



Date _____
Tracking Number _____

CHANGE OF NON-CONFORMING USE APPLICATION

Applications must be complete and submitted in person. Faxed, emailed or incomplete applications will not be accepted.

Submit a "Change of Non-Confirming Use Request Letter" to the Clerk of Council. This letter should be addressed to the Clerk of Council, on business letterhead (if applicable) outlining request and accompanied by the information below:

DEFINITION OF A NON-CONFORMING USE

A non-conforming use is a use of land or building that does not conform to the use regulations of the underlying zoning district. For example an industrial use in a commercial zoning district, or a commercial use in a residential district. The Comprehensive Zoning Ordinance (CZO) provides for the enforcement of non-conforming use regulations and the removal of certain non-conforming uses as follows:

- A non-conforming use may be changed to another non-conforming use of the same or more restrictive classification.
- A non-conforming use that remains vacant for a continuous period of six (6) months may only be utilized for those uses permitted in the underlying zoning district.

PROCESS TO REQUEST A CHANGE OF NON-CONFORMING USE

1. Submit this completed application and all attachments to the Department of Safety & Permits Zoning Division (1300 Perdido St., Room 7W03). Safety and Permits' Staff will provide you with a letter certifying that a legal non-conforming use has been operating on the premises within the prior six (6) month period. If the Department of Safety & Permits cannot verify the legal, non-conforming status you cannot use this request form.
2. Submit a "Change of Non-Confirming Use Request Letter" to the Clerk of Council (1300 Perdido St., Room 1E09). This letter should be addressed as follows:

Ms. Lora Johnson, Clerk of Council
City Hall, Room 1E09
1300 Perdido Street
New Orleans, LA 70112

If the Clerk of Council does not receive a Request Letter, your request will not be placed on the Council's agenda. *The Request Letter should include a copy of this application as an attachment.*

3. Submit a copy of the Request Letter to the City Planning Commission (1300 Perdido St., Room 7W03) along with the following items:
 - Fee of \$500 (Payable with check or money order to "City of New Orleans")
 - Floor plan of the proposed new use
 - Site plan showing parking, fencing, sidewalks, etc.
 - Proposed signage

Within thirty (30) days of receipt of all of the above information, the Executive Director of the City Planning Commission will submit to the City Council a written report on the application that includes a recommendation.

4. Upon receipt of the recommendation of the City Planning Commission, the City Council shall conduct a public hearing regarding the petition. The action of the City Council will either: *approve, deny or modify* the request for Change of Non-Confirming Use and will be done by Motion.
The City Council shall only approve the application upon determining that the proposed use is:
 - An existing legal non-conforming use;
 - Not more intense than the previous use;
 - Consistent with the neighborhood in which it is located; and
 - Providing a needed service for the neighborhood.

5. Within thirty (30) days of Adoption of a Motion to Approve by the City Council, the applicant may proceed to the Department of Safety & Permits with the submitted floor plans and a copy of the Motion to authorize the use and to apply for permit(s) through the regular permitting process.



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Property Address _____

APPLICANT INFORMATION

Applicant Relationship to Owner (Choose One): Self Agent
 Other (Specify) _____

Applicant Name _____

Applicant Address _____

City _____ State _____ Zip _____

Applicant Phone: _____ Email _____

OWNER INFORMATION SAME AS ABOVE

Owner Name _____

Owner Address _____

City _____ State _____ Zip _____

Owner Phone: _____ Email _____

PROPERTY INFORMATION

Number of Floors _____ Number of Off-street Parking Spaces _____

Current Use _____ Proposed Use _____

DESCRIPTION OF BUILDING: (including landscaping and setbacks)

Describe current condition of property and any proposed changes (especially those related to the requested change in use).



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CHANGE OF NON-CONFORMING USE APPLICATION

PREVIOUS AND CURRENT USE: Background information on previous use, including years of operation, square footage, improvements to the structure, number of employees, methods of waste disposal, delivery schedules, and the nature of the business

Business Name _____ Business Description: _____

Summary of improvements made during this operation: _____

Hours of Operation _____ Square Footage _____

Number of Employees _____ Method of Waste Disposal _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

Business Name _____ Business Description: _____

Summary of improvements made during this operation: _____

Hours of Operation _____ Square Footage _____

Number of Employees _____ Method of Waste Disposal _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

PROPOSED USE: Including hours of operation, square footage, improvements to the structure, number of employees, method of waste disposal, delivery schedules, and the nature of the business

Please describe the nature of proposed use, being as specific as possible about the nature of the business

Hours of Operation _____ Square Footage _____

Number of Employees _____ Method of Waste Disposal _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

Delivery Company _____ Delivery Days _____ Delivery Times _____

REQUIRED ATTACHMENTS

1. The owner must furnish a notarized affidavit, indicating that the property has not been vacant for six (6) months or longer and a current occupational license for any commercial use.
2. The owner/applicant must furnish at least three (3) notarized affidavits from neighboring property owners attesting to their personal knowledge of the use of the property.
3. The owner/applicant must furnish records from utility companies:
 - Entergy - provide a computer print-out for the past 12 months for all meters on the property, indicating electric/gas service and usage.
 - Sewerage & Water Board - provide the number of meters, date(s) installed, rate type, sanitation charges, and usage for the past 12 months.
4. A letter from the Assessor (when possible) attesting to the use of the property and length of time such use has been assessed.
5. A floor plan of the proposed new use.
6. A Site Plan showing parking, fencing, sidewalks, etc.
7. Proposed Signage
8. Fee of \$500
9. For non-conforming residential and commercial uses, the owner/applicant must provide a floor plan of the building, indicating the use of each room. For parking lots, a map or survey must be submitted indicating the property with all improvements such as valet shelter, fencing