

On motion of Mr. Templet, seconded by Mr. Walker, the following ordinance was offered:

SUMMARY NO. 26137 ORDINANCE NO. 26625

An ordinance to amend Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson, to update references for department names, clarify and amend related provisions associated with permitting, applications, and procedures, and provide for related matters. (Parishwide)

WHEREAS, on April 27, 2023, the Planning Director initiated a text study of Chapter 25 Planning and Development, Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances, with the intent of updating references for department names, clarifying and amending related provisions associated with permitting, applications, and procedures, and providing for related matters; and

WHEREAS, the Parish recently renamed the Department of Inspection and Code Enforcement to the Department of Building Permits (BP); and

WHEREAS, the Parish Administration renamed the Department of Property Maintenance Zoning and Quality of Life (PMZ) to the Department of Code Compliance and Enforcement (CCE); and

WHEREAS, additional clarifications and amendments are necessary to reflect the appropriate duties of Parish departments and provisions associated with permitting, applications, enforcement, and procedures; and

WHEREAS, the department names are referenced through the Code of Ordinances, and this initiative triggers amendments to the Jefferson Parish Code of Ordinances; and

WHEREAS, the text of Chapters 33 and 40 of the Code may only be amended by a text study, which requires action by the Parish Council and includes a public hearing and recommendations from the Planning Director, Planning Advisory Board; and

WHEREAS, amendments to other sections of the Code Ordinances require Council approval, but do not follow the same legislative process; and

WHEREAS, the Planning Director of this Parish has caused to be duly advertised, as prescribed by law, a public hearing in connection with the text amendment under Docket No. TXT-2-23; and

WHEREAS, a public hearing was held by the Planning Advisory Board, in accordance with law.

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION 1. That Chapter 33 Unified Development Code, Sec. 33-10. Appendix., is hereby amended to read as follows:

Sec. 33-1.10. Appendix.

The Appendix of this UDC shall include, but not be limited to, the application forms with submittal requirements; the application fee schedules; the application and information required for Metairie Ridge Tree Preservation District (MRTPD) permits, the information required on the drawings—plans, elevations, details—for site plan review; the landscape and buffer planting and maintenance specifications, the Subdivision Public Improvements Standards Manual; and street improvements plans. These documents are not set out herein, but are available for download from the Parish’s website address or for inspection by hard copy in the following offices: the Parkways Department for the MRTPD application forms, the Planning Department for all other application forms, fee schedules, site plan submittal requirements, landscaping specifications, and street improvements plans; or the Department of Engineering for the Subdivision Public Improvements Standards Manual.

SECTION 2. That Chapter 33 Unified Development Code, Sec. 33-1.23. Board of Zoning Adjustments (BZA)., is hereby amended to read as follows:

Sec. 33-1.23. Board of Zoning Adjustments (BZA).

The BZA is established in conformance with the Jefferson Parish Charter, this Code, and State law. The Building Permits Director, Planning Department, or Parkways Department shall provide written findings to the Board. The responsibilities and procedures of the BZA are pursuant to Article XLII Board of Zoning Adjustments in Chapter 40 Zoning of this Code.

SECTION 3. That Chapter 33 Unified Development Code, Sec. 33-1.24. Board of Standards and Appeals (BSA)., is hereby amended to read as follows:

Sec. 33-1.24. Board of Standards and Appeals (BSA).

The BSA is established in conformance with the Jefferson Parish Charter, this Code, and State law. The Building Permits Director shall provide written findings to the Board. The responsibilities and procedures of the BSA are pursuant to Sec. 8-2.105 Board of Standards and Appeals in Chapter 8 Buildings and Building Regulations of this Code.

SECTION 4. That Chapter 33 Unified Development Code, Sec. 33-1.26. Land Use Review Technical Committee (LURTC)., is hereby to read as follows:

Sec. 33-1.26. Land Use Review Technical Committee (LURTC).

(a) *Creation.* The Land Use Review Technical Committee (LURTC) is established.

* * *

(c) *Membership.* LURTC shall consist of the following persons or their designees:

(1) Planning Director;

* * *

(5) Building Permits Director;

* * *

SECTION 5. That Chapter 33 Unified Development Code, Sec. 33-1.27. Planning Director., is hereby amended to read as follows:

Sec. 33-1.27. Planning Director.

In addition to the responsibilities established in the Jefferson Parish Code of Ordinances, the Planning Director shall have the responsibility and authority to administer and enforce certain provisions of this UDC, as stated herein, including, but not limited to, the following powers and duties:

(1) Provide written reports and technical recommendations to the Parish Council, PAB, and Old Metairie Commission stating whether the proposed land use action requiring Council approval is consistent with the Comprehensive Plan and conforms with this UDC.

* * *

(3) Where meaning or applicability is unclear, render interpretations to provisions of this UDC related to the Comprehensive Plan, the Future Land Use Map, the Zoning Map, subdivisions, conditional use permits, site plans where required by a zoning district, landscaping standards applicable to private property, and zoning text, supplemental conditions, and development standards when applicable to a zoning district or land use that requires site plan review by the Planning Department, except those responsibilities assigned to the Public Works Director, Building Permits Director, or Code Compliance and Enforcement Director.

* * *

SECTION 6. That Chapter 33 Unified Development Code, Sec. 33-1.28. Public Works Director., is hereby amended to read as follows:

Sec. 33-1.28. Public Works Director.

In addition to the responsibilities established in the Jefferson Parish Code of Ordinances, the Public Works Director or directors under his authority shall have the responsibility and authority to administer and enforce certain provisions of this UDC and this Code, as stated herein, and including, but not limited to, the following powers and duties:

- (1) Assist the Planning Director, Building Permits Director, and LURTC with development review responsibilities.

* * *

SECTION 7. That Chapter 33 Unified Development Code, Sec. 33-1.29. Inspection and Code Enforcement Director., is hereby amended to read as follows:

Sec. 33-1.29. Building Permits Director.

In addition to the responsibilities established in the Jefferson Parish Code of Ordinances, the Building Permits Director shall have the responsibility and authority to administer and enforce certain provisions of this UDC and this Code, as stated herein, and including, but not limited to, the following powers and duties:

- (1) Administer and enforce codes mandated by state and local laws, including, but not limited to, residential, building, mechanical, fuel gas, plumbing, and electrical codes.
- (2) Review and approve building permits, sign permits, and other permits under the authority of the Building Permits Director, for conformance with this UDC.

* * *

- (5) Act as liaison to other agencies and organizations in UDC matters under the authority of the Building Permits Director.

* * *

- (7) Keep a record of all transactions, correspondence, and actions pertaining to the administration of this UDC under the authority of the Building Permits Director.
- (8) Waive information requirements of this UDC under the authority of the Building Permits Director if the provisions can be accomplished without such information, or require additional information if it is reasonable and necessary for a recommendation or decision.

* * *

- (12) If the Building Permits Director finds that any provision of this UDC under his/her authority is being violated, the Building Permits Director shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering action necessary to correct it.

* * *

SECTION 8. That Chapter 33 Unified Development Code, Sec. 33.1.30. Property Maintenance Zoning/Quality of Life Director., is hereby amended to read as follows:

Sec. 33.1.30. Code Compliance and Enforcement Director.

In addition to the responsibilities established in the Jefferson Parish Code of Ordinances, the Code Compliance and Enforcement Director shall have the responsibility to administer and enforce certain provisions of this UDC and this Code, as stated herein, but not limited to, the following powers and duties:

- (1) Inspect privately-owned property and structures and enforce this UDC and the Code and the use and maintenance of privately-owned properties and structures.
- (2) If the Code Compliance and Enforcement Director finds that any provision of this UDC or Code under his/her authority is being violated, the Code Compliance and Enforcement Director shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering action necessary to correct it.

(3) To remedy a violation of this UDC, the Code Compliance and Enforcement Director shall:

* * *

SECTION 9. That Chapter 33 Unified Development Code, Sec. 33-2.3. Approval categories., is hereby amended to read as follows:

Sec. 33-2.3. Approval categories.

There are three (3) approval categories, described below and in Table 33-2.3-1. Some types of land use actions require more than one type of approval or recommendation (R); all require a decision (D) by one or more boards, committees, and decision-making entities. Table 33-2.3-1 also establishes the administrative official responsible for the application (A).

- (1) *Legislative (L).* A legislative approval requires action by the Parish Council (PC) and includes, a public hearing and recommendations from the Planning Director (PD), Planning Advisory Board (PAB), and/or the Old Metairie Commission (OMC), as applicable.

* * *

- (3) *Ministerial (M).* A ministerial approval involves the application of the standards of this Code by an administrative official. A public hearing is not required; however, when an application requires a variance or exception, the variance or exception shall be approved through the applicable legislative or quasi-judicial approval process before the administrative official may make a decision. Administrative officials include Planning Director (PD), Building Permits Director (BPD), and Public Works Director (PWD).

Table 33-2.3-1: Categories of Development Approvals.

Type of Land Use Action Application (reference)	Approval Category	Boards, Committees, and Decision-Making Entities							
		PC	PAB	BZA	BSA	OMC	PD	BPD	PWD
* * *									

* * *

SECTION 10. That Chapter 33 Unified Development Code, Sec. 33-2.4. Pre-application conferences., is hereby amended to read as follows:

Sec. 33-2.4. Pre-application conferences.

Unless required in this UDC for a specific application type, applicants are encouraged to meet with staff prior to filing an application to discuss the nature of the proposed application, application submittal requirements, the procedure for action, and the standards for evaluation of the application. At the pre-application conference, the Planning Director, Public Works Director, Building Permits Director, or other administrative director may determine that additional information is necessary to provide for an adequate assessment of the project. At any time during the processing of any application, additional information may be required by the decision-maker to ensure compliance with this UDC.

SECTION 11. That Chapter 33 Unified Development Code, Sec. 33-2.25.4. Recordation of approved site plan., is hereby amended to read as follows:

Sec. 33-2.25.4. Recordation of approved site plan.

For conditional use permits, the applicant shall submit to the Planning Department the final site plan of the project as approved by the Council. After certification by the Planning Director that the submitted plans conform to the approval of the Council, as indicated by the dated signature of the Planning Director, the Planning Department shall submit the certified site plan to the Clerk of Council who shall submit the site plans to the Clerk of Court for recordation with the council ordinance or resolution that approved the project, within sixty (60) calendar days of the effective date of the ordinance, resolution, or

certification by the Planning Director that the site plan conforms to the approval of the Council, whichever is later. After recordation, the Clerk of Council shall convey the original to the Planning Department and two the recorded site plan to the Department of Building Permits, and shall file of the recorded site plan with the Clerk of Court and with the Clerk of Council.

SECTION 12. That Chapter 33 Unified Development Code, Sec. 33-2.41. Applicability., is hereby amended to read as follows:

Sec. 33-2.41. Applicability.

Except as provided below, before a subdivision plat is recorded or the Department of Building Permits issues the final certificate of compliance or completion on the building permit for a site plan approved by the Planning Director or Council, all applicants shall be required to complete, to the satisfaction of the Public Works Director, all street, sanitary, and other public improvements required by this UDC. The required improvements shall be those specified in the approved construction plans or site plans.

SECTION 13. That Chapter 33 Unified Development Code, Sec. 33-2.43. Guarantee of completion of public improvements., is hereby amended to read as follows:

Sec. 33-2.43. Guarantee of completion of public improvements.

