Non-conforming Uses (NCMC Chapter 18.11)

- A use (business) that was lawful (legal) before the zone changed becomes a lawful (legal) non-conforming use after the zone changes.

- If the use was not legal before the zone changed, then it is still not legal after the zone changes.

- A lawful (legal) non-conforming use can remain indefinitely.

- Industrial uses in the Westside will become non-conforming uses after the zone changes because they will no longer be permitted in the new zone.

- Generally, non-conforming uses cannot be enlarged, expanded, reconstructed, or structurally altered.
  
  Exceptions:
  - Churches.
  - Houses.
  - Substituting a non-conforming use from Appendix A (clean uses).

Amortization of Non-conforming Uses (NCMC Section 18.11.100 (D))

- Does not apply to lawful residential uses.
- Allows the city to require a non-conforming business to leave that location.
- Allows for a reasonable amount of time before the business must leave that location.
- Nonconforming uses that are an imminent threat to public health or safety may be terminated immediately.
- Factors considered in recommending a reasonable amount of time for a business to leave the location:
  
  1. The total cost of land and improvements;
  2. The length of time the use has existed;
  3. Adaptability of the land and improvements to a currently permitted use;
  4. The cost of moving and reestablishing the use elsewhere;
  5. Whether the use is significantly nonconforming;
  6. Compatibility with the existing land use patterns and densities of the surrounding neighborhood;
  7. The possible threat to public health, safety or welfare; and
  8. Any other relevant factors.