

MINUTES  
SPECIAL MEETING OF THE TOWN COUNCIL, TOWN OF CASTLE VALLEY  
THURSDAY, JANUARY 31, 2008 AT 5:45 P.M.  
CASTLE VALLEY COMMUNITY CENTER  
2 CASTLE VALLEY DRIVE

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

**Others Present:** Mark Webster, Dave Erley, George Holling, Jack Campbell, Jeff Whitney, Erik Secrist, Daniel Prickett, Chrissy Applegate, John Lucas, Jim Martin, Daryl Myers.

Call to Order: 5:50 P.M.

Discussion and Possible Action re: Proposed Revisions to the Zoning Ordinance Regarding Height Limits, Setbacks and Square Footage.

Damian voiced concerns about the extra point allowances for existing dwellings, saying he doesn't think it is fair that homes built under the old standards should be limited to 5,000 square feet, when new dwellings can have up to 7,000 square feet. Damian cited Denise and John Lucas's home as an example.

Mark Webster stated that the point system is very complicated, and asked if this system had been reviewed with legal counsel.

Jeff Whitney commented that, according to the point system shown, he is already maxed out and can't even build a chicken coop on his property. Jeff also stated that the property plan he set in motion 30 years ago has now hit a roadblock.

Damian felt that buildings less than 128 square feet with no electricity or plumbing should not be counted. He also felt that there should be a total of 4 extra points allowed (2 each for height and setbacks) instead of the current 2 points combined for both height and setbacks..

Ranna suggested adding two additional points to the two already suggested, coming up to the 4 recommended by Damian.

George Holling suggested that perhaps we should consider combining the PLUC plan and the points system, allowing individuals to choose whichever system works best for them.

Damian recommended leaving the height and setback limits at 30 feet and giving a total limit per lot of 7,000 square feet.

Aaron and Ranna suggested that we hold another meeting when Jim and Valli can be present.

All agreed that the Council needs to consider the issues raised and to hold another meeting. Ranna suggested that we talk with Craig Call with regard to the legal ramifications whereby existing uses have different criteria than new uses, and of having two different systems. Aaron proposed to handle the question via email in a quieter atmosphere.

Ranna suggested scheduling another meeting, tentatively on Friday, February 15, at 5:45 P.M., or sometime in the week of February 18 before the next Town Council Meeting.

Aaron motioned to adjourn. Ranna seconded the Motion. Damian, Ranna and Aaron all approved of the Motion. The Motion passed unanimously with three in favor.

**Adjournment:** 7:43 P.M.

**APPROVED:**

**ATTESTED:**

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**Damian Bollermann, Mayor**

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**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