TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
TUESDAY, FEBRUARY 26, 2019
5:30 P.M.

COMMISSION MEMBERS PRESENT:	Chair Brian Williams, Vice-Chair Sarah Davis Cagle and Jason Selong
COUNCIL LIASIONS MEMBERS PRESENT:	Rennie Brantz and Sam Furgiuele
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections and Brian Johnson, Urban Design Specialist

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CALL TO ORDER

Chair Brian Williams called to order the meeting of the Boone Community Appearance Commission, held in the Planning and Inspections Department – Upstairs Conference Room located at 680 W. King Street at 5:30 p.m.

ADOPTION OF THE AGENDA

Chair Williams made a motion, seconded by Vice-Chair Cagle to adopt the agenda as written.

VOTE: Aye – All
Nay – None

The motion passed.

APPROVAL OF MINUTES

Chair Williams made a motion, seconded by Member Selong to approve the January 22, 2019 meeting minutes as written.

VOTE: Aye – All
Nay – None

The motion passed.

DISCUSSION OF THE DOWNTOWN DESIGN GUIDELINES

Chair Williams began discussion on this topic by noting that he had helped Ms. Jane Shook, Director of Planning and Inspections and Mr. Brian Johnson, Urban Design Specialist in making the proposed changes to the Downtown Design Guidelines, see attached handout (permanently attached).

Discussion ensued the changes made to the document. Chair Williams explained that the Planning Staff had highlighted the sections of the draft document where they had questions and needed clarification on various topics. Ms. Shook said that she had removed the term subdistrict from the draft language. She noted the Commission would need to make a recommendation on how to implement the changes, which would be through a general use rezoning or through the application of an overlay district. She noted the process of implementation would affect the final language.

She noted if rezoned, then there would be two downtown districts, the B1 Downtown Core and the B1 Downtown Interface. Chair Williams noted that through the general use process, the uses allowed in the district could be controlled.

Member Furgiuele noted that the overlay district would seem like a faster process. Discussion ensued on how to implement the proposed changes. Ms. Shook noted that her recommendations were to rezone the areas as two new zoning districts. She noted that to apply an overlay, which was essentially, a new zoning district would be complicated. She also noted that she felt that the general use rezoning of the properties would have more protection for the downtown area than an appearance overlay because all district related intensities and uses could be reviewed along with the new appearance district. She noted an issue with an overlay is that it does not change the base zoning and therefore any uses allowed within the base zone would only be subject to the proposed appearance design standards.

Member Furgiuele showed concern for adding more work onto the Planning Staff if the Commission recommends the two separate zoning districts. Ms. Shook noted that the rezoning process would be the same for a general use rezoning or the rezoning to add an overlay.

Discussion ensued on the Municipal Service District. Member Furgiuele noted that there have been discussions of the MSD being expanded in the future. He explained that the MSD is a taxing district that follows a separate procedure and considerations for the services that are needed. He explained that the MSD is a part of the Downtown that will work together with the proposed districts. He noted that if the Overlay process is recommended, it will not allow for the MSD to be expanded.

Member Furgiuele suggested that the CAC make a recommendation on either the Overlay district or the rezoning of the properties in the Downtown area before the next Planning Retreat that will be held in April 2019. Ms. Shook explained that the Planning Staff would need to do some additional work on Unified Development Ordinance.

Discussion ensued on the possibility of reformatting the UDO to create an article for the B1 zoning districts that would be all encompassing of all regulations geared toward the B1 zoning districts. It was the consensus of the CAC to use this approach.

Discussion ensued on fence and stand alone wall regulations. Mr. Johnson said he would try to put a package together on this topic. Ms. Shook noted that walls are a requirement for parking lots in the B1 zoning district. Mr. Johnson added that research would need to be done on parking as a use on the street. Ms. Shook suggested making it a requirement for the wall material to be the same brick or rock the same as the structure.

Discussion ensued on building orientation. There was consensus to require the primary façade and the main building entry to face the primary public way and to require secondary facades to contain a building entry similar in design and size to the main building entry.

Discussion ensued on Table 18.04. Chair Williams explained that the CAC recommended changing the street setback back from 20 feet to 15 feet and changing the interior setback from 10 feet to zero feet and the word “minimum” for a street setback was removed. Ms. Shook noted that there was a change to UDO Article 18.04.03 and 18.04.04. Member Furgiuele said in UDO Article 18.04.03 in the second sentence and fifth word “setback” needs to be changed to “set back”. Mr. Johnson

explained that previously for the B1 Downtown Interface the street setback was 15 feet and they left it at 15 feet and previously the interior setback was zero feet and they left it zero feet. Mr. Johnson further explained that the only way you can go larger on the street back is to require the plaza space or landscaped greenspace. Ms. Shook explained that if the zoning is not changed, it creates a zero-foot interior setback for all of the uses that are allowed in these zoning districts.

Discussion ensued on sidewalks and trees in UDO Article 18.04.04. Member Furgiuele explained that sidewalks are required in the B1 Downtown Interface District and what is the size requirement for them. He asked if there is enough room for trees in the ten-foot sidewalk. Ms. Shook explained that you will always get a ten-foot sidewalk, if there is not a requirement for the sidewalk to be measured from the back of the required public sidewalk. Mr. Johnson said the additional setback area allows for opportunities for dining space and outdoor seating with benches. Ms. Shook pointed out that a definition is needed for plaza space.

Discussion on parking and landscaping. Ms. Shook said that these two sections need further discussion.

Discussion ensued on the language for the interior setback when against an adjacent zoning district. The Commission was in consensus that the language was confusing as to the distance and where the interior setback was to be applied. The Commission requested a change in language to clarify that the B1 lot would be required to provide the minimum setback of the adjacent lot if the adjacent lot is a different zoning district.

Discussion ensued on how to ensure that new construction or renovations captured the rhythm and proportion of the historic core. The Commission debated on whether there should be specific standards set forth in mathematical equations or should the ordinance list specific buildings in the proposed B1 area that met the intent of the proposed language.

Ms. Shook explained to the CAC members that the Planning Staff could ask the Council questions from the CAC members at the Planning Retreat regarding the design guidelines.

Motion and Vote:
Chair Williams made a motion, seconded by Vice-Chair Cagle, that the Community Appearance Commission is recommending that the Downtown Design Standards to be implemented by way of rezoning of the properties into two zoning districts which are the B1 Downtown Core District and the B1 Downtown Interface District.

Vote: Aye- All
Nay- None

The motion passed.

Discussion ensued on architectural features and how best to describe them. The Commission was in agreement that the list should be broken into two groups, the first group of features that if include would lead to a determination that a design was sympathetic or compatible. The second group would assist in the determination but to a lesser value. The items identified to be included in the first list included: first floor display windows, recessed entry doors, transoms or clerestory windows above doors and storefront windows, cornices and decorative masonry elements. The remaining

features in the list it to be included in the second list. The Commission and Staff agreed that definitions or more descriptions is needed.

Discussion ensued on proposed graphics. Ms. Shook pointed out that the graphics need to reviewed for accuracy.

Discussion ensued on window materials. Chair Williams wanted to add aluminum and metal window materials into the list of prohibited materials as well as vinyl windows and plexi-glass windows.

Discussion ensued on the next steps. Vice-Chair Cagle and Member Furgiuele noted that they will not be town for the March 26, 2019 CAC meeting. Ms. Shook asked the CAC if they would like to reschedule the March 26, 2019 CAC meeting. Chair Williams suggested having the next CAC meeting on Tuesday, April 30, 2019 at 5:30 p.m. It was the consensus of the CAC to have the next meeting on Tuesday, April 30, 2019 at 5:30 p.m.