The Parish Council may defer the requirement for the completion of required improvements if the applicant enters into a development agreement by which the applicant guarantees completion of all required public improvements no later than two (2) years following the date upon which the council approves the final plat or the Department of Building Permits issues the final certificate of compliance or completion on the building permit for a site plan approved by the Planning Director or Council. The Parish Council may authorize an agreement providing for multi-phase development over a longer period of time, provided that the agreement includes a phasing schedule and that provisions are made for guaranteeing completion of improvements required to serve each phase as it is subdivided or, in the case of a site plan, developed. The Council may require the applicant to complete and/or dedicate some required public improvements, rights-of-way, or servitudes for subsequent development phases prior to approval of the final plat or issuance of the final certificate of compliance or completion for a site plan for any phase of a multi-phase development. For public improvements serving multiple developments the Council may accept a pro rata contribution towards the funding of required public improvements. The Parish Attorney's approval of the form and legality of any development agreement is required prior to its execution. The Public Works Director shall verify that improvement costs provided by the applicant reasonably reflect the costs of required improvements prior to execution of the development agreement.

SECTION 14. That Chapter 33 Unified Development Code, Sec. 33-2.55. Generally., is hereby amended to read as follows:

Sec. 33-2.55. Generally.

The ministerial development approvals described in this Division typically occur late in the development approval process and authorize construction of a structure, improvement of land, or establishment of land use. No land shall be disturbed and no building or structure shall be erected, added to, or structurally altered until a development approval has been issued by the Building Permits Director. All development approvals shall comply with the requirements of this Code. No development approval, building permit, certificate of completeness or occupancy shall be issued for any building, structure, or activity where said construction, addition, alteration, or use violates any provision of this Code.

SECTION 15. That Chapter 33 Unified Development Code, Sec. 33-3.4.3. Uses not specifically listed., is hereby amended to read as follows:

Sec. 33-3.4.3. Uses not specifically listed.

In the case where a use is not listed in the Master Use Matrix (Table 33-3.4.4-1), and such use is not otherwise prohibited by law, the Planning Director and

the Building Permits Director shall determine whether a substantially similar use exists in the Use Matrix. If the Directors determine that a substantially similar use exists, then the regulations governing that use shall apply to the particular use not listed. If the Directors determine that a substantially similar use does not exist, then the Planning Director shall refer to the following documents and rules of construction to address the matter:

- (1) LBCS Tables, American Planning Association, LBCS Project, 07-Oct-09 or latest edition

* * *

- (8) If, when seeking periodic ratification of interpretations through text amendment to this Code, the Planning Director's or Building Permits Director's interpretation is reversed by action of the Council, then decisions regarding a development application made in reliance on the Director's interpretation shall be valid, except that nonconforming use regulations of this Code shall apply.

* * *

SECTION 16. That Chapter 33 Unified Development Code, Sec. 33-3.53.4.3. Theaters (LBCS Function Codes 5110 and 5170)., is hereby amended to read as follows:

Sec. 33-3.53.4.3. Theaters (LBCS Function Codes 5110 and 5170).

- (a) *Prohibition.* Theaters shall not function as adult uses; however, nothing contained in these regulations shall be construed to limit the exhibition, presentation, showing, or performance of any play, ballet, drama, or motion picture in any theater, which is primarily devoted to such exhibitions, presentations, shows, or performances as a form of expression of opinion, communication, speech, ideas, information, drama, or art, as differentiated from commercial or business advertising, promotion, or exploitation of nudity, or obscene live conduct for the purpose of advertising, promoting, selling, or serving products or services or otherwise advancing the economic welfare of a commercial business or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern, or dance hall.

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(d) *Nuisances.*

- (1) The owner or operator shall close all doors and windows while a performance or presentation

* * *

(4) *Soundproofing.*

- a. The owner or operator shall install soundproofing so that sound from the theater does not exceed 60 dba measured at the property line after 10:00 p.m.
- b. The Department of Building Permits shall approve soundproofing methods.

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SECTION 17. That Chapter 33 Unified Development Code, Sec. 33-3.53.4.4. Mobile food vendors., is hereby amended to read as follows:

Sec. 33-3.53.4.4. Mobile food vendors.

Mobile catering vehicles or mobile food dispensing vehicles shall comply with the provisions of Chapter 22, Article III of this Code, with the following modifications:

- (1) *Special Event Permit required.* A Special Event Permit approved by the Jefferson Parish Council is required for a mobile food vehicle event, and the permit is subject to the following requirements:

* * *

(3) *Individual mobile food vehicle vendors permit.* Prior to the conducting of sales, a mobile food vehicle vendor shall obtain a permit in accordance with Chapter 22, Article III of this Code with the following modifications:

- a. The permit shall be obtained from the Department of Citizens' Affairs;
- b. Each mobile food vehicle vendor shall provide the latest inspection report completed by the state health officer and the valid permit issued by the state health officer for the food vehicle, cart, stand, or table and for the required commissary, depot, or processing plant, which may be located outside of Jefferson Parish;
- c. Each vendor shall pay the annual permit fee required by the Department of Citizens' Affairs;

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SECTION 18. That Chapter 33 Unified Development Code, Sec. 33-3.53.4.5. Sale, dispensing, or consumption of alcoholic beverages., is hereby amended to read as follows:

Sec. 33-3.53.4.5. Sale, dispensing, or consumption of alcoholic beverages.

(a) *Applicability.* This section shall apply to any use engaged in the sale, dispensing, or consumption of alcoholic beverages, including but not limited to the following:

* * *

(g) *Soundproofing.*

- (1) The owner or operator of a nonconforming stand-alone bar or an accessory bar or holding bar shall install soundproofing so that sound from the bar does not exceed 60 dba measured at the property line after 10:00 p.m.
- (2) The Department of Building Permits shall approve soundproofing methods.

* * *

(l) *Non-compliance.*

- (1) Failure to comply with the applicable standards of this section or the commission of acts listed in Chapter 4 of this Code shall be grounds for:
 - a. Revocation of nonconforming status for nonconforming stand-alone bars or drinking places; or
 - b. Revocation of an alcoholic beverage permit in accordance with Chapter 4 of this Code for all others.
- (2) Should a nonconforming stand-alone bar or drinking place have its nonconforming status revoked, the Code Compliance and Enforcement Director shall notify the property owner and operator of the bar of the revocation of nonconforming status. The notice shall cite the reasons for the revocation. Either the property owner or the operator of the bar may file an appeal to the revocation with the Parish Council within thirty (30) calendar days of the date that the notification is mailed in accordance with Chapter 40 of this Code. Before deciding on the validity of the action, the Council shall conduct a public hearing and consider evidence of whether the bar has operated in compliance with all of the requirements of this Section and with the conditions established in Chapter 4, Article II, Section 4-32 of this Code, as the effectiveness of efforts to remedy violations.

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SECTION 19. That Chapter 33 Unified Development Code, Sec. 33-3.58.6.4. Outdoor lighting., is hereby amended to read as follows:

Sec. 33-3.58.6.4. Outdoor lighting.

Outdoor illumination of any building, yard, parking or loading area, seating area, plaza, courtyard, landscaping, or similar purpose shall not be aimed, directed, or reflected, focused, or mounted to cause direct light from the

luminaire to be directed toward residential uses, or to create up light, spill light, or glare perceptible to persons operating motor vehicles on public ways. The installation of any mercury-vapor fixture or lamp for use as outdoor lighting is prohibited. If any luminaire is aimed, directed, reflected, focused, or mounted to cause direct light from the luminaire to be directed toward a residential district, dwelling, or institutional development, or to create up light, spill light, or glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or relocated, its height remounted, or its light output and illumination levels controlled as necessary and determined by the Department of Code Compliance and Enforcement to eliminate such conditions.

SECTION 20. That Chapter 33 Unified Development Code, Sec. 33-3.65.7.2. Levels of review., is hereby amended to read as follows:

Sec. 33-3.65.7.2. Levels of review.

(a) *OMC.*

(1) Site plan review is required in accordance with the procedures of this UDC provided in Sec. 33-2.25 *Site plan*.

(2) The OMC shall review and make a recommendation on the following development activities:

a. New construction.

* * *

g. Any development activities that require a Parish permit or involve adjustments to lot grade, such as filling or cutting soil, except activities under the purview of the Planning Director or Building Permits Director.

* * *

(c) *Building Permits Director.* The Building Permits Director may approve, and Sec. 33-2.25. *Site plan* is not required for, the following activities:

* * *

SECTION 21. That Chapter 33 Unified Development Code, Sec. 33-3.65.7.5. Tree preservation and removal procedures., is hereby amended to read as follows:

Sec. 33-3.65.7.5. Tree preservation and removal procedures.

(a) All development shall comply with the development approval provisions provided in Sec. 33-3.66.7 of this UDC, except for tree preservation or tree removal included as part of a development activity under the purview of the OMC or the Planning Director:

(1) Tree preservation or tree removal associated with applications subject to OMC review for construction or new development, alteration, or addition within the district shall be submitted with an OMNCD application to the Planning Department, which shall be the repository for these application materials, rather than the Department of Parkways.

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SECTION 22. That Chapter 33 Unified Development Code, Sec. 33-3.66.7.2. Code Enforcement permit requirements and review procedures., is hereby amended to read as follows:

Sec. 33-3.66.7.2. Parkway permit requirements and review procedures.

(a) *Application requirements.*

(1) *General.*

a. The two (2) types of Metairie Ridge Tree Preservation District (MRTPD) applications are minor construction activities and major construction activities, which include tree removal only, as defined in this section with specific requirements for each provided in the Appendix. Applications vary by type.

b. The MRTPD application, with the required information as listed in the Appendix of this UDC, shall be filed with the Department of Parkways.

* * *

(b) *Review procedures.*

(1) *Parish Arborist review.*

* * *

(2) *Minor construction activity applications.* A complete MRTPD application shall be attached to the applicant's building permit.

(3) *Tree removal only applications and major construction activity applications:*

- a. A complete MRTPD application shall be submitted to the Department of Parkways. For major construction activities, the MRTPD application shall be submitted in addition to the building permit.
 - b. The Parish Arborist shall provide a recommendation in writing, within ten (10) business days of receipt of application.
 - c. The property owner or his agent may, in writing to the Department of Parkways, request a specific number of additional business days for the review in order to resolve any outstanding issues regarding his application including the submission of a tree protection plan if one was not submitted with the application.
 - d. The Parkways Director shall make a decision regarding the issuance of the requested MRTPD permit.
- (c) *Additional requirements.* When necessary to protect the tree canopy in the MRTPD, the Parkways Director is authorized to add, as requirements for the issuance of a building permit on private property in the MRTPD, the recommendations of the Parish Arborist regarding tree preservation, tree removal and replacement of trees on private property and public property abutting the permit site. A building permit is required for all construction activity, as defined in the MRTPD, notwithstanding the provisions of the Building Code of Jefferson Parish.
- (d) *Approval.* For permits, if approval is granted a copy of the tree protection plan and application with a statement of additional tree preservation or replacement requirements for the permit, if any, will be attached to any building permit issued by the Department of Building Permits.

SECTION 23. That Chapter 33 Unified Development Code, Sec. 33-3.66.7.4. Appeals., is hereby amended to read as follows:

Sec. 33-3.66.7.4. Appeals.

Tree removal decisions of the Parkways Director, or other decisions of the Planning Director or Building Permits Director, may be appealed to the Board of Zoning Adjustments within thirty (30) days following the decision of the Director in accordance with the procedures established by Chapter 40, Article XLII. Board of Zoning Adjustments.

SECTION 24. That Chapter 33 Unified Development Code, Sec. 33-4.2.4. Building Permit Approval., is hereby amended to read as follows:

Sec. 33-4.2.4. Building Permit Approval.

