Tyrone Town Center Zoning Assessment

June 2019

prepared by the
ARC
Atlanta Regional Commission

Acknowledgements

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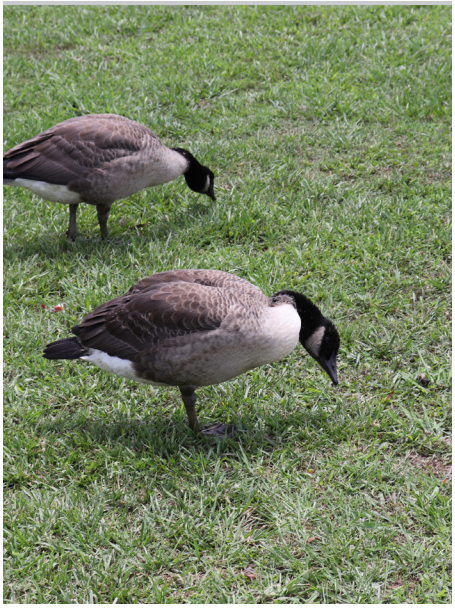
The Atlanta Regional Commission is the regional planning and intergovernmental coordination agency for the 10-county Atlanta region. Since 1947, ARC and its predecessor agencies have helped focus the region's leadership, attention and resources on critical issues. The Community Development Assistance Program (CDAP) helps cities, counties and non-profit organizations find solutions to land use and transportation planning issues. CDAP dedicates resources on an annual basis and works in partnership with external agencies looking to tackle similar issues. This study was prepared with funds provided by ARC and the Town of Tyrone.

Unless otherwise specified, all photos are by ARC staff.



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CHAPTER 1

Project Overview

Project Overview

Overview, Purpose and Timeline

As outlined in the 2017 Comprehensive Plan, the Town of Tyrone envisions a reenergized town center with enhanced walkability and connectivity throughout the town. This includes a better mix of uses and a stronger sense of place in the Town Center District. With these goals in mind, the Atlanta Regional Commission worked with Town officials and a local steering committee to identify the best development models for the town of Tyrone. The committee engaged in a dialogue with ARC to discuss regional examples of desirable developments and considerations for the future of the Town. Through these conversations, a proposed plan, with redevelopment opportunities and a new vision for Senoia Road, captured a new direction for the Tyrone Town Center.

An analysis of existing zoning codes resulted in recommended text amendments to guide an update of the zoning regulations within the Town Center District. These text amendments are supported by a series of policy recommendations for a Comprehensive Plan update. The zoning and Comprehensive Plan updates along with the reimagined site plan and Senoia Road rendering will encourage development consistent with the vision of the 2017 Comprehensive Plan the current Downtown Master Plan. Consideration was given to current zoning entitlements and any existing rezoning applications pending with the Town. The proposed zoning amendments focus on districts that are adopted in the Code, but not currently applied in the community.

Proposed amendments to the zoning code and comprehensive plan policies are recommendations that will align with the articulated vision of a reenergized town center with enhanced walkability and connectivity, a better mix of uses, and a stronger sense of place. However, the information shared in this document is for planning and visualization purposes only. Without formal action by the Town Council of Tyrone, this information does not change any land use, zoning or property entitlement within the Town of Tyrone.

February 2019

- Preliminary Meeting between project management team
- Selection of Steering Committee and Stakeholders
- PMT Meeting #2
- Steering Committee and Stakeholder phone interviews
- PMT Meeting #3
- Steering Committee Meeting
- PMT Meeting #4
- Steering Committee Meeting #2
- Public Meeting #1
- Final Deliverable

June 2019

CHAPTER 2

Community Engagement

Community Engagement

Steering Commitee Meeting #1

On March 20, 2019, ARC staff met with the project steering committee with three primary goals:

1. Discuss the project timeline
2. Review feedback from stakeholder interviews
3. Discuss potential development models for the Town of Tyrone

Members of the committee confirmed that the proposed scope and timeline for the project were sufficient to accomplish the project goals. Members of the committee expressed that the town has been poised for such an assessment for quite some time now and that they particularly appreciated moving on with the project. Primary concerns included:

- Balancing new development with cost of delivering community services
- Activation of the public space in the town with consistent year-round programming
- Extended evening hours for businesses, restaurants and nighttime activities

The committee reviewed a preliminary draft of a map of redevelopment opportunities in the Tyrone Town Center. Feedback including demolition of current city-owned buildings to create an attractive town center and residential infill on the periphery of the town center. Consideration was given to the expansion of the current town center boundary to take in some additional area along Palmetto Road and northeast of the current border.

ARC presented four potential development models for the Town of Tyrone to analyze and set expectations for how the development would occur. Alongside the zoning ordinance update, Tyrone should give consideration to different legal mechanisms to insure that new development is compatible with the vision for the Town Center. These models include public-private partnerships; using a master developer; creating a master visioning plan; or letting the zoning update stand alone.

The steering committee also expressed some concerns about architectural standards. They communicated that these standards should not be burdensome and must be appropriately applied. The steering committee also expressed that the Town of Tyrone should not write the design standards in a way that creates a town center where everything looks alike. Finally, the steering committee suggested that models, renderings, and photos will be important to communicate the vision for developing the Tyrone Town Center.

Steering Commitee Meeting #2

On May 16, 2019, ARC staff met with the steering committee with two main goals:

1. Review proposed land use plan and draft revisions to discuss the alignment of policies and objectives.
2. Discuss the agenda for the final public meeting.

ARC highlighted the target development areas as shown by the conceptual land-use plan. They presented areas within the Tyrone Town Center District that have the most potential for commercial infill opportunities, residential neighborhood development, or a more connected street grid. The committee reviewed the five primary focus areas that are best suited for these types of development.

Next, ARC presented proposed amendments to three specific zoning districts, currently existing in the Tyrone zoning code:

- Community Mixed Use (CMU)
- Traditional Residential (TR)
- Planned Unit Developments (PUDs)

The steering committee reviewed modifications to the Purpose and Intent of the districts, district requirements, and the development standards for new development in these four districts.

Additionally, ARC presented considerations to the Town Center Architectural Overlay Design Considerations, crafted to provide design guidance on the establishment of a village atmosphere in the Town of Tyrone Town Center District.

Finally, ARC welcomed feedback and general discussion regarding the proposed modifications to the zoning code.

Public Meeting

On June 19, 2019, the Town of Tyrone held a public meeting to provide opportunities for community feedback on the Tyrone Town Center Zoning Assessment. The information presented to the community was the result of research and analysis by ARC and feedback from the Town's staff and project Steering Committee. Throughout the 2-hour open house meeting approximately 35 people dropped in to ask questions and share their thoughts about the potential outcomes of the project. Among those attending were elected officials, board and commission members, employees of the town and individuals concerned about the future of the Town of Tyrone.

The public was introduced to the project and reviewed maps representing existing conditions in Tyrone, recommendations for amendments to zoning districts, and two renderings guiding development in Tyrone. ARC also received feedback from the Tyrone community.

The public was generally excited by the work presented during the meeting. 83% of Some of the comments that ARC received from the public were:

- "I like the cottage court and shared backyard. Creativity is good!"
- "I agree with (more) retail downtown, parking in back, more affordable home and greenspace"
- "Looks like just what Tyrone needs to keep our small town feel and bring more business to Tyrone"
- "Totally support this! It's time to give Tyrone a facelift!"
- "The street view design is nice, with trees visualized to provide shade and buildings with a common design that combines the image of a modern town with Tyrone's features"

The public also expressed some other desires such as:

- "I would like to see more landscaping downtown"
- "I would like to see a town owned central feature that would act as an anchoring feature, such as an amphitheater"

- "Expansion of the multi-use park system"
- "Add ordinances for golf cart and bicycle parking to encourage alternate transportation"
- "Add pedestrian crosswalks with HAWK" (High-Intensity Activated Crosswalk)
- "I hope that the plans for "walkability" extend into the rural-estate residential area to some degree and aren't only limited to the in-town residential spaces. Enabling and encouraging walking, biking, and other modes of transportation throughout all spaces of the town besides the center district and adjacent areas should also be a goal"
- "Commerce drive needs some development... The facilities are geared towards younger citizens, yet the lack of pedestrian amenities make it difficult and seemingly unsafe to walk with children down there"
- "Need downtown restaurants as well as music and drink venues"

Some members of the public also expressed some concerns:

- "TR building square footage is too small, maybe a wider range of '1000 to 1500 SQFT'"
- "Parking for shamrock park is important… but we don't necessarily want parking facing the park"
- "The TR zone seems great for building on Tyrone's atmosphere, but changing square footage requirements from a 1200 maximum to a 1000-1300 range only seems to deny Tyrone from offering a variety of house sizes for families."

While some comments and concerns expressed during this public meeting do not necessarily fall within the scope of this zoning assessment, ARC considered several of the comments in the drafting of this final document.

CHAPTER 3

Existing Conditions

Methodology

Multiple considerations were included in the analysis of existing land use conditions in the Town Center District of the Town of Tyrone.

- A summary analysis of the current zoning districts located in the Town Center District was undertaken. This included dimensional requirements such as setbacks and lot area, as well as permitted uses.
- A land analysis of the Town Center District was undertaken. Key indicators including variation in parcel acreage, building square footage and the year built for each property. This information was displaying graphically on maps of the District.
- A review of previous long range planning documents that concerned both zoning and the vision for the Town – the 2017 Town of Tyrone Comprehensive Plan Update and Town of Tyrone Design Considerations produced by the Carl Vinson Institute of Government at the University of Georgia in 2017.
- A land use compatibility chart aligns Comprehensive Plan land use designations with adopted zoning classifications within the current Tyrone regulations.

Review of Exisiting Land Use and Zoning

The 2017 comprehensive plan update described the Town Center District as the district with "the largest capacity for better development." The Tyrone Town Center currently allows for 10 different zoning designations including:

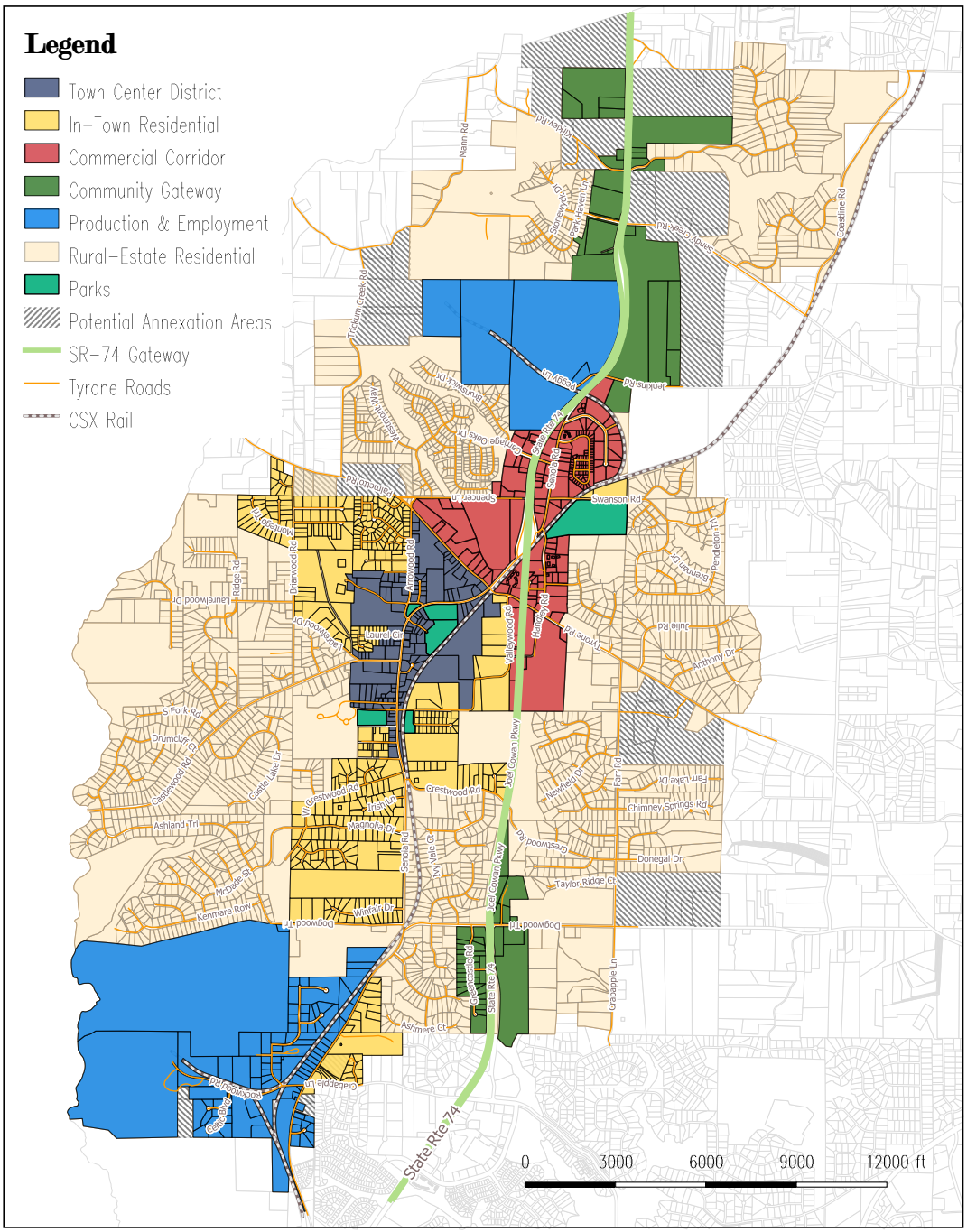
- Agricultural Residential (AR): A district for desirable agricultural or low density residential development with a minimum lot area of three acres;
- Downtown Commercia (C-1): A district intended to protect and promote suitable areas for business and commercial uses which benefit from proximity to each other, and to encourage the development of a centralized business center for the town;
- Highway Commercial (C-2): A district for general business activities which will best accommodate the needs of the town and the traveling public;
- Educational-Institutional (E-I): A district for churches, educational and related institutional functions;
- Light Industrial (L-I): A district for light industrial development which does not create noise, odor, smoke, dust or other objectionable characteristics which might be detrimental to the surrounding area;
- Office-Institutional(O-I): A district for offices, institutions and accessory supporting services,
- Open Space (OS): A district for land which will remain generally undeveloped except as to provide for outdoor recreation or other public uses;
- R-12: A district for residential development with a minimum house size of 1,200 square feet;
- R-18: A district for residential development with a minimum house size of 1,800 square feet,
- Duplex Residential (D-R): A two-family residential district which allows a maximum of two dwelling units per acre.

