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Community Development Department
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HEIGHT MEASUREMENT

Tiburon Municipal Code Title IV, Chapter 16 (Zoning)

16-30.050 - Height Limits and Exceptions

- A. Purpose.** Height limits are important measures to protect privacy and views; to promote the adequate provision of sunlight, air, and visual safety; and to prevent the vertical overbuilding of properties.
- B. Maximum height.** No building or structure shall be erected or altered to exceed the height limit established for the zone in which the structure is located. The height limit is a maximum, and is subject to reduction through the Site Plan and Architectural Review process, through Precise Development Plan approvals, or through other permit approvals issued by the Town.
- C. Height measurement.** Height is the plumb vertical distance, measured using a plane, established by the lower of the natural or finished grade at the perimeter of the exposed exterior surface of the building, structure, fence, or wall. No point of the roof edge, fence, wall, parapet, mansard, structure, or other building feature shall extend above the plane established by the maximum height line from grade, except as specifically excluded below. Refer to Figure 3-2 below.

On lots in subdivisions where there is an approved grading plan that has been implemented and accepted as complete by the Town, the elevation established by the subdivision grading shall be considered the natural ground elevation.

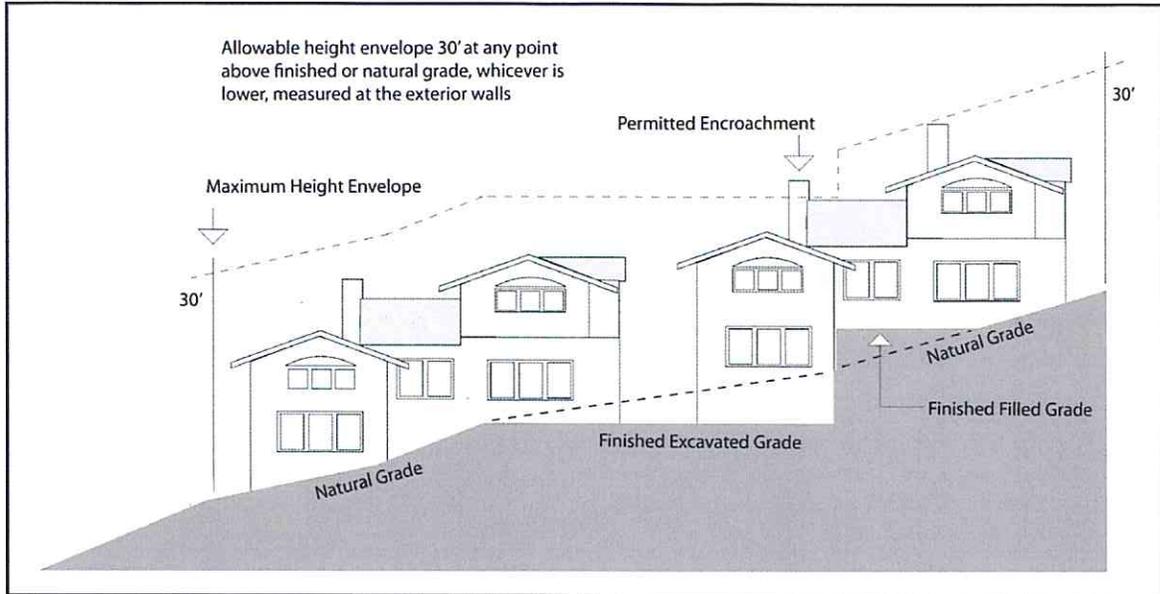


Figure 3-2. Height Measurement

D. Exceptions to height limits.

1. Elevator and stairwell roof enclosures, roof equipment enclosures, skylights, chimneys, flues, vents, and similar features may exceed the maximum height to provide for the normal function of a facility, provided that they are of minimum height and bulk.
2. Spires, flag poles, radio and television towers or antennas, and similar features, of minimal area and bulk, may exceed maximum height limits by up to three feet or as required by the California Building Code. The height restrictions shall not apply to antennas for wireless communication facilities licensed by the Federal Communications Commission when a Conditional Use Permit has been obtained for that use in compliance with Section 16-52.040 (Conditional Use Permit) and Section 16-42 (Wireless Communications Facilities).
3. The footing portion of a retaining wall (below grade) shall not be included in the measurement of height.
4. Height limitations specified in this Section shall not apply to public utility distribution and transmission lines that are under the jurisdiction of the State Public Utilities Commission.

