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MEMORANDUM

To: The Honorable Members of the Land Use & Transportation Committee
From: Justin A. Williams, Interim Executive Director
CC: Geoffrey Veale, Zoning Administrator
Date: March 23, 2026
Re: Council Bill No. 25-0128 – Zoning – Conditional Use Conversion
1118 N. Carey Street
Position: No Objection

The BMZA staff have reviewed City Council Bill #25-0128. This bill seeks to permit the conversion of a single-family dwelling into three dwelling units in the R-8 Zoning District at 1118 N. Carey Street, requiring a conditional use authorization by ordinance and a variance from minimum lot area regulations.

Agency Position on Approval Standards

As a quasi-judicial agency, the Board of Municipal and Zoning Appeals typically adjudicates land use matters based on specific evidentiary standards. Because this legislation places the authority to grant the Conditional Use and Variance directly with the City Council, the Board defers to the Council’s judgment regarding whether the applicant has satisfied the specific approval standards outlined in the Zoning Code. Accordingly, the Board takes no position on the specific factual merits of the application, but offers No Objection to the passage of the bill.

Legislative Context: Procedural Reform and the Housing Options and Opportunity Act

While the Board takes no position on the specific merits of this property’s conversion, this bill serves as a pertinent example of the regulatory inefficiencies currently embedded in the Zoning Code—inefficiencies that the pending Housing Options and Opportunity Act (City Council Bill #25-0066) is designed to correct.

1. The Jurisdictional “Dead End”

Under the current Zoning Code, the conversion of a rowhome in an R-8 district from one unit to three units requires a Conditional Use by Ordinance. The BMZA is statutorily prohibited from hearing these cases in the R-8 district, regardless of the project’s scale or impact. This forces property owners—often seeking modest changes to creating housing—to pursue a time-consuming and costly legislative process (a City Council Ordinance) rather than a streamlined administrative or quasi-judicial review.

2. Streamlining Development Review

As noted in the Board’s report for CCB #25-0066, the Housing Options and Opportunity Act would establish a permitted-by-right framework for “Low-Density Multi-Family” dwellings (2-4 units) in R-8 districts, provided they meet specific bulk and area standards.