Exisiting Infrastructure

Infrastructure within the Town Center has limitations. The Town anticipates the expansion of sewer into this area by 2020. Currently, much of the area is serviced by septic tanks, but the expansion of sewer will create new opportunities for development. It is the hope that much of that new development will take place in proximity to the existing parks and greenspace. The Town enjoys excellent opportunities for parks and trails in this area, but connectivity among these amenities and other development nodes are limited. The existing path network is fragmented, but a plan is underway to identify potential for expansion. One final challenge in the area is the presence of an active railroad line that bisects the Town Center area and limits opportunity for development of a grid network. Opportunities for a tunnel or other points of connection across the railroad are being explored.

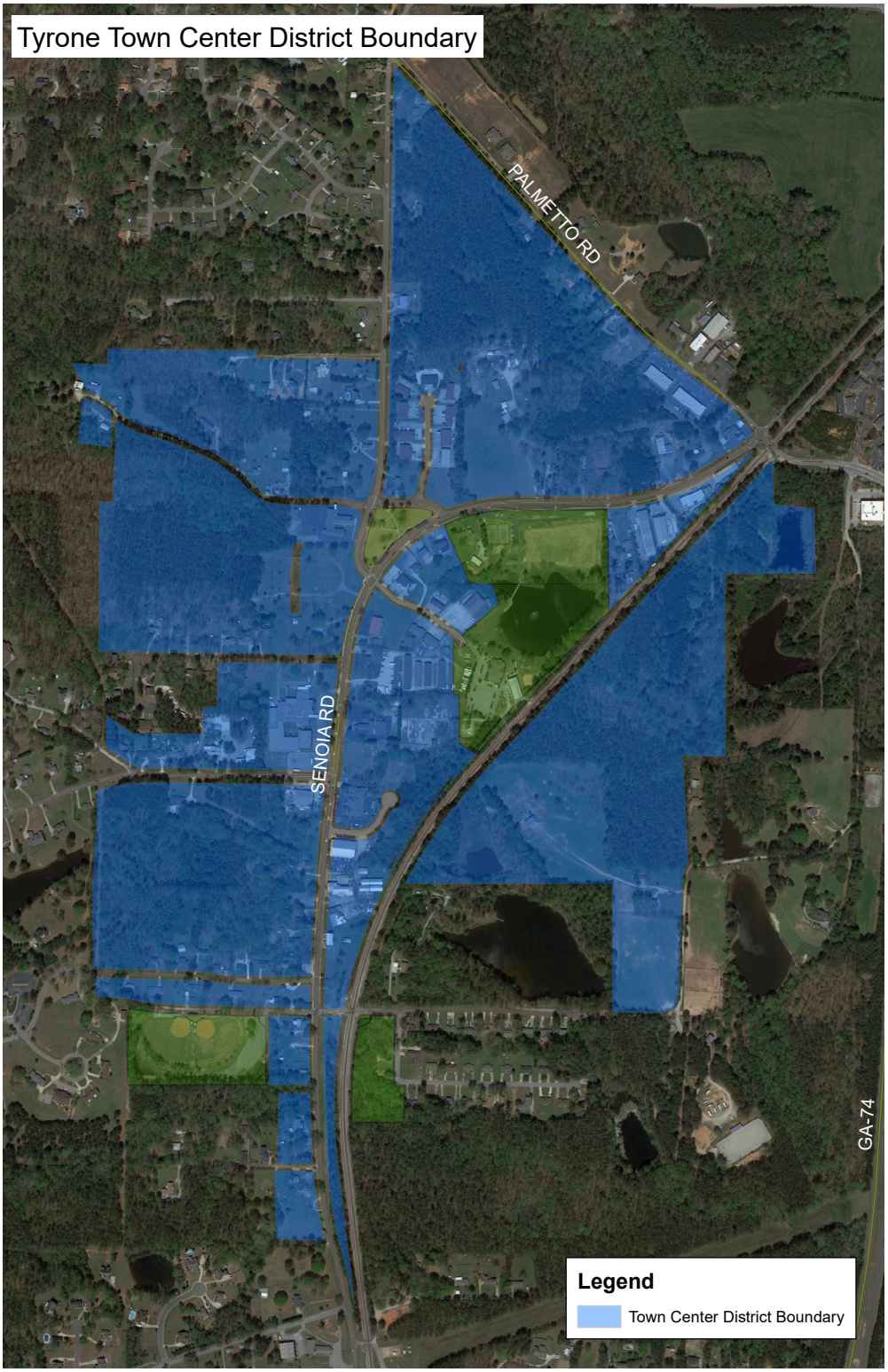
Future Development Map

Tyrone Future Development Map



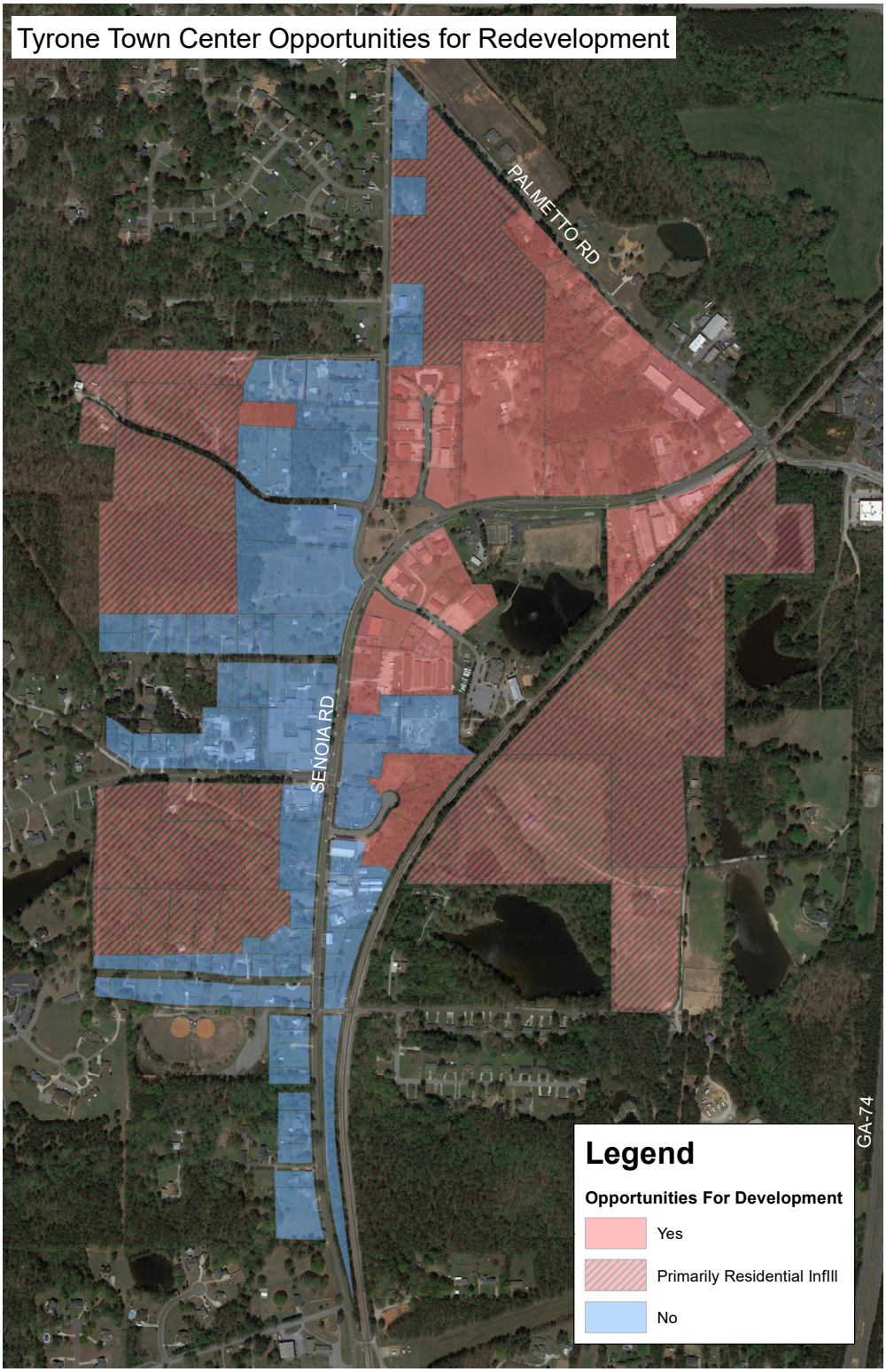
This map depicts the Tyrone Future Development Map produced as a part of the 2017 Comprehensive Plan Update. This map guides the overall land-use characteristics of the designated areas. The Town Center District, as used for this project, corresponds with the Town Center District created by this development map.

