



2. THE LAND USE PLAN (CONTINUED)

2.2 DESCRIPTION OF LAND USE PLAN MAP DESIGNATIONS (CONTINUED)

NON-CONFORMING USES

Objective:

To allow for the continued utilization of lawfully existing improvements and uses made non-conforming by the adoption of this Coastal Element of the General Plan, where the use is compatible with adjacent land uses and where it is not feasible to replace the activity with a conforming land use. The intent is that as a result of this general plan process, if land use classification or zoning changes occur on parcels of land where improvements are in place and where activities have been or are being carried out as an allowed use in that classification or zoning district, the specific use may be continued and shall be entitled, subject to the requirement of consistency with all applicable Local Coastal Plan provisions other than land use designations, to all the rights, privileges and uses allowed prior to the classification or zoning changes. Right of expansion shall be allowed only through issuance of a conditional use permit. This section is not intended to negate the requirements for use permits when appropriate or specified elsewhere in the County Code.

Policies:

1. Allow the continuation of all existing legal non-conforming uses which do not conform to the type of uses designated on the land use map, but which conform to the following criteria:
 - a. If the existing use is contained within a structure built or modified to accommodate the existing use, conformance with the applicable Building Code and/or other ordinances and standards adopted by the County is required.
 - b. The use is compatible with adjacent land uses, such that its hours of operation, noise levels, aesthetic impacts, and traffic to the site do not now significantly adversely impact adjacent land uses.
2. All existing legal uses conforming with Section 1 above may be continued, buildings may be remodeled, rehabilitated, or reconstructed as long as the exterior dimensions of the building remain the same, and no increase in use results.
3. Existing legal non-conforming uses conforming with Section 1, above, may be expanded or reduced to a use of lesser intensity provided they satisfy the following four criteria:



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- a. That it is not reasonably economically or physically feasible to make the use of the property compatible with the applicable general plan land use designation;
 - b. That the use is and, after expansion, will be compatible with adjacent land uses and that any increased adverse impacts on access or public facilities and services will be mitigated;
 - c. That the site is physically separate from surrounding properties such that continued non-conforming use is appropriate in that location; and
 - d. Expansion of the non-conforming use will require a conditional use permit in each case. Such conditional use permit shall be granted only if affirmative findings can be made on the criteria listed above ((a) (b) & (c)), and only if the expansion is found consistent with all other applicable policies of the Coastal Element.
4. Encourage discontinuation or relocation of non-conforming uses which do not conform to the type of uses designated on the General Plan map and which do not conform with the criteria listed above.
 5. Permanent uses established by use permit, and made non-conforming by the General Plan, shall be considered legal non-conforming uses. Such uses shall continue as legal non-conforming uses only if they abide by the conditions of the use permit.
 6. New legal non-conforming use regulations shall extend abandonment term from six months to one year. Additionally, seasonal use should qualify as keeping a legal non-conforming use active, as long as it is used each year.
 7. Destruction of buildings shall not terminate a legal non-conforming use, and the building may be rebuilt to its previous dimensions and arrangement, and utilized to the same extent prior to its destruction, or expanded through the use permit process.

[Description of Land Use Plan Map Designations](#)

[Home Occupations](#)

[Cottage Industries](#)

[Nonconforming Lots](#)

[Development Limitations Combining District](#)

[Clustering Combining District](#)

[Planned Unit Development Combining District](#)

[Visitor Accommodations and Services Combining District](#)

[Agriculture Land Use Classification](#)

[Forest Lands Land Use Classification](#)

[Range Lands Land Use Classification](#)

[Open Space Land Use Classification](#)



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[Rural Residential Land Use Classification](#)
[Remote Residential Land Use Classification](#)
[Suburban Residential Land Use Classification](#)
[Rural Village Land Use Classification](#)
[Fishing Village Land Use Classification](#)
[Commercial Land Use Classification](#)
[Industrial Land Use Classification](#)
[Public and Semi-Public Facilities Land Use Classification](#)
[Shoreline Access/Circulation](#)
[Natural Environment](#)
[Boundaries](#)