

A RESOLUTION SPECIFYING FOLLOW-UP TO A PLANNING BOARD
RECOMMENDATION TO MODIFY THE OPPOSITE SIDE STPEBACK
PROVISIONS OF THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY
ZONING DISTRICT REQUIREMENTS

Resolution No. 89/2006-07

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing for January 23, 2007 to review a draft ordinance as recommended by the Planning Board, and

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|---|---|
| <input checked="" type="checkbox"/> <i>Appearance Commission</i> | <input type="checkbox"/> <i>Recreation and Parks Commission</i> |
| <input type="checkbox"/> <i>Transportation Advisory Board</i> | <input type="checkbox"/> <i>Northern Transition Area Advisory Committee</i> |
| <input type="checkbox"/> <i>Environmental Advisory Board</i> | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> <i>Economic Sustainability Commission</i> | <input type="checkbox"/> _____ |

This is Tuesday, the 5th day of December in the year 2006.

DISCUSSION OF A REQUEST FROM THE PLANNING BOARD REGARDING A STEPBACK PROVISION OF THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY DISTRICT

The Planning Board has adopted a recommendation requesting the Board of Aldermen to remove one of the stepback requirements associated with the Downtown Neighborhood Protection overlay district. A resolution setting a public hearing on the draft ordinance and referring the ordinance for advisory board review was recommended for the Board's adoption.

Trish McGuire, the town's Planning Administrator, made the presentation.

James Carnahan, the Chair of the Planning Board, explained the Planning Board's recommendation.

Alderman Gist requested that notice of this public hearing be sent out to property owners within 1,000 feet of the affected area.

Mayor Chilton asked that the Board consider disallowing mansard roofs.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CONTINUE DISCUSSION OF THIS MATTER ON NOVEMBER 14TH. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

Mansard roof

From Wikipedia, the free encyclopedia
(Redirected from Mansard)

A **Mansard** or **Mansard roof** in architecture refers to a style of hip roof characterized by two slopes on each of its four sides with the lower slope being much steeper, almost a vertical wall, while the upper slope, usually not visible from the ground, is pitched at the minimum needed to shed water. This form makes maximum use of the interior space of the attic and is considered a practical form for adding a story to an existing building. Often the decorative potential of the Mansard is exploited through the use of convex or concave curvature and with elaborate dormer window surrounds.

It was popularized in France by the architect François Mansart (1598–1666). His treatment of high roof stories gave rise to the term "Mansard roof" (*toiture à la Mansarde*). The spelling Mansard is not a correct form of the name. 1 Sections of the Louvre, such as the central portico of the Richelieu Wing, display this style of roof.

At a time when French houses were taxed by the number of floors below the roof, this feature had the added benefit of exempting the upper floor from taxation. A revival of the Mansard occurred in the 1850s rebuilding of Paris. The style of that era in France is called Second Empire.

Under the influence of the Neo-baroque revival of the French Second Empire (1850 - 1870), the mansard became a common feature in many later 19th-century buildings in Europe and North America. Another revival of the style occurred in the United States and Canada during the late 1800s as one of any number of expressive forms adopted by Victorian architects. In the Second Empire style, the Mansard roof was typically used to top a tower element, rather than across the full width of the building.

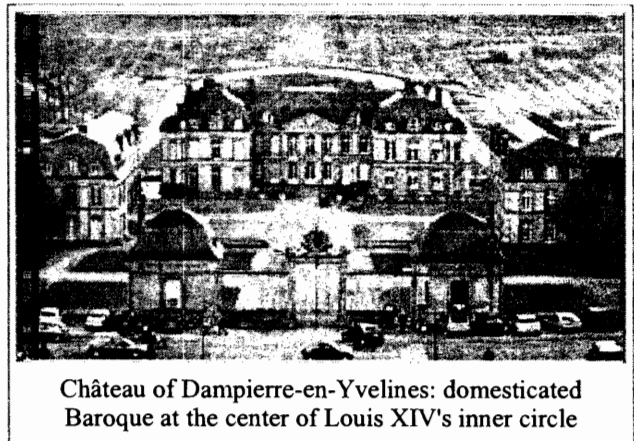
In congested sites in cities, a mansard enabled builders to keep a decently low cornice line, while incorporating a couple of extra stories within the apparent roof. Mansards may be seen on New York City's former Grand Central Hotel (1869).

Many fast-food restaurants, including most McDonald's outlets, also incorporate a simple mansard roof, usually covered in a synthetic material.

See also

- François Mansart
- Jules Hardouin Mansart
- Empire
- Second Empire

Retrieved from "http://en.wikipedia.org/wiki/Mansard_roof"



Château of Dampierre-en-Yvelines: domesticated Baroque at the center of Louis XIV's inner circle



Second Empire style mansard roof in a county jail in Mount Gilead, Ohio.

Categories: Roofs | Building engineering | Structural system

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Art. XII DENSITY AND DIMENSIONAL REGULATIONS

elements (e.g. auditorium and support facilities) or to accommodate building designs that seek to minimize building footprints and/or maximize natural lighting. (AMENDED 6/22/04)

(g) For purposes of this section:(AMENDED 06/28/94; 04/08/03)

- 1) Subject to subsection (g) (2), the height of a building shall be the vertical distance measured from the mean elevation of the finished grade at the front of the building to the highest point of the building.
- 2) With respect to single-family detached residences, the height of a building shall be the vertical distance measured from the floor of the main story of the residence at the front elevation to the top of the roof above the floor.
- 3) The terms "story" and "floor" are defined in Section 15-15. (AMENDED 04/08/03)

Section 15-185.1 Downtown Neighborhood Protection Overlay District Requirements

(a) Lots that are within the Downtown Neighborhood Protection (DNP) Overlay District shall be subject to the requirements of this section.

