

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: DECKS-01 (Second Story Rooftop Decks)

Effective Date: 11/04/10

Originally Issued:

Question

Are second story rooftop decks allowed when they are not located on the uppermost story?

Applicable Ordinance Section(s)

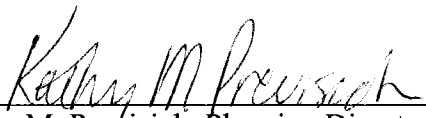
13.10.323(e)1: Second story rooftop decks and landings are not permitted.

INTERPRETATION:

Second story rooftop decks are allowed when they are no higher than the floor level of an adjacent uphill portion of a multi-level dwelling.

Reason:

The Board of Supervisors added the prohibition of second story rooftop decks into the County Code as a result of complaints and concerns about invasions of privacy. Prior to this prohibition, decks could be constructed on the top of or on the sloping side of roofs. Because the Board of Supervisors was concerned about smaller—generally urban—parcels, the ordinance language focused on second story rooftop decks and did not address multi-level dwellings where the second story deck is not located on the highest portion of the house and there is, in fact, an adjacent portion of the house located upslope. Since a supported or cantilevered deck could be approved at the same level if there is no enclosed space below, it is appropriate to allow the deck to be placed on the top of the two-story element as long as it is no higher than the floor level of the adjacent uphill portion of the dwelling.



Kathy M. Previsich, Planning Director

11-2-2010
Date