

6.3 SMALL TOWN CHARACTER OVERLAY DISTRICT

6.3.1 Small Town Character Overlay District

A) **Purpose**

The purpose and intent of the Small Town Character Overlay District is to repeat the spirit of traditional character rather than imitate style. The Overlay identifies the architectural qualities that define the downtown character and proposes design standards to maintain that character in new and infill projects. These standards emphasize existing patterns and include: building hierarchy, building site relationship, and building massing and proportions. For multi-family and non-residential uses, this also includes building height and roof type, façade patterns, street level facades, and window patterns.

B) **Applicability**

The requirements of the Small Town Character Overlay District shall apply to properties within the Overlay District which are proposing to develop or redevelop. Those lots that are split by the Overlay District line shall be considered to be wholly within the boundary of the Overlay District if the majority of the acreage is located within the Overlay District.

C) **Development Approval**

Within the Small Town Character Overlay District either an Administrative Approval, Site Plan Approval, or Subdivision Plan Approval is required in accordance with Article 2 *Administration*.

D) **Approval Criteria**

The standards in Sec. 6.3.1 and the following criteria must be met before an Administrative Approval, Subdivision Approval, or Site Plan Approval will be issued for properties within the Small Town Character Overlay District:

- 1) The proposed land use must be allowed in the underlying zoning district found in Sec. 4.2.2 Use Table.
- 2) All Watershed Protection Overlay District and Flood Damage Overlay District requirements must be met.
- 3) The maximum built-upon area, height, setbacks and minimum lot width, must be in compliance with the Sec. 5.1.5 *Table of Intensity and Dimensional Standards*.
- 4) Garage placement must be in compliance with Sec. 6.3.G.2 below.
- 5) If land is to be subdivided, all requirements of Article 7: *Subdivision* and Article 14: *Parks, Recreation, Greenways, and Open Space* shall be met.
- 6) No Resource Conservation Area (Sec. 8.1.2 Resource Conservation Area) or Buffers (Sec. 8.2.6 Buffering) are required.
- 7) All multi-family and non-residential development shall be compatible with the established architectural character of the neighborhood by using a design that is complementary to existing neighborhood architectural styles, designs, and forms. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and the use of building

materials that have colors, shades, and textures similar to those existing in the immediate area of the proposed development.

- 8) No community amenities (Sec. 8.4.3 Community Amenities) are required.
- 9) A pre-application meeting shall be required prior to project submittal in accordance with Sec. 2.2.6 *Pre-Application Meeting*.

E) ***Non-residential within the Central Business District***

Non-residential properties within the Central Business District must meet the following standards before an approval will be issued:

- 1) ***Building Hierarchy***
Buildings shall have a consistent pattern to adjacent structures. There shall be a repetitive scale, massing, relationship to the street, and style to others in the area. Corner buildings shall match or exceed the height of adjacent buildings. The two facades shall be acknowledged with consistent material and patterns. Projects with public or cultural significance shall be designed to have a character that varies more from the standard pattern to distinguish them as a signature or landmark structure.
- 2) ***Setbacks***
No setback is required and a maximum 10 foot front setback shall provide for a pedestrian street edge. The building shall be placed to maintain the street edge. The relationship of the building to the street edge shall emphasize the pedestrian not the automobile. Pedestrian spaces such as sidewalk dining or shaded seating are encouraged. Whenever possible, required parking and open space shall be maintained in the rear or sides of a building.
- 3) ***Building Tenant Size***
Buildings shall not have a single tenant which exceeds 30,000 square feet.
- 4) ***Massing and Proportion***
Buildings shall have vertical proportions. Segments shall be no more than 60 feet in width and each section taller than it is wide. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as but not limited to columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. In addition, infill projects shall be designed in accordance with Sec. 9.2.4(D) *Similar Size and Height for Infill Development*.
- 5) ***Building Height and Roof Type***
Buildings in the downtown district have traditionally used straight-edged parapets with low-slope roofs behind. The maximum building height of the structure shall be in accordance with Sec. 5.1 *Table of Intensity and Dimensional Standards*. Simple parapet roof edges with varying coping and cornice shall be used. The rooflines shall vary from building to building as well as within buildings with wide street frontage. The varying heights shall follow logical building massing and shall correspond to building organization.

- 6) *Façade*
Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.

