

POMONA ZONING ORDINANCE

Sec. .554. - Nonconforming use of buildings and/or land.

A. NONCONFORMING USE OF A NONCONFORMING BUILDING

Nonconforming uses in a nonconforming building may be expanded or extended throughout said building; provided, however, that no structural alterations, except those required by law or ordinance shall be made therein; and provided, further, that the uses of said building are not incompatible with the use of other property in the district. Further, if no structural alterations are made a nonconforming use of a nonconforming building may be changed to permit a similar or more restricted type of nonconforming use; provided, however, that said new use be determined by the commission to be more compatible with the uses permitted in the district.

B. NONCONFORMING USE OF A CONFORMING BUILDING

The nonconforming use of a conforming building shall not be expanded or extended into any other portion of the conforming building, and if such nonconforming use is discontinued for a period of two years, any future use of said building shall be in conformity with the provisions of this ordinance; **except for land uses made nonconforming by Waste & Recycling Ordinance No. 4234 as defined in Section .062., in which case if such nonconforming use is discontinued for a period for 180 days or more, any future use of said building shall be in conformity with the provisions of this ordinance or in the case of destruction due to acts of god, if an application for a building permit for the repair or replacement of the nonconforming structure has not been submitted to the Planning Department within 180 days after the structure's damage, the right to continue the nonconforming use and/or nonconforming structure shall terminate and the property and facilities accommodating or serving such activity or structure shall thereafter be utilized only for uses and with structures permitted or conditionally permitted by the regulations of the applicable zone** and further, that within five years after the notification by the city that an existing use is nonconforming, and not compatible, said use shall be terminated. Conforming uses in said buildings may be expanded.
(Ord. No. 3699, § 3 (part).)

C. NONCONFORMING USE OF THE LAND

1. The nonconforming use of land, where no main buildings are involved, may be continued for a period not to exceed three years after the effective date of this ordinance, subject to the following conditions:
 - a) No such nonconforming use of land shall be expanded or extended in any way either on the same or adjoining property.
 - b) Where such nonconforming use of the land is discontinued for a period of two years, any future use of the land shall be in conformity with this ordinance, **except for land uses made nonconforming by Waste & Recycling Ordinance No. 4234 as defined in Section .062., in which case if such nonconforming use is discontinued for a period for 180 days or more, any future use of said building shall be in conformity with the provisions of this ordinance** (Ord. No. 3699, § 3 (part).)
 - c) These provisions do not apply to land used for agricultural purposes.