

**AGENDA ITEM ABSTRACT****MEETING DATE: August 16, 2005****TITLE:       Report on Possible Changes to Architectural Guidelines**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING: YES __ NO <u>X</u></b>
<b>ATTACHMENTS:</b> <b>A. Resolution</b> <b>B. Copies of town documents</b> <b>presenting recommendations</b> <b>or guidelines on site and</b> <b>architectural design</b>	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – <b>918-7327</b>

**PURPOSE**

Following a March worksession on architectural requirements in the downtown, the Board of Aldermen requested that staff prepare a report on changes to the architectural guidelines.

**INFORMATION**

On February 8, 2005, Mayor Nelson commented that there had been some discussion of the architectural features and styling of new buildings under construction in downtown Carrboro. The design requirements that apply to downtown buildings, found in the Land Use Ordinance and Building Code, were discussed during a worksession on March 8, 2005 and are noted below:

1. Section 15-136(2) – Metal buildings are prohibited in the B-1(g) zoning district.
2. Section 15-136 (3) – Roof pitch, exterior material, and window design requirements for new construction in the B-2 zoning district.
3. Section 15-136 (7) – Building height and exterior material requirements for new construction in the CT zoning district.
4. Appendix D Fire Districts (2000 International Building Code) – Construction requirements for structures within the Primary Fire District, including prohibition of non-flammable exterior materials.

The Board of Aldermen also considered adopted policies and guidelines pertaining to the design of downtown buildings. An example of written statements that are submitted to demonstrate consistency with adopted guidelines and policies was also provided.

The Board of Aldermen provided comments regarding possible additional site design and architectural guidelines that could be developed for downtown development. This abstract provides a summary of some issues associated with architectural requirements and presents the Board's comments from the worksession. As appropriate, a response to the Board's comments is

provided in italic text. This abstract also compiles existing recommendations and guidelines and offers standards that could be applied to downtown development.

### Summary of Issues Related to Architectural Review

The appearance of a community results from the combination of many elements, among them the shape, color, and size of buildings, the width and layout of streets, and the presence of trees and benches. Many towns and cities, Carrboro among them, have adopted guidelines and enacted regulations to direct or control aspects of their community's appearance. Townwide Design Guidelines were proposed in 1993 and Vernacular Architectural Standards for Village Mixed Use and Affordable Housing adopted in 1999.

Examples from other communities of guidelines, design manuals, design review processes and design review committees and boards can be found in abundance. Typically, the term 'guidelines' refers to principles or provisions that are recommended, but not required and the term 'standards' is used to describe requirements. There are exceptions to this, such as when design manuals or guidelines are used to illustrate certain desired building or site design elements and a local government includes a step in its development review process to require a demonstration of compliance with specific elements. When challenged, specific requirements have been deemed an acceptable exercise of police powers so long as they meet two principal tests:

- 1) Reasonableness of the regulation – Does the aesthetic purpose to which the regulation is reasonably related outweigh the burden imposed on private property owner? A clear statement of purpose and findings associated with the proposed standards would be needed to demonstrate this.
- 2) Non-delegation of authority – Is the regulation specific enough to be applied uniformly to everyone or does it rely upon subjective assessments of aesthetic issues?

Town Attorney, Mike Brough, has noted that architectural requirements need to be clearly stated to meet these tests. The existing Vernacular Architectural Standards (Section 15-177) of the Land Use Ordinance, though recommended at present, are an example of the level of specificity that would be legally defensible. It was the lack of comparable specificity within the Carrboro Downtown Business District Guidelines for Design (DDG) that led, in part, to its adoption as "non-binding." Mr. Brough has further noted that the Board of Aldermen could adopt specific mandatory standards, and then allow an applicant who was interested in an alternative design to volunteer to participate in a review process with the Appearance Commission or some other board.

Developing specific standards for architectural design can be a challenging task since there are often many opinions of what is aesthetically pleasing or architecturally appropriate. Benefits of establishing mandatory standards include uniformity of site and architectural design, and predictability of the design review process. The principle limitation is the lack of flexibility, which may hinder creativity; but may also, depending on the standards that have been selected, result in structures that are not what a community desires or expects.

