

**Permit Requirements for Changes to Nonconforming Structures
County Code Section 13.10.262(a)**

Note: Permits required are in addition to any permits or approvals that may be required by other sections of the County Code, including requirements in Title 16 for Geologic Hazards, Riparian Corridor and Wetlands Protection.

Permits Required for Modifications to Nonconforming Structures (Summary of County Code Section 13.10.262(a)1-5)		
Activity	Nonconforming Structures	Nonconforming Structures located over a property line, in a riparian corridor, or with 5 feet of a vehicular right of way or future planned vehicular right of way improvement
Altering 50% or less of the major structural components	Building Permit	Building Permit
Altering more than 50% to less than 65% of the major structural components	Building Permit	Administrative Site Development Permit (waiver may apply) ¹
Reconstruction (altering 65% or more of the major structural components)	Administrative Site Development Permit	Administrative Site Development Permit
Permits Required for Modifications to Nonconforming Structures After a Catastrophic Event (Summary of County Code Section 13.10.262(a)6-7)		
Repairs or alterations, altering less than 65% of the major structural components	Building Permit (see 13.10.262(a)6)	Building Permit (see 13.10.262(a)7)
Reconstruction (altering 65% or more of the major structural components)	Building Permit (subject to criteria in 13.10.262(a)6)	Administrative Site Development Permit (see 13.10.262(a)7) (waiver may apply) ¹
¹ <u>Waiver</u> : For nonconforming structures <u>located within five (5) feet of a vehicular right-of-way or within five (5) feet of a planned vehicular right-of-way improvement only</u> , the Planning Director (or designee) may waive the requirement for an Administrative Site Development Permit for altering more than 50% (or 65%) of the major structural components if he or she determines that the proposed project will not adversely affect the environment or public health, safety or general welfare. If the requirement is waived, then the permit requirements for altering or reconstructing nonconforming structures that are not in a special location shall apply. (see sections 13.10.262(a)4 and 13.10.262(a)7)).		

**Permit Requirements for Changes to Nonconforming Uses
(See County Code Section 13.10.261(c))**

Note: Permits required are in addition to any permits or approvals that may be required by other sections of the County Code, including requirements in Title 16 for Geologic Hazards, Riparian Corridor and Wetlands Protection.

Modifications to a structure accommodating a nonconforming use	Permit Required
Repairs and improvements to an existing structure, altering up to 65% of the major structural components	Permitted upon issuance of a building permit and any approvals that may be required by other sections of the County Code and General Plan/ Local Coastal Program.
Reconstruction (as defined in 13.10.260(b) 6) of an existing structure	Conditional Use Permit (Level 5 Approval) (See subsections 13.10.261(e) and (f))
Conforming additions not exceeding 50% of the square footage of the existing building, limited to once within a 5-year period	Administrative Use Permit (Level 4 Approval) (See subsections 13.10.261(d) and (f))
Conforming additions exceeding 50% of the square footage of the existing building, limited to once within a 5-year period	Conditional Use Permit (Level 5 Approval) (See subsections 13.10.261(e) and (f))
Reconstruction (as defined in 13.10.260(b)6) of a structure accommodating a nonconforming use after a catastrophic event.	Administrative Use Permit (Level 4 Approval) (See subsections 13.10.261(d) and (f))

Change to a Nonconforming Use	Permit Required
Expansion of an existing nonconforming use throughout an existing structure, with no intensification of the use	Administrative Use Permit (Level 4 Approval) (See subsections 13.10.261(d) and (f))
Intensification of an existing nonconforming use as defined in 13.10.260(b)(2) for residential uses and 13.10.260(b)(1) for non-residential uses	Conditional Use Permit (Level 5 Approval) (See subsections 13.10.261(e) and (f))
Change of an existing nonconforming use to another nonconforming use with no intensification	Administrative Use Permit (Level 4 Approval) (See subsections 13.10.261(d) and (f))