District Boundary



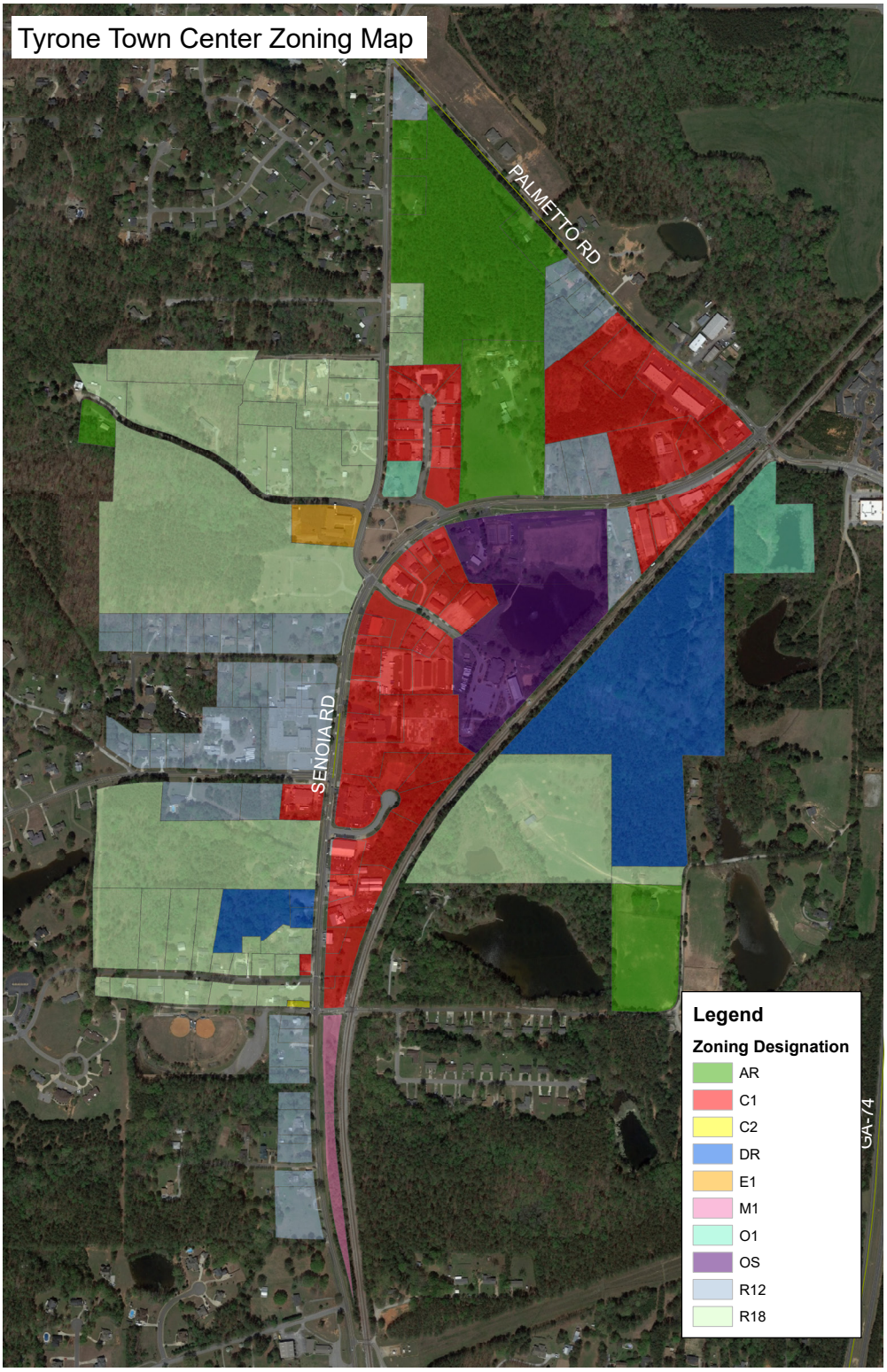
This map depicts the Tyrone Town Center district boundaries.

Opportunities for Redevelopment



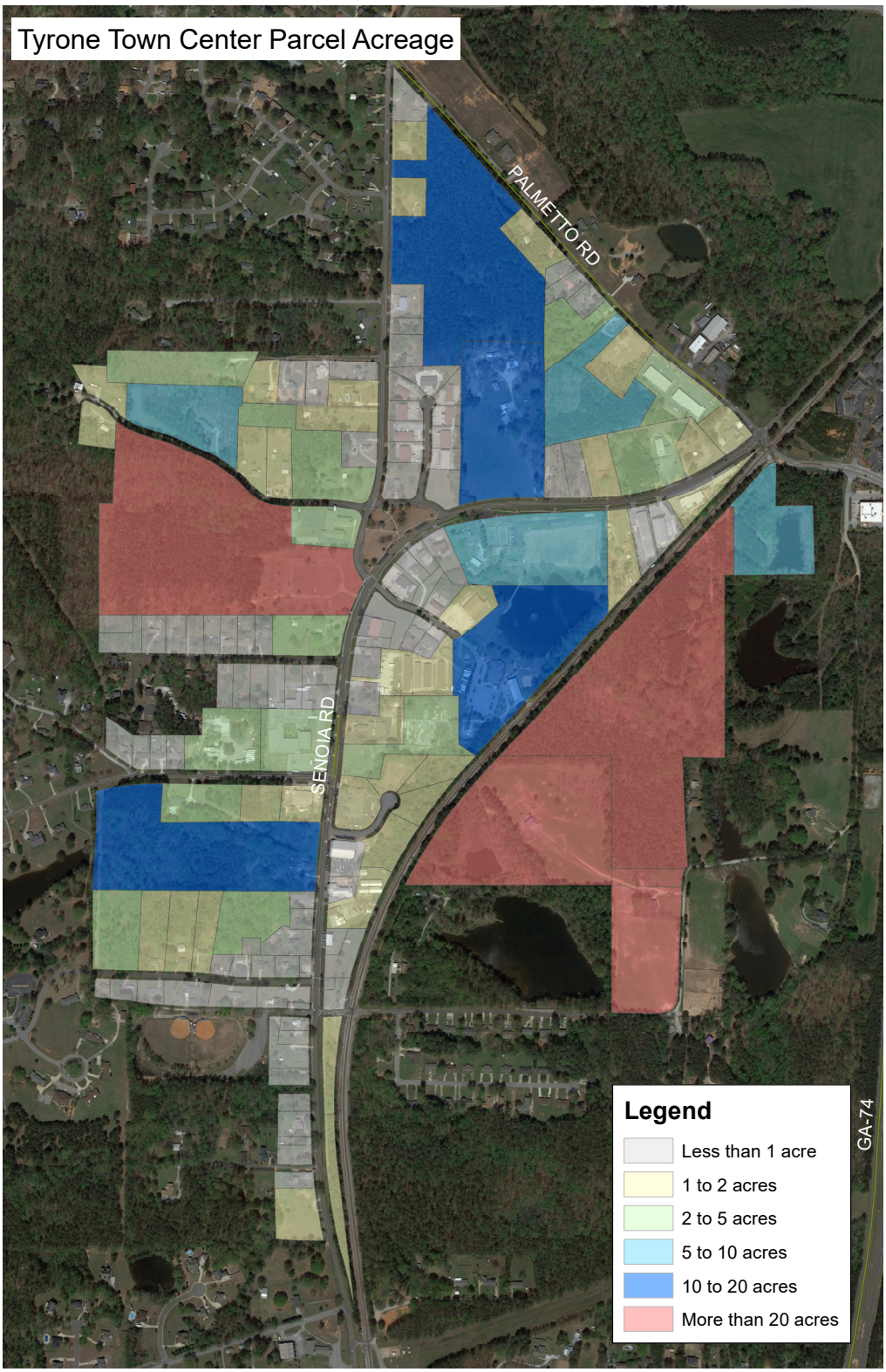
This map depicts Town Center parcels positioned for redevelopment. The primary opportunities for development are the areas surrounding the new Town Hall location and Shamrock Park.

Town Center Zoning



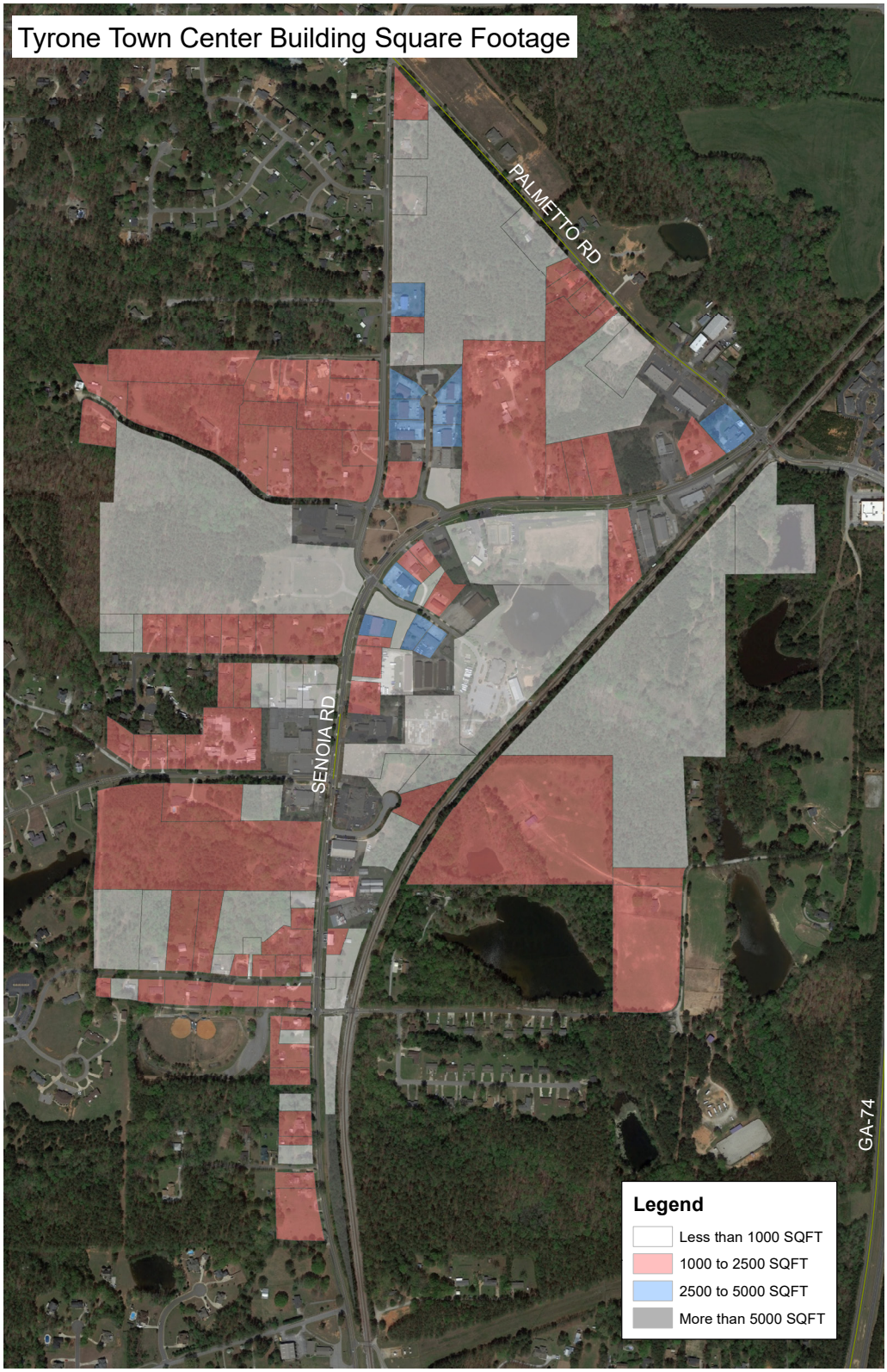
This map depicts zoning classifications in the Town Center district. There are currently ten different entitled zoning designations for parcels located within the Tyrone Town Center District.

Parcel Acreage



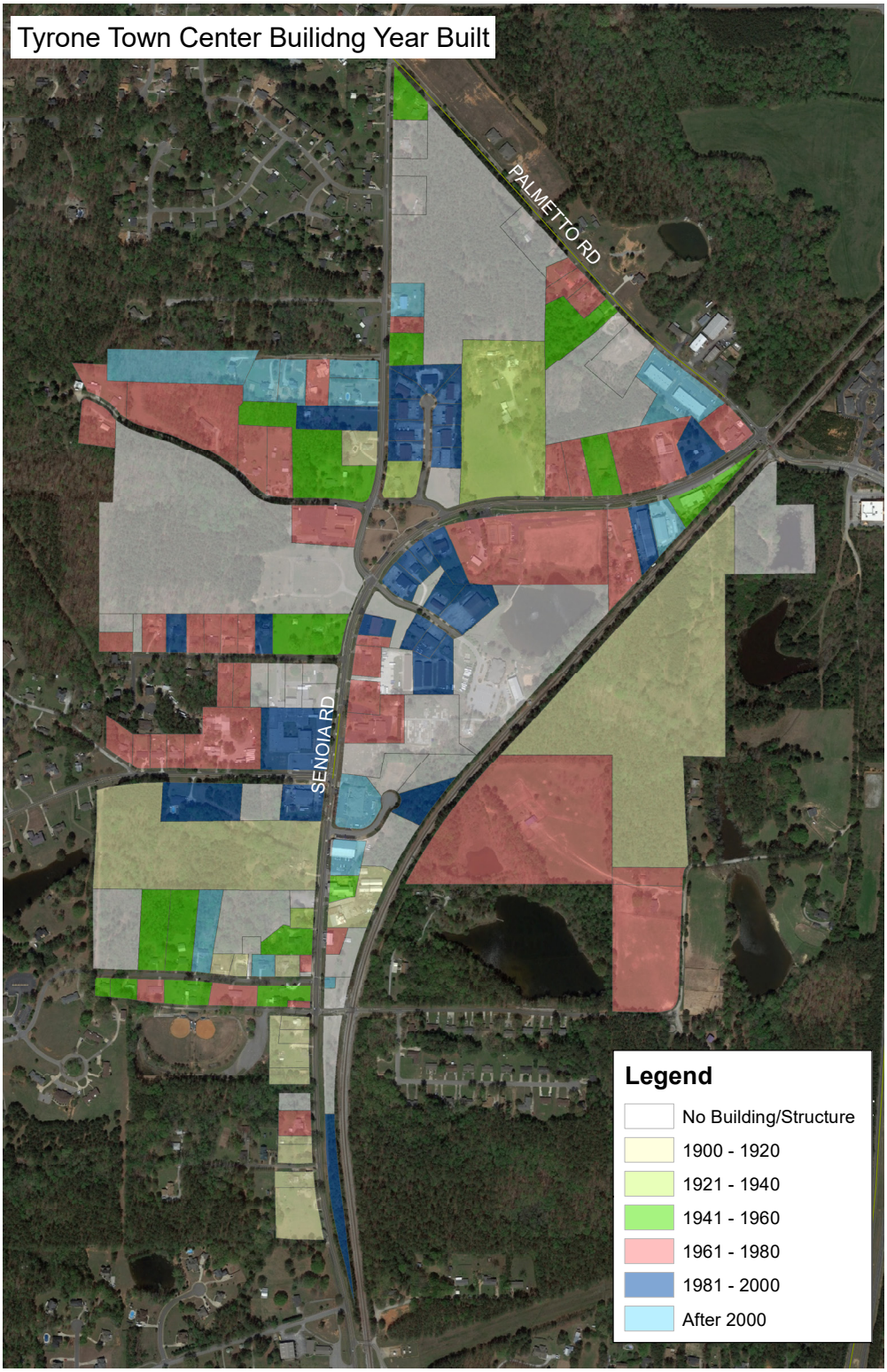
This map depicts the acreage of parcels located in the Tyrone Town Center. The majority of the parcels located within the Tyrone Town Center District are less than one acre.

