

**Article 27 N Nonconforming Use Amortization Overlay District (Citywide)**

**Sections:**

- 2701 Specific Purposes
- 2702 Applicability and Zoning Map Designator
- 2703 Requirements for Establishment of District
- 2704 Alternative Schedule for Termination of Nonconforming Use

**2701 Specific Purposes**

The N Nonconforming Use Amortization Overlay District is intended to modify the regulations governing the required termination of nonconforming uses, as prescribed in Article 35, in order to promote the timely, simultaneous, and orderly conversion to conforming use in areas that have several properties occupied by nonconforming uses.

**2702 Applicability and Zoning Map Designator**

The N Nonconforming Use Amortization Overlay District may be combined with any base district. Where so combined, the provisions of this chapter shall apply to required termination of certain nonconforming uses, in lieu of the comparable provisions of Article 35. The N District boundaries shall be shown on the zoning map by adding the "-N" designator to the base district regulations.

**2703 Requirements for Establishment of District**

The Nonconforming Use Amortization Overlay District may be established only when the Planning Commission recommends and the City Council makes the following findings:

- A. That the proposed district contains three or more nonconforming uses covering one-third or more of the parcels in a total area not greater than 50 acres, and each parcel containing such use or uses is not more than 200 feet from the next parcel containing such use or uses;
- B. That the formation of such district would tend to reduce deterioration, blight, and long-term vacancies in the proposed district;
- C. That the formation of such district would not be injurious to the property or to improvements of conforming uses within the proposed district and the immediately surrounding area.

**2704 Alternative Schedule for Termination of Nonconforming Use**

Upon establishment of a Nonconforming Use Amortization Overlay District, the Planning Commission shall recommend and the City Council shall adopt a period for required termination for all nonconforming uses within the district subject to termination as provided in Section 3507. Said period shall be the period for required termination of such uses within the district and shall supersede the periods set forth in Section 3507. Any ordinance enacted pursuant to this article shall state the applicable period of time on its face. In recommending and adopting such period, the Planning Commission and City Council shall take into consideration, but not be limited to:

- the nature of construction of the structures within the district subject to amortization;
- the ages of such structures;
- the nature of the existing zoning; and the ability to convert such structures to accommodate conforming uses.