The applicant shall submit an application to the Department of Building Permits for a building permit to construct a single-family dwelling on nonconforming lot(s) in residential districts. In addition to an application for a building permit, the applicant must include any applicable recorded acts of sale or surveys that show ownership and lot designation prior to August 28, 1958, which will be used to determine the nonconforming status. A building permit may or may not require a variance from the Board of Zoning Adjustments (BZA) depending on whether certain criteria are met.

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SECTION 25. That Chapter 33 Unified Development Code, Sec. 33-5.3.1.1. Accessory ceramic article manufacture or similar arts and crafts., is hereby amended to read as follows:

Sec. 33-5.3.1.1. Accessory ceramic article manufacture or similar arts and crafts.

- (a) Ceramic articles or similar arts and crafts may only be and accessory use to a single-family dwelling;

- (b) The person engaged in the manufacture of ceramic articles or similar arts and crafts shall furnish to the Planning Department an affidavit during the zoning clearance process stating that such manufacture is in compliance with the following criteria:

* * *

SECTION 26. That Chapter 33 Unified Development Code, Sec. 33-5.3.2. Accessory buildings, structures, and uses., is hereby amended to read as follows:

Sec. 33-5.3.2. Accessory buildings, structures, and uses.

- (a) For the purpose of this section, provisions related to accessory structures shall not apply to fences.

- (b) Except as otherwise provided in this Code:

- (1) *Interior side yards.* No more than one (1) accessory building or structure, excluding a swimming pool, shall cover any part of a required side yard. Any accessory building that is not a part of the principal building, or swimming pool, may be built in a required side yard, provided that such accessory building, structure, or swimming pool is:

* * *

- (8) An accessory building may be attached to a dwelling provided that:

- a. The connection or attachment shall not be less than six (6) feet in width; and
- b. The connection or attachment shall be made by a common wall, an extension of the main roof designed as an integral part of the building, or other substantial attachment or connection as determined by the Department of Building Permits.

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SECTION 27. That Chapter 33 Unified Development Code, Sec. 33-5.3.19. Self-storage (LBCS Function Code 2660)., is hereby amended to read as follows:

Sec. 33-5.3.19. Self-storage (LBCS Function Code 2660).

- (a) The use or storage of flammable, combustible, or hazardous materials, as classified in Chapter 13 Fire Prevention and Protection; Emergency Services and Communication; and Hazardous Materials of this Code, is prohibited.

* * *

- (d) The following additional standards shall apply in the BC-2, FC-3, and U-1S districts:

- (1) *Purpose.* It is the intent of these standards to promote design practices that blend self-storage facilities more effectively into the community and support the purpose and character of the zoning district.

* * *

- (9) *Site plan review.* Site plan review is required in accordance with Sec. 33-2.25. Site plan of this UDC. Site plan review is not required for:

- a. Interior renovations;
- b. Any routine exterior maintenance as determined by the Planning Director, including excavation, filling, or grading; or

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SECTION 28. That Chapter 33 Unified Development Code, Sec. 33-6.6.1. Lots generally., is hereby amended to read as follows:

Sec. 33-6.6.1. Lots generally.

- (a) *Buildings to be on a lot.* Except as permitted elsewhere in this Chapter, every building or structure shall be located on a single lot of record. No more than one (1) principal building is permitted on a lot; except that more than one (1) institutional, public or semi-public, multiple-family, commercial, or industrial building may be located on a lot, provided that the building or portion thereof

shall not be located outside the buildable area of the lot. Except for fences, no building or structure shall be built across lot lines.

* * *

(g) Lot orientation:

- (1) *Generally*. For interior lots, the lot line common to the street right-of-way line shall be the front line. All lots shall be arranged so that the rear line does not abut the side of an adjacent lot.

* * *

- (3) *Through lots*. Both lot frontages shall be front lines for setback purposes. The Department of Building Permits shall determine which frontage must bear the official municipal address, and the address shall be posted on the building elevation that corresponds to the frontage that is assigned the official address, in accordance with provisions for survey and street address in Chapter 8 of this Code.

* * *

SECTION 29. That Chapter 33 Unified Development Code, Sec. 33-6.27.9. Tree protection plan., is hereby amended to read as follows:

Sec. 33-6.27.9. Tree protection plan.

- (a) A tree protection plan shall include the following minimum information, described in notes and shown in graphics:

* * *

- (c) A tree protection plan that complies with the tree protection minimal requirements set forth in this section, including both graphics and text, shall be prepared, signed and affixed with seal or license number, by one of the following, as appropriate and in compliance with all state laws pertaining to professions regulated by the Louisiana Horticultural Commission:

- (1) A State licensed landscape architect;
(2) A State licensed landscape contractor; or
(3) A State licensed arborist.

- (d) Where a tree protection plan is required, the following shall apply:

- (1) The applicant shall provide an affidavit signed by the property owner agreeing that no construction activity shall commence until all tree protection measures are in place in accordance with the approved tree protection plan approved by the Parish Arborist. Commencement of construction activity without the approved tree protection measures in place is a violation of this section and subject to the penalties of this section.

(2) *Removal of tree protection measures.*

- a. Removal of the tree protection measures shall occur when the construction activity is complete and the Department of Building Permits has issued the certificate of completeness.
- b. If a property owner wants to begin landscaping his or her property prior to the issuance of the certificate of completeness, he or she may submit a written request to the Planning Department or Parkways Department for an inspection of the site by the Parish Landscape Architect or Parish Arborist, as applicable. The Parish Landscape Architect or Parish Arborist may authorize the removal of the tree protection measures prior to the issuance of a certificate of completeness if it is his or her determination that the remaining construction activities will not have a negative impact upon the protected trees. The Parish Landscape Architect or Parish Arborist shall provide notification to the property owner and the Department of Building Permits that authorization has been given or denied for the removal of the tree protection measures.

- (3) At any time after the issuance of development approval, in accordance with this section, the Parish Landscape Architect or Parish Arborist may recommend to the Parkways Director or Building Permits Director that a "stop work order" be issued or a permit revoked and a violation citation issued to protect trees.

SECTION 30. That Chapter 33 Unified Development Code, Sec. 33-6.27.10. Tree replacement., is hereby amended to read as follows:

Sec. 33-6.27.10. Tree replacement.

Where replacement of a protected tree is required, the following shall apply:

- (1) *Minimum caliper.* Each protected tree that is to be replaced shall be replaced on-site with a tree with a minimum trunk size of two (2) inches caliper. Trees determined by a licensed arborist to be hazardous or diseased may be replaced on a one to one (1:1) ratio, only if that determination is corroborated by the parish arborist. In all cases, the Parish Arborist's determination of the health of a tree shall prevail.

* * *

- (4) Replacement of protected trees shall be in accordance with the following timelines:

- a. For protected trees removed after approved for removal in accordance with this section, replacement shall occur within one (1) calendar year of the date of the issuance of the approval for the removal, unless the property owner has applied for a building permit within the year, in which case the trees shall be replaced before the issuance of the certificate of completeness by the Department of Building Permits after inspection and certification by the Parish Landscape Architect or Parish Arborist that installation is complete and in compliance with this section.

* * *

SECTION 31. That Chapter 33 Unified Development Code, Sec. 33-6.27.10. Tree replacement., is hereby amended to read as follows:

Sec. 33-6.27.12. Appeals.

Decisions of the Parkways Director related to the requirements of this section, including those based on the recommendations of the Parish Arborist, may be appealed to the Board of Zoning Adjustments within thirty (30) days following the decision of the Director in accordance with the procedures established by Chapter 40, Article XLII. Board of Zoning Adjustments.

SECTION 32. That Chapter 33 Unified Development Code, Sec. 33-6.35.7. Cooperative parking agreements., is hereby amended to read as follows:

Sec. 33-6.35.7. Cooperative parking agreements.

- (a) *Generally.* Where off-site or shared parking is utilized to meet the minimum parking requirements of this Code, the provisions of this section shall apply.

* * *

- (c) *Procedures.* To establish and maintain a cooperative parking agreement to satisfy required parking, the following requirements shall apply:

- (1) *Application requirements.* The following shall be submitted:

* * *

- (2) *Application filing and approval.* If the cooperative parking agreement satisfies required parking that is:

- a. Part of a development that requires a subdivision or site plan review by the Planning Department:

* * *

- b. Not part of a development that requires a subdivision or site plan review by the Planning Department, the application shall be filed with and subject to the approval of the Building Permits Director.

- (3) *Validity.* The agreement shall be valid until determined null by either the Building Permits Director or Planning Director.

* * *

(d) *Violations.*

- (1) A violation shall occur in the following circumstances:

* * *

- (2) If any use is operated in violation of a cooperative parking agreement:

- a. The Building Permits Director shall revoke the Certificate of Use or Occupancy.

* * *

SECTION 33. That Chapter 33 Unified Development Code, Sec. 33-7.5.7. Access standards., is hereby amended to read as follows:

Sec. 33-7.5.7. Access standards.

- (a) *Purpose.* The purpose of regulating the amount and nature of vehicular access points is to balance the need for providing access to individual private properties with the need to preserve an adequate level of capacity on the streets providing access. Vehicular access restrictions may be required to be shown on subdivision plats.

* * *

- (d) *Driveway permits.* A driveway permit, issued by the Engineering Director shall be required for all single family residences and any multiple family development encompassing five (5) or more dwelling units. Driveway permits for all other uses shall be obtained from the Public Works Director prior to the construction of any new access point. When a traffic study is required, no driveway permit will be issued until the traffic study process has been completed. For the purposes of evaluating driveway permit requests, the boundary of the site is considered to be all contiguous parcels under the same ownership on the date of adoption of this provision. Any non-residential change in use resulting in the following will require a new driveway permit:

* * *

SECTION 34. That Chapter 33 Unified Development Code, Sec. 33-7.5.11. Private streets., is hereby amended to read as follows:

Sec. 33-7.5.11. Private streets.

Private streets may be permitted subject to the provisions of this UDC.

- (1) *Applicability.* The provisions provided by this section shall apply to all newly created subdivisions with private streets.

* * *

- (3) *Emergency access.* Within the confines of a private subdivision, means of access for fire department apparatus shall consist of fire lanes, private drives or streets, streets, parking lot lanes or a combination thereof.

- a. A servitude of passage shall be granted by the association of homeowners to Jefferson Parish solely for the use by personnel of the Jefferson Parish Public Works Department, Fire Department and the Code Enforcement Officers while acting in their official capacity so as to provide services to the residents within the subdivision and/or to maintain public utilities located within the subdivision and, in addition, to all local, State or Federal law enforcement officers while acting in their official capacity.

* * *

- (4) *Gated streets.* Electrical, motorized, remote, manual, guard or any other entrance gates to subdivisions with private streets may be permitted, subject to the following emergency response requirements:

- a. The homeowner's association shall be responsible for notifying, in writing, applicable law enforcement, fire and emergency medical agencies required to respond to areas within a subdivision with private

streets, a universal code for the use by all emergency response agencies for ingress and egress to the subdivision with private streets and shall maintain and update said information in writing when and where applicable. All motorized or electrically operated gate systems shall be provided with an emergency KNOX or similar box for emergency crews in addition to a universal code(s).

- b. A standard method of addressing and/or identifying properties within the gated community shall be developed by Building Permits Director and applied accordingly. Said addressing methodology and/or assigned addresses to any specific gated community shall be maintained and forwarded to the respective emergency response agencies by the homeowner's association.