OTHER MATTERS BY BOARD MEMBERS OR STAFF

There were no other matters discussed at this meeting.

ADJOURNMENT

With no other topics to discuss, Chair Williams made a motion, seconded by Vice-Chair Cagle to adjourn the meeting at 8:30 p.m.

VOTE: Aye – All
Nay – None

The motion passed.

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Chair, Brian Williams **Marlene Crosby, Board Secretary**

Article 14 Zoning Districts and Zoning Map

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§ 14.02 -COMMERCIAL DISTRICTS ESTABLISHED.

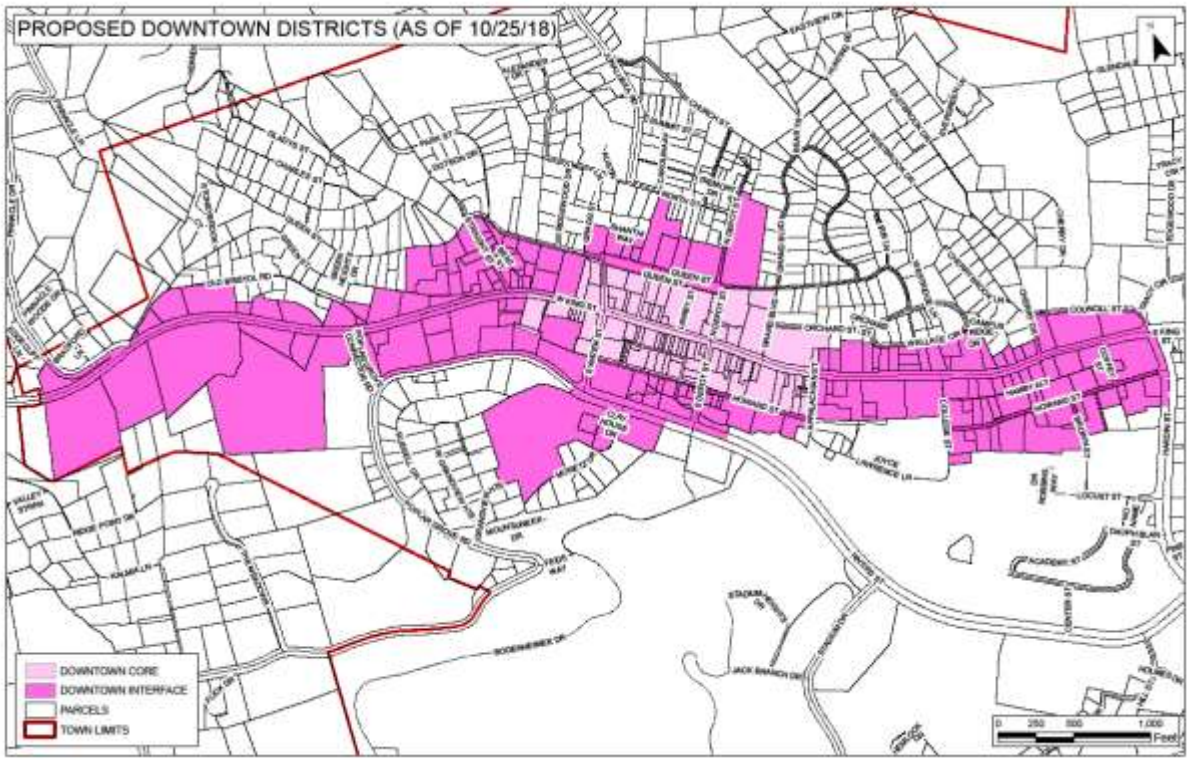
14.02.01 The following commercial districts are hereby established: B1-DC, B1-DI, -B2, B3, and OI. These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this section.

14.02.02 The B1 Downtown Core and the B1 Downtown Interface Districts encompass the Town of Boone's downtown area and represents, in large measure, the last vestiges of the Town's original character. Regulations in these districts are directed to preserve and maintain a small town, high country atmosphere. Preservation and adaptive reuse of existing historic buildings is encouraged and new construction shall be appropriately scaled to be sympathetic to the existing built environment. Design and regulatory standards for these districts reinforce the character of the downtown as a pedestrian friendly area by encouraging architectural solutions that are visually interesting, and are compatible in scale and character to the surrounding area. To help accomplish this, the area is divided into two (2) districts, each with its own character and scale which contribute to the overall vitality of the downtown area. Identification of the districts and a map showing district boundaries are listed below:

A. **B1 Downtown Core District:** The Downtown Core District, shown in light pink in the map below, is the center of the downtown area and contains the greatest concentration of historic commercial buildings. This district establishes a continuous building facade at the street frontage to strengthen the identity of downtown as a pedestrian destination where pedestrians feel comfortable through the careful selection of building materials, human scale design, and ground floor fenestration. Standards in this district reinforce the historic nature of the existing built environment through regulation of appearance, height, scale and mass.

B. **B1 Downtown Interface District:** The Downtown Interface District, shown in dark pink in the map below, serves as gateways into the downtown area and as the transition between the B1 Downtown Core District and adjacent zoning districts. Development in this district must be sensitive to issues of compatibility with the Downtown Core District.

~~The B1 Central Business District is intended to provide for the development of the commercial and service center for the town while maintaining its character, and to encourage appropriate residential uses in the central area of town, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.~~



14.02.03 The B2 Neighborhood Business District is intended to provide for the development of low-density commercial and services that are accessible by pedestrians and cyclists from surrounding neighborhoods, which serve the day to day convenience needs of surrounding neighborhoods, and are of such nature as to be in harmony with the neighborhoods they serve. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.04 The B3 General Business District is established to provide a wide range of consumer goods, convenience goods and personal services for the community and surrounding region. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.05 The OI Office/Institutional District is established to provide a zoning district which promotes the development of moderately intensive office and institutional uses which are oriented toward the provision of services versus the sale of products. Appropriate small scale residential uses are allowed in this district to the point they support allowable office and institutional uses. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.06 The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

(Ord. passed 12-16-2013)

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Article 16 District Standards

16.01.02 Intensity Table

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Minimum Livability Space Ratio* (LSR)	Minimum Setbacks	
					Street	Interior
Residential Zoning Districts						
RA No Public Water & Sewer Available	20,000 sq. ft.	100 ft.	80 ft.	.65	20 ft.	18 ft.
RA Public Water Available	15,000 sq. ft.	80 ft.	64 ft.	.65	20 ft.	18 ft.
RA Public Water & Sewer Available	10,000 sq. ft.	65 ft.	52 ft.	.65	20 ft.	14 ft.
R1	8,000 sq. ft.	70 ft.	56 ft.	.53	20 ft.	14 ft.
R1A	8,000 sq. ft.	70 ft.	56 ft.	.53	20 ft.	14 ft.
RR	6,000 sq. ft.	70 ft.	56 ft.	.48	20 ft.	13 ft.
R2	6,000 sq. ft.	70 ft.	56 ft.	.48	20 ft.	13 ft.
R4	6,000 sq. ft.	70 ft.	56 ft.	.48	20 ft.	13 ft.
R3	5,000 sq. ft.	80 ft.	64 ft.	.40	20 ft.	13 ft.
MH	87,120 sq. ft.	None	56 ft.	.51	20 ft.	20 ft.
Commercial/Industrial Zoning Districts						
OI	10,000 sq. ft.	100 ft.	80 ft.	.27	20 ft.	17 ft.
B1-DC	5,000 sq. ft.	15 ft.	12 ft.	None	Refer to Section ~~16.06.02~~ 18.04	Refer to Section ~~16.06.04~~ 18.04
B1-DI					Refer to Section 18.04	Refer to Section 18.04
B2	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.
B3	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.
M1	17,000 sq. ft.	80 ft.	64 ft.	.3	20 ft.	22 ft.
Educational Zoning Districts						
U1	None	None	None	.27	Refer to Section 16.06.09	Refer to Section 16.06.08
E1	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.
E2	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.