(b) Within the DNP district, the portion of any lot so zoned that lies within 50 feet of a boundary line that abuts or is located directly across the street from residentially zoned property, other than property that is zoned R-2, shall constitute an area referred to in this section as the DNP Buffer Area.

(c) Within the DNP Buffer Area:

- (1) A building or buildings constructed within such buffer area may not extend laterally along the affected boundary for more than 80% of the lot width at its narrowest point within the buffer area; and
- (2) The maximum horizontal run of a single building shall be 80 feet; and
- (3) If more than one building is constructed, there shall be a separation of at least 30 feet between one building and another.

(d) With respect to lots where the underlying zoning is CT or M-1, the portion of such lots within the DNP Buffer Area shall be subject to a maximum height limitation of two stories, except as set forth below. (The portion of such lots outside the DNP Buffer Area shall be subject to the height limitation established by Section 15-185, i.e. three stories).

- (1) A third story not exceeding a building height of 42 feet shall be permissible if a mansard, gable, or gambrel roof with a roof pitch no greater than 70 degrees and a continuous eave line substantially contains the third story (i.e. the height of the

space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls). When dormers are constructed on such roofs, the total width of all such dormers shall not exceed two-thirds of the width of the roof on which such dormers are constructed.

(2) A third story shall be permissible if:

- a. All portions of such third story are set back at least ten feet from the second story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property; and
- b. The third story has a corresponding setback ("stepback") from the second story on the opposite side of the building.

(3) Towers, cupolas, and similar architectural features intended to complement the building design may extend to a height of not more than 42 feet, so long as such features do not contain more than 400 square feet and no elevational width of such features exceeds 25 feet.

(e) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the provisions of Subsection 15-185(a)(3) shall not apply and the provisions of subsections (f), (g) and (h) of this section shall apply in lieu thereof.

(f) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the portion of such lots within the DNP Buffer Area shall be subject to a maximum height limitation of two stories, except as set forth below:

(1) A third story not exceeding a building height of 42 feet shall be permissible if a mansard, gable, or gambrel roof with a roof pitch no greater than 70 degrees and a continuous eave line substantially contains the third story (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls). When dormers are constructed on such roofs, the total width of all such dormers shall not exceed two-thirds of the width of the roof on which such dormers are constructed.

(2) A third story shall be permissible if:

- a. All portions of such third story are set back at least ten feet from the second story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property; and
- b. The third story has a corresponding setback ("stepback") from the second story on the opposite side of the building.

Art. XII DENSITY AND DIMENSIONAL REGULATIONS

- (3) Towers, cupolas, and similar architectural features intended to complement the building design may extend to a height of not more than 42 feet, so long as such features do not contain more than 400 square feet and no elevational width of such features exceeds 25 feet.

(g) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the portion of such lots that lie outside the DNP Buffer Area shall be subject to a maximum height limitation of three stories, except as set forth below:

- (1) A fourth story may be constructed if such fourth story is either set back at least ten feet from the edge of the DNP Buffer Area or is substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls).
- (2) If a fifth story is constructed, either all portions of such fifth story must be set back at least ten feet from the fourth story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property, or the fifth story must be substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls).
- (3) In addition, if a fifth story is constructed, either all portions of such fifth story must be set back from any street right-of way line other than that associated with establishing the DNP buffer area a distance of ten feet beyond the setback specified in Section 15-184, or the fifth story must be substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls).

(h) Notwithstanding the permit requirements established in Sections 15-146 and 15-147, if a developer proposes to construct within those areas of the DNP district where the underlying zoning is B-1(c) a building that exceed two stories in height, or where the underlying zoning is B-1(g) a building that exceeds three stories, a conditional use permit must be obtained.

Section 15-186 Cluster Subdivisions.

- (a) In any single-family residential subdivision in the zones indicated below, a developer may create lots that are smaller than those required by Subsection 15-181 if such developer complies with the provisions of this section and if the lots created are not smaller than the minimums set forth in the following table:



TOWN OF CARRBORO ATTACHMENT E
PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 2, 2005

**RECOMMENDATION ON REVIEW OF LAND USE ORDINANCE MAP AND TEXT AMENDMENT –
DOWNTOWN NEIGHBORHOOD PRESERVATION (DNP) DISTRICT OVERLAY DISTRICT**

Motion was made by Dianne Reid and seconded by Frank Hammill that the Planning Board recommend that the Board of Aldermen adopt the ordinance creating the Downtown Neighborhood Protection Overlay District and establishing its boundaries, with the following changes

1. Deleting the language proposed for Section 15-185.1 (d)(2)(b) and Section 15-185.1 (f)(2)(b), and
2. Increasing the maximum tower height in Section 15-185.1 (d) (3) and in Section 15-185.1 (f)(3) from 42 feet to 50 feet.

