

On joint motion of all Councilmembers present the following ordinance was offered:

SUMMARY NO. 22863 ORDINANCE NO. 23663

An ordinance amending Chapter 40, Zoning of the Jefferson Parish Code of Ordinances, particularly Article XXVI Commercial Parkway Overlay Zone and Article XXV Mixed Use Corridor District addressing the regulation of accessory structures and buildings in those districts. (Parishwide)

WHEREAS, *Resolution No. 109991, adopted April 9, 2008*, authorized the Planning Department to conduct a study; and

WHEREAS, the Department of Inspection and Code Enforcement considers commercial sites to have accessory structures only when the structure is not used for the conduct of the business, as in the case of storage of lawn care equipment; otherwise all other buildings and structures are seen as necessary to the operation of the business and not regulated as accessory; and

WHEREAS, lack of regulation regarding all buildings and structures on a development site other than the principal building can lead to development sites that do not meet the intention of the Commercial Parkway Overlay Zone and the Mixed Use Corridor District to make the major thoroughfares of Jefferson Parish more attractive; and

WHEREAS, to meet the intent of the study, the Planning Department recommends establishing a definition to identify those structures on the development site not the principal building, and establish criteria to mitigate their visual impact along the thoroughfares of Jefferson Parish either overlaid with Commercial Parkway Overlay Zone or zoned Mixed Use Corridor District; and

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

THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Chapter 40, Zoning, Article XXV Mixed Use Corridor District, is hereby amended to read as follows:

ARTICLE XXV. MIXED USE CORRIDOR DISTRICT

* * *

Sec. 40-442. Definitions and District Composition

(a) *Definitions.*

* * *

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

Vehicular use area shall mean land upon which vehicles traverse and all areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such boats or equipment are self-propelled or not, and land upon which vehicles traverse the property as a function of the principal use.

* * *

(b) *Permitted uses.*

* * *

(2) Multiple-family residential dwellings contained in single-use structures, excluding townhouses, may be developed and integrated with other permitted uses in the Mixed Use Corridor District as a single development site provided that the following criteria are met:

* * *

e To buffer the separate multiple-family dwellings from other permitted uses, the setback requirements and the landscape and buffer standards of this district shall be applied separately to the residential portion and the non-residential portion of the development site in a similar manner as if the uses are situated on separate lots of record.

1. Where the residential portion of a mixed use development does not abut a lot line, the boundary of that development site shall be designated on the site plan and shall include all structures, parking, and required perimeter landscaping within said site.
2. For the residential portion of a mixed use development site whose main entrance faces the interior of the site, the area extending from the main entrance shall be landscaped as the front yard.
3. For the residential portion of a mixed use development site whose main entrance faces the interior of the site and has frontage on a Mixed Use Corridor, both the area extending from the main entrance and the area abutting the corridor shall be landscaped as front yards.

* * *

- (4) Site plan review in various levels shall be required for developments with mixed permitted uses, in accordance with Sec. 40-442(e), Site Plan Review.

* * *

(e) *Site plan review.*

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

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

* * *

- (f) *Other elements of the Mixed Use Corridor District.* Other elements of the Mixed Use Corridor District include area regulations, parking requirements, landscape, buffer and general design standards, and sign regulations, as specified in Sec. 40-444, 40-445, 40-446, 40-447, and 40-448, respectively, and apply to development with any of the permitted uses or combination thereof listed in Sec. 40-442(b).

Sec. 40-443. Height regulations.

* * *

- (c) *Exceptions to the maximum height allowed by right for multiple-family dwellings.* Multiple-family dwellings composed of fifty (50) or more units may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:

* * *

- (14) *Service bays and drives.* To mitigate the negative effect of service areas such as noise, odor, refuse, and visual pollution, the following criteria shall apply:

- a. Service bays, service drives, trash receptacle and dumpster areas, and support structures shall not be located on any side of the development abutting the following 1-, 2-, 3-, or 4-family residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), or Townhouses (R1TH). In such cases where this is not possible, an additional five-foot landscaping and buffer strip shall be required in addition to the yard requirements for development that exceeds the height allowed by right in this district.
- b. Service bays and drives and trash receptacle and dumpster areas shall be oriented in such a way that in the process of loading and unloading, no vehicle will block the passage of other vehicles on the service drive or extend into any other public or private street.

