

**Recommended revisions of the Wallsburg Town Development Code
to the Wallsburg Town Council by the Wallsburg Town Planning Commission
June 27th 2023**

HEIGHT

Chapter 2: DEFINITIONS

2.61. Grade, Natural (Existing; Undisturbed; Uncultivated)

Elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the adjacent property's undisturbed grade. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, or abrupt differences in the visual slope and elevation of the land; and not change the direction or flow of run-off water. ~~For the purpose of measuring the height of any building from natural grade, the measurement shall be the vertical distance from natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. This measurement shall occur at any point within the building plane where height occurs.~~

2.66. Height

~~The vertical distance from natural undisturbed grade to the highest point of a flat roof or to the deck line of mansard roof or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line or maximum zone height, whichever is lower. Roofs not fitting clearly any of the above three classifications shall be classified by the Town Staff in accordance with the roof it most clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. For the purpose of measuring the height of any building, the measurement shall be the vertical distance from natural grade at any point.~~

Chapter 5: ZONE DISTRICTS AND REGULATIONS

5.1. Agriculture Zone

5.1.10. Building Height

No lot or parcel of land in the Agricultural Zone shall have a building which exceeds a height of thirty (30) feet, except that silos, windmills, and other agricultural related accessory structures not used for human occupancy may exceed thirty (30) feet in height, **measured vertically, at any point.** All structures over thirty (30) feet will require a Conditional Use Permit.

LOT SIZE

5.2. Residential Zones

5.2.1.3 Lot Area, Density and Open Space

The minimum area of any single lot or parcel is ~~20,000 sq. ft.~~ **(43,560 sq. ft.) (1 Acre).** Density calculation shall be calculated after the required easements and rights-of-way have been platted from the original acreage.

HEIGHT CONT'D

5.2.1.10 Height and Building Location

No lot or parcel of land in the Residential Zones shall have a building which exceeds a height of thirty (30) feet, measured **vertically from finished grade (natural grade, at any point.)**

5.2.3.9 Height and Building Location

Building shall be limited to a height of thirty (30) feet, measured from ~~finished grade~~ **(natural grade)** to the highest point ~~on the roof line.~~ Heights between thirty and forty feet may be approved by conditional use permit

5.3. Commercial

5.3.8 Building Height

Buildings in the C-1 Zone should not exceed ~~forty (40) feet~~ **(thirty (30) feet)** Any building design of over ~~forty (40) feet~~ **(thirty (30) feet)** in height shall be a conditional use to ensure adequate fire protection. No building in the C-1 Zone shall exceed fifty (50) feet from the finished grade to the tallest portion of the building.

Ridgeline

Buildings cannot exceed the ridgeline. Proof of elevations must be present during plan review for comparison of surrounding ridge(s). The Wallsburg Town Planning Commission reserves the right to request additional information as it pertains to the ridgelines.

Slope

(Remove IRRELEVANT mentions of Slope in current development code)

Chapter 1: 1.7(3), 1.13.1(3), 1.13.2, 1.13.3.3, 1.13.8, 1.13.8(4)

Chapter 2: 2.60, 2.61, 2.104.2

Chapter 5: 5.5.11.2, 5.6.1, 5.6.3(B), 5.6.4(A), 5.6.5(C), 5.6.5(E)(2), 5.6.9(A), 5.6.9(C), 5.6.9(D), 5.6.9(E), 5.6.10(A)(3)(F), 5.6.10 (B)(1)(B), 5.6.10(C), 5.6.10(D)(6)

Replace with: **Buildings on lots 30% slope and above will not be considered. Lots with 20%-29% slope will be considered on case-by-case basis.** Concerns to slope, as determined by the Wallsburg Town Planning Commission, will be required to be mitigated by the property owner in regards to: water pressure, water shed, utilities, emergency access, drainage, run off, and/or any other concerns as identified.