VOTE: AYES (8) (Debra Fritz, James Carnahan, Frank Hammill, John Marshall, Dianne Reid, Seth Chadbourne, Ande West, and David Clinton); NOES; (0); ABSTENTIONS (0); ABSENT/EXCUSED (3) (Hogan, Paulsen, and Poulton)

James Carnahan
James Carnahan, Chair

June 23, 2005
(date)

PUBLIC HEARING ON THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY ZONING DISTRICT

It is necessary for the Board of Aldermen to review and receive public comment on a proposal for a major map amendment that would change the zoning of approximately 32 acres of property located in the B-1(c), B-1(g), M-1, and CT districts to include the Downtown Neighborhood Protection Overlay designation.

Trish McGuire, the town's Planning Administrator, made the presentation.

Charles Browning, with Riggsbee-Hinson Furniture, asked that the Board consider not dropping them out of the overlay, and asked that the Board consider an alternative to the residential overlay because it will affect them financially.

David Craine asked for a clarification of what the buffer meant.

Pearlie Jones, a resident of Eugene Street, asked where tall buildings could be built.

Debra Seaton, owner of 203 N. Greensboro Street, asked for more time to digest this information.

Alderman Broun asked if the Power Point presentation could be put on the town's website.

Michael Roberts, owner of 106 Poplar Avenue, asked for reduced building heights. He stated that he would support requiring conditional use permits for any buildings over 2 stories, would be against reduced buffers.

David Ripperton, architect for the Andrews Riggsbee Hardware, presented photos of Weaver Street, presented a sketch of the redevelopment proposal for the hardware site, suggested a vertical DNP by setting the building back. 50 feet, and asked that future committee selections include minority and long-time residents.

Ellen Virchick, a resident of 214 Maple Avenue, expressed concern about the appearance of the buildings, putting buildings on the road would not feel or look right, and stated that she does not feel five story buildings belong in Carrboro.

Clementine Self a resident of Broad Street stated that she feels the building at Merritt Mill/Rosemary is an eyesore. Carrboro does not need that type building.

Michelle Rivest, a member of the DNP committee, stated that she had problems understanding the proposed ordinance. She also stated that she does not support tall buildings next to neighborhoods, would like more setbacks from property lines, and the breaking up of the horizontal lines will present relief for neighborhoods. She stated that any project over 2 stories should require a conditional use permit, and stated that she would not want a reduced buffer.

Robert Dowling with Orange Community Housing and Land Trust stated that he feels it is important to build more office space.

Jack Haggerty suggested that the overlay zone be a supplement to the Architectural Guidelines.

Lyle Lansdale, a resident of E. Poplar, stated that she would have liked a definition of zoning areas, and stated that tall buildings will rob us of our air and light and asked for 2 and 3 story buildings next to the street

Hazel Ferrell, owns Riggsbee Hinson Warehouse, does not agree with the proposal.

James Carnahan, Chair of the Planning Board, explained the Planning Board's recommendation.

Letters were received from David Ripperton and Barton Lloyd. In summary, Mr. Ripperton's letter stated that he felt the committee's recommendations are too complex, burdensome and restrictive; the inclusion of an option for the exchange of setback distance for increased development rights would be beneficial in planning for both the commercial-residential interface, as well as open space. Mr. Lloyd's letter requested that the proposed ordinance be returned back to the planning department for thoughtful reconsideration because he feels the draft ordinance would lead to a greater prevalence of buildings constructed at least in part with materials other than brick because of the stepped back requirement. In addition, the 50-foot buffer required by the draft ordinance would require either a severely limited footprint, a two-story height limitation or cumbersome and aesthetically questionable architectural features such as the mandated "stepbacks", mansard or gambrel roofs.

Alderman Chilton asked that the 70-degree roof provision be removed.

Alderman Broun asked for more design information and materials.

Alderman Gist stated that she wished that the Board had dealt with neighborhood preservation and neighborhood protection at the same time as the rest of the land use ordinance was changed.

Alderman Zaffron feels that adjustment can be made to the proposal to make it work.

Alderman McDuffee expressed her desire to see projects with two stories or more come to the Board of Aldermen for review.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY MARK CHILTON TO CONTINUE THE PUBLIC HEARING TO AUGUST 23, 2005. VOTE: AFFIRMATIVE FIVE, ABSENT TWO (NELSON, HERRERA)

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, August 23, 2005 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Chilton
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin E. Mirman

CONTINUATION OF THE PUBLIC HEARING ON DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY ZONING DISTRICT

A public hearing was held on June 28, 2005 to consider a modification to the zoning of approximately 32 acres of land, located in the B-1(c), B-1(g), M-1, and CT districts to include the Downtown Neighborhood Protection Overlay designation. The hearing was continued to allow further time to consider the proposal.

Trish McGuire, the town's planning administrator, made a presentation to the Board.

Alderman McDuffee asked for clarification about sidewalk policy and setbacks re: Carr Street.

James Carnahan addressed the Board as a member of the committee. He stated that the concept that all agreed on was that they did not want the transition between residential and commercial to be abrupt. They want it to be gradual--50 ft. deep from property line; the bldg. can only be two stories. A setback would be a useful additional requirement for a gradual transition - i.e.: 15-foot setback for a tree-planting strip.

Dale McKeel, the town's transportation planner, made a presentation to the Board. He said that the master plan and discussion did foresee a sidewalk on the north side of Carr Street.

