

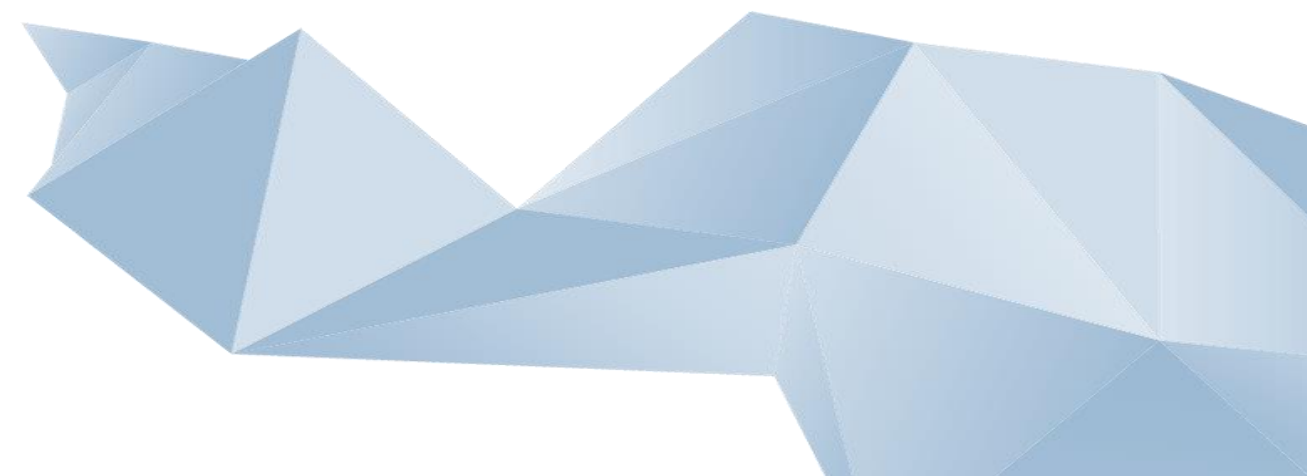
City Commission
February 21, 2024

Department of Sustainable Development (DSD)

Rooftop Height Exception

Code Amendment

LDC #23-08207



Request



The Department of Sustainable Development is proposing a code amendment to the Zoning and Land Development Code Division 7 titled Height Exceptions to allow and regulate additional height above the permitted height in a zoning district for rooftop amenities and uses.

