

**TOWN OF SWANSBORO  
PLANNING BOARD  
SPECIAL MEETING AGENDA**

**April 19, 2021  
Monday, 5:30 PM**

**Town Hall Community Room  
601 W. Corbett Avenue**

**\* Special Meeting Zoom Link:** <https://us02web.zoom.us/j/88605579732>

**1. Call to Order**

**2. Business**

**A. Tree Preservation and Replacement**

At the last special meeting, the Board asked for more information on the replacement standards for trees when a property was clear-cut.

*Action Needed: Review and discussion of the existing Tree Preservation and Replacement standards of the UDO.*

**B. Land Use Plan Implementation-Building Design**

The Land Use Plan Program of Work contains two recommendations related to building design standards: “Text amendment related to the overall appearance of commercial, industrial and mixed-use development” and “Text amendment related to tying square foot to the use of higher quality materials, additional stormwater control measures”.

*Action Needed: Review and discussion of the existing Building Design and Compatibility standards of the UDO.*

**3. Chairman/Board Thoughts/Staff Comments**

**4. Adjournment**



# Planning Board Meeting Agenda Item Submittal

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Item To Be Considered: **Tree Preservation and Replacement**

Board Meeting Date: **April 19, 2021**

Prepared By: **Jennifer Ansell, Planner**

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**Overview:** At our last special meeting, the Board asked for more information on the replacement standards for trees when a property was clear-cut.

**Action Needed:** Review and discussion of the existing Tree Preservation and Replacement standards of the UDO.

## **Attachments**

Section 152.538, Tree Preservation and Replacement

## § 152.538 TREE PRESERVATION AND REPLACEMENT.

### (A) *Tree preservation.*

(1) *Preservation and credit.* Existing vegetation on all development sites should be preserved to the greatest extent possible and incorporated in the project landscape plan in order to promote the preservation of existing natural areas. Credits for tree preservation toward buffer, parking and other landscaping requirements are available when a tree preservation plan or site plan illustrating trees to be saved is submitted prior to grading the site.

(2) *Tree protection zones (TPZ).* The preservation plan should specify the location of temporary tree protection fences to protect trees and their roots during construction. Temporary protection fences defined § 152.531 shall be erected and encroachment prohibited in the TPZ area using the following guidelines.

### (B) *Standards for preservation or replacement.*

(1) *Minimum standards.* For the purpose of achieving the objectives outlined in § 152.525, all new commercial or residential developments shall provide for the preservation or replacement of regulated trees using the following minimum standards:

(a) The total number of regulated trees to be retained should be at least 15 trees per acre (less impervious surface area (ex. parking, building)).

(b) If there are less than 15 regulated trees per acre on the site, then the difference shall be replaced with new or existing smaller trees, to a total of 15 trees per acre equaling at least three caliper inches per tree planted or retained.

(c) If there are no regulated trees on the site, then at least 15 new or existing trees per acre (less impervious surface area) equaling at least three caliper inches per tree shall be planted or retained.

(d) In the event a developer clear-cuts a lot or tract and has failed to provide a site plan to the office of Planning and Code Enforcement, the developer shall be required to plant 23 trees per acre (less impervious surface area), each with a minimum caliper of three inches.

(e) Regulated trees that are retained may be used to fulfill some of the planting requirements of street yard, parking facilities, or buffering, provided they are not damaged by construction activities or the intended use of the property.

(Ord. 2005-O3, passed 3-15-2005) (Am. Ord. 2005-O8, passed 7-19-2005; Am. Ord. 2013-O15, passed 7-16-2013)

## § 152.016 DEFINITIONS OF BASIC TERMS.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this chapter.

**ACCESS EASEMENT.** An easement which grants the right to cross property.

**ACCESSORY STRUCTURE.** A use or structure on the same lot with, but of a nature customarily incidental and subordinate to the principal use or structure and which contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or use being served. No temporary storage unit (as defined in § 152.016) shall be considered an accessory use or structure. However, structures which have been manufactured to resemble permanent structures, such as storage sheds, garden sheds, and similar structures shall be considered accessory uses or structures, even though they may be capable of being lifted or disassembled and removed from the property. There are no regulations on the number and/or location of accessory buildings located on property which has a tax farm identification number.