Board of Aldermen – Possible Additional Design Guidelines

- Parking should be in rear of buildings—not facing the street. Retail, offices, and restaurants should be facing the street. *Section 15-295 (e) prohibits parking between the street right-of-way and the façade of buildings to the extent practicable in the B-1(c), B-1(g), and B-2 zoning districts. A possible standard that would limit internal space on the first floor of buildings devoted to parking and orientation of that space is provided.*
- Walls should be broken up with windows, features that create depth, or features that break up space; *Possible standards that require 1) a minimum amount of building openings, and 2) establish a six-foot deep “public-private zone” at the ground-floor level of buildings along public rights of way are proposed, per recommendations of the Downtown Design Guidelines and Downtown Carrboro: New Vision.*
- Consider whether or not to disallow vinyl siding or wood siding on multi-story buildings. *neither wood nor vinyl siding are allowed in the primary fire district downtown, an area that coincides roughly with the B-1(c) zoning district. Although there are a few examples, the materials have not been commonly used. The Board may wish to disallow the use of these materials, as well as non-flammable materials that are similar in appearance for buildings in the B-1(c). Wood-type siding is found in the B-1(g), B-2, and CT districts, although masonry construction is characteristic of the B-1(g) district. The Board may wish to allow wood or a cementitious look-alike in those other districts due to the durability of those materials, but may wish to prohibit other materials (e.g. vinyl).*
- Consider setbacks from the street. Setbacks should be wider if street is north-south to avoid a “canyon effect” of shadows across the street. *Setbacks or reduced building height at the street right-of way can be used to prevent negative canyon-type effects. A sunlight access area requirement is offered for consideration. The requirement would apply to any buildings proposed to exceed 40 feet in height at the street right-of-way. Modified language is under consideration for lots that share a boundary with lower-intensity zoning districts.*
- Add specific language about the type of metal that could be used under Section 15-136(2). *Pre-engineered steel buildings often include building elements that are not harmonious with those otherwise found in Carrboro’s downtown. The prohibition of metal as an exterior cladding entirely, however, may limit some opportunities. Staff is seeking language that will limit this prohibition to allow some artistic or architectural applications using metal.*
- Suggested that the provisions of Section 15-136(2) be expanded to all zoning districts in the downtown. *See discussion above and table below.*

- Using the design guidelines as well the standards for the commercial centers in the village mixed use for architectural guidance. *The table below notes recommended standards, as inspired by these documents and other sources.*
- Suggested that the vernacular architectural standards be formally referenced in the B-2 zone along Weaver Street, and suggested that a square footage standard or other standard determine whether a development application in the downtown area go to the Board of Aldermen rather than the Board of Adjustment for review *Consider amending Section 15-136 (3) to reference applicability of VAS to B-2, pending outcome of report preparation on VAS Subcommittee recommendations (report scheduled for September 20, 2005).*

#### Some possible standards for downtown development

The Board of Aldermen described eight areas of change covering site design and architectural elements. Staff has reviewed these comments, existing policies and Town documents, and other resources and has developed a list of possible site design and architectural standards for consideration. These standards, or some variations of them, could be incorporated into Land Use Ordinance provisions related to downtown development. In order to demonstrate the connection between these standards and the community interest, some statement of purpose would be beneficial. A possible statement of purpose is as follows:

Quality site and building design and construction is considered a primary element of the built environment in downtown Carrboro. Creativity is encouraged to the extent that new architectural design is harmonious and complementary with existing buildings and with the community as a whole. Guidelines and standards are in preparation to assist with the design of buildings and additions that maintain and enhance the sense of quality, unity, and conformance with Carrboro's existing physical assets and community vision. Furthermore, these guidelines and standards are intended to add consistency and predictability to the permit review process.

A table presenting existing guidelines and regulations, as well as elements noted by the Board of Aldermen in the March worksession has been prepared. Where possible, language that would enable those guiding principles to be adopted as regulations has been prepared. Copies of the relevant portions town documents from which the guidelines have been compiled are attached (*Attachment B*).

