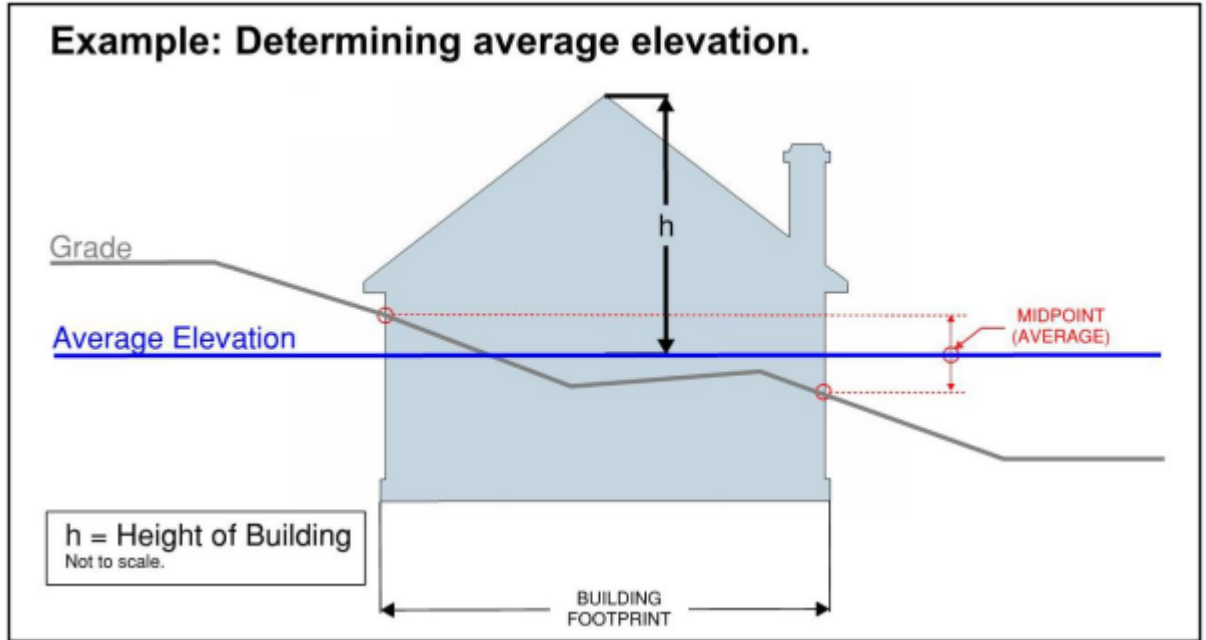


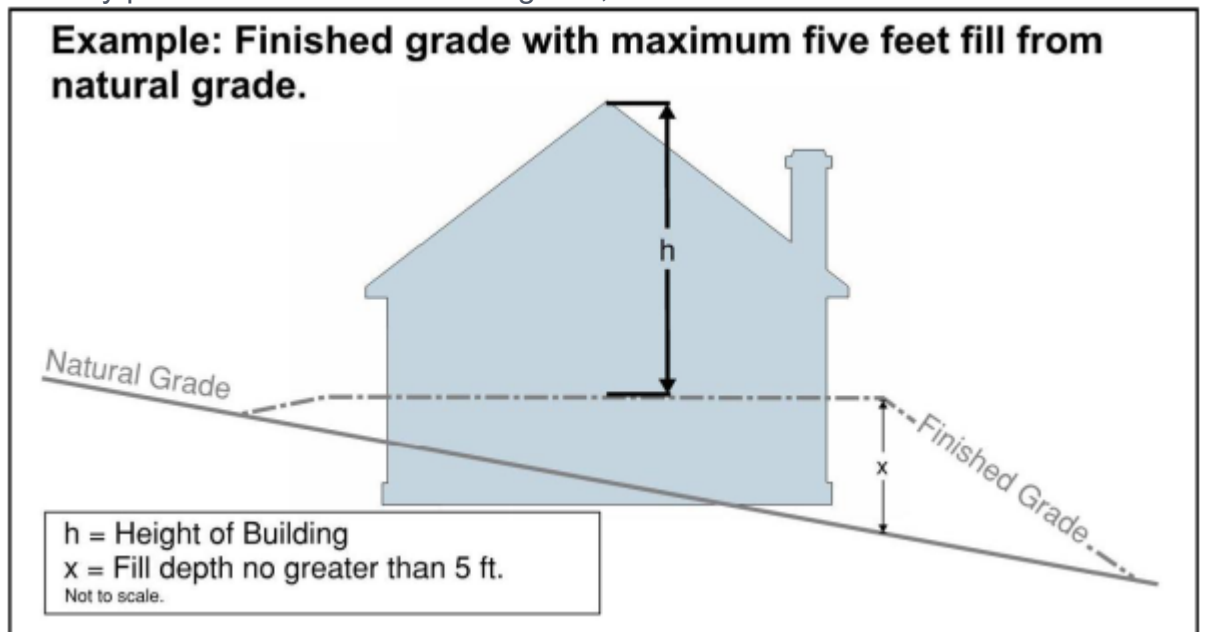
**Sec 108-7-5 Building Or Structure Height Requirements**

