



DRAFT

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Residential Roof Decks

Introduction

Roof decks are an opportunity to provide an outdoor amenity area to augment open space in a dense urban setting. However, because of their elevated location they also represent a potential intensification of uses that can negatively impact the quality of life of adjacent residents and therefore enhancements to such spaces need to be carefully considered in the design review process. As such, potential adverse impacts such as noise, diminishment of privacy, and reduction of light to adjacent properties should be mitigated. Vertically projecting appurtenances that serve roof decks, such as stair and elevator penthouses, windscreens and solid parapets can also add unwelcome visual impacts onto adjacent properties.

Planning Commission

In recent years, the Planning Commission has seen an increasing number of requests for the Discretionary Review of residential projects involving roof decks and accompanying stair and elevator penthouses. In order to ensure a consistent and predictable approach to evaluating the appropriateness of these rooftop features, the Planning Commission directed Planning staff to study and develop an internal policy taking into consideration the following issues:

- Size of decks, and the cumulative impacts of multiple decks
- Availability of usable open space at grade
- Appropriateness of front decks vs. balconies
- Roof decks serving as common vs. private usable open space
- Pattern of roof decks in the surrounding neighborhood
- Greening of rooftops
- Quality of life impacts:
 - Privacy, noise
 - Intensity of use and programming (ie. fire pits, bbqs, hot tubs)
 - Shadowing of vertical appurtenances onto adjacent light wells/side setbacks
 - Visual Clutter
 - Sight lines from adjacent windows

Planning Code

Planning Code Section 206(b)(1)(B) exempts stair penthouses to a maximum 10 feet from the prescribed height limit, provided they do not exceed 20 percent of the roof area. Elevator penthouses are exempted to a maximum of 16 feet.

Planning Code Section 206(b)(2) exempts the following features from the prescribed height limit, regardless of the area they occupy:

- (A) Railings, parapets and catwalks, with a maximum height of four feet.
- (B) Unenclosed seating areas limited to tables, chairs and benches, and related windscreens, lattices and sunshades with a maximum height of 10 feet

The Planning Code does not restrict the number or horizontal surface area of roof decks.

Planning Code Section 135 requires usable open space composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on roofs, which are safe and suitably surfaced and screened. The minimum amounts of usable open space, if provided as all private usable open space, is 300 square feet in RH-1 and RH-1(D) zoning districts, 300 square feet for the first unit and 100 square feet for second minor unit in RH-1(S) zoning districts, 125 square feet in RH-2 zoning districts, and 100 square feet in RH-3 zoning districts. In each of these districts, the Planning Code allows common usable open space to be substituted for private usable open space at a ratio of 1.33.

Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a roof.

Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

Residential Design Guidelines

While the Planning Code exempts rooftop appurtenances from the prescribed height limit, the design of such features are reviewed in the context of the "Residential Design Guidelines" as adopted and periodically amended for specific areas or conditions by the City Planning Commission. The impacts on adjacent properties and neighborhood context to be considered and balanced with respect to the reasonable development rights of property owners are outlined and commonly applied in the following guidelines of the Planning Department's Residential Design Guidelines under Rooftop Architectural Features:

- "Sensitively locate and screen rooftop features so they do not dominate the appearance of a building."
- "Design stair (and elevator) penthouses to minimize the visibility from the street."
- "Design parapets to be compatible with the overall building proportions and other building elements."
- "Design windscreens to minimize impacts on the building's design and to light of adjacent buildings."

Building Code Considerations

Stair penthouses (private access):

- Interior minimum head height – 80”.
- Minimum stairs width and landing – 36”.

Stair penthouses (common access):

- Interior minimum head height – 80”.
- Minimum stair width and landing – 36”, but shall be 44” if serving more than 50 people.

Skylights / hatch access:

- Minimum stairs width – 36” for one and two family dwellings – hatch access not permitted for buildings with three or more units
- Minimum hatch opening size (width x length): - Clear width shall provide for a 36” stair, length of shall provide for a minimum of 80” headroom until hatch can be operated.