Current Code



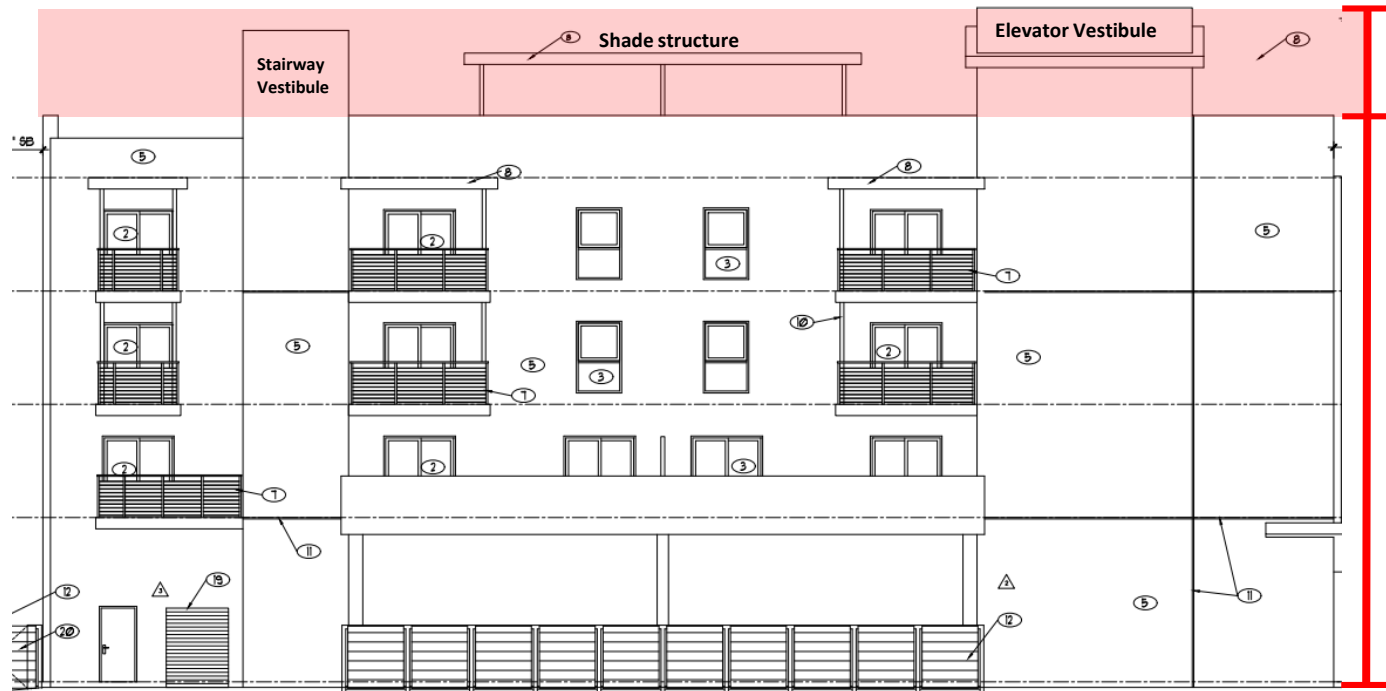
Division 7 titled Height Exceptions allows for building elements such as steeples, flagpoles, elevator penthouses, air conditioning units, television or radio antennas, other mechanical or functional features to exceed the zoning district height maximum following consideration by the director prior to installation; however, this does not address other habitable uses or amenities.

Proposed Amendment



1. Makes minor grammatical amendments to the existing language regarding mechanical and functional features.
2. Permits rooftop amenities to exceed the permitted height within the zoning district by a maximum of 12 feet.
3. Requires that any rooftop amenities conform to the list of permitted uses within the zoning district.
4. Identifies the area provided on the building rooftop to accommodate amenities customarily associated with or incidental and accessory to primary use as the rooftop activation area which may include, but are not limited to, open-air rooftop amenities such as outdoor dining areas, pool decks, courts, cooking facilities, and open-air shade structures such as cabanas, gazebos, pergolas, or trellises.
5. Limits the aggregate area enclosed or climate-controlled rooftop structures to 25 percent of the rooftop area.
6. Limits the aggregate area enclosed or climate-controlled rooftop structures to less than or equal to the area of the unenclosed open-air rooftop amenities.
7. Requires that enclosed or climate-controlled rooftop structures be oriented to minimize the visual impact from adjacent to a public right-of-way.
8. Requires compatibility of all structures with the architecture and massing of the overall building.
9. Clarifies that mechanical equipment, associated screening, and appurtenances necessary to the operation or maintenance of the building or structure itself, are not considered as a part of the rooftop activation area.

