

Item 10 B | Presentation, Planning Commission

January 21, 2026

Title 23 Amendments to Nonconforming Lot Coverage, Floor Area Ratio (FAR) and Density Regulations

BMC Title 23 – Residential Uses in R-1, R-2, R-2A, and MU-R Districts



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Agenda

- I. Background**
- II. Current Effects**
- III. Proposed Ordinance Amendments**
- IV. Staff Recommendation**

I. Background

Middle Housing Zoning Changes:

- **Adopted July 8, 2025**
- **Effective November 1, 2025**

Middle Housing Clean Up Items:

1. **Design Review in the MU-R and Housing Element Opportunity Sites**
 - **PC – December 3, 2025**
 - **City Council 1st Reading – January 20, 2026**
2. **Tonight: Nonconforming Lot Coverage, FAR & Density**

II. Current Effects

BMC Section 23.324.050 conflicts with the intent of Middle Housing by:

- ***Requiring* a Use Permits for Middle Housing projects that meet the development standards; and**
- ***Allowing* a Use Permit for Middle Housing projects to exceed the development standards.**

III. Proposed Ordinance Amendments

23.324.050 Conforming and Nonconforming Structures and Buildings.

D. Expansion and Alteration.

3. Nonconforming Coverage, FAR, and Density.

(a) A Use Permit is required for an addition to and/or enlargement of a structure or building that exceeds the maximum allowed lot coverage, or maximum floor area ratio, or is nonconforming to minimum or maximum residential density.

(b) The ZAB may approve the Use Permit only if the project does not:

- i. Increase or exacerbate the nonconformity; or
- ii. Exceed the height limit.

(c) The provisions of this section do not apply to Residential Uses in the R-1, R-2, R-2A or MU-R Zoning Districts.

Internal

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IV. Staff Recommendation

- **Conduct a public hearing, receive public comment, and upon conclusion, make a recommendation to the City Council to adopt proposed amendments to BMC Title 23 Section 23.324.050 to update the regulation of nonconforming lot coverage, FAR and density for residential uses in the R-1, R-2, R-2A, & MU-R zoning districts.**

Thank you!



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