**ACCESSORY USE.** A use incidental to and located on the same lot as a principal use.

**ADDITION IN FLOOD INSURANCE STUDY AREA** (to an existing building). An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless (1) the addition, renovation, or reconstruction to any building that was constructed prior to the initial Flood Insurance Study for that area, and (2) the addition, renovation, or reconstruction does not equal 50% of the present market value of the structure. Where a fire wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

**ADMINISTRATOR.** The Administrator for the Town of Swansboro or his designee. The person or persons responsible for enforcement of the Unified Development Ordinance.

**ADULT CARE HOME.** An assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to two or more residents, either directly or, for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision. Medication in an adult care home may be administered by designated, trained staff. **ADULT CARE HOMES** that provide care to two to six unrelated residents are commonly called family care homes.

**ADULT ESTABLISHMENT** Definitions.

(1) **ADULT ARCADE.** An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

(2) **ADULT BOOKSTORE.** An establishment that has as a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following: 1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or 2) instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

(3) **ADULT BUSINESS.** Any business, activity, club, or other establishment which permits any employee, member, patron, or guest on its premises to exhibit any specified anatomical areas before

**PORTABLE STORAGE CONTAINERS OR STRUCTURES.** Any portable or removable container or structure , including by way of illustration but not limitation, transport trailers, cargo trailers, storage trailers, mobile temporary storage units, semi-trailers (whether with or without tandem axles and wheels), shipping containers, and any similar container or structure whether or not wheels, axles, and tongue have or has been removed and whether or not the container or structure has been placed on a foundation. The term **PORTABLE STORAGE CONTAINERS OR STRUCTURES** shall not apply to structures which have been manufactured to resemble permanent structures including by way of illustration but not limitation such structures as storage sheds, and garden sheds, even though they may be capable of being lifted or disassembled and removed from the property.

**PRIMARY FRONTAL DUNE.** A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and over-topping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at a point where there is a distinct change from a relatively steep slope to a relatively mild slope.

**PRINCIPAL BUILDING.** A building in which the principal use of the lot is conducted and said building is situated as related to the requirements of this chapter. In no way shall a camper or travel trailer be considered a **PRINCIPAL BUILDING**.

**PRIVATE CLUB/LODGE.** A structure or use owned or leased by a private club, offering membership use of the structure for social occasions. Examples could include Knights of Columbus, Masonic Lodges, Shriners, and the like. Such a club/loge structure could be used for meeting rooms, classes, and social functions such as dances, weddings, receptions, and the like. This does not include a night club open to the general public.

**PRIVATE DRIVE.** A vehicular travelway not dedicated or offered for dedication as a public street , providing access to parking lot (s) for two or more principal buildings in a group housing development .

**PRIVATE SEWER.** A system which provides for collection and/or treatment of wastewater from a development , or property, and which is not maintained with public funds.

**PRIVATE STREET.** A vehicular travelway not dedicated or offered for dedication as a public street , but resembling a cul-de-sac or a local street by carrying traffic from a series of driveways to the public street system. The platting of such streets requires a Subdivision Streets Disclosure Statement in accordance with G.S. §136-102.6.

**PRIVATE WATER.** A system which provides for the supply and/or distribution of potable water for use by a development , project, or owner , and which is not operated or maintained by a government organization or utility district.

**PROCESSING.** Any operation changing the nature of material or material's chemical composition or physical properties; does not include operations described as fabrication .

**PROPERTY CLEARING.** The removal of regulated trees from undeveloped property for the purpose of timber sales, value enhancement, or other no developmental purposes.

**PROTECTED AREA.** The area adjoining and upstream of the critical area of the WS IV watershed. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed; or within ten miles upstream; and draining to the intake located directly in the stream or river or to the ridgeline of the watershed; or within ten miles upstream; and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

**PROTECTED TREE.** A tree measuring 18 inches at circumference-at-breast height.

**PROTECTED TREE, APPLICANT.** A developer , contractor or land-clearing agent desiring to remove or prune one or more protected trees .