Building Square Footage



This map depicts the square footage of buildings within the Tyrone Town Center District. Building Square Footage varies along Senoia Road, as well as the complete town center.

Structure Year Built



This map depicts the year built of buildings within the Tyrone Town Center District. Most of the structures on developable parcels were constructed between 1961 and 2000.

Previous Plans

2017 Comprehensive Plan Update

In 2017, the Town of Tyrone, with assistance from the Atlanta Regional Commission, completed a comprehensive plan update titled the 'Comprehensive Growth and Development Plan. This 10-year update describes Tyrone as a diverse and forward-looking community engaged in shaping its own future. During the course of the plan implementation, the Town's constituents desire to be working to capitalize on the qualities and values that have made it a successful community.

This comprehensive plan outlines four goals for Tyrone to achieve by the year 2035. These goals include:

- A re-energized town center
- A connected town with quality amenities
- Remarkable places within the town
- A growing economy with a small town feel

The plan summarizes existing land use in Tyrone. The document states that "With new development opportunities limited, redevelopment within the Town Center District is ideal." It outlines the need for a zoning analysis/revision by describing that it is critical that the town avoids dispersed growth, and focus appropriate development to the character areas, as developed for the Future Land Use Map.

These character areas are Highway Commercial, Highway 74 Corridor, Town Center District, Production and Employment, and Traditional Neighborhood. The document includes the appropriate zoning designations for each of the character areas.

The document includes a 5-year work plan with a series of actions to be undertaken to implement the plan. Completion of a Zoning Ordinance Analysis/ Revision by the end of the 2019 Fiscal Year is identified as a priority. All taken together, recurrent themes identify ways which the zoning, land use, and community design work together to create the successful community envisioned by their goal statements.

Town of Tyrone Design Considerations

Also in 2017, the Carl Vinson Institute of Government at the University of Georgia produced Town of Tyrone Design Considerations as a conceptual document for streetscape enhancements, overall connectivity, town center improvements and infill development considerations for future growth in Tyrone.

The document provides recommendations for opportunities of targeted development in the Tyrone Town Center as well as proposals for design standards. These standards include structural design of buildings, their lot placement, parking design, and landscaping. Also included are conceptual plans for long-range planning in Tyrone, with renderings representing what development could look like in 10-year, and 20 to 30-year time frames.

Town of Tyrone Design Consideration produced by the University of Georgia

Land Use Designation Matrix

The Land Use Designation Matrix matches the allowed land uses with each of the 18 zoning districts written in the current Tyrone zoning code. This matrix clearly displays which zoning districts can be applied to create the Tyrone Town Center that the citizens of Tyrone envision.

	Zoning Classifications																	
	AR	CR-2	CR-3	R-20	R-18	R-12	DR	TR	RMF	MHP	O-1	E-1	C-1	C-2	M-1	M-2	OS	LUR
Retail & Service											■		■	■	■	■		
Fabrication, Manufacturing & Assembly															■	■		
Office											■		■	■	■	■		
Community Facilities		■	■	■	■	■	■	■	■	■	■		■	■	■	■	■	■
Parks, Recreation & Conservation	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■
Agriculture, Equestrian & Farm Operations	■																	
Single-family Residential	■	■	■	■	■	■		■										■
Multi-family Residential							■		■									
Mobile Homes										■								
Churches & Other places of Worship												■						

AR- Agricultural Residential
CR-2- Conservation Residential-2
CR-3- Conservation Residential
R-20- Residential 20,000 sqft. max
R-18- Residential 18,000 sqft. max
R-12- Residential 12,000 sqft. max
DR- Duplex Residential
TR- Traditional Residential
RMF- Residential Multi-family
MHP- Mobile Home Park
O-I- Office-Institutional
E-I- Educational-Institutional
C-1- Downtown Commercial
C-2- Highway Commercial
M-1- Light Industrial
M-2- Heavy Industrial
OS- Open Space
LUR- Residual Limited Use Residential

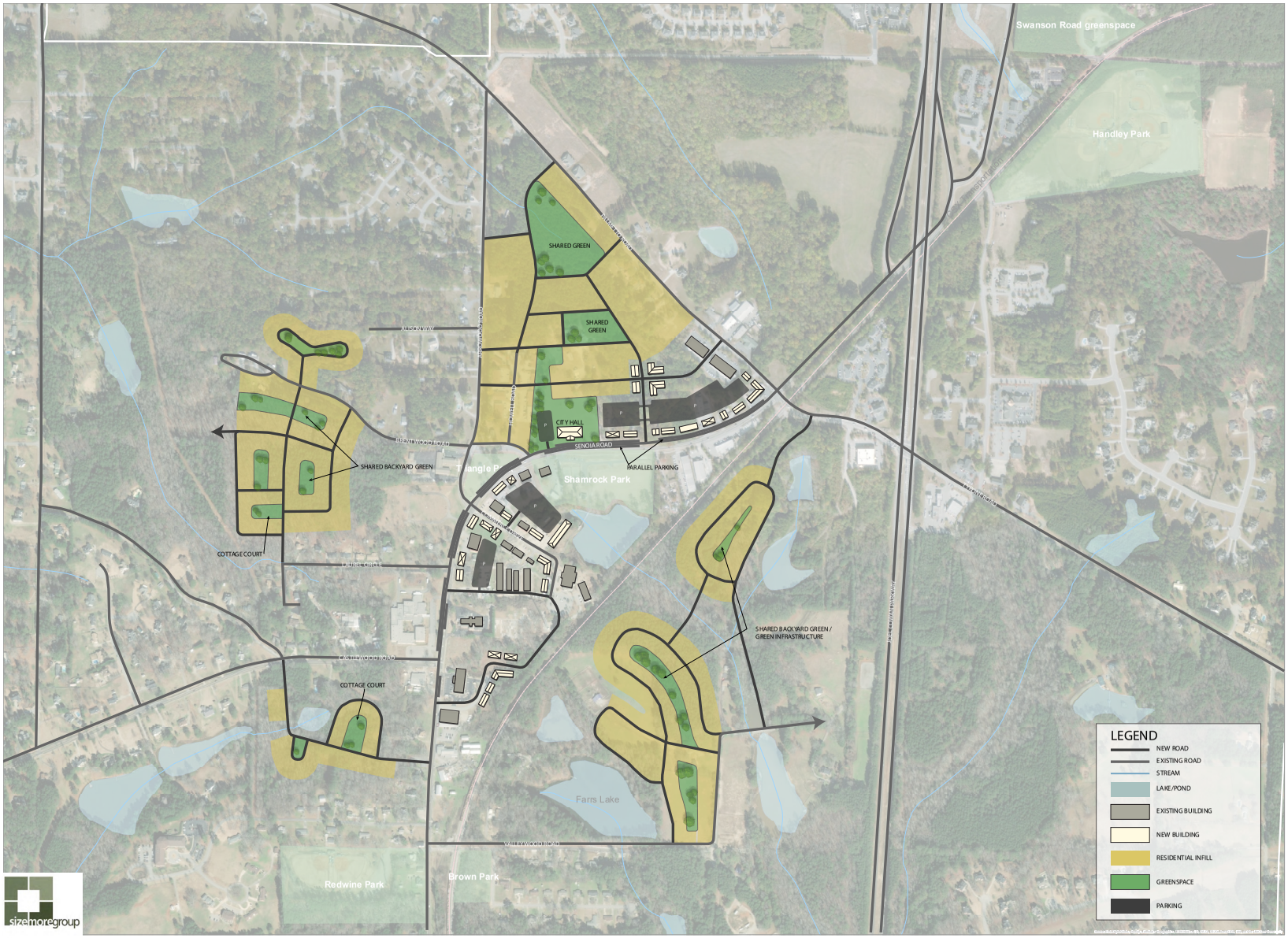
CHAPTER 4

Process

Town of Tyrone Street View Rendering

This rendering is an image guiding the look and feel envisioned by the citizens of Tyrone. The town will achieve this vision through the steps provided in this assessment and subsequent documents guiding the future development of the town center into a place that is vibrant, walkable and connected, all while preserving the history and character of Tyrone. The information shown here is for visualization and planning purposes only. This information does not change any landuse, zoning or property entitlement within the Town of Tyrone.

Town of Tyrone Site Plan Rendering



TYRONE DOWNTOWN INFILL CONCEPT MAP

The rendering on page 25, is an image guiding what future development could look like in the Town of Tyrone from a birdseye view. This site plan identifies areas that are best prepared for commercial, and residential development. It also represents how this development may be effectively applied to the Tyrone Town Center. The information shown here is for visualization and planning purposes only. This information does not change any landuse, zoning or property entitlement within the Town of Tyrone.

Town of Tyrone Site Plan: Focus Areas

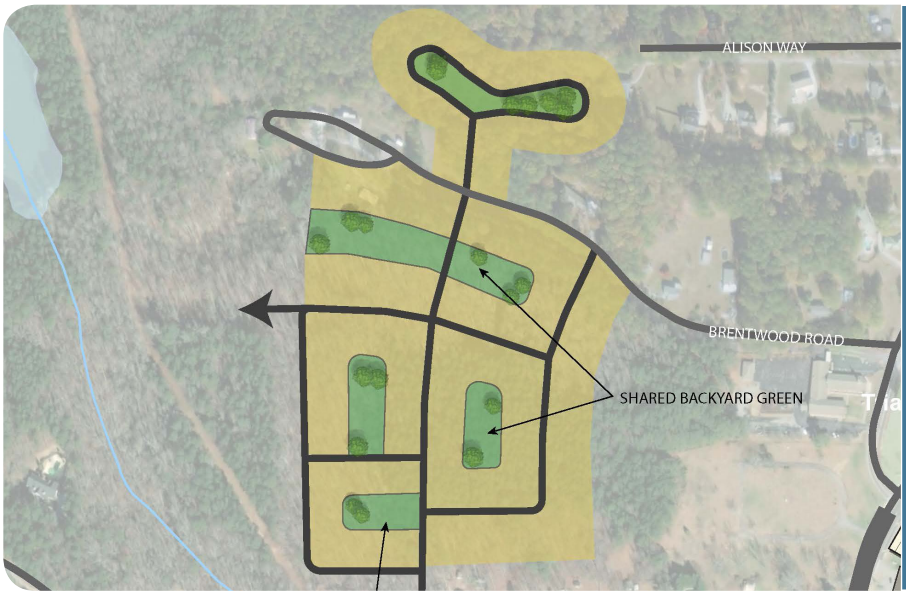
There are five areas in the Site Plan that are identified as focus areas. Two of these areas are opportunities for commercial infill, two of these areas are positioned for smaller unit residential development, and the last area has potential for traditional residential development.