(a) *Measuring height.* For the purpose of determining "height of building," as defined in section 101-1-7, the following shall apply:

- (1) *Average elevation.* Average elevation shall be determined by averaging the highest elevation and the lowest elevation at the exterior footprint of the building or structure, including any support posts that require a footing. An alternative means of calculating average elevation may be approved by the planning director for an individual building if it follows industry best practices and is proposed by a licensed surveyor, engineer, or architect.



- (2) *Fill affecting building height.* Except as provided in this subsection, when grading a site to obtain the finished grade, as defined in section 101-1-7, no fill may exceed five vertical feet at any point from the site's natural grade, as also defined in section 101-1-7.

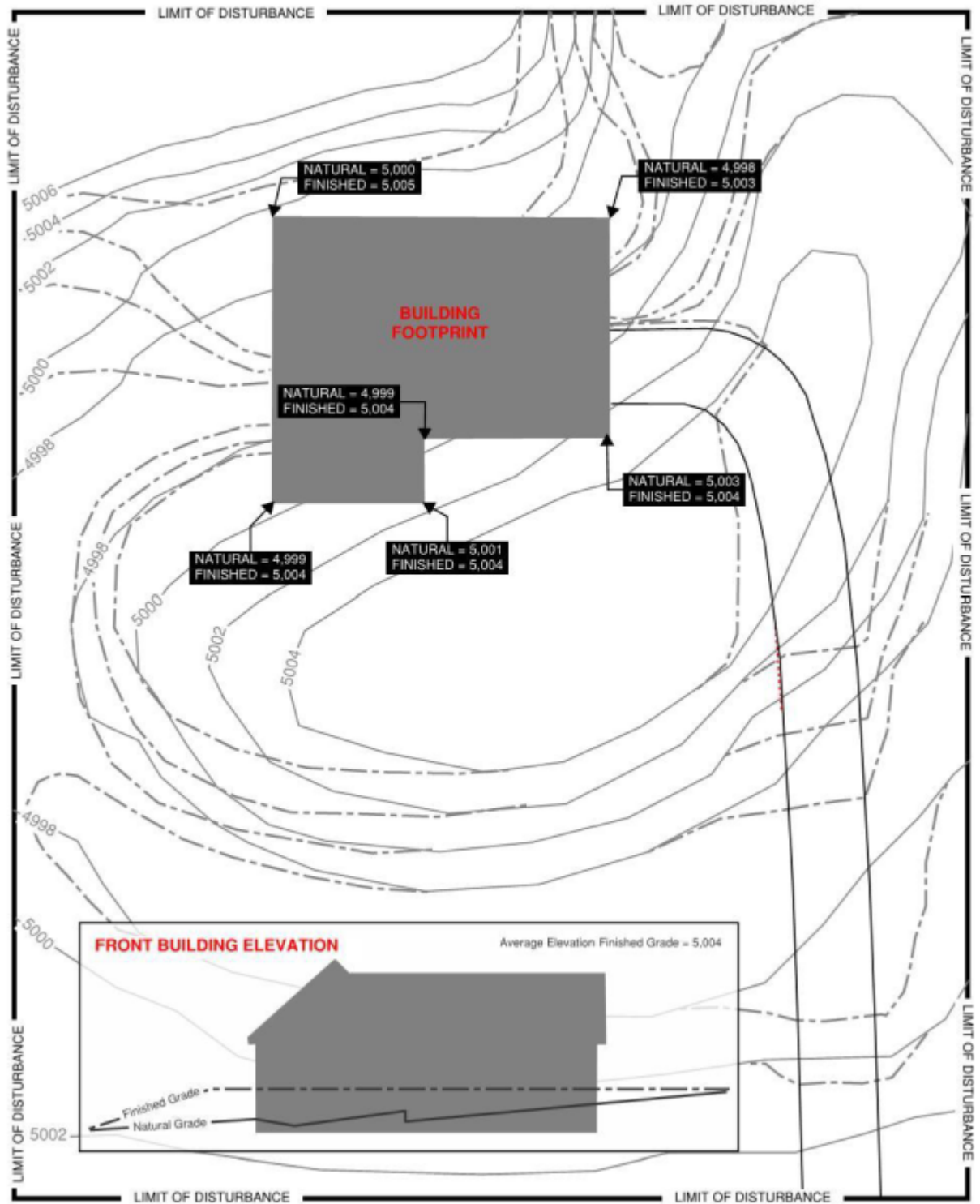


- a. Additional fill is allowed if required by county, state, or federal law, or to meet the standards of the National Flood Insurance Program. In this case the fill shall be no

higher than the minimum of the other regulation or standard; or

- b. In the Western Weber County Planning Area, if the building or structure is within 75 feet of a public or private street upon which its lot or parcel has frontage, fill is allowed that will provide an average elevation of finished grade that is equal to the elevation of the street. In this case, the street's elevation shall be determined to be at the midpoint of the lot's front lot line. If on a corner lot the elevation of both streets at the midpoint of each lot line shall be averaged.
- (3) *Driveway slope.* The slope of a driveway shall not exceed 15 percent. The planning director may modify the applicability of this if it can be demonstrated that there is no other reasonable configuration of a driveway to avoid slopes over 15 percent.
