



CITY OF NEW ORLEANS CITY PLANNING COMMISSION

Spot Zoning & Historic Non-Conforming Use Policies

Spot Zoning Policy*

As a policy, the City Planning Commission will look with disfavor upon all requests for amendments to the Comprehensive Zoning Ordinance wherein such request would constitute the wrenching of a parcel or parcels of land from its normal environment and give it a new classification that disturbs the tenor of the neighborhood, or which action would result in preferential treatment of a parcel or parcels not afforded in similar zoning districts throughout the City.

Historic Non-Conforming Use Policy

As a policy, the City Planning Commission will look with disfavor upon all requests for amendments to the Comprehensive Zoning Ordinance wherein such requests would constitute the singling out of a lot or other relatively small tracts of land for treatment different from that accorded to similar surrounding land indistinguishable from it in character, where such different treatment of classification is effected either in disregard or repudiation of questions of need, value to the environment, harmony with a land use plan or relation to the surrounding neighborhood.

As a policy, the City Planning Commission may look with favor upon all requests for amendments to the Comprehensive Zoning Ordinance wherein such requests may constitute the singling out of a lot or other relatively small tracts of land for treatment different from that accorded to dissimilar surrounding land indistinguishable from it in character, where such different treatment of classification is effected either in regard of questions of need, value to the environment, harmony with a land use plan (wherein such a plan is compatible with the historical development of the neighborhood) or in relation to the surrounding neighborhood according to the following criteria:

General:

- A. The petition is generally consistent with the character of the surrounding neighborhood.
- B. The petition serves a neighborhood need.
- C. The property has a history of serving a neighborhood need prior to 1929.
- D. The petition is in harmony with the historic character of the surrounding neighborhood.

Specific:

1. The petitioned property must form the corner of two minor residential streets or two collector streets.
2. The petitioned property and its use (or proposed use) must be pedestrian oriented and not oriented to the automobile in a pedestrian oriented neighborhood.
3. The petitioned property should be developed with most or all of the following characteristics or proposed building which replaces a structure that had the following characteristics.
 - a. The building must be built to the sidewalk and frame the corner.
 - b. The building entrance must be visible from both streets – typically at an angle at the corner.
 - c. The building must have either an overhang, gallery, balcony, or canopy over the sidewalks.
 - d. The building must have display windows and not have large blank walls.
 - e. The building must not be a conversion from a residential main use.
4. The petitioned zoning classification must be the most restrictive available to accommodate the class of uses to serve the neighborhood.

* Administrative Rules, Policies & Procedures for the New Orleans City Planning Commission, pp. 33-4.