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7.1 DEVELOPMENT DESIGN STANDARDS

The development design standards of this Ordinance are not intended to promote the replication of the existing built form of Elon, but rather to allow creative design that is respectful of its context. An overriding principle for site and building design in Elon shall be that the natural topography and other significant features such as woodlands, significant trees and groves, and sensitive environmental elements such as wetlands, floodplains, and stream buffers will be considered in the beginning stages of design and throughout the design and construction phases of development. Construction techniques shall have the least amount of impact on the natural topography and drainage patterns of sites as is reasonably feasible. Examples of such techniques include avoiding excessive cut and fill on sites during construction, building into the slope (if topography permits), terracing the building and site improvements to match topography as close as possible, and leaving natural drainageways and existing vegetation undisturbed in every possible instance to utilize these features as tools in managing stormwater and to allow naturally existing buffers to remain in place.

7.1.1 APPLICABILITY

- A. The standards of this Section shall apply to the following situations:
 - 1. New construction.
 - 2. Reconstruction or renovation of existing structures, the cost of which is equal or greater than seventy-five percent (75%) of tax value of the existing structure, as listed in the most recent annual property tax bill prepared by the Alamance County tax assessor.
 - 3. Additions to existing structures in that such additions shall not create a greater level of nonconformity with the provisions of this Section than currently exists on-site.
 - 4. Exterior alterations to existing structures in that such alterations shall not create a greater level of nonconformity with the provisions of this Section than currently exists on-site.
- B. The standards of this Section shall not apply to any property zoned UNV.

7.1.2 NON-RESIDENTIAL USES

- A. Architectural elements such as openings, sills, bulkheads, columns, and other similar features shall be used to establish human scale at the street level.
- B. Scale, proportion, massing, architectural detailing, color, texture, setbacks, space between buildings, and their relative positions on the lot shall be used to integrate new development into existing neighborhoods.
- C. Buildings shall avoid long, uninterrupted walls or roof planes on their facades which are visible from adjacent rights-of-way. Changes in parapet height or design, gables or other changes in the roofline as viewed from any public right-of-way shall be required for any building that is wider than seventy-five (75) feet.
- D. Retail buildings other than large scale retail shall be taller than wide, or shall incorporate segmentation that creates breaks in the façade, with each segment being taller than wide. Building segments may be created through a use of vertical features such as changes in material, building offsets (reveals or recesses in the surface of the wall plane), courtyards, changes in rooflines or other architectural features that create the appearance of building segments. The placement of window and door openings or the addition of balconies and canopies may also be used to create visual segmentation of a building's façade.
- E. Large Format Retail buildings shall be designed so that the width of the building or any building segment as described in subsection D above does not equal more than twice the building's height.
- F. All sides of the building visible from adjacent rights-of-way, park, or designated open space shall include similar architectural detailing.

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- G.** Building materials shall comply with the following standards:
- 1.** Only the following building siding materials shall be allowed by right:
 - a.** Brick, masonry, or stone (brick shall comprise no less than 70% of any building façade, exclusive of doors and windows)
 - b.** Integrally tinted masonry block
 - c.** Stucco
 - d.** Wood siding
 - e.** Concrete siding
 - f.** Fiber cement (Hardie Board)
 - g.** Glass
 - 2.** All sides of the building shall use similar materials which contribute to a cohesive overall design.
 - 3.** Alternative building materials may be approved by the Town Council through the Conditional District rezoning process or the establishment of a Planned Development District. Applicants shall demonstrate the character of the proposed development through proposed building material samples and building elevations.
- H.** Windows, doors, columns, eaves, parapets, pilasters, and other building components shall be proportional to the overall scale of the building.
- I.** Windows shall have a larger vertical than horizontal dimension to the extent practicable. Upper story windows shall be vertically aligned with the location of windows and doors on the street level to the extent practicable.
- J.** Architectural treatments which create the appearance of false entrances facing the street are prohibited. Faux windows and doors, and visible false fronts are prohibited.
- K.** Transparent doors and windows shall constitute seventy-five (75) percent of the street-level, street-adjacent facades of development within the DTC, DTP, GMX, and VMX Districts. Upper-level street-adjacent facades shall be at least thirty (30) percent transparent within those same districts. Mirrored glazing, heavily tinted glass which completely obscures interior activity, and spandrel glass shall not count towards transparency requirements.
- L.** The front of buildings shall face and have the primary customer entry facing the street. Corner lot buildings shall face and have the primary customer entry facing the higher order street, facing the corner, or facing each street.
- M.** The main entry to a building shall be emphasized at the street level. Appropriate methods include, but are not limited to:
- 1.** Recessing the door within a larger cased opening.
 - 2.** Flanking the door with columns, decorative fixtures, or other details.
 - 3.** An awning or canopy, providing a sheltered transition to the interior.
- N.** Buildings on a corner or axial terminus should be designed with additional height or architectural embellishments to emphasize their location.
- O.** Mechanical equipment such as HVAC units, utility meters, transformers, and generators shall be screened from public view in accordance with Section 7.3.10. Flat roofs shall include a parapet wall of sufficient height to screen all rooftop mechanical equipment.
- P.** Garage doors and loading bays shall face an interior lot line, alley, or service drive and shall not face a street or residential district unless buffered or screened in accordance with Section 7.3.7.
- Q.** Outdoor storage or trash areas shall be screened in accordance with Section 7.3.9.

7.1.3 RESIDENTIAL USES

- A. The finished floor elevation of the street level of all residential uses shall be at least twenty-four (24) inches above the finished grade of the parcel on at least three (3) sides of the structure:
1. The Planning Director may waive this requirement for age-restricted developments, subject to deed restrictions.
- B. The following standards shall apply to the residential uses Live/Work Dwelling; Multi-Family Dwelling; Upper-Story Residential; Dormitory, Private; Fraternity or Sorority House; Assisting Living Facility; Continuing Care Retirement Community; and Nursing Home:
1. Architectural elements shall be used to establish human scale at the street level.
 2. Scale, proportion, massing, architectural detailing, color, texture, balconies, courtyards, setbacks, space between buildings, and their relative positions on the lot shall be used to integrate new development into existing neighborhoods.
 3. Buildings shall avoid long, uninterrupted walls or roof planes on their facades which are visible from adjacent rights-of-way. Architectural details shall be used to add interest and variety, including building wall offsets, projections, recesses, and changes in floor level. Roofline offsets shall be used to relieve the effect of a single long roof.
 4. All sides of the building visible from adjacent rights-of-way shall include similar architectural detailing.
 5. Windows, doors, columns, eaves, parapets, pilasters, and other building components shall be proportional to the overall scale of the building.
 6. At least one primary building entrance shall address the street, courtyard, or other common area on which the building fronts.
 7. Upper story windows shall be vertically aligned with the location of windows and doors on the street level to the extent practicable.
 8. Attached or detached garages shall be set back a minimum of ten (10) feet from the front-most building façade.
 9. Mechanical equipment such as HVAC units, utility meters, transformers, and generators shall be screened from public view in accordance with Section 7.3.10. Flat roofs shall include a parapet wall of sufficient height to screen all rooftop mechanical equipment.
 10. Outdoor storage or trash areas shall be screened in accordance with Section 7.3.9.
 11. Additional requirements for multi-family dwellings
 - a. Parking areas shall be located to the rear of the buildings (non-street-facing) or underground. Parking to the side of a building may be approved if adequate justification is made that conditions such as topography, desired environmental features, or lot configuration exist that make parking to the rear of the building impractical.
 - b. Building and outdoor unit entrances on the first floor that face the street shall include a porch, stoop, courtyard, or similar element which provides a transition from the public sidewalk to the private space within the building or unit. Units above the first floor may be accessed from a common stairwell.
 - c. Multi-family buildings shall be arranged to front the street or to frame common open space and amenities.
 - d. Entrances shall be differentiated architecturally to create a sense of human scale.
 - e. Multi-family buildings shall not have street-facing garages.
 - f. Multi-family buildings shall be configured to avoid a long uninterrupted monolithic appearance by including variations in heights, color, setback, rooflines, trim, exterior building materials, façade projections, balcony/porch/patio design and similar components to create visual diversity in an individual building's facades. No fewer than three (3) such components, or similar components considered on a case-by-case basis, shall be employed for each multi-family

building. Each building façade that is visible from a public right-of-way, park, or open space, or another residential building shall be subject to these requirements.

C. The following standards shall apply to attached single-family building types such as townhomes (these standards shall not be applicable to structures built to the one-and-two family North Carolina Residential Building Code):

1. Each dwelling unit shall have a separate exterior entrance that includes a porch, stoop, courtyard, or similar element which provides a transition from the public sidewalk to the private space within the building or unit.
2. Buildings shall be arranged to front the streets or to frame common open space and amenities.
3. Buildings shall not have street-facing garages.
4. Individual units shall include design articulation to distinguish each unit from the adjacent unit. Such articulation may include, but not be limited to variations in the roofline, porch, portico, balcony, or window style, and exterior building material.

D. Where the uses Bungalow Court; Conservation Subdivision; Duplex Dwelling; Pocket Neighborhood; Single-Family Attached Dwelling; and Single-Family Detached Dwelling voluntarily meet the development design standards of subsection B. above, a density bonus of twenty (20) percent shall be added to the maximum development density allowed in the zoning district where the use is located, as detailed in Chapter 3.

7.2 OFF-STREET PARKING STANDARDS

7.2.1 GENERAL DESIGN PRINCIPLES

Off-street parking areas should be designed to minimize breaks in the pedestrian environment along the public street and to create safe and comfortable passage for pedestrians. The following principles should be incorporated into parking area design:

- A. Curb cuts should be minimized to the greatest extent practical.
- B. Parking should be placed to the side or rear of buildings where possible.
- C. Large parking areas should be broken up by buildings or landscape design features.
- D. Parking lots should be designed to allow pedestrians to safely move from their vehicles to the building.
- E. Parking areas should not abut pedestrian-oriented street intersections, or be adjacent to squares or parks.
- F. Parking areas should be designed to facilitate adequate movement and access by sanitation, emergency, and other public service vehicles without posing a danger to pedestrians or impeding the function of the parking area.
- G. Parked vehicles should not encroach upon or extend into public vehicular travelways and sidewalks, or strike against any wall, vegetation, utility, or structure. Wheel stops shall be required where necessary to prevent such conditions.

7.2.2 PARKING REQUIREMENTS

Sufficient off-street parking shall be provided for all development within the Town, in accordance with the parking calculation requirements of Table 7.2.2 and the following standards:

- A. On-street parking along the frontage of the lot being developed may be used to satisfy the requirements of Table 7.2.2, except on streets where on-street parking is prohibited. Where on-street parking is insufficient to completely satisfy these requirements, additional parking must be provided.