Deborah Seaton, who owns a dental office on N. Greensboro Street, addressed the Board. She said that her building is over 100 years old and will have to be replaced sometime soon. She is confused about what she will be able to do. There are two residential properties - setbacks and stepbacks may end up crippling the existing property.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO CREATE A DOWNTOWN NEIGHBORHOOD PROTECTO OVERLAY DISTRICT AND TO AMEND THE OFFICIAL ZONING MAP TO INCLUDE DESIGNATED PROPERTIES." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (HERRERA)

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT
MODIFYING THE PERMIT REQUIREMENTS FOR DEVELOPMENTS OVER TWO STORIES OR 35
FEET IN HEIGHT IN CERTAIN DOWNTOWN ZONING DISTRICTS**

Resolution No. 09/2005-06

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that policies and regulations are in keeping with community interests and desires.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on October 25, 2005 to receive public comment on "AN ORDINANCE AMENDING THE LAND USE ORDINANCE PROVISIONS MAKING CERTAIN BUILDINGS IN DOWNTOWN ZONING DISTRICTS PERMISSIBLE WITH A CONDITIONAL USE PERMIT"

BE IT FURTHER RESOLVED that the draft ordinance be referred to the Planning Board and Orange County for recommendations and that the rezoning proposal also be referred to the Planning Board; and

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of August, 2005:

Ayes: Joal Hall Broun, Mark Chilton, Jacquelyn Gist, John Herrera, Diana McDuffee, Alex Zaffron, Michael Nelson

Noes: None

Absent or Excused: None



TOWN OF CARRBORO
PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 1, 2006

**RECOMMENDATION ON REVIEW OF LAND USE ORDINANCE TEXT AMENDMENT –
DOWNTOWN NEIGHBORHOOD PRESERVATION (DNP) OVERLAY ZONE PROVISIONS
15-185.1(d)(2)b and 15-185.1(f)(2)b**

As was recommended on May 15, 2005 in relation to establishment of the Downtown Neighborhood Preservation Overlay zoning district, Paulsen moved and Reid seconded that the Planning Board recommend that the Board of Aldermen proceed with an amendment to the Land Use Ordinance to delete Section 15-185.1(d)(2)(b) and Section 15-185.1 (f)(2)(b).

**VOTE: AYES: (7) (Carnahan, Fritz, Paulsen, Poulton, Rabinowitz, Reid and West; NOES (0);
ABSTENTIONS (0); ABSENT/EXCUSED (2) (Chadbourne and Clinton).**

 June 1, 2006
James Carnahan, Chair (date)

DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY DISTRICT
 EXAMPLES OF DIMENSIONAL AND ARCHITECTURAL PROVISIONS

****REVISED PER PLANNING BOARD REQUEST 09-21-06****

The following presents excerpts of the portions of the DNP ordinance that specify dimensional and architectural requirements. Please note that the graphics are meant to be illustrative of the scope of the dimensions that could result from the application of the proposed ordinance requirements. The illustrations are not exhaustive, nor do they attempt to provide information on architectural style or scale.

Section 15-185.1 Downtown Neighborhood Protection Overlay District Requirements
 (WITHIN THE DNP BUFFER AREA)

- (1) A building or buildings constructed within such buffer area may not extend laterally along the affected boundary for more than 80% (**Figure 1**) of the lot width at its narrowest point within the buffer area; and

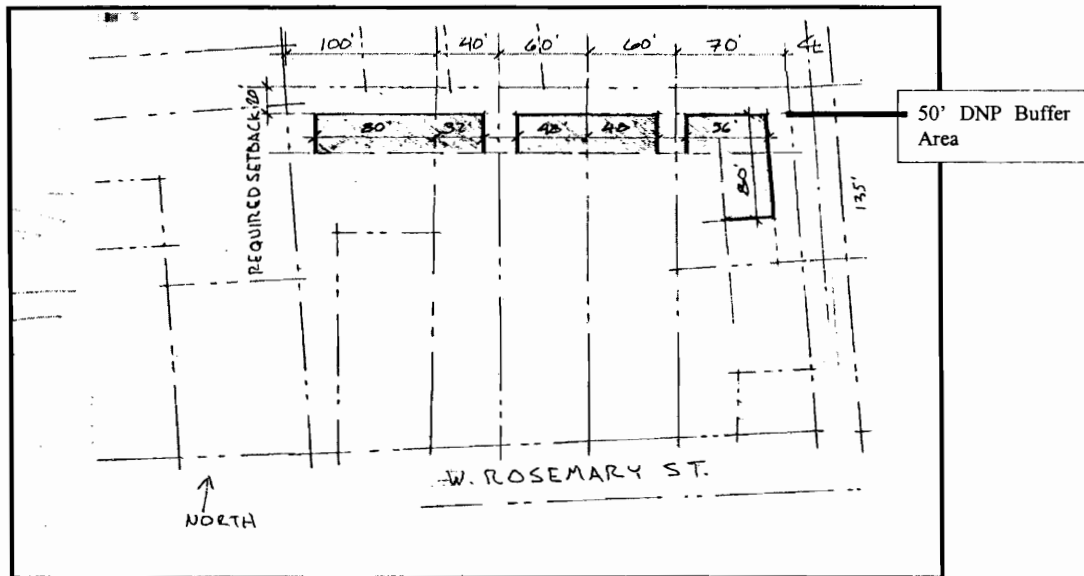


Figure 1.

