

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

RESOLUTION NO. 138219

A resolution requesting and authorizing the Planning Department and the Planning Advisory Board to conduct a zoning and land use study of the area encompassing a portion of properties bounded by Lot P-1E, Behrman Highway, an approximately 1,463 feet long line extending from the south side of the property line for lot P-6-A towards the Algiers Outfall Canal, and a parallel line offset to the west of the Algiers Outfall Canal by approximately 90 feet, as shown on a map prepared by the Planning Department titled "Senior Housing Zoning Study" dated 7/30/2021, with the intent of rezoning properties within the area from the existing zoning district to the most appropriate zoning district and changing the Future Land Use category to the most appropriate FLU category; to conduct a concurrent text study of Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish with the intent of evaluating and establishing development standards and zoning regulations related to senior housing and small single-family lot development patterns; establishing interim development standards during the study; and providing for related matters. (Parishwide)

WHEREAS, a goal of *Envision Jefferson 2040* is that neighborhoods are designed and function to meet the needs of individuals and families, including persons with disabilities and the elderly as they age in place; and

WHEREAS, *Envision Jefferson 2040* also stresses the need for adequate senior housing and senior housing facilities in Jefferson Parish and states that the Parish should encourage independent senior housing and assisted living facilities through zoning standards, expedited review, or other incentives; and

WHEREAS, development standards and zoning regulations that allow increased density and certain lot configurations, and promote access to amenities and transportation networks can make communities more attractive and livable for seniors, and can help the Parish effectuate the goals and objectives of the *Envision Jefferson 2040*; and

WHEREAS, several communities across the United States have used age-restricted zoning supported by the Housing for Older Persons Act (HOPA) of 1995 as an approach to protect and promote quality senior housing; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) has exempted housing for older persons from the familial status requirement of the Fair Housing Act as defined by the requirements outlined in the HOPA Act of 1995; and

WHEREAS, in order for a development to comply with HOPA at least eighty (80) percent of the units of a specific housing development, community, or facility, must have at least one occupant who is fifty-five (55) years of age or older and meet additional criteria; and

WHEREAS, HOPA is typically applied to a specific housing facility, development, or community and may include, but is not limited to a property governed by a neighborhood or homeowner's association, a municipally governed area, or geographically restricted area; and

WHEREAS, developers have expressed interest in building specialized single-family housing for seniors on smaller lots with age-restrictions within Jefferson Parish, but currently there are no standards that support this type of development pattern; and

WHEREAS, Habitat for Humanity@ International is a tax-exempt 501(C)(3) nonprofit organization and developer interested in implementing this type of development pattern; and

WHEREAS, in an effort to help older adults improve their homes and their quality of life so they can flourish where they live, Habitat for Humanity® International may require specific dimensional standards including smaller lots and setbacks, not presently allowed within the R-1A zoning district in Jefferson Parish; and

WHEREAS, interim development standards are necessary to protect public health, safety, and welfare.

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

SECTION 1. That the Planning Department and the Planning Advisory Board are hereby authorized to conduct a zoning and land use study of the area encompassing a portion of properties bounded by Lot P-1E, Behrman Highway, an approximately 1,463 feet long line extending from the south side of the property line for lot P-6-A towards the Algiers Outfall Canal, and a parallel line offset to the west of the Algiers Outfall Canal by approximately 90 feet, as shown on a map prepared by the Planning Department titled "Senior Housing Zoning Study" dated 7/30/2021, with the intent of rezoning properties within the area from the existing zoning district to the most appropriate zoning district and changing the Future Land Use category to the most appropriate FLU category; to conduct a concurrent text study of Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of Jefferson Parish with the intent of evaluating and establishing development standards and zoning regulations related to senior housing and small single-family lot development patterns; establishing interim development standards during the study; and providing for related matters.

SECTION 2. That the following interim development standards are hereby established for those portions of properties shown as interim standards on a map prepared by the Planning Department titled "Senior Housing Zoning Study" dated 7/30/2021:

1. *Purpose.* The purpose of the interim standards is to:
 - a. Provide flexible standards for the development of housing designed purposely for residents over the age of fifty-five (55);
 - b. Facilitate the development of homes that are specifically designed to meet the needs of senior citizens who prefer the single-family type home and single-family form of ownership.
2. *Applicability.* These standards may only be used in the R-1A zoning district if the following standards are met:
 - a. An applicant following these development standards shall restrict the entire subdivision to those persons fifty-five (55) and older and a spouse of any age; or all residents over the age of sixty-two (62).
 - b. *Required Homeowners' Association.* A homeowners association shall be incorporated for the development:
 - 1) The applicant shall provide a recorded copy of the articles of incorporation prior to final plat approval of the subdivision.
 - 2) Said association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons fifty-five (55) years of age and older including maintaining surveys or affidavits verifying compliance with fifty-five (55) years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607(b)(2)(c) of the Federal Fair Housing Act and implementing regulations.
3. *Permitted Uses.* Permitted uses shall be those allowed in the underlying zoning district.
4. *Dimensional Standards.* The dimensional requirements of the R-1A zoning district shall apply, with exceptions for the following minimum lot requirements:
 - a. Lot area--Twenty-one hundred (2,100) square feet.
 - b. Lot width--Thirty (30) square feet
 - c. Lot depth--Seventy (70) square feet.

SECTION 3. The interim development standard 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 **25th day of August, 2021.**

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ
PARISH CLERK

JEFFERSON PARISH COUNCIL