**PROTECTED TREE, CIRCUMFERENCE-AT-BREAST HEIGHT (CBH).** The diameter circumference-at-breast height is the standard measure of tree size, and is a tree trunk diameter circumference measured in inches at a height of 4-1/2 feet above the ground. If a tree splits into multiple trunks below 4-1/2 feet, then each trunk is measured as a separate tree. A tree, which splits into multiple trunks above 4-1/2 feet, is measured as a single tree at 4-1/2 feet above ground. If the number is not a whole number round down to the whole number (example 18.8" CBH would become 18" CBH).

**PROTECTED TREE, PERMIT.** A signed application of the required permit(s) by the Administrator giving permission to act upon a request relating to clearing land or removing protected trees .

**PROTECTED TREE, PRUNING.** A process of removing limbs from a protected tree of 18" circumference measured at the tree circumference-at-breast height of 4-1/2 feet above the ground.

**PROTECTED TREE, TAPED OR MARKED.** A protected tree not permitted to be removed during construction and so marked with tape or a band of brightly colored orange paint and stipulated on the submit tree layout survey map to be included with the required permitting process.

**PROTECTED TREE, TREE PROTECTION AND LANDSCAPING ADVISORY COMMITTEE (TPLAC).** The Tree Protection and Landscaping Advisory Committee (TPLAC) is a committee appointed by the Town Board of Commissioners to provide information and consultation on tree protection and landscaping advice to residents of the Town citizens, builders, contractors, developers , and assist the Town staff.

**PUBLIC BUILDING.** Public buildings shall include local, state, or federal government office facilities, including libraries and post offices .

**PUBLIC CLUB/LODGE.** A facility owned by local, county, state, or federal government which is utilized for meeting rooms, classes, and social functions such as dances.

**PUBLIC SEWAGE DISPOSAL SYSTEM.** An approved sewage disposal system serving two or more connections including county, municipal, and sanitary district sewage systems located and constructed according to specifications of the County Health Officer in consultation with the Division of Health Services - Department of Human Resources and the Division of Environmental Management - Department of Environment and Natural Resources.

**PUBLIC STREET.** A dedicated public right-of-way for vehicular traffic which: 1) has been accepted by the Town of Swansboro or the NCDOT for maintenance; or 2) is not yet accepted but in which the roadway design and construction have been approved under public standards for vehicular traffic.

**PUBLIC WATER SUPPLY SYSTEM.** An approved water supply system serving 15 or more connections including county, municipal, and sanitary district water systems designated to serve particular subdivisions at full development and constructed to specifications of the County Health Officer in consultation with the Division of Health Services - Department of Human Resources and the Division of Environmental Management - Department of Environment and Natural Resources.

**QUEUING.** To form in or be part of a line or file while waiting to be served.

**RADIO/TELEVISION TRANSMITTING.** Any public or private facility which sends out radio or television signals by electromagnetic waves.

**RECREATIONAL VEHICLE.** A vehicle which is:

- (1) Built on a single chassis;
- (2) Self-propelled or permanently towable by a light duty truck; and
- (3) Designed primarily for use as temporary living quarters for recreational camping, travel, or seasonal use; not for use as a permanent dwelling .



# Planning Board Meeting Agenda Item Submittal

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Item To Be Considered: **Land Use Plan Implementation-Building Design**

Board Meeting Date: **April 19, 2021**

Prepared By: **Jennifer Ansell, Planner**

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**Overview:** The Land Use Plan Program of Work contains two recommendations related to building design standards: “Text amendment related to the overall appearance of commercial, industrial and mixed-use development” and “Text amendment related to tying square foot to the use of higher quality materials, additional stormwater control measures”.

Adopted in 2013, the Building Design and Compatibility section of the Unified Development Ordinance (UDO) contains architectural requirements for the new construction of non-residential and mixed-use development, and for expansions or alterations to existing buildings when they exceed 50% of the current building value.