  - (4) *Site plan submittal requirements.* A site plan shall contain both existing and proposed topographic contours at two foot intervals for the entire limits of disturbance, unless more is required by another section of this Land Use Code or by the planning director or county engineer for the purpose of determining compliance with other laws or standards. Grading that is proposed across lot or parcel lines shall require the consent of all affected owners. Building elevation drawings shall display natural grade and finished grade, and shall present the finished grade's elevation at each corner of the building. This requirement may be waived by the planning director or county engineer for sites that are relatively flat, or if evidence is presented that clearly show the proposed structures will not exceed the maximum height of the zone.

**Example: Site plan showing existing and proposed topographic contours and building elevation drawing showing natural and finished grade.**



(b) *Roof structure height exception.* Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, cupolas, solar panels, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limit of the zone in which they are located, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and at no time shall the height be greater than 15 feet higher than the maximum height of the zone. All exceptions to height shall be subject to applicable design review requirements and all

mechanical equipment shall be screened by materials consistent with those used on the exterior of the main building.

- (c) *Air traffic height conflicts.* If in proximity to an airport, no building or structure or other appurtenance is permitted above the maximum height allowed by the Federal Aviation Administration, or other applicable airport or airspace regulation.
- (d) *Minimum height of a dwelling.* Unless on a lot or parcel five acres or greater, no dwelling shall be erected to a height less than one story above natural grade.

(Ord. of 1956, § 23-5; Ord. No. 2009-14; Ord. No. 2018-5, Exh. A, 5-1-2018)

**Editor's note**—Ord. No. 2018-5, Exh. A, adopted May 1, 2018, retitled § 108-7-5 from "Exceptions to height limitations" to read as herein set out.