Focus Area #1- Commercial Infill Opportunity 1

The first focus area is the area along Senoia Road, where Downtown Tyrone commercial businesses are currently concentrated. Presently located in this focus area are restaurants including She Craft Co. and Shamrock Kitchen. Also located here is the old Fire Station as well as the Town Library. The proposed site plan calls for infill commercial developments, which may include restaurants, retail, and office space. These developments can leverage its placement in proximity to Shamrock Park as one of Downtown Tyrone's most attractive features, and its central location to the rest of the district.

Focus Area #2- Commercial Infill Opportunity 2

Located in the area surrounding the new Tyrone Town Hall, is Focus Area #2. In addition to the Town Tall, currently located here are the Shell Station, and a small commercial park, occupied by John's Pest Control, Georgia Blind, and Turan Designs. This area has the potential for both residential infill, as well as the development of commercial businesses. Large undeveloped parcels make this focus area prime for development. Focus Area #2 also benefits from its proximity to Shamrock Park.

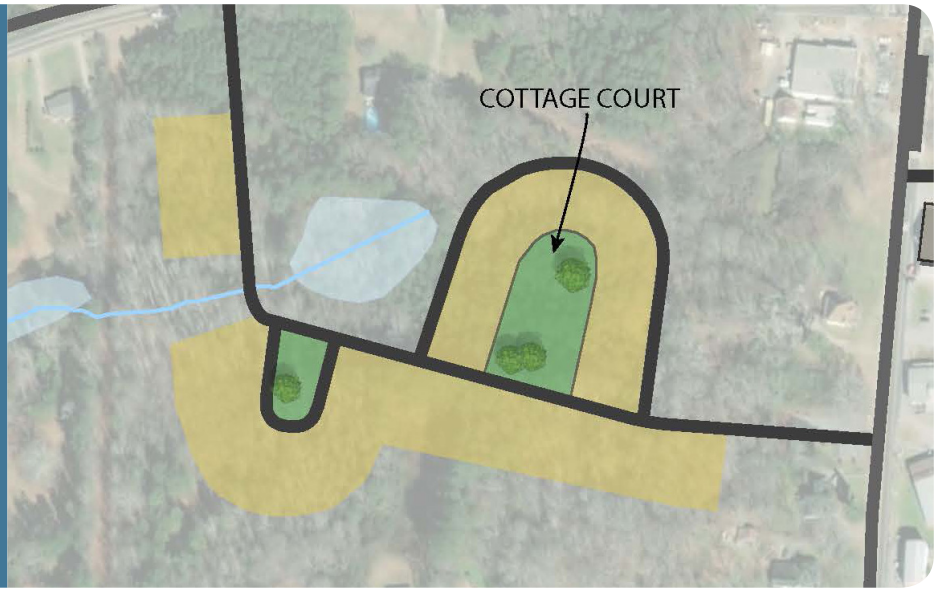


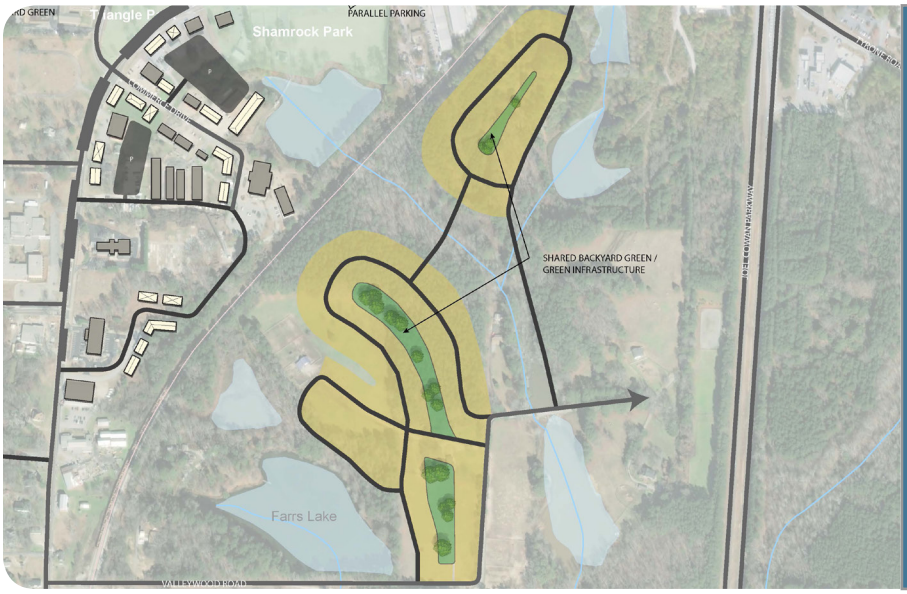
Focus Area #3- Cottage Court 1

Focus Area #3 is positioned for low-density residential development in areas to the periphery of the Tyrone Town Center. This focus area maitains opportunities for development of single-family, cottage style homes. This focus area also features a shared backyard green.

Focus Area #4- Cottage Court 2

Focus area #4 is positioned for low-density residential development in areas to the periphery of the Tyrone Town Center, but at a smaller scale than Focus Area #3. Similar to Focus Area #3, this focus area maintains opportunities for development of single-family, cottage style homes.





Focus Area #5- Traditional Residential

The third residential focus area concentrates on low-density residential development of large undeveloped properties to the Tyrone Town Center periphery. This area has opportunities for development of single-family cottage styles homes, as well as possibilities for sustainable conservation-style development.

Development Models

The following communities are identified for having undertaken infill development and redevelopment in ways that could provide model precedents for the Town of Tyrone. These developments were undertaken through a variety of different mechanisms, including: Public Private Partnerships, Master Developers, Master Visioning Plan, and Zoning as the Primary Mechanism.

Sugar Hill

Over the past 10 years, the City of Sugar Hill has constructed a New City Hall, town lawn and an amphitheater, and a mixed use commercial center. Sugar Hill has also recently completed a streetscape to which they claim lays "the foundation for future investments downtown." Sugar Hill shares many of the concerns of the Town of Tyrone, such as a lack of downtown options, and activities or events.

Suwanee

Redevelopment of the Suwanee Town Center first began in 2006. By 2009 they had opened a new railroad underpass between Old Town and Town Center, and in 2010 the new Suwanee City Hall had opened. In addition to civic space, the Town Center includes a mix of commercial, professional, residential and greenspace uses. It is connected to the greater Suwanee community by a multi-use path.

Serenbe

Serenbe development first began around 2000. The development started as a vision that preserves 60-70% of the land, and clusters development on 30-40% of the land. They incorporate a 25-acre urban farm that supports restaurants, a farmers market and CSA sales. A mix of residential, commercial and professional uses framed with a transect design plan line the main streets of the community. A network of trails runs throughout the community and utilizes a combination of hard-surface and soft-surface trail material to suit the context of the environment.

Milton- Crabapple

In 2011, the City of Milton launched a visioning plan for the Crabapple Community. A community charrette followed the visioning planning, and a development plan including a mix of civic, commercial and residential uses was the result. In 2018 the City of Milton located their new City Hall in Crabapple, effectively making that area the Town Center for the community.

Senoia

Redevelopment of the city of Senoia was catalyzed by an infill development project that did not fit the image the city had of itself. Local developers worked to acquire many of the underutilized parcels of land in Senoia's Historic District and constructed period infill development. The majority of new development is commercial/retail or office/professional with limited residential. However new in-town residential rehabilitation and infill, within the context of a historic sense of place, has resulted in the existing neighborhoods that surround the Town Center.

Madison

The City of Madison has used planned developments to accomplish small-lot residential infill in areas of their historic downtown. The community's historic district strictly regulates material changes to existing buildings while encouraging new development at a scale and massing that is compatible with historic fabric. Within the context of traditional zoning, planned developments allow flexibility and creativity that is needed to seamlessly blend with established character and incorporate contemporary uses within non-conforming environments.

CHAPTER 5

Recommendations

Recommendations

The incremental development for the Town Center will build upon a strong sense of place rooted in solid community identity. The proposed changes to the zoning ordinance and comprehensive plan regulations are designed to create a regulatory environment that allows the flexibility to bring about the community's vision for the area. There are several critical steps to bringing about the desired future development pattern.

- **Identify the desired development model.** Communities that wish to undertake transformative redevelopment generally chart a course that will lead them to their goals. This can take several years to accomplish, but keeping an eye on the final outcome will lead the direction. Often a combination of public and private investment is needed to bring about the desired results.
- **Analyze existing land use patterns to adjust to the desired development outcomes.** Through the analysis undertaken in this plan, it was clearly identified that existing development patterns and land use regulations did not create a regulatory framework that would lead to the desired outcomes. There was misalignment of the minimal dimensional requirements in the zoning ordinance and the outcome of creating a walkable environment with a mix of uses. This type of analysis should be on-going.
- **Align planning documents with the desired outcome.** Long range planning and regulatory documents should be reviewed regularly and aligned with the community's goals and vision. Regular comprehensive plan updates are undertaken in five year increments, but periodic updates in between five year milestones are a good practice.

Based on feedback received from Steering Committee members, Town staff and members of the public the following recommendations are a suggested course of action that can be pursued to advance to next steps. The Tyrone Comprehensive Plan was adopted in 2017 and the next update is due by 2022. It is recommended that the following items be undertaken prior to the next comprehensive plan update and the success of implementation be evaluated at that time.

2019

Work with the Tyrone Town Attorney to evaluate proposed text amendments to the Commercial Mixed Use District, Planned Unit Development Districts, Traditional Residential District, and Town Center Architectural Overlay. Adopt revised text amendments as a part of the Tyrone Zoning Ordinance.

Amend the 2017 Comprehensive Plan to include the proposed policy language included in the Appendix of this document. This language strengthens the existing vision and character areas as outlined and provides guidance to the staff in making recommendations for land use decisions.

Apply for Georgia Rural Zone designation. The State may designate up to 10 zones per year as Rural Zones, enabling tax credits for qualified activities and incentivizing job growth and investment in downtown properties.

Identify properties that are eligible for the National Register of Historic Places. Pursue designation of eligible properties through this program.

Explore the value of creating a Downtown Development Authority (DDA) for achieving your community goals. DDA's create a legal framework for local governments to have a role in community redevelopment. However, they require management and participation from staff and the community.

Explore the opportunities offered through the National Main Street Program. Main Street is a program of the National Trust for Historic Preservation that stimulates community and economic development through historic preservation and urban planning. www.mainstreet.org.

Undertake a Cost of Community Service Assessment. This type of evaluation will better help the community leadership evaluate the implications of different land uses on the Town's tax digest and its ability to deliver services to new development.

2022

CHAPTER 6

Appendix

Appendix

Additional Comprehensive Plan Policies

It is recommended that the 2017 Town of Tyrone Comprehensive Plan be amended to include the following language. It is recommended that this language be included in either Section V, Town Goals & Future Projects or Section VI, Implementation. It is recommended that the proposed site plan and rendering developed as a part of this plan be included as well.

The public universally agreed the Town Center District was a priority. Participants in the study stated that the Town Center District had the largest capacity for better development. The community identified a goal of having a re-energized town center by 2035. What does this look like? Community feedback included:

- 2-3 story developments centered around walkability and green space
- Creation of a "Park Once" district where you can leave a car in a public space and walk to multiple destinations
- Increased presence of office, retail and dining destinations
- Revitalization of the elementary school
- New uses for the fire station
- Expansion of the multi-use path system
- Better architectural standards
- Diversity in options for traditional neighborhood, small lot, single family residential development
- Amenity and streetscape improvements including lighting, gateways, wayfinding and overall beautification and placemaking

In consideration of the vision outlined for the Town Center, the following policy statements are adopted to guide growth and development in this area.

Development Goals:

- The Town Center will be recognized as the historic core of the community, the seat of local government, the traditional central business district, and a place of public assembly with a focus on retail, dining and entertainment.
- Decisions on new development will contribute to, not take away from, our community's character and sense of place.
- Development in the Town Center will encourage high quality, human scale design with walkable areas, including the reuse of character properties and redevelopment and infill that support the existing character and pattern of development in the area.
- Resources of historic value and cultural identity of the Town will be identified and preserved as a part of any new development or redevelopment of property.
- A mix of lot sizes, housing sizes, densities and amenities that are appropriate to accommodate a mix of income and family needs will be encouraged.
- Community gathering spaces and pocket parks to serve as casual meeting places and destinations will be encouraged in new development.
- Construction of bicycle and pedestrian transportation modes to connect to existing bike/ ped infrastructure and provide alternative travel opportunities for short trips shall be a priority with new development.
- Existing low density, rural residential housing and viewsheds in the Town Center will be protected while encouraging that new housing is compatible with the architectural character of single family residential throughout the area.