E3	5,000 sq. ft.	50 ft.	40 ft.	.27	20 ft.	17 ft.

*LSR is a ration where the numerator is the square footage of Livability Space and denominator is the square footage of the entire parcel

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16.06 Building Setback Requirements

16.06.01 Subject to Sections 16.07 and 16.11 and the other provisions of this Section, no portion of any building may be located on any lot closer to any lot line or to the street right-of-way line or centerline than is authorized in the Intensity Table.

A. If the street right-of-way line is readily determinable (by reference to a recorded map, set irons, or other means), the setback shall be measured from such right-of-way line. If the right-of-way line is not so determinable, the setback shall be measured from the street centerline. Whenever a lot fronts a street with a right-of-way of thirty feet (30') or less, the setback shall be measured from a line running parallel to the centerline at a distance of fifteen feet (15') from the centerline.

B. As used in this Section, the term "lot boundary line" refers to lot boundaries other than those that abut streets.

C. As used in this Section, the term "building" includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. Without limiting the generality of the foregoing, the following structures shall be deemed to fall within this description:

1. Gas pumps and overhead canopies or roofs.
2. Fences running along lot boundary adjacent to public street rights-of-way if such fences exceed nine feet (9') in height and are substantially opaque.
3. Retaining walls which exceed four feet (4') in height.

D. Flagpoles, bridges, transmission poles, cables, heat pumps, generators, air condition units and pad mounted transformers shall be exempt from building setback requirements, however, walk in coolers and refrigeration units must meet the requirements for accessory buildings.

16.06.02 ~~In the B1 district, existing development may rebuild to existing building footprint lines, but cannot rebuild any closer to a street than the established existing building setback line as noted on the Official Existing Building Line Maps recorded with the Watauga County Registry in Deed Book 239, Pages 132-138. Structures existing prior to February 25, 1993 that do not meet the required setbacks shall not be considered to have nonconforming features.~~

16.06.03 ~~In the B1 district, the minimum street setback distance shall not apply to a projecting theater marquee, canopy or roof overhang supports as long as such supports do not go beyond the edge of the sidewalk. This exemption shall not obviate the need for an encroachment agreement.~~

16.06.04 ~~The interior setback for the B1 zoning district is 0', unless the lot abuts a district other than a U1 zoning district, in which case the lot boundary setback shall be fifteen feet (15').~~

16.06.05 In the B2 and B3 zoning districts, sideline to sideline construction may be permitted on one or more lots of at least 100 feet road frontage upon issuance of a special use permit in accordance with the provisions of Article 6 and subject to the following conditions:

A. The building must be constructed in accordance with the regulations for the primary fire district as contained in the North Carolina State Building Code.

B. There shall be a deeded street or right-of-way, built to Town standards, at both the front and the rear of the property.

C. Loading, unloading and refuse disposal access shall be from the street at the rear of the property.

D. Loading and parking shall be in compliance with Article 24 of this Ordinance.

16.06.06 Whenever a lot in a nonresidential district has a common boundary line with a lot in a residential district, and the property line setback requirement applicable to the residential lot is greater than that applicable to the nonresidential lot, then the lot in the nonresidential district shall be required to observe the property line setback requirement applicable to the adjoining residential lot.

16.06.07 Setback distances shall be measured from the property line or street right-of-way line to a point on the lot that is directly below the nearest extension of any part of the building that is substantially a part of the building itself and not a mere appendage to it (such as a flagpole, etc.).

16.06.08 In the U1 district, the minimum street setback of ten feet (10') shall apply only when development is proposed adjacent to Town maintained streets.

16.06.09 In the U1 district, the minimum interior setback shall be increased to fourteen feet (14') only when development is proposed adjacent to R1 zoned property. Additional setback provisions in Section 16.06.05 do not apply in the U1 district. The minimum interior setback is zero feet (0') only when development is proposed adjacent to B1 zoned property.

16.08 BUILDING HEIGHT

16.08.01 For the purposes of this section:

A. The height of a building shall be the vertical distance measured from the average elevation of the finished grade at the primary facade of the building to the highest point of the building except as provided for herein.

B. "Stories" as used herein refers to the number of heated, habitable floors above grade at the primary facade. Where both stories and heights are listed in the table below at Section 16.08.02, the building can have no more than the listed number of stories, and also may not exceed the specified height in feet.

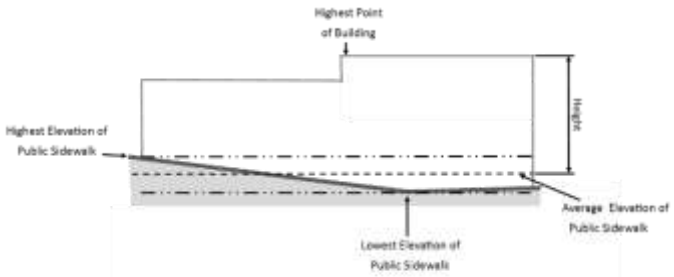
16.08.02 Subject to the remaining provisions of this section, building height limitations in the various zoning districts shall be as follows:

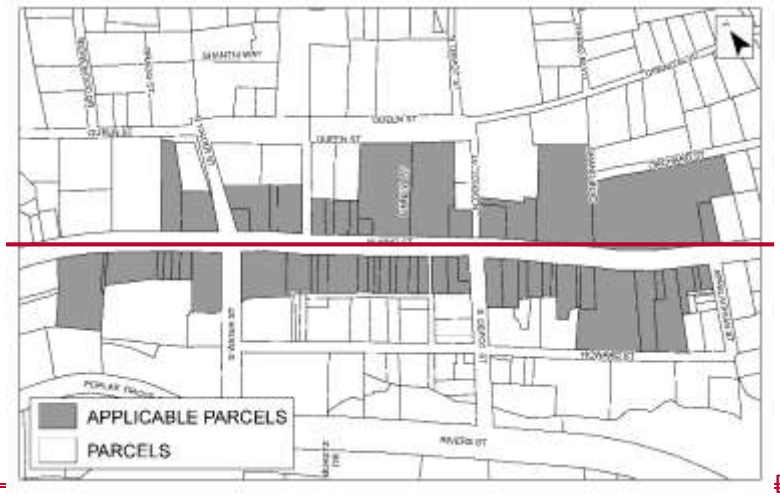
Zone	Height Limitation
R1, R1A, RR, R2, R4, RA	3 stories
R3	3 stories
MH	35 feet
OI	4 stories/67 feet
B1	See ~~Subsection 16.08.04~~ Article 18, Subsections 18.03.01, 18.04.01 and 18.05.01
B2	3 stories/40 feet
B3, E1, E2, E3	3 stories/45 feet (primary) - 5 stories/67 feet (secondary)
U1	Refer to Subsection 16.08.09
M1	67 feet

16.08.03 ~~**Height in the B1 Central Business District**~~**Reserved**

~~A. Building Height by Location:~~

~~1. King Street~~





a. Buildings which front on King Street as shown on the map above are limited to thirty feet (30'), as measured from the average elevation of the existing or proposed public sidewalk facing King Street to the highest point of the building or structure.

b.a. Buildings which front King Street on corner lots shall be limited to thirty feet (30'), as measured from the average elevation of the existing or proposed public sidewalk facing King Street to the highest point of the building or structure.

c.a. Buildings which front on King Street as shown on the map above and Howard Street are limited to thirty feet (30') at the King Street elevation, and thirty-three feet (33') at the Howard Street elevation. Building height shall be measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure subject to the limitations below. The building height limitation for the King Street elevation may extend horizontally from the building frontage on King Street toward Howard Street not more than 75% of the lot length.

d.a. Buildings which front on King Street as shown on the map above and Queen Street are limited to thirty feet (30') at the King Street elevation, and thirty-three feet (33') at the Queen Street elevation. Building height shall be measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure. The applicable building height shall apply for each street and the building height limitation shall terminate at the midpoint of the lot.