- c. All service bays, loading and unloading areas, trash receptacles and dumpster areas must be screened on all sides by a fence with a minimum height of seven (7) feet and consisting of wood, brick or masonry.
- d. All dumpster areas shall comply with the requirements of Chapter 16 Garbage and Other Solid Waste, Sec. 16-4(d) Bulk waste containers. In situations where the regulations of that chapter and the regulations of this article are in conflict, the more restrictive shall apply.

* * *

Sec. 40-444. Area regulations.

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(b) *Setbacks.*

(1) *Front yard.*

- a. All structures, other than fountains, clock towers or other architectural feature within the landscaping, shall be a minimum of twenty (20) feet from the street right-of-way, unless otherwise provided for in Sec. 40-442(b)(2).

* * *

(2) *Side yard.*

- a. All buildings shall be a minimum of ten (10) feet from the side lot line, lease line, or designated development site boundary.
- b. On the side of the lot abutting any of the following 1-, 2-, 3-, or 4-family residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), Townhouses (R1TH), or on the side of a non-residential structure adjacent to a stand alone 1-, 2-, 3-, or 4-family residential structure, there shall be a side yard having a minimum width of fifteen (15) feet.
- c. Substandard lots of record established prior to the adoption of this ordinance as amended shall provide a side yard as per the following schedule when abutting a non-residential use or district:
 - 1. *Lot widths less than fifty (50) feet:* No side yard is required.
 - 2. *Lot widths fifty (50) to fifty-nine (59) feet:* No side yard is required for the building; side yard when provided adjacent to building: a minimum of five (5) feet; one (1) side yard having a minimum width of five (5) feet is required in the vehicular use area.
 - 3. *Lot widths sixty (60) to seventy-four (74) feet:* One (1) side yard having a minimum width of ten (10) feet is required for the building; two (2) side yards having a minimum width of five (5) feet each are required for the vehicular use area.
- d. On corner lots the side yard on the side of the lot abutting the side street shall not be less than twenty (20) feet. If a development has a side yard greater in depth than the minimum required yard, no support building or structure shall be located any closer to the side street than the principal building.

(3) *Rear yard.*

- a. All buildings shall be a minimum of ten (10) feet from the rear lot line, lease line, or designated development site boundary. On the rear of a lot abutting any of the following 1-, 2-, 3-, or 4-family residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), Townhouses (R1TH) or on the rear of a non-residential structure adjacent to a stand alone 1-, 2-, 3-, or 4-family residential structure

there shall be a rear yard having a minimum depth of twenty (20) feet.

(c) *Lot area.*

- (1) For mixed use developments comprised of separate multiple-family residential structures and other permitted uses in the Mixed Use Corridor District, the area of the lot or designated development site occupied by multiple-family dwellings shall contain a minimum of eight hundred (800) square feet per family.
- (2) When a lot is improved for a residential use, or when living facilities are erected above or in connection with other uses in the same structure, the lot area per family regulation shall be the same as those in the R-3, Multiple-Family Residential District.
- (3) Lot area per family regulations shall not apply to dormitory buildings, or fraternity or sorority houses not having culinary facilities.

* * *

Sec. 40-446. Landscape and buffer standards.

- (a) *General landscape and buffer requirements.* Landscaping requirements in this section are minimum standards and applicable to areas used for the parking of four (4) or more vehicles to traverse back and forth to parking spaces, service bays, and loading/unloading areas. The landscaping requirements shall provide effective buffering of all vehicular use areas, including service bays, from residential development and from street view and shall serve to guide traffic. The landscaping requirements for developments that include separate multiple-family residential structures developed and integrated with other permitted uses shall be applied separately to the residential portion and the non-residential portion of the development site. Developers shall be encouraged to incorporate waterscapes, fountains, clock towers and other architectural features with landscaping to add to aesthetics and visual attraction.

* * *

(2) *Perimeter of lot adjacent to abutting property.*

- a. On the perimeter(s) of the lot adjacent to abutting residential property, a continuous, unbroken barrier is required for the purpose of buffering service bays, loading and unloading areas, and off-street parking or other vehicular use areas exposed to the abutting property. The barrier shall be located between the common lot line and the service bay, loading or unloading area, off-street parking or other vehicular use area, the MUCD physical structure, including support structures and the abutting property. The barrier shall be a minimum of seven (7) feet in height consisting of an opaque material such as a masonry or wood fence, an earth berm, an opaque hedge or any combination thereof. Additionally, a buffer strip consisting of a green area with a ten (10) foot minimum depth shall be provided to mitigate the effect of the Mixed Use Corridor District development on the abutting residential property. Additional buffer strip area may be required for developments greater than twenty-five thousand (25,000) square feet of building area. On the perimeter(s) of a lot adjacent to abutting non-residential property or use, a continuous unbroken buffer strip having a minimum width of five (5) feet shall be provided.

* * *

Sec. 40-447. General design standards.

* * *

(c) *Service bays/drives.*

- (1) Service bays, service drives, trash receptacle and dumpster areas, and support structures shall not be oriented on the same side of the Mixed Use Corridor District development as abutting residential property. The purpose of which is to mitigate the negative effect of such service areas, such as noise, odor, refuse, and visual pollution from residential development. In such cases where this is not possible, an additional five-foot landscaping and buffer strip shall be required in addition to that required in Sec. 40-446(a)(2), Perimeter of Lot Adjacent to Abutting Property.

- (2) Service bays and drives and trash receptacle and dumpster areas shall be oriented in such a way that in the process of loading and unloading, no vehicle will block the passage of other vehicles on the service drive or extend into any other public or private street.
 - (3) All service bays, loading and unloading areas, trash receptacles and dumpster areas must be screened on all sides by a fence with a minimum height of seven (7) feet and consisting of wood, brick or masonry.
 - (4) All dumpster areas shall comply with the requirements of Chapter 16 Garbage and Other Solid Waste, Sec. 16-4(d) Bulk waste containers. In situations where the regulations of that chapter and the regulations of this article are in conflict, the more restrictive shall apply.
- (d) *Curbs and curb cuts.*
- (1) All curb cuts on street frontage shall be vertical curbs. No roll over curbs shall be permitted in the Mixed Use Corridor District. No curb cut shall be greater than twenty-five (25) feet at the lot line and thirty-five (35) feet at the curb line and/or in accordance with the established parish standards.
 - (2) No curb cuts for freight lanes shall be greater than thirty-five (35) feet at the lot line and forty-five (45) feet at the curb line.
 - (3) The number of curb cuts for any particular development shall be minimized to the greatest extent possible to provide for controlled ingress and egress within the Mixed Use Corridor District.
- * * *
- (g) *Screening for support structures.* Any part of a support structure that is not a building, other than playground equipment accessory to permitted uses in this district or those structures used for drive-up service, e.g. gas pumps, vacuum stations and ATMs, visible from street right-of-way shall be screened by a fence with a minimum height of seven (7) feet and consisting of wood, brick or masonry.
- (h) *Architectural treatment of metal buildings.* Any building consisting of a metal exterior shall be designed and constructed such that the front building face, the side building face(s) on corner lots with street exposure, and at least five (5) feet of the adjoining side walls are finished with wood, brick, stucco, concrete blocks with architectural treatment, glass or other similar materials.
- (i) *Architectural treatment of support buildings.* Any support building on the lot or development site shall be designed and constructed with an architectural treatment similar to the principal building(s).
- (j) *Minimum size of structures.* Any structure, permanent or temporary, having a gross floor area of less than five hundred (500) square feet, is prohibited for use as a commercial structure or for a commercial purpose unless used in conjunction with construction work as permitted in Article XXXIX Sec. 40-742 (d). Exceptions and modifications to use regulation, or is a support structure to the principal building as defined in this chapter.
- (k) *Temporary structures or trailers.* Notwithstanding any other provisions of the Jefferson Parish Code of Ordinances, temporary structures or trailers shall not be permitted in the MUCD except as follows:
- (1) Temporary structures or trailers for use as commercial structures or for a commercial purpose are permitted in a MUCD along traditional parade routes during the Mardi Gras season or for other seasonal street parades and for seasonal sales, including, but not limited to, a pumpkin patch, Christmas trees or similar use, lasting not more than ninety (90) days.
 - (2) Commercial developments are allowed temporary structures or trailers that are to be used for special outdoor sales events. The use of the temporary structure or trailer must be associated with the principal use of the commercial development that occupies the petitioned property. The temporary structure or trailer shall not reduce the required off-street parking for the principal use, and additional off-street parking shall be provided for said temporary use.

Sec. 40-448. Sign regulations.

- (b) *Permitted signs.*

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

* * *

d. *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.
2. *Conditional additional height.* Additional height shall be permitted for a detached sign up to a maximum of thirty (30) feet provided an additional one-foot setback for every foot of height over twenty (20) feet is provided. The sign shall be located within a landscaped area of twenty-five (25) square feet or more.
3. *Monument type detached sign.* If a monument type detached sign is employed, a twenty-five (25) percent increase in the permitted attached sign area shall be allowed. For the purpose of this ordinance, a monument sign shall be limited to six (6) feet in height and not more than sixty (60) square feet and incorporated within a landscaped area.
4. *No detached signs.* If no detached sign of any kind is employed on the development site, a twenty-five (25) percent increase in the permitted attached sign area shall be allowed.

* * *

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

- (a) *General review procedures.* Requests for development and redevelopment in the Mixed Use Corridor District shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the Planning Department shall determine the level of site plan review required for the particular project. The applicant shall submit fully detailed development plans in accordance with Sec. 40-450, Site Plan Submittal, to the Planning Department. Development review procedures for each of the site plan review levels shall be as follows:

- (1) *Level 1 site plan review.* Level 1 site plan review shall apply to non-residential developments which fully meet the Mixed Use Corridor District regulations. When the Planning Department determines that the Mixed Use Corridor District regulations are fully met, the development project may proceed to the building permit process.

* * *

- (b) *Development existing prior to the establishment of the mixed use corridor district or any subsequent amendments.* Changes in use, additions or renovations to existing development established prior to the MUCD shall be reviewed by the Planning Department, which will determine the level of site plan review required in accordance with Sec. 40-449(a), General Review Procedures.

* * *

(4) *Parking.*

- a. The proper number of parking spaces for the land use(s) included in the development shall be provided in accordance with Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Regulations.
 - b. No existing legal required parking space(s) shall be deleted to comply with the requirements set above in Sec. 40-449(b)(3), Landscaping and buffer standards for existing development or below in Sec. 40-449 (b) (5) Support buildings and structures.
- (5) *Support buildings and structures.* New support buildings or structures or the relocation on the same development site of existing support buildings or structures shall, subject to space limitations, comply with all MUCD requirements for support buildings and structures.

* * *

- (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:

* * *

Sec. 40-452. Appeal.

Regulations, requirements or standards set in the Mixed Use Corridor District are not subject to appeal to the Board of Zoning Adjustments. All requests for variances to the regulations of this article shall be a part of Level 2 site plan review.

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Sec. 40-454. Applicable code regulations for development.

Development within a Mixed Use Corridor District shall meet all federal, state and local fire, safety and building codes, and all other applicable codes.

* * *

SECTION II. That Chapter 40, Zoning, Article XXVI Commercial Parkway Overlay Zone, is hereby amended to read as follows:

ARTICLE XXVI. COMMERCIAL PARKWAY OVERLAY ZONE

* * *

Sec. 40-472. Definitions and Permitted Uses.

- (a) *Definitions.*

* * *

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

* * *

Sec. 40-474. Area regulations.

- (a) Area regulations concerning front, side and rear yard and lot area shall be in accordance with the underlying zoning district with the following exceptions:

- (1) In addition to front yard requirements of the underlying district, the first twenty (20) feet from the front lot line shall be landscaped in accordance with standards set in Sec. 40-476, Landscape and Buffer Requirements of this article. Developments may utilize existing rights-of-way or portions thereof to comply with the front yard landscaping requirement, subject to written approval by the appropriate Parish and/or state department along with site plan review referenced in Sec. 40-480, Site Plan Review of the CPZ.
- (2) On corner lots there shall be a yard with a minimum depth of ten (10) feet from the lot line abutting the side street. No building or structure shall be located within this required side yard. If a development has a side yard greater in depth than the minimum required yard, no support building or structure shall be located any closer to the lot line abutting the side street than the principal building.

- (b) All new development shall occur on sites with a minimum site area of ten thousand (10,000) square feet and a minimum frontage of seventy-five (75) feet and a minimum depth of one hundred (100) feet.
- (c) When two (2) or more adjoining lots comprise a CPZ development site, such lots shall be resubdivided into one (1) lot of record, except as provided for in Sec. 40-472 Definitions & Permitted Uses and Sec. 40-479 (c) Group Development & Outparcels.
- (d) Development sites established prior to the effective date of this amendment, adopted on October 8, 2003, that do not meet the 10,000 sq. ft. minimum site area requirement shall be exempt from such requirement. However, where two (2) or more adjoining and vacant lots with continuous frontage are in a single ownership at the time of passage of this amendment and such lots have a frontage or lot area less than is required by the CPZ, such lots shall be resubdivided to create one (1) development site which conforms to the minimum lot area requirements of the CPZ.

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Sec. 40-476. Landscape and buffer requirements.

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(b) *Interior of lot.*

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- (2) The front twenty (20) feet from the lot line shall be landscaped in accordance with provisions set in Sec. 40-476(d). Perimeter of lot adjacent to public rights-of-way. Fountains, waterscapes, clock towers or other architectural features shall be encouraged within this and other required landscaped areas to add to aesthetics and visual attraction of the site.

* * *

(f) *Service bays/drives.*

* * *

- (2) Service bays and drives, trash receptacles and dumpster areas, and support buildings and structures shall not be located on the same side of the development site as residential development or structures unless a continuous fully landscaped buffer strip is located between the service area and the common lot line of the residential development or structures and shall consist of a minimum width of ten (10) feet. One (1) tree shall be provided for every thirty-five (35) feet or fraction thereof of the buffer strip and additionally planted with shrubs and groundcover, or grass, and excluding paving. Additional buffer strip area may be required, depending on the size and intensity of the commercial service area.

* * *

- (4) All dumpster areas shall comply with the requirements of Chapter 16 Garbage and Other Solid Waste, Sec. 16-4(d) Bulk waste and storage containers. In situations where the regulations of that chapter and the regulations of this article are in conflict, the more restrictive shall apply.

* * *

(o) *Support buildings and structures.*

- (1) *Support buildings.* Any part of a support building visible from street right-of-way that is not screened by fencing or landscaping that meets the requirements of this article must have the same architectural treatment as the principal building.
- (2) *Support structures.* Any part of a support structure that is not a building, other than playground equipment accessory to permitted uses in this district or those structures used for drive-up service, e.g. gas pumps, vacuum stations and ATMs, visible from street right-of-way shall be screened by a fence with a minimum height of seven (7) feet and consisting of wood, brick or masonry.

Sec. 40-477. Sign regulations.

* * *

(b) *Permitted signs.*

* * *

- (3) *Detached signs.* Each development shall be allowed one (1) on-premise detached sign except as noted in paragraphs (4) and (5) below, subject to the following provisions:

- a. *Permitted sign area.* The allowable sign area shall not exceed one (1) square foot per lineal foot of lot frontage (being the length of the lot along the adjacent public right-of-way) or three hundred (300) square feet, whichever is less. On corner and through lots only one (1) lot frontage may be used to determine the allowable sign area.
 - b. *Permitted height.* The height of a detached sign shall not exceed thirty (30) feet. However, the height may be increased one (1) foot for every one (1) foot of setback from the lot line, not to exceed forty (40) feet.
 - c. *Permitted materials.* The sign shall be constructed of metal or wood, or encased in a wood frame or other such material which complement and coordinate with the architectural style of the development.
 - d. *Design features.* Signs should be coordinated and incorporated into the required landscaped areas. For example, signs should be mounted on earth berms instead of standard support structures whenever possible.
- (4) *Corner lots.* On corner lots where either lot line exceeds three hundred (300) feet, a second sign shall be permitted with the same requirements for single frontage properties, provided that no such detached sign shall be located across from, adjacent to or within seventy-five (75) feet of a residential development or district.
- (5) *Secondary signs on through lots.* A second sign may be erected on the second front of a through lot provided the following additional provisions are met:
- * * *
- e. The second sign must be set back from the lot line a distance at least equal to the height of the sign.
- * * *

Sec. 40-479. Compliance with Commercial Parkway Overlay Zone (CPZ).

(a) Existing development.

- (1) *Conditions for compliance.* Development and structures existing prior to adoption of the CPZ shall, in accordance with subsections (a)(3) and (4) hereof, comply with CPZ requirements when any of the following conditions are met:
- * * *
- b. *Additions.* Any additions to developments or structures, including construction of parking lots, that add fifty (50) percent or more to the size of the original development shall comply with the CPZ requirements.
- * * *
- (2) *Support buildings and structures.* New support buildings or structures or the relocation on the same development site of existing support buildings or structures shall, in accordance with subsections (a)(3) and (4) hereof, comply with all CPZ requirements for support buildings and structures.
 - (3) *Space limitations of existing structures.*
 - a. No existing developments or structures present within the CPZ shall be required to delete any improvements or the required number of legal off-street parking spaces to comply with the requirements of this zone.
 - b. All existing developments and structures when required to comply with CPZ shall comply with requirements set in the zone to the maximum extent possible and subject to space limitations of existing structures and improvements in accordance with the general intent of the landscaping and buffering provisions set in the CPZ.
 - (4) *Development for structures with multiple land uses and occupants.* When any portion of a development or structure with multiple land uses such as a shopping center, meets any of the conditions delineated in subsection (a) (1) b. or c., a comprehensive plan shall be required to bring the site into compliance with the CPZ requirements. The site shall be required to come into compliance with the CPZ requirements in proportion to the cost

of the renovation or additions in gross floor area to the existing development. The plan shall show the improvement that could be made to bring the developer into compliance with CPZ considering space limitations, the cost of each of those improvements and shall list the improvements to be made. The cost of the improvements to be made shall equal or exceed the cost of the renovation or addition to the existing development.

- (b) *New development.* New developments within the CPZ shall fully comply with all regulations specified in this section. Site plan review with public hearings before the Parish Council and Planning Advisory Board in accordance with Sec. 40-480, Site Plan Review is required for developments not meeting CPZ requirements.

* * *

Sec. 40-481. Appeal.

Regulations, requirements or standards applicable to developments on properties overlaid with CPZ including any standards established by the underlying zoning district are not subject to appeal to the Board of Zoning Adjustments. All requested variances shall be part of site plan review before the Planning Advisory Board and the Parish Council.

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Sec. 40-483. Applicable code regulations for development.

Development within a CPZ shall meet all federal, state and local fire, safety and building codes, and all other applicable codes.

* * *

SECTION III. That the Planning Director for the Parish of Jefferson, is hereby directed, authorized and empowered to make any necessary and appropriate changes and amendments to Chapter 40 Zoning of the Jefferson Parish Code of Ordinances.

SECTION IV. That the Chairman, or in his absence the Vice-Chairman, of the Parish Council is hereby empowered, authorized and directed to sign and execute all acts or documents which may be necessary and proper in the premises to give full force and effect to this ordinance.

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

YEAS: 6 NAYS: None ABSENT: (1) Lagasse

This ordinance was declared to be adopted on the 14th day of October 2009, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption; thereafter, upon the signature by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ
PARISH CLERK

JEFFERSON PARISH COUNCIL