



Planning
Department
Bessie L. Martin
Director

STAFF REPORT Text Study

Docket No. TXT-3-22
Summary No. 25988
Housekeeping

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Study Intent: Evaluating, clarifying, and amending current zoning and development regulations and administrative provisions and procedures; establishing interim development standards during the study; and providing for related matters.

Authorization: Res. No. 139765 (5/25/2022)

Council District: Parish-wide

PAB Hearing: 8/25/2022

**Last Meeting Date
for Council Action:** 12/14/2022

OVERVIEW

Staff has experienced issues with administering and interpreting certain regulations of the Code due to unique conditions or unclear language in the regulations. An evaluation of standards to clarify and address special conditions is necessary for more effective application of the Code. The text of Chapters 33 and 40 of the Code may only be amended by legislative approval, which requires action by the Parish Council and includes a public hearing and recommendations from the Planning Director, Planning Advisory Board, and/or the Old Metairie Commission as applicable.

STAFF RECOMMENDATION

- Clarify the requirement of a State license for day care centers
- Clarify how to calculate indoor play area for day care homes
- Clarify that certain setback requirements apply to “enclosed” attached accessory structures
- Amend the definition of *lot*, *legal nonconforming* and clarify provisions
- Allow the Planning Director to determine if site plan review is required in certain districts for routine exterior maintenance
- Clarify amortization provisions for signs in the TCMU district
- Remove community homes from RR-3’s permitted use list
- Reorder Sec. 40-32. Base zoning districts to reflect restriction hierarchy
- Remove specific fees, number of copies, and references to certified mail from the Code
- Update referencing and reformatting of typos and errors

PLANNING ADVISORY BOARD RECOMMENDATION

On August 25, 2022, the PAB deferred to September 9, 2022 (see PAB minutes).
On September 8, 2022, the PAB Recommended Approval (see PAB minutes).

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BACKGROUND

Staff has experienced issues with administering and interpreting certain regulations of the Code due to unique conditions or unclear language in the regulations. An evaluation of standards to clarify and address special conditions is necessary for more effective application of the Code. The text of Chapters 33 and 40 of the Code may only be amended by legislative approval, which requires action by the Parish Council and includes a public hearing and recommendations from the Planning Director, Planning Advisory Board, and/or the Old Metairie Commission as applicable. The Parish Council may amend the text of Chapters 33 and 40 of the Code or the Comprehensive Plan from time to time to address changing conditions, implement the comprehensive plan, or promote the public necessity, convenience, general welfare, or good planning practice.

Clarifications of certain standards and development regulations include:

- Day care center regulations
- Nonconforming lots
- Attached Accessory Buildings, Structures, and Uses
- Determination if site plan review is required in certain districts for routine exterior maintenance
- Amortization language for Sec. 33-8.7.1. (Nonconforming signs in TCMU)
- Community Homes in the RR-3 district
- Hierarchy of intensity of base zoning districts (Sec. 40-32)

Clarifications and general housekeeping items related to administrative procedures and provisions include:

- Removing exact fees from the Code
- Removing *certified mail* and *copies* references from the Code
- Referencing correction sections and fixing typos

ANALYSIS

Clarifications of Certain Standards and Development Regulations

Day Care Center Regulations

The current day care center regulations were adopted on November 10, 2021 (Ordinance Number 26302). Currently, Planning requires proof of the appropriate State-issued license before a zoning clearance is issued. However, the State requires zoning

approval/certificate of occupancy during the *initial application process*.

Current Parish Regulations

* * *

Sec. 33-5.3.7. Day care centers (includes LBCS function code 6562).

1. Proof of the appropriate State-issued license shall be provided before a zoning clearance is issued by the Department of Inspection and Code Enforcement.
2. In addition to the requirements of the State, the outdoor play area shall be enclosed by a permanent fence or barrier with a minimum height of four (4) feet.

* * *

Current State Regulations

* * *

E. Initial Licensure. All early learning centers must be licensed prior to beginning operations in Louisiana. A license shall be issued on a completed initial application when the following items have been met and written verification has been received by the department:

- A. Office of State Fire Marshal approval;
- B. Office of Public Health approval;
- C. city fire approval, if applicable;
- D. **zoning approval/certificate of occupancy, if applicable;**
- E. academic approval by the department, if it is a type III center;
- F. full licensure fee paid;
- G. licensure inspection verifying compliance with all minimum standards;
- H. CCCBC-based determination of eligibility for child care purposes from the department for all owners, operators, and staff; and
- I. written documentation establishing ownership of the centerⁱ.

* * *

An initial licensing inspection, including a measurement of the indoor and outdoor enclosed space, shall be conducted at the center to assure compliance with all licensing laws, regulations and minimum standards. Once it has been determined that a center is in compliance with all licensing laws, regulations and minimum standards, the department shall notify the center of its total licensure fee based on its capacityⁱⁱ.

Planning discussed a possible chicken-and-egg scenario during the Day Care Study (TXT-7-21) and concluded that if the applicant proved they were in the process of obtaining the State-issued license, i.e. the initial application process, a zoning clearance could be issued. Zoning Administration is comfortable with issuing a zoning clearance if an applicant shows that they are in the *initial application process* with the State.

The issue of timing became apparent when recently processing a Special Permitted Use (SPU) application for a child day care located in a residential zoning district on the West

Bank, which requires a zoning clearance. A zoning clearance confirms that an establishment can locate in a specific zoning district, but it does not state whether it is permitted by right, with supplemental standards, or through the SPU process. The zoning clearance is one step of the opening process for businesses requiring additional licenses, such as bars.

The State inspects and licenses day care facilities. Inspections occur annually at minimum. If a complaint is filed with the State, the State handles that issue. If a complaint is filed with the Parish, the Department of Property Maintenance Zoning and Quality of Life (PMZ), investigates the complaint, at which time that facility would have to provide their State-issued license or go through the process of obtaining that license.

Further, the definition of day care center in the Code states: *a facility that provides care, supervision, and guidance to children, **in accordance with all applicable state and federal laws**. A child day care center does not include a child day care home or seasonal camps or programs. A day care center may be accessory to a school serving children in grades kindergarten or above, a religious use, or other institutions.*

Planning recommends removing the requirement of providing proof of the appropriate State-issued license before a zoning clearance is issued to prevent the chicken-and-egg scenario. While it is implied that State requirements must be met, Planning recommends stating that all State requirements must be met for increased clarity.

Day Care Home Regulations

Permitted home occupations are required to follow specific standards (Sec. 33-5.3.12.3.) that limit the size of the business and impact on neighboring properties. Currently day care homes are permitted home occupations and must adhere to those standards except for subsection (c), in addition to whatever is required by the State. Subsection (b) of the home occupation standards limits the business to fifteen (15) percent of the gross floor area of the dwelling unit. While other parts of the home, such as restroom and kitchen facilities, may be used for day care home participants, Planning recommends applying only the play area to subsection (b) to increase consistency with how the State calculates play area.

Planning recommends amending the code language to clarify that proof of the appropriate State-issued license shall be provided before the establishment's opening and clarifying how to calculate area of space used for a day care home.

Nonconforming Lots

The Jefferson Parish Council adopted Ordinance 26351 on January 26, 2022, which was intended to evaluate, clarify, and amend the criteria for a substandard lot and the standards and procedures for issuing a building permit for a substandard lot, including the definition and criteria for determining neighborhood norm. The Planning Department recommended replacing the term "substandard lot" with "nonconforming lot". Prior to the completion of the study, Sec. 40-740 stated "Where two (2) or more adjoining and vacant lots with continuous frontage are in single ownership at the time of passage of Ordinance

#5687, and such lots have a frontage or lot area less than is required by the district in which they are located, such lots shall be re-platted or re-subdivided so as to create one (1) or more lots which conform to the minimum lot area requirements of the district.” The adopted Code language approved via Ordinance 26351 rewrote this section and placed into Ch 33. It currently reads, “Where two or more adjacent nonconforming lots with continuous frontage are in single ownership, they shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.” The Planning did not amend the substantive intent of the statement, rather rephrased it to include the new term “nonconforming lot”.

It recently became apparent that the new standards for “nonconforming lot” were unclear and inconsistent with the intent of the recent amendments adopted by Ordinance Number 26351. An example of this can be found in a hypothetical subdivision in Figure 1. Both former and proposed lot B met all area requirements of the zoning district, and both former and proposed lot A did not meet all area requirements. **Because only one of the lots (lot A) is nonconforming, the hypothetical applicant would not be required to subdivide per the recently amended Code.**

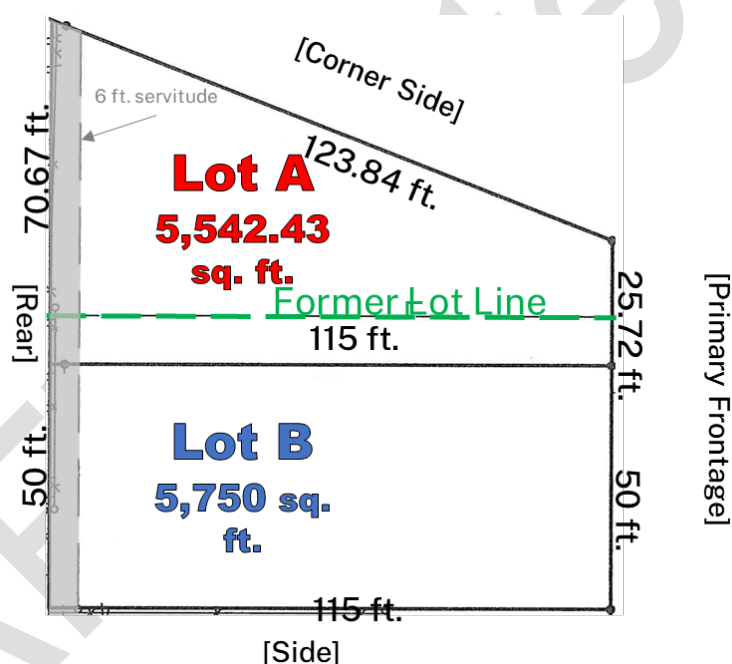


Figure 1. Nonconforming Lot Example

The prior language would have also excluded these lots from subdivision since it required “...such lots to have a frontage for lot area less than is required by the district in which its located...”, implying both lots to had to be substandard for a subdivision to be required.

