

THE MORNING AFTER

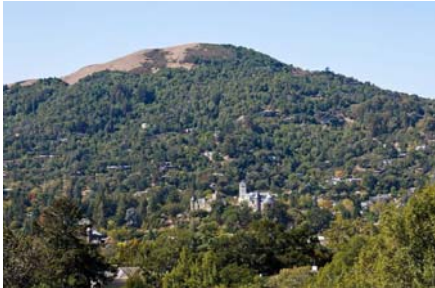
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Fourth Public Meeting Held on Hillside Lot Ordinance Review

Community members discussed proposed Hillside Lot Ordinance revisions at last night's fourth and final public workshop at Town Hall before the Council considers proposed changes. Council member Michael Skall hosted the meeting with approximately 25 community members in attendance, including architects, past and present Council members, hillside lot property owners, and developers. Discussion focused on three areas: the definition of floor area; the method to determine slope and floor area; and, the treatment of the floor area calculation as either a guideline or requirement.



The draft ordinance contains a floor area formula, devised by resident Kenneth Frankel, Ph.D., to replace the existing stepped method with a smooth-line formula. The net effect is to generally maintain the existing hillside lot guideline floor areas but have a gradual decline as site slope increases. The formula will be further refined to reduce floor area up to a slope of 55%.

The ordinance also contains a new method to calculate average slope using the "contour method," which takes into account the contours of the entire site. Slope is currently measured from a low point on the site to a high point, running a line that is perpendicular to the contour lines. The current method does not always accurately represent the average slope of a site. Although staff believes the contour method will be more accurate, community members pointed out that the proposed method could be more expensive to calculate and that it will increase the slope determination on some lots. Meeting participants were particularly concerned that some lots not currently considered hillside lots might be pushed over the 30% slope threshold. Hillside lot developer Bill Cheek noted that the new method would unfairly penalize some sites by effectively double counting contours for ravines and knolls. Senior Planner Elise Semonian suggested that the design guidelines and exceptions would allow the Council to consider unusual issues.

The draft ordinance contains design guidelines to address deck and high ceiling areas, but does not include them in the computation of floor area. Although some participants continued to advocate for reinstating decks in the floor area, others said there are other ways to address building bulk and mass. The proposed ordinance language allows the Council to consider limiting the areas during design review where they "exaggerate the height, bulk and mass of a building" or impact "aesthetics, potential for noise, bulk and mass, privacy of adjacent sites, and visibility." A majority of meeting participants did agree to continue to count floor area for stairs and elevators (not car lifts) only once.



Finally, the group discussed the thorniest issue regarding the hillside lot ordinance: whether or not to make floor area a requirement or a guideline. Some participants wanted floor area to be treated as a hard-and-fast rule, while others advocated granting the Council flexibility in applying floor area. Senior Planner Semonian noted that of the approximately 250 hillside lots in Town, only about 40 lots would have room for additional floor area under the proposed regulations. The remaining properties would require one or more variances to allow additional development. State law specifies the rules under which the Town may consider variances and requires the Council to make specific findings to permit them. Council member Michael Skall suggested making the maximum floor area a requirement and then providing a procedure to allow exceptions for unusual circumstances, such as redevelopment of property with existing development over the hillside lot floor area. Most agreed to eliminate the term "guideline" from the floor area provisions and wanted to ensure future Councils do not provide exceptions too liberally.



The Town Council, sitting as a planning commission, will receive comments on the proposed Hillside Lot Ordinance at the April 8 Town Council meeting, beginning at 6:30

p.m., and will make a recommendation at the May 13 Council meeting, when an ordinance may be introduced. Background information on the hillside lot ordinance and review process is available at www.townofross.org. A new red-line draft of the ordinance will be posted on the web site prior to the April meeting. Council member Michael Skall hopes to wrap up his 2009-2010 goal with a final ordinance adopted by the Council on June 10. Residents are encouraged to submit written comments at Town Hall or by email to [Elise Semonian](mailto:Elise.Semonian@townofross.org) or [Council member Michael Skall](mailto:Michael.Skall@townofross.org). Residents may also call Elise for additional information at 453-1453 ext.121.