* * *

SECTION 35. That Chapter 33 Unified Development Code, Sec. 33-8.7.1. Amortization of Nonconforming Signs Along Portion of David Dr. zoned Town Center Mixed Use District., is hereby amended to read as follows:

Sec. 33-8.7.1. Amortization of Nonconforming Signs Along Portion of David Dr. zoned Town Center Mixed Use District.

The following regulations and amortization provisions shall apply to the properties zoned Town Center Mixed Use District (TCMU) along the portion of David Dr. between W. Napoleon Ave. and Veterans Memorial Blvd.:

- (1) Findings and Purpose:

* * *

- (3) Limits on Nonconforming Signs.

- a. Change of Business or Use. Any nonconforming sign advertising, identifying, or pertaining to a business on the premises on which it is located shall be removed upon any change in the business name or change in the use advertised by the sign.
- b. A nonconforming sign may not be:
 - 1. Changed to another nonconforming sign;

* * *

- 5. Reestablished after damage or destruction of more than fifty (50) percent of its value, as determined by the Building Permits Director.

* * *

- (5) A determination of sign conformance shall be provided by the Department of Code Compliance and Enforcement.
- (6) Removal. Nonconforming signs that require removal under the regulations in this section shall be taken down, or removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within sixty (60) days after written notification from the Department of Code Compliance and Enforcement and, upon failure to comply with such notice or file an appeal within the time specified in such order, the Department of Code Compliance and Enforcement is hereby authorized to cause removal of such sign and collect the cost, therefore, in accordance with article III, chapter 19 of this code.

SECTION 36. That Chapter 33 Unified Development Code, Sec. 33-10.2. Definitions applicable to this entire UDC., is hereby amended to read as follows:

Sec. 33-10.2. Definitions applicable to this entire UDC.

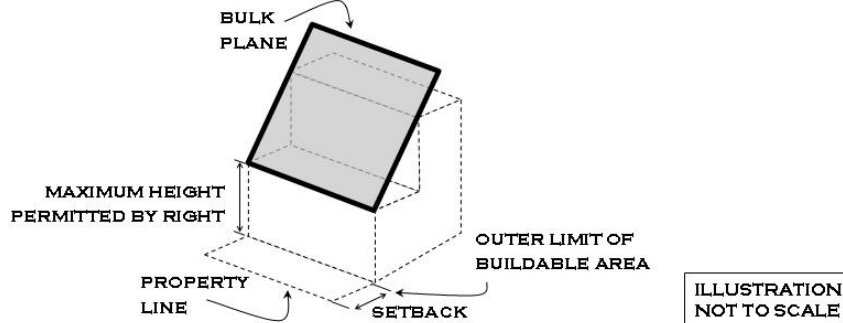
For the purpose of this UDC, certain words and terms are hereby defined.

* * *

Building Line shall mean the line extending parallel to a lot line that is the same distance from the lot line and the closest edge of a structure to the lot line.

Building Permits Director shall mean the Jefferson Parish Building Permits Director or the director's designee.

Bulk plane shall mean an imaginary inclined plane, rising over a lot, drawn at a specified angle, and used in conjunction with yard requirements, lot size requirements, and height limits as delineated in the district regulations, to establish the maximum bulk of a structure. This definition shall not be construed to mean that solid roofing to follow the angle of the plane is encouraged. Where bulk plane is required, upper floors are set back increasingly greater distances from the street or sides of the lot, often creating “wedding cake” style architecture. The bulk plane concept is illustrated in Figure 40.3.1:



Caliper shall mean the diameter measurement of the trunk of a tree taken from a point six (6) inches above final grade.

Camp, fishing and/or hunting shall mean a building that provides facilities for fishing, hunting, or related activities, and is used as a dwelling unit or overnight lodging accommodation, but is not a primary residence.

Canal shall mean any excavation below the surface of the earth having a width at its top of thirty-five (35) feet or more.

Certificate of Compliance shall mean a certificate issued by the Department of Building Permits indicating that all of the requirements of a permit have been fulfilled.

Club shall mean buildings and facilities owned and operated by a corporation, association, person or persons for social, educational or recreational purpose, but not primarily for profit or to render a service which is normally carried on as a business. The definition of club shall include LBCS function codes 5340 and 6830.

* * *

Fence, ornamental shall mean a decorative fence constructed of wrought or cast metal and other similar durable materials that the Building Permits Director or the planning director, as applicable, determines are substantially similar in appearance. Posts and supports shall not be greater than eighteen (18) inches in width, unless approved by the applicable director. This definition excludes barbed wire and chain link fences.

* * *

Impervious Area shall mean an area of a lot covered by materials that significantly reduce and prevent natural infiltration of water into the underlying soil, resulting in an increased volume and velocity of surface water runoff. These areas include but are not limited to roofs, streets, driveways, sidewalks, and any concrete, stone, brick, asphalt or compacted gravel surfaces.

Land use action shall mean the following actions as regulated by Chapters 33 and 40 of this Code: text or map amendment; approval of a use, conditional use, or special permitted use; site plan review and phasing; subdivision; proposed public improvements or abandonment of public reservation; development agreements; and appeals, exceptions, variances, and waivers.

* * *

SECTION 37. That Chapter 33 Unified Development Code, Sec. 33-10.3.2. Old Metairie Neighborhood Conservation District (OMNCD)., is hereby amended to read as follows:

Sec. 33-10.3.2. Old Metairie Neighborhood Conservation District OMNCD).

* * *

Demolition by neglect shall mean neglect in the maintenance or deterioration of any structure within the Old Metairie Neighborhood Conservation District characterized by any of the following conditions:

- A. Structures with attached parts subject to fall, resulting in injury to persons or property;
- B. Deteriorated or inadequate foundation;
- C. Defective or deteriorated floor supports, or floor supports insufficient to carry imposed loads with safety;
- D. Members of walls or other vertical supports that split, lean or buckle due to defective material or deterioration, or members of walls or vertical supports insufficient to carry imposed loads with safety and;
- E. Any deterioration of a structure to the extent that it creates or permits a hazardous or unsafe condition as determined by the Department of Code Compliance and Enforcement.

* * *

SECTION 38. That Chapter 40 Zoning, Sec. 40-92. Permitted Uses. (R-1A), is hereby amended to read as follows:

Sec. 40-92. Permitted uses.

In R-1A Districts, only the following uses of property shall be permitted:

- (1) Dwellings, single-family.

* * *

- (15) Ceramic article manufacture or similar arts and crafts only as an accessory use to the single-family dwelling and conditioned upon furnishing the Planning Department an affidavit during the zoning clearance process, stating that the person engaged in the manufacture of ceramic articles or similar arts and crafts is in compliance with the following criteria:

* * *

- (16) Second culinary facility, provided the following criteria are met:

- a. A second culinary facility shall be approved by the Jefferson Parish Council by ordinance after public hearing before the Planning Advisory Board in accordance with Article XL, Special Permitted Uses, and subject to the following additional provisions:

* * *

- c. A permit for a second culinary facility may be renewed subject to the following provisions.

- 1. The applicant shall submit the following materials to the Planning Department which will be forwarded to the Director of Code Compliance and Enforcement.
 - i. A certified true copy of the original covenant or agreement specified in subsection above.
 - ii. A letter from the applicant stating that the need to continue the facility is still in existence.
- 2. The Director of Code Compliance and Enforcement shall review the application for renewal and shall renew the permit if the Director ascertains that conditions concerning the original application remain the same.

The Director shall inspect the premises in order to complete his review.

3. Upon completion of review, the Director of Code Compliance and Enforcement shall either renew the permit or shall deny the renewal stating his reasons therefore. The Director shall notify the applicant and the Planning Department of his decision by letter.
- d. Should the Director of Code Compliance and Enforcement deny renewal of the permit for a second culinary facility, the applicant may appeal the denial to the Parish Council. If the applicant should appeal, the procedures outlined in subparagraph a. shall be followed.

SECTION 39. That Chapter 40 Zoning, Sec. 40-217. Permitted Uses. (RR-3), is hereby amended to read as follows:

Sec. 40-217. Permitted uses.

In RR-3 Districts only the following uses of property shall be permitted, however, single-family residences in existence at the time of adoption of this ordinance shall be considered conforming uses:

- (1) Hair care service provided the following criteria are met:

* * *

- (4) Ceramic article manufacture or similar arts and crafts only as an accessory use to a dwelling and conditioned upon furnishing the Planning Department an affidavit during the zoning clearance process, stating that the person engaged in the manufacture of ceramic articles or similar arts and crafts is in compliance with the following criteria:

* * *

SECTION 40. That Chapter 40 Zoning, Sec. 40-237. Permitted Uses. (R-3), is hereby amended to read as follows:

Sec. 40-237. Permitted uses.

In R-3 Districts only the following uses of property shall be permitted:

- (1) Any use permitted in an RR-3 Family District.

* * *

- (7) Elderly housing and assisted living facility provided the following minimum criteria are met:

- a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the Planning Department containing the following minimum information:

* * *

- b. Additional information may be required by the Planning Department depending on the nature and extent of the proposed facility including but not limited to application for state license.

* * *

SECTION 41. That Chapter 40 Zoning, Sec. 40-238. Height regulations. (R-3), is hereby amended to read as follows:

Sec. 40-238. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is the width of the right-of-way of the street upon which the building or structure fronts. In no case shall the height of any building or structure exceed sixty (60) feet except as provided in Sec. 40-737(1) and in this section for multiple-family dwellings.

* * *

- (b) *Exceptions to the maximum height allowed by right for multiple-family dwellings.* Multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:
 - (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:
 - a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.
* * *
 - d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.
 - 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.
* * *

SECTION 42. That Chapter 40 Zoning, Sec. 40-268. Height regulations. (R-1CO), is hereby amended to read as follows:

Sec. 40-268. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is the width of the right-of-way of the street upon which the building fronts, provided further that in no case shall the height of any building exceed sixty (60) feet except as provided in Sec. 40-737(1) and in this section for condominiums of multiple-family dwellings
- (b) *Exceptions to the maximum height allowed by right for condominiums of multiple-family dwellings.* Condominiums of multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:
 - (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:
 - a. *Application for site plan review.* Requests for condominiums of multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.
* * *
 - d. *Review procedures.* Requests for condominiums of multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon

review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

- 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 43. That Chapter 40 Zoning, Sec. 40-282. Permitted uses. (H-1), is hereby amended to read as follows:

Sec. 40-282. Permitted uses.

A building or land shall be used only for the following purposes:

- (1) Any use permitted in an R-1A Single-Family District
- * * *
- (9) Elderly housing and assisted living facility provided the following minimum criteria are met:
 - a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the Planning Department containing the following minimum information:
- * * *
- b. Additional information may be required by the Planning Department depending on the nature and extent of the proposed facility including but not limited to application for state license.

* * *

SECTION 44. That Chapter 40 Zoning, Sec. 40-304. Height regulations. (H-2), is hereby amended to read as follows:

Sec. 40-304. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is seventy-five (75) feet except as provided for in Sec. 40-737 and in this section with respect to multiple-family dwellings.
 - (b) *Exceptions to the maximum height allowed by right for multiple-family dwellings.* Multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements, in addition to all other applicable requirements of this district:
 - (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:
 - a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.
- * * *
- d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of

complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

- 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 45. That Chapter 40 Zoning, Sec. 40-322. Permitted uses. (C-1), is hereby amended to read as follows:

Sec. 40-322. Permitted uses.

In C-1 districts only the following uses of property shall be permitted:

- (1) Any existing stand-alone single-family, two-family, three-family, or four-family dwelling shall be recognized as a conforming use; however, the existing stand alone single-, two-, three-, or four-family dwelling cannot be restored if it is destroyed beyond seventy-five (75) percent of its value or more.