**Action Needed:** Review and discussion of the existing Building Design and Compatibility standards of the UDO.

## **Attachments**

Building Design and Compatibility

## BUILDING DESIGN AND COMPATIBILITY

### § 152.555 PURPOSE AND INTENT.

The Town of Swansboro Planning Board and Board of Commissioners deem it necessary and desirable in the interest of encouraging high quality nonresidential and mixed-used development by avoiding poor building design and by creating a rich, harmonious blend of quality buildings. These regulations are intended to influence architectural design, construction and reconstruction of buildings in a manner that achieves a visually desirable environment to allow for creativity and diversity and avoid monotony in design. Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases used in this article shall have the meanings defined in § 152.016, Basic Definitions and Interpretations.

(Ord. 2005-O3, passed 3-15-2005) (Am. Ord. 2013-O13, passed 5-21-2013)

### § 152.556 APPLICABILITY.

(A) (1) The standards and guidelines contained in this subchapter shall apply to all new nonresidential and mixed-used development and to expansions or alterations of any such existing building where the expansion or alteration exceeds 50% of the building value as assessed for real property taxes within the current tax year.

(2) Accessory structures constructed on the same lot and incidental to the principal structure which are less than or equal to 50% of the building value as assessed for real property taxes shall be exempt from this requirement.

(B) All development subject to this article shall utilize a design that enhances existing Town architectural styles, designs, and forms and creates visual character. Enhancement shall be achieved through techniques such as varied roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, relief of the visual effect of long extensive walls, and the use of building materials that have natural color, including primary colors, shades, and textures that adds architectural interest to the façade.

(Ord. 2005-O3, passed 3-15-2005) (Am. Ord. 2014-O18, passed 10-21-2014)

### § 152.557 BUILDING DESIGN STANDARDS.

Design standards promote creativity and innovation while discouraging obtrusive, incongruous structures. The town discourages architectural styles that do not enhance or add visual character to the Town. The town supports the view that inspiring, well maintained, and harmonious development is in the best economic development interests of all residents and businesses.

(A) *Emphasize human scale.* Building design shall emphasize a human scale at ground level, at entryways, and along street frontages through the creative use of windows, doors, columns, canopies, and awnings.

(B) *Major building design features proportional.* Major building design features, such as windows, doors, eaves, and parapets, shall be designed to be in proportion to one another.

(C) *Structural lines retained at storefront level.* The structural lines of a building and its materials shall be retained at the storefront level. For instance, brick piers and columns shall be carried down to street level.

(D) *Awnings and canopies.* Awnings and canopies shall complement the color and material of the building to which they are affixed.

(E) *Massing*. A single, large, dominant building mass shall be avoided. Where large structures are required, mass should be broken up through the use of setbacks , projecting and recessed elements, and similar design techniques. Changes in mass shall be related to entrances, the integral structure , and/or the organization of interior spaces and activities and not merely for cosmetic effect.

(Ord. 2005-O3, passed 3-15-2005)

#### **§ 152.558 AVOIDING MONOTONY OF DESIGN.**

Monotony of design in single or multiple building projects shall be avoided by varying detail, form, and siting to the maximum extent practicable, within the standards set forth in this article, to provide visual interest.

(Ord. 2005-O3, passed 3-15-2005)

#### **§ 152.559 HARMONY OF DESIGN.**

The purpose of this section is to enhance the design character of existing development, to add visual character to the community , and to promote harmony in the visual relationships and transitions between new and older buildings or an upgrade from the surrounding area by complementing other buildings of good design. New buildings should respect the scale, and proportion of existing development.

(A) *Building color shades*. Building color shades shall be used to facilitate blending into the neighborhood and unify the development . The color shades of building materials shall draw from the range of color shades that already exist on the block or it the adjacent neighborhood.

(B) *Building materials*. Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.

(C) *Similar size and height for infill development* . New infill development shall either be similar in size and height or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures on the same block, or if buildings do not exist thereon, then on adjoining blocks.