EXISTING GUIDELINE, REGULATION OR OTHER	POSSIBLE STANDARD (PLEASE NOTE: MODIFICATIONS TO EXISTING PROVISIONS ARE NOT NOTED HERE)
<i>DDG</i>	
Human scale Entrances clearly delineated	Six – foot deep business entry at the principle façade along a public right of way for all buildings, 50 percent of which is free from building area Architectural elements within a project shall be applied consistently on all sides of structures visible from public rights –of-way and/or adjacent residential zones
Avoid extreme contrast	Building designs must demonstrate that new buildings are similar to their neighbors at the streetfront in at least five of nine visually significant elements ( size, height, articulation and proportion of building elements, roof form, setbacks, fenestration, materials, color, texture) based on the criteria below: When an element is present in both neighbors, the element must be used in the new design. When neighbors use different types of a particular element, the new design must use one of the types. When neighbors differ in several elements, examples of both must be included. Additions to buildings must demonstrate that they are similar to their existing parts in five of the nine elements noted above. Articulate the line between ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device
<i>VMU (Section 15-176.2 of the Land Use Ordinance)</i>	
Low-pitched roofs with articulated parapets and cornices or pitched roofs where fascias are emphasized and any roof dormers are functional	See Downtown Carrboro below re: parapets and cornices. If parapets are required, pitched roofs with dormers may be used less frequently.
Show windows large and traditional with low sills and high lintels	See Downtown Carrboro below
Scale and massing similar to small-scale historic buildings in downtown	See DDG above.
Principal entrance from front sidewalk	See Human Scale/DDG above for alternative.
Buildings attached when located on the same street and the same block, except where necessary to accommodate pedestrian ways	None proposed at present. Could occur in limited sections of downtown zones or if shifted to a form-based zoning approach throughout the downtown.
<i>Downtown Carrboro: New Vision</i>	
Require vertical articulation of façade.	A building more than 45 feet in width should be divided into increments of no more than 45 feet through articulation of the façade achieved through the following techniques: Divisions or breaks in materials Window bays Separate entrances and entry treatments Variation in roof line Building setbacks – creation of public-private setbacks Include either a cornice or an ornamental or articulated parapet at the top of

EXISTING GUIDELINE, REGULATION OR OTHER	POSSIBLE STANDARD (PLEASE NOTE: MODIFICATIONS TO EXISTING PROVISIONS ARE NOT NOTED HERE)
	buildings
	Include prominent molding between first and second story in commercial and mixed-use buildings.
	Transparent glass surfaces shall comprise between 40 and 80 percent of total façade with a minimum of 60 percent of the ground level façade and sides of building adjacent to public right of ways.
	60 percent of front façade parallel to the street
	A minimum of 15 percent of the rear façade facing a public right of way, parking area, open space or adjacent residential zoning district shall be transparent.
<i>Other</i>	
Mitigate Canyon Effect	Sunlight Access Area Requirement. Buildings taller than 40 feet shall maintain a 20 percent shade-free area within any public right-of-way located between two lines extended north from the easternmost and westernmost property boundaries as measured at noon on September 21.
Parking in Rear of Buildings	Parking, if located on the first floor of a building, cannot occupy more than 40 percent of the gross floor area of the story and may not face a public right of way.

**Table: Possible Design and Architectural Standards**

It will be necessary to decide where such provisions may most appropriately apply in the downtown zoning districts, including the B-1(c), B-1(g), CT, and M-1. If the Board decides to direct staff to prepare ordinance language that would include some or all of the standards presented above, it is recommended that the Board also direct staff to include provisions that would establish an alternative process for the architectural review of developments. Such a process would enable applicants who were seeking approval of designs that did not meet the mandatory standards to voluntarily participate in a review process with the Appearance Commission or other board and receive approval so long as it could be demonstrated that the alternative design substantially achieved the purpose of the architectural standards.

The Board of Aldermen is also currently considering design requirements associated with the proposed Downtown Neighborhood Protection (DNP) overlay zoning district. If the Board of Aldermen directs staff to move forward on drafting design standards and later adopts the DNP district, it should be noted that staff will make every effort to ensure that any new design and architectural standards are clear and consistent with other regulations.

### **FISCAL IMPACT**

None noted.

### **RECOMMENDATION**

The staff recommends that the Board consider adopting the attached resolution (*Attachment A*).