



Steve Weiss, AICP
Planning Director

RIVERSIDE COUNTY

PLANNING DEPARTMENT

FILING INSTRUCTIONS FOR NON-CONFORMING USE EXTENSION (For Commercial and Industrial Only)

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Land Use application. Cooperation with these instructions will insure that the application can be processed in the most expeditious manner possible.

THE NON-CONFORMING USE EXTENSION FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form; with attachments, if necessary.
2. A current recorded deed of the property. If the property involved is owned by a corporation, limited liability company (LLC), partnership, trust, or similar entity, appropriate documentation will be required to provide proof that the person(s) signing on behalf of said entity is properly authorized to do so.
3. If any of the properties involved do not abut a public street, a copy of appropriate documentation of legal access (e.g. recorded easement) for said property shall be provided.
4. A minimum of three ground-level panoramic color photographs clearly showing the whole project site. Include a locational map identifying the position from which the photos were taken and the approximate area of coverage of each photograph.
5. A completed and signed [Land Use and Permit Application Processing Agreement](#).
6. A completed [Indemnification Agreement Property Owner Information](#) form with any required materials.
7. A Preliminary Title Report issued by a title company licensed to business in the State of California dated less than 30 days prior to the date of submittal of this application.
8. Digital copies of the all the above listed items in a format acceptable to the Planning Department (e.g. PDF).
9. Initial payment of deposit-based fee for the Non-conforming Use Extension application and Initial Study/Environmental Assessment initial payment of deposit-based fees.

For assistance in the preparation of any of these forms, please contact the Transportation and Land Management Agency (TLMA) Ombudsman staff. Click on the following link <http://rctlma.org/Departments/Administrative-Services/Ombudsman> for more information.

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APPLICATION FOR NON-CONFORMING EXTENSION

Every application for a Non-conforming Use Extension shall be made in writing on the forms provided by the Planning Department, shall be accompanied by the filing fee as set forth in Ordinance No. 671, and shall include all of the following information on a Site Plan.

- 1) Name, address and phone number of applicant and the property owner.
- 2) Assessor's Parcel Number(s) of premises involved
- 3) Physical dimensions of property.
- 4) Location and dimensions of all existing structures. Identify all structures.
- 5) Setback dimensions.
- 6) Location and dimensions of all driveways, parking areas, landscape areas, fences, and walls.
- 7) Location and dimensions of all adjacent roadways showing location of street centerline and all existing improvements such as sidewalks, curbs, gutters, or curb cuts.
- 8) Dimensioned floor plans
- 9) Panoramic photographs showing all sides of the on-site property and improvements as well as adjacent off-site properties.
- 10) Current zoning classification [with Change of Zone case number] and date it was adopted and became effective.
- 11) Prior zoning classification.

Additional Informational:

- 1) A written statement of justification for continued nonconforming use of the property.
- 2) Supporting documentation showing that the site has been in continuous use. Documentation may include, but is not limited to: bills of sale, bills of lading, utility bills, property tax records, Board of Equalization records, Employment Development Department records, fictitious business statement, Articles of Incorporation, canceled business checks, sales receipts, rental or lease agreements, or licenses.
- 3) Such other information as determined necessary by the Planning Department.

PUBLIC HEARING A public hearing shall be held on the application for a Nonconforming Use Extension in accordance with the provisions of Section 18.26 of Ordinance No. 348 and all the procedural requirements and rights of appeal as set forth therein shall govern the hearing.

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CONDITIONS A Nonconforming Use Extension shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety, or general welfare of the community. Any extension that is granted shall be subject to such conditions as shall be necessary to protect the health, safety, or general welfare of the community.

EXPANSION OF NONCONFORMING USE The total square footage of an existing nonconforming structure or use, excluding mobile homes, may be expanded a maximum of 25 percent on the same parcel of land from the time the use was deemed nonconforming. Such expansion shall require issuance of a building permit only and shall not extend the period of nonconforming time in which the use must be eliminated.

Note: If additions were added without Building Permits after 1962, the unpermitted structures count toward the 25% expansion and cannot be exceeded.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1080 Nonconforming Use Extension Application - Filing Instructions Handout.docx
Created: 8/28/2015 Revised: 07/29/2016