

PART C

SECTION II NONCONFORMING USES AND STRUCTURES

Article 2 Nonconforming Uses

Nonconforming Uses:

1. Except as otherwise provided for in this Article, nonconforming uses may continue to exist.
2. A nonconforming use may not be enlarged to occupy additional floor area within an existing structure or additional lot space.
3. Change of Occupancy:
  - a. Conversion to Conforming Uses: As a matter of right, any nonconforming use may be converted to a use which conforms in all respects with the applicable regulations prescribed in this Ordinance, as amended.
  - b. Conversion to Uses Which Do Not Conform: A nonconforming use may be converted to a use which does not conform to the applicable regulations prescribed in this Ordinance, as amended, only if the City Planning Commission and Common Council find the new use to be no more objectionable than the subject nonconforming use. The determination of whether the new use is more objectionable shall be based on comparison of each use as to its impact on surrounding properties and neighborhood character, including but not limited to factors such as pedestrian and vehicular activities, visual impact, noise levels, hours of activity, and numbers of individuals living at, frequenting or employed at the site in question.
  - c. Discontinuances: Where a nonconforming use has been inactive for a period of two (2) years, it shall be deemed abandoned and shall not be revived nor be converted to any other use which does not conform to the regulations prescribed in this Ordinance, as amended.

Amended 12/10/82