

APPLICATION FOR
CERTIFICATE OF NONCONFORMING USE

INSTRUCTIONS TO THE APPLICANT

1. **Application Form**: This form requests basic information about the application being made.
2. **Signature of legal owner** or power of attorney must be provided.
3. **Filing Fees**: Consult the staff of the Planning Department at 827 - 7th Street, Room 101 or call (916) 874-6221 for current fees. Make checks payable to "Treasurer, County of Sacramento."
- *4. **Site Plan**: Three copies must be submitted with the application.
 - a. The plan should include:
 - Existing trees, waterways, streets, driveways, parking, structures, signs and other improvements.
 - Indicate the location and approximate floor area of the existing use. If the business area contains multiple uses (e.g. sales office, storage, etc.) indicate the area of each. Floor plan may be shown on separate sheet if necessary.
 - **Property lines for all abutting properties (including those opposite public or private streets) and a clear indication of the names of streets, Assessor's Parcel Numbers and owners of each property shown.**
 - b. Draw all plans to engineering scale; show site dimensions, north arrow, and visual scale.
 - c. Submit plans folded 8-1/2" X 11" in size.
5. **Plan Reduction**: Submit one reduced 8-1/2" X 11" photocopy of site plan.
- *6. **Names and Mailing Addresses** of all adjacent property owners and tenants, including those across the street from the subject property. (Two (2) sets to be provided on attached mailing label sheet.)
7. **Copy of current business license**, please submit if required.

*See accompany Sample site plan and mailing list.

FOR OFFICIAL USE ONLY

Zoning History: _____

Zoning at Time Use Was Established: _____

Zoning Change Which Made Use Nonconforming: Date _____ Ord. No. _____

Zoning Enforcement Comments: _____

acn1

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.

APPLICATION FOR CERTIFICATE OF NONCONFORMING USE

Filed pursuant to Section 110-100 of the Zoning Code Control No. _____

To be Completed by Applicant

1. Subject Property: Parcel No.(s). _____
Address and Location _____

2. Business Name _____
Business Owner _____
Business Description _____

3. Legal Owner of Property _____
Address _____
City _____ ZIP _____ Phone _____

4. Applicant/Business Owner _____
Address _____
City _____ ZIP _____ Phone _____

5. Business size at time of rezoning:
Lot area (sq.ft.) _____
Paved area (sq. ft.) _____ Parking Capacity (# spaces) _____
Building area (sq.ft.) _____
Building capacity _____ Seats _____ People _____

6. Date use was established _____

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and agree to pay any fees and expenses required to prepare necessary planning studies to process this application. I further certify that the business described in "2" above has continued without interruption since the date specified in "6" above.