2.1. Buildings fronting streets in the B1 Central Business District, outside of the area governed by 16.08.04(A)(1) above, are limited to thirty-three feet (33'), as measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure containing the primary entrance.

3.1. Buildings in the B1 Central Business District located on interior lots with no street frontage are limited to thirty-three feet (33'), with height being the vertical distance measured from the

~~average elevation of the finished grade at the primary façade of the building to the highest point of the building or structure.~~

~~B.A.Building Height Limitations:~~

~~1. Flat roofs shall be capped by parapets of sufficient height to screen rooftop equipment and penthouses from view when standing at ground level twenty feet (20') from the structure.~~

~~a. The building height limitations for buildings on King Street governed by Subsection 16.08.04(A)(1) above shall include parapet walls.~~

~~b.a.The building height limitations for buildings governed by Subsections 16.08.04(A)(2) and 16.08.04(A)(3) above shall not include parapet walls so long as the parapet walls do not exceed 4' above the maximum building height of thirty-three feet (33'). The height of parapet walls above 4' shall be counted toward the building height.~~

~~2.1.An existing building may not be demolished and replaced with a building of greater height unless approved under the Conditional District Zoning Map Amendment set forth in Article 9 herein.~~

~~A. The height of existing buildings may not be increased unless approved under the Conditional District Zoning Map Amendment process set forth in Article 9 herein.~~

~~B.A.Addition or modification of the features exempted in Subsection 16.08.08 do not trigger the requirement for the Conditional District Zoning Map Amendment process.~~

Article 18 ~~Central Business~~ B1 Downtown Core and B1 Downtown Interface District Standards

18.01 Applicability

18.01.01 Relationship to Other Regulations: Where there is a conflict between Article 18 and other provisions in the Unified Development Ordinance, Article 18 shall govern.

18.01.02 The following sections of the Unified Development Ordinance do not apply in the B1 ~~Central Business~~ Downtown District. Unless specifically listed below, all other sections apply: ~~Development in the B1 Central Business District shall meet the standards set forth in this Article and, except as provided herein, the standards set forth elsewhere in the UDO; *provided, however*, that this Article does not apply to any dwelling regulated under the North Carolina Residential Code for One and Two Family Dwellings unless the dwelling has been designated as a local, state, or national historic landmark or is located within a local historic district.~~

A. UDO Subsection 25.02.01 Pedestrian Orientation; and

B. UOD Subsection 25.02.02 Exterior Walls; and

C. UDO Subsection 25.02.03 Roofs; and

~~A.~~D. UDO Subsection 25.02.04 Materials

18.02 Use: Except as provided herein, all uses within the B1 Downtown Core and B1 Downtown Interface Districts shall comply with Article 15 District Uses.

18.03 Orientation: ~~Orientation refers to the direction in which the~~ The primary façade and the main building entry shall face~~s~~ the ~~public street~~ primary public way.

~~In order to maintain the rhythm and balance established by the orientation of existing buildings, new construction should be consistent with the historic pattern of building orientation established by adjacent and/or nearby buildings (in the block or across the street) within the district.~~

A. Secondary facades shall contain a building entry similar in design to the main building entry.

~~For buildings on interior lots, the facade of a new building shall be oriented to the street onto which the lot faces.~~

~~**A.** Buildings on corner lots shall be oriented and designed to give architectural emphasis to the façade oriented to the primary public way or, if more than one facade face significant public ways, to architecturally emphasize all such as primary facades.~~

18.04 Building Setbacks

18.04.01 Subject to Sections 18.04.07 and 18.04.11 and the other provisions of this Section, no portion of any building may be located on any lot closer to any lot line or to the street right-of-way line or centerline than is authorized in this section.

A. If the street right-of-way line is readily determinable (by reference to a recorded map, set irons, or other means), the setback shall be measured from such right-of-way line. If the right-of-way line is not so determinable, the setback shall be measured from the street centerline. Whenever a lot fronts a street with a right-of-way of thirty feet (30') or less, the setback shall be measured from a line running parallel to the centerline at a distance of fifteen feet (15') from the centerline.

B. As used in this Section, the term "lot boundary line" refers to lot boundaries other than those that abut streets.

C. As used in this Section, the term "building" includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. Without limiting the generality of the foregoing, the following structures shall be deemed to fall within this description:

1. Gas pumps and overhead canopies or roofs.
2. Fences running along lot boundary adjacent to public street rights-of-way if such fences exceed nine feet (9') in height and are substantially opaque.
3. Retaining walls which exceed four feet (4') in height.

D. Flagpoles, bridges, transmission poles, cables, heat pumps, generators, air condition units and pad mounted transformers shall be exempt from building setback requirements, however, walk in coolers and refrigeration units must meet the requirements for accessory buildings.

18.04.02 Setback distances shall be measured from the property line or street right-of-way line to a point on the lot that is directly below the nearest extension of any part of the building that is substantially a part of the building itself and not a mere appendage to it (such as a flagpole, etc.).

Table 18.04

District	Street Setback	Interior Setback
B1 Downtown Core	**See Subsection 18.04.03**	**0'**
B1 Downtown Interface	**15'**	**0'**

18.04.03 Buildings in the B1 Downtown Core District shall be constructed to the build-to line. The build-to line is the back of the required public sidewalk. The building may be setback further if the area created by an additional setback is designated as plaza space and/or landscaped greenspace that retains the intended connection between the publicly accessible pedestrian realm and ground-level internal portions of the building.

18.04.04 Buildings in the B1 Downtown Interface District shall be subject to a minimum 15' street setback. Additional setback is allowed if the area is designated as plaza space and/or landscaped greenspace, that retains the intended connection between the publicly accessible pedestrian realm and ground-level internal portions of the building.

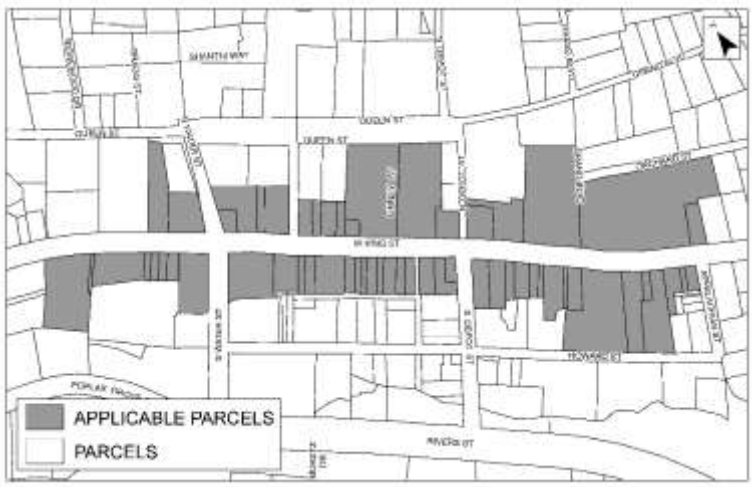
18.04.05 Whenever a lot in either a B1 Downtown Core or B1 Downtown Interface District has a common boundary line with a lot in adjacent zoning district, the interior setback requirement applicable to the B1 shall be the minimum set forth for the adjacent lot.

