacks, flashing, vents, power exhaust fans, and metal chimney caps will blend with the roof colors.
B. Quality finish materials will be utilized and may include, but need not be limited to:
   - brick masonry or stone
   - integrally tinted, textured masonry block
   - stucco
   - wood siding
   - concrete siding
C. Where any sloped roofs and structural canopies are used, they will be covered with:
   - asphalt shingles
   - natural clay tiles
   - slate
   - concrete tiles
   - ribbed metal
   - wood shakes or shingles, provided the roof includes required fire protection
D. Building materials will be similar to the materials already being used in the neighborhood, or if dissimilar materials are being proposed, other characteristics such as scale and proportion, form, architectural detailing or color and texture, will be used to ensure that enough similarity exists for the building to relate to the rest of the neighborhood.
E. Materials will be selected for suitability to the type of building and design for which they are used.
F. Material or color changes at outside corners of structures, which give the impression of "thinness" and artificiality, are prohibited. Piecemeal embellishment and frequent changes in material should be avoided.
G. Metal buildings will be prohibited except as specifically allowed in the planning district regulations.
H. Accessory buildings, particularly in residential areas, must be of similar design, materials, and colors as the principal building and should be appropriately landscaped.
I. Vinyl siding on building types other than single-family attached or detached residential structures is discouraged.

5.3.8 Mechanical Screening

A. Project elements like mechanical equipment, utility meters, storage areas, trash enclosures, transformers, generators and similar features or other utility hardware on roof, ground, or buildings will be screened from public view with materials similar to the structure or they will be so located as not to be visible from any public view or from potential buildings nearby.
B. Rooftop mechanical equipment will not be visible from the street.
C. Unused equipment should be removed.
D. Noise from HVAC or other operation equipment associated with the function of proposed structures will not exceed 55 decibels above ambient, as measured on a sound meter.

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5.4 Specific Building Type Design Regulations

5.4.1 Special Conditions for Storefront, Workplace, and Live/Work Buildings

5.4.1.1 Mass, Scale, and Proportion

A. The first floor should be taller than upper floors.
B. Lower floors should be differentiated architecturally to create a sense of human scale.
C. All buildings will have a dominant vertical proportion.

5.4.1.2 General Architectural Principles

A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development will generally employ building types that are compatible to the historic architectural vocabulary of the area in their massing and external treatment.
B. Building elevations fronting or visible from public streets will be clad with masonry, wood, vinyl siding, stucco, or similar material. Metal paneling may not comprise a street fronting building face.
C. The front elevations facing the street, and the overall massing will communicate an emphasis on the human scale and the pedestrian environment.
D. Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.
E. Trailers (mobile units) may not be used as permanent workplace buildings.
F. The Americans with Disabilities Act standards for accessibility must be met.
G. Two external wall materials may be combined horizontally on one facade. The "heavier" material should be used on the first floor (i.e. brick below wood siding).
H. All rooftop equipment must be enclosed in a building material that matches the structure or is visually compatible with the structure.
I. **Buildings in the TC-1 District shall comply with the Downtown Elon Master Plan.**

5.4.1.3 Window and Door Proportions and Design

A. Street-facing, ground level facades will maintain a minimum of 75% windows or fixed glass in storefront or workplace and a minimum 50% in live/work designed to make uses inside easily discernible to -passers-by.
B. Reflective or highly tinted glass is prohibited on street-facing façade windows.
C. Street-facing second floor facades will maintain a minimum 30-50% window or glass area.
D. Windows will be of square or vertical proportion. Special windows may be circular or regular polygons. Windows should be set to the inside of the building face wall.
E. Storefront and live/work buildings will provide street level, pedestrian-oriented uses on all street fronts.
F. Shutters, if used, will be used on the residential portion of buildings only and will be functional or proportional to the window on which they are used.
G. Major building entrances that provide access to the primary use of the building will be distinguished from the entrances used for secondary uses, such as ground floor retail.
H. The principal entrance to all buildings will front the primary street or a public open space such as a square, plaza, courtyard, or sidewalk.
I. Civic art and artistic crafting of building materials may help distinguish building entrances.
J. Large buildings fronting multiple streets should provide multiple entrances. Entrances connecting to a central lobby should be accessible from each street-fronting facade of the building.

5.4.2 Regulations for Workplace Buildings

Workplace buildings may have either single or multiple uses or tenants. Office, industrial, and commercial tenants are typical. Southern mill villages provide examples of how these buildings can reasonably coexist with other businesses and homes. Workplace buildings are crucial to the town as employment centers and commercial service locations. They provide space for industry and offices.