(D) *Unify individual storefronts*. If several storefronts are located in one building , the individual storefronts shall be unified in all exterior design elements, such as mass, window and door placement, color, materials, and signage.

(E) *Additions and renovations*. Building additions and façade renovations should be designed to reflect existing buildings in scale. A change in scale may require a transitional design element between the new development and existing buildings .

(F) *Varying architectural styles*. In developments with multiple structures of varying architectural styles, buildings shall be compatible by such means as a pattern of architectural features, similar scale and proportions, and consistent location of signage.

(Ord. 2005-O3, passed 3-15-2005)

#### **§ 152.560 ARCHITECTURAL CHARACTER.**

Architectural character focuses on the specific details that greatly affect the overall appearance of a particular development. These architectural character standards in this section provide direction in aspects of color, facade materials, rooflines, and the enhancement of entryways. The primary goal is to define the ‘finishing touches’ that provide the development with a sense of permanence, style, and compatibility. The Town discourages proposals that have not taken these matters into account. The

Town policy is that all development is compatible of surrounding areas and that it ensures privacy, safety, and visual coherency.

(A) *General form.*

(1) Each building shall have a primary façade that faces a public street , private street , or which has the main public entrance.

(2) The primary façade may have a clearly identifiable base, body, and cap with defining elements, or may have other architectural features that express quality design characteristics by providing other coherent and complete styles of architecture (See 152.560.1).

(3) Any building façade that is not the primary façade , and that has frontage along a private drive , parking area , or street , shall be considered a secondary façade .

(4) Secondary facades shall also have a clearly-identifiable design quality, using materials and architectural elements similar to the primary façade .

(5) Any façade that does not face a street , private drive , or parking area , but is adjacent to a primary or secondary façade , shall continue around the corner any required architectural elements of the adjoining façade for a distance equaling at least 20% of the length of the façade .



**Figure 152.560.1**

(B) *Wall plane.*

(1) Architectural elements can be used to define bays, add interest and variety; relieve the visual effect of long extensive walls; and split tall structures into human scale.

(2) *Recesses and projections.* All primary and secondary facades greater than 100 feet in length, measured horizontally, shall incorporate building wall offsets including recesses and projections along at least 20% of the length of the façade . Windows, awnings, and arcades shall total at least 60% of the façade length abutting a public street.

(3) *Repeating design patterns.* Facades greater than 100 feet in length, measured horizontally, shall incorporate a repeating pattern of change in color, texture, and material modules. All elements should repeat at intervals of no more than 30 feet, either horizontally or vertically.

(4) Rooflines, windows, doors, stairwells, porches, pilasters and breaks in the facades may be used to establish bays.

(5) *Replacement of windows.* Replacement of windows on the façade of an existing building shall be accomplished by using windows of the same trim, size, and character as the original or by using a different style of window that complements the architectural style of the building .

(6) Bays may project or recess four inches or greater.

(7) Landscaping may be used to give the sense of break in long facades . Berms with shrubs and trees of sufficient size to break up façade planted next to the building may be used. Landscaping should be shown on architectural rendering or elevation and meet the requirements of §§ 152.500 through 152.512, Regulations for Landscaping.

**Figure 152.560.2 depicts acceptable method for breaking long façade and Figure 152.560.3 does not.**



**Figure 152.560.2**

**Figure 152.560.3**

(8) Canopies and awnings may be used and are encouraged.

(9) Another way to break façade is through a change of materials or textures.

(See Figure 152.560.4)



**Figure 152.560.4**

(C) *Entryways.*

(1) *Required entryway features.* Entryway design elements and variations shall provide orientation and aesthetically pleasing character to the building . The following standards identify desirable entryway design features. Each principle building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following: (See also Figures 152.560.5 and 152.560.6 as examples)

- (a) Canopies or Porticos;
- (b) Arcades;
- (c) Overhangs;
- (d) Recesses/projections;
- (e) Raised corniced parapets over the doors;
- (f) Peaked roof forms;
- (g) Arches
- (h) Wing walls;
- (I) Outdoor patio
- (j) Display windows;
- (k) Planters; and

(l) Architectural details such as tile work and moldings which are designed into the building structure and overall design.