* * *

- (16) Elderly housing and assisted living facility provided the following minimum criteria are met:

- a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the Planning Department containing the following minimum information:

* * *

- b. Additional information may be required by the Planning Department depending on the nature and extent of the proposed facility including but not limited to application for state license.

* * *

SECTION 46. That Chapter 40 Zoning, Sec. 40-323. Height regulations. (C-1), is hereby amended to read as follows:

Sec. 40-323. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is forty-five (45) feet except as provided for in Sec. 40-737 and in this section with respect to multiple dwelling units.
- (b) *Exceptions to the maximum height allowed by right for buildings with multiple dwelling units.* Multiple dwelling units meeting the permitted use criteria, above, may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:

- (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:

- a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.

* * *

- d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

- 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 47. That Chapter 40 Zoning, Sec. 40-342. Permitted Uses. (GO-1), is hereby amended to read as follows:

Sec. 40-342. Permitted uses.

In GO-1 Districts only the following uses of property shall be permitted:

- (1) One (1) or more dwelling units are allowed in the main structure containing non-residential uses permitted in this district provided the following criteria are met:

* * *

- (12) Elderly Housing and Assisted Living Facility provided the following minimum criteria are met:

- a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the Planning Department containing the following minimum information:

* * *

- b. Additional information may be required by the Planning Department depending on the nature and extent of the proposed facility including but not limited to application for state license.

* * *

SECTION 48. That Chapter 40 Zoning, Sec. 40-343. Height regulations. (GO-1), is hereby amended to read as follows:

Sec. 40-343. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is sixty-five (65) feet except as provided for in Sec. 40-737 and in this section with respect to multiple-family dwellings.

- (b) *Exceptions for multiple-family dwellings to the maximum height allowed by right.* Multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:

- (1) Site plan. Site plan submittal and review shall be conducted in accordance with the following requirements:

- a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.

* * *

- d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

- 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 49. That Chapter 40 Zoning, Sec. 40-382. Permitted Uses. (CD-R), is hereby amended to read as follows:

Sec. 40-382. Permitted uses.

In CD-R Districts only the following uses of property shall be permitted:

- (1) Board and care home provided all applicable requirements are met and approval is obtained in accordance with Article XL, Special Permitted Uses.

* * *

- (8) Elderly housing and assisted living facility provided the following minimum criteria are met:

- a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the Planning Department containing the following minimum information:

* * *

- b. Additional information may be required by the Planning Department depending on the nature and extent of the proposed facility including but not limited to application for state license.

* * *

SECTION 50. That Chapter 40 Zoning, Sec. 40-383. Height regulations. (CD-R), is hereby amended to read as follows:

Sec. 40-383. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right sixty (60) feet except as provided in Sec. 40-737(1) and in this section for multiple-family structures.

- (b) *Exceptions to the maximum height allowed by right for multiple-family dwellings.* Multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:

- (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:

- a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.

* * *

- d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.
 - 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 51. That Chapter 40 Zoning, Sec. 40-403. Height regulations. (BC-1), is hereby amended to read as follows:

Sec. 40-403. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is sixty (60) feet except as provided in Sec. 40-737 and in this section for multiple-family dwellings.
- (b) *Exceptions to the maximum height allowed by right for multiple-family dwellings.* Multiple-family dwellings may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:
 - (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:
 - a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.

* * *

- d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.
 - 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 52. That Chapter 40 Zoning, Sec. 40-423. Height regulations. (BC-2), is hereby amended to read as follows:

Sec. 40-423. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height for any building or structure by right shall be sixty-five (65) feet.

(b) *Exceptions to the maximum height allowed by right.* A building or structure may exceed sixty-five (65) feet in height provided the following criteria, and additional or more restrictive criteria of Sec. 40-737(4), are met:

(1) *Proximity to residential districts.* To encourage compatibility with adjacent residential developments, the following shall apply:

* * *

(3) *Site plan review.* A building or structure that exceeds sixty-five (65) feet in height shall be subject to site plan review in accordance with the following requirements:

a. *Review procedures.* Application for development that exceeds sixty-five (65) feet in height shall be submitted to the Jefferson Parish Planning Department on a form approved by the Planning Director. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development that fully complies with the requirements of this article. Once the Planning Department has determined that a Level 1 Site Plan Review applies, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 53. That Chapter 40 Zoning, Sec. 40-442. Definitions and District Composition. (MUCD), is hereby amended to read as follows:

Sec. 40-442. Definitions and District Composition

(a) *Definitions.*

For the purpose of this Article, certain words and terms are hereby defined:
Support building(s) or structure(s) shall mean any building or structure that is not the principal building and is accessory to the operation of the principal use, including but not limited to: cooler units for restaurants, warehouses or storage sheds or units, gas pumps and vacuum stations at gas stations, playground equipment for multiple-family dwellings or fast food restaurants, detached restrooms or detached automatic teller machines (ATM). Self-supporting canopies covering such structures shall not be included for purposes of regulation.

* * *

(e) *Site plan review.*

(1) Development in the Mixed Use Corridor District that contains any of the uses listed in subsection (b), Permitted Uses, shall require one (1) of two (2) levels of site plan review:

a. Level 1 Site Plan Review shall apply to non-residential developments which fully meet the Mixed Corridor District regulations. Once a Level 1 site plan review is determined, the development proposal shall be required to submit to the building permit process through the Department of Building Permits.

* * *

SECTION 54. That Chapter 40 Zoning, Sec. 40-449. Development review procedures in the Mixed Use Corridor District., is hereby amended to read as follows:

Sec. 40-449. Development review procedures in the Mixed Use Corridor District.

(a) *General review procedures.* Requests for development and redevelopment in the Mixed Use Corridor District shall be submitted to the Jefferson Parish

Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project. The applicant shall submit fully detailed development plans in accordance with Sec. 40-450, Site Plan Submittal, to the Planning Department. Development review procedures for each of the site plan review levels shall be as follows:

- (1) *Level 1 site plan review.* Level 1 site plan review shall apply to non-residential developments which fully meet the Mixed Use Corridor District regulations. When the Planning Department determines that the Mixed Use Corridor District regulations are fully met, the development project may proceed to the building permit process.
- (2) *Level 2 site plan review.* Level 2 site plan review shall apply to all mixed-use developments containing residential uses as well as all non-residential developments which do not fully meet the Mixed Use Corridor District regulations and request a variance, in accordance with the following provisions:
 - a. When the Planning Department determines that the MUCD regulations are not fully met and a variance is included in the development proposal, the site plan submittal shall be reviewed in accordance with Sec. 40-449(d), Application for Site Plan Review, the final disposition of which shall be determined by the Jefferson Parish Council.

* * *

- c. If the development proposal meets all of the requirements of the Mixed Use Corridor District regulations except the sign regulations and the applicant has requested a sign variance that if granted would not affect the location of a substantial development feature including, but not limited to, a building or other structure, required parking, or required landscaping, then the Department of Building Permits may issue a building permit for all improvements except signs. A sign permit shall not be issued until final disposition of the sign variance by the parish council. Within five (5) days of determination that the development proposal meets all of the MUCD requirements except the sign regulations, the Planning Department shall notify the Department of Building Permits in writing of the determination.

* * *

SECTION 55. That Chapter 40 Zoning, Sec. 40-450. Site plan submittal. (MUCD), is hereby amended to read as follows:

Sec. 40-450. Site plan submittal.

The following minimum information shall be submitted to the Planning Department in the form of site plans for developments located in the Mixed Use Corridor District:

- (1) The name of the developer, owner, north point, date and scale of the site plan.
- (19) Additional information as required by the Department of Building Permits, Planning Department, Planning Advisory Board, Jefferson Parish Council or other Parish agency, depending on the nature and extent of the proposed development.

* * *

SECTION 56. That Chapter 40 Zoning, Sec. 40-478. Site plans. (CPZ), is hereby amended to read as follows:

Sec. 40-478. Site plans.

- (a) *Procedure.* Prior to the issuance of a building permit, site plans for the proposal shall be submitted to the Planning Department as specified in Sec. 40-480, Site Plan Review, for review and determination if the proposal meets Commercial Parkway Overlay requirements. If CPZ requirements are not fully met, site plan review before the Planning Advisory Board and Parish Council is required.
- (b) *Site plan requirements.* Site plans shall contain the following information:
 - (1) Complete site plans indicating but not limited to the following:

* * *

SECTION 57. That Chapter 40 Zoning, Sec. 40-480. Site plan review. (CPZ), is hereby amended to read as follows:

Sec. 40-480. Site plan review.

- (a) *Required site plan review.* Site plan review that includes a request for a variance shall be in the form of public hearings before the Planning Advisory Board and the Parish Council.

* * *
- (c) *Issuance of building permit.* If the development proposal meets all of the requirements of the Commercial Parkway Overlay Zone regulations except the sign regulations and the applicant has requested a sign variance that if granted would not affect the location of a substantial development feature including, but not limited to, a building or other structure, required parking, or required landscaping, then the Department of Building Permits may issue a building permit for all improvements except signs. A sign permit shall not be issued until final disposition of the sign variance by the parish council. Within five (5) days of determination that the development proposal meets all of the CPZ requirements except the sign regulations, the Planning Department shall notify the Department of Building Permits in writing of the determination.

* * *

SECTION 58. That Chapter 40 Zoning, Sec. 40-523. Height regulations. (C-2), is hereby amended to read as follows:

Sec. 40-523. Height regulations.

- (a) *Maximum height allowed by right.* The maximum height allowed by right is sixty-five (65) feet in height except as provided for in Sec. 40-737 and in this section with respect to multiple dwelling units.
- (b) *Exceptions to the maximum height allowed by right for buildings with multiple dwelling units.* Multiple dwelling units may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:
 - (1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:
 - a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, Sec. 40-449(d), Application for site plan review, except as otherwise stated for fee requirements.

* * *
 - d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the

Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project.

- 1. *Level 1 Site Plan Review.* Level 1 Site Plan Review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 Site Plan Review is determined by the Planning Department and the Planning Department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the Building Permits Department.

* * *

SECTION 59. That Chapter 40 Zoning, Sec. 40-661. General requirements., is hereby amended to read as follows:

Sec. 40-661. General requirements.

- (a) Location of required parking spaces except as may otherwise be provided in this Section, shall be located as provided below. For the purpose of this subsection (a), one-family, two-family, three-family, four-family dwellings, condominiums, and townhouses shall be considered residential uses, and the following zoning districts shall be considered non-residential districts: GO-2 General Office District, GO-1 General Office District, H-1 Medical Service District, H-2 Medical Service District, BC-1 Business Core District, C-1 Neighborhood Commercial District, BC-2 Business Core District, C-2 General Commercial District, OW-1 Office Warehouse District, M-1 Industrial District, M-2 Industrial District, M-3 Industrial District, U-1R Unrestricted Rural District, U-1S Unrestricted Suburban District, P-1 Penal and Criminal Correctional Institution District, MUCD Mixed Use Corridor District, and GED Gaming District.

* * *

- (g) Recreational Vehicles and Recreational Watercraft may be parked or stored on the sites of single-, two-, three-, or four-family dwellings including manufactured homes and townhouses, subject to the following conditions:
 - (1) At no time shall parked or stored recreational vehicles and recreational watercraft be occupied or used for living, sleeping, or housekeeping purposes.
 - (2) Setback Requirements:
 - a. Recreational vehicles and recreational watercraft not parked or stored inside of a fully enclosed garage shall be parked or stored completely behind the front building line of the principal structure or not less than sixty (60) feet from the front lot line, whichever is closest to the front lot line.