5.4.2.1 Workplace Buildings - Site Design Regulations

A. Front and side setbacks may vary depending upon site conditions and will encourage pedestrian activity. Front and side setbacks exclude pedestrian uses such as plazas, stoops, walks, sidewalk cafes, etc.
B. In order to encourage pedestrian activity, multiple workplace buildings should be grouped together and small sideyards used.
C. Building facades that front a street must extend parallel to that street.
D. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence or hedge (minimum 3 feet in height) will be installed along any street frontage adjacent to parking areas.
E. Fences or walls will be no greater than 6 feet in height behind the front building line. Fences will be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
F. Upper level balconies, bay windows, and their supports may encroach up to ~~8~~ **5** feet into the public ROW, provided that there is a minimum of 4 feet from the curb to the supports to allow car doors to open without interrupting the normal flow of pedestrian traffic.
G. Main pedestrian access to the building is from the street with secondary access from the parking areas.

5.4.2.2 Workplace Buildings - Building Design Regulations

A. Building height will be measured as the vertical distance from the highest finished grade relative to the street frontage to the eaves or the highest level of a flat roof.
B. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
C. Building height to the ridge may vary depending on roof pitch.

5.4.3 Regulations for Storefront Buildings, Multi-Family Dwellings above Commercial, and Offices above Retail

~~Storefront~~ **Such** buildings may accommodate a variety of uses. A group of ~~storefront~~ **such** buildings can be combined to form a mixed-use neighborhood center. Individual ~~storefront~~ buildings can provide some commercial service (i.e. a convenience food store) close to homes. Downtown Elon along Williamson Avenue is a good example of a neighborhood center of storefronts**, and this area shall comply with the Downtown Elon Master Plan**.

5.4.3.1 Storefront Buildings **Multi-Family Dwellings above Commercial and Offices above Retail** – Site Design Regulations

A. Front and side setbacks may vary depending upon site conditions and will encourage pedestrian activity. Front and side setbacks exclude pedestrian uses such as plazas, stoops, walks, sidewalk cafes, etc.
B. Building facades that front a street must extend parallel to that street.

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C. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (minimum 3 feet in height) will be installed along any street frontage adjacent to parking areas.
D. Fences or walls will be no greater than 6 feet in height behind the front building line. Fences will be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
E. Upper level balconies, bay windows, and their supports may encroach up to ~~8~~ **5** feet into the public ROW, provided that there is a minimum of 4 feet from the curb to the supports to allow car doors to open without interrupting the normal flow of pedestrian traffic.
F. Main pedestrian access to the building is from the street with secondary access from the parking areas.

5.4.3.2 Storefront Buildings, **Multi-Family Dwellings above Commercial, and Offices above Retail**– Building Design Regulations

A. Building height will be measured as the vertical distance from the highest finished grade relative to the street frontage to the eaves or the highest level of a flat roof.
B. The height of parapet walls may vary depending upon the need to screen mechanical equipment.
C. Building height to ridge may vary depending upon roof pitch.

5.4.4 Regulations for Civic Buildings

Civic buildings are used for public purposes. These buildings must be designed appropriately to fit within neighborhoods as integral parts of the community. The scale and architectural sophistication of these buildings should match their civic importance and complement the best of Elon's existing civic buildings. Civic uses include, but are not limited to: community buildings, including meeting halls, libraries, post offices, schools, child care centers, religious institutions, recreational facilities, museums, performing arts buildings, and municipal buildings.

5.4.4.1 Civic Buildings – Site Design Regulations

A. Civic buildings must be at least 2 stories in height, whenever possible.
B. Building facades that front a street must extend parallel to that street.
C. Placement of civic buildings within neighborhoods provides good opportunities for the creation of public spaces such as squares or plazas (See previous section on open space).
D. Hedges, garden walls, or fences may be built on property lines or as the continuation of building walls. A garden wall, fence, or hedge (minimum 3 feet in height) will be installed along any street frontage adjacent to parking areas.
E. Fences or walls may be no greater than 6 feet in height behind the front building line. Fences may be no greater than 4 feet in height and walls no greater than 3 feet in height when located within the front yard setback.
F. Upper level balconies, bay windows, and their supports may encroach up to 8 feet into the public ROW, provided that there is a minimum of 4 feet from the curb to the supports to allow car doors to open without interrupting the normal flow of pedestrian traffic.
G. Main pedestrian access to the building is from the street with secondary access from the parking areas.