(2) *Sides facing abutting street* . All sides of a principal building that directly face an abutting public street shall feature at least one customer entrance.

(3) Variations in color schemes are encouraged in order to articulate entryways and public amenities so as to give greater recognition to these features.

### ***Example of Arcade Entryway***



### ***Example of Entryway with Overhang and Planters***



**Figure 152.560.5**

**Figure 152.560.6**

**(4) Building materials/colors.**

- (a) Each building shall be constructed with approved primary surface materials.
- (b) Approved primary surface materials shall include:
  - 1. Brick or glazed brick;
  - 2. Wood;
  - 3. Fiber Cement (Hardiplank);
  - 4. Stucco or synthetic stucco;
  - 5. Tinted and textured concrete masonry;
  - 6. Concrete (Pre-Cast or Cast-in-place);
  - 7. Glass;

8. Split face block; and

9. Concrete block may be permitted on interior sides and rears provided it matches the color of the corresponding surface materials.

(c) If renovating structure, brick, stone, or wood facades shall not be covered or replaced with artificial siding or panels. Synthetic materials that resemble or match the original façade can be used.

(d) Secondary materials may be used to add architectural interest. They may consist of one or more primary materials, or any other (appropriate) material that adds architectural interest.

(e) Façade with main entrance may be glass (including windows and doors) or combinations of glass and materials listed in item division (C)(4)(b) of this section.

(f) Variations of materials and textures are encouraged with each storefront in multi-tenant buildings.

(g) It is recommended that primary surface materials shall be natural colors including primary colors, or have “earth” tones (i.e. gray, white, beige, brown, or brick) (See Figure 152.560.7).

(h) For secondary materials, additional colors may be used.



**Figure 152.560.7**

(5) *Base.*

(a) Each primary façade may have a clearly identifiable base, or the wall materials may extend to the floor slab or into the ground if the material is appropriate for ground contact (such as masonry or stone). Wood, glass, stucco, etc. will terminate above grade.

(b) *Buildingyards.* A landscaped building yard may be used to define the base. The landscaped building yard shall be consistent with Article 24 Regulations for Landscaping. (See Figures 152.560.8 and Figure 152.560.9).

**Figure 152.560.8****Figure 152.560.9**

(c) Soldier course may be used to define the base.

1. *Soldier course* - often a complete course of brick laid on end vertically, with narrow side exposed in the face of the wall (See Figure 152.560.10 and Figure 152.560.11).

**Examples of Soldier Course (Figures 152.560.10 & 152.560.11)**



**Figure 152.560.10****Figure 152.560.11**

(d) A change of materials may be used to define the base.

(e) A “water table” may be used to provide a clear distinction between the base of the building and the middle (See Figures 152.560.12 through 152.560.14).

Examples of “water tables” (Figures 152.560.12 through 152.560.14)

**Figure 152.560.12****Figure 152.560.13****Figure 152.560.14**

(6) *Body.*

(a) Each required façade shall have a defined body.

(b) The body should be the area between the base and the cap.

(c) The body of the building should be broken up in order to avoid long monotonous walls as described in division (B) of this section, Wall Planes, unless the wall is a design element.

(d) Structures in complexes, without streetfrontage shall have their main entrance on a primary façade .

(e) *Building orientation.* To the maximum extent feasible, new buildings shall be oriented or designed to minimize shadows falling on public or semi-public spaces. New buildings should minimize the visual impact on Hwy 24 where possible.

(f) *Exterior wall cladding.* All exterior walls visible from a parking lot or public right-of-way in any zoning district except the MI (Light Industrial) shall be clad with the same material required for the front of the building . Buildings in the MI zoning district are required to provide the same material as the front of the building for at least 25% of the area of the side façades and 100% of the area of side façades directly facing a public right-of-way . All walls not visible from a parking lot or public right-of-way , or the remaining 75% of the side façades in the MI zoning district, may be constructed of alternate material(s), but shall be of a color that is complimentary to the primary material, and is incorporated into the overall color scheme of the building .

