

On motion of Ms. Lee-Sheng seconded by Mr. Roberts, the following ordinance was offered:

**SUMMARY NO. 24369      ORDINANCE NO. 25041**

An ordinance amending Chapter 33, Unified Development Code (UDC) and Chapter 40 Zoning, of the Code of Ordinances of the Parish of Jefferson; to add text to Ch. 33 for the Commercial Parkway Pedestrian Overlay Zone (CPZ-Ped); to amend the official zoning map by overlaying the CPZ-Ped to properties zoned H-1 Medical Service District, C-1 Neighborhood Commercial, C-2 General Commercial, GO-1 General Offices, or GO-2 General Offices along Metairie Road bounded by Severn Avenue to the west and Arlington Drive to the east, all more clearly shown on the map entitled "Proposed overlay CPZ-Ped" dated 9/21/2015, prepared by the Planning Department; to amend the official future land use map of the Comprehensive Plan of the Parish of Jefferson for the properties designated as Low Intensity Commercial (LIC) and Low-Medium Density Residential (LMR) to Neighborhood Mixed Use (NMU) along Metairie Road and bounded by Ridgelake Drive to the west and Arlington Drive on the east, all more clearly shown on a map titled "Proposed FLU Metairie Road from Ridgelake to Arlington" dated 9/21/2015, prepared by the Planning Department; and to provide for related matters. (Council District 5)

**WHEREAS**, in 2010, the Louisiana Department of Transportation and Development adopted a complete streets policy, which states that streets should be comprehensive, integrated, and connected transportation networks that balance access, mobility, and safety for motorists, cyclists, and pedestrians; and

**WHEREAS**, Jefferson Parish Council Resolution No. 122958, adopted June 11, 2014, extended by Resolution No. 124630, adopted March 25, 2015, and amended by Resolution No. 125543, adopted August 26, 2015, authorized a zoning and future land use study to consider establishing procedures, requirements, criteria, and enhanced development standards that encourage and preserve the historic pedestrian-friendly neighborhood development pattern of Metairie Road and established interim standards for pedestrian-oriented development; and

**WHEREAS**, Jefferson Parish Council Ordinance No. 24806, adopted August 27, 2014 rezoned the majority of sites zoned C-2 General Commercial and C-2/CPZ General Commercial/ Commercial Parkway Overlay Zone to C-1/CPZ Neighborhood Commercial/ Commercial Parkway Overlay Zone and amended the Future Land Use (FLU) map for the majority of sites designated CMU Community Mixed-Use and LIC Low Intensity Commercial to NMU Neighborhood Mixed-Use, as the result of a zoning and future land use study authorized by Resolution No. 116308, adopted February 23, 2011 ; and

**WHEREAS**, the Parish Council adopted the Commercial Parkway Overlay Zone (CPZ) in 1988 as a tool for beautifying streetscapes of major commercial corridors through landscaping requirements, sign regulations, and design review while maintaining the auto-oriented character of suburban developments; and

**WHEREAS**, Metairie Road is developed in a traditional main street pattern and provides small-scale retail, services, offices, and restaurants to surrounding residential neighborhoods as well as greater metropolitan New Orleans; and

**WHEREAS**, Metairie Road is a narrow, two-lane right of way with relatively low speed limits, high activity rates, and a range of pedestrian, bicycle, bus, and automobile users, providing the foundation for a complete streets approach; and

**WHEREAS**, the current zoning designations along Metairie Road do not adequately encourage a pedestrian-friendly environment, ensure safe vehicular circulation and access to and from streets, or enhance the adjacent neighborhoods and the existing office, retail, and service establishments; and

**WHEREAS**, application of the CPZ since 1988 has helped to improve the appearance and safety of the Parish's roadways, but the CPZ was designed for

streets like Veterans Boulevard and certain standards such as its relatively large front setback requirement are not appropriate for more traditional roadways like Metairie Road; and

**WHEREAS**, the creation and application of the Commercial Parkway Pedestrian Overlay Zone (CPZ-Ped) to properties along Metairie Road will encourage redevelopment and physical design characteristics of pedestrian-oriented, storefront-style shopping streets more reflective of Metairie Road's rich history; and

**WHEREAS**, land uses along Metairie Road between Ridgelake Drive and Arlington Drive are mixed in nature and reflect the Neighborhood Mixed Use Future Land Use Map (FLUM) definition of residential developments with a mixture of smaller, low-intensity retail and professional offices within walking distance and with convenient access to transit; and

**WHEREAS**, the Planning Director of this Parish has caused to be duly advertised as prescribed by law, a public hearing in connection with the Zoning and Future Land Use Map reclassifications of said properties and the related zoning text amendments; and

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

**THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:**

**SECTION 1.** That Sec.40-33 Overlay zoning districts of Article II, District and land use regulations in Chapter 40 Zoning of the Code of Ordinances is hereby amended by adding a new number 2 and re-numbering accordingly, to read as follows:

**Section 40-33. Overlay zoning districts**

The following overlay zoning districts are established for unincorporated Jefferson Parish. These districts impose additional requirements on certain properties within one or more underlying base zoning districts.

- (1) CPZ Commercial Parkway Overlay Zone is an overlay zoning district which may be superimposed on any base zoning district and may be approved as a modified proposal for any requested zoning map change in accordance with Sec.40-878(d) in Article XLVIII, Changes and Amendments of this chapter.
- (2) CPZ-Ped Commercial Parkway Pedestrian Overlay Zone is an overlay zoning district which may be superimposed on any base zoning district and may be approved as a modified proposal for any requested zoning map change in accordance with Sec. 40-878(d) in Article VLVIII, Changes and Amendments of this Chapter (See Sec. 33-3.67 of Chapter 33 Unified Development Code).
- (3) OMND Old Metairie Neighborhood Conservation District is an overlay zoning district with boundaries defined within Article X. Old Metairie Neighborhood Conservation District of this chapter.
- (4) MRTPD Metairie Ridge Tree Preservation District is an overlay zoning district with boundaries defined with Article X.5 Metairie Ridge Tree Preservation District of this chapter.

**SECTION 2.** That Table 33-2.3-1: Categories of Development Approvals in Sec. 33-2.3 Categories of development approvals in Article 2. Procedures, Division 1. Common Procedures of Chapter 33 Unified Development Code of the Code of Ordinances is hereby amended by adding CPZ-Ped into the Site Plan: column titled "Type of Amendment or Application" to read as follows:

Table 33-2.3-1: Categories of Development Approvals

| Type of Amendment or Application                       | Council/PAB (L) | BZA/Planning Director (Q, M) | BZA/ Code Enforcement Director (Q, M) | BSA/Code Enforcement Director (Q, M) | Planning Director (M) | Code Enforcement Director (M) |
|--|-----------------|------------------------------|---------------------------------------|--------------------------------------|-----------------------|-------------------------------|
| Amendment to Text of Comprehensive Plan or to this UDC | ✓               |                              |                                       |                                      |                       |                               |
| Amendment to the Zoning or Future Land Use Map         | ✓               |                              |                                       |                                      |                       |                               |
| Conditional Use (Special Permitted Use)                | ✓               |                              |                                       |                                      |                       |                               |
| Site Plan:   |                 |                              |                                       |                                      |                       |                               |
| CPZ or MUC with Zoning Variance                        | ✓               |                              |                                       |                                      |                       |                               |
| CPZ or MUC without Zoning Variance                     |                 |                              |                                       |                                      | ✓                     |                               |
| FC, OBM, U-1S, CPZ-Ped with Zoning Variance            |                 | ✓                            |                                       |                                      |                       |                               |
| FC, OBM, U-1S, CPZ-Ped without Zoning Variance         |                 |                              |                                       |                                      | ✓                     |                               |
| Subdivision:   |                 |                              |                                       |                                      |                       |                               |
| Minor  |                 |                              |                                       |                                      | ✓                     |                               |
| Major  | ✓               |                              |                                       |                                      |                       |                               |
| Building Permit:                                       |                 |                              |                                       |                                      |                       |                               |
| Without Variance or Appeal                             |                 |                              |                                       |                                      |                       | ✓                             |
| With Zoning Variance                                   |                 |                              | ✓                                     |                                      |                       |                               |
| With Appeal or Variance to the Technical Codes         |                 |                              |                                       | ✓                                    |                       |                               |
| Certificate of Completeness                            |                 |                              |                                       |                                      |                       | ✓                             |

**SECTION 3.** That Table 33-2.25.2-1: Development Approvals Requiring Site Plan Review, by District in Sec. 33-2.25 Site plan in Article 2. Procedures, Division 2. Zoning of Chapter 33 Unified Development Code of the Code of Ordinances is hereby amended by adding CPZ-Ped, OBM-1, and OBM-2 as headings into the Zoning District row and the addition of the text (LBCS Function Code 2641) in the Parking Lot row to read as follows:

Table 33-2.25.2-1: Development Approvals Requiring Site Plan Review, by District

| Zoning District   | FC-1 | FC-2 | FC-3 | OBM-1 | OBM-2 | U-1S | CPZ-Ped |
|---|------|------|------|-------|-------|------|---------|
| New Development   | ✓    | ✓    | ✓    | ✓     | ✓     | ✓    | ✓       |
| Change in Use Resulting in Increase in Required Parking   |      |      |      |       |       | ✓    |         |
| Renovation Cost Exceeding 50% of Market Value             |      |      |      |       |       | ✓    |         |
| Addition Exceeding 25% of Building Size                   |      |      |      |       |       | ✓    |         |
| All Changes With Exceptions Noted in District Regulations | ✓    | ✓    | ✓    | ✓     | ✓     |      | ✓       |

|                                       |   |   |   |  |  |   |  |
|---------------------------------------|---|---|---|--|--|---|--|
| Parking Lot (LBCS Function Code 2641) | ✓ | ✓ | ✓ |  |  | ✓ |  |
|---------------------------------------|---|---|---|--|--|---|--|

**SECTION 4.** That Sec. 33-2.25.3 Development review process in Article 2. Procedures, Division 2. Zoning of Chapter 33 Unified Development Code of Ordinances is hereby amended by creating numbers 1 and 2 under F. Effect of approval to read as follows:

\* \* \*

*F. Effect of Approval.*

1. Until a site plan is approved and recorded, no building or structure shall be erected, added to, or structurally altered, and no building permit, certificate of completeness, or zoning clearance shall be issued.
2. Final site plan approval, as indicated by the dated signature of the Council Chairman or Planning Director, as applicable, shall be valid for a period of one (1) year, except that a phasing plan approved by the Council or Planning Director, as applicable, may provide for approval of discreet project phases over a period of up to three (3) years. Site plan approvals of longer than three (3) years may be authorized through Parish Council approval of a development agreement as provided in Division 4, Development Agreements, in this Article.

**SECTION 5.** That Sec. 33-3.3.2 Overlay zoning districts in Article 3. Zoning, Division I. Introduction of Chapter 33 Unified Development Code of the Code of Ordinances is hereby amended by adding new letter B and relettering accordingly to read as follows:

**Section 33-3.3.2 Overlay zoning districts.**

The following overlay zoning districts are established for unincorporated Jefferson Parish. These districts impose additional requirements on certain properties within one or more underlying base zoning districts:

- A. CPZ Commercial Parkway Overlay Zone is an overlay zoning district which may be superimposed on any base zoning district and may be approved as a modified proposal for any requested zoning change in accordance with the zoning procedures of this Chapter.
- B. CPZ-Ped Commercial Parkway Pedestrian Overlay Zone is an overlay zoning district which may be superimposed on any base zoning district and may be approved as a modified proposal for any requested zoning change in accordance with the zoning procedures of this Chapter.
- C. OMNCD Old Metairie Neighborhood Conservation District is an overlay district with boundaries defined in Article X Old Metairie Neighborhood Conservation District in Chapter 40 Zoning of this Code.
- D. MRTPD Metairie Ridge Tree Preservation District is an overlay district with boundaries defined in Article X.5 Metairie Ridge Tree Preservation District in Chapter 40 Zoning of this Code.

**SECTION 6.** That Chapter 33 Unified Development Code, Article 3 Zoning, Sec. 33-3.67 Commercial Parkway Pedestrian (CPZ-Ped) is hereby amended to read as follows:

**Sec. 33-3.67 Commercial Parkway Pedestrian Overlay Zone (CPZ-Ped)**

**Sec. 33-3.67.1 Purpose.**

The purpose of the Commercial Parkway Pedestrian (CPZ-Ped) Overlay district is to provide enhanced development standards that support the following objectives:

- A. Encourage development that exhibits the physical design characteristics of a more traditional pedestrian-oriented streetscape;
- B. Prevent vehicular areas from dominating the views of the neighborhood from the sidewalk and street;
- C. Promote compatibility between uses through standards for screening, buffering, and landscaping;
- D. Promote safe, attractive building and site design by requiring site plan review subject to development standards that provide for a more efficient, harmonious arrangement of land uses, buildings, landscaping, circulation systems, and infrastructure;

- E. Accommodate horizontal and vertical mixed use, including buildings with retail, service, and other uses on the ground floor and residential units above;
- F. Promote public health and general welfare by facilitating walkability and varied transportation options; and
- G. Reduce the impacts of commercial development upon neighborhoods, enhance the air quality, reduce traffic congestion, and promote safety.

**Sec. 33-3.67.2 Generally**

Where there is a conflict between the standards of this overlay zoning district and the standards of the underlying zoning district, the standards of this district shall govern.

**Sec. 33-3.67.3 Authorized uses.**

- A. Authorized uses in this district are those uses authorized in the underlying zoning district, except that a parking lot (LBCS Function code 2641) is prohibited as a principal use.
- B. *Development Patterns*
  - 1. *Mixed-use buildings.* Buildings may contain a mix of uses authorized in the underlying zoning district and in accordance with Sec. 33-5.20, Mixed-use buildings, in Article 5, Supplemental Conditions, of this UDC. The storage, use, or sales of hazardous materials as classified in Chapter 13 of this code is prohibited.
  - 2. *Mid-rise to high-rise buildings.* Where authorized in the underlying zoning district, a mid-to-high rise building shall comply with the standards of Sec. 33-5.21, Mid-rise to high-rise building, in Article 5, Supplemental Conditions, of this UDC.

**Sec. 33-3.67.4 Dimensional standards.**

The dimensional standards within the CPZ-Ped are provided in Table 33-3.67.4-1.

**Table 33-3.67.4-1. Dimensional Standards – Commercial Parkway  
Pedestrian (CPZ-Ped) District**

| HEIGHT                      |  |   |
|-----------------------------|--|---|
|                             | Dimensions   | Other Limitations   |
| Building height (maximum)   | Same as the underlying zoning district   | Max. height of 35 ft. and two (2) stories if the front yard or corner side yard setback is less than ten (10) ft.   |
| SETBACKS                    |  |   |
|                             | Dimension  | Other Limitations   |
| Lot width (minimum)         | Same as the underlying zoning district.  |   |
| Lot depth (minimum)         |  |   |
| Front yard setback          | Min. five (5) ft., max. ten (10) feet<br><br>Where a building located within fifty (50) ft. on both sides of a proposed building has a front setback of less than five (5) ft., the proposed building may be located in line with the adjacent building nearest the street.  | Front yard setbacks are required on both streets for through lots   |
| Side yard setback (minimum) | Same as the underlying zoning district.<br><br>On a corner lot, min. of five (5) ft. and max. of ten (10) ft. on the corner side.  | Where a building located adjacent to the proposed building has a front or corner side setback of less than five (5) ft., the proposed building may be located in line with the adjacent building. |
| Rear yard setback (minimum) | Same as the underlying zoning district.  |   |
| Modifications to setbacks   | After considering LURTC comments, the planning director may modify the minimum or maximum front or corner side setbacks by up to five (5) feet to facilitate transitions between buildings, establish a more functional pedestrian environment, preserve the existing character or scale of the streetscape, or meet requirements for parking, clear vision area, landscaping, tree preservation, or integrated water management; or may modify setbacks for buildings elevated to meet base flood elevation by the minimum amount needed to facilitate transitions between raised buildings and sidewalks or vehicular use areas. |   |

**Sec. 33-3.67.5 Specific use standards.**

In accordance with the purpose of Sec.33-5.3.3.1 of this UDC, the supplemental standards of this section apply to the following auto-oriented development:

**A. *Drive-in window or drive-through facilities.*** (LBCS function codes 2211, 2521, 2531, 2541):

**1. *Size.***

- a. The development site shall have a minimum area of 10,000 square feet; and
- b. There shall be a maximum of one (1) drive-through facility per development site.

**2. *Where adjacent to residential uses.***

- a. Stacking lanes, order boxes, and drive-in windows shall be set back a minimum distance of eighty (80) feet measured in a straight line from the outside edge of the stacking lane to the nearest residential zoning district;
- b. A landscaped buffer zone shall be provided where the use abuts a residential zoning district in accordance with Section 33-3.56.4. E. of this UDC; and
- c. Sites shall be designed to orient vehicular headlights, lighted signage, and building lighting from intruding on nearby or adjacent residential properties.

**3. *Pedestrian access.***

- a. At least one (1) customer entrance shall provide direct access from the public sidewalk without pedestrian access through a parking lot;
- b. Pedestrian walkways are encouraged to be distinguished from driving surfaces by varied paving treatments, raised walkways, or similar treatment; and
- c. The use of landscaping is encouraged to delineate pedestrian walkways, pedestrian access to buildings, parking areas, and driveways.

**4. *Stacking lanes.*** Stacking lane shall mean an on-site waiting lane for motorized vehicles separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

- a. Stacking lanes are not allowed between the principal building and any street or adjacent to an outdoor seating or play area; and
- b. To minimize on-site conflicts and avoid blocking traffic along streets, the following provisions are required where practicable given site conditions:
  - (1) an escape lane;
  - (2) location of the starting point of the stacking lane at the rear or as close to the rear of the site as possible.

**B. *Filling, gas, or service station*** (LBCS function code 2116)

1. If the principal building contains a general sales or service use (LBCS function code 2000), the building shall be oriented to the street and have a customer entrance that provides direct access from the sidewalk;
2. Fuel pumps and canopied areas shall not be located between the principal building and the street and fuel pumps and pump islands shall be set back a minimum distance of fifteen (15) feet from any property line. After considering LURTC comments, the planning director may modify this setback by up to five (5) feet to facilitate transitions between structures, establish a more functional vehicular or pedestrian environment, or meet requirements for parking, landscaping, or clear vision area;
3. All accessory service and repair operations shall occur within a building enclosed by a roof and a wall on all sides;
4. Service bay doors shall not face any residential zoning district;
5. In accordance with the requirements of this district for building materials, a canopy shall be architecturally integrated with the principal building and all

other accessory structures on the site through the use of the same or compatible materials, colors, and roof pitch. Lighting fixtures or sources of light that are a part of the underside of the canopy shall be recessed into the underside so as not to protrude below the canopy ceiling surface more than two (2) inches.

6. Along all property lines abutting a residential zoning district, a masonry wall shall be constructed not to exceed eight (8) feet high and may be three (3) feet high extending in stepped segments from the right-of-way line to a distance and exact height to be determined during site plan review;

C. *Parking garages.* Parking garages shall comply with the applicable special zoning district standards provided in Sec. 33-3.56.4.F.Parking Structures of this UDC.

**Sec. 33-3.67.6. Development standards.**

In addition to the general development standards of this UDC, and other applicable standards of this Code, the following standards shall apply to nonresidential or mixed-use buildings.

A. *Design.*

1. *Purpose.* These standards:

- a. Provide a physical and visual connection between the interiors of buildings and the street;
- b. Enhance public safety by allowing people to survey their neighborhood from inside their places of work or eating and shopping areas;
- c. Provide a more pleasant pedestrian environment by preventing long expanses of blank facades along streets and ensuring that the main entrance for pedestrians is a prominent entrance; and
- d. Promote design of new or substantially renovated buildings that blend into the architectural framework of the neighborhood without restricting innovation or variety but rather resulting in creative solutions that will develop a satisfactory visual appearance and promote the general welfare.

2. *Building materials.* Building facades shall comply with the standards of Sec. 33-3.55.8. Building materials of this UDC.

3. *Entries.*

- a. Nonresidential buildings and nonresidential uses in a mixed-use building shall have a primary entrance oriented to the street, square, or plaza and that provides direct access to the public sidewalk without pedestrian access through a parking lot;
- b. A principal building located on a corner lot may provide a single primary entrance at the corner that is accessible to pedestrians from the public sidewalk;
- c. Entrances facing the street for a building with a front setback less than five (5) feet shall be recessed into the face of the building to a depth that permits the entry door to open and close without projecting into the public right-of-way;
- d. For a development with multiple tenants with separate entrances, each entrance shall open to a public sidewalk or to a walkway that is connected to a public sidewalk. If residential dwellings are located above the ground floor, separate street-level access is required for residential access; however, the residential and non-residential uses may share a common lobby, hallway, or similar shared space that provides separate access. For buildings with a common lobby, elevators requiring an electronic or mechanical pass code shall be considered separate ingress and egress points; and
- e. For new construction, ADA accessibility ramps and lifts shall complement the building and be visually unobtrusive, preferably constructed as interior ramps and sloped walkways.

4. *Openings.*

- a. On the ground floor, a minimum of seventy (70) percent of any street-facing building facade between the elevations of two (2) feet and ten



- (10) feet above the finished floor shall be comprised of doors or transparent windows that provide a view of the interior area within three (3) feet of the opening; and
- b. Transparent shall mean that the window is constructed of non-reflective clear or lightly tinted glass. Non-reflective opaque glass and darkly tinted glass are not considered to be transparent and are prohibited. Other applicable provisions are provided in 33-3.53.6. Openings of this UDC.
5. *Outdoor seating area.* Outdoor seating areas, plazas, or courtyards are permitted at the ground level between the building and property line provided that the area:
    - a. Does not interfere with pedestrian access or parking areas;
    - b. Is not located in a required yard that abuts a residential district;
    - c. If adjoining the public sidewalk:
      - (1) Maintains a distinct delineation between the right-of-way line and the outdoor area through the use of hardscape and architectural elements such as a masonry wall, fence, plants, or bollards, with the appropriate height, type, and other characteristics of these elements determined during site plan review;
      - (2) A nonresidential use may have its principal entrance oriented to the outdoor seating area if accessible to pedestrians from the adjoining public sidewalk;
    - d. Is constructed of a durable outdoor surface;
    - e. Shall not be wider than fifty (50) linear feet or fifty (50) percent of the development site's width, whichever is less, and not set back more than twenty-five (25) feet from the required build-to-line or setback;
    - f. An outdoor area used for dining is accessory to a restaurant or other food services establishment and is included in the calculation of parking requirements.
  6. *Awnings and canopies.* Awnings or canopies made of fabric, metal, or glass that project from the wall of a building above a ground-floor window or over an entryway are considered an architectural feature and are encouraged. Awnings or canopies shall:
    - a. Protrude from the building a minimum of five (5) feet;
    - b. If illuminated, be lit internally so that the lighting system is encased or otherwise screened from public view;
    - c. Provide a minimum of nine (9) feet of clearance between the sidewalk and the bottom of the awning or canopy. The height of awnings measured vertically from the lowest to the highest point shall not exceed four (4) feet; and
    - d. An awning or canopy may contain signage not to exceed twenty (20) square feet that shall not be included in the total attached signage allowed for the use. Under-awning and under-canopy signs are prohibited.
  7. *Franchise architecture.* The use of stock building plans, typical corporate and/or franchise designs or other designs which are easily identified with a particular chain or corporation is prohibited where this district is mapped along Metairie Road.
    - a. As part of the site plan application, the applicant shall provide drawings of the atypical corporate and/or franchise designs and color photographs of alternative national tenant buildings that have been built in other jurisdictions;
    - b. The use of colors commonly associated with the corporate franchise is prohibited on any building or architectural element. The use of such colors is allowed on business identification signs, provided all other sign requirements of this Code are adhered to;
    - c. All facades of a building shall be given equal design consideration;
    - d. Design and building materials shall be compatible with surrounding development as determined during the site plan review process; and
    - e. Designs which are unique, utilize generic building materials and

integrate them into the building design, and enhance the character of the corridor may be considered.

B. *Landscaping.*

1. *Generally.*

a. *Planting and Maintenance.* All required landscaping shall comply with the document "Landscape and Buffer Planting and Maintenance Specifications," as amended, on file with the Planning Department;

b. *Landscape Vegetation Standards.* Landscape vegetation shall meet the following standards at time of installation:

(1) Trees shall be a minimum of ten (10) feet in height, with a minimum diameter of at least one and one half (1½) inches DBH (diameter at breast height) or measured from a point four and one half (4½) feet above ground; and

(2) Shrubs shall be a minimum height of twenty four (24) inches above ground.

c. *Root Zone Protection.* Impervious surfaces shall not disturb the root zone of existing trees that are proposed to remain. As approved by the Public Works Director, permeable pavers may be used when the placement of parking or other paving conflicts with root zones.

2. *Streetscape Landscaping.* Landscaping is required in the front setback or corner side setback area of a corner lot subject to the following requirements:

a. Landscaping shall be installed to provide direction to and enhance entrances, enhance walkways and the streetscape, provide visual breaks along blank building facades, and screen mechanical equipment; and

b. Landscaping shall comprise a combination of plant materials that includes trees in accordance with Sec. 33-3.53.14 Landscaping of this UDC, if existing site conditions or development of the property render the planting of trees practicable, as determined by the Planning Director. A minimum of one (1) shrub is required for each three (3) linear feet of street frontage or fraction thereof, and one (1) tree is required for each thirty (30) linear feet of street frontage or fraction thereof, if trees are suitable for the area. Landscaping may be comprised of a combination of shrubs, perennials and ornamental grasses, in any combination, provided that at least fifty (50) percent of the total required materials are shrubs. Landscaping may be planted in groupings.

3. *Perimeter of lot adjacent to abutting property.*

a. On the perimeter(s) of the lot adjacent to a residential zoning district, a continuous, unbroken buffer yard of not less than five (5) feet in width is required, and the following elements shall be provided:

a. Along the common lot line, an opaque wood, brick, or masonry fence with a minimum height of seven (7) feet; and

b. Within the buffer yard, one (1) tree shall be planted for each thirty-five (35) linear feet or fraction thereof. Each tree shall be planted in at least twenty-five (25) square feet of planting area with a minimum width of at least five (5) feet. In addition to the required trees, the buffer yard area shall be landscaped with shrubs, ground cover, grass or other landscape material excluding paving.

b. When the vehicular use areas of two commercial uses or developments abut, a continuous, unbroken buffer yard of not less than two and one-half (2½) feet in width shall be required along the common perimeter. The buffer yard area shall be landscaped with a continuous row of shrubs with a minimum of one (1) shrub required for each three (3) linear feet of perimeter or fraction thereof, and with ground cover, grass or other landscape material excluding paving.

4. *Parking lot landscaping.*

- a. When practicable, as determined by the Planning Director, parking lots shall contain landscaped islands with a minimum of twenty-five (25) square feet in area consisting of a minimum of one (1) tree and landscaped with shrubs, groundcover, grass or other landscape material, excluding paving;
  - b. Landscaped islands may be depressed to allow for storm water runoff, as approved by the Parish Public Works Director.
5. *Screening.* All vehicular use areas shall be screened in accordance with Sec. 33-3.56.4 Off-street parking and loading of this UDC.

C. *Parking, clear vision, and service areas.*

1. *Parking location.* Parking areas, drive aisles and service areas shall be located behind the front building line or corner side building line, except that a drive aisle may extend into the setback to connect a parking area directly to the adjacent street. A parking area shall be set back at least five (5) feet from the public street right-of-way, build-to-line, or sidewalk area; if wheel stops are used, this area shall be increased to seven (7) feet to accommodate the vehicle's overhang.
- D. Development standards for Service bays/drives, Landscape Vegetation, Clear Vision, Landscaping Installation, Maintenance and Materials, Sidewalks, Lighting, and Support Buildings and Structures shall be in accordance with the applicable subsections in Sec. 40-476 Landscape and Buffer Requirements in Article XXVI. Commercial Parkway Overlay Zone of Chapter 40 Zoning of this Code.

**Sec. 33-3.67.7 Signs**

Sign regulations are the same as the underlying zoning district, except no new detached pole or roof signs are allowed. Instead of a pole sign, one (1) monument sign not exceeding ten (10) feet in height and an area of one-half (0.5) square foot per linear foot of development site frontage or fifty (50) square feet, whichever is less, is allowed. As part of a monument sign, an electronic variable message (EVM) sign is allowed under the following conditions:

- A. The development site has frontage on and the sign is oriented to traffic on a minor arterial or higher as shown on the Jefferson Parish Thoroughfare Plan;
- B. The portion of the sign that employs EVM technology shall have a maximum area of twenty-five (25) square feet or fifty (50) percent of the allowed sign area, whichever is less; and
- C. The EVM sign shall meet the applicable criteria of Article XXXVI in Chapter 40 Zoning of this Code and the underlying zoning district; and
- D. Where a conflict exists, the stricter regulations shall apply.

**Sec. 33-3.67.8 Development Approval**

- A. *Site plan review not required.* The following development or activities shall not be subject to site plan review:
  1. Single-, two-, three-, or four-family residential (LBCS Function Codes 1110, 1120, 1130, and 1140).
  2. Interior renovations;
  3. Any routine exterior maintenance as determined by the Department of Inspection and Code Enforcement, including excavation, filling, or grading;
  4. Change of use that does not increase required parking; or
  5. Sign permits for signs meeting all requirements of these standards or the underlying zoning district.
- B. *Site plan required.* Development or activities not exempt from site plan review shall be subject to a site plan demonstrating compliance with these standards, the requirements of the underlying zoning district, and any other applicable development regulations. The complete site plan application shall be reviewed and acted upon in accordance with Sec. 33-2-25 Site plan of this UDC for ministerial or ministerial/ quasi-judicial development approval, as applicable.
- C. *Additions and renovations.* Additions or exterior renovations of existing buildings shall result in greater compliance with these development standards

to the maximum extent practicable given the type and extent of the addition or exterior renovation and the constraints of the site. Existing impervious surfaces shall be removed and replaced with pervious surfaces or landscaping as determined by the planning director, where the impervious surface is not needed to meet parking or vehicular or pedestrian circulation requirements and is not completely obstructed from view of a public right-of-way by a building or gate.

D. *Variances.* Notwithstanding the provisions of the Code for variances, only the Board of Zoning Adjustments may grant variances, as stipulated in Sec. 40-792, from the applicable requirements of these standards or the underlying zoning district, with the following exceptions:

1. The BZA shall not grant a variance to the front yard or corner side yard requirements;
2. The BZA may grant variances for the percent of transparency of openings.

**SECTION 7.** That Sec.33-10.1 Definitions in Article 10. Definitions of Chapter 33 Unified Development Code of the Code of Ordinances is hereby amended by adding new definitions in alphabetical order to read as follows

**Sec.33-10.1 Definitions**

\* \* \*

*Franchise architecture* shall mean a distinct building design that is trademarked or identified with a particular franchise chain or corporation, is generic or standard in nature, or utilizes elements commonly employed by a restaurant or retail franchise wherein the building itself serves as a form of identification, that serves to enhance or promote brand identity through visual recognition.

\* \* \*

*Story* shall mean the portion of a structure, other than a basement, included between the surface of any floor and the surface of the floor above or, if there is no floor above, then the space between such floor and the ceiling above. A basement used for dwelling purposes is considered a story.

\* \* \*

**SECTION 8.** That the zoning classifications of properties zoned H-1 Medical Service District, C-1 Neighborhood Commercial, C-2 General Commercial, GO-1 General Offices, or GO-2 General Offices along Metairie Road bounded by Severn Avenue to the west and Arlington Drive to the east, all the more clearly shown on the map entitled “Proposed overlay CPZ-Ped” dated 9/21/2015, are hereby amended to add the Commercial Parkway Pedestrian Overlay district (CPZ-Ped). Where designated properties are currently overlaid with Commercial Parkway Overlay district (CPZ), the CPZ shall be replaced with CPZ-Ped.

**SECTION 9.** That the future land use classifications of properties designated as Low Intensity Commercial (LIC) and Low-Medium Density Residential (LMR) along Metairie Road bounded by Ridgelake Drive to the west and Arlington Drive to the east, all the more clearly shown on the map entitled “Proposed FLU Metairie Road from Ridgelake to Arlington” dated 9/21/2015, are hereby redesignated as Neighborhood Mixed Use (NMU).

**SECTION 10.** That the Planning Director for the Parish of Jefferson, be and is hereby directed, authorized and empowered to make any necessary and appropriate changes and amendments to the Official Zoning Map contained in Chapters 33 and 40 of the Jefferson Parish Code of Ordinances, designating the above mentioned and described property as overlaid with CPZ-Ped; and the appropriate changes and amendments to the Official Future Land Use Map contained in Chapter 25, Article VI. Comprehensive Plan of the Jefferson Parish Code of Ordinances, designating the above mentioned and described areas as reclassified to NMU.


**SECTION 11.** That the Chairman of this Council be and 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.

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

**YEAS: 7 NAYS: None ABSENT: None**

This ordinance was declared to be adopted on the 4<sup>th</sup> day of November 2015, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption, thereafter, upon signature by the Parish President or, if not signed by the Parish President, upon expiration of the time of ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED  
TO BE A TRUE & CORRECT COPY

  
EULA A. LOPEZ  
PARISH CLERK  
JEFFERSON PARISH COUNCIL