E. Height limit at street intersections. For visual safety reasons at all street intersections, it is unlawful to install or maintain any sign, fence, hedge, vegetation, or any other view obstructions that extend more than thirty inches above the street level of any adjacent intersection, within that area between the property line and a diagonal line joining points on the property lines that are thirty-five feet from their intersection, as extended. Refer to Figure 3-3 below.

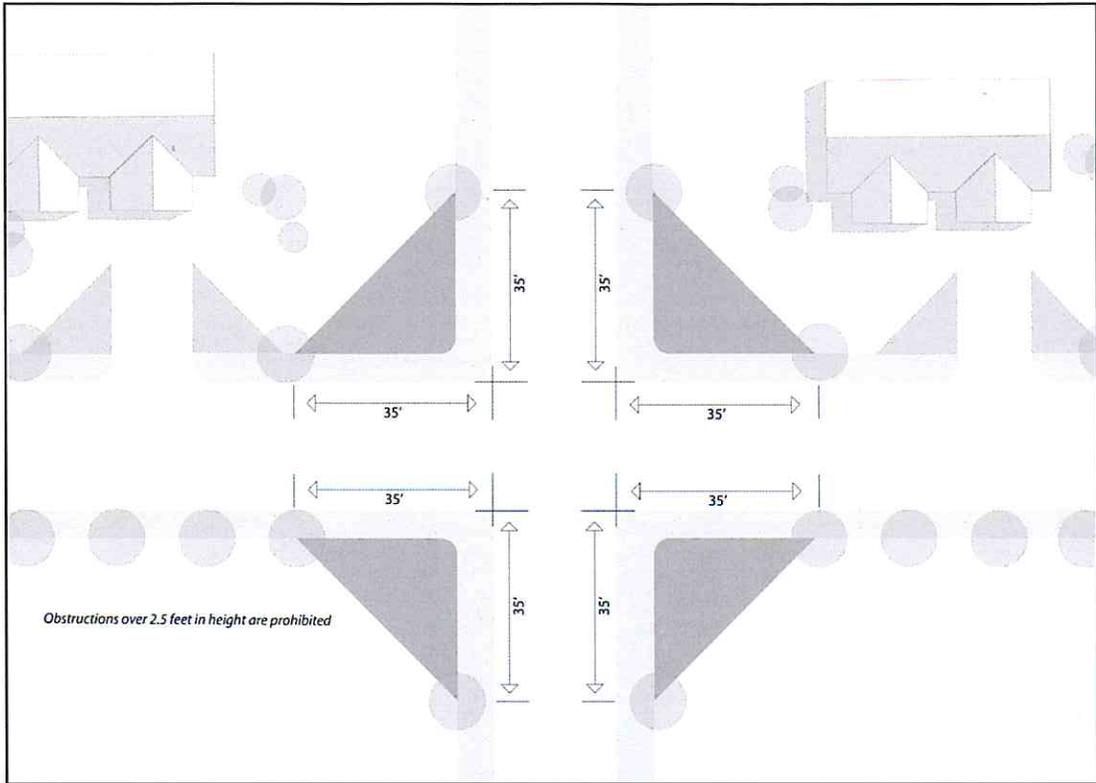


Figure 3-3. Sight Distance at Intersections

The above provision shall also apply to lots on sharp curves of streets, where, in the opinion of the Police Chief, Town Engineer or Superintendent of Public Works, sight distances are impaired. In such cases, the thirty-five-foot distance shall be measured from the outermost point on the curve.

5/27/2010