

SECTION 1400 NON-CONFORMING USES OF LAND OR STRUCTURES

Subdivision 1401. Interpretation.

- 1401.1 This Ordinance and the Districts herein, or any later amendments may create situations where structures, buildings, or uses of the land previously permitted may become prohibited, regulated or otherwise restricted. It is the intent of this Ordinance to permit the continuance of these non-conforming structures or uses until they are removed, but not to encourage their survival. Such uses are declared by this Ordinance to be incompatible with the permitted uses in the Districts involved.
- 1401.2 An existing building or premises devoted to a use not permitted by this Ordinance in the District in which such building or premises is located, shall not be enlarged upon, extended, reconstructed or structurally altered, nor be used as grounds for adding other buildings or structures prohibited elsewhere in the same District, except when required to do so by law or ordinance, unless such use is changed to one permitted in the District in which such building or structure or land is located.
- 1401.3 A non-conforming use of a building may be replaced with another non-conforming use provided no structural alterations are made.
- 1401.4 No change from one non-conforming use to another shall be made without first applying to and receiving from the Planning Commission a permit to make such change except as defined in 1401.5 below.
- 1401.5 A non-conforming use may be changed to a conforming use at any time.
- 1401.6 Whenever a non-conforming use has been changed to conforming use, such use shall not thereafter be changed to a less conforming use.
- 1401.7 The extension or addition of a lawful use to any portion of a non-conforming building or structure or land shall not be deemed as the extension of the non-conforming use.
- 1401.8 Where non-conforming status applies to a building or structure, the removal or destruction of same shall eliminate the non-conforming status of land.
- 1401.9 If a building or structure is moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed.
- 1401.10 All uses which lawfully exist on the effective date of this Ordinance and are classified as a Conditional Use by this Ordinance for the District in which they are located, shall be considered lawful Conditional Uses. This applies only if use is listed as a Conditional Use for that District.