Full Text Proposed Amendments

Sec. 113-134. Town Center Architectural Design Considerations

a) Purpose and Intent

The following guidelines are established to maintain high quality and sustainable development; to promote a consistent and traditional architectural identity; to promote the economic success of the downtown core of the Town; and to provide guidance on the establishment of an active village atmosphere in the Town of Tyrone Town Center. The objectives of this ordinance include:

i. To encourage a variety of attractive and innovative building designs which combine the best of contemporary and traditional design;
ii. To emphasize the compatibility of building form, scale, massing and materials such that new structures will confirm to neighboring community features and the typical development pattern of the Town Center;
iii. To encourage harmonious and attractive streetscapes through attention to exterior architectural quality;
iv. To preserve the safe and efficient use of the roadway and road frontage while encouraging consistency in design and placement of buildings that address the roadway;
v. To encourage safe, pedestrian friendly streetscapes;
vi. To assist builders and developers in the preparation of acceptable building designs.

b) Application of the Guidelines

These guidelines shall apply to all new, non-residential development occurring in the Town Center area of the Town of Tyrone. This area is delineated on Future Development Map of the Town of Tyrone Comprehensive Plan 2017 (and subsequent amendments) as the Town Center District.

c) Building Materials

For principal structures, allowable buildings materials (exclusive of trim and accent materials) include Brick; Brick veneer; Stone; Architectural precast concrete; and Natural wood and/ or cement-based wood siding.

Brick, architectural precast concrete, and wood siding are common materials used in the area. Brick is the preferred exterior material. Materials having a wood-siding appearance, such as hardi-board and hardi-plank are compatible substitutions so long as the proposed reveal is compatible with existing development in the community.

There shall be no more than two building materials used on any principal structures (exclusive of trim and accent materials).

d) Mass

There is variety in the existing lot sizes with the Town Center District in the Town of Tyrone. A building's proportions should be comparable to others within the district. New construction should relate in massing and footprint to the majority of surrounding buildings.

For buildings over 10,000 square feet, or with a façade greater than one hundred (100) feet in length, setbacks, fenestration or other techniques shall be used to minimize the visual impacts of the building. No new construction in the Town Center will exceed 30,000 square feet.

Buildings shall consist of simple rectangular forms. Secondary roof forms shall never dominate the building form, and shall not be taller than the primary building form, with the exception of steeples, clock towers, chimney flues, etc.

e) Orientation

New construction must face an existing public road or thoroughfare. Accessory structures must be placed to the rear of the principal structure.

f) Height

No building shall exceed 3 stories in the Town of Tyrone (exclusive of any subterranean basement or parking level). The ground floor will be located at grade with a floor to ceiling height that is between twelve (12) feet and sixteen 16) feet. Upper floors will have a floor to ceiling height of nine (9) feet – ten (10) feet.

g) Roof Materials and Pitch

Roofs shall be limited to architectural dimensional asphalt shingles, roofing membrane system (flat roofs only) or factory finished sheet metal or similar material that is in harmony with surrounding buildings. Dark roofing materials are common and preferred.

A flat roof pitched to the rear of the building concealed by a parapet wall is a common roof type for commercial buildings. Non-residential development in the district that is more similar to residential forms scale and massing may also use gabled, hipped or pyramidal roofs, as is appropriate to the majority of surrounding buildings.

Parapets must wrap around the corner of a building for a minimum of one bay to ensure continuity of the streetscape. The parapet should be constructed of the same material as the exterior wall.

A roof pitch shall not exceed the average wall height of the building.

h) Screening

Rooftop-mounted equipment and mechanical features such as HVAC condensers, electrical transformers, heat pumps, dumpsters, and similar features shall be physically screened from any thoroughfare, civic space, or property used for residential functions. Screening can include placement behind a building, 100% opaque fencing constructed of the same exterior material of the principal building or vegetative screening that completely obscures the view. Chain link, barbed wire, vinyl, or wire mesh are inappropriate screening uses.

Rooftop mounted equipment should be screened in a manner that is architecturally integral to the overall appearance of the building, and can include mounting behind major elements such as stair or elevator penthouses, parapets, or architectural projections. Vents or flues shall be incorporated into the architectural features or painted to blend with the roofing material.

i) Entrances

Entrances shall be oriented toward the street and visible from a public right-of-way. Entrances shall be designed to promote safe, socially-interactive and pedestrian-friendly streets. Entrances may also serve as outdoor amenity areas and create views along the street to link the public and private realm. Covered main entry features can include front porches, porticos, verandas or recessed entries. The patterns, rhythm, and ratio of walls, windows and doors of new buildings should relate to and be compatible with the majority of surrounding buildings.

A building entrance may be located to the side of the building when a direct pedestrian walkway is provided between the building entrance and the public right-of-way.

Storefront entrances should use glass display windows with glass transoms and glass bulkheads. Storefront entrances are generally recessed to protect from weather, but this is not a requirement. Entrance doors should include glass panels.

The façade of a main building facing a public street shall feature at least one (1) public entrance. Where a main building faces more than two (2) public streets, an entrance for each side may be proposed.

j) Windows

Unrelieved expanses of wall on a building are not allowed. Windows should be used at regular intervals to divide any façade that fronts a public right-of-way. The patterns, rhythm, and ratio of walls, windows and doors of new buildings should relate to and be compatible with the majority of surrounding buildings.

Windows shall be square or vertical rectangular. Arched tops are allowed. Consistent spacing of similar shaped windows with trim on all building stories is required. Large ground floor windows are encouraged.

k) Enforcement

Projects that require no variances from the requirements of this code section shall be processed administratively by the Town of Tyrone Zoning Administrator without further recourse to public consultation. Variance requests shall be processed in accordance with Article IX, Variances. Appeals of the decision of the zoning administrator shall be in accordance with Article I, Section 113-10, Appeals.

ARTICLE V. - DISTRICT REGULATIONS

Sec. 113-136. - Community mixed-use district (CMU).

(a) Purpose.

The intent of the CMU District is to provide a walkable, pedestrian friendly commercial and mixed-use environment. Upon council approval, supplemental residential uses may be permitted when complementary to and compatible with the orderly development of nearby projects. The CMU District will allow innovative and creative design and promote high standards in the development layout to alleviate incompatibility with adjacent uses.

The Community Mixed Use District will be dividing into Community Mixed Use (CMU) and Community Mixed Use – Town Center (CMU-TC). The CMU-TC regulations shall be applied only to the areas identified as the Tyrone Town Center. This area is delineated on Future Development Map of the Town of Tyrone Comprehensive Plan 2017 (and subsequent amendments) as the Town Center District

(b) Requirements for a community mixed-use district.

1. No property may be rezoned to the CMU or CMU-TC district without the concurrent approval of a site plan by the town council following public review and recommendation by town staff and the planning commission. All property rezoned and developed pursuant to a single development plan shall be referred to herein as a "CMU Development".
2. The boundaries of each CMU Development shall be as shown on the zoning map and shall correspond with the adopted development plan.
3. The minimum size to rezone for a CMU development is 40 acres. The maximum size for CMU-TC is 40 acres. The minimum size for a CMU-TC is 3 acres.
4. For the purposes of this section, where two or more properties, lots or parcels are located within the same block or where two or more properties, lots or parcels have frontage on the same side of the street and are adjoining and such properties, lots or parcels are under common ownership or control and/or are being developed in a single development operation or a series of coordinated development operations, such properties, lots or parcels shall be considered as a single property.
5. A CMU development must have a minimum of 200 feet of frontage abutting State Route 74. There is no frontage requirement on State Route 74 for a CMU-TC development.

(c) Application.

Each application to rezone property to a CMU District and establish a development plan for the same shall follow the procedures set out below:

1. *Pre-application conference.* Prior to filing a petition to rezone property to a CMU district, the applicant shall meet with the zoning administrator to review the general character of the proposed development, including but not limited to, its scope, nature and location. At this time, the applicant shall be fully advised of the approval procedures contained herein as well as the various information and studies which the applicant may need in order to continue with said procedures.
2. *Pre-recommendation meeting(s).* Prior to filing a petition to rezone property to a CMU district and subsequent to the pre-application conference with the zoning administrator, the applicant shall meet with the planning commission in a plan review session(s). At this meeting, the applicant shall be required to review his/her plan with the planning commission and provide preliminary data concerning said plan as required by the planning commission. The planning commission may require additional pre-

recommendation meetings to review said preliminary data prior to their pre-recommendation.

3. *Rezoning petition.* A petition to rezone property to a CMU District shall only be submitted subsequent to the pre-application conference with the zoning administrator and the pre-recommendation meeting(s) with the planning commission. The petition shall contain a development plan and a written summary of intent, and shall show the relation between the proposed development and adjacent uses, both proposed and existing. A petition to rezone property to the CMU district shall follow the procedures set out in article III of this chapter.

4. *Site plan.* The following information shall be submitted as the site plan:

    a. General location map;

    b. Current topographical map clearly showing existing conditions, including contour intervals of no more than five feet based on field survey or photogrammetric methods;

    c. Map showing the existing floodplains and flood soil as indicated by FEMA;

    d. Existing and proposed land use on the development site and all adjacent properties, including the approximate location of all streets;

    e. Legal description of the subject property;

    f. Location and use of existing and proposed public, semi-public, or community facilities such as schools, parks and other open space, including areas proposed to be deducted or reserved for community or public use;

    g. Conceptual drawings of representative building types for all non-residential structures which indicate the proposed general architectural style and appearance; and

    h. If a proposed development creates special problems or involves unusual circumstances, additional information as required by the zoning administrator in order to properly evaluate the proposal as follows:

        i. Off-street parking and loading plan;

        ~~ii. Economic feasibility report or market analysis;~~

        iii. Area traffic study and circulation plan within the development and to and from existing thoroughfares;

        iv. Hydraulic, hydrologic;, and drainage engineering studies;

        v. Environmentally sensitive areas, including, but not limited to: watershed protection, wetlands, or groundwater recharge impact study; and

        vi. Based on the pre-application meeting with the zoning administrator and/or the pre-recommendation meeting(s) with the planning commission, other information as is deemed necessary may be requested; in addition, any of the aforementioned required information (items (a) thru (h)) may be excluded if deemed not applicable.

~~5. *Summary of intent.* The written statement submitted with the development plan shall include the following information:~~

    ~~a. Statement of the present ownership of all land within the proposed development;~~

    ~~b. Explanation of the character of the proposed development, including, but not limited to: a summary of uses, number and type of dwelling units, a net~~

~~residential density calculation, and minimum standards for floor area, lot size, yard and spacing requirements;~~

~~c. General statement of the proposed development schedule and progression of unit development or staging; and~~

~~d. Agreements, provisions, and covenants which govern the use, maintenance, and protection of the development and any common or open space, including the provisions which will organize, regulate and sustain the property owners' association, where applicable.~~

6. *Approval.* After review and public hearing the planning commission shall provide a recommendation to the mayor and council. After a public hearing the mayor and council may approve, disapprove or approve the rezoning and the development plan with modifications. If the proposed rezoning and development plan are approved as submitted, the zoning administrator shall cause the official zoning map to be changed to indicate the change in zoning and the boundaries of the property affected by the approved development plan. If the rezoning and development plan are approved with modifications, the applicant shall file written notice of consent to the modification and a properly revised development plan with the zoning administrator prior to changing the official zoning map. The development plan and all other accompanying information shall be properly identified and permanently filed with the zoning administrator.