Proposed Amendment



ROOFTOP ACTIVATION AREA - 12 FEET

MAX HEIGHT

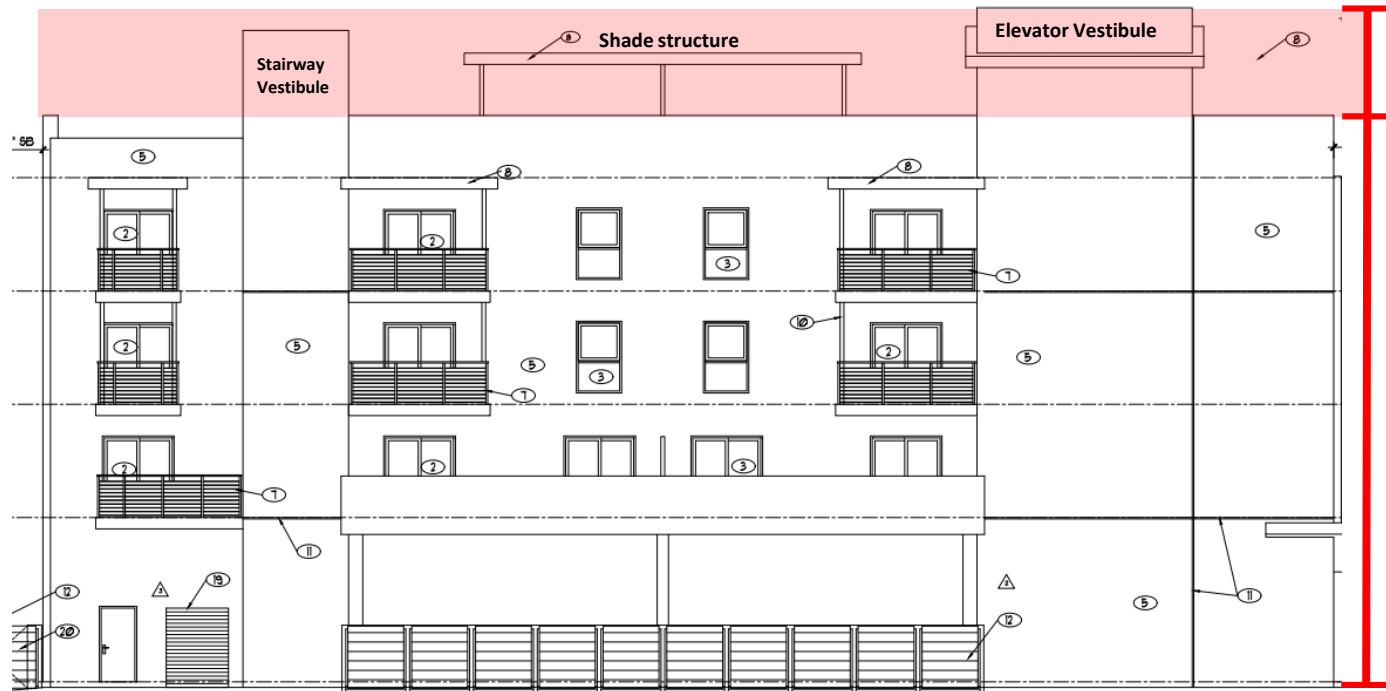
Consists of amenities customarily associated with or incidental and accessory to primary use.

Open-air rooftop amenities may include but are not limited to:

- outdoor dining areas
- pool decks
- courts
- cooking facilities
- open-air shade structures such as cabanas, gazebos, pergolas, or trellises open 50% to sky and unenclosed



Proposed Amendment



ROOFTOP ACTIVATION AREA - 12 FEET

MAX HEIGHT

The rooftop activation area may include enclosed or climate-controlled structures **customarily associated with or accessory and incidental to open-air uses**

May include but are not limited to:

- Shade structures not open to the sky
- Restrooms
- Saunas
- Elevators and Stairway lobbies/vestibules
- Enclosed cooking facilities