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TABLE 7.2.2. PARKING CALCULATION REQUIREMENTS			
Use Category	Use	Minimum Number of Vehicle Parking Spaces Required	Minimum Number of Bicycle Parking Spaces Required
Household Living	Bungalow Court	2 spaces per unit	N/A
	Conservation Subdivision	2 spaces per unit	N/A
	Duplex Dwelling	1.25 spaces per one-bedroom units 1.5 spaces per two-bedroom units 2 spaces per three-bedroom units	N/A
	Live/Work Dwelling	Spaces shall be calculated in accordance with the rate of the residential and non-residential uses being proposed	2
	Manufactured Dwelling	2 spaces per unit	N/A
	Multi-family Dwelling	1.25 spaces per one-bedroom units 1.5 spaces per two-bedroom units 2 spaces per three-bedroom units	2 per each 10 units
	Pocket Neighborhood	2 spaces per unit	N/A
	Short Term Rental	Same as the use type of the rental unit	N/A
	Single-Family Attached Dwelling	2 spaces per unit	N/A
	Single-Family Detached Dwelling	2 spaces per unit	N/A
	Townhouse	2 spaces per unit	N/A
	Triplex/Quadplex	1.25 spaces per one-bedroom units 1.5 spaces per two-bedroom units 2 spaces per three-bedroom units	2 per building
	Upper-Story Residential	1.25 spaces per one-bedroom units 1.5 spaces per two-bedroom units 2 spaces per three-bedroom units	N/A
Group Living	Dormitory, Private	1 space per bedroom	2 per each 10 units
	Family Care Home	.25 spaces per resident	N/A
	Fraternity or Sorority House	1 space per bedroom	2 per building
	Group Home or Halfway House	.5 spaces per resident	N/A
Life Care	Assisted Living Facility	.33 spaces per bed + 1 space per employee on largest shift	N/A
	Continuing Care Retirement Community	.33 spaces per bed + 1 space per employee on largest shift	N/A
	Nursing Home	.33 spaces per bed + 1 space per employee on largest shift	N/A

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Civic	Amphitheater (Outdoor)	.33 spaces per seat, or; .33 spaces per occupant, based on maximum occupancy, where lawn area is used for seating	2 per 20 vehicle parking spaces
	Auditorium, Conference, Convention Center (Indoor)	.33 spaces per seat	2 per 30 vehicle parking spaces
	Community/Youth/Senior Center	1 space per 375 square feet	2 per 20 vehicle parking spaces
	Cultural Facility, Library, or Museum	1 space per 375 square feet	2 per 20 vehicle parking spaces
	Fraternal Club or Lodge	1 per 150 square feet	2
Day Care	Adult or Child Day Care Center	1 space per employee on largest shift + 1 space per 5 persons enrolled	2
Education	College or University	1 space for every 2 students and 1 space for every employee	6 per each education-related building, dining hall, or student commons building
	School, Elementary	2 spaces per classroom	1 per 20 students above 2 nd grade
	School, High/Middle	1 space per 3 students	1 per 20 students
	School, Vocational	1 space per 300 square feet	1 per 20 students
Health Care	Drug/Alcohol Treatment	1 space per 300 square feet	2
	Hospital	1 space per 450 square feet	2 per 10,000 GFA
	Laboratory and Laboratory Services	1 space per 300 square feet	2
	Outpatient Treatment Facility	1 space per 300 square feet	2
	Urgent Care	1 space per 300 square feet	2
Interment	Cemetery, Columbarium, or Mausoleum	1 space per employee on largest shift	N/A
Open Space	Arboretum or Formal Garden	1 space per 5,000 square feet of garden area	2 per 20 vehicle parking spaces
	Community Garden	None	N/A
	Park (public or private)	1 space per 5,000 square feet of park area	2 per 20 vehicle parking spaces
	Public Recreation Facility	.33 spaces per occupant, based on maximum occupancy	2 per 20 vehicle parking spaces
Public Safety	Fire/EMS/Police Station	3 spaces + 1 space per employee on largest shift	2
	Government Office	1 space per 350 square feet	2
	Post Office	1 space per 350 square feet	2
	Police/Fire Training Facility	1 space per 350 square feet of indoor or outdoor training area	N/A
Religious Institution	Religious Institution	.25 spaces per seat	2 per 30 vehicle parking spaces

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Tele-communications	Antenna Collocation, Major	None	N/A
	Antenna Collocation, Minor	None	N/A
	Broadcasting Studio	1 space per 350 square feet	2
	Small Wireless Facility	None	N/A
	Telecommunications Tower, Major	1 space	N/A
	Telecommunications Tower, Minor or Concealed	None	N/A
Transportation	Transit Shelter	None	2
Adult Uses	Adult Uses	1 space per 200 square feet	N/A
Animal Care	Animal Grooming	1 space per 450 square feet	2
	Animal Shelter	1 space per 450 square feet	2
	Kennel Indoor or Small Outdoor	1 space per 450 square feet	2
	Kennel Large Outdoor	1 space per 450 square feet	2
	Veterinary Clinic	1 space per 350 square feet	2
Drinking Establishment	Bar or Cocktail Lounge	1 space per 200 square feet	2
	Bottle Shop	1 space per 300 square feet	2
	Microbrewery or Microdistillery	1 space per 100 SF for Taproom/Tasting Room + 1 space per 575 SF of brewing or distillery space	2
	Private Club (not classified as an Adult Use)	1 space per 250 square feet	2
Eating Establishment	Coffee Shop	1 space per 250 square feet	2
	Restaurant, Drive-Through/Drive Up Service	1 space per 250 square feet	2
	Restaurant, Indoor or Outdoor Seating	1 space per 250 square feet	2
	Restaurant, Walk-up Only	1 space per 200 square feet	2
	Restaurant with Catering Services	1 space per 250 square feet	2
Employment-Related	Business Incubator	1 space per 350 square feet	2
	Co-Working Space	1 space per 350 square feet	2
	Makerspace	1 space per 350 square feet	2
Indoor Commercial Recreation	Electronic Gaming Operation	1 space per 300 square feet	2
	Fitness Center/Health Club	1 space per 300 square feet	4
	Nightclub or Dance Hall	1 space per 225 square feet	2
	Pool Hall	2 spaces per table + 1 space per employee on largest shift	2
	Sports Facility, Indoor	1 space per 3 seats + 1 space per employee on largest shift	4
	Theatre (Film or live performance not classified as an Adult Use)	1 space per 3 seats + 1 space per employee on largest shift	4

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Office	Medical/Dental Office	1 space per 300 square feet	2
	Professional Office	1 space per 300 square feet	2
Outdoor Commercial Recreation	Amusement Facility	1 space per 225 square feet	4
	Golf Course	3 spaces per tee + 1 space per 225 square feet for retail sales + 1 space per employee on largest shift	4
	Golf Driving Range	1 space per tee + 1 space per 225 SF square feet for retail sales + 1 space per employee on largest shift	4
	Sports Facility, Outdoor	1 space per 3 seats + 1 space per employee on largest shift, or ; 1 space per 225 square feet of activity area + 1 space per employee on largest shift, where permanent seating does not exist	2 per 20 vehicle parking spaces
	Vehicle Sports	1 space per 3 seats + 1 space per employee on largest shift, or ; 1 space per 225 square feet of activity area + 1 space per employee on largest shift, where permanent seating does not exist	2 per 20 vehicle parking spaces
Parking	Parking Lot (Principal Use)	None	N/A
	Parking Structure	None	N/A
Personal Service	Computer Services	1 space per 350 square feet	2
	Equipment and Tool Rental	1 space per 350 square feet	2
	Event Venue	1 space per 225 square feet	2 per 20 vehicle parking spaces
	Financial Institution without drive-through service	1 space per 225 square feet for depository institutions; 1 space per 350 square feet for non-depository institutions	2
	Financial Institution with drive-through service	1 space per 225 square feet for depository institutions; 1 space per 350 square feet for non-depository institutions	2
	Funeral-Related Services	1 space per 200 square feet	2
	Hair, Nails, and Skin-Related Services	3 spaces per each employee on larges shift	2
	Laundry/Dry Cleaning	1 space per 450 square feet	2
	Packaging and Printing	1 space per 450 square feet	2
	Repair Shop	1 space per 450 square feet	2

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Retail	Convenience Store (with gasoline sales or restaurant)	1 space per 225 square feet	2 per 10 vehicle parking spaces
	Convenience Store (without gasoline sales or restaurant)	1 space per 225 square feet	2 per 10 vehicle parking spaces
	Grocery Store	1 space per 225 square feet	2 per 20 vehicle parking spaces
	Large Format	1 space per 300 square feet	2 per 30 vehicle parking spaces
	Pharmacy	1 space per 225 square feet	2 per 20 vehicle parking spaces
	Retail, Bulky Item	1 space per 300 square feet	2
	Retail, Second-Hand	1 space per 300 square feet	2
Storage	Outdoor Storage (Principal Use)	None	2
	Self-Storage, External Access	2 spaces + 1 additional space for each 125 storage units	2
	Self-Storage, Internal Access	2 spaces + 1 additional space for each 125 storage units	2
Visitor Accommodations	Bed and Breakfast	1 space per room + 1 space per employee on largest shift	N/A
	Campground	1 space per campsite or cabin	2 spaces at main office
	Hotel or Motel	1 space per room + .2 spaces per seat for banquet and convention facilities	2
Vehicle-Related	Vehicle Repair and Servicing (without painting/bodywork)	3 spaces per service bay	2
	Vehicle Sales or Rentals	1 space per 500 square feet	2
	Vehicle Painting/Body Shop	1 space per 500 square feet	2
	Vehicle Parts and Accessory Sales	1 space per 400 square feet	2
	Vehicle Towing and Storage Lot	None	2
	Car Wash or Automobile Detailing	2 spaces per vehicle in wash bay + 1 space per employee on largest shift	N/A
Industrial Services	Contractor Services	1 space per 400 square feet	2
	Electrical/Plumbing Fabrication	1 space per employee on largest shift	2
	Flex Space	1 space per 400 square feet	2
	Fuel Oil/Bottled Gas Distributor	1 space per employee on largest shift	2
	Heavy Equipment Sales and Service	1 space per 400 square feet	2
	Research and Development	1 space per 400 square feet	2

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Manufacturing and Production	Asphalt or Concrete Plant	1 space per employee on largest shift	2
	Manufacturing, Heavy	1 space per employee on largest shift	2
	Manufacturing, Light with or without accessory sales	1 space per employee on largest shift + 1 space per 400 square feet for accessory sales	2
	Metal Fabrication	1 space per employee on largest shift	2
Utilities	Electrical Substation	None	N/A
	Solar Farm	1 space	N/A
	Water Storage Facility	1 space	N/A
	Water Treatment Facility	1 space per employee on largest shift	N/A
Warehouse and Freight Movement	Truck Terminal	1 space per employee on largest shift	2
	Warehouse, Distribution	1 space per employee on largest shift	2
	Warehouse, Storage	1 space per employee on largest shift	2
Waste-Related Services	Landfill (LCID)	1 space	N/A
	Recycling Center	1 space	N/A
	Salvage or Junkyard	1 space	/AN
	Transfer Station	1 space per employee on largest shift	N/A
Wholesale Trade	Wholesale Trade	1 space per 400 square feet	2
Agricultural Production	Agricultural Production	None	N/A
Animal Husbandry	Animal Husbandry	None	N/A
Horticulture	Horticulture	None	2

B. The Planning Director shall establish the minimum number of required parking spaces for any use not specifically listed in Table 7.2.2. In making this determination, the Planning Director shall consider documentation supplied by the applicant regarding actual parking demand for the proposed use; available planning/technical studies related to the proposed use; parking requirements of other jurisdictions; and parking requirements found in this Chapter for similar uses.

