

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** January 12, 2026

**SUBJECT:** TR25-08, Ordinance No. 3941, Public hearing and consideration regarding city-initiated text amendments to Chapter 118 (Zoning) for the purpose of revising certain single-family residential parking requirements related to garage enclosures.

**PRESENTER:** Cori Reaume, Director of Planning

### **SUMMARY:**

Revisions are proposed to consider allowance for enclosure of certain garages for the purpose of creating additional living space in homes built prior to the requirement for a garage.

### **GENERAL DESCRIPTION:**

In an effort to increase efficiency and limit property-specific approvals, staff have begun evaluating several code sections and reviewing case history to identify possible code modifications. One of the items on the list relates to a possible allowance for garage enclosures in certain older homes. This item was prioritized based on a number of outstanding properties identified to receive a “notice of violation” for unpermitted garage enclosures.

### **CURRENT REGULATIONS:**

In typical single-family residential zoning districts, the City currently requires (Sec. 118-833): 4 total spaces, with at least two “covered and enclosed” behind the front building line.

Generally speaking, the current zoning regulations requiring the aforementioned parking spaces would not apply to homes constructed prior to the 1999 ordinance adoption date. The homes are determined to be legally nonconforming with the current regulations. However, Section 118-152 (1), indicates that no building or structure may be altered in a way which increases the degree or extent of the nonconforming feature without approval of a building permit which has been authorized by the zoning board of adjustment.

In the past, staff has determined that in order to enclose a garage, the property owner must obtain a variance from the Zoning Board of Adjustment related to not meeting the parking requirements, or rather, increasing the nonconformity of the parking situation.

## **CURRENT PROCESS:**

In some instances, a new owner has acquired the property (including the enclosed garage) and learns of its unpermitted status through a notice of violation from the Building Inspections Division, or upon review of another submitted renovation permit on the property. Typically, the owners would like to pursue the necessary inspections to ensure the structure has been enclosed safely. Unfortunately, prior to submitting the retroactive permit and obtaining the necessary inspections, staff must direct the applicant to seek a variance (or permit for nonconformity extension) from the Zoning Board of Adjustment.

Processing applications through this board typically extends the timeline for obtaining a building permit and inspections by approximately 45 to 60 days due to the nature of public notices and meeting scheduling. A permit for the garage enclosure may not be obtained during that time, which would also delay other pending permits while rectifying the unpermitted work through this process.

## **DRAFT PROPOSAL:**

In an attempt to streamline these situations, staff reviewed previous applications for variances, neighborhoods where the garage enclosures are more prevalent, and ordinances from similar cities. A draft proposal was presented in the October 2, 2025 work session and discussion continued at the October 16 and November 6 Commission meetings.

Following that discussion, a review of the adoption dates of the ordinances addressing parking standards, and evaluation of the properties for which an updated ordinance may be helpful, staff are proposing a text modification outlined below:

- This proposal would apply only to homes permitted for construction **on or before November 22, 1999**. (This is the date in which the parking standards table was updated to include “covered and enclosed” in reference to 2 of the 4 parking spaces required on most residential lots.
- With respect to homes permitted for construction prior to that date, a garage enclosure may be permitted on properties which provide a minimum paved surface sufficient for parking **two** vehicles.
  - In instances where such paving exists, no additional paving would be required.
  - There is no proposed differentiation between a one-car or two-car garage.
  - Paved surface standards must align with Sec. 118-831 (f) (9)

In review of the identified homes with enclosed one-car garages, it was determined they typically have already added a second paved parking space on the site or would generally be easily able to do so. In homes with 2-car garages prior to that date, most have a driveway sufficient to accommodate two vehicles off-street. Many previously had a detached 2-car garage in the rear of the property, which often accommodates even more than two vehicles off-street due to the length of the paved driveway.



The proposal is outlined as an amendment to the 'Nonconforming uses, structures, and lots' division, specifically in Section 118-153.

**PUBLIC INPUT:** No public comment has been received as of December 26, 2025. Any feedback received after that date will be provided at the meeting.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission conducted a public hearing and considered this item at the November 6, 2025, meeting and voted 6-0 to recommend approval.

**RECOMMENDATION:**

Approve Ordinance No. 3941.