



## Certificate of Nonconformity Intensity of Uses

The below chart assists staff in comparing the previously legal use with the proposed legal use for determining if the proposed use is equally, or less intense that the previous use on site.

These evaluation criteria in items (a) through (f) are from section §120-191B(3) of the City Zoning Code. This criteria, and the provisions of the zoning district which would first permit the establishment of a particular use as of right will be used in determining the intensity of the proposed use.

<b>Review Criteria, §120-191B(3)</b>	<b>Previous use</b>	<b>Proposed use</b>
<p><b>(a) Floor area.</b></p> <p><u>Considerations:</u> The square footage of the space, if the new use will expand the current floor area, if this will occur in the existing building, as an addition, etc.</p>		
<p><b>(b) Hours of operation.</b></p> <p><u>Considerations:</u> Hours and days of the week that the use will operate, activities that occurred or will occur outside of Certain activities that occur outside of typical hours, etc.</p>		

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<p><b>(c) Volume and type of sales.</b></p> <p><u>Considerations:</u> Types of items sold, how they are displayed, the expectations or historical information on the volume of sales, etc.</p>		
<p><b>(d) Type of processing activity.</b></p> <p><u>Considerations:</u> The particular functions of the uses, how they operate and what activities take place, what is being processed, etc.</p>		
<p><b>(e) Nature and location of storage.</b></p> <p><u>Considerations:</u> Location of storage areas inside and outside of the principal building on site, type of storage (for use on site or otherwise), etc.</p>		

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<p><b>(f) Transportation requirements by volume, type and characteristics.</b></p> <p><u>Considerations:</u> Number of employees, customer counts (actual or expected), frequency of deliveries (if applicable), alternative transportation considerations on site (walking, bicycle, bus).</p>		
<p><b>(g) Parking and loading characteristics.</b></p> <p><u>Considerations:</u> Expectations for parking, existing or proposed parking spaces on site, access, availability of off-street parking. Loading areas for deliveries, location and access.</p>		
<p><b>(h) Noise, smoke, odor, glare, vibration, radiation and fumes.</b></p> <p><u>Considerations:</u> This shall include any known outputs from the use on site that may create potential nuisances to be mitigated.</p>		