

9-01.07 [Nonconforming Uses]

9-01.07-10 [Continuation of a Nonconforming Use]

Except as indicated in Section 9-01.07-20, below, a nonconforming use or structure may be continued but may not be altered or extended. The extension of a nonconforming use to a portion of a structure but may not be altered or extended. The extension of a nonconforming use to a portion of a structure which was arranged or designed for the nonconforming use is not an enlargement or expansion of a nonconforming use. A nonconforming structure which conforms with respect to use may be altered or extended if the alteration or extension does not cause the structure to deviate further from the standards of this code.

9-01.07-20 [Exception for Homes on Individual Lots in Residential Zones]

Section 9-01.07-10 does not apply to homes appearing on individual lots in any residential zone so long as such mobile home appeared on such lot prior to the adoption of these provisions. Such pre-existing, nonconforming homes may be repaired for upgrading purposes and may continue as a pre-existing, nonconforming use provided they meet standards as prescribed by the City Council prior to replacement or repair. If a nonconforming use is replaced it shall be done in accordance with the provisions in this section.

9-01.07-30 [Discontinuance of Nonconforming Use]

If a nonconforming use is discontinued for a period of one (1) year, further use of the property shall conform to this code.

9-01.07-40 [Change of Nonconforming Use]

If a nonconforming use is replaced by another use, the new use shall conform to this code.

9-01.07-50 [Destruction of Nonconforming Use]

If a nonconforming structure or structure containing a nonconforming use is destroyed by any cause to an extent exceeding eighty percent (80%) of its fair market value as indicated by the records of the County Assessor, a future structure or use on the site shall conform to this code.

9-01.07-60 [Completion of Structure]

Nothing contained in this chapter shall require any change in the plans, construction, alteration or designated use of a structure for which a permit has been issued by the City and construction has commenced prior to the adoption of this code, provided the structure, if nonconforming or intended for a nonconforming use, is completed and in use within two years from the time the permit is issued.

9-01.07-70 [Enlargement or Expansion of a Nonconforming Use]

A nonconforming use that existing at the time that zoning was adopted in the area of such use, or changed in the area, may be expanded if such expanded use is not detrimental to public health, safety and welfare and determined by the Planning Commission to be proportional to the growth of the community in accordance with the Type III permit provisions.