- 7) *Façade at Street Level*
The street level of the facades shall provide human scaled entries including but not limited to recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of 12 inches or less within the first 10 foot of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.

- 8) *Windows*
Windows shall be vertically oriented. The highest percentage of glazing shall be provided at the street level. A minimum of 70% of the street level facade area shall be transparent. Upper floors shall have a minimum of 35% transparency for the façade area. Simple patterns shall be used to subdivide the windows creating additional character to the buildings. Overall vertical building proportions shall be expressed in the window proportions. Expanses of vertical windows which give the overall appearance of horizontal massing shall be avoided.

- 9) *Drive-throughs*
Drive-throughs are prohibited within the Central Business District.

F) *Non-residential outside of the Central Business District*

- 1) *Building Hierarchy*
Buildings shall have a consistent pattern to adjacent structures. There shall be a repetitive scale, massing, relationship to the street, and style to others in the area. Corner buildings shall match or exceed the height of adjacent buildings. The two facades shall be acknowledged with consistent material and patterns. Projects with public or cultural significance shall be designed to have a character that varies more from the standard pattern to distinguish them as a signature or landmark structure.

- 2) *Setbacks*
Infill projects shall match the setback of neighboring buildings whenever possible. The building shall be placed to maintain a consistent street edge. The relationship of the building to the street edge shall emphasize the pedestrian not the automobile. Pedestrian spaces such as sidewalk dining or shaded seating are encouraged. Whenever possible, required parking and open space shall be maintained in the rear or sides of a building.

- 3) *Building Tenant Size*
Buildings shall not have a single tenant which exceeds 30,000 square feet.

- 4) *Massing and Proportion*
Buildings shall have vertical proportions. Segments shall be no more than 60 feet in width and each section taller than it is wide. Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide. Permitted setbacks can be used to articulate bays of a building to break up its width. Architectural features such as but not limited to columns, piers, rooflines, and brick patterns can be used to divide and create vertical orientation on building facades. In addition, infill projects shall be designed in accordance with Sec. 9.2.4(D) *Similar Size and Height for Infill Development*.
- 5) *Building Height and Roof Type*
Buildings in the downtown district have traditionally used straight-edged parapets with low-slope roofs behind. The maximum building height of the structure shall be in accordance with Sec. 5.1 *Table of Intensity and Dimensional Standards*. Simple parapet roof edges with varying coping and cornice may be used. Development patterns shall reflect adjacent properties. The rooflines shall vary from building to building as well as within buildings with wide street frontage. The varying heights shall follow logical building massing and shall correspond to building organization.
- 6) *Façade*
Each façade shall have a rhythm that is repeated through the pattern of wall and openings. The building façade shall have an identifiable base, body, and cap with horizontal elements separating these components. The body of the building shall constitute a minimum of 50% of the total building height. Buildings shall not have blank side walls creating a false front appearance. In addition, corner buildings shall have two facades which maintain a relationship to each other although they do not need to be identical.
- 7) *Façade at Street Level*
The street level of the facades shall provide human scaled entries including but not limited to recessed entries, sheltering elements and adjacent storefront windows. Facades shall incorporate a minimum of two (2) continuous details refined to the scale of 12 inches or less within the first 10 foot of the building wall, measured vertically at street level. Recessed arcades, entries flush with the building face and small entries without adjacent windows shall be avoided.
- 8) *Windows*
Windows shall be vertically oriented. The highest percentage of glazing shall be provided at the street level. A minimum of 50% of the street level facade area shall be transparent. Upper floors shall have a minimum of 35% transparency for the façade area. Simple patterns shall be used to subdivide the windows creating additional character to the buildings. Overall vertical building proportions shall be expressed in the window proportions. Expanses of vertical windows which give the overall appearance of horizontal massing shall be avoided.
- 9) *Drive-throughs*
Drive-throughs shall be located in the rear of the building, not between the building and the main abutting street.

G) Residential Building Standards

- 1) *Setbacks*
Setbacks shall be provided in accordance to Sec. 5.1.5 *Table of Intensity and Dimensional Standards*.
- 2) *Accessory Buildings*
Accessory buildings such as garages shall be placed in the rear or side yard. Whenever possible, side loading garages shall be located in the rear of the property. For condominium, multi-family or apartment uses, garages and driveways which dominate the front of the lot area are not permitted.
- 3) *Building Height*
Building height is measured to the highest point of the roof from existing average grade at the footprint of the building.
- 4) The width of the façade shall not be any wider than 1.5 feet times the depth of the principal structure. The width to depth ratio shall be no more than 1.5 feet to 1 foot.
- 5) No slab-on-grade foundations are permitted. Foundations around the principal structure shall be fully enclosed.