~~7. *Subdivision approval.*~~

~~a. At the option of the applicant, a preliminary subdivision plat may be filed along with the development plan in order that tentative approval of the subdivision by the planning commission may be granted, pending the approval by the mayor and council of the development plan. In no case shall final subdivision approval precede the approval of the development plan.~~

~~b. Site development regulations, specifications, and procedures governing the platting of a CMU development and plat approval shall be in accordance with the Town of Tyrone subdivision regulations and development regulations.~~

~~8. *Ownership control.*~~

~~At the time a final plat is approved and recorded for a CMU development, as applicable, the land comprising the area for the development shall be under one ownership, i.e., an individual, a corporation, or some other single legal entity. Individual lots may be sold only after the final plat has been approved and recorded and the deed contains sufficient covenants assuring the continuance of the CMU development as originally approved and developed.~~

~~9. *Building and occupancy permits.*~~

~~The zoning administrator shall approve the issuance of building permits for buildings and structures in the CMU development if they are in substantial conformity with the approved development plan, the development schedule, and with all other applicable regulations. A certificate of occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved development plan and all other applicable regulations.~~

~~10. *Revision of development plan.*~~

~~Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the approved uses, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the mayor and council upon the recommendation of the zoning administrator and planning commission. A request for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary or desirable.~~

(d) *Development standards.*

(1) *Permitted uses.*

a. *Residential uses.*

1. Townhouse dwellings;
2. Multi-family loft dwellings as part of a mixed-use commercial structure; and
3. Accessory uses and structures.

b. *Commercial and institutional uses.*

1. Accounting, auditing and bookkeeping services;
2. Adult day care centers;
3. Advertising agencies excluding sign contractors;
4. Amphitheaters;
5. Antique stores;
6. Apparel and accessory stores (including dressmaker and tailor);
7. Appraisers;
8. Aquaponics/urban farming facilities (CMU only);
9. Arcades (CMU only);
10. Art galleries;
11. Art studios;
12. Assembly halls;
13. Attorneys;
14. Auditoriums;
15. Automobile claims adjuster;
16. Bail bonding services (CMU-TC only);
17. Bakeries, retail;
18. Banquet halls;
19. Barbershops and beauty shops;
20. Bicycle repair shops;
21. Blood donor stations;
22. Blueprinting and photocopying services;
23. Book and stationery stores;
24. Bowling alley;
25. Breweries (CMU only);
26. Business agents and brokers;
27. Business incubators (CMU only);
28. Business service support establishments;
29. Camera and photographic supply stores;
30. Carryout/delivery establishments;

31. Catalog mail order stores;
32. Caterers;
33. Churches and other places of worship and accessory facilities (CMU only);
34. Cigar stores and stands;
35. Clerical;
36. Collection services;
37. College and university industry associated research and training facilities (CMU only);
38. Commercial photography, art and graphics offices;
39. Commercial vocational schools (CMU only);
40. Computer or data processing offices;
41. Convention or exhibition halls;
42. Counseling and guidance services;
43. Credit reporting services;
44. Cultural facilities (CMU only);
45. Dance schools;
46. Day nurseries and day care centers (CMU only);
47. Delicatessen and gourmet food stores (with incidental catering);
48. Dental care services;
49. Detective agency and protective services (excluding armored cars and animal rental);
50. Dinner theatres;
51. Doctors/physicians' offices;
52. Drafting services;
53. Drugstores;
54. Eating establishments, when accessory to a permitted use;
55. Electric transformer stations, gas regulator stations and telephone exchanges;
56. Employment agencies;
57. Engineering, planning and architectural offices;
58. Escape rooms;
59. Fabric shops;
60. Farm and garden supply stores;
61. Finance, insurance and real estate institutions;
62. Florists;
63. Food specialty shops (ice cream, coffee, soda fountain);
64. Furniture, home furnishing and appliance stores;
65. General Building Contractors (CMU-TC only);
66. Gift, novelty and souvenir stores (excluding adult novelty);

67. Glass sales;
68. Grocery stores limited to a floor area not exceeding 5,000 square feet;
69. Gyms;
70. Hardware sales;
71. Health services clinics (CMU only);
72. Historical society/welcome, information centers;
73. Hobby, toy and game shops;
74. Home health care;
75. Hotels;
76. Household and apparel stores;
77. Indoor sports facilities;
78. Interior decorator services;
79. Jewelry sales and repair;
80. Key duplicating shops;
81. Kitchen-ware stores;
82. Laundry and dry cleaning pick-up stations;
83. Lawn and garden supply;
84. Libraries;
85. Locksmiths;
86. Lodging houses (CMU-TC only);
87. Management, consulting and public relations services;
88. Manicure services (nail care);
89. Meat, seafood and poultry markets (excluding live poultry);
90. Medical and dental laboratories (CMU only);
91. Medical photography;
92. Message answering services;
93. Museums;
94. Musical instrument sales and repair;
95. News dealers and newsstands;
96. Notary public;
97. Occupational physical therapy;
98. Office uses as part of a planned office center;
99. Optician and optometry stores;
100. Parcel and express services (CMU only);
101. Parks;
102. Pet shops;
103. Pharmacies;

104. Photographic studios;

105. Picture framing stores;

106. Playhouses;

107. Political organizations;

108. Produce markets;

109. Publishing only: newspaper, periodicals and books (CMU-TC only);

110. Radio and television broadcasting stations (CMU only);

111. Radio, television and stereo sales and service;

112. Recording and developing studios (CMU only);

113. Repair, as an accessory use (CMU-TC only);

114. Retail automotive parts and tire stores (CMU-TC only);

115. Restaurants, general and convenience;

116. Seasonal outdoor retail (activity for the sale of flowers, garden supplies, produce);

117. Shoe repair and sales;

118. Skating rinks;

119. Solar generation facilities (CMU only);

120. Specialized merchandise stores;

121. Specialized non-degree schools (CMU only);

122. Special trade contractors (CMU-TC only);

123. Sporting goods;

124. Swimming pools (prefabricated), hot tubs and spa sales;

125. Talent and theatrical booking agents;

126. Telecommuting centers;

127. Telephone business offices;

128. Ticket brokers (CMU only);

129. Travel agencies;

130. Used goods stores (CMU-TC only);

131. Utility business offices (CMU only);

132. Veterinarians (CMU only);

133. Video sales and rentals (excluding adult entertainment) (CMU-TC only);

134. Visiting nurse associations.

(2) *Conditional uses for CMU-TC only (see article VII)* :

(1) Animal hospitals and veterinary clinics;

(2) Arcades;

(3) ATMs;

(4) Automobile brokers;

(5) Automobile repair;

(6) Bed and breakfasts;

(7) Cemeteries;

(8) Day nurseries and kindergartens;

(9) Dog grooming shops.

(10) Electrical supply stores;

(11) Electric transformer stations, gas regulator stations and telephone exchanges;

(12) Indoor pet boarding;

(13) Laundry and dry cleaning establishments including pick-up stations, package plants and coin-operated facilities;

(14) Neighborhood recreation center or swimming pools;

(15) Paint, glass and wallpaper stores;

(16) Private or parochial schools;

(17) Public utility facilities; and

(18) Small engine sales and repair.

(3) *Dimensional and other requirements.*

For CMU - TC	
Front Setback	0 to 15 ft
Side Setback (street)	10 ft
Side Setback (interior)	0 to 5 ft
Residential based density (max)	4 units/acre
~~Open space % of lot area~~	~~25%~~
Building height (Max)	3 stories/ 40 feet
Ground floor building façade height (min)	12'
Ground floor building façade height (max)	16'
Loft unit floor area (min)	600 square feet
Townhome dwelling floor area (min)	1200 square feet

a. No more than 40% of the total aggregate square footage of a CMU development may be dedicated to residential use.

b. No ~~single occupant of a~~ structure may exceed a footprint of 30,000 square feet.

c. All setbacks along adjoining zoning districts shall be 35 feet. A 35-foot buffer shall be in effect along all bordering residential zoning districts coterminous with setbacks.

d. ~~Setbacks from major and minor collectors, minor thoroughfares, and residential streets shall be 75 feet.~~

~~e. Setbacks from major thoroughfares and state routes shall be 100 feet.~~

For CMU Districts	
Residential based density (max)	4 units/acre
Open space % of lot area	25%
Building façade height (min)	18'
Building façade height (max)	45'
Loft unit floor area (min)	600 square feet
Single family dwellings and townhome dwelling floor area (min)	1200 square feet

a. No more than 30% of the total aggregate square footage of a CMU development may be dedicated to residential use.

b. No single occupant of a structure may exceed a footprint of 30,000 square feet.

c. All setbacks along adjoining zoning districts shall be 75 feet. A 75-foot buffer shall be in effect along all bordering residential zoning districts coterminous with setbacks.

d. Setbacks from major and minor collectors, minor thoroughfares, and residential streets shall be 75 feet.

e. Setbacks from major thoroughfares and state routes shall be 100 feet.

(3) *Open space.*

a. Open spaces shall be provided in conformance with the approved development plan.

b. Open space may utilize any of the following elements towards the open space calculation:

i. Required yards, planted areas, fountains, community gardens, rooftop gardens, parks, plazas, hardscape elements related to sidewalks and plazas, amenity space, and similar features.

ii. Required buffer areas may be counted toward open space requirements even if such buffer area is dedicated to the town or other governmental entity for recreation use, conveyed to a conservation group, or is subject to permanent easements for public use.

(4) *Fencing materials.* No barbed wire, razor wire, chain-link fence, or similar elements shall be visible from any public plaza, ground level, or sidewalk level outdoor dining area or public right-of-way.

(5) *Drive through uses.* Drive-through service windows and drive-in facilities are not allowed.

(6) *Storefront requirements.*

a. The length of facade without intervening transparency shall not exceed 20 feet facing a primary street.

b. The length of facade without intervening transparency shall not exceed 40 feet facing a side street.

c. The ground story shall have a minimum 65 percent transparency facing a primary street.

d. The ground story shall have a minimum 35 percent transparency facing a side street.

e. Entrances may be counted where they are transparent.

(7) Dumpsters and loading areas. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, sidewalk-level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls on three sides not less than eight feet in height, along with a gate or door.

(8) *Loading dock entrances for nonresidential uses.* Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from any public right-of-way.

(9) *Building mechanical and accessory features.*

a. Shall be located to the side, rear, or roof of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.

b. When located on rooftops, shall be incorporated in the design of the building and screened with building materials similar to the building.

c. Shall not be permitted between the building and any public street.

(e) *Parking and site design standards.*

1) *Street requirements.* New streets shall be provided in conformance with the site or development plan.

2) *Inter-parcel connectivity.* Opportunities for inter-parcel ~~pedestrian and~~ vehicle access points between all contiguous ~~commercial, office, or multifamily residential~~ parcels shall be provided in rear parking lots.

3) *Gates and security arms.* Gates and security arms shall be prohibited from crossing any public street or sidewalk.

4) On-site parking must be to the side or rear of building.

5) *Off-site parking.* Required parking spaces shall be permitted to be provided on adjacent or nearby property within a CMU district, provided said relocated spaces lie within 300 feet of the main entrance to the principal use for which such parking is provided.

6) *Driveways and curb cuts.*

a) All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone. A

(10) Electrical supply stores;

(11) Electric transformer stations, gas regulator stations and telephone exchanges;

(12) Indoor pet boarding;

(13) Laundry and dry cleaning establishments including pick-up stations, package plants and coin-operated facilities;

(14) Neighborhood recreation center or swimming pools;

(15) Paint, glass and wallpaper stores;

(16) Private or parochial schools;

(17) Public utility facilities; and

(18) Small engine sales and repair.

(3) *Dimensional and other requirements.*

For CMU - TC	
Front Setback	0 to 15 ft
Side Setback (street)	10 ft
Side Setback (interior)	0 to 5 ft
Residential based density (max)	4 units/acre
~~Open space % of lot area~~	~~25%~~
Building height (Max)	3 stories/ 40 feet
Ground floor building façade height (min)	12'
Ground floor building façade height (max)	16'
Loft unit floor area (min)	600 square feet
Townhome dwelling floor area (min)	1200 square feet

a. No more than 40% of the total aggregate square footage of a CMU development may be dedicated to residential use.

(h) *Planned commercial district (PCD)* .

(1) *Purpose* . The intent of the PCD is to provide a ~~retail center through a planned development~~ emphasize the commercial use of the property in a way that maximizes its benefit to the community and relationship to surrounding land uses, traffic and pedestrian safety, and the economic and social benefit of the community. A PCD will allow innovative and creative design and promote high standards in the development layout, to use the land efficiently, to alleviate incompatibility between the internal and external uses in the development to protect public safety to the greatest degree possible.

(2) *Permitted uses* . ~~Only those uses allowed in the C-2 zoning district shall be proposed for the PCD. Only those uses approved through the rezoning process shall be allowed~~. The PCD allows for a mix of uses not otherwise allowed in an established zoning district by careful site planning and the appropriate site improvements, creative site design, energy conservation achieved through site clustering, and creation of economic and social amenities for the community. Uses allowed in the C1 and C2 zoning district shall be proposed for the PCD. Uses may be conditioned to approval through the rezoning process.