- (2) The maximum horizontal run of a single building shall be 80 feet (**Figure 2**); and

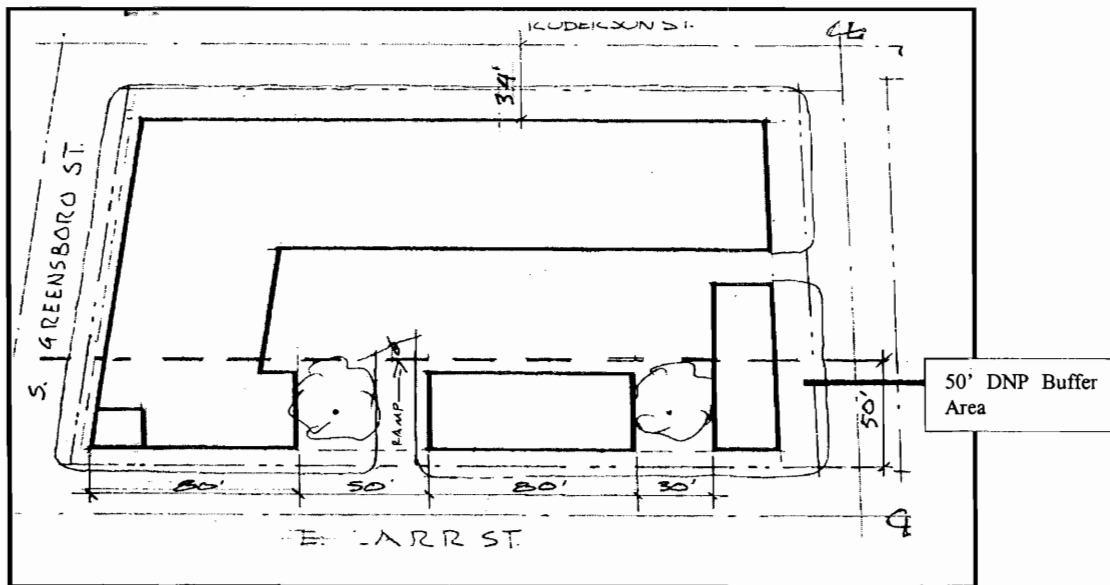


Figure 2.

(3) If more than one building is constructed, there shall be a separation of at least 30 feet between one building and another.

(d) With respect to lots where the underlying zoning is CT or M-1, the portion of such lots within the DNP Buffer Area shall be subject to a maximum height limitation of two stories, except as set forth below. (The portion of such lots outside the DNP Buffer Area shall be subject to the height limitation established by Section 15-185, i.e. three stories).

(1) A third story not exceeding a building height of 42 feet shall be permissible if a mansard, gable, or gambrel roof (**Figure 3**) with a roof pitch no greater than 70 degrees (**Figures 4a and b**) and a continuous eave line substantially contains the third story (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls). When dormers are constructed on such roofs, the total width of all such dormers shall not exceed two-thirds of the width of the roof on which such dormers are constructed (**Figure 5**).

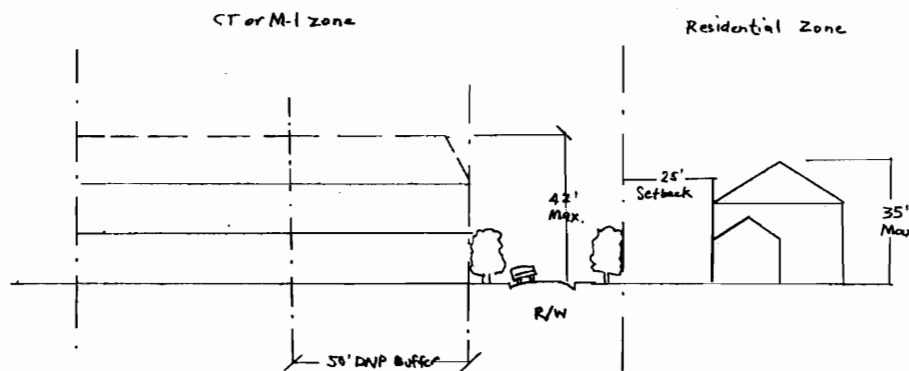


Figure 3.

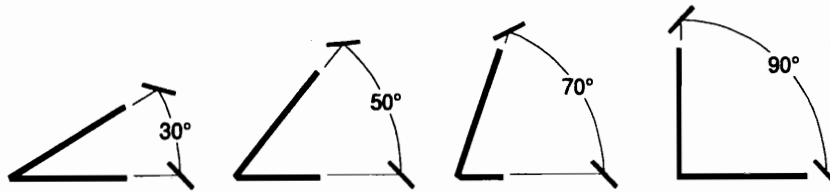


Figure 4a.