H) Residential Architectural Character

The following standards shall apply to any condominium, multi-family or apartment use. It is strongly recommended that single-family and townhouse dwellings follow the architectural guidelines in the *Town of Apex Design and Development Manual*.

- 1) *Purpose*
Architectural character focuses on the micro-level details that greatly affect the overall appearance of residential structures in the small town character overlay district. These architectural character regulations provide direction in aspects of facade materials, porches, windows, and the enhancement of entryways. The primary goal is to define the “finishing touches” that provide the structure with a sense of permanence, style, and compatibility. The Town actively discourages proposals that have not taken these matters into account. The Town desires that all development be treated as a lasting contributor to the community and as a “good neighbor” to its surroundings. New construction, exterior renovations or additions to the front façade, or renovations of 50% or more of the entire façade are subject to this section. New construction, additions, and significant exterior renovations of an existing residential structure must be compatible with the character of quality structures located in the Small Town Character Overlay District.
- 2) *Standards*
These standards shall apply to all new construction, exterior renovation or additions to the front façade or to renovations of 50% or more of the entire façade. *The Town of Apex Design and Development Manual* includes illustrated renderings of the architectural and decorative features required by these standards for residential structures in the Small Town Character Overlay District.

- a) *Architectural Features*
Residential structures shall have three (3) or more of the following features:
- (i) Wraparound porch (entire front façade and part of one or both side façades)
 - (ii) Predominant porch (over 75% of front façade)
 - (iii) Awnings
 - (iv) Columns
 - (v) Porticos
 - (vi) Balconies
 - (vii) Broken roof lines
 - (viii) Dormers
 - (ix) Arched architectural features
 - (x) Brick chimney
 - (xi) All brick façade
 - (xii) Other architectural features as approved by the Planning Director
- b) *Decorative Features*
Residential structures shall have four (4) or more of the following features:
- (i) Decorative shake
 - (ii) Decorative porch railing/posts
 - (iii) Shutters
 - (iv) Decorative/functional air vents on roof or foundation
 - (v) Trimmed Windows
 - (vi) Recessed windows
 - (vii) Decorative/period windows
 - (viii) Decorative brick/stone
 - (ix) Decorative gables
 - (x) Decorative cornices
 - (xi) Tin/metal roof
 - (xii) Other decorative features as approved by the Planning Director

- c) *Roofs*
 - (i) Roof lines shall be varied to reduce the scale of structures and add visual interest.
 - (ii) Roof shape (for example: flat, hip, mansard, or gable) and material shall be architecturally compatible with façade elements and the rest of the structure.

- d) *Facades*
 - (i) **Recesses and projections**
The principal structure's front façade must incorporate recesses and projections along at least 50% of the length of the façade. Windows, awnings, and porch area shall total at least 50% of the façade length abutting a public street.
 - (ii) **Repeating design patterns**
Façades shall incorporate a repeating pattern of change in color, texture, and material modules.
 - (iii) **Renovations**
Façade renovations shall incorporate original building details to the maximum extent practicable.
 - (iv) **Roof cornices**
If roof cornices have been removed or damaged on an existing structure, renovations of that structure must include retaining, repairing, and replacing the roof cornices.

- e) *Windows*
 - (i) Replacement of windows on the façade of an existing structure shall be accomplished by using windows of the same trim size and character as the original.
 - (ii) Blank exterior walls are prohibited; windows shall be present on all sides of the home.
 - (iii) Shutters on windows shall be one half the width of the window to which they are affixed.

- f) *Sides Facing Abutting Street*
All sides of a principal structure that face an abutting public street shall have architectural and decorative features as described in Sec. 6.3.1(H)(1)(a) and (b).

- g) *Entryways*
 - (i) **Required features**
Doors shall have built-in windows; alternatively, a solid door is allowed provided side lights (side windows) are installed immediately adjacent to the solid door.

