

Included below are excerpts from Carlsbad's definition for building height with explanatory graphics and information.

## Carlsbad Zoning Ordinance Section 21.04.065 - Building height

- A. "Building height" is limited to the vertical distance measured from "existing grade" (defined: Section 21.04.160) or "finished grade" (defined: Section 21.04.161), whichever is lower, at all points along the "building coverage" (defined: 21.04.061) up to a warped plane located at a height, above all points along the "building coverage," that is equal to the height limit of the underlying zone. All portions of the building shall be located at or below the building height limit, except as provided below. **Please see Figure #1 and #2 below for illustrations:**

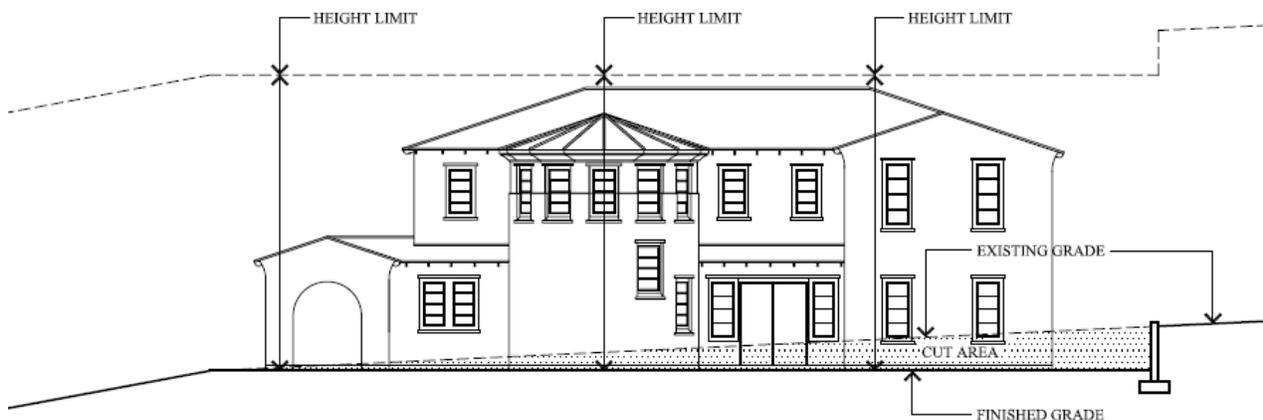
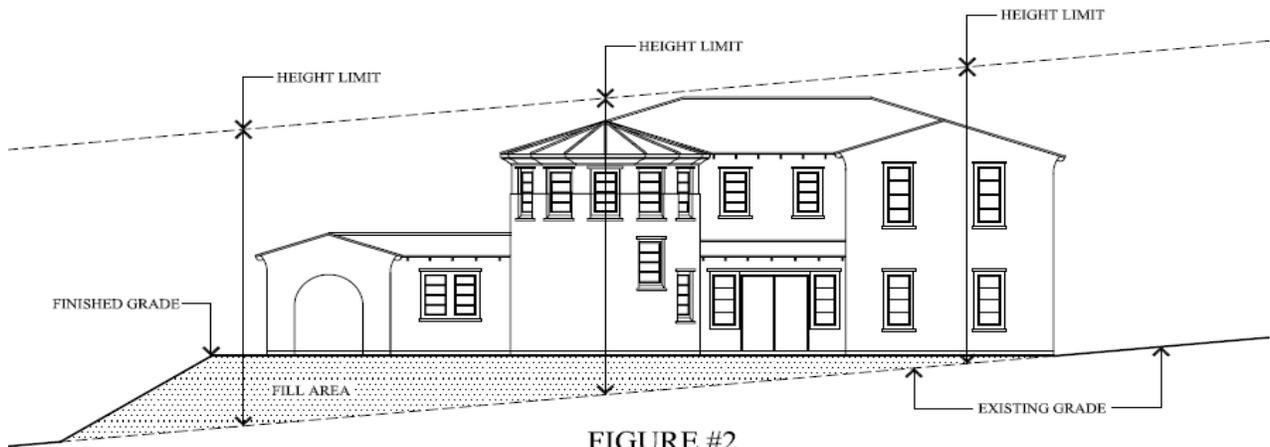


FIGURE #1  
CUT GRADING

**Note:** The "warped plane" is an imaginary plane projected parallel to the topography at the height limit of the applicable zoning district. In Figures #1 – 4A, the dashed "height limit" line represents the warped plane located at the height limit of the zone.