In further clarifying this section to become synonymous with intent, Planning recommends amending the definition of *lot, legal nonconforming* to read as:

Lot, Legal Nonconforming shall mean an existing lot, tract or parcel of record that does not meet the minimum lot requirements of its applicable zoning district and meets the following conditions:

1. The lot configuration was approved by the Parish Council or Police Jury; and

2. The subject property is a lot of record that was owned separately from adjoining property on August 28, 1958. If two (2) or more adjacent nonconforming lots with continuous frontage are held in common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots they shall be subdivided into a one or more conforming lot(s) of record that which meet(s) the minimum lot area requirements of their—its respective zoning district as per Sec. 33-4.2.3.

Currently, Sec. 33-4.2. limits the applicability of nonconforming lots to single-family dwellings in the R-1A, R-2, and S-1 districts.

Planning also recommends amending Sec. 33-4.2. to read as:

Sec. 33-4.2.2. Applicability.

For the purposes of this section, these regulations shall apply for building permits to construct residential single-family dwellings on nonconforming lots in the following residential zoning districts: R-1A, R-2, and the S-1 district. Any other nonconforming regulations stated elsewhere in this Code shall also apply.

Sec. 33-4.2.3. Generally.

Where if two (2) or more adjacent nonconforming lots with continuous frontage are held in single common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, they lots shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.

Sec. 40-739. Exceptions to area regulations.

Sec. 40-739. (a) states:

*Where a lot, tract or parcel of land has an area or frontage of less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of Ordinance #5687, such lot, tract, or parcel may be used only for **single-family residential** purposes or for any nonresidential purpose permitted in the district in which the property is located.*

This is problematic for residential districts that do not permit single-family dwellings, which include the Three- and Four- Family Residential District (RR-3) and the Multiple-Family Residential District (R-3). The nonresidential uses permitted in these districts are limited and may not be appropriate for lots below the minimum lot area.

The nonconforming lots of record regulations address the exceptions to area regulations above. Therefore, this provision, Sec. 40-739(a) can be deleted.

Attached Accessory Buildings, Structures, and Uses

On February 16, 2022, the Parish Council adopted Ordinance No. 26369, which approved amendments to the Old Metairie Neighborhood Conservation District (OMNCD) and other related provisions of the Code. As part of this study, amendments were made to Sec. 33-

5.3.2. Accessory buildings, structures, and uses, to clarify provisions related to accessory structures and swimming pools. As part of these amendments, a new requirement for attached accessory buildings were added to the regulations to address concerns related to several Old Metairie cases involving attached accessory structures and buildings. A few examples are provided below (Figures 2 and 3).

The requirement added to 33-5.3.2(b)(8)c. states:

“For setback purposes, an attached accessory building shall be considered part of the principal structure, and therefore shall meet the area requirements of the underlying zoning district, except that section 40-738 (e) shall apply, when applicable.”

Under the new regulations, an attached accessory building is considered part of the main structure and must meet the setback requirements of the underlying district. The intent of this amendment was to clarify that “**enclosed**” attached buildings or rooms were to be considered part of the structure for setback purposes, since they could function as part of the house.

Since the amendment was adopted in February 2022, Code Enforcement has received and processed several permits for attached accessory structures, including open covered patios and porches and attached carports in the rear yard that projected into required yards.

Per Sec. 40-3, *building* is defined as “any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.”

However, Sec. 40-3 also defines *accessory building* as “a building, structure, or that is subordinate to and serves a principal building or principal use; is subordinate in area, extent, or purpose, to the principal building or principal use served; contributes to the comfort, convenience, or necessity of the occupants of the principal building or principal use served; is located on the same lot, under the same ownership, and in the same zoning district as the principal building or principal use served; and is not used for a place of habitation or a living room, kitchen, dining room, parlor, bedroom or library.”

Based on the written provisions in the Code, Planning made the interpretation that anything meeting the definition of *accessory building*, including attached covered porches, would be subject to the new setback restrictions; and would thus, require a variance from the Board of Zoning Adjustments (BZA) if setbacks are not met.

This is a deviation from previous practice and this change in regulations has impacted the processing of several residential building permits. Over the last few months, the Parish has seen an increase in the number of BZA variance requests for porches and patios in the rear yard.

This restriction does not apply to detached accessory buildings or structures located in the required rear yard that are allowed to be located in the required rear yard as close as three feet to the side and rear property lines, provided additional criteria are met. Detached patios, porches, outdoor kitchen, tend to function in the same way as covered patios or porches, with the exception of the attachment or connection to the roof.

For example, a variance required for approximately 400 sq. ft. attached carport 8900 Ormond Place (Figure 2), but not the detached 320 sq. ft. detached covered patio at 307 Cuddihy (Figure 3). Both attachments are similar in size and scale, with the key difference being the attachment. Adding the word “enclosed” to the current provisions for attached accessory buildings will clarify that the new standard does not apply to open attached covered patios and porches, but still restrict individuals from enclosing or building rooms or buildings that are attached to residential dwellings in any required yard.

These provisions are separate and apart from the provisions for restrictions on porches in the required front yard and provisions for private garages. Within the private garage provisions in the Code, it is stated that the exceptions for

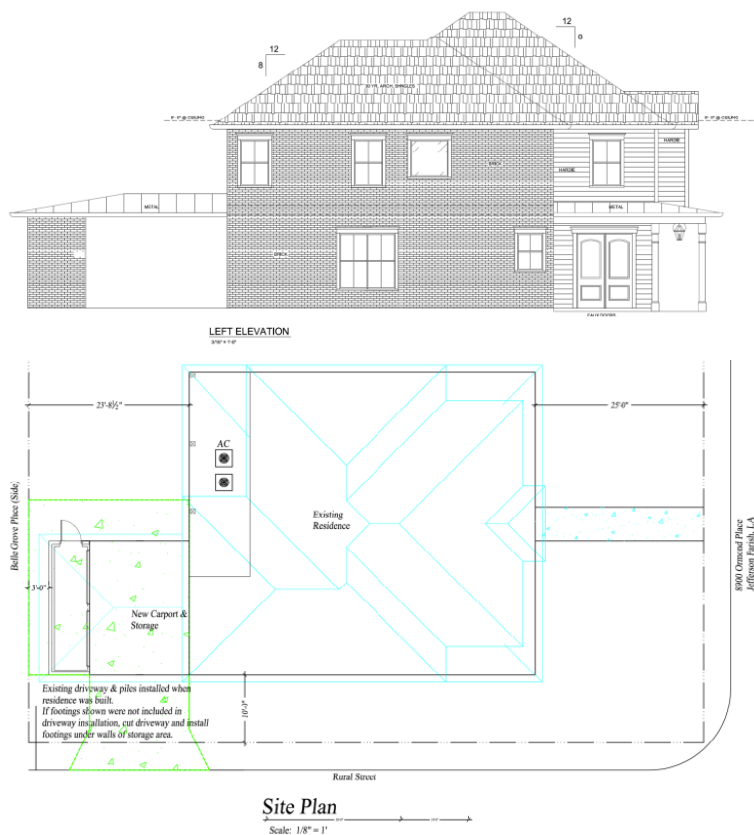


Figure 2. 8900 Ormond Place

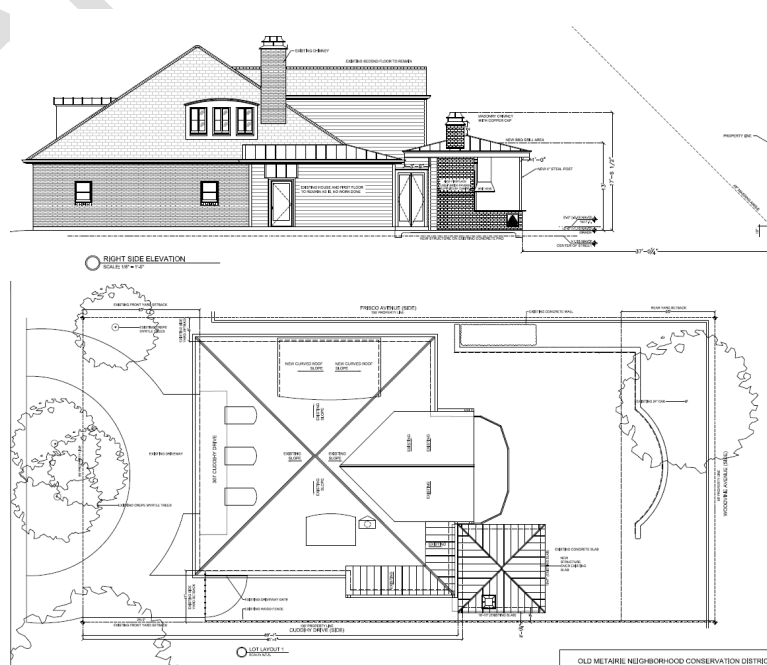


Figure 3. 307 Cuddihy Drive

private garages supersede any conflicting regulations applicable to accessory structures. Thus, the proposed amendment should not impact attached private garages.

Routine Exterior Maintenance

Currently, site plan review is not required *for any routine exterior maintenance as determined by the department of inspection and code enforcement, including excavating, filling, or grading* in some districts (Fat City and TCMU districts and CPZ-Ped overlay district). However, because Planning is pulled into cases in these districts, regardless of scope of work, it would be appropriate for the Planning Director to determine if site plan review is required for routine exterior maintenance.

Amortization Language for Sec. 33-8.7.1.