- (ii) Variation
Variations in color schemes and textures are encouraged in order to articulate entryways so as to give greater recognition to these features.
 - h) *Materials*
 - (i) Predominant exterior building materials
Predominant exterior building materials shall be high quality materials, including brick, wood, stone, fiber cement, and/or wood composite. Where an existing home has vinyl siding, the use of vinyl siding is allowed for new additions, exterior renovations, and accessory structures on the same property. Vacant property or newly subdivided lots shall only be allowed to utilize vinyl in the form of shake and trim elements and shall not have vinyl as the siding material on principal or accessory structures.
 - (ii) Foundation materials
Front and side porches with open foundations shall have brick or stone piers and openings shall be fully screened with evergreen plantings.
- l) ***Adaptive Reuse of Historic Residential Structures***
 - 1) *Purpose*
Adaptive Reuse maintains the character of the structures, while allowing for modifications to the structure for a different use. Certain structures, due to particular circumstances with regard to locations, type or size of building and/or architectural style may no longer be useful for the purposes for which they were originally designed and designated. Obsolescence of previous use, changing land use patterns or changing of zoning districts may initiate the change from one use to another.
 - 2) *Applicability*
Change of use in all contributing structures originally constructed as residences within the boundaries of the National Register of Historic Places Historic District. All noncontributing structures constructed as residences within the boundaries of the National Register of Historic Places Historic District are subject to this ordinance, but are exempt from Secs. 6.3.1(l)(2)(a) and 6.3.1(l)(2)(h).
 - a) The following standards are to be applied to specific rehabilitation projects in a practical and reasonable manner, taking into consideration economic and technical feasibility. The structure shall not be enlarged or the exterior altered so that it is out of character with the surrounding structures and any altered structure shall meet the Secretary of the Interior Standards for Rehabilitation:
 - (i) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (ii) The historic character of a property will be retained and

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preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

- (iii) Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
 - (iv) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
 - (v) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
 - (vi) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive 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.
 - (vii) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
 - (viii) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
 - (ix) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (x) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- b) Distinctive landscaping elements and existing topographic features shall not be removed or altered so as to change the visual and environmental character of the site except in cases where site modification and improvements for parking, loading, or access require the removal of trees or shrubbery. In such cases, replacement landscaping shall be installed where possible adjacent to the modified area.

- c) Accessory structures, fences and other hardscape elements determined to have historic significance due to unique architecture, age, or culture shall be preserved and maintained to their current or historic style and condition, whenever possible.

- d) Parking shall be provided according to regulations of Sec. 8.3 *Off-Street Parking and Loading*. Striped on-street parking, shared parking agreements and municipal parking lots may be utilized to meet all or part of the parking requirements, provided that said parking is located not more than 600 feet from the subject lot or parcel. The expected use of on-street parking shall not be such that it would cause undue negative impact upon other uses within the immediate vicinity that may rely upon the availability of such parking. If parking must be provided on site, the following shall apply:
 - (i) The parking surface shall be gravel, concrete or pavers; asphalt is prohibited.
 - (ii) The parking area shall be screened with either a four-foot (4') fence or evergreen shrubbery that will reach a height of 42" in three (3) years.
 - (iii) If onsite parking is created then it shall comply with the Americans with Disabilities Act (ADA).

- e) Site lighting shall be residential in nature and shall be compatible with the historic character of the area. If additional site lighting, other than existing lighting is provided, the following shall apply:
 - (i) Parking area lighting shall not exceed an average of two (2) foot candles.
 - (ii) No more than two (2) of the same types of fixtures shall be used, with the exception of low voltage/low intensity landscape lighting.
 - (iii) Parking lot lighting shall be minimal (not exceeding 100 watts or 100 watt equivalent). Commercial style fixtures, such as, but not limited to cobra heads, wall-packs, floodlights and shoe box style lights, are prohibited.
 - (iv) No pole lights shall be taller than seven feet (7') in height.
 - (v) Spillover shall not exceed 0.3 foot-candles on to residential properties or 1.0 foot-candles on to non-residential properties and public rights-of-way.

- f) Outdoor display is only permitted under a covered porch, up to 50% of the length, on each side.

- g) Signage shall conform to the UDO Sec. 8.7 Signs.

- h) Interior renovations shall conform to the Secretary of the Interior Standards for Rehabilitation and the North Carolina Rehabilitation Code.
- i) A development plan and application shall be submitted to the Planning Department in a format determined by the Planning Director.