

MINUTES
SPECIAL MEETING OF THE TOWN COUNCIL, TOWN OF CASTLE VALLEY
THURSDAY, FEBRUARY 14, 2008 AT 5:45 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Town Council Members Present: Damian Bollermann, Jim Lindheim, Ranna Bieschke, Valli Smouse, Aaron Davies.

Others Present: Janie Tuft, Debbie Officer, Mark Webster, Jeff Anderson, Elaine Pinkowski, Erik Secrist, Jim Tharp, John Lucas, Denise Lucas, Adele Alsop.

Call to Order: 5:45 P.M.

1. Open Public Comment.

John Lucas and Janie Tuft felt that the 7,000 square foot limit is too restrictive, as this is only 3 percent of a five-acre lot.

Jim Tharp expressed his view that one set of rules should cover both existing uses and new construction.

Elaine Pinkowski said that she likes the point system but feels it will be "hard to sell".

Erik Secrist stated that there were agricultural buildings on his property which existed at the time of his purchase of the property. He expressed concern that these agricultural uses could be penalized under the point system.

2. Discussion on Proposed Revisions to the Zoning Ordinance Regarding Height Limits, Setbacks and Square Footage.

Damian expressed a desire to simplify the ordinance revisions, perhaps through a simple square footage limit or a simpler combination of height and square footage considerations.

Some discussion of this followed, with the consensus of the council being that height concerns are of significant concern to many residents and council members, and that these concerns warrant a concerted effort on the part of the Council to address height in the ordinance revisions as well as the concerns of property owners with existing uses.

Aaron expressed concern with regard to meeting the March deadline.

Jim was less concerned about the March date as he felt that this was too big a

decision to be made under time constraints. He feels it is about buildings and visual impacts, and that it should be about setting a framework for the next 250 houses in the Town.

Further allowances for existing uses as addendums to the point system were discussed, including allowing further additional points for existing uses where the property owner would accrue unduly burdensome height or setback points for their existing structures.

The question of whether these additional points would "run with the land" or not was discussed. The Council agreed to continue to discuss this point.

The issue of small outbuildings was discussed.

Damian suggested exempting single story buildings of 128 square feet or less.

The consensus of the Council was that the first two such buildings on any lot should be exempted from the square footage total for that lot.

The Council discussed provisions in the ordinance for existing uses where a property owner had already built to a height which would be precluded by the ordinance revisions under consideration.

The consensus was that Jim would talk with Craig about the conditional use process with regard to the people who have already built something at 25 feet or greater and may like to do some small additional construction to their building at that same height.

The Council discussed a possible stipulation that such small additional construction not add to the footprint of the building in question.

Jim will redraft the points system to include the various items discussed for next week's meeting.

Jim motioned to adjourn. Ranna seconded the Motion. Damian, Jim, Ranna, Valli and Aaron all voted in favor of the Motion. The Motion passed unanimously.

Adjournment: 7:35 P.M.

APPROVED:

ATTESTED:

Damian Bollermann, Mayor

Denise Lucas, Town Clerk

(with Damian's revisions 1/25/08)

**Proposed Amendments to CV Zoning Ordinance
Concept Description**

Goal: Limit the impact of new dwellings and unattached structures on viewshed, privacy, and sense of open space.

Limits:

1. As given in "point system" below. Size is defined as "floor area coverage plus area under external roof coverage" created by structures on any platted lot.
 - a. Basement floor areas are excluded unless the elevation of the basement ceiling is more than 6 feet above finished grade level directly adjacent to the building perimeter for more than 50 percent of total building perimeter.
 - i. Basement definition: IBC version (That portion of a building that is partially or completely below grade).
 - ii. If basement is included, the entire floor area coverage of the basement is included in the square footage calculation.
 - b. Floor area coverage includes all floors under roofs/ceilings (including second stories), not just living space.
 - i. Floor area coverage definition: The square footage of all floor areas that are contained within the building envelope.
 - c. Area under external roof is measured on the ground directly below the roof.
 - i. Possible definition: Total exterior area covered by roof/roofs as viewed from above (i.e. "plan view") which do not cover enclosed floor areas or walls.
 - d. All buildings are included, including agricultural buildings (even if they don't require a building permit)
2. No heights taller than 25 feet. Height is measured as in the PLUC proposal, i.e. the vertical distance between
 - e. Whichever is the lowest of either
 - i. The lowest point where the foundation or wall of the building intersects the natural/ existing (pre-earth moving) grade
 - ii. The lowest point where the foundation or footprint of the building intersects the finished grade
 - f. Normal chimneys and vents are not included. Basement window wells less than 5 feet wide and/or stairs down into a basement with width of less than 8 feet at widest point would not be used to determine lowest point if they are below finished grade
3. No setbacks less than 30 feet from neighboring property or 50 feet from road easement (same as current)

4. Except as noted in #5, a lot cannot have more than 10 points based on all the structures on the lot. Height is the maximum height of any structure on the lot. Setback is the closest setback of any structure on the lot. Size is the cumulative total of floor area coverage and exterior roof coverage on the lot.
5. For lots with existing uses as of Dec. 31, 2007, if the existing structure is at or above the highest point category for either Height or Setback, the total allowable points on the lot will be 12 (or a credit of -2 points is given). This exception will pass with the land upon purchase. If, however, the relevant pre-existing structure is removed, only 10 points will be allowed on the lot.

6. Point System

- g. Size: Measured as floor area coverage plus ground area covered by roofs beyond exterior wall

	Points
Under 1500 sf	1
1,501- 2000`sf	2
2,001 -3,000 sf	3
3,001- 4,000 sf	5
4,001- 5,000 sf	6
5,001 – 6,000 sf	7
6,001 – 7,000 sf	8

- b. Height: Tallest on the property

Under 15 ft.	1
Over 15 ft up to 19 ft	2
Over 19 ft up to 23 ft.	3
Over 23 ft. up to 25 ft.	4

- c. Setbacks (Shortest setback from shared property line)

30 ft – 50 ft	2
Over 50 ft. – 75 ft	1
Over 75	0