*Disclaimer: This handout is intended to be a guide used in conjunction with Carlsbad's Zoning Code. The code contains additional regulations relating to building height and should be consulted for all applicable projects. The graphics included with this guide are intended to demonstrate concepts and do not represent actual architectural designs or all possible topographic situations that may exist on a property.*

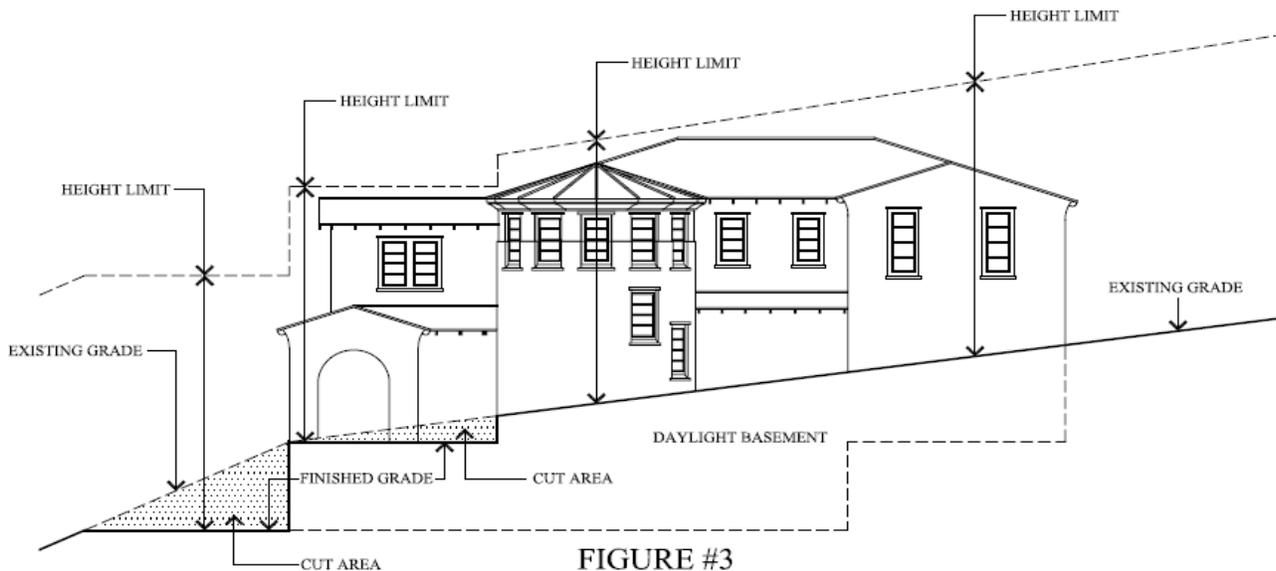


**FIGURE #2**  
FILL GRADING  
WITH A NONDISCRETIONARY PERMIT

**21.04.065 Continued:**

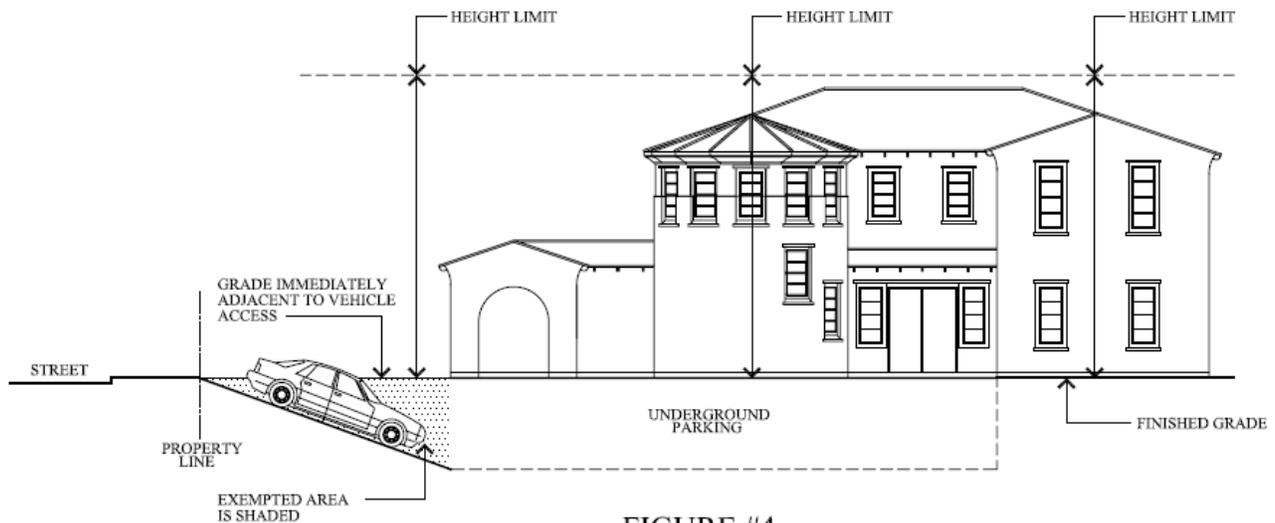
1. "Building height" includes:

- a. All portions of a building exposed above the existing grade or finished grade, whichever is lower. This includes, but is not limited to, all portions of exterior walls of a basement, underground parking or other subterranean areas that are exposed above existing grade or finished grade, whichever is lower, and the exposed exterior portion of a basement located on the downhill or uphill side of a building on a sloping lot (**Please see Figure #3 below**), but does not include the exposed portion of an "underground parking" structure entrance (defined: Section 21.04.370) that is minimally necessary to provide vehicle access to the "underground parking" structure and which is below the existing or finished grade, whichever is lower, of the area that is immediately adjacent to the "underground parking" structure (**Please see Figures #4 and #4A below**).
- b. Per Section 21.46.020 of this title, protrusions above the building height limit may be allowed.