Applicant: _____ Date _____

Legal Owner: _____ Date _____

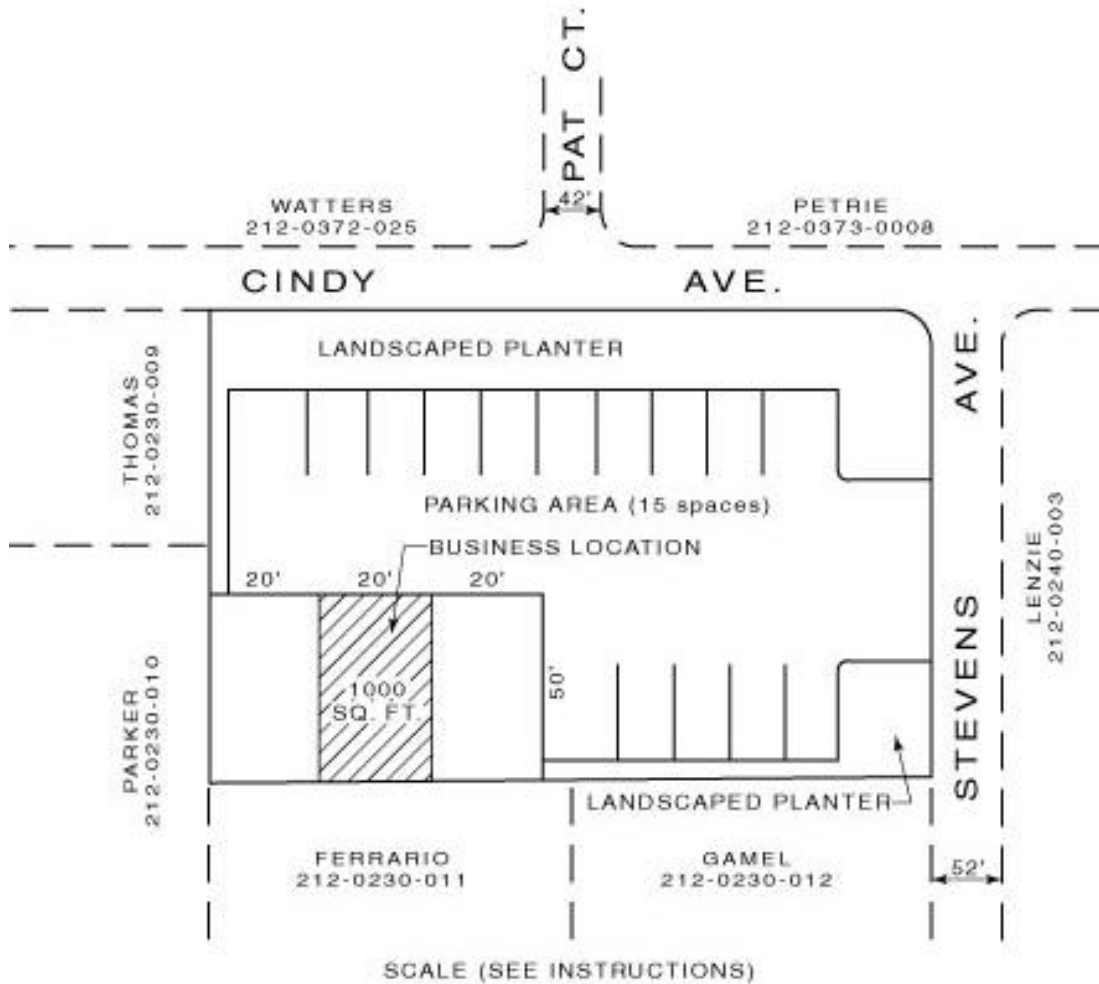
Note: Applications may not be accepted without signature of legal owner or his official agent with power of Attorney. An incomplete application cannot be acted on. the zoning Code requires specific material to be submitted in conjunction with the application. The required items area indicated on the attached instructions.

Logged by
Community _____
G/P _____
C/P _____
Zoning _____
Concurrent Applications

CERTIFICATE OF NON-CONFORMING USE SAMPLE SITE PLAN

INDICATE SPECIFIC LOCATION OF USE (i.e. PORTION OF BUILDING OR COMPLEX)

REFER TO INSTRUCTIONS TO THE APPLICANT FOR SPECIFIC REQUIREMENTS.



FILING - Please check to see that the following items are included with your application.

- THREE (3) copies folded to 8 - 1/2" X 11" OR LESS
- ONE (1) 8-1/2" REDUCTION OF THE SITE PLAN
- COMPLETED APPLICATION FORM.
- FILING FEE.
- PROPERTY OWNERS LIST TYPED ON LABELS.
(SEE SAMPLE ON OPPOSITE SIDE)

SAMPLE

PROPERTY OWNERSHIP LIST

JOHN M. DOE 222 FRONT STREET REAL TOWN, CA 95817 APN: 000-000-000	JAY D. BERD 440 – 92 ND STREET SACRAMENTO, CA 95818 APN: 023-0333-012	HENRY Q SMITH 85 FIFTH AVENUE NEW YORK, NY 72012 APN: 266-0099-009
PAULA L. ANDRES 1600 STODDARD AVENUE SACRAMENTO, CA 95801 APN: 123-0456-078	ANY NAME 1206 – 59 TH STREET SACRAMENTO, CA 95816 APN: 910-0110-080	SAM SOMEBODY 102 NINTH AVENUE SACRAMENTO, CA 95819 APN: 423-0654-022
And so forth		

NOTE: THIS LIST MUST BE CLEARLY TYPED WITHIN THE LABELS AS THEY WILL BE USED FOR MAILING. IF YOU NEED ADDITIONAL SHEETS, THEY ARE AVAILABLE AT 15¢ A SHEET.

THIS LIST MUST INCLUDE ALL INDIVIDUALS RELATED TO THE APPLICATION WHO DESIRE NOTIFICATION.

OWNER, APPLICANT, ENGINEER, ETC.