The current regulations of Sec. 33.-8.7.1. Amortization of Nonconforming Signs Along Portion of David Dr. zoned Town Center Mixed Use District. were adopted on December 8, 2021 (Ordinance Number 26316). The ordinance established an amortization period of approximately five years for nonconforming signs in the Town Center Mixed Use District (TCMU).

The current regulations do not exempt billboards erected in conformance with zoning at the time of the erection from amortization provisions. Further, the current regulations specify the department of Inspection and Code Enforcement (ICE) as enforcer.

Planning recommends revising the amortization language to include the exemption for billboards and replacing ICE as the enforcer with PMZ.

Community Homes in RR-3

Currently, the use *community homes* is listed as a permitted use in RR-3 (Sec. 40-217. Permitted uses.), and the use *board and care homes* is listed as a Special Permitted Use. Text study W-42-96 deleted the definition of *community home* and redefined *board and care home* to be more aligned with the Federal Fair Housing Act. Ordinance number 19891 was adopted on December 11, 1996.

The definition of *community home* was deleted in 1996 via Ordinance Number 19891 and therefore should be removed as a permitted use in the RR-3 district. Planning recommends removed *community homes* as a permitted use in RR-3 and renumbering the subsequent entries.

Sec. 40-32. Base zoning districts.

Sec. 40-32. Base zoning districts. lists all of the current base zoning districts in the Code in the following order:

- | | |
|--------------------------------------|--|
| (1) B-1 Batture District. | (4) R-1C Rural Residential District. |
| (2) S-1 Suburban District. | (5) R-1B Suburban Residential District. |
| (3) R-1D Rural Residential District. | (6) R-1A Single-Family Residential District. |

(7) R-1 MH Manufactured Home District.
(8) R-2 Two-Family Residential District.
(9) RR-3 Three- and Four-Family Residential District.
(10) R-1 TH Townhouse District.
(11) R-1CO Condominium District.
(12) CD-R Core District-Residential.
(13) R-3 Multiple-Family Residential District.
(14) GO-2 General Office District.
(15) GO-1 General Office District.
(16) H-1 Medical Service District.

(17) H-2 Medical Service District.
(18) BC-1 Business Core District.
(19) C-1 Neighborhood Commercial District.
(20) BC-2 Business Core District.
(21) C-2 General Commercial District.
(22) OW-1 Office Warehouse District.
(23) M-1 Industrial District.
(24) M-2 Industrial District.
(25) M-3 Industrial District.
(26) M-4 Industrial District
(27) MUCD Mixed-use Corridor District.

Sec. 40-37. Interpretation of district classification. states that the numerical listing assigned to each zoning district in Sec. 40-32 (a) of this article shall be controlling; the district having the lower number shall be more restrictive.

Planning recommends reordering Sec. 40-32 Base zoning districts to be more accurate of the restriction hierarchy of the base zoning districts. The MUCD district permits the uses allowed in the following districts:

- General Office District (GO-1), General Office District (GO-2), except single-family and two-family dwellings.
- Neighborhood Commercial District (C-1).
- General Commercial District (C-2).
- Medical Services District (H-1), except any use permitted in an R-1 Single-Family District.
- Medical Services District (H-2), except any use other than multiple-family dwellings permitted in an R-3 Multiple-Family Residential District as regulated in this district.
- Office Warehouse District (OW-1)

The M-1 zoning district is less restrictive than MUCD and permits *all uses not otherwise prohibited by law except for those shown as permitted uses or special permitted uses in Article XXXI, Industrial District M-2, section 40-582; and Article XXXIV, Unrestricted Rural District (U-1R), section 40-642; and hazardous, nuclear or radioactive waste treatment and disposal facilities; provided, however, that no building or structure shall be erected, reconstructed or structurally altered for residential use except for temporary living quarters for industrial related personnel employed upon the premises. Residential dwellings located in main structures containing non-residential uses shall not be permitted.*

Planning recommends moving MUCD Mixed-use Corridor District between OW-1 Office Warehouse District and M-1 Industrial District and renumbering the subsequent entries.

(1) B-1 Batture District.

(2) S-1 Suburban District.

(3) R-1D Rural Residential District.
(4) R-1C Rural Residential District.
(5) R-1B Suburban Residential District.
(6) R-1A Single-Family Residential District.
(7) R-1 MH Manufactured Home District.
(8) R-2 Two-Family Residential District.
(9) RR-3 Three- and Four-Family Residential District.
(10) R-1 TH Townhouse District.
(11) R-1CO Condominium District.
(12) CD-R Core District-Residential.
(13) R-3 Multiple-Family Residential District.
(14) GO-2 General Office District.

(15) GO-1 General Office District.
(16) H-1 Medical Service District.
(17) H-2 Medical Service District.
(18) BC-1 Business Core District.
(19) C-1 Neighborhood Commercial District.
(20) BC-2 Business Core District.
(21) C-2 General Commercial District.
(22) OW-1 Office Warehouse District.
(23) MUCD Mixed-use Corridor District.
(24) M-1 Industrial District.
(25) M-2 Industrial District.
(26) M-3 Industrial District.
(27) M-4 Industrial District

Administrative Procedures and Provisions and Housekeeping Items

Fees within the Code

Sec. 33-1.11. Fees states:

- Any application for action pursuant to this UDC shall be subject to the required fee.
- The amount of fees for development permits and applications **shall be as established by resolution of the parish council and as shown in the appendix of this UDC.**
- All fees shall accompany the application, shall be made payable to the parish and shall be submitted to the applicable official.
- Except for notification and recordation costs, no fee is required for an application filed for a publicly owned facility.
- All fees are non-refundable.

The Appendix of the UDC includes, but is not be limited to, the application forms with submittal requirements; the application fee schedules; 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 available for download from the Parish’s website address or for by hard copy in the Planning Department office.

The following resolutions adopted fees into the Appendix:

- Resolution No. 110707 (adopted August 6, 2008)- subdivision fees
- Resolution No. 115341 (adopted September 22, 2010)- site plan review in the FC-1, FC-2, and FC-3 districts fees

Most of the fees are not specified in the Code, and the fees that are in the Code are

sporadic. Fees listed within the code include four different fees for site plan review in the MUCD and CPZ overlay districts, secondary culinary facility in the R-1A district, and gaming establishment application fees. Having only some of the fees in the Code is not only inconsistent, but it is also overly burdensome to update due to the fact that text from the Code has to be adopted through Council-approved amendments. Further, the Code states the amount of fees for development permits and applications shall be established by resolution.

Planning recommends removing all specific fees from the Code once the remaining administrative fees in Chapters 33 and 40 are adopted via resolution and added into the Appendix of Chapter 33 per Section 33-1.11 of the Code.

Certified Mail and Number of Copies

Currently, the Code has sporadic references to *certified mail* and numbers of copies of specific plans. The specific numbers of copies and specific type of mail is unnecessary to have codified. Further, if the numbers or types of mail were to change, the Code would have to be changed via ordinance, adding an unnecessary burden on Planning and the Council.

Housekeeping- Formatting and Typos

The following sections need to have numbers or typos fixed.

- Sec. 33-5.3.12. Home occupations.- references the wrong section number
- Sec. 33-6.25.5(c)(4) Fences- references the wrong section number
- Table 33-6.25.6-3 Groundcovers- states the wrong unit for groundcover
- Sec. 40-321. Description. (C-1)- says “insure” rather than “ensure”

Planning recommends renumbering, reformatting, and fixing the above-mentioned sections.

CONCLUSION AND STAFF RECOMMENDATION

(for Amended Ordinance Text, see page 14 of this report)

Staff has experienced issues with administering and interpreting certain regulations of the Code due to unique conditions or unclear language in the regulations. Certain circumstances arose that highlighted that the initial intent is not reflected in both recent and outdated Code. Clarifying provisions and updating formatting and references can help clarify the Code for easier interpretation.

This recommendation supports the following *Envision Jefferson 2040* Land Use Element goals and objectives:

- Goal 1, Objective 6: Employ best planning practices and effective regulatory tools.
- Goal 3, Objective 6: Minimize negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices.

To achieve this recommendation, the Planning Department recommends the following

text amendments:

- Remove specific number of copies, references to certified mail, and specific fees
 - Sec. 33-2.25.4. Recordation of approved site plan (#1)
 - Sec. 33-2.31.2. Applicability (#2)
 - Sec. 33-3.53.4.5. Sale, dispensing, or consumption of alcoholic beverages. (#3)
 - Sec. 33-5.3.11. Gaming establishment. (#10)
 - Sec. 40-91. Permitted uses (R-1A). (#19)
 - Sec. 40-423. Height regulations (BC-2). (#23)
 - Sec. 40-449. Development review procedures in the Mixed Use Corridor District (MUCD). (#25)
 - Sec. 40-480. Site plan review (CPZ). (#26)
 - Sec. 40-506. Fees (GED). (#27)
 - Sec. 40-562. Permitted uses (M-1). (#28)
 - Sec. 40-582. Permitted uses (M-2). (#29)
 - Sec. 40-602. Permitted uses (M-3). (#30)
 - Sec. 40-617. Site plan review (M-4). (#31)
 - Sec. 40-684. Off-premise sign regulations. (#32)
 - Sec. 40-685. General sign permit and inspection regulations. (#33)
 - Sec. 40-737. Exceptions to height requirements. (#35)
 - Article XL. Special Permitted Uses. (#36)
 - Sec. 40-823. Records. (Certificates of Use and Occupancy) (#37)
- Replace the Department of Inspection and Code Enforcement with the Planning Director to determine if site plan review is required for routine exterior maintenance
 - Sec. 33-3.53.8.1. Site plan review. (Fat City) (#4)
 - Sec. 33-3.54.6.1. Site plan review. (TCMU) (#5)
 - Sec. 33-3.67.8.1. Site plan review. (CPZ-Ped) (#6)
- Amend Sec. 33-5.3.2. Accessory buildings, structures, and uses. to clarify that enclosed accessory buildings shall meet the setback requirements (#8)
- Clarify provisions for legal nonconforming lots
 - Sec. 33-4.2. Nonconforming lots of record. (#7)
 - Sec. 33-10.2. Definitions applicable to this entire UDC. (#16)
 - Sec. 40-3. Definitions. (#17)
 - Sec. 40-739. Exceptions to area regulations. (#35)
- Amend Sec. 33-5.3.7. Day care centers (includes LBCS function code 6562)., to clarify State requirements (#9)
- Amend Sec. 33-5.3.12.4. Permitted home occupations. to clarify how to calculate the indoor play area of a day care home (#11)
- Amend Sec. 33-8.7.1. Amortization of Nonconforming Signs Along Portion of David Dr. zoned Town Center Mixed Use District., to clarify provisions (#15)
- Amend Sec.40-32 Base zoning districts to reorder the base zoning districts from more restrictive to less restrictive (#18)
- Delete *community homes* as a permitted use from Sec. 40-217. Permitted uses (RR-3). (#20)
- Add the following existing definitions from Sec. 40-3 to Sec. 33-10.2 Definitions applicable to this entire UDC.: parking garage, private garage, public garage, and

storage garage (#16)