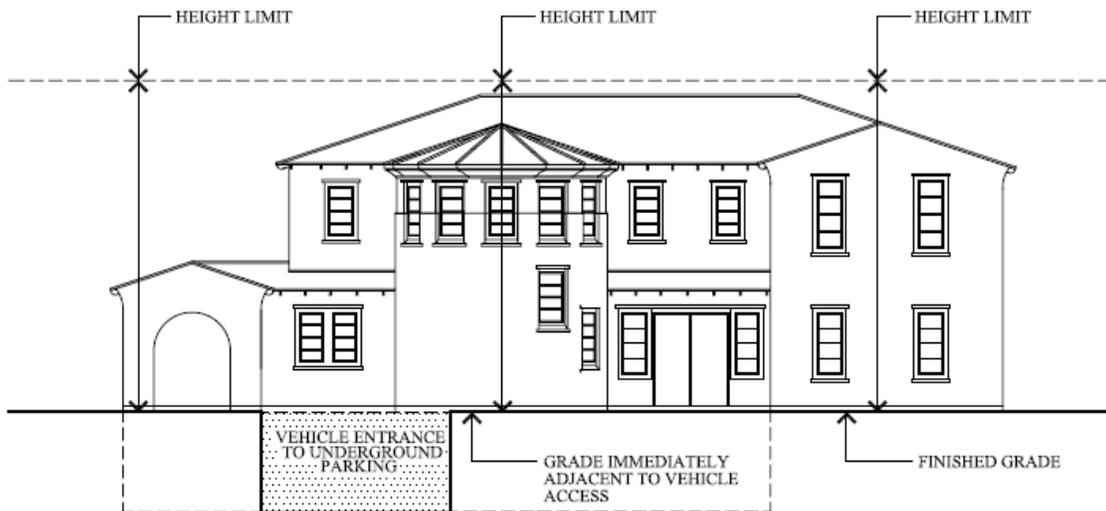
**FIGURE #3**  
HEIGHT LIMIT WITH SLOPED TOPOGRAPHY  
AND DAYLIGHT BASEMENT

**Notes for Figure #3:** For projects that include a basement and are located on a lot with sloping topography, height measurements include the portion of a basement that daylights above its adjacent grade, as height is measured from the lower of existing or finished grade at all points along the perimeter of the building coverage. Note in Figure #3 that the height limit line follows the natural topography as well as the cut grading.



**FIGURE #4**  
EXEMPTION FOR VEHICLE ACCESS  
TO UNDERGROUND PARKING

**Notes for Figure #4:** For projects that include underground parking, the area to be excavated for access to the underground parking is exempt from height measurements. Height should be measured from the nearest grade elevation (lower of existing or finished) that is both immediately adjacent to the underground parking structure and the area of the vehicle entrance. This adjacent grade would be projected over the area to be excavated for the vehicle entrance, and height would be measured from this projected grade.



**FIGURE #4A**  
EXEMPTION FOR VEHICLE ACCESS  
TO UNDERGROUND PARKING

**Notes for Figure #4A:** The only exempt portion of the building is that which is minimally necessary, reasonable and pertinent to providing vehicle access to the underground parking. An applicant needs to demonstrate how the design meets this requirement. An example of “minimally necessary” would be the width of a driveway and a small distance on either side of the driveway for retaining walls (or possible combination of retaining walls and slope). An example not meeting this requirement would be the excavation of a below grade patio or other outdoor space adjacent to the driveway. Note that if partially subterranean parking does not meet the definition of “underground parking” in Section 21.04.370, then this exemption does not apply.

#### **21.04.065 Continued:**

2. If a discretionary permit for a development or alteration of an existing development is approved, and such approval includes a grading plan that shows a finished grade higher in elevation than the existing grade, then building height may be measured from the approved finished grade. In approving a finished grade through a discretionary permit that is higher in elevation than the existing grade, consideration shall be given to the natural topography of the site, compatibility with the existing grade of adjacent and surrounding properties, and the need to comply with required access, utility and drainage standards.
3. When nondiscretionary permits allow retaining walls, fill or other grading, which create a finished grade higher in elevation than the grade that existed prior to the retaining wall, fill, or grading, then building height shall be measured from existing grade.

**Notes:** The intent of this provision is (1) to allow large projects with highly varied topography to develop mass graded building pads, (2) to encourage building designs that relate to sloping topography as much as possible by following the existing grade (i.e. building mass that “steps down” with sloping topography), and (3) encourage grading to relate to neighboring properties by keeping the grade elevations as similar as possible, especially for infill projects.

If a project is proposed that does not require approval of a discretionary permit, it cannot opt to add a discretionary permit in order to obtain authorization to measure height from a higher finished grade.

Discretionary permits include those that may be approved by the following decision makers: City Council, Planning Commission, City Planner and certain permits approved by the City Engineer, such as minor subdivisions.

#### **Other relevant code sections:**

- 21.04.045 – Basement.
- 21.04.061 – Building coverage.
- 21.04.160 – Grade, existing.
- 21.04.161 – Grade, finished.
- 21.04.370 – Underground parking.
- 21.46.020 – Allowed protrusions above height limits.

*Please view these code sections at [www.carlsbadca.gov](http://www.carlsbadca.gov).*