

6-1 Non-Conforming Uses

6-1.1 Continuance

Any non-conforming use of buildings, structures or land may be continued.

6-1.2 Extension, Expansion or Relocation

No non-conforming use of buildings, structures or land shall hereinafter be extended, expanded, or relocated on the same lot.

6-1.3 Transformation

No non-conforming use of buildings, structures or land shall hereinafter be transformed into a new or different non-conforming use, except as follows:

6-1.3.1

The Commission, by Special Permit and Site Plan Review in accordance with [§43](#), herein, may allow a change from one non-conforming use to another non-conforming use:

- a. Where those parts of an existing building site are manifestly designed or arranged for such new or different use.
- b. Where such new use is not precisely the same as the old use, but the new use is generally similar to the old use; and
- c. Where the transfer or change does not involve replacing existing non-conforming structures with new non-conforming structures in whole or in part.
- d. Where the new or different use does not constitute the extension or expansion of an old use, or part thereof on the same lot.

6-1.4 Discontinuance

No non-conforming use of buildings, structures or land which shall have been discontinued for more than 90% of the time during a period of twelve (12) consecutive months shall be resumed or replaced by the same or any other non-conforming use; except that any building, structure or portion thereof containing a non-conforming use which has been destroyed or damaged by fire, explosion, act of God or other casualty may be restored and continued as a non-conforming use to the same extent as said use existing before such destruction, provided that such non-conforming use shall be restored within two (2) years of such destruction and further provided that such non-conforming use shall not be extended, expanded, or transformed into a different non-conforming use. (Also see [§31-9.1](#))