C. Uses legally conforming with on-site parking requirements as of the date of LMO adoption shall be considered grandfathered and shall not be required to meet the standards of this Section, unless a change of use occurs. Any building expansion or change of use to a more intense use based on the Institute of Transportation Engineers (ITE) traffic generation standards shall be required to meet the standards of this Section.

D. Alternative compliance to the parking rates listed in Table 7.2.2 may be proposed through a parking study prepared by a qualified licensed professional, such as an engineer or landscape architect, provided that the proposed alternative provides an adequate amount of parking for the use(s) proposed on site. Said parking study shall be approved by the permit-issuing authority for the site being reviewed, upon a determination that this proposal meets the spirit and intent of the Ordinance.

E. Maximum on-site parking shall be 175% of the minimum standards listed in Table 7.2.2. Development of parking in excess of this maximum standard shall require approval from Town Council.

F. Minimum parking requirements shall not apply to development in the DTC District.

G. Disabled parking shall be provided for development in accordance with North Carolina Building Code standards, and shall count towards the parking requirements of Table 7.2.2.

- H. Off-site parking is allowed for development in all zoning districts except the RUR and SBR Districts.
1. Off-site parking must be located within five hundred (500) feet or less of the site utilizing the parking, as measured along the pedestrian access route to the site.
 2. The petitioner shall present written evidence to the Planning Director (such as a lease or other contract) that he or she has the permission of the owner or agent representing the off-site parking spaces to use such spaces for a defined period of time.
 3. If the parking agreement referenced in subsection 2. above becomes invalid or is nullified at any time, the use shall cease immediately, and shall not resume operation until a new parking agreement meeting the requirements of this Ordinance is approved by the Planning Director.
 4. Off-site parking may not count towards more than fifty (50) percent of the requirements of Table 7.2.2, except in the DTC district. Off-site parking may satisfy one hundred (100) percent of the parking requirements of Table 7.2.2 for sites in the DTC District.
- I. On any residentially-zoned or -used property, no parking shall be allowed in any portion of a front or side corner yard facing the street, except for any area that is used as a driveway for the property.
1. Residential driveways shall be paved with concrete, compacted stone, asphalt, brick, or paving stones. Regardless of the material used for the remainder of the driveway, the portion of the driveway between the edge of the street pavement and the right-of-way line shall be paved with concrete and shall be subject to the standards and permitting of a Town of Elon Driveway Permit.
 2. Driveways shall not exceed thirty (30) percent of the front or side corner yard of any residentially-zoned or -used property.

7.2.3 PEDESTRIAN WALKWAYS WITHIN PARKING AREAS

- A. The following provisions shall apply to new development of any uses listed within the Commercial Use Classification category in Table 7.2.2 or the Multi-family Dwelling use.
- B. Said developments shall provide a physically separated and unobstructed paved pedestrian walkway a minimum of five (5) feet in width between the principal building entrance and the adjacent street right-of-way.
- C. The requirements of this Section may be waived by the Planning Director where one (1) or more of the following conditions exist:
1. Developments that are expected to create little or no pedestrian traffic (e.g., transmission towers, utilities).
 2. Topographic grades exist where pedestrian walkways would exceed an eight percent (8%) grade between an adjacent street and the parking area or finished floor elevation of the proposed development.
 3. Parking areas that are not intended for public access.
 4. There are existing building or utility obstructions on the subject property that block connection of the pedestrian walkway.
 5. Impractical difficulties arising from an unusual building lot configuration or other unique circumstances related to the property.

Appeals of Planning Director denial shall be considered by the Board of Adjustment.

7.2.4 CROSS-ACCESS REQUIREMENTS

- A. New development of any uses within the Commercial Use Classification shall provide cross-access drives to adjacent property.
- B. Cross-access shall be formalized through the recordation of an easement on a final plat, or other instrument where no plat is proposed.

- C. Cross-access drives shall be constructed within a designated cross-access easement a minimum of twenty-four (24) feet in width for two-way traffic, and twelve (12) feet for one-way traffic.
- D. Plantings shall not be required where cross-access drives cross a required bufferyard.
- E. Cross-access requirements may be waived by the Planning Director upon a finding of one (1) or more of the following conditions with adjoining properties:
 - 1. Existing cross-access drives, service roads, or side streets provide sufficient access to the subject property and adjoining property.
 - 2. There are incompatible land uses on adjoining properties that should not be connected by a cross-access drive (e.g., commercial or industrial uses adjoining areas intended for future residential uses);
 - 3. The subject property does not have an average minimum depth of one hundred twenty-five (125) feet.
 - 4. The adjoining property does not abut the subject property for at least sixty (60) continuous feet.
 - 5. There are existing building or utility obstructions on the subject property, or the adjoining property, that block connection of the cross-access drive.
 - 6. The cross-access drive cannot avoid crossing significant natural or man-made features (e.g., a stream or stormwater management pond).
 - 7. An unimpeded motor vehicle connection cannot be made through the subject property to the adjoining property within the required cross-access easement.
 - 8. The cross-access drive cannot connect to existing cross-access drive stubs on adjoining property, or there is not sufficient undeveloped land on the adjoining property to allow room for a future building and accompanying parking area, along with a connecting drive to the subject property.
 - 9. Existing topographic grade changes with adjoining properties are greater than ten percent (10%) and drive connections cannot be made to adjoining property without creating unsafe vertical vehicular grades, or impeding necessary traffic circulation on the subject property.
 - 10. Proposed building(s) on the subject property cannot be reasonably relocated to allow for a cross-access drive connection to adjoining property.

Appeals of Planning Director denial shall be considered by the Board of Adjustment.

- F. A contract or owner's association agreement shall be required for maintenance of cross-access drives:

7.2.5 DRIVE-THROUGH STACKING LANES

- A. Development which includes drive-through facilities shall provide stacking lanes in accordance with Table 7.2.5.
- B. Each stacking space shall be a minimum of nine (9) feet in width and shall be delineated with pavement markings.
- C. Each stacking space shall be a minimum of sixteen (16) feet in length. However, individual spaces within the lane shall not be delineated with pavement markings.
- D. Stacking lanes shall not interfere with access to required parking or ingress/egress from an adjacent street.
- E. Drive-through stacking lanes shall be counted towards the minimum number of required parking spaces for all uses.

TABLE 7.2.5. DRIVE-THROUGH FACILITY STACKING LANES	
Number of Lanes	Number of Spaces Per Lane
1	5
2	5
3	4
4 or more	3

7.2.6 LOADING AND UNLOADING AREAS

A. In all districts except the DTC District, any building or lot used for retail, office, institutional, or industrial purposes constructed after [adoption date of this Ordinance] shall be designed to provide adequate space for off-street loading and unloading of goods and materials. Such space may be inside or outside of a building and shall be in addition to the parking requirements of Table 7.2.2.

B. The number of loading areas shall be determined by Table 7.2.6 below:

Table 7.2.6. Number of Loading Spaces Required	
Gross Floor Area	Minimum Number of Spaces
Retail Uses	
0 – 20,000 square feet	0
20,001 – 40,000 square feet	1
40,001 – 75,000 square feet	2
75,001 – 150,000 square feet	3
150,001+ square feet	4
Office and Institutional Uses, Hotels/Motels	
0 – 50,000 square feet	0
50,001 – 100,000 square feet	1
For each 100,000 square feet or fraction thereof	1
Industrial Uses	
0 – 10,000 square feet	0
10,001 – 40,000 square feet	1
40,001 – 100,000 square feet	2
100,001 – 160,000 square feet	3
160,001 – 240,000 square feet	4
240,001 – 320,000 square feet	5
320,001 – 400,000 square feet	6
For each 100,000 square feet or fraction thereof	1

- C. Loading and unloading areas shall be located on the same lot or adjoining lot as the use for which they are provided.
- D. Each loading area shall be at least twelve (12) feet wide, sixty-five (65) feet long, and shall have a minimum height clearance of fifteen (15) feet.
- E. Loading areas shall be designed and located such that commercial vehicles shall not back into a public street or alley.
- F. The Planning Director may authorize a reduction of the loading requirements or loading spaces for any mixed-use project or adjacent uses where peak loading demand characteristics or hours of operation are distinctly different.
 - 1. A request for shared loading shall be accompanied by information necessary to determine the appropriateness of the request, such as a description of the uses, a site plan, or a transportation engineering report.
 - 2. All shared loading spaces shall be located to provide reasonably equivalent accessibility and usability to all uses which the loading is intended to serve.
 - 3. In cases where the uses for which shared loading is requested are located on lots under different ownership, a contract shall be provided.
 - 4. Parallel parking space dimensions shall be a minimum of twenty (20) by eight (8) feet.
 - 5. In determining whether to approve a reduction for shared loading, the Planning Director shall consider all relevant factors, including peak loading demand, hours of operation, and potential improvements in loading facility design, circulation, and access afforded by a shared loading facility.

