Chapter 19.35
NON CONFORMING USES

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19.35.010 Existing non conforming uses -- Continuation authorized.
Any non conforming use, as defined in the definitions of this title, which lawfully existed at the time of the final passage of this ordinance, is permitted to continue and to be maintained and operated.

19.35.020 Essential use alteration -- Limitation.
A non-conforming use may be changed or altered only to uses within the same classification or to a use in a classification of higher priority in accordance with the essential use classification established in the established districts of this ordinance.

19.35.030 Non conforming bulk only--Alteration -- Variance required.
A non-conformer as to bulk, but not as to use, may be substantially altered, renovated, enlarged or reconstructed only through the granting of a variance as provided in this title.

19.35.040 Enlargement or expansion -- Conformance required.
A building or structure containing a non-conforming use shall not be enlarged or expanded unless the use is brought into conformance with the provisions of this title.

19.35.050 Maintenance not to be construed as alteration.
Regular and ordinary maintenance shall not be construed as enlargement, expansion, change, alteration, renovation or reconstruction as used in this chapter.

19.35.060 Vacancy -- Use discontinuance when.
A non conforming use which has been discontinued for a period of one year or more shall not be reactivated nor operated, nor shall an occupancy permit be granted to such discontinued use. In such instances, an occupancy permit shall be granted only when the use has been brought into conformity with the provisions of this title. When a building or structure is vacant, the use therein shall be deemed discontinued.

19.35.070 Deterioration or destruction -- Use discontinuance when.
When a building or structure containing a non conforming use is destroyed or deteriorates to the extent to fifty percent or more, as determined by the building inspector, such non conforming use shall be discontinued and any subsequent use of the property shall be in conformance with the provisions of this title.