

# City of Salisbury Non-Conforming Use Zoning Exemption Program

## I. Purpose of Program

- a. The City of Salisbury Housing and Community Development department has identified a number of properties currently sitting vacant due to the properties losing their non-conforming use exemption. As a solution to eliminate these vacant properties and have the home rehabilitated to create additional housing options in the city HCDD is proposing a Special Zoning Exemption Program that would allow for the properties to regain their Non-Conforming Use with a strict set of Parameters. All housing studies show vacant properties create a large financial burden to the jurisdictions they are located in through an increased number of calls for emergency services, city/town absorbed maintenance cost and lost tax revenue as a result of decreased property values. By instituting the Special Zoning Exemption Program, the City of Salisbury believes we will see private investment in vacant properties, increased property values, increased tax revenue, and an increase in neighborhood stability.

## II. Residential Property Qualifications

- a. Vacant residential properties (1 year or more) that have lost their non-conforming use exemption; or
- b. Any residential property that has lost its non-conforming use exemption within the last 5 years or 60 Months

## III. Application Requirements

- a. Application must be submitted by November 30, 2022
- b. Property owners must be in good standing with the City of Salisbury. Good standing shall be defined as;
  - i. No outstanding delinquent taxes
  - ii. No outstanding code violations
  - iii. No condemned properties w/o approved rehab plans
- c. Complete rehabilitation plan for review by Housing and Community Development and Infrastructure and Development Departments
  - i. *Architectural renderings of exterior and interior*
    1. Off-street parking plan
      - a. Minimum of one parking space per unit
        - i. On-Site
        - ii. Off-Site (Parking lot or garage pass)
- d. Agreement to adhere to Federal/State/Local Fair Housing Guidelines/Practices
- e. Applicant shall obtain all permits required to execute the rehabilitation plan and shall comply with all applicable building codes.

## V. Program Property Operational Requirements

- a. Rehabilitation plan must be completed and rental units available within 12 months from HCDD approval
  - i. Complete all terms and conditions of Applicants rehabilitation plan
  - ii. Obtain a certificate of occupancy
  - iii. Property must be inspected by the Housing and Community Development Department
- b. Probational period of three (3) years
  - i. Property units subject to yearly inspection
  - ii. Must maintain Code and Standards of Livability requirements
  - iii. No more than three (3) code violations per year, per property
  - iv. No more than three (3) calls for service per year, per unit

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## VI. Program Cost

- a. Application Fee
  - i. \$500.00 non-refundable application fee
- b. Probational period landlord license and rental unit cost
  - i. 240.00 per landlord license, per year
    1. Zoning exemption landlord license require
  - ii. \$240.00 per rental unit, per year
  - iii. License fees after completion of probational period
    1. Landlord license cost
      - a. Fee approved by Council at completion of probation (Current \$75.00)
    2. Rental unit license cost
      - a. Fee approved by Council at completion of probation (Current \$75.00)

## VII. Program Violations

- a. Participating properties cannot be vacant for more than a 12-month period following the completion of rehabilitation plan
  - i. Should any property violate this stipulation, it will result in the loss of non-conforming use status pursuant to the City of Salisbury zoning code
- b. Failure to complete the probationary period shall result in the Property's loss of its legal nonconforming use status pursuant to the Program.
- c. Violation of any Program Requirement shall result in the Property's loss of its legal nonconforming use status pursuant to the Program.
- d. Rehabilitation of property taking longer than 12 months from approval will have licenses revoked
- e. The Housing and Community Development department reserves the revoke the licenses of any property participating in the Non-conforming Use Zoning Exemption Program for violating any of the probation period requirements