* * *

- c. Recreational vehicles and recreational watercraft seven (7) feet or less in height shall be located no less than three (3) feet from a side or rear lot line, unless screened from view of the abutting property in accordance with subsection (7). RVs and recreational watercraft shall be measured from grade to their top edge and shall exclude any minor incidental projections; projections included in the measurement of height shall be considered as substantial by the discretion of the Building Permits Director.

* * *

- (3) Recreational vehicles and recreational watercraft may be parked anywhere on the premises for loading or unloading purposes no longer than twenty-four (24) hours and shall not extend into any public right of way. In situations such as hurricanes or similar weather phenomenon that necessitates an evacuation, the Code Compliance

and Enforcement Director may waive the limitation on hours for loading and unloading in this section.

* * *

- (5) The private garage regulations set forth in section 33-5.3.2 and the following additional criteria shall apply:

a. Applicant shall present to the Department of Building Permits a valid Louisiana motor vehicle or boat registration to demonstrate the need for exception to Sec. 33-5.3.2 (b)(1).

* * *

- (6) Notwithstanding the regulations of Sec. 40-741, the following regulations shall apply for detached carports and shelters housing recreational vehicles and recreational watercraft shall comply with the following criteria:

a. Detached carports and shelters shall not exceed thirteen (13) feet in height or a length of forty (40) feet if located in a required side or rear yard unless an applicant presents to the Department of Building Permits a valid Louisiana motor vehicle or watercraft registration to demonstrate the need for additional height or length.

* * *

SECTION 60. That Chapter 40 Zoning, Sec. 40-662. Off-street parking requirements., is hereby amended to read as follows:

Sec. 40-662. Off-street parking requirements.

Off-street parking spaces shall be provided on any lot for which any of the following listed principal or accessory uses are hereafter established, subject to the following and the standards in the Appendix of this Chapter:

- (a) A non-residential use in a residential district shall access all off-street parking only from the lot upon which the principal use is located.

* * *

- (j) Parking and other vehicular use areas shall be paved with an approved all-weather hard surface, which may be impervious or permeable or any combination thereof, and shall be properly graded for drainage and maintained in good condition, free of weeds, dust, trash, debris and spillover of material onto public right-of-way or adjacent property. Generally, the type of paving material used shall be manufactured for use as a parking surface. The specific material used shall comply with standards and specifications established by the Engineering Director, who shall make the final determination of suitability where uncertainty exists. The surface material(s), underlying layer(s), and methods of structural and hydrologic design and installation shall be suitable to the soils, water table depth, utility lines, public infrastructure capacities or standards, traffic or fire service loads, trash or debris loads, intended use, or other site-specific factors, as indicated on drawings or in other documents submitted to the parish for approval by the Engineering Director. If the permeable paving is an integral part of a stormwater management system, the Maintenance provisions of Sec. 33-6.26 Low Impact Development shall apply.

* * *

SECTION 61. That Chapter 40 Zoning, Sec. 40-665. Clear vision area regulations., is hereby amended to read as follows:

Sec. 40-665. Clear vision area regulations.

- (a) *Purpose.* Clear vision area regulations are designed to promote public safety by maintaining clear areas that provide cross-visibility among pedestrians, bicyclists, and

* * *

- (f) *Submittal requirements.*

- (1) *Illustration.* All clear vision areas shall be illustrated and to scale on all required building and site plans.
- (2) *Additional materials necessary for clear vision areas aligned to the curb line of the street.* For sites developed with uses other than a one-, two-, three-, or four-family residential dwelling, including a manufactured home or a townhouse, applicants shall submit the following information to the Department of Building Permits:

* * *

(h) *Variances.*

- (1) Only the following variances may be granted and shall be in accordance with the variance procedures of this Chapter:
 - a. If adequate street speed limits or signalization exists, the size of a clear vision area may be reduced.
 - b. If a proposed building or addition to a building is located within a required clear vision area, the size of the clear vision area may be reduced.
 - c. For sites developed with a one-, two-, three-, or four-family residential dwelling, including a manufactured home or a townhouse, if a large distance exists between the curb line and the street right-of-way line, and the parish traffic engineering division determines that widening the roadway is not likely, the size of the clear vision area may be reduced by measuring the clear vision area with the curb line, or any distance between the curb line and the street right-of-way line, instead of the street right-of-way or property line.
 - d. If a proposed sign does not meet the clear vision area requirements of this article, the following sign requirements may be varied:
 1. The limitation on width, depth, or diameter of the sign, including the sign base, between three (3) and eight (8) feet in height as measured from the crown of the street.
 2. The limitation on the number of sign poles or bases.
- (2) *Board of Zoning Adjustments (BZA) variances.* The clear vision area regulations of this article shall apply unless a variance is granted by the Board of Zoning Adjustments (BZA) in accordance with Article XLII, Board of Zoning Adjustments. To prevent negative impacts to vehicle and pedestrian safety, all variance applications for clear vision areas submitted to the Board of Zoning Adjustments for review by the Board of Zoning Adjustments shall include a letter from the parish traffic engineering division stating support for or objection to the proposed clear vision area based on evidence that detrimental impacts on vehicle or pedestrian safety would not occur in the case of support or would occur in the case of objection; the applicant shall request the letter from the parish traffic engineering division and submit the letter with the variance application.

* * *

SECTION 62. That Chapter 40 Zoning, Sec. 40-681. Measurements., is hereby amended to read as follows:

Sec. 40-681. Measurements.

- (1) *Sign spacing.* Detached and off-premise sign spacing shall be measured radially as the shortest horizontal distance between any part of one (1) sign and any part of a second sign.

* * *

- (6) *EVM sign lighting.* An EVM sign's lighting shall be measured using one (1) of the following methods:

- a. *Illuminance measurement using a light meter.*

* * *

- b. *Luminance measurement using a nit gun.* An EVM sign's luminance shall be measured as the brightest part of the sign.
 1. The measurement point shall be located at a distance far enough from the EVM sign that individual LEDs (or other light-emitting source) are not distinguishable but close enough such that only the EVM sign panel is visible in the nit gun's eyepiece (LEDs are grouped in threes: one (1) red, one (1) blue, (1) green. If these are individually distinguishable the measurement point must be located further away).
 2. The nit gun's target area shall be focused on the brightest part of the sign, as determined by the Code Compliance and Enforcement Director or the Director's designee, and a measurement shall be taken. See Figure 40.681.3, Target area.

* * *

SECTION 63. That Chapter 40 Zoning, Sec. 40-682. Regulations of general applicability., is hereby amended to read as follows:

Sec. 40-682. Regulations of general applicability.

Requirements herein shall be applicable to both on- and off-premise signs.

- (1) *Setback requirements.* Unless otherwise specified in this Chapter, all signs shall comply with the yard requirements of the district in which they are located.

* * *

- (3) *Electronic variable message signs.* Electronic variable message (EVM) signs shall meet the following criteria:

- a. *Sign area.* An EVM sign may be a portion of a sign or may comprise the entire area of a sign. Only one (1) sign panel per sign face may utilize EVM technology.

* * *

- n. *Enforcement procedure for nighttime lighting requirements.* The Department of Code Compliance and Enforcement shall use one (1) of the following procedures to issue citations for an EVM sign's lighting during nighttime hours:

1. *Illuminance measure using a light meter.* EVM sign owners and/or operators shall be required to cooperate with the Department of Code Compliance and Enforcement when testing the sign.

- i. Upon receiving a complaint about an EVM sign's lighting at night, the Department of Code Compliance and Enforcement shall send a letter to the property owner. The letter shall include the following information:

- A. A summary of Jefferson Parish's sign lighting requirements for nighttime hours.
- B. Date and time a Code Compliance and Enforcement officer will perform the inspection.

* * *

- ii. During the inspection, the Code Compliance and Enforcement Director or the director's designee shall take three (3) measures of the EVM sign's illumination, following the procedure set forth in Sec. 40-681 of this article. The average of the

three (3) measures shall be the sign's illumination.

- 2. *Luminance measure using a nit gun.* During the inspection, the Code Compliance and Enforcement Director or the Director's designee shall take three (3) measures of the EVM sign's illumination, following the procedure set forth in Sec. 40-681 of this article. The average of the three (3) measures shall be the sign's lumination.

* * *

SECTION 64. That Chapter 40 Zoning, Sec. 40-684. Off-premise sign regulations., is hereby amended to read as follows:

Sec. 40-684. Off-premise sign regulations.

- (a) *Location.*

* * *

- (i) Applications for permits to erect, construct, relocate, or convert off-premise signs shall be submitted to the Department of Building Permits. No application shall be accepted unless all of the following minimum information is submitted in addition to the application requirements found in Sec. 40-685 of this Chapter:

- (1) A legal description of the property.

* * *

- (8) No utilities shall be released in connection with the erection, construction, conversion, or relocation of an off-premise sign until a certified as-built survey by a registered Louisiana land surveyor has been submitted to the Department of Building Permits which shows that the sign complies with the requirements of this Chapter and the Jefferson Parish Building Code.

SECTION 65. That Chapter 40 Zoning, Sec. 40-685. General sign permit and inspection regulations., is hereby amended to read as follows:

Sec. 40-685. General sign permit and inspection regulations.

The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this Code:

- (1) No sign unless herein excepted shall be erected, constructed, posted, painted, altered, maintained, or relocated until a permit has been issued, by the Building Permits Director.

* * *

SECTION 66. That Chapter 40 Zoning, Sec. 40-718. Permanent installations., is hereby amended to read as follows:

Sec. 40-687. Temporary permits.

- (a) The Building Permits Director, upon application as required in this section may issue temporary permits for the following signs and displays for a period of not exceeding thirty (30) days, when in his opinion the use of such signs and displays would be in the public interest and would not result in damage to private property.

* * *

SECTION 67. That Chapter 40 Zoning, Sec. 40-687. Temporary permits., is hereby amended to read as follows:

Sec. 40-718. Permanent installations.

The Board of Zoning Adjustments may grant authority for the permanent installation of a manufactured home or mobile home for single-family residences in any zoning district in which such residences are permitted, provided that:

- (1) The structure is attached to and installed on a permanent foundation and the provisions of Louisiana Revised Statutes 9:1149.4 are compiled with; and either

* * *

- (3) The applicant has a demonstrable hardship, does not meet the requirements of compatibility above, and the Board receives a report by the Department of Building Permits investigating the alleged hardship or receives other proof substantiating the alleged hardship.

SECTION 68. That Chapter 40 Zoning, Sec. 40-737. Exceptions to height requirements., is hereby amended to read as follows:

Sec. 40-737. Exceptions to height requirements.

The height regulations as stated in this ordinance shall not apply to the following uses. Additional exceptions to height regulations are located in the height requirements section of the Multiple-Family Residential District R-3, the Condominium District R-1CO, the Medical Service District H-2, the Neighborhood Commercial District C-1, the General Offices District GO-1, the Core District-Residential CD-R, the Business Core District BC-1, the Business Core District BC-2, the Mixed-Use Corridor District MUCD, and the General Commercial District C-2. Buildings or structures located in the Business Core District (BC-2) exceeding the maximum height allowed by right of that district shall be governed by the exceptions to height regulations of the BC-2 district rather than the regulations of this section, except that additional or more restrictive regulations listed in Sec. 40-737(4) below shall apply. Buildings or structures located in the Unrestricted Suburban District (U-1S) exceeding the maximum height allowed by right of that district shall be governed by the regulations of Sec. 33-5.20. Mid-rise to high-rise building in Chapter 33 Unified Development Code, Article 5. Supplemental Conditions of this Code.

