

**DETERMINATION OF  
LEGAL NONCONFORMING STATUS  
GUIDELINES**

**KERN COUNTY PLANNING AND  
NATURAL RESOURCES DEPARTMENT**

The property owner's written request for a determination of legal nonconforming status must contain the date that the use in question was first established, a description and history of the use, and a statement that the use has been continuously maintained since prior to the date zoning was adopted. This request must be accompanied by the following items:

- (1) Appraisal records or other land use information from the Kern County Assessor's Office. (This can usually only be obtained by the owner of the subject parcel.) The statistics contained in the Assessor records usually include permit information, inspection dates, and rough plot plans showing dimensions of structures (8 1/2-inch by 11-inch building record history).
- (2) A plot plan illustrating property boundaries and location of structures, parking, and other improvements.
- (3) Photos of the property that clearly show the use or structures in question.
- (4) Additional supporting evidence may include historical photos, rental receipts, business records, utility company records, income tax records, insurance records, building permit history, or notarized statements from surrounding property owners or neighbors attesting to the information offered by the applicant. These statements must contain the name, address, and length of occupancy of the person providing the statement.

The purpose of providing this information is to prove that the use was established prior to the adoption of zoning, and that the use has not been discontinued for a period of greater than one year.

After submittal of the requested information with a check in the amount of \$180 made payable to the County of Kern, a member of Staff will be assigned to investigate the request. The investigation will normally be completed within two weeks. Chapter 19.108 of the Kern County Zoning Ordinance contains regulations that apply to nonconforming uses, structures, and lots; a copy of this chapter can be provided to you upon request.