(3) *Minimum dimensional and other requirements* :

a. Minimum lot area—Ten acres;

i. Exceptions – Because of the unique circumstances of the Town Center Character Area, including the historic lot layout and mix of uses, the Town Council may consider and approve a smaller area due to special and unusual circumstances related to the geography or topography of the site. In such circumstances, any lot must be a legal lot of record at the time of applicant for consideration as a Planned Commercial Development.

b. The proposed site shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the Town of Tyrone Thoroughfare Plan;

c. ~~All setbacks and buffers along the exterior boundaries of the development shall be consistent with the C-2 zoning district, as applicable to the use;~~ Alternate development standards may be proposed, including exceptions or variances from the size, setback, frontage, square footage or other standards required in the existing zoning district. Alternate development standards may be conditioned to approval through the rezoning process.

d. The development plan shall indicate the different use areas for the proposed development. Appropriate separation, buffering, and vehicular circulation between uses internal to the development shall be established to alleviate incompatibility and protect public safety. Vehicular access facilities shall be designed in a manner to preclude large vehicles (semi-tractor trailers, delivery trucks) from utilizing areas where pedestrians are likely to be present;

e. Location—C-1 or C-2 zoning district; and

f. Height limit—35 feet.

Sec. 113-133. - Planned unit development.

a) Purpose and Intent

The following guidelines are established to allow for the construction of ~~large scale~~, unified land development through sustainable and efficient use of space, while preserving the character, identity, design, and historical features of the Town of Tyrone. The objectives of this ordinance include:

1. Encourage the development of large, contiguous or irregular lots of land as: planned residential development (PRD); planned industrial development (PID); planned commercial development (PCD); and planned educational development (PED);
2. Avoid piecemeal development, and encourage the assembly of properties that might otherwise be developed in unrelated increments;
3. Encourage flexible and creative concepts in site planning;
4. Preserve the natural amenities of the land by encouraging scenic and functional open spaces;
5. Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this section;
6. Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
7. Provide an environment of a stable character compatible with surrounding areas.

b) Development standards

Each planned unit development shall meet the following standards in addition to any other as hereinafter set forth:

1. The development shall utilize creative and flexible design including, but not limited to: varied lot sizes, amenities, mixed uses, etc;
2. The development shall be compatible with surrounding uses and with the comprehensive land use plan of the Town of Tyrone; and
3. Developers of approved planned unit developments shall be required to pave all new subdivision streets contained within said development to conform with the rules and regulations of the development regulations of the Town of Tyrone. Improvements to existing roads or planned roads which pass through a planned unit development will be handled conditionally at the time of rezoning or at the time of a revision to a development plan.

c) *Relation to zoning districts* . An approved planned unit development shall be considered to be a separate zoning district in which the development plan, as approved, establishes the uses, restrictions and regulations according to which development shall occur. Upon approval, the official zoning map shall be changed to indicate the area as a planned unit development. The following procedures shall be followed in the establishment of each and every planned unit development:

1. *Pre-application conference* . Prior to filing a rezoning petition for a planned unit development, the applicant shall meet with the zoning administrator to review the general character of the proposed development, including but not limited to, its scope, nature and location. At this time, the applicant shall be fully advised of the approval procedures contained herein as well as the various information and studies which the applicant may need in order to continue with said procedures;

2. *Pre-recommendation meeting(s)* . Prior to filing a rezoning petition for a planned unit development and subsequent to the pre-application conference with the zoning administrator, the applicant shall meet with the planning commission in a plan review session(s). At this meeting, the applicant shall be required to review his/her plan with the planning commission and provide preliminary data concerning said plan as required by the planning commission. The planning commission may require additional pre-recommendation meetings to review said preliminary data prior to their pre-recommendation;

3. *Rezoning petition* . A rezoning petition for a planned unit development shall only be submitted subsequent to the pre-application conference with the zoning administrator and the pre-recommendation meeting(s) with the planning commission. The petition shall contain a development plan and a written summary of intent, and shall show the relation between the proposed development and the surrounding area, both proposed and existing. A rezoning petition for a planned unit development shall follow the procedures in article III of this chapter;

4. *Development plan* . The following information shall be submitted as the development plan:

    a. General location map,

    b. Map indicating the proposed location of all streets;

    c. Current topographical map clearly showing existing conditions, including contour intervals of no more than five feet based on field survey or photogrammetric methods;

    d. Map showing the existing flood plains and flood soil as indicated by FEMA;

    e. Map of existing and proposed pattern of land uses with the acreage and densities or intensities of each use proposed.

    f. Legal description of the subject property;

    g. Location and use of existing and proposed public, semi-public, or community facilities such as schools, parks and other open space. This will include areas proposed to be deducted or reserved for community or public use;

    h. A detailed description of the proposed development standards, including but not limited to proposed minimum site requirements, setbacks, parking requirements, building heights, and any other criteria related to the physical development of the site;

    i. A landscape concept plan with the general approach regarding street trees, and buffers.

    j. Conceptual drawings of representative building types for all non-residential structures which indicate the proposed general architectural style and appearance;

    k. If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:

        1. Off-street parking and loading plan;

        2. Economic feasibility report or market analysis;

        3. Area traffic study and circulation plan within the development and to and from existing thoroughfares;

        4. Hydraulic, hydrologic; and drainage engineering studies;

        5. Environmentally sensitive areas, including, but not limited to: watershed protection, wetlands, or groundwater recharge impact study;

6. Based on the pre-application meeting with the zoning administrator and/or the pre-recommendation meeting(s) with the planning commission, other information as is deemed necessary may be requested, in addition, any of the aforementioned required information (items (a) thru (h)) may be excluded if deemed not applicable.

5. *Summary of intent* . The written statement submitted with the development plan shall include the following information:

    a. Statement of the present ownership of all land within the proposed development;

    b. Explanation of the character of the proposed development, including, but not limited to: a summary of uses, number and type of dwelling units, a net residential density calculation, minimum site requirements, building heights, and any other criteria related to the physical development of the site;

    c. A phasing plan showing conceptual delineation of areas to be constructed in phases or sections and the sequential order that will be followed in the development;

    d. Agreements, provisions, and covenants which govern the use, maintenance, and protection of the development and any common or open space, including the provisions which will organize, regulate and sustain the property owners' association, where applicable.

6. *Approval* . After review and public hearing the planning commission shall provide a recommendation to the mayor and council. After a public hearing the mayor and council may approve, disapprove or approve with modifications. If the proposed development is approved as submitted, the zoning administrator shall cause the official zoning map to be changed to indicate the planned unit development. If the plan is approved with modifications, the applicant shall file written notice of consent to the modification and a properly revised development plan with the zoning administrator prior to changing the official zoning map. The development plan and all other accompanying information shall be properly identified and permanently filed with the zoning administrator.

7. *Subdivision approval* .

    a. At the option of the applicant, a preliminary subdivision plat may be filed along with the development plan in order that tentative approval of the subdivision by the planning commission may be granted, pending the approval by the mayor and council of the development plan. In no case shall final subdivision approval precede the approval of the development plan.

    b. Site development regulations, specifications, and procedures governing the platting of a planned unit development and plat approval shall be in accordance with the Town of Tyrone Subdivision Regulations and Development Regulations.

8. *Ownership control* . At the time a final plat is approved and recorded for a planned unit development, as applicable, the land comprising the area for the planned unit development shall be under one ownership, i.e., an individual, a corporation, or some other single legal entity. Individual lots may be sold only after the final plat has been approved and recorded and the deed contains sufficient covenants assuring the continuance of the planned unit development as originally approved and developed.

9. *Building and occupancy permits* . The zoning administrator shall approve the issuance of building permits for buildings and structures in the planned unit development if they are in substantial conformity with the approved development plan, the development schedule, and with all other applicable regulations. A certificate of occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved development plan and all other applicable regulations.

10. *Revision of Development Plan* . Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the approved uses, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the mayor and council upon the recommendation of the zoning administrator and planning commission. A request for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary or desirable.

Sec. 113-123. - Traditional residential district (TR).

(a) Purpose. The purpose of the TR District is to provide a walkable, pedestrian friendly district for medium-density, infill residential development. This includes the option for cottage court or cluster housing development, which means a grouping of small, single family dwelling units clustered around a common greenspace or open space and developed with a coherent plan for the entire site. The TR regulations shall be applied only to the areas identified as being within the Tyrone Town Center.

(b) Permitted uses :

1. Accessory uses and structures;
2. Community facilities (homeowners' association recreation centers or swimming pools; parks; public uses; and public utility facilities);
3. Home occupations; and
4. Single-family dwellings.

(b) *Conditional uses (see article VII)* :

(1) Community living arrangements (June 6, 2013);

(2) Group homes (June 6, 2013); and

(3) Personal care homes (June 6, 2013).

(c) *Development standards* :

(1) Minimum development acreage—Minimum Two (2) Acres and Maximum Ten (10) acres; a maximum gross density of four (4) units per acre is allowed.

(2) Open space—~~Ten percent, dedicated to the homeowners' association~~; a minimum of 3,000 square feet of open space or ten percent of the gross acreage of the project, whichever is greater

(3) Minimum lot area—~~One acre;~~ 5,000 square feet

(4) Minimum lot width at building line—~~100~~ 50 feet;

(5) Yard setbacks:

~~a. From all streets—50 feet;~~

~~b. Side yard setbacks—10 feet;~~

~~c. Rear yard setbacks—20 feet~~;

a. Front setback (street): 15-20 feet
b. Front setback (yard): 5-10 feet
c. Side setback (street): 15-20 feet
d. Side setback (yard): 5 feet
e. Rear setback: 20-25 feet

(6) Maximum height of structures—~~35 feet~~; Maximum 2 stories or 24 feet

(7) Square footage of principal structure—minimum 1,200 square feet and maximum of 1,600

(8) Maximum lot coverage—~~35 percent~~ 50 percent

(d) *Architectural reference* :

(1) *Entrances* . All dwellings shall have a front porch equal to three-fourths the length of the street-facing wall. A minimum front porch depth of five feet is required.

(2) *Building materials* .

a. For principal structures, allowable building materials (not including trim/accent) along the front and side facades are limited to the following:

(i) Brick;

(ii) Brick veneer;

(iii) Stone;

(iv) Architectural precast concrete; and

(v) Natural wood and/or cement-based wood siding.

b. There shall be no more than two building materials used (not including trim/accent materials).

c. Rear-loaded alley parking is required for each residential unit. Each dwelling unit shall abut a public right of way or have access to a public right of way through a dedicated alleyway.

d. For dwelling units not abutting or oriented towards a street, front yards must be oriented toward common open space unless otherwise approved by the Zoning Administrator for the Town of Tyrone

c. ~~Colors for the building materials shall be limited to earth tones, pastels and/or neutral tones~~ (April 16, 2009).

(h) *Planned commercial district (PCD)* .

(1) *Purpose* . The intent of the PCD is to provide a ~~retail center through a planned development~~ emphasize the commercial use of the property in a way that maximizes its benefit to the community and relationship to surrounding land uses, traffic and pedestrian safety, and the economic and social benefit of the community. A PCD will allow innovative and creative design and promote high standards in the development layout, to use the land efficiently, to alleviate incompatibility between the internal and external uses in the development to protect public safety to the greatest degree possible.

(2) *Permitted uses* . ~~Only those uses allowed in the C-2 zoning district shall be proposed for the PCD. Only those uses approved through the rezoning process shall be allowed~~. The PCD allows for a mix of uses not otherwise allowed in an established zoning district by careful site planning and the appropriate site improvements, creative site design, energy conservation achieved through site clustering, and creation of economic and social amenities for the community. Uses allowed in the C1 and C2 zoning district shall be proposed for the PCD. Uses may be conditioned to approval through the rezoning process.

(3) *Minimum dimensional and other requirements* :

a. Minimum lot area—Ten acres;

i. Exceptions – Because of the unique circumstances of the Town Center Character Area, including the historic lot layout and mix of uses, the Town Council may consider and approve a smaller area due to special and unusual circumstances related to the geography or topography of the site. In such circumstances, any lot must be a legal lot of record at the time of applicant for consideration as a Planned Commercial Development.

b. The proposed site shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the Town of Tyrone Thoroughfare Plan;

c. ~~All setbacks and buffers along the exterior boundaries of the development shall be consistent with the C-2 zoning district, as applicable to the use;~~ Alternate development standards may be proposed, including exceptions or variances from the size, setback, frontage, square footage or other standards required in the existing zoning district. Alternate development standards may be conditioned to approval through the rezoning process.

d. The development plan shall indicate the different use areas for the proposed development. Appropriate separation, buffering, and vehicular circulation between uses internal to the development shall be established to alleviate incompatibility and protect public safety. Vehicular access facilities shall be designed in a manner to preclude large vehicles (semi-tractor trailers, delivery trucks) from utilizing areas where pedestrians are likely to be present;

e. Location—C-1 or C-2 zoning district; and

f. Height limit—35 feet.