

ARTICLE 16. BUILDING DESIGN STANDARDS

Section 16-1. Purpose and Intent

The review and approval of building design is critical to upholding and promoting high quality development throughout the Town. The purpose of this section is to ensure that proposed developments are designed in a way that promotes compatibility throughout the Town, including within residential developments, within non-residential centers, and between residential and non-residential areas. Specifically, the intent of this section is as follows:

- (A) To encourage high quality appearance for developments, thoroughfares, and streets;
- (B) To provide proper standards that ensure a high-quality appearance for Pembroke, and promote good design while also allowing individuality, creativity, and artistic expression;
- (C) To encourage the proper use of the land by promoting an appropriate balance between the built environment and preservation/conservation of open space (note that some places may be appropriate for more urban type development and less open space, such as the downtown and other areas designated in the Comprehensive Plan);
- (D) To preserve and improve property values and protect private and public investment; and
- (E) To preserve and protect the identity and character of Pembroke, and to enhance the business economy.

Section 16-2. Applicability

These standards shall apply to all approved special uses (Article 12) and all permanent structures in a Major Site Development Plan (Article 13) excluding single-family residential dwellings. *(Amended 8/2/2021)*

Section 16-3. General Requirements

- (A) Development within Non-Residential Centers. All proposed buildings within non-residential centers shall be designed to be consistent within the center in terms of architectural design, exterior building materials, colors, and arrangement of buildings and other features. A Statement of Design Compatibility (SDC) shall be required prior to the approval of the first site plan within the development (see Section 16-4).
- (B) Development Outside of Non-Residential Centers. For all other non-residential development located outside of non-residential centers (e.g., buildings on “stand alone” parcels, modifications to existing developments, and infill development), the building design(s) shall be compatible within the subdivision or with adjacent buildings in close

proximity to the proposed building. In such cases, a Statement of Design Compatibility is not required.

- (C) Building Placement. Non-residential buildings that are placed close to public streets to provide a more urban appearance will be permitted, especially within designated activity centers as recommended in the Comprehensive Land Use Plan. Such developments must follow the provisions of this Ordinance, including, but not limited to: building orientation, arrangement, mass, elements, and materials.
- (D) Review Considerations. The Board of Commissioners or Administrator may consider alternative colors and designs for buildings provided that they meet the intent of this section. The Board of Commissioners or Administrator should consider such things as the intensity of the colors, the extent of the design difference, and the spatial separation of each building. Plans or proposals that are not consistent with this Ordinance shall require Board of Commissioners approval. The use of high intensity colors, metallic, or fluorescent pigments is prohibited.

Section 16-4. Statement of Design Compatibility (SDC)

A Statement of Design Compatibility (SDC) shall be included with all site plans for buildings within a non-residential center, and shall be submitted with the site plan submission. The Board of Commissioners or Administrator shall consider the SDC as part of the site plan review. The SDC shall include:

- (A) Primary physical characteristics including predominant color(s), exterior materials and architectural features;
- (B) Primary landscape theme (general, not specific);
- (C) Building height;
- (D) Lighting elements (general);
- (E) Other elements which may be relevant to a specific development and how they are compatible with the adjacent sites; and
- (F) Uniform Signage Plan (general).

The SDC shall designate the unifying elements that are to be incorporated within the entire project (including any outparcel) and specifically how these elements are to be used.

Section 16-5. Criteria for Review of SDC

- (A) Primary Color(s). A maximum of three predominant colors shall be designated as a primary unifying element (this does not include accent colors). Flexibility may be used to allow

additional colors and/or a range of predominant colors provided that these colors are in the same family of colors (similar to each other). Any color specified as a primary unifying element shall be dominant in the building facade. Color “samples” shall be provided to the staff at the time of site plan review. Colored renderings may be required, but shall not be a substitute for this requirement. In addition to listing the color(s), the SDC shall also describe how and where the color will be used. It is recognized that the same color on a different material may not match exactly.

- (B) Accent Colors. These colors may be used as a secondary unifying element provided they are used throughout the development. Non-illuminated accent bands (e.g., canopies with gas stations and the roof of fast-food buildings) on roofs, canopies, or other features shall be one of the primary colors of the development or be white or earth tone in color.
- (C) Exterior Materials. The dominant material or combination of materials shall be defined. For each building material selected, the color of that material shall also be defined.
- (D) Architectural Features. Architectural features refer to a number of building elements that are repeated throughout the development. These include, but are not limited to: roof lines, canopies, building ornamentation, patterns, and building form. Any architectural feature designated as a unifying element throughout all buildings shall contribute to the identity of the development and not be just a minor architectural detail.
 - (1) Use of Awnings. No awnings/canopies shall be internally lit. All awnings/canopies shall utilize the same design and color throughout the development.
 - (2) Roof Type. Outparcels may use a different roof (e.g., pitch vs. flat) than the main buildings within centers provided that the building on the outparcel is a size where the different roof type does not dominate the center and/or the roof type has a tie to the other buildings (e.g., mansard roofs).
 - (3) Detached Canopies. Detached canopies are subject to the color and roof type requirements, above.
- (E) Landscaping. Plant materials may be used in such a way as to reinforce compatibility depending on the type of plant materials selected and their placement on the site. This previous statement is not intended to limit creative landscape designs within the center, but to promote general compatibility in materials. Drought tolerant or native species (including trees, shrubs, and turf grasses) that do not require extensive watering are strongly recommended.
- (F) Setbacks. Setbacks from a street right-of-way may be an appropriate unifying element where a number of freestanding buildings occur within the development.

(G) Building Height. A standard height among a group of buildings can usually tie the buildings together visually.

(H) Lighting. A consistent type of lighting fixture repeated throughout the development as well as a similar wattage, height, type of light produced, and/or color of light are to serve as a unifying element. Light pole height, wattage, pole/fixture/light color should all be the same.

Section 16-6. Recording Requirements

Where non-residential subdivision plans or residential developments requiring a site plan are approved, no lots shall be recorded without noting the general requirements for design compatibility on the maps for recordation. Owners of properties with non-residential subdivision and site plans which include outparcel lots are strongly recommended to record design compatibility covenants which refer to these requirements on record in the Planning Department. These covenants shall run with the land and be administered by a property owners' association or similar organization.

Section 16-7. Amendment Process

(A) The SDC may be amended if the amendments are signed by the owner of the non-residential center or overall project and approved by the Administrator. The Administrator shall review the amendments based on their ability to meet the intent of this Ordinance. The SDC for the main structures of the development shall be approved as part of the first site plan within a development.

(B) Any revision to the SDC that involves a change in the primary characteristics of an existing development (such as a change in color or addition of a canopy) shall be reviewed and approved by those with the authority to approve plans and all owners of property falling under the SDC governance. Any change in primary or secondary characteristics shall be implemented comprehensively throughout the entire development including outparcels within a reasonable time frame (i.e., less than one year unless otherwise approved by the Administrator). Any approved changes shall meet the criteria of Section 16-5.