5.4.4.2 Civic Buildings – Building Design Regulations

A. Building height will be measured as the vertical distance from the highest finished grade relative to the street frontage to the eaves or the highest level of a flat roof.
B. The height of parapet walls may vary depending upon the need to screen mechanical equipment.

C. Building height to ridge or architectural features such as a spire or cupola may vary depending upon the design.

5.4.5 Regulations for Live/Work Buildings

Live-work units combine commercial, office and residential uses within a single attached dwelling unit of two or more stories. At least ~~50~~% **25%** of the heated floor area must contain the residential dwelling unit(s). Commercial uses must be located on the first floor. Parking must be located in the rear of the building, accept for allowable on-street parking.

5.4.5.1 Live/Work Buildings – Site Design Regulations

A. Front and side setbacks may vary depending upon site conditions and will encourage pedestrian activity. Front and side setbacks exclude pedestrian uses such as plazas, stoops, walks, sidewalk cafes, etc.
B. If a live/work unit supports two different uses by two different entities, different State building codes apply and must be followed.
C. Building facades that front a street must extend parallel to that street.
D. Upper level balconies, bay windows, and their supports may encroach up to ~~8~~ **5** feet into the public ROW, provided that there is a minimum of 4 feet from the curb to the supports to allow car doors to open without interrupting the normal flow of pedestrian traffic.
E. Fences or walls will be no greater than 6 feet in height behind the front building line. Fences will be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
F. Main pedestrian access to the building is from the street with secondary access from parking areas.
G. Rear decks may encroach into the rear yard setback a maximum of 8 feet.

5.4.5.2 Live/Work Buildings – Building Design Regulations

A. Building height will be measured as the vertical distance from the highest finished grade relative to the street frontage to the eaves.
B. In the Town Center planning area, building height will be comparable to existing structures on the street. Otherwise, the maximum height to the eaves is 3 stories.
C. Building height to ridge will vary depending upon roof pitch.

5.4.6 Regulations for Apartment and Group Quarter Housing (Dormitory) Buildings

Apartment and group quarter housing (dormitory) buildings are residential buildings accommodating multiple households or university students. In traditional towns, this building type coexists nicely with a variety of other building types. Contemporary design permits its integration with other residential types, through the coordination of site and building design. Multiple apartment buildings must be similar in their scale to large detached housing on the public street.

5.4.6.1 Apartment and Group Quarter Housing Buildings – Site Design Regulations

A. Front and side setbacks may vary depending upon site conditions and will encourage pedestrian activity. Front and side setbacks exclude pedestrian uses such as plazas, stoops, walks, etc.
B. Building facades that front a street must extend parallel to that street.
C. Alleys are preferred for driveway and parking access. However, if front loaded driveways are used, they will be the width of a single car at the street frontage.

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5.5 Open Space Preservation and Design Regulations

5.5.1 Open Space –General Provisions

A. Open space is subdivided into two categories; urban and rural. Urban (Improved) Open Space assumes one or more of the forms detailed in this Section, and may contain recreation equipment and amenities as indicated. Rural (Natural) Open Space is site specific in its designation. Golf courses and other neighborhood and outdoor recreational uses which are designed and sited to preserve rural appearance or rural heritage features will be classified, in whole or in part, as rural open space

B. The location, nature, configuration, and use of Rural Open Space will be determined through a site-specific analysis identifying primary conservation areas and other significant features of the natural and built landscape. Primary conservation areas are considered inappropriate for most development because they contain stream buffers, flood plains, or slopes greater than 20%. These environmentally sensitive areas will be used first to meet the open space requirements. Other rural heritage features to be considered when selecting land for open space preservation include: groves of mature trees, cultivated fields, pastures, hedgerows, ponds, bridges, rock outcroppings, woods, and fence lines.

5.5.2 Open Space Requirements in the Rural Residential Planning District

5.5.2.1 Open Space Conservation Options in the Rural Residential Planning District

A. When the preferred rural cluster development option is used, an area (or areas) of land equal to 30% of the gross area of each new land development will be set aside as permanent open space.

B. When the conventional subdivision option is used, an area (or areas) of land equal to 15% of the gross area of each new land development will be set aside as permanent open space.

