

On motion of **Mr. Edwards**, seconded by **Mr. Walker**, the following resolution was offered:

**RESOLUTION NO. 142202**

A resolution amending Resolution No. 132364 adopted on October 10, 2018, to establish interim development standards and providing for related matters. (Parishwide)

**WHEREAS**, pursuant to Resolution No. 132364 adopted on October 10, 2018, the Parish Council authorized the Planning Department and Planning Advisory Board to conduct a study of the text of Chapter 8 Buildings and Building Regulations, Chapter 25 Planning and Development, Chapter 29 Roads and Bridges, Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish, with the intent of evaluating and updating provisions for paving in the front yard of residential dwellings; and

**WHEREAS**, pursuant to Ordinance No. 26577 adopted on March 15, 2023, the Jefferson Parish Council adopted the Jefferson Parish Green Infrastructure Plan as a Subplan of *Envision Jefferson 2040*, the Comprehensive Plan; and

**WHEREAS**, the Jefferson Parish Green Infrastructure Plan supports goals advancing green infrastructure and low impact development (LID), explains hazards, highlights case studies within Jefferson Parish and elsewhere, establishes recommendations and next steps, and functions as an educational tool by presenting appropriate green infrastructure solutions for Jefferson Parish to reduce nuisance flooding and prolong the existing drainage system; and

**WHEREAS**, the Jefferson Parish Green Infrastructure Plan proposes a vision statement that Jefferson Parish residents are served by an exceptional state-of-the-art drainage system that uses pipes and pumps—and works with nature—to protect their property during flood events, advancing a sustainable approach to effectively reduce risk to people and property over time; and

**WHEREAS**, recommendations from the Jefferson Parish Green Infrastructure Plan are organized into three categories including “Day-to-Day Operations,” which describes policies to integrate green infrastructure into operational processes in Jefferson Parish, “Regulatory Framework,” which identifies recommended text amendments to the Code of Ordinances, and “Funding and Next Steps,” which includes recommendations to improve project planning, establish sustainable funding and incentive structures, support the competitiveness of project designs; and

**WHEREAS**, these recommendations are relevant for Jefferson Parish because they outline how the Jefferson Parish Council and Administration can competitively pursue recently-approved capital programs, including those at the federal level, to fund and support green infrastructure initiatives; and

**WHEREAS**, the Jefferson Parish Green Infrastructure Plan recommends adopting provisions for a maximum lot coverage on residential lots as part of the Regulatory Framework recommendations; and

**WHEREAS**, Jefferson Parish affirms it is a coastal community that must balance its stormwater management strategies to improve community resilience, and that a balanced approach combining green infrastructure with traditional drainage benefits Jefferson Parish’s economy, environment, and society.

**NOW, THEREFORE, BE IT RESOLVED** by the Jefferson Parish Council of Jefferson Parish, Louisiana acting as governing authority of said Parish:

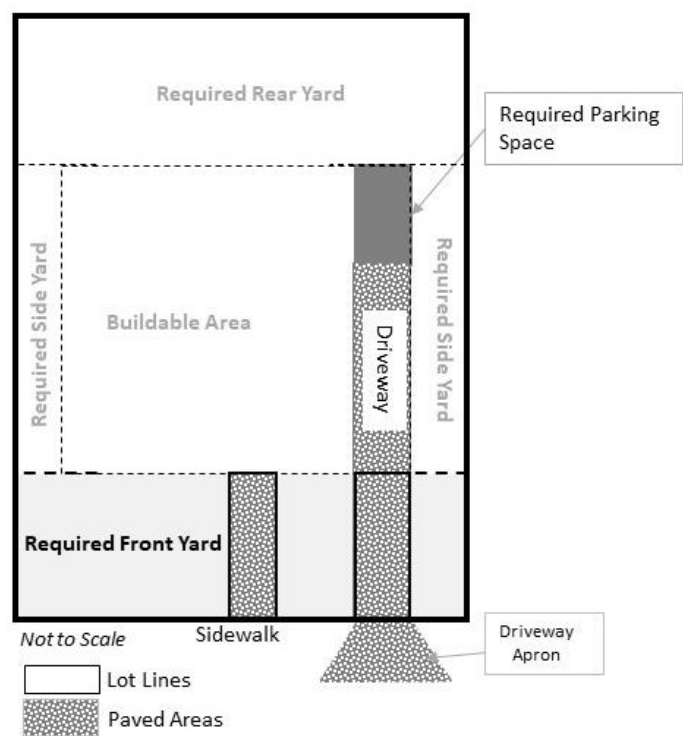
**SECTION 1.** That Section 2 be added to Resolution No. 132364 and is hereby established to read as follows: The following interim development standards are hereby established for single-family dwellings, excluding townhouses:

(a) *Definitions:*

- (1) *Driveway* means a private way or strip of land giving vehicle access from a public right-of-way to a building on abutting property or otherwise is a hard surfaced way on private property that connects a house, garage, or other building with the adjacent street. (see Figure 1).
- (2) *Driveway apron* means that portion of a roadside improved with concrete or other hard impervious surface designed for vehicular traffic to travel from a roadway to a driveway. (see Figure 1).

(3) *Front yard* means a required yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the front lot line and the maximum permissible buildable area. On corner lots the required front yard shall be considered as parallel to the street upon which the lot has its least dimension. The size of the required front yard varies by zoning and/or overlay district. (see Figure 1).