7.2.7 PARKING AREA MATERIALS

- A. Required parking areas or spaces; access drives; travelways; loading areas; and other vehicle use areas shall be paved with asphalt, concrete, or similar material to provide a durable and dustless surface that will accommodate intended traffic volumes and weights.
- B. Properly permitted parking areas existing as of the date of LMO adoption shall be considered legally non-conforming. The parking materials standards of the LMO shall apply to new development, expansions of existing parking areas, and redevelopment of existing parking areas where fifty (50) percent or more of the parking lot area is being redeveloped.
- C. Access drives shall be paved and maintained from the curb line of the adjoining street to a point at least twenty (20) feet beyond the public right-of-way, for all parking and loading facilities.
- D. All parking areas shall be curbed using standard curb with a minimum width of one and one-half (1.5) feet.
- E. Pursuant to Elon Code of Ordinances Section 23.52, no person shall keep, store or park any motor vehicle, trailer or similar, whether operable or inoperable, on any portion of a front yard or any side corner yard facing a street on any residentially zoned or used property except an area that is used as a driveway to the property. For the purposes of this subsection, a driveway shall be considered any portion of the lot affording access to the street and paved with concrete, compacted stone, asphalt, brick or paving stones and not exceeding 30 percent of the front or side corner yard. An unpaved surface is considered any surface other than a driveway such as, but not limited to grass or dirt. Access to parking areas shall be limited to properly approved curb cuts or other approved access points. A front yard or side corner yard shall be considered the area between the street and a line drawn parallel to the street from the point of the house that is closest to the street.
- F. The requirements of A., B., and D. above shall not apply to uses within the Agricultural Use Classification, uses within the Open Space use category, Campgrounds, one- or two-family residential development, and temporary uses.

G. Alternative paving materials not meeting the requirements of this Section may be approved by the Town Engineer or designee, where such materials shall promote adequate stormwater runoff while demonstrating equal wear resistance and load-bearing as the materials specified in A. above.

7.2.8 DIMENSIONAL REQUIREMENTS

A. Parking spaces shall be dimensioned in relation to curbs or aisles, so long as their configuration, area, and dimensions satisfy the requirements of this Section.

1. Parking space dimensions shall be a minimum of nineteen (19) feet long and nine (9) feet wide, except that disabled parking spaces and any associated access ramps or curb cuts shall meet the dimensional requirements specified in the North Carolina Building Code.
2. Parallel parking space dimensions shall be a minimum of twenty (20) by eight (8) feet.

B. Parking area drive aisle widths shall meet the standards of Table 7.2.8 below.

Table 7.2.8. Required Parking Aisle Width					
Angle of Parking Spaces	0°	30°	45°	60°	90°
One Way Traffic	12'	14'	16'	16'	18'
Two Way Traffic	18'	20'	22'	22'	24'

C. Driveways shall have a minimum width of twelve (12) feet for one-way traffic, and eighteen (18) feet for two-way traffic. Driveway width shall not exceed twenty-four (24) feet, except as required by the Town or the North Carolina Department of Transportation (NCDOT). The aforementioned dimensional requirements shall be exclusive of driveway entrances, curb cuts, and aprons.

7.2.9 BICYCLE PARKING

A. All uses developed after adoption of this Ordinance shall include a designated bicycle parking area, except for Telecommunications, Utilities, Waste-Related Services, Agricultural Uses, Townhouse, Triplex/Quadplex, and one- or two-family residential development. The number of required bicycle parking spaces shall be determined in accordance with the requirements of Table 7.2.2.

B. Bicycle parking may consist of a bicycle rack within the site's parking lot, a bicycle rack located near the building entrance, or a bicycle locker inside the principal building on-site.

C. Each bicycle rack or locker shall include a minimum of two parking spaces.

7.2.10 TEMPORARY PARKING FOR SPECIAL EVENTS

Temporary off-street parking for special events shall be constructed of any dust-free, compacted, pervious ground cover, such as grass or mulch. The owner of the property shall be responsible for the maintenance of said parking area in a clean and dust-free condition.

7.2.11 STRUCTURED PARKING

- A. Parking requirements shall meet the dimensional requirements of Section 7.2.8.
- B. Above-grade structured parking shall be screened in such a way that cars are not readily visible from any adjacent rights-of-way.

7.3 TREE PRESERVATION AND LANDSCAPING STANDARDS

7.3.1 GENERAL PRINCIPLES AND INTENT

- A. The purpose of this Section is to establish minimum standards for the preservation of existing vegetated areas and the planting of new trees and shrubbery in order to:
 - 1. Preserve, protect, and enhance features that contribute to the natural and unique environment of Elon
 - 2. Maintain and enhance the visual character of the community
 - 3. Better control soil erosion
 - 4. Reduce the hazards of flooding and the negative impacts to water quality as a result of stormwater runoff into waterways
 - 5. Stabilize ground water tables
 - 6. Absorb carbon dioxide
 - 7. Reduce urban heat island effects by providing shade and cooling
 - 8. Screen noise, dust, and glare
 - 9. Enhance property values, in part, by maintaining/creating buffers between land uses that benefit from efforts to reduce noise, glare, and visually incongruous built environments
 - 10. Provide visual interest and human scale
 - 11. Conserve wildlife habitat and corridors
 - 12. Remediate the development-related reductions to Elon's tree canopy

7.3.2 APPLICABILITY

The Tree Preservation and Landscaping regulations shall apply to all development activities on both public and private property, with the following exceptions:

- A. The development of individual single-family attached, single-family detached, or duplex units on previously platted lots.
- B. The tree preservation requirements of Section 7.3.4 shall only apply to new development on parcels of greater than four (4) acres in size, except that all development within the DTC district shall be exempt from the requirements of Section 7.3.4 regardless of lot size.
- C. Protected forestry activities pursuant to NCGS 160D-921. The Planning Director may request the property owner provide documentation that activities fall within one of the protected categories. The documentation shall provide the Planning Director with the means to regulate subsequent development requests on the property so documented, as follows:
 - 1. Denial of a building permit or refusal to approve a site or subdivision plan for either a period of up to three (3) years after completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees that were protected under this Ordinance, or
 - 2. Denial of a building permit or refusal to approve a site or subdivision plan for a period of up to five years after the completion of the timber harvest if the harvest results in the removal of all or substantially all

of the trees that were protected under this Ordinance and the harvest was a willful violation of this Ordinance.

7.3.3 RIGHT TO INSPECT

The Planning Director or his or her designee may make periodic inspections of sites to confirm that proposed, ongoing, and completed development activities are compliant with the provisions of this Ordinance. The Town may, at its discretion, employ the services of a Certified Arborist to assist with any evaluation of impact(s) to existing vegetation as a result of proposed or ongoing development activities. If, through inspection and documentation, it is determined that a site has failed to comply or is no longer in compliance with the provisions of this Ordinance, enforcement activities pursuant to Section 5.4, Violations and Remedies, may commence.

At a minimum, the following site inspections by the Planning Director or his or her designee shall be performed for properties proposed for or undergoing development activities:

- a. During the permitting phase of development, prior to any site disturbance, to verify baseline conditions of the existing vegetation and ensure that the depiction of existing vegetation on plans submitted for development approval are accurate.
- b. Upon a request for a final plat approval or certificate of occupancy, a site visit shall be performed to verify compliance with the Tree Preservation and Landscaping provisions of this Ordinance.

7.3.4 REQUIREMENTS AND PROCESS FOR TREE PRESERVATION

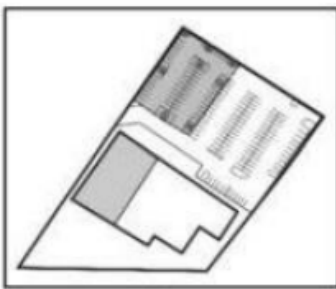
It is the intent of this Section to create a development design process that informs the design through sensitive consideration of the existing conditions of the site. Natural features unique to the site such as existing tree cover, topography, streams, and other sensitive environments such as wetlands and floodplains should be the drivers of the design concept and layout, as opposed to non-contextual approaches that seek to mold the site to fit a particular design. With this in mind, the requirements and process for determining the opportunities for tree preservation are as follows.

- A.** Existing trees on sites greater than four (4) acres in size proposed for development, with the exception of those development types and acreage described in Section 7.3.2.B, shall be inventoried on a tree survey certified by a registered land surveyor or professional engineer. Such survey shall include the items described in subsections 1. through 5. below for the project area (defined as the rectangular area(s) encompassing the area being disturbed as part of the corresponding development request).
 1. The location of all trees measuring eight inches (8") or more diameter at breast height (dbh), except that this survey of individual trees may be waived for any areas clearly designated on the survey as being preserved in an undisturbed condition and adequately protected pursuant to this Section.
 2. The size and species of all trees meeting the standard of subsection A.1., above.
 3. All trees within fifty (50) feet of adjoining property boundaries and rights-of-way.
 4. All trees within a 100-year and/or 500-year floodplain on a site.
 5. Individual trees and stands of trees that the developer may wish to be considered for vegetation credits in meeting landscaping requirements for the development.
- B.** Removal of any tree eight inches or greater dbh shall require a zoning compliance permit. Such permit shall be required prior to any clearing, grading, and/or excavation of a site and is required without regard to other permits that may be required for the development proposal, including but not limited to a special use permit, floodplain development permit, or building permit. Approval of a zoning compliance permit for property subject to tree preservation pursuant to this Section shall be contingent upon the submittal of a Tree Preservation Plan and subsequent approval by the Technical Review Committee (TRC). The Tree Preservation Plan shall include, at a minimum, the following components, using the tree survey as a base layer:

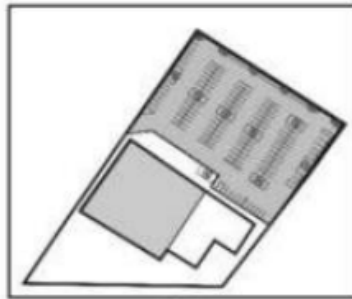
- 1.** Clear indication of areas where trees will be retained. These areas shall be labeled as “tree protection area – not to be disturbed”. The Plan shall show the proposed location and method for tree protection fencing and other such measures intended to prevent damage to the critical root zones of the protected trees. The critical root zone is calculated at one foot of diameter protection from the trunk of the tree for every 0.75 inch of trunk diameter at breast height. Tree protection fencing shall be installed prior to any clearing, tree removal, or grading of a site and shall remain in place through the completion of all construction activities.
 - 2.** Clear indication of individual trees that will be retained outside of the otherwise undisturbed areas described above. The Plan shall show the proposed location and method for tree protection fencing and other measures for preventing damage to the critical root zone of the protected tree(s).
 - 3.** Tree preservation areas identified in accordance with subsections 1. and 2. above shall be required at a rate equal to fifteen (15) percent of the project area for single family detached residential development, and twelve (12) percent of the project area for all other development types.
 - a.** Where trees make up less than the percentage required in subsection 3. above, all existing trees shall be preserved, except where removal is allowed in accordance with subsection 5. below.
 - 4.** A calculation table indicating where preserved vegetation will be used to satisfy, in whole or in part, buffering and landscaping standards as required by this Chapter. The applicant must show evidence that the preserved vegetation meets the standards with regard to size (dbh and height) and species.
 - 5.** Clear indication of areas where trees identified on the survey pursuant to subsection A. above will be removed. Protected trees may be removed only upon justification to the TRC that essential site improvements cannot be accommodated elsewhere on the site, or that the required maximum tree save percentage for the site has already been met by other trees designated on the survey. These areas shall be marked on the Tree Protection Plan, with the reasons why the removal cannot be avoided, with the essential site improvement causing the removal of the tree(s) also shown on the Plan. Such factors such as cost or removal to accommodate nonessential site improvements shall not be valid reasons for the removal of protected trees. Roadways, building sites, and site grading shall be planned to minimize the removal of protected trees. Extensive grading to accommodate “pad-ready” building sites shall not be considered an essential site improvement. Mitigation for the removal of protected trees shall be in accordance with the following:
 - a.** Mitigation for the removal of protected trees shall occur at a rate of 200 percent (200%). For every one inch (1”) of trees removed, measured in diameter at breast height, two inches (2”) of mitigation trees, measured in caliper inches, shall be planted. Any tree planted for mitigation shall measure at least two inches (2”) caliper at the time of planting.
- C.** The area within tree protection fencing shall remain free of all building materials, stockpiled soil, or other debris. Construction traffic and storage of vehicles and materials shall not take place within the protected areas. Fencing shall be erected outside of the dripline of protected trees, but shall in no case be closer than a distance of ten (10) feet from the base of any protected trees.
- D.** Should any tree designated for preservation in the Tree Protection Plan die, the owner shall replace it within 180 days, or as soon as weather permits, with landscaping equal to what would be required by this ordinance.
- E.** Additional determinations by the TRC with regard to tree protection may include:
- 1.** The TRC may recommend to the permit-issuing authority a prescribed modification to parking requirements in order to preserve protected trees on a site.
 - 2.** Where adequate justification is provided by the applicant that an individual tree eligible for protection is dead, dying, or greater than fifty percent (50%) damaged or diseased, the TRC may exempt the tree from protection. The TRC may, in consideration of this request, require a written assessment from a certified arborist or other professional trained in the evaluation of trees.

7.3.5 PARKING LOT LANDSCAPING REQUIREMENTS

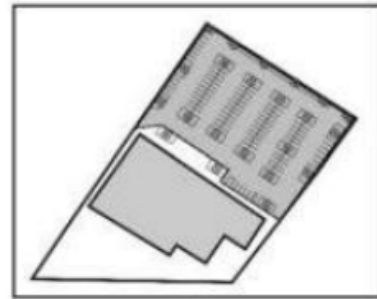
- A. Landscaping meeting the requirements of this Section shall be required of all new or expanded parking lots. Additionally, these requirements shall apply to existing parking lots in accordance with the following:
1. For parking lots being refurbished or expanded without building expansion or redevelopment, the standards of this Section shall only apply to the expanded parking area.
 2. Where building expansion or redevelopment occurs, new parking lot landscaping meeting the requirements of this Section shall be installed at the following rate:
 - a. If building expansion or redevelopment is equal in size to 50% or less of the existing building square footage, parking lot landscaping upgrades shall apply to the parking area on site at the same rate as the percentage of building expansion/redevelopment.
 - b. If building expansion or redevelopment is equal in size to 51%-80% of existing building square footage, parking lot landscaping upgrades shall be applied to 50% of the parking lot area on site.
 - c. If building expansion or redevelopment is equal in size to 81% or more of existing building square footage, parking lot landscaping upgrades shall apply to 100% of the parking lot area on site.
 3. When upgraded plantings for parking lots are at a rate of less than 100%, the plantings may be dispersed throughout the parking lot.



Expansion/redevelopment of 50% or less



Expansion/redevelopment of 51-80%



Expansion/redevelopment of 81% or more

- B. Planting areas shall be located adjacent to parking area edges or within the interior of the parking lot as islands, peninsulas, or medians.
- C. There shall be an island, peninsula, or median at the end of each row of parking to separate the last parking space from any adjacent vehicular or pedestrian travelway. Where a single row of parking spaces contains more than fifteen (15) parking spaces, additional planting area(s) shall be provided to prevent rows of contiguous parking spaces of more than fifteen without an interior planting area.
- D. Each planting area shall contain at least one (1) deciduous large variety tree, meeting the installation and size requirements of this Section. Where overhead power lines exist within the planting area or in close proximity, small variety trees may be used at twice the rate of the large variety tree requirement.
- E. Each required planting area shall contain at least one shrub per 35 square feet of area. No more than 25 percent of the shrubs may be deciduous and shall meet the size and planting specifications found in Section 7.3.11.
- F. Each planting area shall contain at least 150 square feet of pervious area per small variety tree, and 350 square feet of pervious area per each large variety tree.
- G. No parking space shall be located more than seventy-five (75) feet from the trunk of a required large variety tree, or more than fifty (50) feet from the trunk of a required small variety tree. Interior islands, medians, and edge plantings shall be used to meet this standard.

- H. Large variety trees within parking lots shall be no closer than twenty (20) feet from any light pole.
- I. All plantings shall be protected from vehicle bumpers through the use of curbing, wheel stops, or other appropriate means of protection. Such protection measures shall be identified on landscaping plans.
- J. Trees used as streetyard or bufferyard plantings may also be used as credit toward parking lot landscaping requirements, provided that said trees meet the requirements of items B. through E. above.
- K. Alternative parking lot landscaping which varies from the requirements of this Section may be proposed for contiguous parking areas with greater than 500 spaces in order to accommodate unique characteristics of the site or to utilize innovative design.
- L. The Technical Review Committee shall be the approval authority for alternative parking lot landscaping as described in subsection K. above. The TRC shall take into account the following when determining if an alternative parking lot landscaping meets or exceeds Ordinance requirements:
 - 1. The location of existing vegetation on-site.
 - 2. The number of plants, species, arrangement, and coverage proposed.
 - 3. The height, spread, and canopy provided by proposed plants at maturity.
 - 4. The incorporation of non-vegetative elements (such as walls or other structures) proposed within and near the parking area.
- M. Decisions of the Technical Review Committee regarding alternative parking lot landscaping may be appealed to the Board of Adjustment.

7.3.6 STREETYARD REQUIREMENTS

- A. Streetyards shall be required in conjunction with rezoning requests, new development (including the development of new parking areas) on existing zoned sites, and redevelopment of existing sites equal in area to fifty (50) percent or more of the development currently existing on-site.
- B. Streetyards shall be required for all motor vehicle surface areas located within one hundred (100) feet of any street right-of-way, unless separated by an intervening building.
- C. Streetyard width shall be ten (10) feet or greater, measured perpendicular to the right-of-way, and the streetyard shall be positioned between the motor vehicle surface area and the right-of-way.
- D. Each streetyard shall contain a minimum of two (2) large variety deciduous or evergreen trees per one hundred (100) linear feet, excluding points of motor vehicle ingress or egress. Where overhead power lines exist within the streetyard or in close proximity, small variety trees may be used at twice the rate required for large variety trees.
- E. In addition to the trees required in subsection D. above, each streetyard shall require one of the following, or a combination thereof:
 - 1. Natural shrubs meeting the size and planting specifications of Section 7.3.11. Shrubs shall be spaced no closer than eighteen (18) inches edge to edge.
 - 2. Fences and walls a minimum of thirty-six (36) inches in height, constructed primarily of masonry, stone, or wrought iron.
 - 3. Earthen berms having a minimum height of three (3) feet at installation and a minimum crown width of five (5) feet. The entire berm shall be covered with live vegetation.
- F. Alternative streetyard designs which meet or exceed the standards described in this Section may be proposed in the following situations:
 - 1. Where existing topography prevents the strict application of these standards.
 - 2. Where existing vegetation meeting the character of the required streetyard exists on-site. In such cases, this vegetation shall remain undisturbed in perpetuity, with only removal of dead wood and limbing-up of trees allowed.
 - 3. Where streams, natural rock formations, or other site conditions exist.

4. Where utility or access easements exist where streetyards would be required on-site.

G. The Technical Review Committee shall be the approval authority for alternative streetyard proposals as described in subsection F. above. The TRC shall take into account the following when determining if an alternative streetyard meets or exceeds Ordinance requirements:

1. The location of existing vegetation on-site.
2. The number of plants, species, arrangement, and coverage proposed.
3. The height, spread, and canopy provided by proposed plants at maturity.
4. The incorporation of non-vegetative elements (such as walls or other structures) proposed within the streetyard.

H. Decisions of the Technical Review Committee regarding alternative bufferyards may be appealed to the Board of Adjustment.

7.3.7 BUFFERYARD REQUIREMENTS

Bufferyard screening shall be required to obscure the view of adjoining properties, protect the character of residential areas, and maintain property values in accordance with the standards below:

A. Bufferyards shall be required as part of rezoning requests; new development on existing zoned sites; major subdivision approval; and conservation subdivision approval.

B. For the purposes of determining bufferyard requirements, each zoning district within the LMO shall be classified as either Single Family Residential, Low Intensity Mixed-Use, High Intensity Mixed-Use, or Industrial:

1. The following districts shall be considered Single Family Residential: RUR, SBR, NBR, UBR
2. The following districts shall be considered Low Intensity Mixed-Use: VMX, DTP, ONI
3. The following districts shall be considered High Intensity Mixed-Use: DTC, GMX, UNV
4. The following districts shall be considered Industrial: LND, HND

C. Table 7.3.7.1 shall be used to determine the required bufferyard for new development.

TABLE 7.3.7.1 DETERMINATION OF BUFFERYARD				
Zoning of Developing Property	Zoning of Adjacent Property			
	Single Family Residential	Low Intensity Mixed-Use	High Intensity Mixed-Use	Industrial
Single Family Residential	None	None	None	None
Low Intensity Mixed-Use	Type II	None	None	None
High Intensity Mixed-Use	Type II	Type I	None	None
Industrial	Type III	Type III	Type I	None

D. Table 7.3.7.2 details various bufferyard configurations which satisfy LMO requirements. Each bufferyard type is available in multiple widths, with narrower bufferyards requiring more plant materials than wider bufferyards.

