

## INTERLAKEN TOWN PROPOSED BUILDING HEIGHT CHANGES – SUMMARY

Prepared by Interlaken Town Planning Commission

6/14/18

### BACKGROUND/CONCERNS

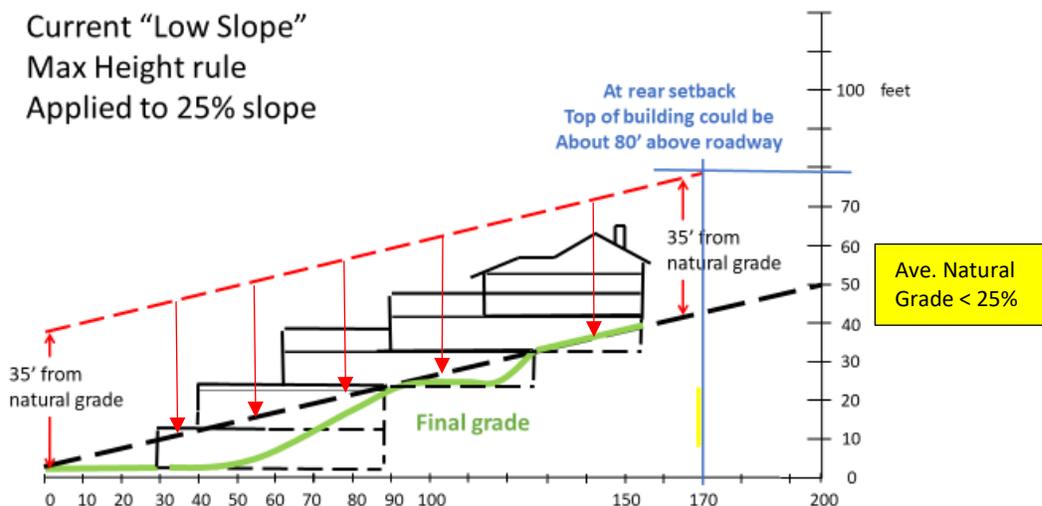
- The existing maximum building height requirement stated in Title 9 differs from the maximum building height requirement stated in Title 11 (which is specific for property with an average natural grade  $\geq 25\%$ ).
- Both existing code maximum building requirements limit the maximum building height to 35 feet.
- The various maximum building height requirement citations in the Town Code (in Titles 9 and 11) should be stated in one section (placed in Title 11).
- There are limited definitions in the existing Town Code for the various terms used to define and calculate maximum building height.
- The current procedure cited in Title 9 relating to the property owner's submission of an "Elevation Certificate" whenever buildings exceed 30 feet above the "Natural Grade". This current procedure requires the proposed maximum building height be verified by a surveyor or engineer prior to signing the Elevation Certificate. However, many surveyors and engineers will not sign this document until the roof is placed on the structure, which can pose a problem to the Property Owner if the building/structure is too high (exceeds the maximum building height), and costly to resolve once the roof is placed on the building.

### PROPOSED CODE CHANGES FOR TITLE 9

#### 1. Moving all Building Height requirements from Title 9 to Title 11:

Title 9 – Building and Construction – includes provisions related to the building and excavation requirements and procedures (only). Therefore, the Town Planning Commission proposes to move the maximum building height requirements to Title 11, which pertains to the various Town code requirements and limitations. Specifically, the Town proposes to move the Maximum Building Height requirements stated in Section 9.08.010 to Section 11.06 Supplementary Requirements, which currently includes requirements for maximum and minimum building height and minimum building width.

#### 2. Clarifying the existing 35 feet Maximum Building Height requirement (defined as the vertical distance as measured from the natural grade to the top of the roof) only pertains when the average slope < 25% grade. (see below diagram)



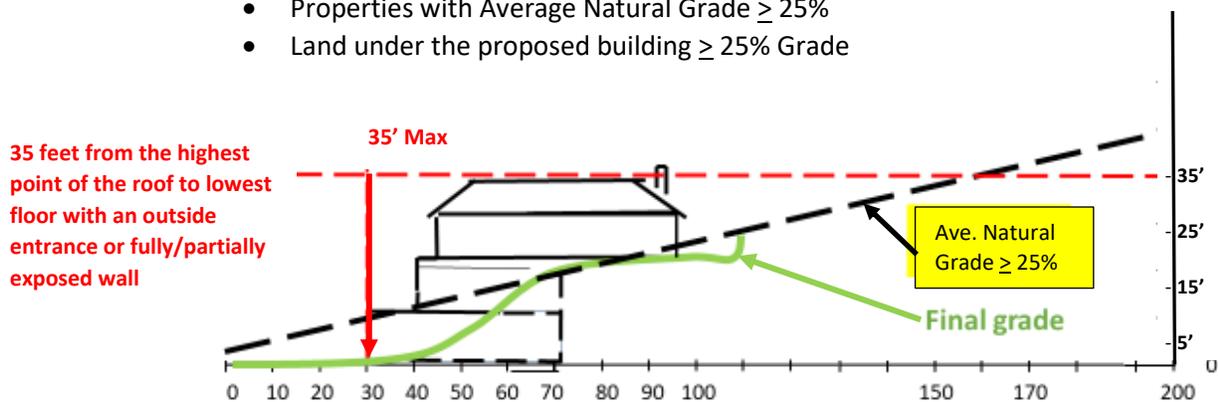
3. **Consolidating existing Maximum Building Height requirements stated in Title 11, Section 11.07.080 SL-OV Sensitive Land Overlay Zone) for sensitive land (hillsides or mountainside areas) and stated in Title 11, Section 11.06.070C. (for benches and slopes  $\geq$  25%) into one requirement:**

- 35 feet from the lowest flooring level which has an exterior entrance or a partially or fully exposed wall on the downhill side of the dwelling, and then as measured from that flooring level to the highest point of the roof. (see below diagram)

Proposed “High Slope”  
Max Height rule  
Applied to 25% slope

**Rule Applies to:**

- Properties with Average Natural Grade  $\geq$  25%
- Land under the proposed building  $\geq$  25% Grade



4. **Continue to allow existing exceptions (to maximum building height) for unusual conditions or appurtenances, such as: mechanical equipment, antennas, chimneys, flues, vents, or similar structures - up to 5 feet above maximum height.**

5. **Adding New Definitions for Grade, Existing Grade, Final Grade, Grading, and modifying the definitions for Natural Grade and Height of Building in both Titles 9 and 11.**

6. **Eliminating the Requirement for an “Elevation Certificate” to be submitted by the property owner and instead, require the submission of building permit plans that clearly define and show the maximum building height and maximum building height limit envelope.** The property owner is currently required by Town Code to construct the building as defined in the Town Council-approved Building Permit plans. The planned maximum building height and maximum building height limit envelope (Town code maximum building height limit) is now proposed to be required to be presented on the Building Permit plans (on the profile detail drawing). The Planning Commission believes the submission of an Elevation Certificate is a redundant step that can be eliminated since the Town’s contracted Engineering firm currently inspects and field-verifies the building construction complies with the approved building permit plans, including the construction status prior to (and after) roof placement. Since all deficiencies (including noncompliance with maximum building height) identified by the Town Engineering Firm during construction progress are communicated with the customer so they may be addressed, and the customer must address all concerns prior to Town approval/issuance of a Certificate of Occupancy for final project approval, this proposed code change (elimination of the Elevation Certificate submission requirement) should not affect customer compliance with Town code building height requirements.