

## Chapter 17.24

## NONCONFORMING USES

## Sections:

- 17.24.010 Continuation of nonconforming use of structure.**
- 17.24.020 Alteration of nonconforming structure.**
- 17.24.030 Discontinuance of a nonconforming use.**
- 17.24.040 Reinstatement of a discontinued nonconforming use..**
- 17.24.050 Completion of structure.**
- 17.24.060 Unoccupied buildings.**
- 17.22.010 Continuation of nonconforming use of structure.**

A. Subject to the provisions of Sections 17.24.020 through 17.24.06, a nonconforming structure or use may be continued and maintained in reasonable repair; however, the expansion of a nonconforming use shall be at the discretion of the city council who may impose such conditions as it finds necessary to carry out the intent of the particular zone and this title. Applications for such expansions of a nonconforming use shall be made in the same manner as for a conditional use set forth in Chapter 17.32.

B. If a nonconforming structure or a structure containing a nonconforming use is destroyed or damaged by any cause to an extent requiring the discontinuance of the use while effecting repairs, a future structure or use on the lot, shall conform to the provisions of this title unless reinstatement or resumption of the original use or reconstruction of the original structure is specifically approved by the city council. (Ord. 278 § 4.110, 1977)

**17.24.020 Alteration of nonconforming structure.**

Except for signs, a structure conforming as to use, but nonconforming as to height, setback or coverage may be altered or extended providing alteration or extension does not increase the deviation from the standards of this title. A nonconforming sign shall not be altered or extended except to make it comply with the requirements of this title. (Ord. 278 § 4.120, 1977)

**17.24.030 Discontinuance of a nonconforming use.**

Subject to the following limitations, the city council may authorize the reinstatement or resumption of a discontinued nonconforming use where such resumption or reinstatement is necessary to allow reasonable amortization of a capital investment or to avoid causing unreasonable hardship.

A. If a nonconforming use is discontinued it shall not be reinstated or resumed unless specifically approved by the city council.

B. If nonconforming use is changed it shall be changed only to a use conforming with the zoning regulations and once changed it shall not be changed back again to the original nonconforming use. (Ord. 278 § 4.140, 1977)

**17.24.050 Completion of structure.**

Nothing contained in this title shall require any change in the plans, construction, alteration or designated use of a building for which construction work has commenced prior to the adoption of the ordinance codified in this title. (Ord. 278 § 4.150, 1977)

**17.24.060 Unoccupied Buildings.**

If a building is unoccupied on the effective date of the ordinance codified in this title then the last use of evidence shall be considered to be its use of record and the one-year period of discontinuance allowed by Section 17.24.030 shall commence on the effective date of the ordinance codified in this title. (Ord. 278 § 4.160, 1977)