TABLE 7.3.7.2. BUFFERYARD PLANTING REQUIREMENTS		
Bufferyard Type	Bufferyard Width	Minimum Plant Material per One Hundred (100') Linear Feet
Type I	10'	2 deciduous large variety trees; 8 evergreen plants, 10 supplemental shrubs
	20'	2 deciduous large variety trees; 8 evergreen plants
	40'	2 deciduous large variety trees; 6 evergreen plants
	100'	2 deciduous large variety trees; 4 evergreen plants
Type II	10'	2 deciduous large variety trees; 12 evergreen plants; 14 supplemental shrubs
	20'	2 deciduous large variety trees; 12 evergreen plants; 10 supplemental shrubs
	40'	2 deciduous large variety trees; 10 evergreen plants
	100'	2 deciduous large variety trees; 6 evergreen plants
Type III	20'	3 deciduous large variety trees; 18 evergreen plants
	40'	3 deciduous large variety trees; 14 evergreen plants
	100'	3 deciduous large variety trees; 10 evergreen plants

- E. Bufferyard plantings shall follow the planting standards of Section 7.3.11.
- F. New trees and shrubs should be evenly spaced at the time of planting.
- G. Temporary or permanent stormwater and sedimentation control devices, and mechanical equipment such as HVAC units, shall not be allowed within required bufferyards.
- H. Utility and access easements may cross a required bufferyard, but may not be placed within the long dimension of the bufferyard.
- I. A masonry wall of at least six feet in height may substitute for required evergreen plants and supplemental shrubs within the bufferyard.
- J. Lawfully established bufferyards which existed at the time of LMO adoption shall be considered legally nonconforming.
- K. Alternative screening methods which meet or exceed the standards described in this Section may be proposed in the following situations:
 - 1. Where existing topography prevents the strict application of these standards.
 - 2. Where existing vegetation meeting the character of the required bufferyard exists on-site. In such cases, this vegetation shall remain undisturbed in perpetuity, with only removal of dead wood and limbing-up of trees allowed.
 - 3. Where streams, natural rock formations, or other site conditions exist.
 - 4. Where utility or access easements exist where bufferyards would be required on-site.
- L. The Technical Review Committee shall be the approval authority for alternative bufferyard proposals as described in subsection K. above. The TRC shall take into account the following when determining if an alternative bufferyard meets or exceeds Ordinance requirements:
 - 1. The land use(s) and zoning of the adjacent property.
 - 2. The location of existing vegetation on-site.

3. The number of plants, species, arrangement, and coverage proposed.
4. The height, spread, and canopy provided by proposed plants at maturity.
5. The incorporation of non-vegetative elements (such as fencing or other structures) proposed within the bufferyard.

M. Decisions of the Technical Review Committee regarding alternative bufferyards may be appealed to the Board of Adjustment.

7.3.8 STREET TREE REQUIREMENTS

A. Trees shall be planted wherever a new street right-of-way is constructed, or where new development occurs along an existing street right-of-way. These requirements shall not apply to alleys. The developer shall obtain NCDOT approval for street tree plantings where new development occurs within the right-of-way of an existing state-maintained road.

B. Trees shall be planted at a rate of one large variety tree per forty (40) linear feet. Qualifying existing trees may be used to help satisfy these requirements, and in fact this approach is encouraged, if the existing trees are adequately protected during construction as described in Section 7.3.4.C.

C. Where overhead power lines exist within the right-of-way or in close proximity, small variety trees may be used to satisfy the requirements of this Section at twice the rate of the large variety tree requirement. The TRC may also identify other site-specific situations through the development review process which require large variety trees to be substituted for small variety trees, planted at twice the rate of the large variety tree requirement.

D. In instances where street right-of-way is insufficient or includes challenges such as slope or underground utility conflicts, street trees may be located within the front yard space of Single-Family Attached, Single-Family Detached, Duplex, Triplex/Quadplex, and Townhouse units (rather than within the street right-of-way).

7.3.9 OUTDOOR STORAGE AREA SCREENING

A. Any outdoor storage area with a linear dimension of fifteen (15) feet or greater, not screened from any public or private street or residential use by an intervening building, or any dumpster not screened by an intervening building shall be screened from view from any street right-of-way or residential use, whether or not it may provide access to the site, for its entire length except for necessary access.

- B. Outdoor screening shall be provided using either fencing, plantings, or a combination of the two:
1. Fencing:
 - a. A fence or wall shall be at least six (6) feet in height, opaque, and constructed primarily of masonry, stone, wood, or of the same material as that of the principal building on-site.
 2. Plantings:
 - a. The minimum height of any plant material shall be six (6) feet at installation.
 - b. The spacing of said plantings shall be in a double-row configuration, staggered, with five (5) foot spacing between the centers of the main trunk of each plant.

C. Dumpsters shall be set on a concrete pad.

D. Dumpsters shall not be located within fifty (50) feet of existing residential uses on any adjacent parcel.

7.3.10 MECHANICAL EQUIPMENT SCREENING

A. All exterior mechanical equipment shall be located to the rear or side of the principal structure on the lot, and shall be screened in accordance with the standards of Section 7.3.9. Rooftop mechanical equipment shall be screened from view by a parapet wall or similar architectural element.

7.3.11 PLANTING STANDARDS FOR TREES AND SHRUBS

- A. All new plant material shall be of good quality, installed in a sound, workman-like manner, and meet the standards set forth in the *American Standard for Nursery Stock* by the American Association of Nurserymen.
- B. All trees shall be properly guyed or staked and mulched (with a 3-4 inch layer of material) in accordance with accepted practices in the landscape industry, to prevent winds from loosening roots.
- C. Where large maturing trees would be required but overhead utility lines exist, small maturing trees may be substituted at twice the rate required for large variety trees with the approval of the Technical Review Committee. The TRC may also identify other site-specific situations through the development review process which require large variety trees to be substituted for small variety trees, planted at twice the rate of the large variety tree requirement.
- D. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials and will keep them in a proper, neat, and orderly appearance, free from refuse and debris. All dead or unhealthy plant material shall be replaced within 180 days to maintain the quality of the landscaping. In no instance shall the Town of Elon be responsible for the maintenance of any vegetation unless such vegetation is located within the public right of way of a Town maintained street or is located on property owned by the Town.
- E. New landscape materials shall be complementary to plant materials existing on the property and on adjoining properties. Use of native plant materials is encouraged.
- F. Large maturing trees shall not be less than ten (10) feet in height at installation with a minimum two-and-a-half (2- ½) inch caliper.
- G. Small maturing trees shall not be less than eight (8) feet in height at installation with a minimum one-and-one quarter (1-1/4) inch caliper.
- H. Evergreen trees shall not be less than eight (8) feet in height at installation with a minimum two (2) inch caliper.
- I. Shrubs shall be a minimum of two (2) feet in height at installation.
- J. Installation and construction practices which preserve and replace existing topsoil or amend the soil to reduce compaction shall be adhered to.
- K. No vegetation shall be planted within the sight distance triangle at an intersection or driveway access point, unless an unobstructed view between 30 and 72 in height in height is maintained.

7.3.12 REVISIONS TO APPROVED LANDSCAPING AND TREE PRESERVATION PLANS

- A. Minor revisions to approved landscape plans due to seasonal planting problems and/or a lack of plant availability may be approved by the LMO Administrator if:
1. There is no reduction in the quantity of plant material.
 2. There is no significant change in size or location of plant materials.
 3. The new plants are of the same general category (i.e., shade tree, ornamental tree, evergreen, or shrub) and have the same general design characteristics (mature height, crown spread) as the materials being replaced.

7.3.13 INSPECTION OF SITES

- A. The LMO Administrator or his or her designee may inspect sites subject to the provisions of this ordinance at any reasonable time.
- B. If, through inspection, it is determined that a site has failed to comply or is no longer in compliance with the provisions of this Ordinance, enforcement activities may commence.
- C. A certificate of occupancy for the development shall not be issued unless the required landscaping is installed in accordance with the standards of this Ordinance and in accordance with an approved site plan or subdivision plat, or unless a surety is in place guaranteeing the installation of required landscaping at a time more conducive to the health and longevity of the vegetation.

7.3.14 REPLACEMENT OF DISTURBED AND DAMAGED VEGETATION

- A. The disturbance of any landscaped area or vegetation required by this Ordinance shall be considered a violation. All disturbed landscaped areas and vegetation shall be replanted to meet the standards of this Section as well as any approved site or master plan.
- B. Where the vegetation that has been disturbed or damaged existed on the site at the time the development was approved, all replacement vegetation shall meet the standards set forth in this Section, taking into account any unique site conditions and significant vegetation remaining within the landscaped area. Trees or vegetation that die within one year of construction completion as a result of contractor negligence shall be removed and replaced with new vegetation of equal or greater size.
- C. Existing vegetation required to be preserved that has been damaged or destroyed during the course of development activity shall be subject to civil penalties and replaced in accordance with the requirements of this Section.
- D. A re-vegetation plan that takes into consideration the development condition of the site, significant vegetation remaining within landscaped areas, and replacement plant materials shall be submitted to the Planning Director for approval. Vegetation replacement shall consist of one or a combination of the following measures:
 - 1. Replanting according to the requirements of this Section.
 - 2. Replacing damaged or destroyed significant vegetation with an equal amount of new vegetation according to the size of vegetation removed. Any tree that is damaged or removed shall be replaced with one or more trees that have a caliper of at least two-and-one-half inches and a cumulative caliper equal to or greater than the original tree. Understory vegetation may also be required to restore the screening effect of the disturbed area.
- E. Replacement plantings shall be located within the vicinity of the violation. If the area is too small for sufficient growth, a more suitable location on the site may be approved by the Planning Director.

7.3.15 EMERGENCIES

In the case of emergencies such as windstorms, ice storms, fire, or other disasters, the Town may waive the landscaping requirements of this ordinance during the emergency period so that the requirements of this ordinance will in no way hamper private or public work to restore order in the Town.

7.4 SIGNAGE STANDARDS

7.4.1 INTENT

Signs are intended to be designed and located in a manner which enhances streetscapes within the Town and complements the architectural character of new and existing buildings. Sign messages are intended to be legible

when viewed by pedestrians as well as motorists. The standards of this Section are content-neutral, and both commercial and/or non-commercial speech are allowed on any permitted sign. A wide variety of sign types are permitted within the Town to ensure the protection of commercial and non-commercial speech.

7.4.2 PROHIBITED SIGNS

The following signs shall be prohibited within the Town's jurisdiction:

- A. Abandoned or dilapidated signs.
- B. Signs on roofs, chimneys, and balconies.
- C. Billboards or other off-premise signs.

