



## Legislation Details (With Text)

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**Title:** DISCUSSION ON ROOFTOP APPURTENANCES  
**Sponsors:** Development Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report, 2. BPOA Letter 030620, 3. MAP\_Appurtenance Examples.pdf, 4. Appurtenance Examples Data.pdf

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Department  
**THROUGH:** Jennifer Alvarez, Interim City Manager  
**DATE:** July 7, 2020

### DISCUSSION ON ROOFTOP APPURTENANCES

#### **Recommended Action:**

Discuss and provide direction for amendment to the Land Development Regulations for rooftop appurtenances.

#### **Background:**

Appendix A of the City of Delray Beach Land Development Regulations (LDR) defines Appurtenances as follows: *That which is an accessory to another structure, including but not limited to stonewalls, fences, light fixtures, steps, paving, sidewalks, shutters, and signs.*

It is important to note the examples provided in the code do not currently include rooftop elements.

Per 4.3.4(J)(3)(b), Appurtenances on Buildings:

*"Appurtenances usually required to be placed above the roof level of a building and not intended for human occupancy may be allowed to extend above the height limitations contained in 4.3.4(K) but only when specifically approved by action of the Site Plan Review and Appearance Board"* (SPRAB).

LDR Section 4.3.4.(J)(3) was last updated in Ordinance No. 02-06; therefore, no revisions have been made to this section of the code since 2006. Since that time, the use of elevators within residential units has increased as they have become more affordable, the population has aged, the number of building stories has increased, and usable living space is not solely located on the first and second stories of new homes. In addition, citywide interest in rooftop terraces has increased in a climate that permits almost year around outside activity. The SPRAB regularly reviews multiple family and

townhouse projects within the Central Business District (CBD) and Medium Density Residential (RM) zoning districts that incorporate appurtenances to provide rooftop access - some code required and others providing access to designed and activated rooftops. Amendments to the code to facilitate the use of rooftop terraces in the downtown area have been recently adopted.

Conversely, numerous members of the public have raised concerns regarding the size and scale of new construction, particularly in residential districts. A letter from the Beach Property's Owners Association has been submitted regarding rooftop appurtenances, generally, which was also endorsed by the Palm Trail HOA (attached). The City Commission recently approved a zoning in progress to limit rooftop appurtenances to provide time for the code to be updated to provide clear parameters and regulations to applicants, staff, review boards, and city residents.

Staff is seeking direction and input to help guide an LDR amendment to clarify the standards for rooftop appurtenances. To facilitate the discussion, a map and data chart are attached of various appurtenance designs that have been submitted in the City.

**City Attorney Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The discussion will provide staff with input for crafting amendments to the Land Development Regulations to clarify the standards for appurtenances. A Zoning in Progress is currently in place.