

Title 18. Zoning

Article I. General

Chapter 18.08. GENERAL REGULATIONS

§ 18.08.070. Nonconforming buildings and uses.

The following regulations shall apply to all nonconforming buildings and structures or parts thereof and uses existing at the effective date of the ordinances codified in this title.

- A. Any such nonconforming building or structure may be continued and maintained provided that there is no increase or enlargement in usable floor area or intensification of the building/structure as determined by the director of community development.
- B. Any site or parcel which is nonconforming to the development standards as established in this title, unless becoming nonconforming as a result of public improvement requirements, may be continued and maintained provided that there is no increase or enlargement in usable floor area or intensification of use of the site as determined by the director of community development. However, any site subject to discretionary review by the planning commission or city council shall be brought into compliance with all current code standards that apply to the extent physically possible as determined by the planning commission.
- C. Any such nonconforming use may be maintained and continued; provided, that there is no increase or enlargement of the area, space or volume, occupied or devoted to such nonconforming use, except as otherwise provided in this title.
- D. Any part of a building, structure or land occupied by such a nonconforming use which is changed to or replaced by a use conforming to the provisions of this title shall not thereafter be used or occupied by a nonconforming use.
- E. Any part of a building, structure or land occupied by such a nonconforming use, which use is abandoned, shall not again be used or occupied for a nonconforming use. Any part of a building, structure or land occupied by such a nonconforming use which use is disconnected for a period of one year or more, shall not again be used or occupied for a nonconforming use.
- F. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restrictive classification.
- G. In all "R" zones, every nonconforming building or structure which was designed, arranged or intended for a use not permitted in the R zones, shall be completely removed, or altered and converted to a conforming building, structure and use when such buildings or structures have reached, or may hereafter reach, the age of forty years, computed from the date the building was erected; provided, however, that this regulation shall not become operative until ten years from the effective date of Section 16.05 of Ordinance 195.
- H. Any sign, billboard, commercial advertising structure or statuary which is lawfully existing and maintained at the time this title becomes effective may be continued, although such use does not conform with the provisions hereof; provided, however, that no structural alterations are made

thereto; and provided further, that all such nonconforming signs, billboards, commercial advertising structures or statuary, and their supporting members, shall be completely removed from the premises as stated in Section **18.23.110**.

- I. The foregoing provisions of this section shall also apply to buildings, structures, land or uses which hereafter become nonconforming due to any reclassifications of zones under this title or any subsequent change in the regulations of this title; provided, however, that where a period of years is specified in this section for the removal of nonconforming buildings, structures or uses, the period shall be computed from the date of such reclassification or change.

(Ord. 1719 § 1, 2010; Ord. 1730 § 1, 2011; Ord. 1852, 12/4/2023)