

Chapter 18.58: "BH" Building Height Overlay District

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18.58.010 Purpose

The purpose of the "BH" Building Height Overlay District is to implement the "mid-rise" and "high-rise" building-height policies of the Community Development and Design Element of the General Plan by allowing building heights to exceed the limitations of the base zoning districts in specific areas of the City. The additional height is intended to help facilitate the creation of a defined and vibrant Downtown area by providing opportunities for more intensive office, mixed use, and residential development; to support the development of additional visitor accommodations in specified commercial areas; to enhance opportunities for the construction of additional convention facilities in the community; and to provide incentives for private redevelopment of aging commercial properties.

18.58.020 Applicability and Zoning Map Designator

The "BH" Building Height Overlay District shall be combined with the base zoning districts established by this code and, as shown on the Zoning Map. Further, this chapter shall contain reference to all ordinances which establish specific "BH" Districts.

18.58.030 Use Permit Required

Approval of a use permit by the Planning Commission shall be required for buildings whose height exceeds that allowed by the regulations of the base zoning district.

18.58.040 Building Height

- A. **Mid-Rise Buildings.** Mid-rise buildings are defined as those buildings located within the "BH" District that exceed the maximum height limit established by the base district and that have occupied floors located not more than 75 feet above finished grade. No explicit height limit is established by this chapter for mid-rise buildings. Roof elements, equipment penthouses, architectural features, and similar projections may extend above the occupied floor elevation as established by the use permit.

B.. **High-Rise Buildings.** High-rise buildings are defined as buildings located within the "BH" District with occupied floors located more than 75 feet above finished grade. No explicit height limit is established by this chapter for high-rise buildings. Maximum building height will be as established by the approved use permit.

18.58.050 Design Criteria

In addition to the other applicable requirements of this code, the design and construction of buildings within the "BH" District that exceed the height allowed by the base district shall be consistent with any applicable design criteria as may be established by resolution of the City Council.

18.58.060 Design Review Committee

Consideration of a development proposal pursuant to this chapter shall include review by a Design Review Committee if such committee has been required by ordinance or resolution of the City Council. The committee shall be consulted and allowed adequate opportunity to review proposed plans for consistency with adopted standards or criteria as part of the use permit process. The committee shall make a recommendation for approval or modification of the project to the Planning Commission before approval of a use permit. The time lines for review and approval of use permits established by Chapter 18.14 (Use Permits) shall not be extended solely to accommodate the work of the Design Review Committee unless such extension is requested by the project applicant.

18.58.070 Building Height Overlay Districts Established

"BH" Overlay Districts have been established by the following ordinance(s):

Ordinance Number	General Location
<u>2405</u>	Downtown; North Market Street; Hilltop Drive; Churn Creek Road areas