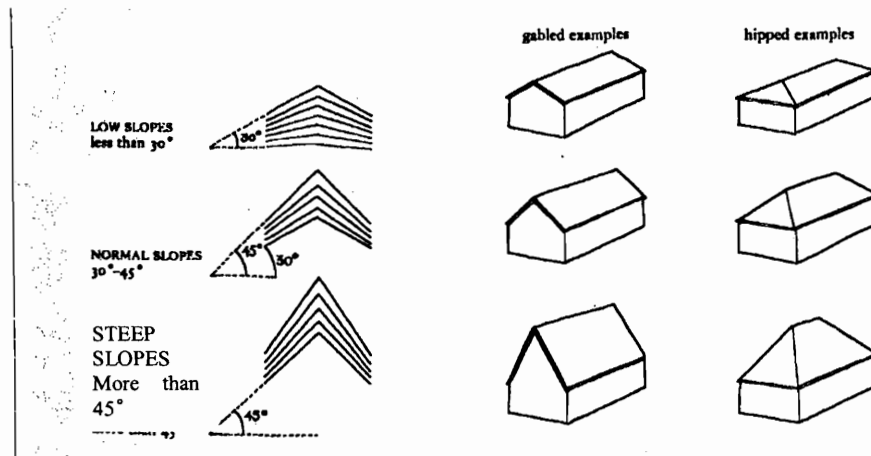


Figure 4b.

Roof Dormers

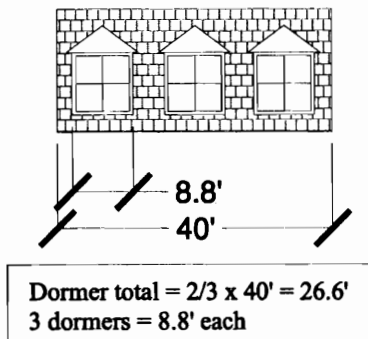


Figure 5.

(2) A third story shall be permissible if:

- a. All portions of such third story are set back at least ten feet from the second story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property; and
- ~~b. The third story has a corresponding setback ("stepback") from the second story on the opposite side of the building (Figure 6).~~

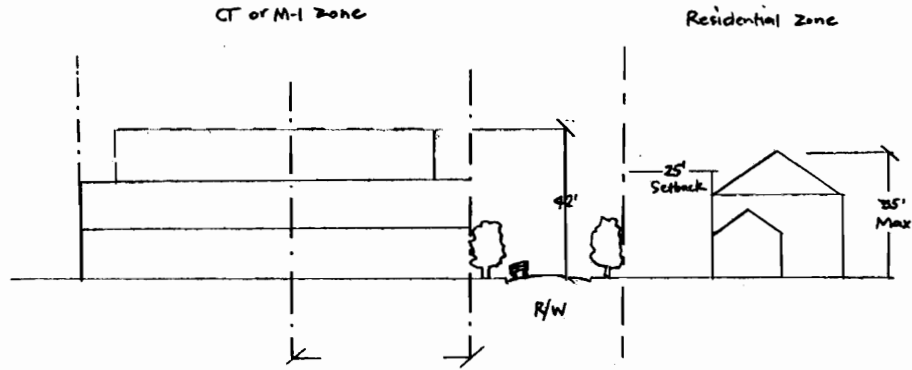


Figure 6.

- (3) Towers, cupolas, and similar architectural features intended to complement the building design may extend to a height of not more than 42 feet, so long as such features do not contain more than 400 square feet and no elevational width of such features exceeds 25 feet (Figure 7).

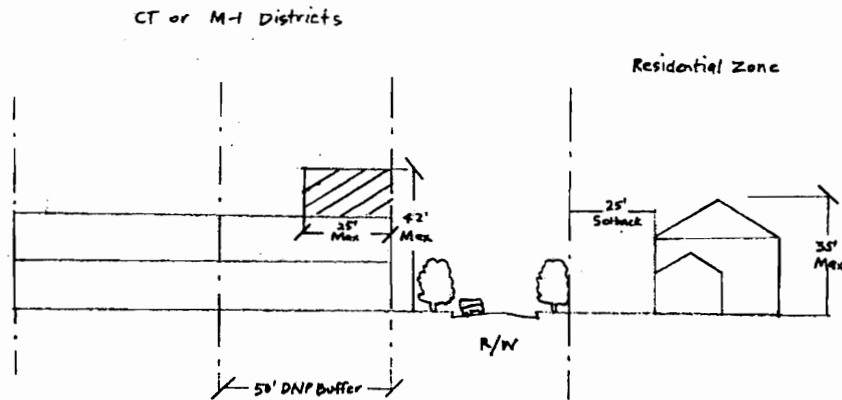


Figure 7.

(e) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the provisions of Subsection 15-185(a)(3) shall not apply and the provisions of subsections (f), (g) and (h) of this section shall apply in lieu thereof.

(f) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the portion of such lots within the DNP Buffer Area shall be subject to a maximum height limitation of two stories, except as set forth below:

- (1) A third story not exceeding a building height of 42 feet shall be permissible if a mansard, gable, or gambrel roof (Figure 8) with a roof pitch no greater than 70 degrees (see Figure 4) and a continuous eave line substantially contains the third story (i.e. the height of the space that constitutes the story is provided primarily by the roof of the

building rather than vertical exterior walls). When dormers are constructed on such roofs, the total width of all such dormers shall not exceed two-thirds of the width of the roof on which such dormers are constructed (see **Figure 5**).