- D. Inflatable and windblown signs, including "feather flag" signs.
- E. Flashing or blinking signs.
- F. Signs with moving elements, except for electronic message board signs.
- G. Vehicular signs.
- H. Mobile signs.

7.4.3 SIGN MEASUREMENT

- A. Sign area shall be calculated as the smallest square, circle, rectangle, triangle, or combination thereof encompassing the sign message and background, along with any molding, trim, border, or frame materials.
- B. The height of a free-standing sign shall be measured from the right-of-way to which the sign is oriented or the average grade of the site where the sign is located, whichever is higher, to the top of the highest attached component of the sign, including the sign face, sign structure and any other appurtenance. Any change in a site's grade specifically designed to increase a sign's height shall be included as part of the sign's height.

7.4.4 SIGN ILLUMINATION

- A. For free-standing signs, up to eighteen (18) square feet of sign area may be internally illuminated. This provision shall not apply to electronic message board signs.
- B. Electronic message boards shall have a maximum brightness of 5,000 nits during daylight hours, and 500 nits between sunset and sunrise.
 - 1. All electronic message board signs shall have a light sensing device that will adjust the brightness in real-time as ambient light conditions change, so that the sign does not exceed the maximum brightness levels allowed by this Section.
 - 2. Prior to issuance of a sign permit, the applicant shall provide written certification from the sign contractor that the light intensity of the electronic message board sign has been pre-set not to exceed 5,000 nits.
 - 3. Prior to the final sign inspection, the sign contractor shall provide written certification that the sign meets all requirements of this Section.

7.4.5 SIGN PERMITS

A permit shall be required for the erection, replacement, relocation, or alteration of any sign, except as specifically noted in this Ordinance. Sign permits shall be requested in accordance with the process described in Section 5.2.19.

7.4.6 SIGNS ALLOWED WITHOUT PERMITS

- A. Signs directly adhered to the interior or exterior of windows or doors.
 - 1. Such signs shall occupy no more than ten (10) percent of the window/door area or four (4) square feet, whichever is less.
 - 2. A maximum of one window or door sign shall be allowed per building.
- B. A-Frame Signs
 - 1. Such signs shall not interfere with pedestrian or vehicular circulation or sightlines.
 - 2. A maximum sign area of six (6) square feet shall be allowed on each side of an A-Frame sign.
 - 3. A-Frame signs shall be constructed of durable materials.
- C. Wall-mounted building directory signs identifying the occupants of a building.
 - 1. Such signs shall be located near the principal building entrance and shall project no more than six (6) inches from the surface of the wall.
 - 2. Directory signs shall be no larger than three (3) square feet in area.
 - 3. Building service entrances may also be identified by wall-mounted signs which shall not exceed two (2) square feet in area.
- D. Temporary signs (unless expressly prohibited)
 - 1. Such signs shall have a maximum area of four (4) square feet, except as otherwise noted.
 - 2. One temporary sign shall be allowed along each street frontage on a property, except as otherwise noted.
 - 3. A maximum sign area of six (6) square feet shall be allowed on each side of an A-Frame sign.
 - 4. Examples of temporary signs include, but are not limited to, A-Frame signs; for sale or rent signs; signs advertising development activity taking place on a property; construction fence wraps as described in NCGS 160D-908; agricultural product sale signs; and signs advertising special events.
- E. Political Campaign or Election Signs may be placed in the right-of-way of any road maintained by the State of North Carolina or the Town of Elon in accordance with the standards of NCGS 136-32.
- F. Signs for orderly traffic control and other government-installed signage, including banners and flags installed from lamp posts and hung across rights-of-way.

7.4.7 SIGNS REQUIRING PERMITS

The following sign types shall be allowed in the zoning districts indicated in Table 7.4.7, with a permit from the Planning Director or their designee.

- A. Free-Standing (Ground-Mounted) Signs
 - 1. Free-standing signs shall have a maximum height of six (6) feet.
 - 2. Such signs shall have a maximum of two (2) faces, with a maximum area of thirty-six (36) square feet per face.
 - 3. Each building shall be allowed one freestanding sign, including buildings which are broken up into multiple suites or contain multiple businesses.
 - 4. Free-standing signs exceeding the height and area requirements described above may be approved by Town Council through the Conditional Rezoning process described in Section 5.2.5.
- B. Wall Signs
 - 1. Attached wall signage equal to five (5) percent of the area of the ground floor façade(s) of the building adjacent to rights-of-way shall be allowed.
 - 2. One additional wall sign, up to six (6) square feet in area, shall be permitted on any side or rear facade of the building.
 - 3. The maximum height of any attached sign shall be eighteen (18) feet from the bottom of the façade where the sign is installed.

TABLE 7.4.7. MATRIX OF ALLOWABLE SIGN TYPES

Zoning District	Allowable Sign Types					
	Free-Standing Signs	Wall Signs	Projecting Signs	Awning Signs	Subdivision Entry Signs	Electronic Message Boards
RUR	X	--	--	--	X	--
SBR	X	--	--	--	X	--
NBR	X	--	--	--	X	--
UBR	X	--	--	--	X	--
VMX	X	X	X	X	--	X
DTC	X	X	X	X	--	--
DTP	X	X	X	X	--	--
GMX	X	X	X	X	--	X
ONI	X	X	--	--	X	X
UNV	X	X	X	X	--	X
LND	X	X	--	--	X	--
HND	X	X	--	--	X	--

- C. Projecting Signs
 1. Projecting signs shall have a maximum sign area of six (6) square feet per face.
 2. The distance from the lower edge of the sign face to the ground shall be at least seven (7) feet.
 3. One projecting sign shall be allowed per building.
 4. The width of a projecting sign shall not exceed three (3) feet.
 5. The height of the top edge of the sign face shall not exceed the height of the wall from which it projects, for single-story buildings, or the height of the bottom of any second-story window for multi-story buildings.
- D. Awning Signs
 1. Awning signs above a building's main entrance shall be allowed a maximum of ten (10) square feet of area on the main face of the awning, and four (4) square feet of area on the awning valance.
 2. One sign, a maximum of four (4) square feet in size, may be located on either the main awning face or the valance of awnings above each secondary building entrance or window.
- E. Subdivision Entry Signs.
 1. Subdivisions shall be allowed either two (2) single-faced or one (1) double-faced sign at each subdivision entrance.
 2. Such signs shall have a maximum height of six (6) feet.
 3. Subdivision entry signs shall have a maximum area of thirty-six (36) square feet.
- F. Electronic Message Boards.
 1. Electronic message board signs shall meet the illumination requirements of Section 7.4.4.B.
 2. Each electronic message shall remain stationary for a minimum of eight (8) seconds, and transitions between messages shall be complete and instantaneous. No blinking, flashing, or other transitional

effects shall be used. Any sign on which the message or display runs continuously or which uses blinking, flashing or similar effects shall be considered a flashing sign.

3. Only one electronic message board shall be allowed per building. Said electronic message board may take the form of a free-standing sign or an attached sign.
4. The maximum area of an electronic message board shall be thirty-six (36) square feet.

7.4.8 REMOVAL OF ABANDONED SIGNS

- A. Signs relating to or identifying an activity or establishment that is no longer conducted on premises shall be considered abandoned.
- B. The definition of abandoned signs shall include the sign's structure if said structure does not comply with the height, area, or other requirements of this Ordinance.
- C. Such signs shall be in violation of this Ordinance if not brought into compliance or removed within one year of notification of the property and sign owner by the Planning Director or their designee.
- D. An abandoned sign which is left in place but painted or otherwise masked with a solid, uniform color shall be considered compliant with the requirements of this ordinance.

7.5 FENCE AND WALL STANDARDS

A. INTENT

The purpose of this Section is to establish minimum standards for the construction and design of fences and walls within all zoning districts.

B. PERMIT REQUIRED

A fence permit shall be received from the Planning Director prior to the erection of new fences and walls, or the replacement of existing fences and walls, in accordance with the process outlined in Section 5.2.10.

C. ALLOWABLE FENCE AND WALL TYPES

The following types of fences and walls shall be allowed in all zoning districts, except as further limited by other Ordinance provisions:

1. Open picket fences.
2. Post and rail fences.
3. Solid plank fences.
4. Ornamental iron or aluminum fences.
5. Masonry, concrete, or stone walls. Such walls may be solid or pierced.
6. Open wire fencing (such as woven wire and chain link). Open wire fencing shall be screened from view from nearby rights-of-way with a combination of trees or shrubs.

D. PROHIBITED FENCE AND WALL TYPES

The following types of fences and walls shall be prohibited in all zoning districts:

1. Fences constructed primarily of barbed or razor wire, or fences carrying electrical current, except for the purpose of enclosing livestock.
2. Fences constructed of readily flammable material such as paper, cloth, or canvas.
3. Fences topped with barbed or razor wire.

E. FENCE AND WALL PLACEMENT AND DIMENSIONS

1. Fences or walls shall be no higher than four (4) feet in height between the street right-of-way and a line corresponding with the front façade of the principal structure on the lot.

2. Fences or walls in rear or side yards shall be no higher than six (6) feet in height when used in conjunction with residential uses. Said fences shall be no higher than eight (8) feet in height when used in conjunction with non-residential uses.

F. ADDITIONAL FENCE AND WALL REQUIREMENTS

1. No fence, wall, post, or required landscaping shall be installed so as to obstruct visibility at a street intersection or driveway entrance.
2. Fences must be installed with posts, supports, stringers, and all unfinished materials facing the interior of the lot, so as to minimize the visibility of such materials from adjacent rights-of-way.
3. Fence or wall height shall be measured at the highest point of the structure, not including columns or posts, as measured from the grade on the side nearest an abutting lot or right-of-way.
4. Columns or posts shall not extend more than eighteen (18) inches above the built height of the fence or wall. Retaining walls or berms underneath the fence shall be counted towards the overall height of the structure.
5. Any safety railings required by the State Building Code shall not be subject to height requirements.
6. Any fence or wall which, through neglect, lack of repair, type or manner of construction, method of placement, or similar circumstance constitutes a hazard or endangers any person, animal, or property shall be deemed a nuisance. If such conditions exist, the owner of the property upon which the fence is located shall be required to repair, replace, or demolish the fence causing the nuisance.
7. No fence or wall shall block access from doors or windows of any structure.
8. Fence and wall construction shall not alter or impede the natural flow of water in any stream, creek, drainage swale, natural drainageway, or ditch.
9. No fence or wall shall be located within a utility easement without review and written approval by the easement-holder.

