



CITY OF VALLEJO

Central Permit Center

Business License
(707) 648-4310

Building
(707) 648-4374

Fire Prevention
(707) 648-4565

Planning
(707) 648-4326

Public Works
(707) 651-7151

Certificate of Conformity

Appointments may be required for some planning application submittals. Appointments must be made at least 24 hours in advance. Please call the main desk (707) 648-4326 to set up the appointment.

A Certificate of Conformity is a staff-level approval to allow the re-establishment of an abandoned residential unit rendered nonconforming through a reduction in density or other changes in zoning.

What types of property are eligible?

A property containing residential units originally and legally constructed either as part of a multi-unit structure or as a separate structure within a group of units on one parcel may be eligible for a certificate of conformity.

What are the steps in the process?

- It is strongly recommended that applicants consult with Planning Division staff and the Building Official prior to a formal application.
- The applicant submits the required materials to the Planning Division as listed below.
- Upon submittal of a complete application, the staff planner will notify the appropriate neighborhood associations/organizations and the property owners within a 200 hundred foot radius of the subject property.

What is required for plan submittal?

CERTIFICATE OF CONFORMITY CHECKLIST

The following items must be submitted for a complete application. To ensure that all items are provided, please check off the box for each item that is shown. If an item is not applicable, write N/A next to the box. Incomplete applications will not be accepted.

- Application:** A completed planning application signed by the property owner.
- Fee:** A filing fee of \$_____.
A public notice fee of \$_____.
- Plans:** Three (3) copies of a site plan of the property showing property lines, sidewalks, and buildings. Refer to the "Site Plan and Elevation Checklist" handout.
- Site Photos:** Color photos showing the existing property and the adjacent properties.

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- Supporting Documents:** Substantial evidence to support the required findings outlined in the following section, "What are the findings for a certificate of conformity?" Such evidence could include, but not be limited to, the following:
- Plans showing original construction of the units;
 - Copies of building permits and/or other authorization for the units;
 - Pertinent historic photographs and/or documents; and,
 - Written declarations made under the penalty of perjury. These declarations must be notarized.

What are the findings for a certificate of conformity?

1. The unit was originally and legally constructed (as can best be determined by available plans, permits and other documentation) either as part of a multi-unit structure or as a separate structure within a group of units on one parcel;
2. The re-establishment of the unit will not be detrimental to any existing or potential use or structure in the zoning district in which the nonconforming use is located. (Issues to be considered include, but shall not be limited to the availability of parking, aesthetics, privacy and physical compatibility with adjacent properties)
3. The structure containing the unit cannot be easily converted for a use which conforms to the current zoning district; and,
4. If the structure is on the City's historic resources inventory, the loss of the nonconforming unit could result in the degradation of the architectural integrity of the structure or other adjacent structures or could result in the loss of the structure.

How long does the approval process take?

A planner will review the application for completeness. State law requires that staff determine whether the application is complete within 30 days.

Upon acceptance of a complete application, the Planning Division will notify all property owners within a 200 foot radius of the proposed property at least 14 days prior to the date on which a decision will be made. Plans may also be routed to other City departments for their review and comments.

The public notice mentioned above allows for a minimum of 20 calendar days for additional evidence to be submitted in support or opposition to the issuance of the Certificate. However, individuals or neighborhood organizations may request, in writing, an extension of the 20-day review period for a total period of 45 days.

Can a decision be appealed?

Yes, any Planning Division determination may be appealed to the Planning Commission through the Planning Commission Secretary. To appeal, the appellant shall submit a

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letter stating the reasons for the appeal and how decision affects them. The appeal must be filed with the Planning Division within 10 calendar days after the decision is made. A public hearing will then be set for the Planning Commission to consider the appeal. If a Commission decision is appealed to the City Clerk, a public hearing before the City Council will be scheduled.

If no appeal is filed within 10 days of the determination date, the project determination is final.

When are appeals hearings held?

The Planning Commission usually holds public hearings on the first and third Mondays of each month at 7:00 p.m. in the City Council Chambers, 555 Santa Clara Street.

The City Council usually holds public hearings the second and fourth Tuesdays at 7:00 p.m. in the City Council Chambers, 555 Santa Clara Street

What happens after a Certificate of Conformity is issued?

All re-established units must be brought into compliance with current building and housing codes within 6 months of the date of the issuance of the Certificate of Conformity. At the discretion of the Chief Building Official, the State Historic Building Code may be used for eligible structures. Failure to complete all required improvements within the 6-month period may result in the revocation of the Certificate and the termination of the unit.

Once a Certificate of Conformity is issued and all required improvements are completed, the residential unit is considered conforming.

Can I get an extension if I cannot complete the required work within 6 months?

The Planning Manager may grant an extension of time, not to exceed an additional 12 months, to complete the authorized restoration if the following findings are made:

1. An unreasonable hardship would otherwise be imposed on the property owner;
2. The delay in completing the restoration was beyond the control of the property owner; and,
3. The extension of time to complete the restoration would not be detrimental to any existing or potential permitted use or structure in the zoning district in which the structure is located.