

## **CERTIFICATE OF NONCONFORMING USE - GENERAL DESCRIPTION**

The purpose for which Certificates of Nonconforming Use may be issued is to allow continuation of the nonconforming use of land or buildings from the date the use became nonconforming. The certificate shall be issued subject to the following findings and limitations:

- a) Such use was made nonconforming by a rezoning action initiated by the County of Sacramento to change the land use zone of the property from one zone to another listed in Title II, and
- b) Prior to the effective date of the action taken in (a) above, the use was a legally established use in conformance with the Zoning Code in effect at that time, and
- c) No complaints of any kind are pending before the Zoning Enforcement Section of the Department of Planning and Community Development regarding the property and no enforcement action of any kind is pending regarding the property. For purposes of this section, "enforcement action" shall include, but not be limited to notices given by the Zoning Enforcement Section, stipulated judgments or other settlement documents requiring performance of some activity, and enforcement litigation. The pendency of any complaint or any action based solely on the nonconforming status of the property shall not be the basis for denial of the certificate, and
- d) If the use is one which is required by this Code to be located at least 500 feet from any residential, interim residential, estate, agricultural residential, limited agricultural, or general agricultural land use zone, such use is, in fact, 500 or more feet from any such land use zone, and
- e) If the use is one for which a valid business license is or was required, such license has been continuously held for the entire period it has been required.
- f) Such use has not expanded, enlarged or extended since the date it became nonconforming.

A certificate of nonconforming use shall be valid from the date of issuance. A certificate may be issued indefinitely or be limited to a specified time as a condition of approval. A certificate may be issued subject to conditions reasonably related to making the current use conform with feasible standards in the current zone. a certificate may be revoked in the same manner and for the same reasons as provided in Section 110-10 of the Zoning Code of Sacramento County. The use permitted by the certificate is subject to restrictions on expansion, extension and change.