18.05 Height

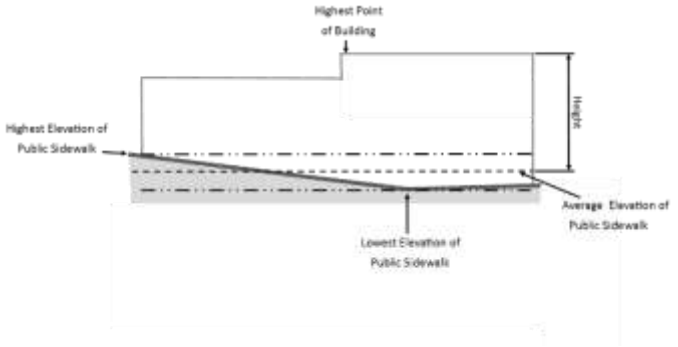
18.05.01 Relationship to UDO Article Section 16.08:

A. Building Height by Location:

1. King Street



a. Buildings which front on King Street as shown on the map above are limited to thirty feet (30'), as measured from the average elevation of the existing or proposed public sidewalk facing King Street to the highest point of the building or structure.



b. Buildings which front King Street on corner lots shall be limited to thirty feet (30'), as measured from the average elevation of the existing or proposed public sidewalk facing King Street to the highest point of the building or structure.

c. Buildings which front on King Street as shown on the map above and Howard Street are limited to thirty feet (30') at the King Street elevation, and thirty-three feet (33') at the Howard Street elevation. Building height shall be measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure subject to the limitations below. The building height limitation for the King Street elevation may extend horizontally from the building frontage on King Street toward Howard Street not more than 75% of the lot length.

d. Buildings which front on King Street as shown on the map above and Queen Street are limited to thirty feet (30') at the King Street elevation, and thirty-three feet (33') at the Queen Street elevation. Building height shall be measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure. The applicable building height shall apply for each street and the building height limitation shall terminate at the midpoint of the lot.

2. Buildings fronting streets in the B1 ~~Central Business~~ Downtown Core and Downtown Interface Districts, outside of the area governed by 16.08.04(A)(1) above, are limited to thirty-three feet (33'), as measured from the average elevation of the existing or proposed public sidewalk facing the street to the highest point of the building or structure containing the primary entrance.

3. Buildings in the B1 ~~Central Business~~ Downtown Core and Downtown Interface Districts located on interior lots with no street frontage are limited to thirty-three feet (33'), with height being the vertical distance measured from the average elevation of the finished grade at the primary façade of the building to the highest point of the building or structure.

B. Building Height Limitations:

1. Flat roofs shall be capped by parapets- of sufficient height to screen rooftop equipment and equipment penthouses from view when standing at ground level twenty feet (20') from the structure.

Insert Graphic

a. The building height limitations for buildings on King Street governed by Subsection 16.08.04(A)(1) above shall include parapet walls.

b. The building height limitations for buildings governed by Subsections 16.08.04(A)(2) and 16.08.04(A)(3) above shall not include parapet walls so long as the parapet walls do not exceed 4' above the maximum building height of thirty-three feet (33'). The height of parapet walls above 4' shall be counted toward the building height.

2. An existing building may not be demolished and replaced with a building of greater height unless approved under the Conditional District Zoning Map Amendment set forth in Article 9 herein.

a. The height of existing buildings may not be increased unless approved under the Conditional District Zoning Map Amendment process set forth in Article 9 herein.

b. Addition or modification of the features exempted in Subsection 16.08.08 do not trigger the requirement for the Conditional District Zoning Map Amendment process.

C. Where a multi-family or nonresidential structure has a height in excess of 20' and adjoins a low density residential district, the structure shall meet an additional setback of one and one-half feet for each foot in height above 20'.

D. The following features are not included in calculating the height of a structure for the purposes of applying the district height limitations set forth in in this Article, except that on a corner lot in any residential district no planting, structures, fence, wall or obstruction to vision more than three feet in height measured from the street center line shall be placed or maintained within the triangular area formed by the intersection street lines and a straight line connecting points on said street lines each ~~i~~of which is 25 feet from the point of intersection.

a. Belfries, chimneys, church spires, cupolas, domes and similar structural appendages not intended or used as places of storage or occupancy; and

b. Accessory antennas, flagpoles, solar collectors and similar equipment fixtures and devices provided that such features do not exceed 15% of the maximum height requirements; and

c. Except as provided at 16.08.04(B)(2), parapets which do not exceed five feet (5') past the maximum building height; by way of clarification, the height of parapets above 5' shall be counted toward the building height for purposes of applying building and

d. Elevator and mechanical equipment and penthouses; and

e. Utility transmission poles and cables; and

f. Limited structures to enable recreation uses of open rooftops. As used in this provision, "limited structure" does not include areas that are simply decking to be used for standing or sitting.

g. The features listed above are exempt from the height limitations subject to the following requirements:

i. Not more than one-third (1/3) of the total roof area may be consumed by such features.

ii. The features must be set back from the edge of the roof at primary and secondary facades a minimum of one foot for every foot which such features extends above the roof surface to which they are attached.

18.06 Massing and Scale

Insert Graphics/Maps

18.06.01 B1 Downtown Core District: ~~Rhythm and Proportion~~. Because rhythm and proportion are critical elements in an architectural composition, it is vital that applicants understand and employ these principles when planning and designing additions and new construction. By following these principles, a project is more likely to achieve compatibility with the historic context of the downtown area. The principles of rhythm and proportion—which may refer to an individual building on one lot or several buildings that comprise a streetscape—are important to ensuring that additions and new construction projects are compatible with the surrounding neighborhood.

A. Rhythm refers to the regular, or rhythmic, occurrence of building elements such as windows and doors across a facade. Rhythm also refers to the pattern of buildings along a street.

1. The rhythm and placement of window and door openings shall be designed to be similar or compatible with those of nearby facades in same block or the block across the street in the district.