C. Open Space is defined as any area which is not divided into private or civic building lots, streets, rights-of-way, parking, or easements established for purposes other than open space conservation, grass waterways, or floodplains. Open space is subdivided into two categories; urban and rural. Urban Open Space assumes one or more of the forms detailed in Section 5.5.8, and may contain recreation equipment and amenities as indicated. Rural Open Space is site specific in its designation. Golf courses and other neighborhood and outdoor recreational uses which are designed and sited to preserve rural appearance or rural heritage features will be classified, in whole or in part, as rural open space

D. The location, nature, configuration, and use of rural open space will be determined through a site-specific analysis identifying primary conservation areas and other significant features of the natural and built landscape. Primary conservation areas are considered inappropriate for most development because they contain stream buffers, flood plains, or slopes greater than 20%. These environmentally sensitive areas will be used first to meet the open space requirements. Other rural heritage features to be considered when selecting land for open space preservation include: groves of mature trees, cultivated fields, pastures, hedgerows, ponds, bridges, rock outcroppings, woods, and fence lines.

E. At least 75% of the open space counted toward the basic open space requirement and density incentives will be set aside to maintain primary conservation areas and rural heritage features. Up to 25% of the project's required open space may be designated as urban open space. Whenever possible, urban open space will be located within one-quarter mile (1,320 feet) of each residential building in major subdivisions, as measured along public street rights-of-way.

5.5.3 Open Space Requirements in All Other Planning Districts

A. All residential developments with 10 or more total units are required to dedicate an area (or areas) of land equal to a minimum of 15% of the gross area of each new land development to be set aside as permanent open space**, except in the TC-1 District where a minimum of 5% of the gross lot area shall be built and maintained as a courtyard, plaza, or park, either on the lot or within the TC-1 District**.

B. Whenever possible, at least 50% of the required dedicated open space will be set aside to maintain conservation areas as identified on the adopted Town of Elon Land Development Plan. The remaining portion of the project's required open space may be designated as urban open space.

C. Whenever possible, urban open space will be located within one-quarter mile (1,320 feet) of each residential building in major subdivisions, as measured along public street rights-of-way.

D. Urban Open Space will be planned and improved, accessible and usable by persons living nearby. Improved means cleared of underbrush and debris and may contain one or more of the following improvements: landscaping, walls, fences, walks, statues, fountains, ball fields, playground and exercise equipment, outdoor furniture picnic shelters, gazebos, trails, and greenways. Walls and fences will be made of brick, stone, wrought iron, or wood and will ~~not exceed 3.5~~ **be in the range of 3 to 6** feet in height (except fences used in conjunction with ball fields). Urban Open Space will conform to one of the Urban Open Space types described in this Section, or to a minor variation of same.

E. Urban Open Space features should provide focal points for the neighborhood. A central square or green, for example, may comprise a majority of the open space. There should be a hierarchy of open space within new neighborhoods to serve the needs of all residents.

F. Significant stands of trees, stream bed areas, and other valuable natural features should be preserved within the required open space areas whenever possible.

5.5.4 Ownership of Required Open Space

The Board of Aldermen may consider ownership of all proposed open space parcels. If the Board of Aldermen rejects ownership of proposed open space, the homeowners' association may own the development's open space. If no homeowners' association exists, the development may request other ownership of the open space by a land conservancy approved by the Town, or other entities approved by the Town. Open space may be privately held, as long as a permanent conservation easement is placed on the land.

5.5.5 Maintenance of Required Open Space

Natural features will be maintained in their natural condition, but may be modified to improve their appearance, natural functions, or overall condition, as recommended by experts in the particular area being modified. Permitted modifications may include: reforestation; woodland management; pasture or cropland management; buffer area landscaping; stream bank protection or restoration; wetlands management. Unless accepted for dedication or otherwise agreed to by the Town of Elon, another unit of government, or a private non-profit land conservancy, the cost and responsibility of maintaining open space and any facilities located thereon will be borne by the property owner.

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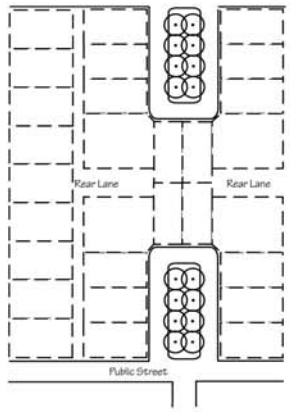
5.5.8 Urban Open Space - Types and Design Guidelines

5.5.8.1 Close

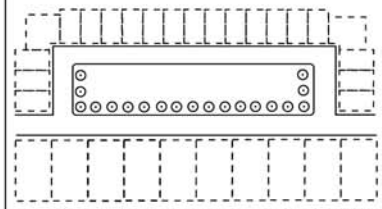


CLOSE

A close is a front space for buildings interior to the block. It may be pedestrian or it may have a roadway loop around a green area. Its minimum width must coincide with emergency vehicle turning radii. The close is a superior alternative to the cul-de-sac, as the focus is a green rather than vehicular paving. The close provides additional frontage for deep squares and organic blocks.