- Correct department that reviews special permitted use renewals
 - Sec. 40-92. Permitted uses (R-1A) (#19)
 - Article XL. Special Permitted Uses (#36)
- Correct references and formatting errors
 - Sec. 33-5.3.12.2. Applicability. (#11)
 - Sec. 33-5.3.12.4. Permitted home occupations. (#11)
 - Sec. 33-6.25.5 Greenspace standards. (#12)
 - Sec. 33-6.25.6. Acceptable landscape materials and planting practices. (#13)
 - Sec. 33-6.25.9. Landscape plan. (#14)
 - Sec. 40-239. Area regulations (R-3) (#21)
 - Sec. 40-321. Description. (C-1) (#22)
 - Sec. 40-448. Sign regulations (MUCD) (#24)

AMENDED ORDINANCE TEXT

Legend: added text ~~deleted text~~ moved text

Staff recommends the following text amendments:

1. **Amend Chapter 33 Unified Development Code, Sec. 33-2.25.4. Recordation of approved site plan., to remove exact number of copies, 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 ~~one (1) original and five (5) copies~~ of 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 ~~original and four (4) copies~~ of 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 (2) copies~~ of the recorded site plan to the Department of Inspection and Code Enforcement, and shall file ~~one (1) copy~~ of the recorded site plan with the Clerk of Court and ~~one (1) copy~~ with the Clerk of Council.

2. **Amend Chapter 33 Unified Development Code, Sec. 33-2.31.2. Applicability. to remove references to certified mail, to read as follows:**

Sec. 33-2.31.2. Applicability.

Any subdivision meeting the criteria established in this section may be submitted to the Planning Director for ministerial review subject to the requirements of this section. Plats shall be prepared in accordance with the requirements listed in the Appendix of this UDC.

(1) The realignment or shifting of lot boundary lines including removal, addition, alignment, or shifting of interior lot boundary lines, or the designation or re-designation of lot numbers provided the application does not trigger a major subdivision per subsection (3) below, meets all the requirements of the subdivision and zoning ordinances, and the following criteria for certain subdivision applications:

a. Notification to abutting property owners is required for any subdivision application:

* * *

b. When required, the applicant shall provide the Planning Department with a notarized list of the names and addresses of the abutting property owners as part of the application for minor subdivision, and the costs shall be borne by the applicant.

* * *

3. Amend Chapter 33 Unified Development Code, Sec. 33-3.53.4.5. Sale, dispensing, or consumption of alcoholic beverages., to remove the reference for *certified mail*, to read as follows:

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

* * *

(l) *Non-compliance.*

* * *

(2) Should a nonconforming stand-alone bar or drinking place have its nonconforming status revoked, the Director of Inspection and Code Enforcement shall notify the property owner and operator of the bar of the revocation of nonconforming status ~~by certified mail~~. 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.

4. Amend Chapter 33 Unified Development Code, Sec. 33-3.53.8.1. Site plan review. (Fat City), to replace the *Department of Inspection and Code Enforcement* with the *Planning Director*, to read as follows:

Sec. 33-3.53.8.1. Site plan review.

* * *

(b) *Site plan review not required.* The following development or activities shall not be subject to site plan review:

* * *

- (2) Any routine exterior maintenance as determined by the [Planning Director](#) ~~Department of Inspection and Code Enforcement~~, including excavating, filling, or grading;

* * *

5. **Amend Chapter 33 Unified Development Code, Sec. 33-3.54.6.1. Site plan review. (TCMU), to replace the *Department of Inspection and Code Enforcement* with the *Planning Director*, to read as follows:**

Sec. 33-3.54.6.1. Site plan review.

* * *

- (b) *Site plan review not required.* The following development or activities shall not be subject to site plan review:

* * *

- (3) Any routine exterior maintenance as determined by the [Planning Director](#) ~~Department of Inspection and Code Enforcement~~, including excavation, filling, or grading;

* * *

6. **Amend Chapter 33 Unified Development Code, Sec. 33-3.67.8.1. Site plan review. (CPZ-Ped), to replace the *Department of Inspection and Code Enforcement* with the *Planning Director*, to read as follows:**

Sec. 33-3.67.8.1. Site plan review.

- (a) *Site plan review not required.* The following development or activities shall not be subject to site plan review:

* * *

- (3) Any routine exterior maintenance as determined by the [Planning Director](#) ~~Department of Inspection and Code Enforcement~~, including excavation, filling, or grading;

* * *

7. **Amend Chapter 33 Unified Development Code, Sec. 33-4.2. Nonconforming lots of record., to clarify provisions for nonconforming lots of record, to read as follows:**

Sec. 33-4.2. Nonconforming lots of record.

* * *

Sec. 33-4.2.2. Applicability.

For the purposes of this section, these regulations shall apply for building permits to construct [residential](#) single-family dwellings on nonconforming lots in the following [residential](#) zoning districts: ~~R-1A, R-2, and the S-1 district.~~ Any other nonconforming regulations stated elsewhere in this Code shall also apply.

Sec. 33-4.2.3. Generally.

Where [if](#) two [\(2\)](#) or more adjacent ~~nonconforming lots with continuous frontage are~~

held in single common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, they lots shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.

* * *

8. **Amend Chapter 33 Unified Development Code, Sec. 33-5.3.2. Accessory buildings, structures, and uses, to clarify that enclosed accessory buildings shall meet the setback requirements, to read as follows:**

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

* * *

(b) Except as otherwise provided in this Code:

* * *

(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 inspection and code enforcement.
- c. For setback purposes, an attached enclosed accessory building shall be considered part of the principal structure, and therefore shall meet the area requirements of the underlying zoning district, except that Sec. 40-738 (e) shall apply, when applicable.

* * *

9. **Amend Chapter 33 Unified Development Code, Sec. 33-5.3.7. Day care centers (includes LBCS function code 6562)., to delete subsection (a), clarify State requirements must be met, and renumber the subsequent entries, to read as follows:**

Sec. 33-5.3.7. Day care centers (includes LBCS function code 6562).

- ~~(a) Proof of the appropriate State-issued license shall be provided before a zoning clearance is issued by the Department of Inspection and Code Enforcement.~~
- (b) All State requirements must be met, and** in addition to the requirements of the State, the outdoor play area shall be enclosed by a permanent fence or barrier with a minimum height of four (4) feet.

* * *

10. **Amend Chapter 33 Unified Development Code, Sec. 33-5.3.11. Gaming establishment., to delete the specific fee and renumber the subsequent**

entries, to read as:

Sec. 33-5.3.11. Gaming establishment (includes LBCS function codes 1340 and 5330).

* * *

~~(f) Fees:~~

~~(1) Fees required to process and review applications shall be five hundred dollars (\$500.00) per acre or portion thereof.~~

* * *

11. Amend Chapter 33 Unified Development Code, Sec. 33-5.3.12. Home occupations. to correct section references and clarify how to calculate the indoor play area for a day care home, to read as follows:

Sec. 33-5.3.12. Home occupations.

Sec. 33-5.3.12.1. Purposes.

* * *

Sec. 33-5.3.12.2. Applicability.

The home occupations permitted in [the section](#) ~~Sec. 33-5.3.9.4~~ below are allowed in any dwelling unit. Home occupations include any permitted occupation within a dwelling unit, clearly incidental and secondary to the use of the dwelling unit for residential purposes, and carried on by a member of the family residing in the dwelling unit.

* * *

Sec. 33-5.3.12.3. Standards.

* * *

Sec. 33-5.3.12.4. Permitted home occupations.

The following home occupations are allowed subject to the standards established in [the section above](#) ~~Sec. 33-5.3.9.3~~:

* * *

(7) Day care home

a. [Subsection \(b\) of Home Occupation Standards shall be calculated to only include the indoor play area.](#)

b. ~~a.~~ Subsection (c) of [Home Occupation](#) ~~Sec. 33-5.3.12.3. Standards.~~ shall not apply.

[c.](#) ~~b.~~ In addition to the requirements of the State, the outdoor play area shall be a minimum of seventy-five (75) square feet per child using the space at a time, or whatever the State requires, whichever is more strict, and shall be enclosed by a permanent opaque fence or barrier with a minimum height of six (6) feet.

* * *

12. Amend Chapter 33 Unified Development Code, Sec. 33-6.25.5 Greenspace standards, to correct a section reference, to read as follows:

Sec. 33-6.25.5. Greenspace standards.

* * *

(c) *Property Buffer.* Property buffers are continuous strips of landscape area located along side or rear lot lines and intended to provide separation and screening of adjacent land uses where appropriate.