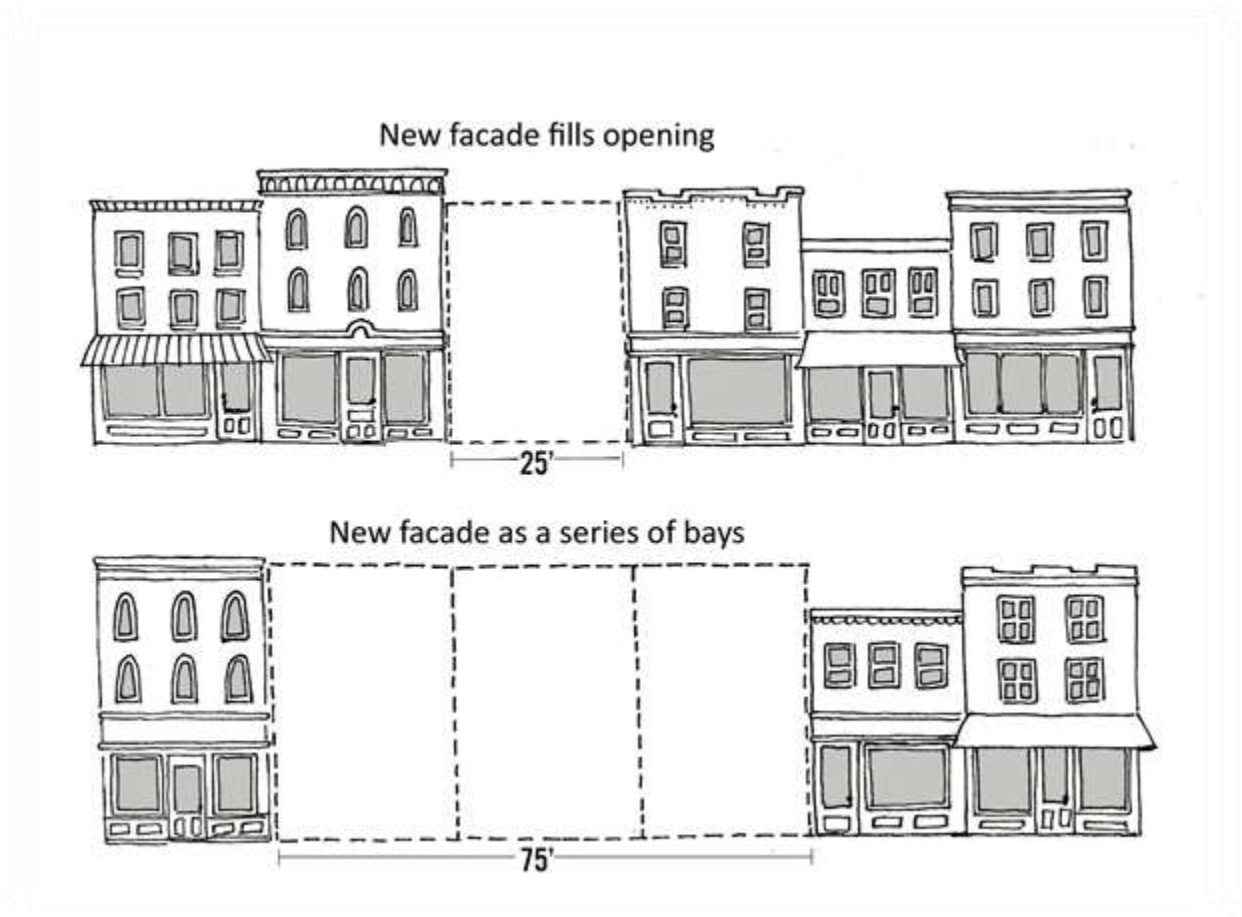
2. Window and door openings shall be sized and proportioned to be similar to or compatible with those on nearby facades (same block or block across the street). Commercial storefronts will often have more horizontal elements and a higher ratio of window-to-wall than the upper stories of the same building.

B. Proportion refers to a relationship between building elements with respect to size and/or quantity. Proportion also refers to the height of a building in relation to its width and the dimensions of the structure in relation to the dimension of nearby buildings (same block or block across the street).

1. Buildings shall be designed with proportions that are similar to nearby buildings (same block or block across the street) in the district.

1. New construction should be compatible with the dominant architectural characteristics of nearby buildings (same block or block across the street) in the district.

2. Additions shall not destroy historic materials, features, and spatial relationships that characterize the property. Additions will be differentiated from any historic building and compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.



C. Larger buildings shall be designed to create an overall design that is consistent with the proportions and rhythm of nearby historic buildings. Often new buildings are proposed for construction on sites much larger than the traditionally smaller sized lots in downtown. These new structures can translate into buildings whose mass and scale overwhelm neighboring existing buildings. Therefore, new construction must employ design techniques to reduce its visual presence with respect to the existing buildings in the immediate context. Varied façade wall planes, stepped-back upper levels and irregular or additive massing help mitigate the impact of larger buildings on the existing area. The foregoing and/or the following design techniques shall be employed to create an overall building design that is consistent with the proportions and rhythm of nearby buildings:

1. Varying the surface planes of large buildings is a way to make the structure more consistent with the design of smaller-scaled historic structures in the surrounding area. In order to successfully mitigate the impact of a larger building the difference between the surface planes may be a little as one foot or greater than ten feet.

2. Breaking up the roofline of a large building into smaller components may help the perceived mass of large buildings.

3. Where necessary and appropriate, creating bay divisions on the façades of large buildings allows the building to reflect the massing of smaller-scaled historic structures.

18.06.02 B1 Downtown Interface District:

18.07 Design Standards

~~**18.06.02**~~ **18.06.01 Purpose:** For purposes of this Section the term "historic" shall mean any building, building material, or feature fifty years or older as of May 1, 2018.

18.06.02 ~~Exterior Facades~~Design Standards for New Construction and Additions

~~**Relationship to UDO Article 25 Community Appearance Standards**~~

~~A. Exterior facades in the B1 Central Business District are exempt from meeting the following requirements of UDO Article 25:~~

~~a. UDO Subsection 25.02.01 Pedestrian Orientation; and~~

~~b. UDO Subsection 25.02.02 Exterior Walls; and~~

~~c. UDO Subsection 25.02.03 Roofs; and~~

~~d. UDO Subsection 25.02.04 Materials.~~

~~**A. Design Standards for Renovation of Existing Buildings**~~

~~**A.**~~ **Purpose:** The purpose of this section is to provide standards for the design of new construction of buildings in the B1 Downtown Core District, in order to retain the historic context of the area while providing new opportunities for design. While new building design must be sympathetic to existing buildings in the B1 Downtown Core, thereby making the downtown a living district, it is important that it also respect the traditional qualities that make the downtown unique such as massing, scale, use of storefront detailing and choice of materials. The use of construction materials that are compatible in color, texture, finish and dimension to those commonly found in the district are required. Builders shall use design elements that pay tribute to what was historically present in Boone's architecture. The standards below apply to the primary and secondary facades and to other portions of an addition or new construction project that are publicly visible as defined in UDO Subsection 25.01.01.

B. Architectural Features

1. B1 Downtown Core District: Align architectural features with the established patterns of neighboring buildings. When possible, incorporate appropriate historic features including, but not limited to:

a. Kick plates as base to building fronts,

b. First floor display windows,

~~a.~~c. Recessed ~~central~~ entrance areas,

d. Angled entrances on corners,

e. Transoms above entrance doors,

f. Clerestory portions of display windows,

g. Sign bands between first and upper stories,

h. Belt course or secondary cornice at the top of the first or second story,

i. Parapet wall with caps or cornices,

j. Vertical window patterns and shapes between upper stories,

k. Decorative window sills on upper stories,

l. Pilasters and decorative brick or stone,

m. Friezes and fascia's,

n. Medallions,

o. Sunbursts,

p. Corbels,

q. Decorative molding, and

~~b.~~r. Brick banding.

Insert Features Graphic

2. B1 Downtown Interface District: Additional contemporary architectural features allowed within the B1 Downtown Interface District that are not allowed within the B1 Downtown Core District include but are not limited to:

a. Large glass windows on upper floors

b. Metal detail and metal roof elements

c. Accordion or garage-style window/doors

C. Fenestrations

1. B1 Downtown Core District

a. The rhythm and placement of window and door openings shall be designed to be similar or compatible with those of nearby facades in same block or the block across the street in the district. (See 18.07.01)

b. Window and door openings shall be sized and proportioned to be similar to or compatible with those on nearby facades (same block or block across the street). Commercial storefronts will often have more horizontal elements and a higher ratio of window-to-wall than the upper stories of the same building.

c. All buildings shall have continuous storefront windows along all primary and secondary facades.

i. The bottom of windows must be no more than 30 inches above the sidewalk.

ii. The top of windows should be no less than 8 feet above the sidewalk.

A. Windows should not exceed 90% of the façade area of the first floor.

B. Windows on upper floors should cover 30-70% of the façade, as detailed below.

iii. The use of clear or lightly-tinted colored glass on windows and doors (minimum 70% VLT) is required. Spandrel glass is prohibited.