The paved area used for cars should not exceed 50% of the total area of the close.

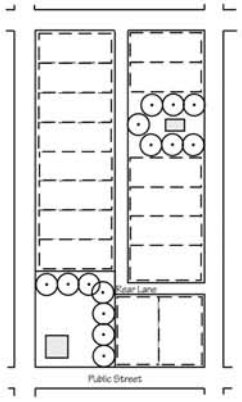
5.5.8.2 Forecourt



FORECOURTS

Forecourts are open space areas which act as buffers between residential and non-residential buildings or streets. Forecourts are entirely bounded by streets. It is recommended that forecourts be planted parallel to all street right-of-ways with one tree species.

5.5.8.3 Playgrounds



PLAYGROUNDS

Playgrounds provide sunny and shaded play areas for children as well as open shelter with benches for parents. Playgrounds may be built within squares and parks or may stand alone within a residential block. Playing surfaces may be covered in sand, wood chips, or other equivalent material. Paths and walkways may be paved in concrete, crushed gravel, brick pavers, or similar material, or partially paved.

Recommended Playground Sizes:
Minimum Size: ~~10,000~~ **5,000** square feet
Maximum Size: 20,000 square feet

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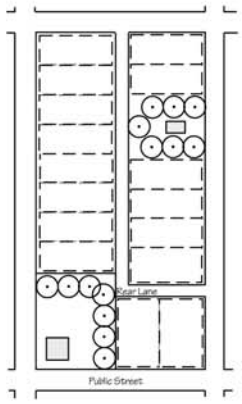
5.5.8.3 Playgrounds



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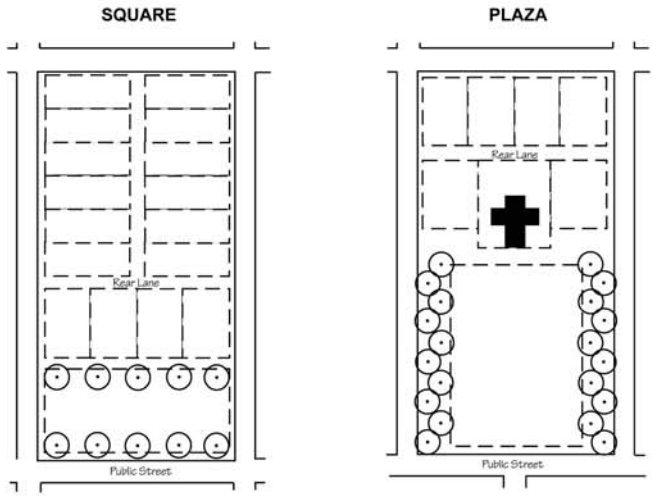
Recommended Playground Sizes:
Minimum Size: ~~10,000~~ **5,000** square feet
Maximum Size: 20,000 square feet

5.5.8.4 Squares and Plazas



SQUARES: Areas for passive recreational use and usually bounded by streets on two or three sides. Detached squares (entirely bounded by streets) are occasionally used to enhance important places or intersections, or to preserve special trees or other community landmarks. Squares should be planted parallel to all street rights-of-way with one tree species a minimum of 10 feet and a maximum of 30 feet on center. All internal tree plantings (if provided) should be in geometrical layouts. Squares are often entirely paved in ~~crushed gravel~~, brick pavers, or similar material, but may be partially paved with other areas covered in plantings or lawn.

PLAZAS: Open gathering places adjacent to, or part of, a civic building or facility. May incorporate a variety of non-permanent activities such as vendors and display stands. Some parking may be permitted in large plazas. Plazas are usually paved in ~~crushed gravel~~, brick pavers, or similar materials, and are generally level, though can be stepped or gently sloping (less than 5% grade). Plazas are often unplanted. If planted, trees should form a frame to the plaza space or for the structure which the plaza services. Tree spacing should be a minimum of 10 feet and a maximum of 30 feet on center.

