



ADMINISTRATIVE ORDER #301119

INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: 20.50.050

Request for Clarification of whether the exception to the height limit in the R-6 zoning district as put forth in Section 20.50.050(2) would apply to the applicant's proposed roof deck's associated glass railing and stair enclosure. The applicant wishes to clarify whether the exception that allows stairways to go over the height limit would apply to the proposed stair enclosure. This enclosure is proposed to extend to a height of 37 feet, which is 7 feet over the 30-foot base height limit. The applicant also wishes to clarify whether the roof deck railing would fall under the exception that allows parapet walls to go over the height limit. The proposed glass railing would extend over the height limit 1' – 8 ¼" or a total of 31 feet 8 ¼ inches. The proposal shows the roof deck to be accessed via a new internal spiral staircase.

FINDINGS:

The existing house, located in a single-family neighborhood, has an existing roof deck and outside stairway leading to it.

Section 20.50.050(2) reads: *"The following structures may be erected above the height limits in residential zones:*

- *Roof structures housing or screening elevators, stairways, tanks, ventilating fans, or similar equipment required for building operation and maintenance;* (emphasis added)
- *Fire or parapet walls, skylights, flagpoles, chimneys, and utility line towers and poles; and*
- *Steeple, crosses, and spires when integrated as an architectural element of a building."*

A roof deck is required to have a railing of at least 36 inches high per Uniform Building Code Section 509.

Section 1003.3.8.3 of the Uniform Building Code limits access from spiral stairways to a maximum area of 400 square feet.

DECISION:

The first exception allows housing of roof structures that are required for building operation and maintenance only to go over the height limit. This exception may be not be used for a stairway access to a roof deck.

The second exception allows parapet walls to extend over the height limit. It does not exempt guard railings such as that proposed; a guard railing is not a parapet wall or a fire wall. This exception cannot be used.

original signed 01/27/03

Director's Signature

Date