

Appendix C

Interim Use Regulations

INTERIM USE DEFINITION

An interim use is defined as any lawful use of a building, structure, or land which does not conform to the West Landing Specific Plan (WLSP) land use regulations where it is located. Interim Uses were consistent with the Stanislaus County zoning regulations when they were established, but are not consistent with the adopted WLSP. Because these uses began before the WLSP was adopted, they will be allowed to continue subject to the regulations in this section.

C.1 PURPOSE

The purpose of this section is to provide for the regulation of interim buildings, structures, uses, and lots, and to specify the circumstances and conditions under which they shall be allowed to continue.

C.2 AUTHORITY TO CONTINUE

Any building, structure, use, or lot that existed lawfully prior to the date of the adopted WLSP may be continued.

Any building, structure, use, or lot that existed lawfully prior to the adopted WLSP or any subsequent amendment thereto, may be continued.

Any building, structure or use with an approved land use permit prior to the date of the adopted WLSP, may be continued.

Any change in ownership of such a building, structure, use, or lot does not void interim use rights. Interim use rights run with the land, not with the owner.

C.3 RESTRICTIONS

Interim use buildings or structures shall not be enlarged or altered in a manner that increases or expands the interim use (with WLSP).

If an interim building, structure, or use is damaged or destroyed by fire or other casualty so that it cannot be repaired or put back in use, no part of the structure shall be reconstructed.

If any interim use of land ceases for any reason for a period of more than 180 days, the use is considered abandoned and any subsequent use of the land shall conform to the WLSP land use in which it is located. The planning commission may approve an extension of one year to this period to allow relief from emergencies or other extenuating circumstances that are outside the control of the landowner.

Nothing in this section shall be deemed to prevent the strengthening or restoring of a structure to a safe condition.