



COMMUNITY DEVELOPMENT DEPARTMENT

- Subject:** Conversion of Floor Space in Nonconforming Garage
- Issue:** To expand the living space of a home, floor space within attached and detached garages is being converted to living space. Many of these garages are nonconforming in regards to setbacks. This determination identifies when such conversions are allowed in accordance with the nonconforming provisions and when such conversions require a Minor Use Permit or Variance.
- Reference:** Section 18.130.030 (Restrictions on Nonconforming Uses and Structures)
- Policy/Procedure:** The conversion of non-habitable floor space (e.g., garage space, storage area) into habitable floor space may be allowed within a non-conforming garage structure (attached or detached) subject to the following.
- a. The garage complies with the front yard and rear yard setbacks for habitable space;
 - b. The conversion will not result in further encroachment into the side yard setback;
 - c. The conversion complies with all other applicable Development Code provisions (detached living area, residential accessory structures, etc.).
- This determination is based on the finding that the conversion of the floor space into living space is a change in use that will not result in an intensification of the structure's nonconformity.
- All other situations involving nonconforming garages (e.g., conversion of floor space in a garage that encroaches into the front yard setback) shall require a Minor Use Permit or Variance.
- Effective Date:** March 11, 2002

Approved by: _____
Tony Lashbrook, Director