* * *

(4) *Fences.* Fences required as part of a property buffer shall comply with the requirements of Sec. 33-6.129.3.3, *Fences and walls*, in *Division 2, Design Standards*, of this Article. No fence or wall is required if an existing fence or wall provided on an abutting property meets the requirements, as determined by the Planning Director.

13. **Amend Chapter 33, Unified Development Code, Sec. 33-6.25.6. Acceptable landscape materials and planting practices. to correct the minimum caliper/container for groundcovers, to read as follows:**

* * *

Table 33-6.25.6-3: Minimum Size and Spacing at Time of Installation.

Landscape Feature	Minimum Caliper/ Container	Minimum Height (Feet)	Minimum Spacing on Center (Feet)
Trees – single-trunk	2 inches	12	25 (Class A) or 15 (Class B) or 10 (Class C)
Trees – multi-trunk	1 inch per trunk, minimum of 3 trunks	10	
Shrubs	3 gallon	2	3 for required screening
			N/A for other
Groundcovers (except turf grass)	2.5 gallon inch <u>pot</u>	N/A	0.5

* * *

14. **Amend Chapter 33 Unified Development Code, Sec. 33-6.25.9 Landscape Plan, to correct a section reference, to read as follows:**

Sec. 33-6.25.9. Landscape plan.

Applications subject to this division shall include a landscape plan as part of the site plan application. The landscape plan shall comply with the following basic standards and with additional submittal requirements for number of copies, format, and content prescribed in the Appendix of this UDC:

(1) Notes and graphics on the plan shall illustrate:

* * *

- f. Tree protection plan, where applicable, in accordance with Sec. 33-6.26~~7~~.
Tree preservation.

* * *

15. **Amend 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., to clarify provisions, 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.:

* * *

- (4) Amortization. Legally nonconforming signs erected prior to the effective date of this ordinance may continue to be maintained until December 31, 2026. Thereafter, unless such signs conform to the provisions of this article, they shall be removed. Signs that are nonconforming due to exceeding the permitted height, width or area by ten percent (10%) or less shall not be subject to removal under this section. Notwithstanding Sec. 33-3.54.5(e), billboards erected in compliance with parish or municipal regulations at the time of erection are not subject to amortization.
- (5) A determination of sign conformance shall be provided by the ~~d~~Department of inspection and code enforcement Property Maintenance and Zoning (PMZ).
- (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 PMZ ~~the department of inspection and code enforcement~~ and, upon failure to comply with such notice or file an appeal within the time specified in such order, the department of inspection and code 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.

* * *

16. **Amend Chapter 33 Unified Development Code, Sec. 33-10.2. Definitions applicable to this entire UDC., to amend the definition of *legal nonconforming lot* and add the existing definitions of *parking garage*, *private garage*, *public garage*, and *storage garage* from Sec. 40-3. Definitions., to read as follows:**

* * *

Garage, parking shall mean a building, land or portion thereof designed or used for the temporary storage of motor-driven vehicles, with or without the retail dispensing, sale, or offering for sale of motor fuels, lubricants, and tires, or indoor car washing, minor motor adjustment, and flat tire repair when such operations are incidental to the storage of motor-driven vehicles.

Garage, private shall mean a structure that is detached or attached to the

principle structure and primarily used for the parking or storage of passenger vehicles used by occupants of the structure to which it is accessory and not used for business purposes or human habitation, except as provided in Section 40-661 of this Code.

Garage, public shall mean a building or portion thereof, other than private or parking garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

Garage, storage shall mean a building or portion thereof designed or used for storage only of five (5) or more motor-driven vehicles pursuant to previous arrangements and not to transients, and at which automobile fuels and lubricants are not sold and motor-driven vehicles are not equipped, hired, repaired or sold.

* * *

Lot, Legal Nonconforming shall mean an existing lot, tract or parcel of record that does not meet the minimum lot requirements of its applicable zoning district and meets the following conditions:

1. The lot configuration was approved by the Parish Council or Police Jury; and
2. The subject property is a lot of record that was owned separately from adjoining property on August 28, 1958. If two (2) or more adjacent nonconforming lots with continuous frontage are held in common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots they shall be subdivided in to a one or more conforming lot(s) of record that which meet(s) the minimum lot requirements of their its respective zoning district as per Sec. 33-4.2.3.

* * *

17. Amend Chapter 40 Zoning, Sec. 40-3. Definitions., to amend the definition of *legal nonconforming lot*, to read as follows:

* * *

Lot, Legal Nonconforming shall mean an existing lot, tract or parcel of record that does not meet the minimum lot requirements of its applicable zoning district and meets the following conditions:

1. The lot configuration was approved by the Parish Council or Police Jury; and
2. The subject property is a lot of record that was owned separately from adjoining property on August 28, 1958. If two (2) or more adjacent nonconforming lots with continuous frontage are held in common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots they shall be subdivided in to a one or more conforming lot(s) of record that which meet(s) the minimum lot requirements area of their its respective zoning district as per Sec. 33-4.2.3.

* * *

- 18. Amend Chapter 40 Zoning, Sec. 40-32 Base zoning districts., to reorder the base zoning districts from more restrictive to less restrictive, to read as follows:**

Sec. 40-32. Base zoning districts.

The unincorporated areas of Jefferson Parish are divided into the following base zoning districts:

- (a) Districts that promote a single use or permit a limited variety of use types

- (1) B-1 Batture District.
- (2) S-1 Suburban District.
- (3) R-1D Rural Residential District.
- (4) R-1C Rural Residential District.
- (5) R-1B Suburban Residential District.
- (6) R-1A Single-Family Residential District.
- (7) R-1 MH Manufactured Home District.
- (8) R-2 Two-Family Residential District.
- (9) RR-3 Three- and Four-Family Residential District.
- (10) R-1 TH Townhouse District.
- (11) R-1CO Condominium District.
- (12) CD-R Core District-Residential.
- (13) R-3 Multiple-Family Residential District.
- (14) GO-2 General Office District.
- (15) GO-1 General Office District.
- (16) H-1 Medical Service District.
- (17) H-2 Medical Service District.
- (18) BC-1 Business Core District.
- (19) C-1 Neighborhood Commercial District.
- (20) BC-2 Business Core District.
- (21) C-2 General Commercial District.
- (22) OW-1 Office Warehouse District.
- (23) MUCD Mixed-use Corridor District.
- (24) M-1 Industrial District.
- (25) M-2 Industrial District.
- (26) M-3 Industrial District.
- (27) M-4 Industrial District
- ~~(27) MUCD Mixed-use Corridor District.~~

* * *

- 19. Amend Chapter 40 Zoning, Sec. 40-92. Permitted uses (R-1A)., to delete the fee for renewal and exact number of copies, to read as follows:**

Sec. 40-92. Permitted uses.

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

* * *

(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:

* * *

8. An application shall be filed with the Planning Department and shall contain the following information:

- i. ~~Twenty five (25) copies of a recent survey of the premises showing the relationship of the structure, driveways, etc., to the lot lines, including measurements.~~
- ii. A floor plan drawn to scale indicating the dimensions of all interior spaces, the identification of those spaces, and the location, measurement, and identification of the room(s) in which the second culinary facility will be located.
- iii. Location of all entrances and exits to and from the premises, including the second culinary facility.
- iv. A notarized affidavit certifying the correct names and addresses of all residential property owners fronting on both sides of the street within three hundred (300) feet of the lot containing the proposed facility.
- v. A certified copy of a covenant or agreement recorded in the office of the Clerk of Court stating the names of the person(s) for which the second culinary facility is to be provided. If the person(s) stated in the covenant or agreement no longer use the second culinary facility as living quarters, then a new application shall be required.
- vi. ~~Thirteen (13) copies of an ordinance of approval of a second culinary facility.~~
- vii. Additional information as required by the Planning Department, Planning Advisory Board, and Jefferson Parish Council depending on the nature of the proposal.
- viii. ~~Fees for the initial application shall be charged in accordance with the provisions of Article XLVIII, Changes and Amendments.~~

* * *

- 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 ~~Inspection and Code Enforcement~~ Property Maintenance and Zoning.
 - i. A certified true copy of the original covenant or agreement specified in subsection ~~(21)a.8.v~~ above.
 - ii. A letter from the applicant stating that the need to continue the facility is still in existence.
 - iii. ~~A fee of twenty five dollars (\$25.00) to cover the cost of administrative handling of the renewal application.~~
 - 2. The Director of the ~~Department of Inspection and Code Enforcement~~ Property Maintenance and Zoning 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 ~~Inspection and Code Enforcement~~ Property Maintenance and Zoning 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 Property Maintenance and Zoning 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.

* * *

20. Amend Chapter 40 Zoning, Sec. 40-217. Permitted uses (RR-3). to delete the duplicated and outdated use, *community homes*, and renumber the subsequent entries, 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:

* * *

~~(7) Community homes.~~

* * *

- 21. Amend Chapter 40 Zoning, Sec. 40-239 Area regulations (R-3), to correct minimum lot requirements for townhouses, to read as follows:**

Sec. 40-239. Area regulations.

* * *

(d) Summary Chart.

MINIMUM LOT REQUIREMENTS

	Lot area	Lot width	Lot Depth	Lot area per family
Single-Family dwellings	4,000 sq. ft.	40 ft.	75 ft.	
Two-Family dwellings	--	--	--	2,500 sq. ft./family
Three-Family dwellings	--	--	--	2,000 sq. ft./family
Four-Family dwellings	--	--	--	1,500 sq. ft./family
Five-Family dwellings	--	--	--	1,200 sq. ft./family
Townhouse	3,000 <u>1,350</u> sq. ft.	18 ft.	90 <u>75</u> ft.	
Multiple-Family dwellings				
6-12 apartments	--	--	--	1,000 sq. ft./family
13 apartments	12,300 sq. ft.	--	--	--
14-20 apartments	--	--	--	900 sq. ft./family
21 & 22 apartments	18,200 sq. ft.	--	--	--
23-39 apartments	--	--	--	800 sq. ft./family
40-43 apartments	31,500 sq. ft.			
44 or more apartments	--	--	--	700 sq. ft./family

- 22. Amend Chapter 40 Zoning, Sec. 40-321. Description (C-1) to correct a typo, to read as follows:**

Sec. 40-321. Description.

