CHAPTER 14. NONCONFORMITIES

14.2. Nonconforming uses.

A. Nonconforming uses of land or structures, and nonconforming structures that contain nonconforming uses may continue only in accordance with the provisions of this section, but this section shall only apply to the extent these or such nonconformities fully and clearly meet the definition of "non-conforming use" in CHAPTER 19 of this ordinance.

B. A nonconforming *non-residential* use shall not be expanded, changed to another non-conforming use, or enlarged, nor shall such a nonconforming use be enlarged by additions to the structure in which the nonconforming use is located (either attached or detached). However, if a nonconforming non-residential use can expand within the existing structure, it may do so as long as the administrator determines that the interior expansion will not have a negative impact upon surrounding conforming uses. Any occupation of additional lands beyond the boundaries of the lot on which the nonconforming use is located is prohibited.

C. An existing nonconforming *residential* use may be enlarged or altered. Any such enlargement or alteration shall be in compliance with all yard requirements and other regulations of such structures as required in the specific district.

D. Once a nonconforming use has been changed to a conforming use, it shall not revert or be used for any nonconforming use.

E. If a nonconforming use is abandoned for 180 consecutive calendar days or more, the use shall not be allowed to be re-established. All new uses subsequently established shall be conforming.

CHAPTER 19. DEFINITIONS

19.3. Definitions.

The following words, terms and phrases, when used in this UDO, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon: To discontinue, either intentionally or unintentionally, from actively using land, structures, or any premises for the intended or previous use for a specified period of time, but excluding temporary periods of inactivity due to remodeling, maintaining, or otherwise improving a facility.

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