



E3. Height Limit

Raising the 55-foot height limit for residential development in select locations—for example, along transit corridors and in commercial centers—could increase the housing supply. This change would require a voter-approved amendment to the City Charter. Whether to put this issue on a future ballot could be analyzed and discussed as part of the Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update. Another alternative approach, which would not require voter approval, would be to revise the zoning code so that more residential development proposals over 35 feet are allowed by right, rather than by special review.

Key Issues:

- Although the Boulder Valley Comprehensive Plan (BVCP) supports increased density in select locations, such as in commercial and industrial areas and along transit corridors ([Policy 2.16](#)), and also has policies about appropriate building scale, the plan does not directly address the issue of building height.
- The current height limit is found in the City Charter and therefore any change would need to be approved by voters. Through the 2015 BVCP Update process, the community and decision-makers could analyze and discuss whether the issue should be placed in a future ballot.
- Exceeding the height limit could be conditioned for only certain housing types or levels of affordability.
- Raising the height limit for residential development could increase the supply of attached housing units. The amount would depend on location and building height.
- Allowing more by-right residential developments over 35 feet could incentivize and facilitate construction of additional attached housing units.

Background:

The current 55-foot height limit was added to the [City Charter](#) (Article V, Section 84) by popular vote in 1971, after citizens petitioned City Council to place the issue on the ballot. In 1998, voters approved a special exception in the charter for how height is measured in the Crossroads area, as a way to help facilitate redevelopment of the Crossroads Mall, now 29th Street.

The land use code requires that proposed buildings exceeding 35-40 feet in height (depending on the zone district) go through a discretionary review process for approval. This introduces more risk and adds cost to the development process than if the development were allowed by right.

Implementation Options:

1. As part of the BVCP 2015 Major Update, consider whether a charter amendment should be pursued to increase the height limit in certain parts of the city.
2. Consider revising the zoning code to allow more by-right development of residential proposals over 35 feet in height.

Goals Addressed Through this Tool:

- ✓ **Strengthen Our Commitments**
- ✓ **Maintain the Middle**
 - Create Diverse Housing Choices in Every Neighborhood
- ✓ **Create 15-Minute Neighborhoods**
 - Strengthen Partnerships
 - Enable Aging in Place