This district is composed of certain lands and structures used primarily to provide for the retailing of goods and the furnishing of selected services. Regulations for the district are intended to permit and encourage full development of the necessary commercial uses while at the same time protecting nearby residential areas from possible adverse effects of the commercial activity. It is expected that future commercial uses requiring this district classification will occur as planned compact shopping centers located in proximity to the residential areas to be served. At such time as development of presently undeveloped areas of the Parish warrants the provision of additional commercial facilities, the Planning Director and the Planning Advisory Board will evaluate applications for such neighborhood commercial districts on the basis of the requirements described below. Upon finding by the Planning Director and the Planning Advisory Board that an area is suitable for and in need of a neighborhood commercial district, the area may be zoned, provided, however, that a time limit may be placed on the zoning action to ~~ensure~~ insure that development of the commercial structure will be carried out within a reasonable time. This limitation is important since a distinguishing feature of the district is the necessity for the actual development to provide the surrounding residential area with the commercial facilities and services essential to stable neighborhoods. In no case will the neighborhood commercial district exceed a maximum area of ten (10) acres. Conditions of fact to be determined by the Planning Director and the Planning Advisory Board as a basis for neighborhood commercial C-1 classification.

* * *

23. Amend Chapter 40 Zoning, Sec. 40-423. Height regulations (BC-2). to delete exact number of copies and fees and renumber the subsequent entries, to read as follows:

Sec. 40-423. Height regulations.

* * *

- (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:

* * *

- (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:

* * *

- b. *Submittal requirements.* The Planning Department shall consider an application complete when it contains the following information:

* * *

2. *Development plans.* ~~Twenty (20) copies~~ of the site plan shall be submitted including but not limited to the following information:

* * *

4. ~~*Fee schedule.* Upon submission of an application, the applicant shall deposit with the Planning Department a fee in the sum of five hundred dollars (\$500.00) for zero to one (1) acre and four hundred dollars (\$400.00) for each acre thereafter or portion thereof not to exceed twenty-five thousand dollars (\$25,000.00) to cover approximate cost of processing such application.~~

* * *

24. **Amend Chapter 40 Zoning, Sec. 40-448. Sign regulations (MUCD)., to reformat the requirements for permitted detached signs and renumber the subsequent entries, to read as follows:**

Sec. 40-448. Sign regulations.

* * *

- (b) *Permitted signs.*

* * *

- (3) *Detached signs.* Each development shall be allowed one (1) on premise detached sign except as noted in subsection ~~d~~e. below, subject to the following provisions:

* * *

- d. *Minimum setback. The minimum setback for a detached sign shall be ten (10) feet from the lot line, unless otherwise provided below.*

- e.* *Permitted height.*

1. *Standard height.* The height of a detached sign shall be a maximum of twenty (20) feet, ~~with a minimum ten-foot setback from the lot line.~~

* * *

25. **Amend Chapter 40 Zoning, Sec. 40-449. Development review procedures in the Mixed Use Corridor District (MUCD)., to delete exact number of copies and fees and renumber the subsequent entries, to read as follows:**

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

* * *

- (d) *Application for site plan review.*

* * *

- (2) *Application.*

- a. An application for site plan review in a Mixed Use Corridor District shall be filed with the Planning Department and shall contain the following information:

* * *

2. *Development plans.* The applicant shall submit ~~ten (10)~~ copies of site plans with the information listed and procedures set in Sec. 40-450, Site Plan Submittal, and any other information as may be necessary to describe completely the Mixed Use Corridor District Development.

* * *

4. *Fees.* ~~Additional fee requirements for multiple family dwellings that exceed the maximum height allowed by right are located in the height regulations section of this district.~~

- i. ~~Fees for development in a Mixed Use Corridor District requiring site plan review as required by Sec. 40-449, Development Review Procedures in the Mixed Use Corridor District shall be in accordance with the following schedule:~~

MUCD FEE SCHEDULE FOR SITE PLAN REVIEW

MUCD Development	Dollar Amount
Level 1 Site Plan Review	\$150.00
Level 2 Site Plan Review Building Area any size, MUCD regulations are not met and variance requested	\$250.00 per acre or portion thereof and not to exceed \$5,000
Amendment To An Approved MUCD Site Plan, based on a flat fee per amendment:	\$250.00 per amendment
Additions or Renovations to Developments Existing Prior to the MUCD:	\$250.00

- ii. ~~Upon submission of an application for a multiple family development that exceeds the maximum height allowed by right in the district, fees for site plan review shall be required in accordance with the site plan review fee schedule located in the BC-2 Business Core District.~~

* * *

26. **Amend Chapter 40 Zoning, Sec. 40-480. Site plan review (CPZ). to delete exact fees and renumber the subsequent entries, to read as follows:**

Sec. 40-480. Site plan review.

- (d) *Site plan review procedures.*

* * *

- (2) *Application.* An application for site plan review in a CPZ shall be filed with the Planning Department and shall contain the following information:

* * *

- d. ~~Fees.~~ Before any action shall be taken regarding an application for a CPZ site plan review as set forth in this section, the applicant shall deposit with the Planning Department a fee in the sum of one hundred fifty dollars (\$150.00) to supplement the cost of processing the application.

* * *

27. Amend Chapter 40 Zoning, Sec. 40-506. Fees (GED). to delete the fee section and renumber the subsequent entries, to read as follows:

~~Sec. 40-506. Fees.~~

~~Fees required to process and review applications for a zoning change to a gaming and entertainment district shall be five hundred dollars (\$500.00) per acre or portion thereof.~~

* * *

28. Amend Chapter 40 Zoning, Sec. 40-562. Permitted uses (M-1). to delete exact fees and renumber the subsequent entries, to read as follows:

~~Sec. 40-562. Permitted uses.~~

* * *

- (b) Gaming establishments and related activities, provided the following conditions and criteria are met.

* * *

~~(12) Fees:~~

- a. ~~Fees required to process and review applications shall be five hundred dollars (\$500.00) per acre or portion thereof.~~

* * *

29. Amend Chapter 40 Zoning, Sec. 40-582. Permitted uses (M-2)., to delete exact fees and renumber the subsequent entries, to read as follows:

~~Sec. 40-582. Permitted uses.~~

In M-2, districts, only the following uses of property shall be permitted:

* * *

- (61) Gaming establishments and related activities provided the following conditions and criteria are met:

* * *

~~I. Fees.~~

1. ~~Fees required to process and review applications shall be five hundred dollars (\$500.00) per acre or portion thereof.~~

* * *

30. Amend Chapter 40 Zoning, Sec. 40-602. Permitted uses (M-3)., to delete exact fees and renumber the subsequent entries, to read as follows:

Sec. 40-602. Permitted uses.

In M-3, districts, only the following uses of property shall be permitted:

* * *

(3) The following uses shall also be permitted:

* * *

- n. Gaming establishments and related activities provided the following conditions and criteria are met.

* * *

~~12. Fees.~~

- ~~i. Fees required to process and review applications shall be five hundred dollars (\$500.00) per acre or portion thereof.~~

* * *

31. Amend Chapter 40 Zoning, Sec. 40-617. Site plan review (M-4)., to delete exact fees, to read as follows:

Sec. 40-617. Site plan review.

- (1) Variances to the requirements in Sec. 40-616, Landscape and Buffer Requirements, may be granted by the Jefferson Parish Council, upon recommendation by the Planning Department and Planning Advisory Board, provided the following criteria are met:

* * *

- ~~d. The applicant shall deposit with the Jefferson Parish Council, through the Planning Department, a fee in the sum of two hundred dollars (\$200.00) for each acre of land or portion thereof upon which the variance is requested, the maximum fee for acreage or portion thereof shall not exceed five thousand dollars (\$5,000.00) to cover the approximate cost of processing such application.~~

* * *

32. Amend Chapter 40 Zoning, Sec. 40-684. Off-premise sign regulations., to delete exact copies, to read as follows:

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

* * *

- (i) Applications for permits to erect, construct, relocate, or convert off-premise signs shall be submitted to the Department of Inspection and Code Enforcement. 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.

- (2) Present name, address and phone number of the property owner and applicant.
- (3) A signed statement from the owner of the property acknowledging that an agreement has been reached with the applicant for the location of an off-premise sign on his property.
- (4) ~~Two (2) copies of~~ a current survey indicating all existing improvements of the property by a registered Louisiana land surveyor showing the lot, square, subdivision name, north point, scale, distance to the nearest intersecting street, the location of the proposed sign, distance of the sign structure (including catwalks) from each property line.
- (5) Certification by a registered Louisiana land surveyor indicating that the proposed sign complies with the minimum requirements for sign spacing and residential proximity stated in this section. All newly-erected off-premise signs must meet these requirements.
- (6) ~~Two (2) copies of~~ a plot plan, drawn to scale, showing any improvements on the property, including the location of the proposed sign, and any existing parking spaces.
- (7) The proposed off-premise sign shall meet all other applicable requirements of the Jefferson Parish Building Code.
- (8) No utilities shall be released in connection with the erection, construction, conversion, or relocation of an off-premise sign until ~~two (2) copies of~~ a certified as-built survey by a registered Louisiana land surveyor ~~have~~ has been submitted to the Department of Inspection and Code Enforcement which shows that the sign complies with the requirements of this Chapter and the Jefferson Parish Building Code.