The recommended square and plaza sizes (below) may be larger or smaller depending on the surrounding neighborhood or building design. ~~A plaza's horizontal length or width should not be greater than 3 times the height of the surrounding or adjacent building(s).~~

Minimum Square Size: 500 square feet
Maximum Square Size: 30,000 square feet

Minimum Plaza Size: 2,000 square feet
Maximum Plaza Size: 1 acre

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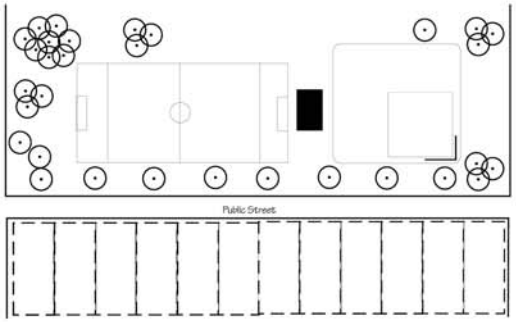
5.5.8.5 Parks



PARKS AND TOWN COMMONS

Parks **and Town Commons** may be designed for passive and/or active recreational use. Parks **and Town Commons** should be bounded by streets on at least 50% of their perimeter (subject to lot line configurations), but are encouraged to be entirely bounded by streets.

Recommended Parks **& Town Commons** Sizes:
Minimum size: 20,000 square feet
Maximum Size: 1 acre

Large parks should create a central open space which services an entire neighborhood or group of neighborhoods; or incorporates physical features which are an asset to the community (i.e. lake or river frontage, high ground, significant stands of trees).

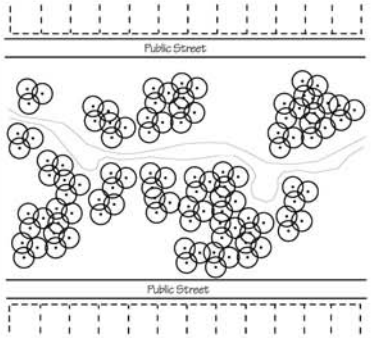
Trees should be planted parallel to all perimeter R-O-Ws with one species type, a minimum of 15 ft to a maximum of 30 ft on center. Trees will be limbed up a minimum of ~~15~~ **12** feet at maturity.

Squares and promenades within a park **or town commons** may be formally planted with trees parallel to the walkway. ~~Areas under dense tree plantings will be paved with crushed gravel~~. Interior portions of parks are encouraged to be kept free of tree plantings. Areas for active recreational use and any facilities which accompany such use should have a tree planting design which integrates the structures into the park and defines the areas set aside for active use from areas of passive use. Plantings in interior portions of parks are encouraged to follow topographical lines.

No areas within a park **or town commons** should have undergrowth or limbs lower than 12 ft from the ground, to avoid injury or damage to people or property.

Parks are encouraged to be combined with parkways, greenways, and greenbelts.

5.5.8.6 Parkways and Greenways



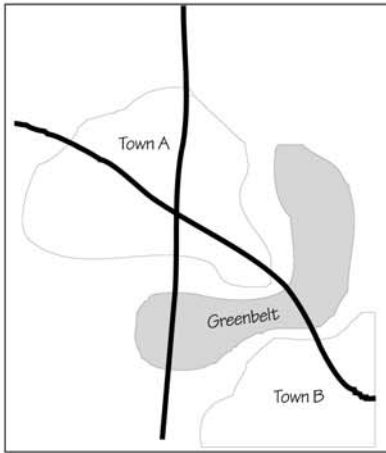
PARKWAYS and GREENWAYS

Parkways and greenways are linear corridors of open space incorporating natural features such as creeks and significant stands of trees within neighborhoods for conservation and recreation purposes. They separate walkers, joggers, and cyclists from vehicular traffic and provide a safe transportation corridor linking neighborhoods with parks, schools, cultural & historic sites, and other developed areas.

Parkways are entirely bounded by streets, while greenways may or may not be.

Interior areas within parkways and greenways should remain natural, and any new plantings should be native species arranged informally. New trees along street rights-of-way should be planted a minimum of 10 feet and a maximum of 30 feet on center, with one species type.

5.5.8.7 Greensbelts



GREENBELTS

Greenbelts run along the perimeter of a neighborhood or town, and serve to buffer a neighborhood from surrounding non-compatible uses such as a highway corridor or industrial district, or a town from agricultural areas or adjacent towns.

Greenbelts are generally left natural, but may include walking trails. Schools located adjacent to greenbelts may provide recreational and athletic fields within the greenbelt.

Tree-planting and landscaping is usually not required along road rights-of-way within greenbelts.

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Chapter 10 - Definitions

For purposes of interpreting this ordinance, certain words, concepts, and ideas are defined below. Except as defined herein, all other words used in this ordinance will have their everyday dictionary definition.