2. B1 Downtown Interface:

D. ~~Exterior~~Facade Materials. Materials shall be highly durable and easily maintained, especially at the pedestrian level.

1. Acceptable ~~Building~~Field Materials:

a. Acceptable building materials are historic materials found on one or more historic building on the same block or block across the street. Applicants may use a compatible substitute material that can reproduce the overall appearance and aesthetic of the historic material.

b. Real brick consistent in color, size, texture, and mortar with historic brick buildings in the B1 ~~Central Business~~ Downtown Core District.

c. Real stone consistent in color, size, and mortar with historic stone buildings in the B1 ~~Central Business~~ Downtown Core District.

d. Stucco finishes are not allowed on primary or secondary facades but are allowed on other façades so long as the stucco reflects historic examples found in the B1 ~~Central Business~~ Downtown Core District and is not the primary building material.

2. Prohibited ~~Building~~Field Materials: The following exterior building materials are prohibited:

a. Fiber-cement, metal, wood or vinyl siding

b. FRC, PVC composites

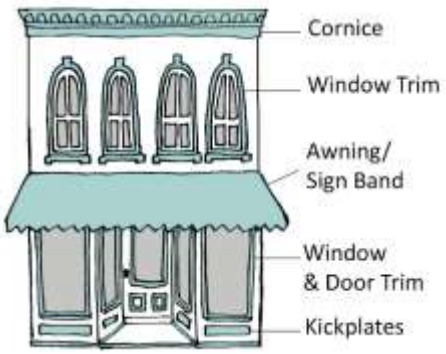
c. Glass Curtain Walls

d. Concrete Blocks

e. Mirrored Glass

f. Concrete simulated brick or stone (cultured stone)

g. Stacked stone with no mortar



h. Thin-stacked stone

3. Acceptable Trim Materials: The following are the only acceptable materials for trim features and accents:

   a. Acceptable building materials are historic materials found on one or more historic building on the same block or block across the street.

   b. Brick or natural stone, unglazed and unpainted.

   c. Wood details (Allowable wood detailed in 2012 NC Building Code, Appendix D)

   d. Finished painted metal or sheet metal

   e. Copper

   f. Ceramic tiles

   g. Brick, Clay, or Ceramic Pavers

   h. Concrete and stone as lintels

   i. Embossed, corrugated or metal embellishments

   j. Concrete, stone, or brick caps or cornices

4. Exceptions for prohibited materials: An otherwise prohibited material may be used in an addition if the applicant demonstrates that the same material was a historic material used for the existing building.

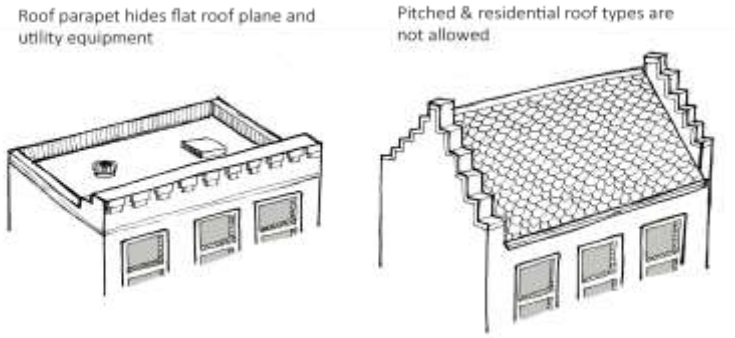
E. Color

1. Colors outside of field materials can only be applied to cornice, door and window trim, awnings, canopies, and kickplates.

2. Colors shall be chosen from the Benjamin Moore Historical Collection series or equivalent.

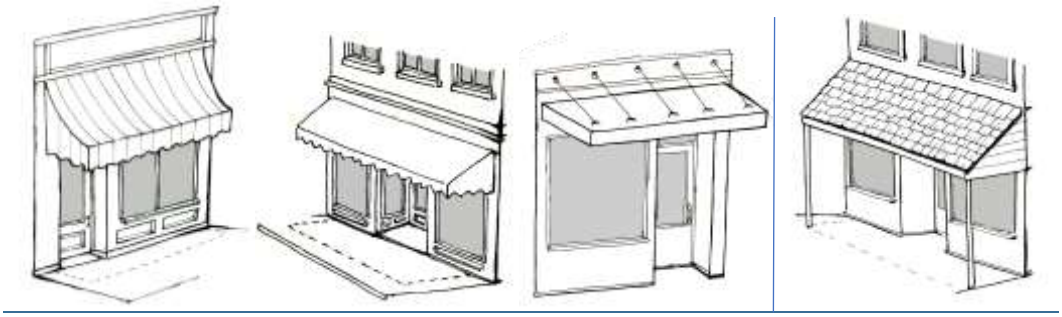
F. Roofs: Historically, most of Boone's downtown commercial buildings had flat roofs. This theme should be carried forward in new construction and additions using the following guidelines:

1. The roof planes should be hidden from view on the façade, and rooflines should be decorated using historic decorative details. Use historic photographs and/or neighboring buildings as a guide.
2. Any mechanicals on the roof of the building must be shielded by the parapet wall. Mechanical shielding via screening is prohibited.
3. Tile roof coping is required in the B1 Downtown Core District and encouraged in the B1 Downtown Interface District.
4. Residential roof types are prohibited.
5. Pitched roofs are prohibited, with the exception of decorative roof elements such as clock towers and cupolas.



G. Awnings and Canopies: Awnings and canopies shall be designed in relationship to the historic context of the surrounding district. Acceptable awning and canopy styles are listed below:

1. Metal frame covered with material appropriate to climate (i.e. UV protected canvas)
2. Cable-hung
3. Decorative wood frame with metal roofing; copper (allowable wood detailed in 2012 NC Building Code, Appendix D)
4. Vertical supports that interrupt the sidewalk are prohibited, as detailed in Figure 15.
5. Awnings and canopies that are illuminated from within must be covered or finished with fully opaque materials.



H. Additions:

1. New additions should be designed and constructed so that the character-defining features of a building are not radically changed, obscured, damaged, or destroyed in the process of rehabilitation. New design should always be clearly differentiated so that the addition does not appear to be part of the original building.
2. Exterior materials for additions shall be compatible with those in the original building.
3. The addition should complement the scale, massing, materials, and window spacing of the adjacent building(s).
4. Keep the addition clearly differentiated from the existing building. Do not attempt to duplicate form, material, style, wall plane, roofline, cornice height.

18.06.03 Design Standards for Renovation of Existing Buildings.

A. ~~**General Considerations**~~**Purpose:** A building may need renovation for a number of reasons. A building may be in poor condition, or may have been insensitively remodeled in the past. Similarly, certain changes may be desired in order to add either modern conveniences to a building or to bring the building up to current building code standards. Renovations to existing historic buildings shall be consistent with ~~the following~~ guidelines set forth herein~~:~~.

~~**A.**~~ Distinctive or historic materials, features, finishes, construction techniques or examples of building craftsmanship of a building shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property shall be avoided.

~~i.~~**B.** Applicants shall identify, retain and preserve masonry features that are important in defining the overall historic character of the building (such as but not limited to, walls, brackets, railings, cornices, window and door surrounds, steps and columns) and decorative ornament and other details, such as tooling and bonding patterns, coatings and color.

~~ii.~~**C.** Applicants shall identify, retain and preserve wood features that are important in defining the overall historic character of the building (such as but not limited to, siding, cornices, brackets, window and door surrounds, and steps) and their paints, finishes and colors.