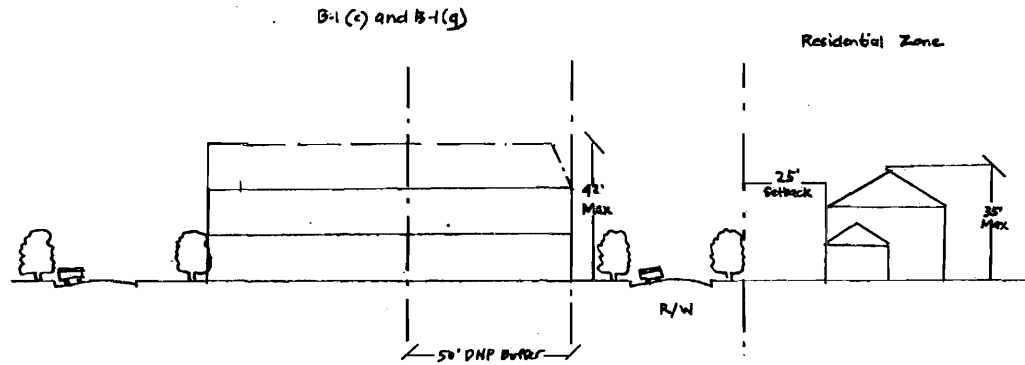


Figure 8.

(2) A third story shall be permissible if:

- a. All portions of such third story are set back at least ten feet from the second story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property; and
- ~~b. The third story has a corresponding setback ("stepback") from the second story on the opposite side of the building (Figure 9).~~

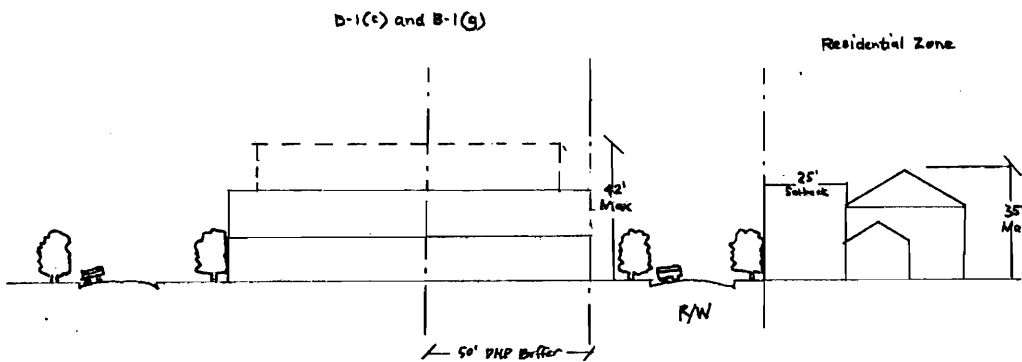


Figure 9.

(3) Towers, cupolas, and similar architectural features intended to complement the building design may extend to a height of not more than 42 feet, so long as such features do not contain more than 400 square feet and no elevational width of such features exceeds 25 feet (**Figure 10**).

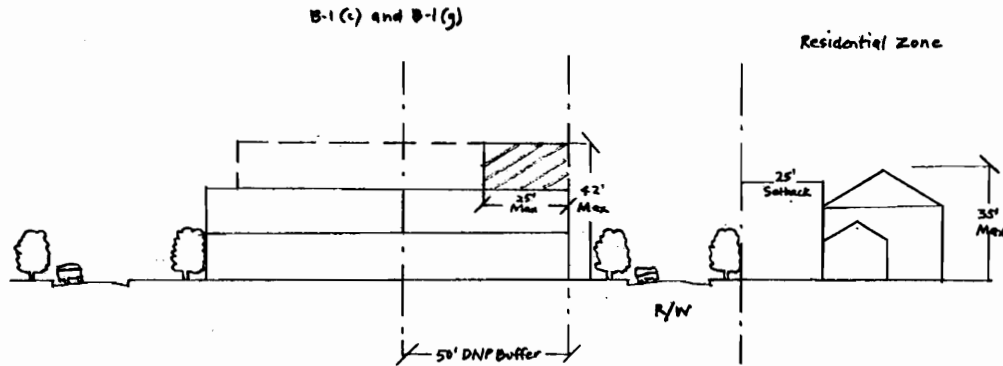


Figure 10.

(g) With respect to lots where the underlying zoning is B-1(c) or B-1(g), the portion of such lots that lie outside the DNP Buffer Area shall be subject to a maximum height limitation of three stories, except as set forth below:

- (1) A fourth story may be constructed if such fourth story is either set back at least ten feet from the edge of the DNP Buffer Area or is substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls) (Figures 11 and 12).

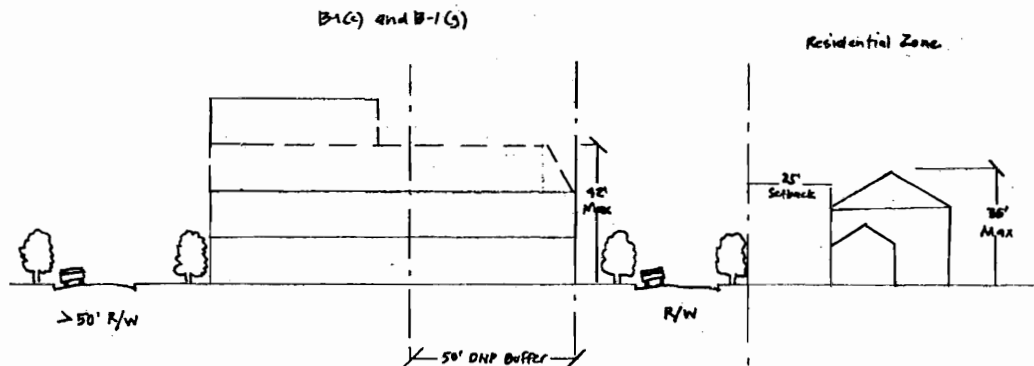


Figure 11.