Greening of Rooftops

State law requires that certain new residential and non-residential buildings set aside a “solar ready” portion of the roof equal to 15% of the total roof area. Planning Code Section 149 allows the use of “living roofs” as an additional means of meeting some or all of the Better Roof requirements of the Green Building Code, and thereby further promote the use of rooftops to increase renewable energy resources, stormwater management, and biodiversity. However, due to the smaller scale of most residential projects in lower density residential districts, living roofs are not usually required by Code. Despite this, the Planning Department should encourage roofs to be designed to allow for both usable open space and for environmentally sustainable features such as solar energy collection, storm water retention, and additional greening with roof top gardens and green roofs. Additionally, protecting the solar roof access of neighboring properties from shading should also be a consideration.

Planning Department’s Recommendations:

The Department’s recommended roof deck policy attempts to strike a balance between allowing for the reasonable provision of outdoor open space on the roofs of low-density residential buildings, which will improve livability in a dense, urban setting, while protecting the quality of life for adjacent neighbors.

In order to encourage the concentration of usable open space closer to ground level where outdoor activities tend to have fewer impacts on adjacent properties, these guidelines do not apply to any decks less than 3 feet above grade, which can be built without a building permit.

The Planning Department recognizes that roof decks in residential neighborhoods serve a purpose of enhancing access to passive open space, but due to their location may be susceptible to an intensity of use that creates negative impacts that spill over to adjacent properties. Therefore adoption of the following controls and performance criteria to mitigate these potential impacts is proposed.

Size:

Recommendation: limit above grade decks to 1/3 roof area (measured cumulatively, if multiple roof decks).

Solves for: intensity of use, noise, visual clutter

Because decks are elevated open spaces that are often located where they put uses that come into conflict with the privacy and of adjacent neighbors, buffers or separation alone may not be sufficient to ameliorate these concerns. The Department recommends a cap on the total cumulative deck area of no greater than 1/3 the roof area. This is a sufficient size to accommodate enjoyment and connection to open space, but considerably less than a full floor. Roof decks above this threshold commonly require a second means of egress per the Building Code.

Setbacks:

Recommendation: Set back decks and guardrails a minimum of 5' from all edges of building, and ensure no sight lines from street or neighboring properties.

Solves for privacy, light, visibility from public way, and visual clutter.

Setbacks of 5 feet are recommended from shared side lot lines and from the edges of all building walls except the rear. Exceptions to the side setback requirement are appropriate where a roof deck abuts a neighboring blind wall.

While there continues to be some discussion surrounding the appropriateness of roof decks at the front of buildings, the Department believes that, when properly set back from the main front wall and screened with a solid parapet, rather than a freestanding glass railing, these roof decks can be beneficial by providing opportunities to increase “eyes-on-the-street”.

Access:

Recommendation: one stair penthouse, minimally sized if not visible from street or adjacent property, roof hatch preferred.

Solves for light, visual clutter

The Department recommends creating a hierarchy of preferred means of access; prioritizing less obtrusive means such as roof hatches and internalized stairwells, while allowing for stair penthouses in circumstances where they have minimal impacts on access to light and air, as well as visual clutter.

In order for a stair penthouse to be considered “minimized”, Planning staff recommends requiring a sloped roof providing a vertical clearance of no more than 80” above the staircase, with a landing no larger than is necessary than required by the Building Code (3' x 3'), and be located outside the recommended 5-foot setback area. Roof access within the recommended 5-foot setback area shall be provided by means of a roof hatch or internalized staircase. When more than one means of roof access is proposed, no more than one may be provided via a stair penthouse.

Appliances

Recommendation: Fixed cooking, fire pits, hot tubs, showers, and other plumbed appliances not allowed.

Solves for noise, odors, intensity of use.

Lighting:

Recommendation: no fixed lighting allowed.
Solves for light pollution nuisance.

Screening:

Recommendation: solid 36" high parapet at street fronting decks or balconies; maximum wind screen 6' if invisible from street or adjacent property views, follow bird safe principals, located only against prevailing wind direction. (limited glass area)
Solves for noise, visual clutter.

Implementation

Planning staff have developed a checklist/matrix with which to evaluate roof decks and stair penthouses. Projects deemed to comply with the policy may be approved OTC (if there are no other Planning-related issues). Permit applications routed to a Planner for other reasons that also comply with the policy will not trigger RDAT review, while those that do not comply will be reviewed by RDAT on a case-by-case basis and may be deemed acceptable based on the surrounding context. In the event of a DR hearing, a completed checklist will be appended to the staff report. In addition to the controls for deck size and separation, the prevalence, location, and size of other related decks in the immediate context shall be established and considered before approval.