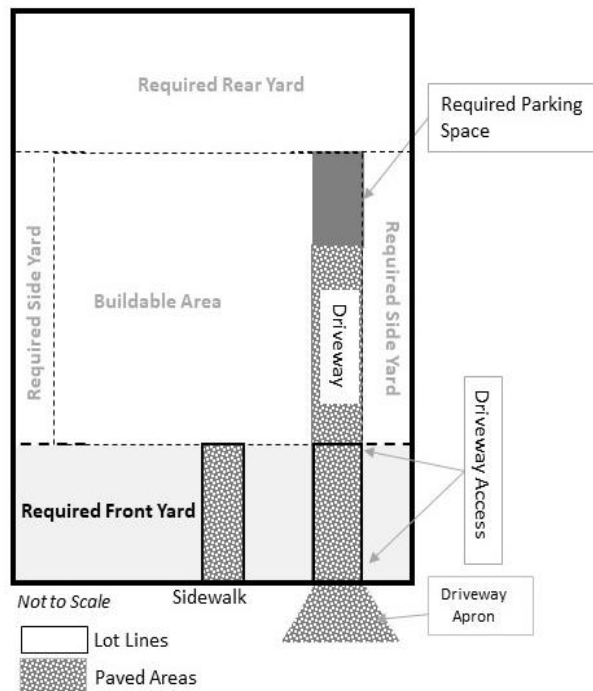
Figure 1. Paving Graphic



- (4) *Permeable or porous paving* means a pavement system designed to allow movement of stormwater through the pavement surface and into an aggregate base. Concrete bases and mortar are prohibited. Materials include but are not limited to pervious concrete, porous asphalt, aggregate if stabilized with a grid-system that prevents compaction and washout; and permeable pavement, such as open-jointed blocks, pavers, or bricks that provide void spaces between to allow stormwater infiltration.
- (6) *Drive Aisle* means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls through a parking lot, site or property, and may connect to a driveway.

- (b) *Parking Restrictions.* Parking is prohibited in the required front yard with the following exceptions:
- (1) *Driveway access.* Parking may be permitted within a driveway that is located within the required front yard leading to a required off-street parking space(s), provided that any required parking space(s) is/are located outside of the required front yard.

**Figure 2. Driveway Access Graphic**



- (2) *Existing single-family dwellings elevated as part of a home elevation project.* As provided in Sec. 40-738, required parking space(s) for existing single-family dwellings elevated as part of a home elevation project 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.
- (c) *Paving.* Any paving in the required front yard of any single-family dwelling, including any driveway access or walkways, shall require a front yard paving permit from the Department of Building Permits.
- (1) *Application:*
- a) *Front yard paving application.* A front yard paving application for any proposed front yard paving of any single-family dwelling shall be submitted to the Department of Building Permits for review and final action.
- b) *Front yard paving application in the Old Metairie Neighborhood Conservation District (OMNCD).* Notwithstanding the previous section, any application for front yard paving in the Old Metairie Neighborhood Conservation District (OMNCD), shall also be submitted to the Planning Department and shall be subject to site plan review in accordance with the procedures provided in Sec. 33-3.65 Old Metairie Neighborhood Conservation District before a permit can be issued by the Department of Building Permits.
- c) *Application fee.* There shall be an application fee of \$50 per application submitted to the Department of Building Permits.

(2) Standards: The Parish may approve front yard paving applications for pavement in the required front yard of any single-family dwelling subject to the following standards:

a) *Maximum coverage.* No more than fifty (50) percent of the required front yard shall consist of hard surface paving or other pervious or impervious surfaces.

b) *Paving standards for parking and other vehicular use areas.* Parking and 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.

c) *Permeable Paving.* Any permeable paving for parking shall require approval from the Engineering Director.

(d) *Variances.* Variances to these interim regulations shall be heard and decided upon by the Board of Zoning Adjustments in accordance with the provisions of Sec. 40-791, *et seq.*

(1) The BZA may grant the following variances:

a. *Parking restrictions.* The BZA may grant a variance to allow parking in the required front yard for a circular driveway, provided the following criteria are met:

1. There is a minimum of five (5) feet between the driveway and the side lot lines.
2. The lot width is fifty (50) feet or greater.
3. Any proposed paving over the fifty (50) percent shall be permeable and approval from the Department of Engineering shall be required.

b. *Front yard coverage.* The BZA may grant a variance to the maximum front yard coverage standard, provided:

1. Any proposed paving above the fifty (50) percent shall be permeable; and
2. The proposed materials shall be approved by the Director of Engineering prior to the BZA hearing and said approval shall be included in the BZA application; and
3. The applicant provides a maintenance plan for the approved permeable paving.

(2) Review criteria. In making its final determination, the Board of Zoning Adjustments shall review the requested variance based on the following criteria:

- a. Whether the lot is a nonconforming lot under the area requirements of the zoning district;
- b. Whether the proposed paving is meant to replace, but not expand upon, previously existing paving that was taken up within the last year;

- c. Whether special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district; and the special conditions and circumstances do not result from the intentional actions of the applicant or any other person who may have or had interest in the property;
- d. Whether the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

**SECTION 2.** That Section 3 be added to Resolution No. 132364 and is hereby established to read as follows: That interim development standards set forth in this resolution is in accordance with and by the authority of Sec. 33-2.21.5 of the Jefferson Parish Code of Ordinances, providing, in pertinent part, that when the Jefferson Parish Council initiates a study to prepare an amendment to the text or official maps of Chapter 33, Chapter, 40, or the Comprehensive Plan, and pending final disposition of the study, the Jefferson Parish Council may establish interim development standards that provide for reasonable approval conditions for certain types of development applications that would otherwise be affected by the study for one (1) year, which may be extended by the Jefferson Parish Council for not longer than one (1) six (6)-month period.

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

**YEAS: 7**

**NAYS: None**

**ABSENT: None**

The resolution was declared to be adopted on this **14<sup>th</sup> day of June, 2023.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ  
PARISH CLERK

JEFFERSON PARISH COUNCIL