AAAA

Alley: A vehicular thoroghfare providing a secondary means of public access to abutting property, typically at the rear of a lot, and occassionally on the side of a lot.

BBBB

Building Types: Names that are used to describe structures such as workplace, storefront, apartment, attached house, detached house and civic (such as churches and schools). The building types are as follows:

A. Workplace building: The workplace building may have either single or multiple uses or tenants. Office, industrial, and commercial tenants are typical. ~~Southern mill villages provide examples of how these buildings can reasonably coexist with other businesses and homes.~~

B. Storefront building: Storefront buildings may accommodate a variety of uses. A group of storefront buildings can be combined to form a mixed-use neighborhood center. Individual storefront buildings can provide some commercial service close to homes.

C. Civic building: Civic buildings are used for public purposes. These buildings must be designed appropriately to fit within neighborhoods as integral parts of the community. Their uses include churches, libraries, post offices, and schools.

D. Live/Work units: Live/work units combine commercial and residential uses within a single dwelling unit of two or more stories.

E. Apartment buildings: Apartment buildings are residential buildings accommodating several households. ~~More than four~~ **Three or more** dwelling units placed one on top of another and/or side by side and sharing common walls and common floors and ceilings, and which are located on a single lot of record.
When well designed, this building type can coexist with a variety of other residential building types.

F. Multi-Family Dwellings above Commercial: multi-family development located above ground floor Commercial Use

G. Offices above Retail: Offices located above ground floor Retail Use.

H. Attached houses: Rowhouse, townhouse, duplex, triplex, or quadraplex houses, generally developed side by side for condominium unit sale, or where land is sold with the dwelling unit. Attached dwellings on individually deeded lots are excluded from the definition of (apartment) multi-family dwellings.

I. Detached houses: A dwelling unit that is developed with no party walls and with open yards on at least three sides, including modular homes, but not including manufactured homes, mobile homes, or recreational or motor vehicles. Single-family usage only.

J. Accessory dwelling. A dwelling unit which is located on the same lot as a detached or attached single family house, has a first floor area no greater than 650 square feet, is owned by the owner of the principal dwelling unit but may be occupied by another. If the principal dwelling is a group home, use of an accessory dwelling will not increase the number of residents otherwise permitted in a single group home.

Block: An area formed by streets, or an area formed by streets and alleys.

Building Height: The vertical distance measured from the average elevation of the finished grade of all sides of a building, measured at the midpoint of each side, to the average elevation between the top of the roof and the fascia.

Build-to Line: A line extending through a lot which is generally parallel to the front property line and marks the location from which the principal vertical plane of the front building elevation shall be erected, intended to create a Traditional Building Façade Line on a street.

CCCC

Canopy Tree: A species of tree which normally grows to a mature height of 35 feet or more with a minimum mature crown width of 30 feet and meets the specification of the most recent edition of the *American Standard for Nursery Stock*, published by the American Association of Nurserymen.

Crosswalk: A pedestrian thorough fare that is line striped or has pavers or a colorized pavement, that links to sidewalks and provides a pedestrian circulation route across streets.

Commercial: See "Commercial Use"

Commercial Use: A category of uses that includes retail establishments, offices, professional and personal services, light manufacturing and assembly, financial services, health care services, skilled nursing facilities and congregate housing facilities, indoor motion picture theaters, conference centers, laboratories and associated research facilities whose products or waste products entail no special environmental handling requirements, studios, broadcast facilities (excluding towers), hotels and inns, theaters, restaurants without drive-through windows, bars, and day care facility as a **principal** use. Each use permitted in the commercial use category will also meet any applicable conditions set out in Section 7. Excluded from the commercial use category are adult uses; vehicle, boat, or manufactured home sales, service, and repair; wholesale sales; heavy manufacturing; outdoor storage; outside commercial kennels, and other uses that, by their nature or service characteristics are auto dependent, have potential for environment degradation, or are otherwise incompatible with nearby residential use.

DDDD

Downtown: The central business district of the Town of Elon, as depicted in the Downtown Elon Master plan, that being the area of the TC-1 Town Center -1 District.

Downtown Elon Master Plan: The document approved by the Board of Alderman of the Town of Elon on _____, 2014, consisting of plans, maps, clients, illustrations and text, intended to guide development and redevelopment within the TC-1 Town Center-1 District.

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FFFF

Fascia: The material on a building that covers the area where the top of a building wall joins the roof.

HHHH

Hardscape: The materials used to form the ground plane of a space, such as brick, flagstone, or other like type unit pavers, as well as patterned or scored concrete.