~~iii.~~**B.** Applicants shall identify, retain and preserve storefronts and their functional and decorative features that are important in defining the overall historic character of the building. The storefront materials (including wood, masonry, metals, ceramic tile, clear glass, and pigmented structural glass) and the configuration of the storefront are significant, as are features, such as but not limited to, display windows, base panels, bulkheads, signs, doors, transoms, kick plates, corner posts, piers, and entablatures. The removal of inappropriate, non-historic cladding, false mansard roofs, and other more recent, non-historic or insignificant alterations can help reveal the historic character of the storefront. If the original façade has been covered, every effort should be made to uncover it if it is structurally feasible.

C. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinct feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence and shall only be replaced with new materials that match the existing historic material in composition, size, shape, texture, pattern, color and detail.

D. Brick and stone were the predominant building materials used in downtown. Materials that are not visually compatible with the original façade, such as shiny metals, mirror glass, plastic panels, and vinyl windows or doors are prohibited, unless they can be documented through historic images or other documentation.

~~a.~~**E.** ~~Acceptable Building Materials:~~ A historic material found on the existing building used for the same purpose or location will be found to be acceptable. Where necessary or desirable due to lack of historic materials, equivalency of alternative materials, or other reasons demonstrated to the satisfaction of the Administrator, applicants may use a compatible substitute material that reproduces the overall appearance and aesthetic of the historic material.

~~B.~~**F.** Non-historic buildings (building built less than fifty years ago) in the B1 shall be renovated in accordance with the standards set forth in Subsection xxxx.

G. Coordinate color selections with the original colors of the building, the natural color existing in the present building materials (brick, limestone, granite, etc.), and colors used on adjacent buildings and throughout the district. The dominant colors within the district tend to be the muted brick reds and stone tans of existing masonry. Colors chosen for color schemes should complement the natural colors that already exist in the building and its immediate surroundings.

1. As a general rule in determining whether or not to paint a building or building features, it is best to paint only materials that have been previously painted.
2. Do not paint masonry that is not painted.
3. If paint removal is not structurally feasible and the body of a masonry building must be repainted, the paint color selected should be similar to the natural color of the masonry, or the existing color the masonry is painted.

4. Likewise, when previously painted brick or stone trim, such as window lintels or sills must be repainted, they should be painted a color to match the natural color of the material, or the existing color the masonry is painted.

~~1.~~5. Colors should be used primarily on wood trim such as window frames, storefront frames, and bulkheads, not on masonry details; refer to Figure 11. Introducing an accent paint color on decorative brick, limestone, or pressed metal details, causes the details to be accented which makes the buildings appear less homogenous than the original design intent, this should not be done.

6. Colors must be chosen from the Benjamin Moore Historical Collection or equivalent.

H. Awning and Canopies: Awning and canopies should only be installed in cases where their use can be historically documented use can be historically documented in relationship to the historic context of an existing building and/or the surrounding district. In these instances, their design should be complementary to the shape and color of the building façade. Existing awnings and shed roof porticos on historic properties should be evaluated for their historical accuracy. In those cases where they are not appropriate, they should be removed and the original building façade appearance and orientation restored. Shed roof porticos designed to suggest a "mountain village" appearance are not historically appropriate to Boone and are prohibited in renovations. Acceptable awning and canopy styles are listed below:

1. Metal frame covered with material appropriate to climate (i.e. UV protected canvas)
2. Cable-hung
3. Decorative wood frame with metal roofing; copper (allowable wood detailed in 2012 NC Building Code, Appendix D)
4. Vertical supports that interrupt the sidewalk are prohibited, as detailed in Figure 15.
5. Awnings and canopies that are illuminated from within must be covered or finished with fully opaque materials.

~~1.~~ **C.** ~~Rhythm and Proportion. Because rhythm and proportion are critical elements in an architectural composition, it is vital that applicants understand and employ these principles when planning and designing additions and new construction. By following these principles, a project is more likely to achieve compatibility with the historic context of the downtown area. The principles of rhythm and proportion — which may refer to an individual building on one lot or several buildings that comprise a streetscape — are important to ensuring that additions and new construction projects are compatible with the surrounding neighborhood.~~

~~A.~~ **B.** Rhythm refers to the regular, or rhythmic, occurrence of building elements such as windows and doors across a facade. Rhythm also refers to the pattern of buildings along a street.

a. The rhythm and placement of window and door openings shall be designed to be similar or compatible with those of nearby facades in same block or the block across the street in the district.

b.a. Window and door openings shall be sized and proportioned to be similar to or compatible with those on nearby facades (same block or block across the street). Commercial storefronts will often have more horizontal elements and a higher ratio of window-to-wall than the upper stories of the same building.

B. Proportion refers to a relationship between building elements with respect to size and/or quantity. Proportion also refers to the height of a building in relation to its width and the dimensions of the structure in relation to the dimension of nearby buildings (same block or block across the street).

1. Buildings shall be designed with proportions that are similar to nearby buildings (same block or block across the street) in the district.

2.**C.** New construction should be compatible with the dominant architectural characteristics of nearby buildings (same block or block across the street) in the district.

3.**C.** Additions shall not destroy historic materials, features, and spatial relationships that characterize the property. Additions will be differentiated from any historic building and compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

4.**C.** Larger buildings shall be designed to create an overall design that is consistent with the proportions and rhythm of nearby buildings. Often new buildings are proposed for construction on sites much larger than the traditionally smaller sized lots in downtown. These new structures can translate into buildings whose mass and scale overwhelm neighboring existing buildings. Therefore, new construction must employ design techniques to reduce its visual presence with respect to the existing buildings in the immediate context. Varied façade wall planes, differing materials, stepped-back upper levels and irregular or additive massing help mitigate the impact of larger buildings on the existing area. The foregoing and/or the following design techniques shall be employed to create an overall building design that is consistent with the proportions and rhythm of nearby buildings:

i. Varying the surface planes of large buildings is a way to make the structure more consistent with the design of smaller-scaled historic structures in the surrounding area. In order to successfully mitigate the impact of a larger building the difference between the surface planes may be a little as one foot or greater than ten feet.

ii.i. Breaking up the roofline of a large building into smaller components may help the perceived mass of large buildings.

iii.i. Where necessary and appropriate, creating bay divisions on the façades of large buildings allows the building to reflect the massing of smaller-scaled historic structures.

1. **Exterior Materials**. Materials shall be highly durable and easily maintained, especially at the pedestrian level.

~~1.a. Acceptable Building Materials:~~

~~i. Acceptable building materials are historic materials found on one or more historic building on the same block or block across the street. Applicants may use a compatible substitute material that can reproduce the overall appearance and aesthetic of the historic material.~~

~~ii. i. Real brick consistent in color, size, texture, and mortar with historic brick buildings in the B1 Central Business District.~~

~~iii. i. Real stone consistent in color, size, and mortar with historic stone buildings in the B1 Central Business District.~~

~~iv. i. Stucco finishes are not allowed on primary or secondary facades but are allowed on other façades so long as the stucco reflects historic examples found in the B1 Central Business District and is not the primary building material.~~

~~2. a. Prohibited Building Materials: The following exterior building materials are prohibited:~~

~~i. Fiber cement, metal, wood or vinyl siding~~

~~ii. i. FRC, PVC composites~~

~~iii. i. Glass Curtain Walls~~

~~iv. i. Concrete Blocks~~

~~v. i. Mirrored Glass~~

~~vi. i. Concrete simulated brick or stone (cultured stone)~~

~~vii. i. Stacked stone with no mortar~~

~~viii. i. Thin stacked stone~~

~~3. a. Exceptions for prohibited materials: An otherwise prohibited material may be used in an addition if the applicant demonstrates that the same material was a historic material used for the existing building.~~