33. Amend Chapter 40 Zoning, Sec. 40-685. General sign permit and inspection regulations., to delete exact copies, 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 Director of Inspection and Code Enforcement.
 - a. Before any permit is issued, an application shall be filed, including ~~two (2) sets of~~ dimensioned drawings and/or specifications ~~(one (1) set to be returned to the applicant)~~ prepared by a licensed architect or engineer and bearing his seal and statement to the effect that the drawings and/or specifications were prepared by him or under his supervision as may be necessary to fully advise and acquaint the Director with the following:

* * *

34. **Amend Chapter 40 Zoning, Sec. 40-737. Exceptions to height requirements., to delete exact fees and renumber the subsequent entries, to read as follows:**

Sec. 40-737. Exceptions to height requirements

* * *

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

* * *

3. Only monopole cellular phone transmission towers and their associated support buildings shall be allowed in the residential districts, provided the following criteria are met:

* * *

~~xiv. Fees. Before any action shall be taken regarding the application for a cellular transmission facility in a residential district, the applicant shall deposit with the Planning Department a fee in the sum of two hundred fifty dollars (\$250.00) to supplement the cost of processing the application.~~

35. **Amend Chapter 40 Zoning, Sec. 40-739. Exceptions to area regulations., to delete subsection (a) and renumber the subsequent entries, to read as follows:**

Sec. 40-739. Exceptions to area regulations.

- ~~(a) Where a lot, tract or parcel of land has an area or frontage of less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of Ordinance #5687, such lot, tract, or parcel may be used only for single family residential purposes or for any non-residential purpose permitted in the district in which the property is located.~~

* * *

36. **Amend Chapter 40 Zoning, Article XL. Special Permitted Uses., to delete exact number of copies and fees and correct the renewal reviewing department, 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) ~~Twenty-five (25) copies~~ of a survey of the property showing all existing structures.
 - (2) ~~Twelve (12) copies~~ of 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 Inspection and Code Enforcement and Jefferson Parish Council depending on the nature of the proposal.
- (4) An affidavit certifying the correct names and addresses of all property owners within three hundred (300) feet measured radially from the lot lines of the subject property.
- (5) A notarized affidavit in accordance with Chapter 2 of this Code regarding campaign contributor disclosure for land use action.
- (b) ~~The application fee shall be two hundred dollars (\$200.00) for each acre of property or portion thereof, not to exceed five thousand dollars (\$5,000.00).~~

* * *

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 of ~~Inspection and Code Enforcement~~ shall receive ~~review~~ 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 Property Maintenance and Zoning or applicable departments ~~Inspection and Code Enforcement~~ shall inspect the premises in order to complete this review.
- (3) Upon completion of review, the Department of Property Maintenance and Zoning ~~Inspection and Code 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 Property Maintenance and Zoning ~~Inspection and Code 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.
- (5) ~~There shall be a fee of twenty-five dollars (\$25.00) to cover the cost of administrative handling of the renewal application.~~

37. Amend Chapter 40 Zoning, Sec. 40-823. Records. (Certificates of Use and Occupancy), to delete exact fees, to read as follows:

Sec. 40-823. Records.

A record of all Certificates of Use and Occupancy shall be maintained by the Inspection and Code Enforcement 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 of ~~one dollar (\$1.00)~~ for each such copy.

REFERENCES

ⁱ §701. Initial Application Process, [Bulletin 137- Louisiana Early Learning Center Licensing Regulations](#).

ⁱⁱ §703. Initial Inspection Process, Bulletin 137- Louisiana Early Learning Center Licensing Regulations.



TXT-3-22

Housekeeping Study

Summary No. 25988

All users acknowledge that the content of these graphics were submitted and/or created specifically as demonstrative aides for the related land use matter being presented by the Jefferson Parish Planning Department identified with the appropriate docket number provided above. As such, Jefferson Parish makes no warranty as to the reliability or accuracy of the maps, their associated data tables and/or any graphics included in this presentation. Furthermore, Jefferson Parish is not responsible for the inaccuracies that could have occurred due to errors in the original data input or subsequent update process. All users of these graphics produced in connection with the related land use matter identified above specifically acknowledge, agree and accept that any zoning and/or land uses identified in said graphics are solely intended to be a demonstrative aide in the related land use matter and, as such, should not be relied upon outside of said related land use matter. User assumes all responsibility for verifying accuracy of data for any intended use.



TXT-3-22 Background

- Resolution No. 139765 (May 25, 2022) with interim standards-
 - If two or more adjacent lots held in common ownership and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.
 - Lot, Legal Nonconforming shall mean an existing lot, tract or parcel of record that does not meet the minimum lot requirements of its applicable zoning district and meets the following conditions:
 - The lot configuration was approved by the Parish Council or Police Jury; and
 - The subject property is a lot of record that was owned separately from adjoining property on August 28, 1958. If two (2) or more adjacent lots are held in common ownership and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.
- Why was this study called?
 - Staff has experienced issues with administering and interpreting certain regulations of the Code due to unique conditions or unclear language in the regulations
 - An evaluation of standards to clarify and address special conditions is necessary for more effective application of the Code



Issues with Specific Development Regulations

- 1) Accessory structures
- 2) Day care centers
- 3) Day care homes indoor play area
- 4) Nonconforming lots
- 5) Routine exterior maintenance in special districts
- 6) Amortization of signs in TCMU
- 7) Community homes in RR-3
- 8) Hierarchy of base zoning districts

Council 9/28/2022

TXT-3-22, Summary No. 25988

3

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1) Accessory Structures

Issue

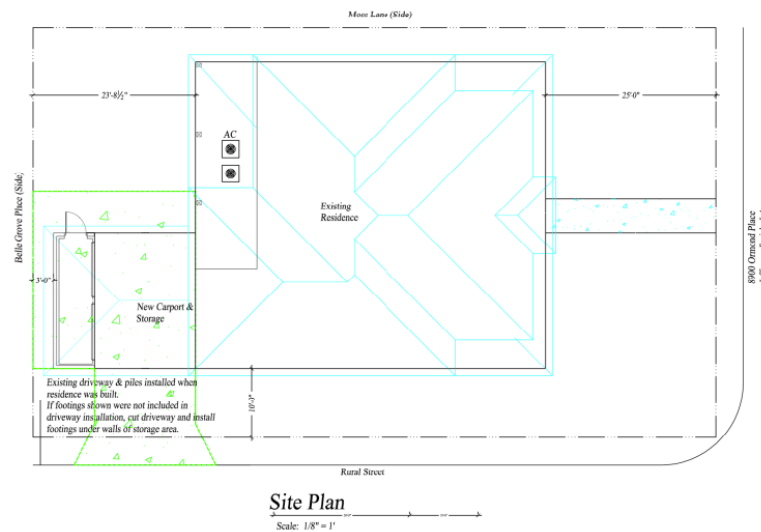
- Under the new regulations, an **attached accessory building** is considered **part of the main structure** and **must meet the setback requirements** of the underlying district.
- The intent of this amendment was to clarify that **enclosed** attached buildings or rooms were to be considered part of the structure for setback purposes, since they can function as part of the house.
- Since the amendment was adopted in February 2022, Code Enforcement has received and processed several permits for attached **open** covered patios and porches that projected into required yards, including attached carports in the rear yard.
- Based on the written provisions in the Code, Planning made the interpretation that anything meeting the definition of *accessory building*, including covered porches, would be subject to the new setback restrictions; and would thus, require a variance from the Board of Zoning Adjustments (BZA) if setbacks are not met.
- This is a deviation from previous practice. This change in regulations has impacted permits. Over the last few months, the Parish has seen an increase in the number of BZA variance requests for porches and patios in the rear yard.



Accessory Structures

8900 Ormond Pl.

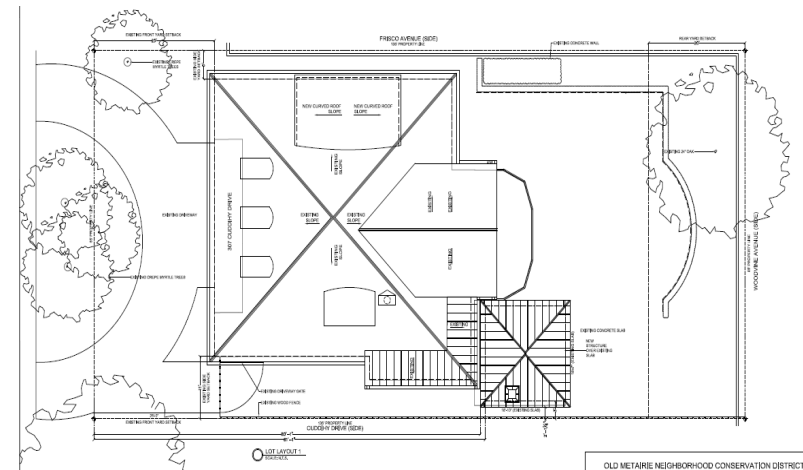
- Approx. 400 sq. ft. attached carport and storage shed
- Required a BZA variance



Council 9/28/2022

307 Cuddihy Dr.

- 320 sq. ft. detached covered patio and outdoor kitchen
- Did not require a BZA variance



TXI-3-22, Summary No. 25988

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Accessory Structures

Solution

- For setback purposes, an attached enclosed accessory building shall be considered part of the principal structure, and therefore shall meet the area requirements of the underlying zoning district, except that Sec. 40-738 (e) shall apply, when applicable.
 - Adding the word “**enclosed**” to provisions for *attached accessory buildings* will clarify that the new standard does not apply to attached open covered patios and porches, but
 - Still restrict individuals from enclosing or building rooms or buildings that are attached to residential dwellings in the required rear yard.

These provisions are separate and apart from the provisions for restrictions on porches in the required front yard and provisions for **private garages**.



2) Day Care Centers

Issue

- Timing of when the applicant has to provide proof of State-issued license creates a chicken-and-egg scenario.
- Currently, Planning requires proof of the appropriate State-issued license before a zoning clearance is issued.
 - Adopted by Ord. 26302
- However, the State requires zoning approval/certificate of occupancy during the initial application process.
- Code requires all State requirements to be met.