LLLL

Lamppost: A decorative type of street light that is pedestrian in scale, and in character with the Downtown setting of Elon.

PPPP

Parking, On Street: A line-striped space that is typically 7 feet wide and 22 feet long, parallel to and adjoining the curb, within which vehicles are stored for a temporary period of time.

Pier: A brick, stone or other masonry column-like structure that accentuates an entrance, or is used in combination with fencing to create an edge to the Streetscape.

Plaza: An urban open space **that is used as a pedestrian gathering area,**, constructed entirely or largely of hard-surfaced ~~paving blocks~~, stone, brick, or similar materials, framed on at least two sides by the vertical rise of building walls; occasionally framed by closely planted large maturing trees in lieu of buildings;. ~~May be~~ **and occasionally** used for ~~occasional~~ parking in front of a civic or public building.

Public Art: Sculpture, statures, monuments, murals, fountains, and the like that accentuates a public space or streetscape.

Public Space: An area within which pedestrians gather, such as a Town Commons, Plaza, Park, and/or Courtyard.

RRRR

Redevelopment: A type of infill development in Downtown Elon whereby new buildings or renovation buildings are built in accordance with the Downtown Elon Master Plan, or the adaptive re-use of an existing building in the Downtown consistent with the Downtown Elon Master Plan, whereby 25% or more of the building is modified.

Renovation Building: A new building as shown in the Downtown Elon Master Plan.

SSSS

Service Lane: A vehicular thoroughfare, such as a local street or driveway, that provides vehicular access similar to an alley.

Streets: Town street classification refers to the hierarchy of low speed, interconnected streets with ~~pedestrian orientation of~~ buildings **located close to sidewalks** and ~~a fine-grained~~ **street** section which includes street tree planting and ~~sidewalks either side of pavement~~ **on both sides of the street**. Specific street types are illustrated in the Streets and Greenways section of this ordinance **and in the Downtown Elon Master Plan**. The required street elements can be assembled in a variety of ways depending on the fronting uses and the function of the street. Streets meeting the Town of Elon standards are eligible for acceptance and maintenance by the town as public streets. Alleys may be accepted for public maintenance only if they serve a public purpose.

Streetscape: The visual elements of a street, including the road, adjoining buildings, street furniture, trees and open space that combine to form the street's character.

Specialty Pavement: A type of Hardscape that accentuates a crosswalk, gateway, plaza, town commons, courtyard or other like type space.

TTTT

Terminated Street Vista: A view framed by buildings at the termination of the axis of a street or other thoroughfare.

Traditional Building Façade Line: The Building Façade Line as shown for new and renovation buildings in the Downtown Elon Master plan, that is intended to form a Build-To Line.

Traditional Neighborhood: A traditional neighborhood incorporates design principles that produce compact, mixed use, pedestrian scaled communities. The following conventions are generally employed in the design of traditional neighborhoods.

1. The neighborhood is limited in area to that which can be traversed in a 10 to 15 minute walk **from the core area of the neighborhood.**
2. Residences, shops, workplaces, and civic buildings are located in close proximity **to one another**.
3. A well-defined ~~and detailed~~ system of interconnected streets **and blocks** serving the needs of the pedestrian and the ~~car~~ **vehicle** equally, providing multiple routes to all parts of the neighborhood.
4. Physically defined open spaces in the form of **town commons,** plazas, squares, and parks, in addition to finely detailed public streets, provide places for formal and informal social activity, ~~and~~ recreation, **and public gathering areas**.
5. Private buildings form a clear edge, delineating the private from the public realm.
6. Civic buildings reinforce the identity of the neighborhood, providing places of assembly for social, cultural, and ~~religious~~ **community** activities.

Traditional neighborhoods pursue certain objectives through their design.

1. Independence of movement for the elderly and young by ~~bringing~~ **offering** many activities of daily living within walking distance.
2. Reduced traffic congestion and road construction costs by reducing number and length of ~~car~~ **vehicle** trips.
3. Use or preparation for future use of alternative forms of transportation by ~~organizing~~ **offering** appropriate building densities.

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4. Improved security of public spaces organized to stimulate informal surveillance by residents and business operators.
5. Enhanced sense of community and improved security through provision of a range of housing types and workplaces in proximity to one another.
6. Accessible places for public assembly and civic engagement by identification of suitable sites for civic buildings.

Town Commons: **A public space within which pedestrians gather for passive recreation, special events, civic events, or other Downtown celebrations.**

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