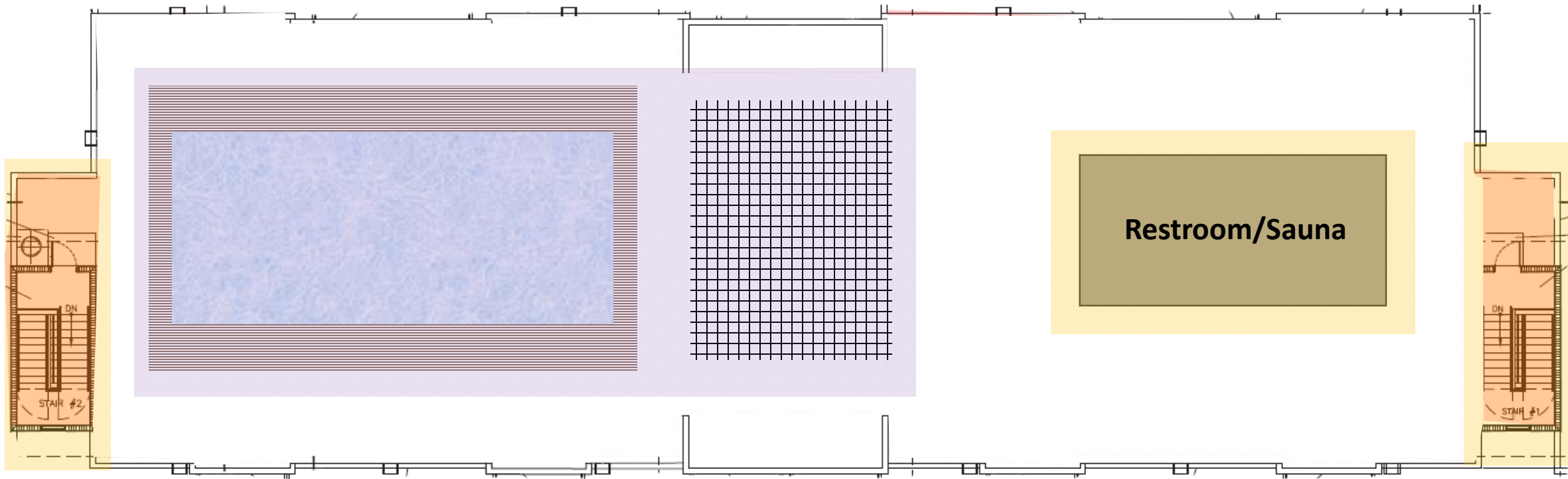
Dependent on the use of the primary building and open-air amenities



Proposed Amendment



Enclosed or climate-controlled structures are limited to 25% of the rooftop area and shall not exceed the area of open-air uses.



Design Regulations



Includes design requirements regarding architectural characteristics:

1. Requires that enclosed or climate-controlled rooftop structures be oriented to minimize the visual impact from adjacent to a public right-of-way.
2. Requires compatibility of all structures with the architecture and massing of the overall building.

Recommendation

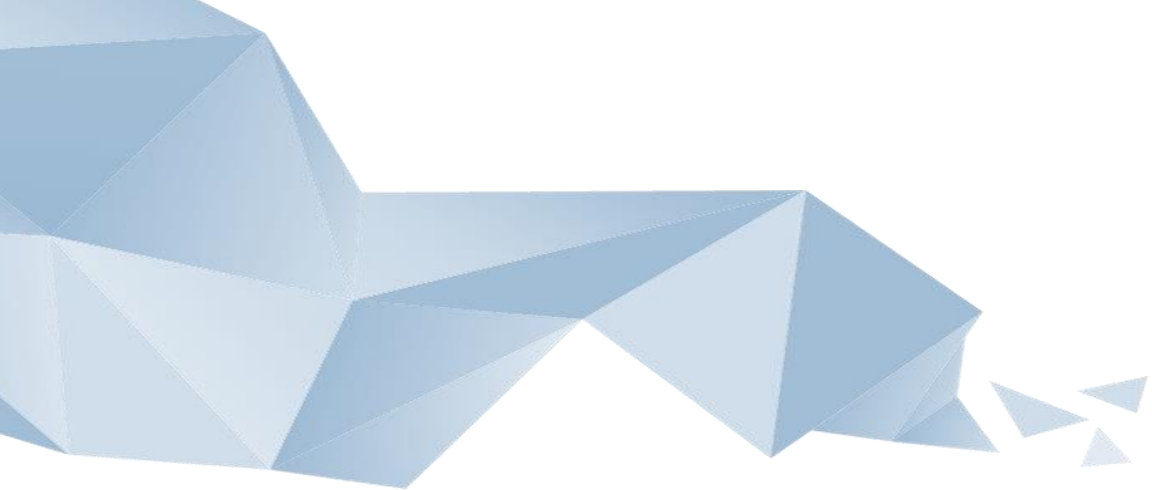


Planning & Zoning Board Recommendation:

On January 24, 2024, the Planning and Zoning Board recommended the City Commission adopt the proposed Ordinance by a vote of 5 to 0. This recommendation included a clarification that the proposed exception would not apply to single-family properties, which has been incorporated into the proposed ordinance.

Staff Recommendation:

Staff recommends the City Commission adopt the proposed Ordinance.



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