- (1) Churches; schools; hospitals; sanitariums; public, semi-public and public service buildings; office buildings and institutions. There shall be no restrictions on the height of such buildings, provided the front, side, and rear facades shall use bulk planes which begin at horizontal lines located directly above the lines created by the setback, at a height equal to the maximum height permitted by right in the applicable zoning district, and rise over the lot upward at a 45-degree angle equal to a pitch of one (1) foot additional vertical distance for each one (1) foot additional horizontal distance.

* * *

- (4) Transmission towers, radio towers, mast and aerials/or antennas
a. *General.*

* * *

- c. *Submittal requirements.* The applicant shall submit those materials required by the parish to the Department of Building Permits. Such submittal materials shall sufficiently detail the proposed commercial transmission tower, radio tower, mast, aerial and/or antenna as it relates to the above criteria.

* * *

SECTION 69. That Chapter 40 Zoning, Sec. 40-738. Exceptions to yard regulations., is hereby amended to read as follows:

Sec. 40-738. Exceptions to yard regulations.

- (a) More than one (1) main institutional building, public or semi-public, multiple-family, commercial or industrial building may be located upon a lot or tract, provided no such building or portion thereof is located outside the buildable area of the lot.

* * *

- (c) Open or lattice-enclosed fire escapes, fireproofed outside stairways, and balconies opening upon fire towers, and the ordinary projection of chimneys

and flues into a rear yard may be permitted by the Building Permits Director for a distance of not more than five (5) feet, but only where the same are so placed as not to obstruct light and ventilation.

* * *

- (f) Existing one- and two-family dwellings, including townhouses, elevated as part of a home elevation project.

- (1) Ramps, steps, and similar projections that provide access to an existing means of ingress or egress or mechanical equipment may project into a portion of a required side yard, provided the following conditions are met:

* * *

- (2) Required parking space(s) may be relocated within the required front yard when maintaining a space in an attached garage or carport would result in the construction of a driveway with a slope greater than five (5) percent and when there is no other legal location for parking on site, as determined by the Department of Building Permits.

SECTION 70. That Chapter 40 Zoning, Sec. 40-739. Exceptions to area regulations., is hereby amended to read as follows:

Sec. 40-739. Exceptions to area regulations.

- (a) Campuses. All lots comprising a campus may be used to meet minimum lot area or parking requirements, provided that the campus complies with the following criteria:

- (1) Calculation.

* * *

- (3) Dedication

- a. Campus lot areas and parking shall be shown on a site plan. Lot area and parking shall be established by notation on the plan as well as in the ordinance adopting said plan, if an ordinance is required.
- b. A campus interrupted by public right(s)-of-way shall be established by a recorded dedication on a form approved by Jefferson Parish, a stamped copy of which shall be provided to said department before the site plan is approved.
- c. Dedication of lot area or parking shall contain a clause stating that said dedication shall be valid until revoked in writing by the Building Permits Director or the Planning Director, as applicable.

SECTION 71. That Chapter 40 Zoning, Sec. 40-742. Exceptions and modifications to use regulation., is hereby amended to read as follows:

Sec. 40-742. Exceptions and modifications to use regulation.

- (a) Existing railroads and utilities may continue to be operated and maintained in residential and commercial districts, but no new railroad or utility structure other than the usual poles, transformers, and similar appurtenances, wires, underground utilities, electric sub-station and gas metering and pressure regulating stations shall be established in such districts except when so authorized by the Building Permits Director.

* * *

SECTION 72. That Chapter 40 Zoning, Sec. 40-743.5. Regulations for fences., is hereby amended to read as follows:

Sec. 40-743.5. Regulations for fences.

- (a) In General

- (1) In the event that the regulations in this section are in conflict with the regulations of the applicable zoning district, the more restrictive regulations, including 40-665, Clear Vision Area, shall apply. Where

elements in this section are not addressed in the regulations of an applicable zoning district, the regulations in this section shall apply.

* * *

- (7) *For parking areas.* Approval from the Department of Building Permits shall be obtained prior to fencing parking areas in commercial districts or parking areas for commercial uses.

* * *

SECTION 73. That Chapter 40 Zoning, Sec. 40-744. Regulations for on-site biomedical waste treatment facilities., is hereby amended to read as follows:

Sec. 40-744. Regulation of on-site biomedical waste treatment facilities.

- (a) On-site potentially infectious biomedical waste treatment facilities shall meet fully all of the following criteria:

- (1) To ensure adequate protection of adjacent uses there shall be a one thousand (1,000) foot minimum distance between all areas where the potentially infectious biomedical waste is treated or where the treated or untreated potentially infectious biomedical waste is otherwise temporarily or permanently stored, disposed, loaded, unloaded, or handled and any adjacent property line or public right-of-way.

* * *

- (13) The following minimum information shall be submitted to the Department of Building Permits in the form of site plans with the application for a building permit:

* * *

- (14) The following minimum information shall be submitted to the Department of Building Permits in the form specified by the application packet in addition to the application for a building permit:

* * *

SECTION 74. That Chapter 40 Zoning, Sec. 40-747. Regulations for stadiums and athletic fields., is hereby amended to read as follows:

Sec. 40-747. Regulations for stadiums and athletic fields.

- (a) *General.*

* * *

- (b) *Stadiums and athletic fields in residential zoning districts.* Notwithstanding the definition of accessory building or use, or any other provisions related to accessory buildings or uses, the following regulations shall apply to any stadium or athletic field accessory to a school or located within a park or playground in a residential zoning district:

- (1) *Site.* Stadiums and athletic fields shall be located on the same lot of record as and contiguous to the school, park or playground, and uninterrupted by public rights-of-way. In the case of a school, the lot of record upon which the stadium or athletic field is located also shall contain at least fifty (50) percent of the square footage of the school dedicated to core educational, academic activities, excluding space used for athletics such as gymnasiums and outdoor fields.

- a. Stadiums shall meet minimum site acreage as follows:

1. Stadiums with less than three thousand (3,000) seats shall have no minimum required acreage except the acreage that is required to meet these regulations.

* * *

3. Credit for existing, legal, required parking spaces for the school, park or playground shall be given according to the following formula: for each existing, legal, required parking space as determined by the Planning Department, the applicant may deduct three hundred

(300) square feet from the required acreage for the stadium site.

* * *

- (12) *Approval.* Stadiums and athletic fields accessory to schools and private parks or playgrounds shall be subject to site plan review in accordance with Sec. 33-2.25. *Site plan* of this Code.

- a. The applicant shall submit a site plan documenting compliance with all the criteria of this section to the Planning Department for administrative review by the Land Use Review Technical Committee, in accordance with Level 1 site plan review procedures, including the fee, of Sec. 40-449 *Development review procedures in the Mixed Use Corridor District* and applicable requirements of Sec. 40-450 *Site plan submittal*.

* * *

- c. If the site plan does not fully meet the criteria then the stadium or athletic field shall be subject to the provisions of *Article XL, Special Permitted Uses*, including the additional fee and approval from the Jefferson Parish Council, and a copy of all documents associated with the approval shall be recorded pursuant to the procedures of Sec. 33-2.25.4 *Recordation of approved site plan* of this Code. However, neither the Parish Council nor any Parish board, commission, department, or administrative agency shall grant a variance to any of the following regulations, and special permitted use applications for stadiums shall not include requests for variances to these regulations:

1. Stadiums and athletic fields shall be located on the same lot of record as and contiguous to the school or park or playground, and uninterrupted by public rights-of-way. In the case of a school, the lot of record upon which the stadium or athletic field is located also shall contain at least fifty (50) percent of the square footage of the school dedicated to core educational, academic activities, excluding space used for athletics such as gymnasiums and outdoor fields.
2. Stadiums shall meet minimum site acreage as follows:
 - i. Stadiums with less than three thousand (3,000) seats shall have no minimum required acreage except the acreage that is required to meet these regulations.

* * *

- iii. Credit for existing, legal, required parking spaces for the school, park or playground shall be given according to the following formula: for each existing, legal, required parking space as determined by the Planning Department, the applicant may deduct three hundred (300) square feet from the required acreage for the stadium site.

* * *

SECTION 75. That Chapter 40 Zoning, Sec. 40-748. Regulations for public utility structures., is hereby amended to read as follows:

Sec. 40-748. Regulations for public utility structures.

- (a) Utility poles shall be limited as follows:

- (1) Wooden, fiberglass, concrete, steel or aluminum poles having a maximum circumference of forty-three (43) inches, measured at six (6) feet above the ground.
- (2) Wires and associated structures, not more than fifty (50) feet in height above ground.
- (3) Used in connecting with electrical distribution, carrying a nominal voltage of sixty-nine thousand (69,000) volt amps of electricity or less for local distribution only.
- (4) Exceptions to the maximum height requirements may be granted by the Director of the Department of Building Permits where crossings must be made of railroads, major roadways, waterways or other obstructions.

* * *

(c) Electric and communications transmission lines:

- (1) Electric transmission lines and associated structures may be permitted in BC-2 and less restrictive districts upon approval of the Parish Council through Article XL, Special Permitted Uses.

* * *

- (5) Communications structures of sixty (60) cubic feet by volume or less and whose front faces are thirty (30) square feet or less, including, but not limited to, cross connect panels, interfaces and cabinets, may be permitted in those districts listed in subsection (c)(4) above upon approval in writing prior to installation by the Directors of the Department of Building Permits and the Department of Public Works.

* * *

SECTION 76. That Chapter 40 Zoning, Sec. 40-749. Regulations for the enclosing of private canals on commercial property with public drainage servitude., is hereby amended to read as follows:

Sec. 40-749. Regulations for the enclosing of private canals on commercial property with public drainage servitude.

- (a) *General.* Only developments with privately owned canals that have Parish servitude, within the development site, shall be allowed to enclose, modify or relocate the entire length of the canal or parts of the canal within the development site, subject to the criteria in paragraph (b), listed below.

* * *

- (e) *Approval.* Approval as a special permitted use is contingent upon review and approval of engineering plans by the Director of Public Works and the Citizens Drainage Advisory Board. Approval is also required in accordance with the provisions of Article XL, Special Permitted Uses, of the Comprehensive Zoning Ordinance for Jefferson Parish. In addition to the criteria specified in Article XL, Special Permitted Uses, applications for Special Permitted Uses shall contain any additional information required by the Department of Public Works, Planning Advisory Board, Planning Department, Department of Building Permits and the Jefferson Parish Council. Proposals not consistent with the master drainage plan or proposals which would further exacerbate the soil subsidence of area properties and that approval by the Department of Public Works and Citizens Drainage Advisory Board has not been granted shall not be brought before the Council for consideration as a Special Permitted Use.

SECTION 77. That Chapter 40 Zoning, Sec. 40-751. Reasonable accommodation for the handicapped., is hereby amended to read as follows:

Sec. 40-751. Reasonable accommodation for the handicapped.

Nothing in this ordinance shall be construed to prevent a reasonable accommodation for handicapped persons as defined by the Federal Fair Housing Act in accordance with federal, state and Parish procedures. Application for reasonable accommodation shall be submitted to the Department of Building

Permits for review and approval. Appeals from this process shall be to the Twenty-Fourth Judicial District Court.

SECTION 78. That Chapter 40 Zoning, Sec. 40-761. Application, procedure, and notice., is hereby amended to read as follows:

Sec. 40-761. Application, procedure, and notice.