Solution

Sec. 33-5.3.7. Day care centers

- ~~Proof of the appropriate State-issued license shall be provided before a zoning clearance is issued by the Department of Inspection and Code Enforcement.~~
- **All State requirements must be met, and** in addition to the requirements of the State, the outdoor play area shall be enclosed by a permanent fence or barrier with a minimum height of four (4) feet.



3) Day Care Homes

Issue

- Home occupations limit the area of the dwelling used for the home occupation to 15% of the gross floor area of the dwelling
- Calculating the indoor space of a day care home as a home occupation is unclear.

Solution

- **Sec. 33-5.3.12.4. Permitted home occupations.**
- The following home occupations are allowed subject to the standards established in Sec. 33-5.3.9.3:
* * *
- (7) Day care home
- **Subsection (b) shall be calculated to only include the indoor play area.**
- Subsection (c) of Sec. 33-5.3.12.3. Standards. shall not apply.
- In addition to the requirements of the State, the outdoor play area shall be a minimum of seventy-five (75) square feet per child using the space at a time, or whatever the State requires, whichever is more strict, and shall be enclosed by a permanent opaque fence or barrier with a minimum height of six (6) feet.

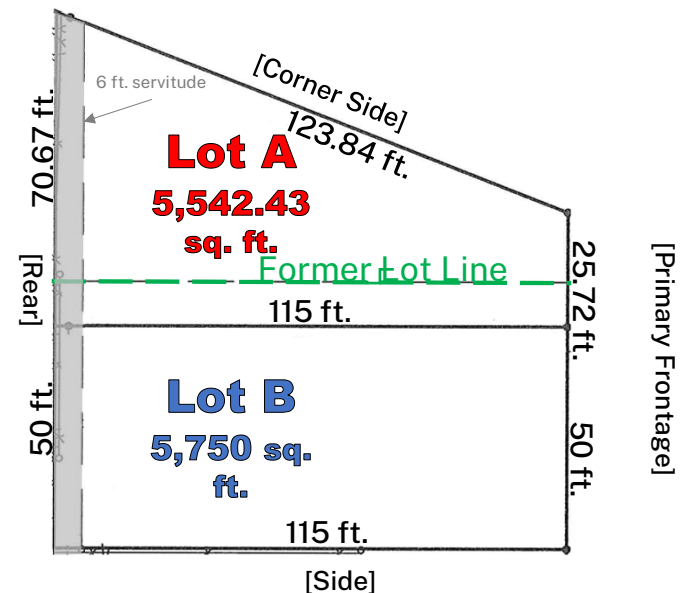


4) Nonconforming Lots

Issue

- Current definition of “nonconforming lots” implies that in order to require an applicant to subdivide two adjoining vacant lots with continuous frontage under single ownership, **both lots** would have to be considered nonconforming lots
- This was not the intent of the regulation or previous regulations prior to TXT-8-21

Former & Proposed Lot A do not meet all area requirements
Former & Proposed Lot B meets all area requirements





Nonconforming Lots

Solution

- Amend definition of *legal, nonconforming lot*-

Shall mean an existing lot, tract or parcel of record that does not meet the minimum lot requirements of its applicable zoning district and meets the following conditions:

1. The lot configuration was approved by the Parish Council or Police Jury; and
2. The subject property is a lot of record that was owned separately from adjoining property on August 28, 1958. If two (2) or more adjacent ~~nonconforming lots with continuous frontage are held~~ in common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, the lots ~~they shall be subdivided into a one or more conforming lot(s) of record that which meet(s) the minimum lot area requirements of their respective zoning district as per Sec. 33-4.2.3.~~

- Amend Sec. 33-4.2.3. Generally.

~~Where~~ If two (2) or more adjacent ~~nonconforming lots with continuous frontage are held in single~~ common ownership, and one (1) or more of the lots does not meet the minimum requirements for lot width or area of its respective zoning district, ~~they~~ lots shall be subdivided into a lot(s) of record that meet(s) the minimum lot requirements of their respective zoning district.



Nonconforming Lots

Issue

Sec. 33-4.1

- Regulations are applicable to single-family dwellings on nonconforming lots in the R-1A, R-2, and S-1 districts

Sec. 40-739. Exceptions to area regulations.

(a) Where a lot, tract or parcel of land has an area or frontage of less than the minimum requirements for the district in which it is located, but was a lot of record in separate ownership from adjacent property at the time of passage of Ordinance #5687, such lot, tract, or parcel may be used only for single-family residential purposes or for any non-residential purpose permitted in the district in which the property is located.

Solution

- Amend applicability of nonconforming lots so provisions apply to **residential dwellings** on nonconforming lots in **residential districts**.
- Delete provision in Sec. 40-739
 - Nonconforming lots of record regulations in Ch. 33 addresses this



5) Routine Exterior Maintenance

Issue

- In some special districts, the Code says site plan review is **not required** for any *routine exterior maintenance as determined by the **department of inspection and code enforcement**, including excavating, filling, or grading;*
- Planning gets pulled into everything that has a special district or overlay regardless of scope of work.

Solution

- **Planning** will determine if site plan review is required in special districts for routine exterior maintenance
- Update the following sections to reflect that the Planning Director will determine.
 - Sec. 33-3.53.8.1.- Site Plan Review (FC)
 - Sec. 33-3.54.6.1.- Site Plan Review (TCMU)
 - Sec. 33-3.67.8.1.- Site Plan Review (CPZ-Ped)



6) Amortization of Signs in TCMU

Issue

- Sec. 33-8.7.1. Amortization of Nonconforming Signs Along Portion of David Dr. zoned Town Center Mixed Use District. **does not** exempt billboards erected in conformance with zoning at the time of the erection from amortization provisions.
- Specifies the wrong department as enforcer

Solution

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

* * *

(4) Amortization. Legally nonconforming signs erected prior to the effective date of this ordinance may continue to be maintained until December 31, 2026. Thereafter, unless such signs conform to the provisions of this article, they shall be removed. Signs that are nonconforming due to exceeding the permitted height, width or area by ten percent (10%) or less shall not be subject to removal under this section. Notwithstanding Sec. 33-3.54.5(e), billboards erected in compliance with parish or municipal regulations at the time of erection are not subject to amortization.

(5) A determination of sign conformance shall be provided by the ~~Department of inspection and code enforcement~~ Property Maintenance and Zoning (PMZ).

(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 ~~PMZ the department of inspection and code enforcement~~ and, upon failure to comply with such notice or file an appeal within the time specified in such order, the department of inspection and code 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.

* * *



7) Community Homes in RR-3

Issue

- *Community homes* is listed as a permitted use in RR-3.
- *Board and care home* is listed as an SPU in RR-3.
- Ord. 19891 (approved 12/11/96) deleted *community home* as a use and amended the definition of *board and care home* in Sec. III Definition.
- This study (W-42-96) brought the Parish's Code and regulations more into compliance with the Fair Housing Act

Solution

- Delete *community homes* and renumber the subsequent entries

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:

* * *

~~(7) — Community homes.~~

* * *



8) Sec. 40-32. Base zoning districts.

Issue

- Sec. 40-37. Interpretation of district classification states:

*The numerical listing assigned to each zoning district in Sec. 40-32 (a) of this article shall be controlling; **the district having the lower number shall be more restrictive.***

- Currently, MUCD is listed **last**, which would make it less restrictive than the M-1 through M-4 industrial districts.

Solution

- Move MUCD before Industrial districts

- | | |
|--|--|
| 1) B-1 Batture | 15) GO-1 General Office |
| 2) S-1 Suburban | 16) H-1 Medical Service |
| 3) R-1D Rural Residential | 17) H-2 Medical Service |
| 4) R-1C Rural Residential | 18) BC-1 Business Core |
| 5) R-1B Suburban Residential | 19) C-1 Neighborhood Commercial |
| 6) R-1A Single-Family Residential | 20) BC-2 Business Core |
| 7) R-1 MH Manufactured Home | 21) C-2 General Commercial |
| 8) R-2 Two-Family Residential | 22) OW-1 Office Warehouse |
| 9) RR-3 Three- and Four-Family Residential | 23) MUCD Mixed-use Corridor District. |
| 10) R-1 TH Townhouse | 24) M-1 Industrial |
| 11) R-1CO Condominium | 25) M-2 Industrial |
| 12) CD-R Core District-Residential | 26) M-3 Industrial |
| 13) R-3 Multiple-Family Residential | 27) M-4 Industrial |
| 14) GO-2 General Office | |



Administrative Procedures and Provisions

- 1) Fees
- 2) Other Housekeeping Items



1) Fees

Issue

- Some fees are scattered throughout the Code
 - Secondary culinary facility in R-1A
 - Gaming establishments in industrial districts
 - CPZ
 - MUCD
 - SPU application & renewal
- Sec. 33-1.11 states fees shall be established **by Resolution**

Solution

- Remove fees identified in the Code and add a reference to the appropriate appendix



2) Other Housekeeping Items

Issue

- Code references certified mail and number of copies
 - Unnecessary to have with development regulations
- Code references incorrect dept. for SPU renewal
- Various section referencing has not been updated when numbers have updated
- Typos

Solution

- Remove references to exact copies
- Update dept for SPU renewal to PMZ
- Remove references to certified mail
- Update section formatting and referencing as applicable
- Correct typos



Recommendations

- Amend *attached accessory structure* to add **enclosed**
- Clarify when proof of a State license is required for a day care center
- Clarify how to calculate indoor play area for day care homes
- Amend the definition of *lot, legal nonconforming*
- Allow Planning to determine if site plan review is required for exterior routine maintenance in special districts
- Clarify amortization of signs in TCMU district
- Remove *community homes* from RR-3's permitted use list
- Reorder Sec. 40-32. Base zoning districts to reflect restriction hierarchy
- Remove specific fees, certified mail, and specific number of copies from the Code
- Correct wrong section references and typos