



CITY OF CHICO OFFICIAL PLANNING DIRECTOR INTERPRETATION

Authority: **Chico Municipal Code Section 19.02.030 (Procedures for interpretations)**

Applicable Code Section: **Section 19.08.030(D) "Change to a Nonconforming Use"**

Discussion: The referenced Code Section is part of the provisions regulating nonconforming uses. Currently, any change to a nonconforming use, including an addition, enlargement, or relocation, is subject to a use permit granted by the Planning Commission. When Title 19 was repealed and reenacted in its entirety (Ordinance 2185, 10/21/99), this Code Section was not updated to accurately reflect the Zoning Administrator's duties. The Zoning Administrator's appointed duties include conducting public hearings and approving or denying applications for use permits. This interpretation would maintain the appointed duties of the Zoning Administrator and the intent of the code regulating nonconforming uses, which is to process changes to a nonconforming use in a public hearing for a use permit entitlement.

Interpretation:

19.08.030(D) is to be interpreted as follows:

"Notwithstanding any other provision of this chapter, the ~~Commission~~ *Zoning Administrator* may grant a use permit to authorize an addition, enlargement, or relocation of a nonconforming use upon a determination that the benefit to the public health, safety, or welfare exceeds any detriment inherent in such a change.

This Official Interpretation is effective immediately and will require an amendment to Title 19 Land Use and Development Regulations.



Stephen Peterson, Planning Services Director

Date: July 29, 2009