(7) *Roofs.* The following standards are intended to foster variations in roof lines to soften and reduce the massive scale of large buildings :

(a) Roof lines shall be varied to reduce the scale of structures and add visual interest (See Figures 152.560.15 through 152.560.26)

(b) Roof shape (for example: flat, hip, mansard, or gable) and material shall be architecturally compatible with façade elements and the rest of the building . Can include cornices, fascias, dormers and overhangs (See Figures 152.560.15 through 152.560.18).

(c) *Roof cornices.* If roof cornices have been removed or damaged on an existing building , renovations of that building must include retaining, repairing, and replacing the roof cornices if previously removed.

(d) Flat roofs must be enclosed by a parapet that screens mechanical equipment from view by pedestrians at street level.

(e) The height of the parapet shall not exceed 1/3 of the height of the supporting wall and should not exceed a maximum height of six feet. Such parapet shall not be of a constant height for a distance of greater than 150 feet.

(f) Green roofs and solar panels are encouraged. Solar panels shall be at the same slope of the roof. Otherwise they should be located at the rear of the building or on the ground (See Figures 152.560.22 through 152.560.23).

### ***Examples of Roof Options (Figures 152.560.15 through 152.560.18)***

***Figure 152.560.15***

***Figure 152.560.16***

**Figure 152.560.17****Figure 152.560.18****Examples of Roof Overhang (Figures 152.560.19 through 152.560.20)****Figure 152.560.19****Figure 152.560.20**



**Figure 152.560.21**



**Figure 152.560.22**

**Figure 152.560.23**



**Examples of Solar Panels (Figures 152.560.24 through 152.560.25)**

**Figure 152.560.24****Figure 152.560.25**

(f) *Evidence of compliance.* The Town Planner shall require such evidence of ability to comply with the building design standards as set forth in this article as the Town Planner deems necessary prior to issuance of a certificate of zoning compliance .

(g) *Appeal .*Appeals of the Town Planner's interpretation of this subchapter shall be made to the Board of Adjustment.

(Ord. 2005-O3, passed 3-15-2005)

### **§ 152.561 COMPATIBILITY STANDARDS.**

The operational compatibility standards in this article shall apply to all uses and shall be in addition to all other requirements of the UDO.

(A) *Glare .*Glare from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building .

(B) *Heat and humidity.* Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site on which they are situated, which cause material distress, discomfort, or injury to a reasonable person .

(C) *Noise.* No activity or operation subject to this UDO shall exceed the maximum permitted sound as allowed within the town's Code of Ordinances, Chapter 92: Nuisances; Health, § 92.01 Noise Control.

(D) *Vibration.* No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 7:00 a.m. and 10:00 p.m., or for more than 30 seconds in any one hour between the hours of 10:00 p.m. and 7:00 a.m.

(E) *Operational/physical compatibility.* The following conditions may be imposed upon the approval of any development to ensure that it is compatible with existing uses, including but not limited to, restrictions on:

(1) Hours of operation and deliveries;

(2) Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare ;

(3) Placement of trash receptacles;

- (4) Location of loading and delivery areas;
- (5) Location, intensity, and hours of illumination;
- (6) Placement and illumination of outdoor vending machines, telephones, ATMs, and similar outdoor services, structures, and activities;
- (7) Additional landscaping and buffering;
- (8) Height restrictions to preserve light and privacy and views of significant features from public property and rights-of-way ;
- (9) Preservation of natural lighting and solar access;
- (10) Ventilation and control of odors and fumes; and
- (11) Dust-control paving.

(F) *Evidence of compliance.* The Town Planner shall require such evidence of ability to comply with appropriate performance standards, mitigation measures, and conditions as set forth in this article as the Town Planner deems necessary prior to issuance of a certificate of zoning compliance .

(Ord. 2005-O3, passed 3-15-2005) (Adopted 5-21-2013)