7.6 LIGHTING STANDARDS

A. INTENT

The purpose of this Section is to provide standards for exterior lighting to prevent adverse effects on motorists, pedestrians, and adjacent properties. Lighting intensities should be controlled to assure that light spillover and glare are not directed at adjacent properties, neighboring areas, motorists, or the sky.

B. APPLICABILITY

The standards of Section 7.6 shall apply to all development permitted after the adoption of the LMO, except for the uses Single-Family Attached Dwelling; Single-Family Detached Dwelling; Duplex Dwelling; Manufactured Dwelling; and Triplex/Quadplex.

Street lights and temporary lighting shall also be exempt from the requirements of this Section.

C. LIGHTING PLAN

1. A lighting plan prepared by a lighting certified (LC) lighting professional or a professional engineer licensed in the State of North Carolina shall demonstrate that all exterior lighting is designed, located, and installed in accordance with LMO standards.
2. Prior to the issuance of a certificate of occupancy, the LC lighting professional or professional engineer shall certify in writing that that lighting was installed per the approved plans.

D. LIGHT LEVEL MEASUREMENT

1. Light levels are specified, calculated, and measured in footcandles.
2. All values are initial footcandles.
3. Measurements shall be made at ground level with the light-registering portion of the meter held horizontally pointing up.

E. GENERAL LIGHTING STANDARDS

1. Outdoor lighting shall be integrated with the architectural character of the building.
2. Light levels for all exterior lighting measured at any residential property line or public right-of-way shall not exceed one-half (1/2) footcandle.
3. Parking lot lighting shall utilize fixtures certified as full cutoff and with a maximum glare rating of G3.
4. Uniformity ratios for parking lot lighting shall not exceed 4:1 average to minimum light levels.
5. Lights mounted on poles shall have a maximum pole height of thirty-two (32) feet and shall not be mounted greater than thirty-two feet (35) feet above grade including any base or mounting structure.
6. Non-shielded wall packs and high-intensity light beams, such as outdoor searchlights, lasers, or strobe lights shall be prohibited.
7. Routine maintenance of existing lighting, including changing the lamp, ballast, starter, photo control, fixture housing, lens, and other required components shall be allowed for all existing fixtures. A lighting plan shall not be required for such changes.
8. Sensor-activated lighting may be unshielded provided it is located in such a manner as to prevent direct glare and lighting onto adjacent properties or rights-of-way. Sensor-activated lighting shall not be triggered by activity off of the property.
9. The average lighting level for new and existing service stations shall be no greater than 3.0 footcandles under the canopy. Canopy lighting shall be recessed to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent property.

F. STANDARDS FOR RECREATIONAL LIGHTING

1. In addition to the standards above, the standards of subsection F. shall apply to the following uses:
 - a. All uses in the Outdoor Commercial Recreation Use Category.
 - b. Amphitheater (Outdoor).
 - c. Accessory athletic fields and courts submitted for permitting after adoption of the LMO.
 - d. Lighting added to existing facilities described in 1., 2., and 3. above which did not have lighting existing prior to adoption of the LMO.
2. Fixtures shall be fitted with the manufacturer's glare control package. If the manufacturer does not offer a glare control package, the fixture specification shall be changed to a manufacturer that offers a glare control package.
3. Fixtures shall be designed with a sharp cutoff and aimed so that their beams fall within the primary playing area and immediate surroundings, so that off-site direct illumination and glare are significantly restricted.
4. The maximum pole height for a new outdoor recreation lighting source shall be eighty (80) feet unless approved by the Town Manager or designee after being determined that the lighting shall have no significant adverse effect on surrounding property.
5. Existing poles for outdoor recreation lighting sources with a height greater than eighty (80) feet may be used for new lighting if approved by the Town Manager or designee after being determined that the lighting will have no significant adverse effect on surrounding property.
6. The lighting plan shall demonstrate that the maximum candela per fixture does not exceed 7,500 candela at a distance of 150 feet from the edge of the playing field.

7.7 OPEN SPACE STANDARDS

A. PURPOSE AND INTENT

When land is developed for residential purposes, public health, safety, and welfare are best served when substantial portions of the tracts so developed remain as open space. The preservation of open space serves the following important objectives to the benefit of the residents of such developments as well as the general public: the preservation of open vistas; pedestrian connections to community facilities; providing relief from urban and suburban landscapes; providing a balance to urban heat island effects; the

preservation of environmentally sensitive lands; the preservation of habitat for wildlife; the preservation of historically or archaeologically significant areas; and the provision of areas for passive recreation, such as walking, jogging, or biking

B. APPLICABILITY

New residential and mixed-use development, excluding the construction of one- or two-family dwellings on previously subdivided lots, shall require open space to be set aside in accordance with the standards of this Section. The exemption included in this subsection is intended to apply to infill development only and shall not exempt entire subdivisions, or any portion thereof, or any other development which otherwise would have to comply with the requirements of this Section.

C. GENERAL STANDARDS

1. Three categories of open space are described in this ordinance: passive, active, and urban.
2. The required percentage of development to be set aside as open space, along with the allowable types of open space for each zoning district, are indicated in Table 7.7.
3. Where the provision of some or all of the open space required by this Section is not practicable, the developer may request fee-in-lieu consideration in accordance with Section 5.2.9.
4. Twenty-five (25) percent of the required open space within any development shall be either Active or Urban Open Space.
5. All residential buildings within a development shall be located within 1,320 feet of any required Active or Urban Open Space.
6. Natural features within Passive Open Space areas shall be maintained in their natural condition, but may be modified to improve their appearance, natural functions, or overall conditions as recommended by experts in the area being modified. Permitted modifications include reforestation; woodland management; pasture or cropland management; buffer area landscaping; stream bank protection or restoration; and wetlands management.
7. Features that may be counted as open space shall include:
 - a. Environmentally-sensitive lands including water features (drainageways, lakes, streams, etc.), wetlands, floodplains, and protected stream buffers;
 - b. Stormwater management lands, including retention and detention ponds, and bio-retention devices;
 - c. Farm and forestry lands within the boundary of the development;
 - d. Pedestrian and bicycle amenities, trails, and greenways, in common areas of the development;
 - e. Narrow strips of common area that separate lots within a development from each other, from streets, or from adjoining tracts shall not be regarded as open space within the meaning of this Section unless such areas:
 - i. Are at least forty (40) feet in width at the street right-of-way, consisting of at least one thousand (1,000) feet of contiguous area; and
 - ii. Are configured or improved (e.g., through the installation of trails) in such a way as to be conducive to actual use for pedestrian connections to community facilities and for recreational purposes (i.e., walking or jogging) by the residents of the development where the land is located.
8. Features that may not be counted as open space include:
 - a. Private yards;
 - b. Street rights-of-way, private street common area, or vehicle medians;
 - c. Vehicular use areas, including parking spaces, drive aisles, and private drives;
 - d. Privately-owned lots that are used or intended for residential uses;
 - e. Easements not within the common area of the development;
 - f. Noncontiguous pieces of land which are, as a practical matter, inaccessible to all or most of the residents of the development; and
 - g. Land covered by buildings not designated for active recreational use.

TABLE 7.7. REQUIRED OPEN SPACE							
Zoning District	Minimum Open Space Set-Aside	Allowable Open Space Types					
		Passive	Active		Urban		
			Recreational Amenity	Playground	Square	Plaza	Green
RUR	15%/40%/1/	X	X	X	X	X	X
SBR	15%/40%/1/	X	X	X	X	X	X
NBR	15%	X	X	X	X	X	X
UBR	15%	X	X	X	X	X	X
VMX	15%	X	X	X	X	X	X
DTC	--	--	--	--	--	--	--
DTP	--	--	--	--	--	--	--
GMX	--	--	--	--	--	--	--
ONI	--	--	--	--	--	--	--
UNV	--	--	--	--	--	--	--
LND	--	--	--	--	--	--	--
HND	--	--	--	--	--	--	--

/1/ - 15% minimum open space set-aside required for all development within the district except Conservation Subdivisions, which shall require a minimum open space set-aside of 40%.

D. ADDITIONAL REQUIREMENTS

1. Open space within a development shall be owned by a homeowners’ association or other entity established to hold and manage the land in perpetuity, and the entity’s covenants and restrictions, or similar document shall address the maintenance of the open space and shall be recorded with the Alamance County Register of Deeds. A copy of the covenants and restrictions shall be provided to the TRC during the development review process. Alternatively, the developer may offer to dedicate open space to the Town or a land conservancy. However, the Town shall not be bound to accept any offer of land dedication.
2. Open space shall be required to be maintained in perpetuity, and the cost and responsibility of maintaining said open space and any facilities located therein shall be borne by the property owner.

7.7.2 TYPES OF OPEN SPACE

A. PASSIVE

Open space existing in its natural state, often consisting of areas off-limits for development, such as stream buffers, floodplains, and slopes greater than twenty (20) percent. Passive open space shall also include pasture or cropland; bufferyards; wetlands; woods or forestland; rock outcroppings; and water features such as lakes, ponds, or streams.

B. ACTIVE

1. RECREATIONAL AMENITY

An amenity intended for the recreational use of the occupants of the development, examples of which include golf courses; tennis, pickleball, or basketball courts; outdoor or indoor swimming pools; and neighborhood clubhouses or community centers.

2. PLAYGROUND

A play area for children which includes playground equipment and seating areas for parents. Play 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. Playground equipment shall be maintained in proper working condition.

C. URBAN

1. SQUARE

An area intended for passive recreational use, 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 are often entirely paved in brick pavers, or similar material, but may be partially paved with other areas covered in plantings or grass. Squares may include decorative walls/fences, walks, statues, fountains, outdoor furniture, picnic shelters, gazebos, and trails. A square is generally between five hundred (500) and thirty thousand (30,000) square feet in size.

2. PLAZA

An open gathering place adjacent to a community building or facility. A plaza may incorporate a variety of non-permanent activities such as vendors and display stands. Plazas are usually paved in masonry pavers, or similar materials, and are generally level, though they may be stepped or gently sloping (with a maximum 5% grade). Plazas are often unplanted. Recommended square and plaza sizes (below) may be larger or smaller depending on the surrounding neighborhood or building design. Squares may include decorative walls/fences, walks, statues, fountains, outdoor furniture, picnic shelters, gazebos, and trails. A plaza is generally between two thousand (2,000) square feet and one (1) acre in size.

3. GREEN

A type of urban open space which is informally planted and may have irregular topography, including slopes greater than 5%. Greens should contain no structures other than benches, pavilions, and memorials. Paths within the green are optional.