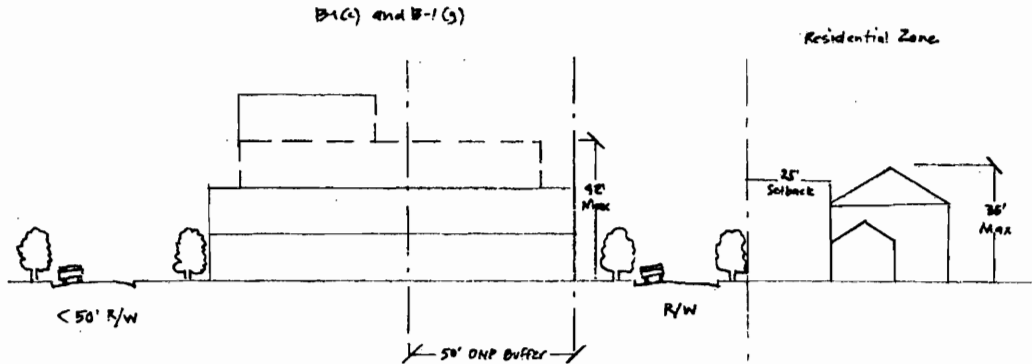


Figure 12.

- (2) If a fifth story is constructed, either all portions of such fifth story must be set back at least ten feet from the fourth story façade of the building wall that faces a boundary line that abuts or is located directly across the street from residentially zoned property, or the fifth story must be substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls).
- (3) In addition, if a fifth story is constructed, either all portions of such fifth story must be set back from the street right-of way line other than that associated with establishing the DNP buffer area a distance of ten feet beyond the setback specified in Section 15-184, or the fifth story must be substantially contained within a mansard, gable, or gambrel roof with a roof pitch no greater than seventy degrees and a continuous eave line (i.e. the height of the space that constitutes the story is provided primarily by the roof of the building rather than vertical exterior walls).

(See Figures 13 and 14 for examples of buildings in B-1(c) and B-1(g) districts with five stories.)

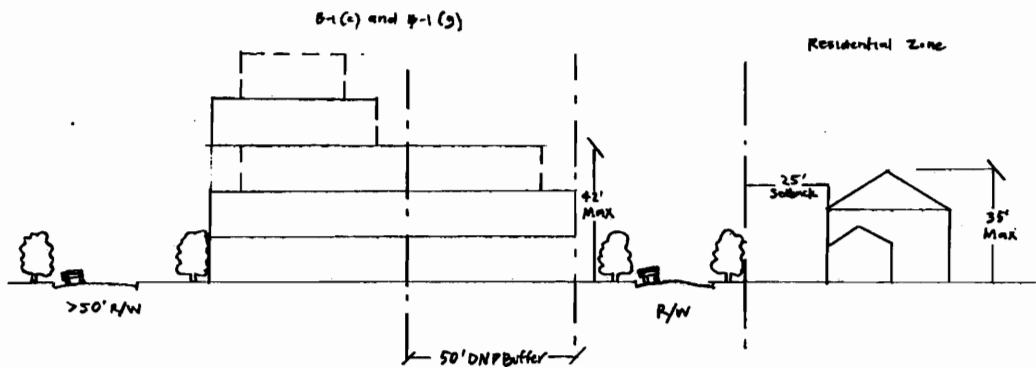


Figure 13.

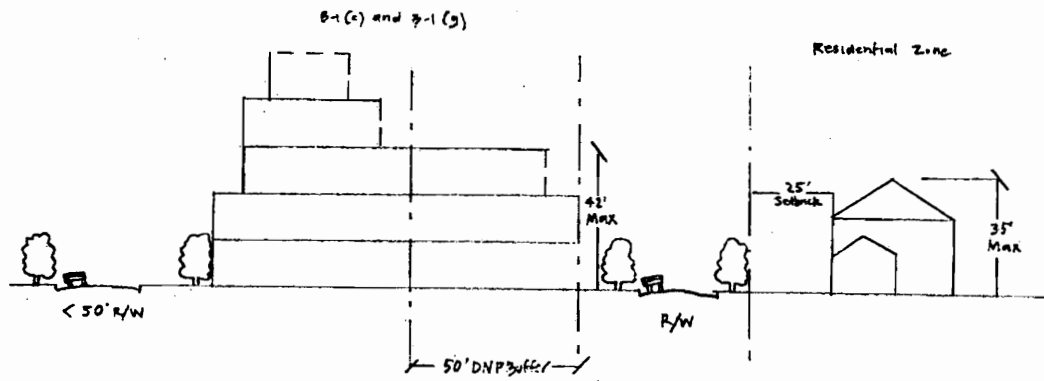


Figure 14.

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO REVISE THE DOWNTOWN
NEIGHBORHOOD PROTECTION OVERLAY DISTRICT OPPOSITE SIDE STEPBACK
PROVISION**

DRAFT **09-21-06**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article IX, Part 1, of the Carrboro Land Use Ordinance is amended by deleting subdivisions 15-185.1(d)(2)(b) and 15-185.1 (f)(2)(b).

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.