- (a) Applications for Special Permitted Uses shall be filed with the Planning Department and shall contain the following information:
 - (1) A survey of the property showing all existing structures.
 - (2) A site plan and/or floor plan showing the dimensions and location of the proposed Special Permitted Use.
 - (3) Any additional information required by the Planning Advisory Board, Planning Department, Department of Building Permits and Jefferson Parish Council depending on the nature of the proposal.

* * *

SECTION 79. That Chapter 40 Zoning, Sec. 40-764. Renewal of special permitted use., is hereby amended to read as follows:

Sec. 40-764. Renewal of special permitted use.

A Special Permitted Use shall be renewed within two (2) years subject to the following provisions:

- (1) The applicant shall submit to the Planning Department an affidavit stating that there have been no changes listed in Sec. 40-763(c) above, a copy of the site plan and/or floor plan submitted with the original application and any other materials necessary to depict the current operation of the Special Permitted Use.
- (2) The Planning Department shall receive the application for renewal and shall renew the permit if the said use is being operated as originally approved by the Council. The Department of Code Compliance and Enforcement or other applicable departments shall inspect the premises in order to complete this review.
- (3) Upon completion of review, the Department of Code Compliance and Enforcement shall either renew the permit or shall deny the permit, stating its reasons therefore and shall notify the applicant and the Planning Department of this decision by letter.
- (4) Should the Department of Code Compliance and Enforcement deny the renewal or revoke the permit for a Special Permitted Use, the applicant may within thirty (30) days of the denial for renewal or revocation appeal the denial to the Parish Council through the procedures outlined in Sec. 40-761. The use shall be allowed to continue operation during the appeal process.

SECTION 80. That Chapter 40 Zoning, Sec. 40-792. Powers of the Board., is hereby amended to read as follows:

Sec. 40-792. Powers of the Board.

The Board of Zoning Adjustments shall have all the powers and duties prescribed by this ordinance, which are more particularly specified as follows:

- (1) Appeals.
 - a. Except as otherwise provided, to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Building Permits Director, Parkways Director, or the Planning Director.

* * *

SECTION 81. That Chapter 40 Zoning, Sec. 40-794. Appeals to the Board., is hereby amended to read as follows:

Sec. 40-794. Appeals to the Board.

- (a) (i) *Appellants.* Appeals to the Board may be taken by any party aggrieved, or by any officer, department, board, commission, bureau or any other agency,

affected by a decision of the Building Permits Director or concerning application or interpretation of the provisions of the Comprehensive Zoning Ordinance by the Director. Applications for the herein permitted exceptions or variances may be filed by any aggrieved party.

* * *

(f) *Notice.* Except as otherwise provided, the following notices shall be provided:

(1) *Published notice.* Notice setting forth the date, time, place and purpose of the public hearing, a general description of the proposal, and location of the subject property shall be published at least two (2) times in the Official Journal of Jefferson Parish. Notice shall be published not more than twenty (20) business days before the public hearing and at least ten (10) business days shall lapse between the first publication and the public hearing.

(2) *Administrative.* Notice of the hearing and a copy of the application or appeal shall be served upon the Building Permits Director and any other appellee. Such notice shall be served at least ten (10) days prior to the hearing and shall be accompanied by any applicable requests for reports, recommendations or advisory opinions.

* * *

(g) *Stay of proceedings.* An appeal shall stay all administrative proceedings in furtherance of the action appealed from, unless the Building Permits Director certifies to the Board of Zoning Adjustments, after the notice of appeal shall have been filed with him, by reason of facts stated in the certificate, that a stay would, in his opinion, cause imminent peril of life or property. In such cases, proceedings shall not be stayed other than by a restraining order which may be granted by the Board or by the 24th Judicial District Court for the Parish of Jefferson on application to the Board or to the District Court, and notice to the Building Permits Director and on due cause shown thereon.

* * *

SECTION 82. That Chapter 40 Zoning, Sec. 40-795. Procedure; meetings., is hereby amended to read as follows:

Sec. 40-795. Procedure; meetings.

(a) *Rules of procedure.* The Board shall adopt rules of procedure not in conflict with any State Act or Parish ordinance.

* * *

(c) *Meetings.* Meetings of the Board shall be held on call of the Chairman of the Board or on call of a majority of the members of the Board. All meetings of the Board shall be open to the public. The Building Permits Director or his representative shall be present at any meetings or hearings when requested by the Board.

(d) *Minutes/record.* The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact and shall keep records of its examinations and other official action all of which shall be filed immediately in the office of the Board and shall be public record. All testimony, objections thereto, and rulings thereon shall be taken down by a recorder for that purpose. The board shall have the power and authority to appoint a secretary, who shall not necessarily be a member of the Board, in which event the salary of such secretary shall be fixed by the Board. It shall be the duty of the secretary to keep the said minutes and a true and correct record of all proceedings had at such meetings, both general and special of said Board, in a book or books to be kept specially for that purpose. Certified copies of the minutes of all such proceedings shall be furnished to the Building Permits Director.

(e) *Decision.* The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building Permits Director, Parkways Director, or Planning Director, or to

decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variance of such ordinance.

* * *

SECTION 83. That Chapter 40 Zoning, Sec. 40-797. Filing fee for hearing before the Board., is hereby amended to read as follows:

Sec. 40-797. Filing fee for hearing before the Board.

At the time the notice of appeal to the Board is filed, a fee shall be paid to the Board in accordance with the following schedule:

* * *

SECTION 84. That Chapter 40 Zoning, Sec. 40-811. Generally. (Administration), is hereby amended to read as follows:

Sec. 40-811. [Generally.]

In accordance with Sec. 33-1.12. Responsibilities for application of UDC in Chapter 33 Unified Development Code of this code, the administration of this chapter shall be the joint responsibility of the Planning Director, Building Permits Director, Code Compliance and Enforcement Director, and Public Works Director, as applicable, and those agents and employees of the Planning Department, Building Permits Department, Code Compliance and Enforcement Department, and Public Works Department as so designated by him or her.

SECTION 85. That Chapter 40 Zoning, Sec. 40-821. Certificates., is hereby amended to read as follows:

Sec. 40-821. Certificates.

After the effective date of this chapter, except as specifically provided in Sec. 40-696 hereof, no change in the use or occupancy in an existing building shall be made, nor shall any new building be occupied for any purpose until a Certificate of Use or Occupancy has been issued by the Building Permits Director. Every Certificate of Use or Occupancy shall show that the new use or occupancy complies with all provisions of this chapter pertaining to the district in which it is located. Pending the issuance of a regular certificate, a temporary Certificate of Use or Occupancy may be issued for a period of not exceeding six (6) months during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective right, duties or obligations of the owners or of the Parish relating to the use or occupancy of the premises or any other matter covered by this ordinance, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupancy, provided that no Certificates of Use or Occupancy be issued pending amendment or change of any district as provided further in Article XLVIII, Changes and Amendments, hereof.

SECTION 86. That Chapter 40 Zoning, Sec. 40-823. Records., is hereby amended to read as follows:

Sec. 40-823. Records.

A record of all Certificates of Use and Occupancy shall be maintained by the Building Permits Director. Persons having a proprietary or tenancy interest in land or a building affected by such Certificates of Use or Occupancy may obtain copies upon request and payment of a fee for each such copy.

SECTION 87. That Chapter 40 Zoning, Sec. 40-824. Refusal and cancellation., is hereby amended to read as follows:

Sec. 40-824. Refusal and cancellation.

It shall be the duty of the Building Permits Director to refuse to issue any Certificate of Use or Occupancy until all fees required have been paid. He/she shall further cancel any and all Certificates of Use of Occupancy applied for or issued to any delinquent party and shall prevent any further construction, repairs, alterations, additions, maintenance, use or occupancy of buildings, structures or land anywhere within the Parish of Jefferson by such party until all delinquent fees and charges are paid in full.

SECTION 88. That Chapter 40 Zoning, Sec. 40-836. Generally. (Plans and Plats), is hereby amended to read as follows:

Sec. 40-836. [Generally.]

Specific requirements for site plans and plats are provided in other articles of this chapter and applicable sections of Chapter 8 Buildings and Building Regulations and Chapter 33 Unified Development Code of this code, as supplemented by application requirements of the Planning Department or Building Permits Department, as applicable. Generally, all applications for a building permit, all applications where a zoning base or overlay district requires site plan review, or all activities where approval by the Department of Building Permits is required, shall be accompanied by a current survey of the property and a plan of the building site drawn to scale, showing the actual dimensions of the lot to be built upon, the size, height, and location of the building(s), and structures to be erected, converted, enlarged, reconstructed or structurally altered or relocated, the size and location of any existing buildings or structures on the lot and such other information as may be necessary to provide for the enforcement of these regulations. All required parking areas, drive aisles, and access driveways must be shown and the individual parking stalls clearly indicated. Any and all revisions made to the original or subsequent revised versions of the plan, either through the review process or as a minor amendment during construction, shall be clearly indicated on a new plan or by a cloud on the original drawing and an itemized list of changes indicated on the plan, and shall include the date of each such revision. Complete records of applications, plans, and plats shall be maintained in the Office of the Building Permits Director or the Office of the Planning Director, as appropriate to the type of application.

* * *

SECTION 89. That Chapter 40 Zoning, Sec. 40-861. Enforcement., is hereby amended to read as follows:

Sec. 40-861. Enforcement.

It shall be the duty of the Building Permits Director, Code Compliance and Enforcement Director, and/or Planning Director, when applicable, to enforce this chapter. It shall also be the duty of all officers and employees of the Parish, and especially all members of the law enforcement and licensing agencies, to assist the Directors by reporting upon new construction, reconstruction, or land uses, or upon seeming violation. Appeal from the decision of the Building Permits Director, Code Compliance and Enforcement Director, and/or Planning Director, as to the application of these regulations may be made to the Board of Zoning Adjustments as provided for in Article XLII, Board of Zoning Adjustments, hereof.

SECTION 90. That Chapter 40 Zoning, Sec. 40-862. Violation., is hereby amended to read as follows:

Sec. 40-862. Violation.

Any firm, person or corporation who shall do anything prohibited by this chapter as it exists or may hereafter be amended or who shall fail to do anything as required by this chapter as it exists or may hereafter be amended is hereby declared to be guilty of a misdemeanor and shall be punished as provided by law. Each and every day that such violation exists shall be deemed to be a separate offense. The law enforcement agency of the Parish shall furnish, upon request by the Code Compliance and Enforcement Director, the necessary police personnel to carry out these orders.

SECTION 91. That Chapter 40 Zoning, Sec. 40-864. Remedy., is hereby amended to read as follows:

Sec. 40-864. Remedy.

In case any building or structure is or is proposed to be erected, structurally altered, or maintained, or any building, structure, or land is used in violation of any provision of this chapter, any proper officer of Jefferson Parish or their duly authorized representatives or any adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other remedies, institute injunctive or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use or to correct or abate such violation, or to prevent the occupancy of such building structure or land, or to prevent any illegal act, conduct, business, or use in


and about such premises. Where a violation of this chapter exists the Building Permits Director and/or the Code Compliance and Enforcement Director, when applicable, may, in addition to other remedies, notify all public utilities and Parish service agencies that such violation exists and request that service be withheld therefrom until such time as the violation ceases to exist.

SECTION 92. That the Municipal Code Corporation is hereby authorized and directed to correct any cross-references within the code that are affected by the renumbering of sections or subparagraphs via this ordinance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 7 NAYS: None ABSENT: None

This ordinance was declared to be adopted on the 14th day of June, 2023, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption, thereafter, upon signature by the Parish President or, if not signed by the Parish President, upon expiration of the time of ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY

EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL