

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

**SUMMARY NO. 24755    ORDINANCE NO. 25405**

An ordinance to amend Chapter 2.5 Administrative Adjudication of Public Health, Housing, Fire Code, Environmental and Historic District Violations; Chapter 8 Buildings and Building Regulations; Chapter 19 Nuisances; Chapter 33 Unified Development Code; and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson; to consolidate, clarify, make consistent, and update requirements for landscaping and buffering and for enforcement of zoning regulations, and provide for related matters. (Parishwide)

**WHEREAS**, Ordinance No. 21939, which adopted the Comprehensive Plan on August 6, 2003, requested and authorized the Planning Department to draft and submit to the Parish Council those amendments to the Jefferson Parish Code of Ordinances, including all chapters, codes, regulations, policies, procedures, and plans, that are needed to implement and administer the Comprehensive Plan; and

**WHEREAS**, the Comprehensive Plan identified the revision of the Parish's development regulations, particularly zoning and subdivision, as essential to address the specific policies highlighted in the Plan and to resolve a wide variety of other deficiencies in code organization, procedures, standards, and definitions; and

**WHEREAS**, the Comprehensive Plan also specified that the Parish consolidate all of its development regulations into one Unified Development Code (UDC) for more efficient and effective code administration; and

**WHEREAS**, Ordinance No. 23243, adopted February 13, 2008, created an organizational structure for the Unified Development Code in Chapter 33 of the Code of Ordinances and included the following language in Article 3 Zoning, "The intent of the Parish Council is to move all of its zoning regulations to Chapter 33"; and

**WHEREAS**, Council Resolution No. 123668 adopted October 8, 2014, as extended by Council Resolution 125679 adopted September 23, 2015, as amended by Council Resolution No. 128318 adopted December 7, 2016, authorized the Planning Department to conduct a text study to clarify and update requirements for landscaping and buffering and for enforcement of zoning regulations, and provide for related matters; and

**WHEREAS**, the Parish's zoning regulations have required the planting, preservation, and/or maintenance of trees and other landscaping materials since the late 1980's along major transportation corridors and in some neighborhoods; and

**WHEREAS**, for almost thirty years, the landscaping requirements have enhanced the aesthetics, environmental quality, and economic development and redevelopment of the parish; and

**WHEREAS**, the Planning Director initiated a study on March 22, 2012, with the intent of improving the installation and maintenance of landscape materials and providing for related matters; and

**WHEREAS**, consolidating the existing landscaping and buffering regulations into the UDC will make the landscaping standards more consistent between districts and uses, allow the standards to be updated to reflect best practices, and continue the Parish's stated intent to move development regulations to a single location within the Code of Ordinances; and

**WHEREAS**, permitting and incentivizing certain aspects of low impact development will allow the Parish to begin to realize its goals related to low impact development and stormwater management; and

~~**WHEREAS**, consolidating the existing common tree preservation standards into the UDC, and clarifying and strengthening requirements for the preservation of significant trees in the corridor-oriented districts, will contribute to the beautification of commercial corridors in the Parish and continue the Parish's~~

~~stated intent to move development regulations to the UDC; and~~

**WHEREAS**, updating the regulations regarding administration, interpretation, and enforcement of the Code will improve the Parish's ability to effectively apply the landscaping and related regulations; and

**WHEREAS**, the beautification and maintenance of Jefferson Parish's commercial corridors are an important goal of the Parish, supported by the Parish's comprehensive plan and the Jefferson Parish Economic Development Commission's strategic plan, thereby promoting the public health, safety, and general welfare as well as enhancing the economic development, environmental quality, and general quality of life of the citizens of Jefferson Parish; and

**WHEREAS**, the Planning Director of this Parish has caused to be duly advertised, as prescribed by law, a public hearing in connection with these zoning text amendments under Docket No. TXT-1-17; 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 Chapter 2.5 Administrative Adjudication of Public Health, Housing, Fire Code, Environmental and Historic District Violations, Sec. 2.5-4 Authority of hearing officer, is hereby amended to add Chapters 33 and 37 to the list of chapters under the adjudication authority of the hearing officer, and to correct the name of Chapter 40, to read as follows:

\* \* \*

Chapter 32, Signs;

Chapter 33, Unified Development Code;

Chapter 34, Swimming Pools;

Chapter 36, Traffic and Motor Vehicles: Article 1, Section 36-5; and Article V, Division 3, Junked, Wrecked and Abandoned Vehicles;

Chapter 36, Traffic and Motor Vehicles: Article V, Division 3, Junked, Wrecked and Abandoned Vehicles;

Chapter 37, Vegetation;

Chapter 38, Vehicles for Hire;

Chapter 40, Comprehensive Zoning Ordinance.

**SECTION 2.** That Chapter 8 Buildings and Building Regulations, Sec. 8-2-103.1.3.1 Work not requiring a building permit, is hereby amended to add that approval by the Planning Department is required for construction of on-grade parking lots when site plan review by the Planning Department is required and to reflect updates requested by the Inspection and Code Enforcement Department, to read as follows:

Generally, a building permit shall not be required for the following, unless in the opinion of the code official, it involves a hazardous or complex condition which requires permitting and inspection:

1. interior painting, tiling, carpeting and similar finish work;
2. paving of sidewalks, driveways, or other non-structural paving on private property; however, in accordance with Chapter 29. Roads and Bridges of this Code, construction of sidewalks must be shown on plans for a building permit, construction of driveways and related paving in parish public right-of-way requires a permit from the Department of Public Works, and certain zoning districts require review and approval of paving as part of site plan review and tree preservation;
3. exterior painting when not requiring protective scaffolding over public property;
4. change of roof covering (only) and/or gutter work with respect to one- and two-family dwellings;
5. replace soffit and/or fascia (only) on all Type V construction;
6. prefabricated swimming pools accessory to a Group R, Division 3 occupancy which are less than twenty-four (24) inches (610 mm) deep;
7. vinyl siding or other non-structural exterior wall covering on one- and two-family dwellings only;

8. playhouses, swings and other similar playground equipment;
9. construction shacks or trailers on construction sites, during the time of active construction;
10. construction of on-grade parking lots, re-striping of such lots, or driveways connecting thereto; however, where a zoning base or overlay district in Chapter 33 Unified Development Code or Chapter 40 Zoning of this Code requires site plan review by the planning department, the parking lot layout including, but not limited to, required landscaping, striped parking spaces, drive aisles, and driveways must be shown on the site plan and approved as part of site plan review of a proposed development. Before commencement of work on any parking lot the department of inspection and code enforcement must approve construction on private property and the department of public works must approve work on all driveways on parish public property, except that the department of public works must review and approve certain proposed development including parking lots on private property in accordance with Chapter 14. Flood damage prevention ordinance of this Code. The state must approve work on all driveways located in state right-of-way.

**SECTION 3.** That Chapter 8 Buildings and Building Regulations, Sec. 8-4-112.6 Weeds, is hereby amended to add vegetation that is part of a stormwater management plan to the list of vegetation allowed, to read as follows:

It shall be unlawful for any person or proprietary party to maintain, permit or allow on any premises, within one hundred fifty (150) feet of an existing building, the growth of grass or weeds, other than trees, shrubs, cultivated flowers, gardens, and any vegetation that is part of an approved stormwater management plan, to exceed a height of twelve (12) inches or more, or to permit or allow on the premises the growth of any other deleterious or unhealthful vegetation. It shall be a violation and declared a nuisance if any growth of flowers, gardens, or otherwise, is allowed in an uncontrolled manner or is not regularly maintained.

**SECTION 4.** That Chapter 19 Nuisances, Sec. 19-18 Weeds, grass, other vegetation, is hereby amended to add vegetation that is part of a stormwater management plan to the list of vegetation allowed, to read as follows:

It shall be unlawful for any person or proprietary party to maintain, permit or allow on any premises, within one hundred fifty (150) feet of an existing building, the growth of grass or weeds, other than trees, shrubs, cultivated flowers, gardens, and any vegetation that is part of an approved stormwater management plan, to exceed a height of eight (8) inches or more, or to permit or allow on the premises the growth of any other deleterious or unhealthful vegetation; and, the same is hereby declared to be a nuisance. It shall be a violation if any growth of flowers, gardens or landscaping is uncontrolled or not regularly maintained.

**SECTION 5.** That Chapter 19 Nuisances, Sec. 19-21 Abatement by order of Parish, subsection (b)(2), is hereby amended to add vegetation that is part of a stormwater management plan to the list of vegetation allowed, to read as follows:

*Emergency abatement of weeds by parish.* Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this chapter, if the violation consists of weeds, grass or other vegetation exceeding fifty-four (54) inches in height on property, except any vegetation that is part of an approved stormwater management plan, the parish, through the department of inspection and code enforcement, shall post a violation notice on the property or otherwise attempt to notify the property owner. If the violation is not corrected within twenty-four (24) hours, the parish is hereby authorized to immediately cut, destroy and remove all such grass, weeds and other deleterious or unhealthy growths of vegetation, and the property owner, as shown on the latest property assessment rolls and/or conveyance records, shall be assessed the same

fee and surcharge as described in section 19-21(b)(1).

\* \* \*

**SECTION 6.** That Chapter 33 Unified Development Code, Sec. 1.12.1 Parish Council, is hereby amended to add a new responsibility for certain appeals of decisions as subsection G, and to renumber subsequent sections in alphabetical order, to read as follows:

\* \* \*

- F. Decide on certain exceptions to the requirements of this UDC;
- G. Decide on certain appeals to decisions made in relation to requirements of this UDC;
- H. Consider and adopt fees and authorize waivers to fees; and
- I. Other responsibilities assigned by State law and the Jefferson Parish Code of Ordinances.

**SECTION 7.** That Chapter 33 Unified Development Code, Sec. 1.12.7 Planning Director, subsection C, is hereby amended to add interpretation responsibilities related to site plan review, to read as follows:

Where meaning or applicability is unclear, render interpretations to provisions of this UDC related to the Comprehensive Plan, the Future Land Use Map, the Zoning Map, subdivisions, conditional use permits, site plans where required by a zoning district, landscaping standards applicable to private property, and zoning text, supplemental conditions, and development standards when applicable to a zoning district or land use that requires site plan review by the Planning Department, except those responsibilities assigned to the Public Works Director, Inspection and Code Enforcement Director, or Property Maintenance Zoning/Quality of Life Director.

**SECTION 8.** That Chapter 33 Unified Development Code, Sec. 1.12.9 Inspection and Code Enforcement Director, subsection F, is hereby amended to add interpretation responsibilities related to site plan review, to read as follows:

Where meaning or applicability is unclear, render interpretations to provisions of this UDC regarding building regulations, and zoning text, supplemental conditions, and development standards when applicable to a zoning district or land use that does not require site plan review by the Planning Department, except those responsibilities assigned to the Public Works Director, Planning Director, or Property Maintenance Zoning/Quality of Life Director.

**SECTION 9.** That Chapter 33 Unified Development Code, Sec. 33-2.25.3. Development review process, subsection A. Ministerial development approval, is hereby amended to provide for ministerial exceptions, to read as follows:

*Ministerial development approval.* Unless otherwise provided in this Code, the Planning Director shall approve the site plan if it fully complies with the criteria and standards set forth in the applicable zoning district and other applicable sections of this UDC or Chapters of this Code, or if it does not fully comply but has been granted a ministerial exception.

**SECTION 10.** That Chapter 33 Unified Development Code, Article 2 Procedures, Division 2 Zoning, is hereby amended to add Sec. 33-2.27 Ministerial exceptions, to read as follows:

**Sec. 33-2.27. Ministerial exceptions.**

- A. To facilitate flexibility in design while maintaining the health, safety, and welfare of the public, the Planning Director, upon consideration of LURTC comments, may grant ministerial exceptions, where specifically authorized by the Code, where the applicant demonstrates, through documentation based on generally accepted planning and urban design principles, that full compliance would be impracticable due to site or other physical constraints, or that an alternative approach would achieve the purposes of the standards without posing a threat to health and safety or degrading the general welfare.
- B. Where the Planning Director does not grant a ministerial exception, the applicant may appeal the decision made by the Planning Director to the Parish Council. Upon consideration of the written report of the Planning

Director, the Council shall decide the appeal by adoption of a resolution and may reverse or affirm, wholly or partly, or may modify the decision appealed as provided in the resolution.

**SECTION 11.** That Chapter 33 Unified Development Code, Sec. 33-3.51.4 Development Standards (OBM-1), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

\* \* \*

**B. *Landscaping and screening.***

1. To enhance the ambience of the neighborhood, Sec. 33-6.25 Landscaping, buffering, and screening shall apply, and the required screening shall consist of wood, brick, or masonry.

No more than fifty (50) percent of the front yard shall consist of hard surface paving or other impervious surfaces.

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

1. Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements of Chapter 40, Zoning.

For mixed or nonresidential uses, parking shall be located to the rear or side of the principal use or principal building, not to extend in front of the front building line closest to the street. Parking facilities may be allowed within a structure; however, parking garages shall not be allowed.

**SECTION 12.** That Chapter 33 Unified Development Code, Sec. 33-3.52.4 Development Standards (OBM-2), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

\* \* \*

**B. *Landscaping, buffering, and screening.***

1. Sec. 33-6.25 Landscaping, buffering, and screening shall apply, and the required screening shall consist of wood, brick, or masonry.
2. The Streetscape greenspace required by Sec. 33.-6.25.4 Standards is in addition to any landscaping within public rights of way as referenced in the Bucktown Neighborhood Plan. However, in lieu of Streetscape greenspace, the front yard may be occupied by open commercial space including outside seating areas for cafes, plazas, and other people-oriented spaces in accordance with Sec. 33-3.52.3.B.3.

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

1. Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Requirements, of Chapter 40, Zoning, of this Code.

Parking structures shall be designed to fit in architecturally with the structure and shall employ the same architectural features and finishes as utilized in the main part of the structure. Parking garages are allowed as an accessory use.

3. Parking shall be located to the rear or side of the principal use or principal building, not to extend in front of the front building line closest to the street.

**SECTION 13.** That Chapter 33 Unified Development Code, Sec. 33-3.53.12 Signs (FC-1), subsection H.3, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 14.** That Chapter 33 Unified Development Code, Sec. 33-3.53.14 Landscaping (FC-1), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- A. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

- B. Trees proposed to meet the Streetscape greenspace requirement may be located within the right-of-way in accordance with the provisions of Chapter 37 of this Code.
- C. If a ministerial exception is requested and is not approved, the property owner may provide the monetary value of the required Streetscape tree(s), as determined by the Parish Arborist. Payments in lieu of required trees shall be paid to the Parish Department of Parkways and shall be placed in an account dedicated to the planting or maintenance of trees on public property within the Fat City zoning districts.

**SECTION 15.** That Chapter 33 Unified Development Code, Sec. 33-3.54.12 Signs (FC-2), subsection H, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

*Monument.* One (1) monument sign is allowed for each development site and the sign shall not exceed twenty (20) square feet in area and eight (8) feet in height. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 16.** That Chapter 33 Unified Development Code, Sec. 33-3.54.14 Landscaping (FC-2), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- A. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.
- B. Trees proposed to meet the Streetscape greenspace requirement may be located within the right-of-way in accordance with the provisions of Chapter 37 of this Code.
- C. If a ministerial exception is requested and is not approved, the property owner may provide the monetary value of the required Streetscape tree(s), as determined by the Parish Arborist. Payments in lieu of required trees shall be paid to the Parish Department of Parkways and shall be placed in an account fund dedicated to the planting or maintenance of trees on public property within the Fat City zoning districts.

**SECTION 17.** That Chapter 33 Unified Development Code, Sec. 33-3.55.11 Signs (FC-3), subsection I.3, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 18.** That Chapter 33 Unified Development Code, Sec. 33-3.55.13 Landscaping (FC-3), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- A. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.
- B. Trees proposed to meet the Streetscape greenspace requirement may be located within the right-of-way in accordance with the provisions of Chapter 37 of this Code.
- C. If a ministerial exception is requested and is not approved, the property owner may provide the monetary value of the required Streetscape tree(s), as determined by the Parish Arborist. Payments in lieu of required trees shall be paid to the Parish Department of Parkways and shall be placed in an account fund dedicated to the planting or maintenance of trees on public property within the Fat City zoning districts.

**SECTION 19.** That Chapter 33 Unified Development Code, Sec. 33-3.56.4 Off-street parking and loading (Fat City), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, and renumber subsequent sections in alphabetical order, to read as follows:

\* \* \*

- D. *Parking location and design.* When provided on the development site, required parking shall be located behind the front building line.
  - 1. Parking lots shall be set back at least five (5) feet from the public street right of way, build to line, or pedestrian zone. If wheel stops are used,

this area shall be increased to seven (7) feet to accommodate the overhang.

2. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.
  - a. In lieu of the Parking lot perimeter street rights-of-way greenspace required by Sec. 33-6.25.4 Standards, the following may be provided:
    - (1) A wrought or cast metal fence between the heights of three (3) and one-half (3.5) feet and seven (7) feet maximum with required landscaping.
    - (2) An opaque masonry wall no higher than three and one-half (3.5) feet in height with required landscaping.
    - (3) A combination of wrought or cast metal and masonry between the heights of three and one-half (3.5) feet and seven (7) feet maximum with required landscaping. The masonry portion shall not exceed fifty percent (50%) of the overall height of the fence.
  - b. Small to medium shade trees are encouraged on provided perimeter buffer strips and interior parking islands.

E. *Parking structures.*

\* \* \*

**SECTION 20.** That Chapter 33 Unified Development Code, Sec. 33-3.56.6 Accessory or support structures and building standards (Fat City), subsection B, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Service bays and drives, trash receptacles and dumpster areas, and accessory or support buildings and structures shall not be located on the same side of the development site as residential development or structures unless the development provides the Property buffer greenspace area in compliance with Sec. 33-6.25.4. Standards.

**SECTION 21.** That Chapter 33 Unified Development Code, Sec. 33-3.58.6.3 Outdoor storage (U-1S), subsection B, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 22.** That Chapter 33 Unified Development Code, Sec. 33-3.58.6.5 Landscaping (U-1S), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-3.58.6.5. Landscaping, buffering, and screening.

- A. *Generally.* Where landscaping is required, Sec. 33-6.25 Landscaping, buffering, and screening shall apply. The Planning Director may approve alternative approaches to the design, installation, and maintenance of landscaping so long as the approach meets the purpose of this section to:
  1. Protect the health, safety, and general welfare of the public;
  2. Improve the appearance of the district;
  3. Protect public and private investment;
  4. Encourage preservation of existing trees and other significant vegetation;
  5. Reduce negative environmental effects of development while protecting and enhancing the value of developed areas and the surrounding area;
  6. Reduce soil erosion and increase infiltration in permeable land areas essential to stormwater management;
  7. Mitigate air, dust, noise, heat, chemical pollution and glare, and other adverse environmental effects of development;
  8. Reduce the heat-island effect of impervious surfaces, such as parking lots, by cooling and shading the surface area and breaking up large expanses of pavement;
  9. Screen unsightly equipment or materials from the view of persons on public streets or abutting properties; and

10. Promote innovative approaches.
- B. *Buffers*. The following additional standards shall apply in relation to the Property buffer requirement:
  1. Where adjacent to a residential district, dwelling, or institutional development, a required fence shall be an opaque wall of wood, brick, or masonry.
  2. Where two industrial properties abut or where two commercial properties abut, one of the following shall be required along the common side or rear lot lines:
    - a. A fence or wall with a minimum height of seven (7) feet and a maximum height of eight (8) feet or
    - b. A landscaped buffer area with a minimum screening height of at least six (6) feet.
  3. The Board of Zoning Adjustments shall not grant a variance to these buffer requirements for commercial or industrial development where adjacent to a residential district, dwelling, or institutional development, including the application of these requirements in other sections of this district.

**SECTION 23.** That Chapter 33 Unified Development Code, Sec. 33-3.58.7 Signs (U-1S), subsection B.1.b., is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 24.** That Chapter 33 Unified Development Code, Sec. 33-3.67.5 Specific use standards (CPZ-Ped), subsection A.2, is hereby amended to delete subsection b, and renumber subsection c, to read as follows:

- 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; and
- b. Sites shall be designed to orient vehicular headlights, lighted signage, and building lighting from intruding on nearby or adjacent residential properties.

**SECTION 25.** That Chapter 33 Unified Development Code, Sec. 33-3.67.6. Development standards (CPZ-Ped), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening and ~~Sec. 33-6.27 Tree preservation~~, to read as follows:

\* \* \*

- B. *Landscaping*. 4. —Sec. 33-6.25 Landscaping, buffering, and screening shall apply. In lieu of the Parking lot perimeter street rights-of-way greenspace required by Sec. 33-6.25.4 Standards, the following may be provided:
  - a1. A wrought or cast metal fence between the heights of three (3) and one-half (3.5) feet and seven (7) feet maximum with required landscaping.
  - b2. An opaque masonry wall no higher than three and one-half (3.5) feet in height with required landscaping.
  - c3. A combination of wrought or cast metal and masonry between the heights of three and one-half (3.5) feet and seven (7) feet maximum with required landscaping. The masonry portion shall not exceed fifty percent (50%) of the overall height of the fence.
- ~~2. Preservation of protected trees is required in accordance with Sec. 33-6.27. Tree preservation of this UDC and subject to the following:
 
  - a. ~~Preservation areas.~~ Streetscape, property buffers, and the buildable area shall be considered preservation areas; however, in the buildable area, only Live Oak trees with a minimum dbh of thirty (30) inches shall be preserved where parking lot landscaping is required.
  - b. ~~Tree preservation not required.~~ Where a lot, or two or more contiguous lots under single ownership, is at least ten (10) acres in~~



~~size, preservation of protected trees is not required. For this purpose, the lot(s) may contain leased portions.~~

\* \* \*

- D. Development standards for Service bays/drives, Clear Vision, 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.

**SECTION 26.** That Chapter 33 Unified Development Code, Sec. 33-3.67.8 Development Approval (CPZ-Ped), subsection C, is hereby amended to remove the requirement related to existing impervious surfaces, to read as follows:

*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.

**SECTION 27.** That Chapter 33 Unified Development Code, Sec. 33-3.69.5 Dimensional standards (FOD), is hereby amended to correct the reference to Sec. 33-3.58.6.5, to read as follows:

The dimensional standards of the underlying zoning district shall apply, except that minimum setbacks required to provide landscaping and buffering shall be those requirements of the Unrestricted Suburban District, Sec. 33-3.58.6.5. Landscaping, buffering, and screening of this UDC.

**SECTION 28.** That Chapter 33 Unified Development Code, Sec. 33-3.69.6 Development standards (FOD), is hereby amended to correct a section reference and ~~to clarify when tree preservation is not required~~, to read as follows:

- A. The development standards of the Unrestricted Suburban District, Sec. 33-3.58.6. and in Article 6, General development standards of this UDC shall apply.
- B. ~~Tree preservation. Preservation of protected trees is not required for an application subject to the FOD development standards. In the event of a conflict between this FOD provision and the tree preservation requirement of a base zoning district, this FOD provision that does not require tree preservation shall apply.~~

**SECTION 29.** That Chapter 33 Unified Development Code, Sec. 33-3.69.8 Stormwater management (FOD), is hereby amended to reference the requirements of Sec. 33-6.26. Low impact development, to read as follows:

Supplemental to stormwater management provisions in Sec. 33-7.4. Stormwater and Sec. 33-6.26. Low impact development\_ of this UDC, applications for subdivision plat or site plan approval are encouraged to provide an analysis of integrated, low-impact stormwater management design that uses green infrastructure as described in the Fairfield strategic plan to minimize the impact of development on the existing drainage system, reduce flooding, subsidence, and infrastructure costs over time, enhance water and air quality, and provide neighborhood amenities such as water features and greenways.

**SECTION 30.** That Chapter 33 Unified Development Code, Sec. 33-5.3.7 **Gaming establishment (includes LBCS function codes 1340 and 5330)**, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

\* \* \*

- F. *Landscape, buffer and general design standards.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.
  - G. *Submittal requirements:*
    - 1. In addition to the requirements stated above, the following shall also be submitted:
- \* \* \*

- b. A landscaping plan in accordance with Sec. 33-6.25.7. To reduce the number of submittals, the landscaping plan may be added to the basic site plan noted above.

\* \* \*

**SECTION 31.** That Chapter 33 Unified Development Code, Sec. 33-5.3.10. **Off-Track Wagering**, subsection B, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The facility shall be subject to the regulations and requirements of this Code for height, yards, signs, off-street parking, clear vision area, and loading; and to Sec. 33-6.25 Landscaping, buffering, and screening. Only the Parish Council may grant variances to these development regulations and requirements. If the site is overlaid with the Commercial Parkway Overlay Zone (CPZ), the MUCD standards shall prevail for general design, and the stricter of the CPZ or the underlying zoning shall prevail for all other standards.

**SECTION 32.** That Chapter 33 Unified Development Code, Sec. 33-5.3.16 Truck stops, subsection D, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 33.** That Chapter 33 Unified Development Code, Sec. 33-5.3.18 Veterinary clinics and animal hospitals, subsection H, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 34.** That Chapter 33 Unified Development Code, Sec. 33-5.21.4 Development standards (Mid-rise to high-rise building), subsection J, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

J. *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 35.** That Chapter 33 Unified Development Code, Article 6 General Development Standards, Division 3. Greenspace (Landscaping, Buffering and Screening, Tree Preservation), is hereby amended to replace Sec. 33-6.25 Landscaping buffering and screening (reserved) and subsections Sec. 33-6.25.1 through Sec. 33-6.25.8 with Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

**Sec. 33-6.25. Landscaping, buffering, and screening.**

**Sec. 33-6.25.1. Purpose.**

These landscaping, buffering, and screening requirements are designed to:

- A. Promote and protect the health, safety, and general welfare by creating an environment that is aesthetically pleasing, alleviates the effects of climate, and promotes economic development through an enhanced quality of life;
- B. Reduce the negative environmental effects of development while enhancing and protecting property values and public and private investments;
- C. Promote walkable, pedestrian-scale streetscapes;
- D. Increase infiltration in permeable land areas essential to stormwater management, groundwater recharge, and subsidence reduction;
- E. Mitigate air, dust, noise, heat, glare, chemical pollution, and other adverse environmental effects through the biological filtering capacities of trees and other vegetation;
- F. Reduce the heat-island effect of impervious surfaces, such as parking lots, by cooling and shading the surface area and breaking up large expanses of pavement;
- G. Encourage preservation of existing significant trees and incorporate native plants and ecosystems into landscape design;

- H. Ensure composition of all plant material includes species indigenous or acclimated to the growing conditions and climate of South Louisiana, has adequate growing space, sufficient soil volume and is installed in a sound manner to sustain overall health and longevity which reduces replacement costs for property owners;
- I. Encourage routine maintenance of plant materials that result in healthy, mature vegetation that enhances the tree canopy and natural vegetation;
- J. Screen unsightly equipment or materials from the view of persons on public streets or abutting properties and buffer between land uses that differ in density or intensity; and
- K. Establish street trees and streetscape designs throughout Jefferson Parish to promote a favorable character and identity.

**Sec. 33-6.25.2. Generally.**

- A. *Interpretation of terms.* Where necessary to interpret the precise meaning of terms used in this division, the following rules shall apply:
  - 1. For technical landscaping terms, the latest edition of *American Standard for Nursery Stock*, which is incorporated by reference, shall apply.
  - 2. For terms referencing use or development, the following categories shall apply:
    - a. Residential uses or development shall mean land, buildings, or structures devoted primarily to residential use, including LBCS function codes 1100 and 1200. Residential districts shall mean: Suburban S-1, Single-family residential R-1A, Suburban Residential R-1B, Rural Residential R-1C, Rural Residential R-1D, Manufacture Home R-1MH, Two-family Residential R-2, Three- and Four-family Residential RR-3, Townhouses R-1TH, and Multiple-family Residential R-3;
    - b. Institutional uses or development shall mean land, buildings, or structures devoted primarily to institutional uses, including LBCS function code 6000;
    - c. Commercial uses or development shall mean land, buildings, or structures devoted primarily to commercial use, including LBCS function codes 1300, 2000, 4170, 4200, and 5000; and
    - d. Industrial uses or development shall mean land, buildings, or structures devoted primarily to industrial use, including LBCS function code 3000; 4000, excluding 4170, 4200, and 4300 except public infrastructure or utility services such as electric power, natural gas, water supply, and sewage removal; 7000; 8000; and 9000, except for noncommercial agriculture, forestry, fishing, and hunting.
- B. *Expansion.* When a development site or parking lot is enlarged, the requirements of Sec. 33-6.25. Landscaping, buffering, and screening, shall apply on an incremental basis, which means that a landscaping and buffering requirement is applied to the enlargement, or in the case where a requirement is calculated as a percentage of the overall site, is applied in the same proportion that the enlarged site or lot area has to the existing development.
- C. *Appendix.* The List of Approved Plant Materials, classes of trees, and other specifications for landscaping and buffering shall apply and is included in the Landscape and Buffer Planting and Maintenance Specifications in the Appendix of this UDC, which is available by hard or electronic copy from the Planning Department.

**Sec. 33-6.25.3. Character.**

- A. *Purpose.* These requirements are intended to promote the overall character of the parish and the specific character of a corridor, district, or neighborhood. As Jefferson Parish strategically guides development and redevelopment, it recognizes that traditional and suburban patterns reflect the established or desired character of its built environment, and that these patterns have distinct characteristics that affect greenspace. To promote site-appropriate landscaping and the proper location, selection,

installation, and maintenance of plant materials, the standards of this division are organized by development character where appropriate.

- B. *Interpretation. Table 33-6.25.3-1. Base and Overlay Zoning Districts Requiring Greenspace Areas* distinguishes the base and overlay zoning districts that require landscaping by two development patterns: traditional or suburban character.
1. A “T” indicates traditional character: mixed uses, narrow streets, and shallow setbacks that promote pedestrian activity, street-level shopping, and on-street, structured, or rear- or side-facing parking that is behind the front building line. Where a district is marked as “T,” traditional standards apply.
  2. An “S” indicates suburban character: homogeneous uses, wide streets, and deep setbacks that emphasize vehicular activity, shopping malls and strip centers, and off-street, surface, or front-facing parking that is street-side of the front building line. Where a district is marked as “S,” suburban standards apply.
  3. A “T/S” indicates mixed traditional and suburban character. Where a district is marked as “T/S,” either traditional character is required or suburban character is allowed, depending on the development type.
  4. Where uncertainty exists regarding the established or desired character, the Planning Director shall determine the appropriate standard based on the development type or pattern, existing or future land use, or other site or neighborhood conditions.
  5. Nothing in this division prevents the use of traditional standards where a district does not require traditional character. Traditional and suburban are relative terms. A corridor, district, or neighborhood may exhibit elements of both characters.

**Sec. 33-6.25.4. Applicability.**

- A. The requirements of this section apply to the base and overlay zoning districts listed in Table 33-6.25.4-1, Base and Overlay Zoning Districts Requiring Greenspace Areas, and to the uses listed in Table 33-6.25.4-2. Uses or Development Patterns Requiring Greenspace Areas when specifically required by a zoning district.
- B. *Exemptions.* The requirements of Sec. 33-6.25. Landscaping, buffering, and screening do not apply to single-family residential (LBCS function code 1110), two-family residential (LBCS function code 1120), three-family residential (LBCS function code 1130), or four-family residential (LBCS function code 1140) dwelling.

**Table 33-6.25.4-1. Base and Overlay Zoning Districts Requiring Greenspace Areas.**

Zoning District	Character
CPZ	S
CPZ-Ped	T
FC-1	T
FC-2	T
FC-3	T
FOD	T/S
GED	S
MUCD	S
OBM-1	T
OBM-2	T
U-1S	T/S

**Table 33-6.25.4-2. Uses or Development Patterns Requiring Greenspace Areas.**

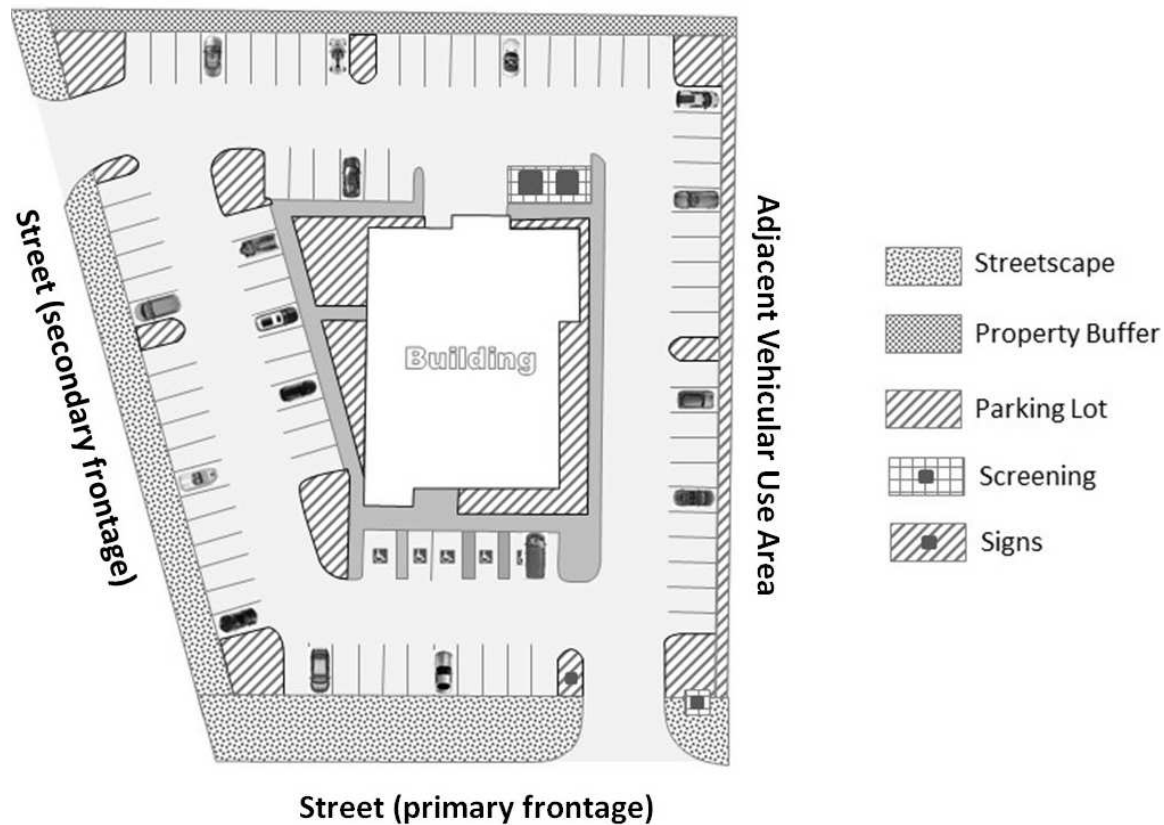
Use (LBCS)	Character
Animal Hospitals (2418)	S
Clubs or Churches (6830, 5340, 6600)	S
Elderly Housing and Assisted Living (1200)	S
Gaming Establishment (1340, 5330)	S
Health and Athletic Clubs (5370)	S
Hotels and Motels (1330)	S
Mid-rise to high-rise buildings	S
Nonresidential development sites and campuses	S
Off-Track Wagering (5330)	S
Stadiums and athletic fields (5120)	S
Truck stops (2118)	S

**Sec. 33-6.25.5. Greenspace standards.**

**A. Generally.**

1. Greenspace areas include streetscape, property buffers, parking lots, screening, and signs, as shown in Figure 33-6.25.5-1, Landscape Areas. Greenspace also encompasses significant trees preserved as a component of green areas or the tree canopy of a corridor or neighborhood, in accordance with Sec. 33-6.27. Tree Preservation of this division.
2. The amounts of plant materials required by this section are minimum amounts. More than the minimum amount of any plant material may be approved, as long as overcrowding at maturity will not occur and jeopardize the health and longevity of required landscaping.

**Figure 33-6.25.5-1. Landscape Areas.**  
**Adjacent Residential**



- B. *Streetscape*. Streetscape landscaping is located along street rights-of-way and intended to enhance the streetscape, define entrances and walkways, provide visual breaks along blank building facades, and screen mechanical equipment and similar appurtenances.
1. *Plant materials*. Each streetscape landscape area shall be planted with trees, shrubs, and grass or other groundcover in accordance with the following requirements:
    - a. *Trees*.
      - i. Traditional (T) character: One (1) Class A tree per every thirty (30) linear feet, or fraction thereof, of street frontage is required, except that the Parish Landscape Architect may approve multiple Class B or Class C trees as substitute if the depth of the streetscape landscape area will not accommodate one or more Class A trees.
      - ii. Suburban (S) character: One (1) Class A tree per every fifty (50) linear feet, or fraction thereof, of street frontage is required.
    - b. *Shrubs*. One (1) shrub per every three (3) linear feet of street frontage is required, except that perennials may substitute for no more than fifty (50) percent of the required shrubs.
  2. *Planting area*. The width or depth of the area planted with streetscape landscaping shall be in accordance with the dimensional, setback, or area standards established in the applicable base or overlay zoning district.
  3. *Retaining walls*. Where a retaining wall is required in accordance with *Sec. 8-3-111. Lot grade rules and regulations* of this Code, or where a retaining wall is provided, a hedge is required along the base of the wall on any street-facing side. Where a hedge is not practical due to site constraints, the street-facing surface of the retaining wall shall be finished with stucco, masonry, stone, or similar decorative material that enhances the plain concrete or plain concrete block.
  4. *Use of right-of-way*. Streetscape landscaping may be located in the public right-of-way if approved by the Public Works Director. Use of public right-of-way to meet required streetscape landscaping shall be in accordance with applicable district standards and *Sec. 29-6. Right-of-way obstruction* of this Code, and may require a parish lease of right-of-way. State-owned rights-of-way may not be used to meet the streetscape landscaping requirements of this section.
- 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.
1. *Applicability and types*. There are four types of property buffers based on district character, use, and adjacent uses or districts. *Table 33-6.25.5-2, Property Buffer Requirements by Use* establishes property buffers required for each use or zoning district, by character if applicable. The “adjacent use or zoning district” is not required to provide the buffer. Where the adjacent lot or development site contains a mixed use or is mapped with more than one zoning district, the buffer requirement associated with the most intense adjacent use or district shall apply.
  2. *Table 33-6.25.5-3, Property Requirements by Type* establishes the minimum depth, number of trees and shrubs, and fencing required for each type of buffer.
  3. *Prohibited uses*. No active recreation area, storage of materials, impervious surface, vehicular use area including parking areas, or structures, except for necessary utility boxes and equipment, shall be located within the buffer area. The property buffer may be included in the required building setback.
  4. *Fences*. Fences required as part of a property buffer shall comply with the requirements of *Sec. 33-6.12, 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.

Table 33-6.25.5-2. Property Buffer Requirements by Use.

Use or Zoning District	ADJACENT USE OR ZONING DISTRICT				
	Residential		Institutional	Commercial	Industrial
	1-4 family	5+ family			
Residential					
1-4 family dwelling	----	----	----	----	----
5+ family dwelling	A	A	A	----	----
Institutional	A	A	A	----	----
Commercial or Mixed-Use (T)	A	A	A	----	----
Commercial or Mixed-Use (S)	B	B	B	----	----
Industrial	D	D	D	C	----

A dash (“----”) means that the buffer is not required. For A, B, C, and D, see buffer type designations in Table 33-6.25.5-3.

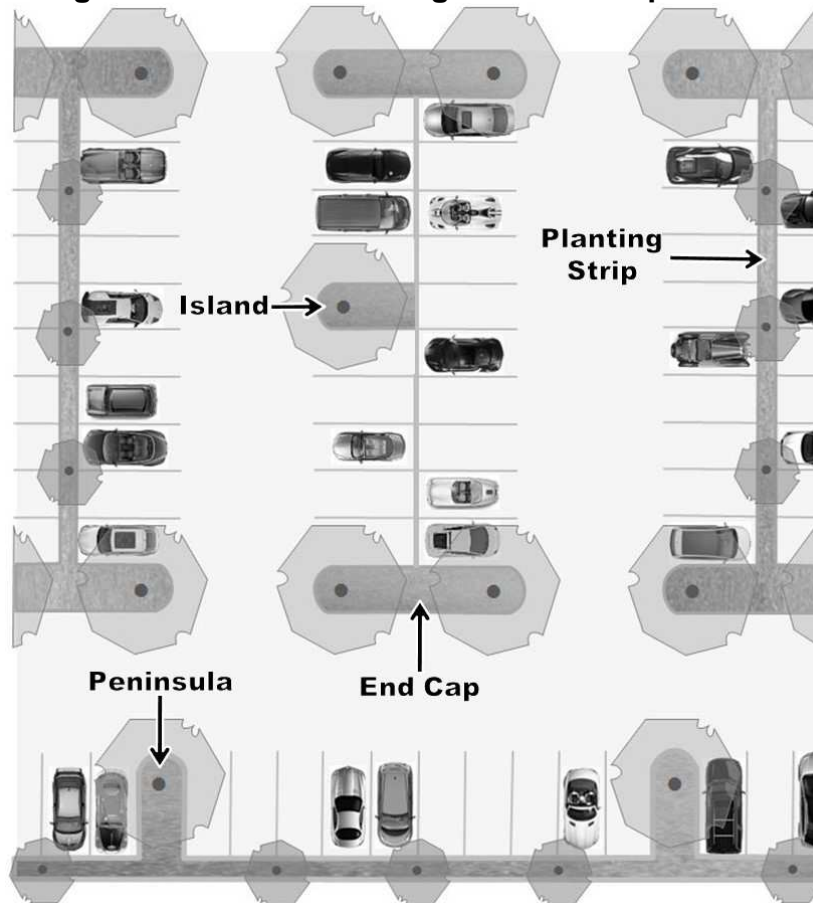
Table 33-6.25.5-3. Property Buffer Requirements by Type.

Type	Minimum Depth (ft.)	Minimum Number of Class A Trees per linear foot	Shrubs	Fence (F)
A	5	1 per 35	Shall form a living fence	F
B	10			F
C	20			----
D	30			F

A dash (“----”) means that the fence is not required.

D. *Parking lot.* Parking lots and other vehicular use areas shall contain landscaped planting areas in accordance with the following requirements (Figure 33-6.25.5-2). A “parking lot” does not include an area used exclusively for the display of motor vehicles for sale as part of an automobile or vehicle dealership.

**Figure 33-6.25.5-2. Parking Lot Landscape Areas.**



1. *Perimeter.* The following landscaping is required in continuous areas along the perimeter of parking lots and other vehicular use areas:
  - a. *Street rights-of-way.* In accordance with the Streetscape requirements of this section, shrubs that form a living fence at maturity shall be planted along the street-facing perimeter of a parking lot or drive aisle to screen vehicles from view of the street right-of-way.
  - b. *Vehicular use areas.* Where vehicular use areas on different development sites abut, a minimum five-(5-) foot continuous buffer with one (1) Class A tree per every thirty-five (35) linear feet, or portion thereof, plus a living fence, grass, or other groundcover, shall be provided between the abutting vehicular use areas.
2. *Interior.*
  - a. For Traditional (T) character, parking lots are generally situated away from street rights-of-way and complement walkability. To facilitate traditional site design, the Planning Director may not require some or all of the interior lot landscape areas, depending on the size and functionality of the parking lot.
  - b. No interior landscape areas are required for parking lots consisting of less than ten (10) parking spaces.
  - c. Parking lots consisting of ten (10) or more parking spaces shall provide interior landscape areas in accordance with the following requirements:
    - i. A minimum of one (1) island or peninsula is required for every ten (10) contiguous parking spaces or fraction thereof;
    - ii. An endcap is required at the end of each row of parking spaces;
    - iii. Each island, peninsula, or endcap shall be a minimum of five (5) feet in width excluding curb;
    - iv. Each island, peninsula, or endcap shall contain a minimum of one (1) Class A tree plus shrubs, grass, or other groundcover;
    - v. A planting strip shall be provided with a minimum width of five (5) feet for every two (2) parking aisles; the planting strip shall contain a minimum of one (1) Class A tree for every ten (10) parking spaces or fraction thereof plus shrubs, grass, or other



groundcover;

- vi. Interior lot landscaping shall be a minimum of ten percent (10%) of site area not dedicated to required property buffers, streetscape landscaping, or buildings.

- d. On any building side facing the interior of a parking lot, except those sides with pedestrian access to the building, openings for windows or overhead loading-area doors, or motor vehicle bays, shall be planted with landscaping that provides visual breaks along the blank building facade. The landscaping shall abut the building and be comprised of trees, shrubs, or ornamental plants in any combination, provided that at least fifty (50) percent of the total required plant materials is shrubs.

E. *Screening.*

- 1. Off-street loading spaces, refuse and outdoor storage areas, antennas, satellite dishes, and mechanical equipment within a street-facing yard shall be screened from view from the street right-of-way;
- 2. Unless otherwise provided in this Code, the screening shall be a minimum of seven (7) feet in height or a height sufficient to obscure the area or equipment requiring the screening, whichever is less;
- 3. Except as required in *Sec. 16-4. Solid waste storage, (d) Bulk waste containers, in Chapter 16, Garbage and Other Solid Waste*, of this Code, screening shall be provided by an opaque fence, living fence, berm, or any combination thereof. The plants shall be a minimum of seven (7) feet in height at time of installation and planted three (3) feet on center. All plant materials used as screening shall be evergreen.

F. *Signs.* The following landscaping requirements shall apply to the area around the base of any pole sign, monument sign, or menu board that is permanently affixed to the ground:

- 1. The sign shall be located in a landscaped planting bed providing a minimum width of two (2) feet around the base of the sign and a minimum area of sixty (60) square feet;
- 2. Landscaping shall be comprised of trees, shrubs, or ornamental plants, including perennials, in any combination, provided that at least fifty (50) percent of the total required plant materials are shrubs.

**Sec. 33-6.25.6. Acceptable landscape materials and planting practices.**

A. *General standards.*

- 1. All landscaping shall be installed in a sound manner and in accordance with accepted standards of the *Louisiana Nurseryman's Manual for the Environmental Horticulture Industry*, latest edition, which is incorporated herein by reference.
- 2. Where the base or overlay district requires tree preservation, all existing trees to be preserved shall be protected during construction in accordance with Sec. 33-6.27. Tree preservation of this division.
- 3. Plant material shall be true to name, variety, and size and conform to all applicable provisions of the *American Standard for Nursery Stock*, latest edition.
- 4. Where palm trees are allowed, they shall be only cold hardy species acclimated to growing in south Louisiana and are subject to the following additional standards:
  - a. All palms must have a minimum trunk height of twelve (12) feet at installation, measured from the ground line at the top of the root ball to the base of the heart leaf;
  - b. Every two (2) approved palm trees shall equal one (1) tree credit and no credit will be given for Queen Palm or other species of Zone 10 palms.
- 5. Existing preserved, protected and healthy trees may be credited towards the landscape requirements of this section in accordance with subsection E. Credit below.

- Each tree shall have a minimum planting area of one hundred (100) square feet and shall be planted at least thirty (30) inches from the edge of any paved surface.
- Where a living fence or hedge row is planted in a setback that is between five (5) feet and seven (7) feet, each parking space abutting the hedge row shall include a wheel stop. The center of each shrub shall be planted at least three (3) feet from the curb or edge of pavement.
- The groundcover required in each landscape area shall form a solid mat or cover the ground within two (2) years of installation. Where grass is provided as groundcover, sod is required.
- Mulch, a minimum depth of three (3) inches, shall be provided within the root zone of trees and shrubs at the time of planting. Mulch must be kept from direct contact with tree trunks and shrub stems. The use of cypress mulch and impervious weed barriers is prohibited.

**B. Class.**

- Class B and Class C trees may be used only to meet landscaping requirements where the Planning Director determines that special site conditions do not support planting of Class A trees.
- Where the applicant has the option of Class A, Class B, or Class C trees to meet a requirement, a minimum of fifty (50) percent of the site’s required trees shall be Class A trees.
- Where Class B or Class C trees are used in place of Class A trees or existing trees are used to meet the requirements of this section in accordance with subsection E. Credit below, the ratios in Table 33-6.25.6-1, Tree Ratio by Class, shall apply.

**Table 33-6.25.6-1. Tree Ratio by Class.**

Tree Type	Ratio of Required Trees by Class
Class A	One (1) tree = one (1) Class A tree
Class B	Two (2) trees = one (1) Class A tree
Class C	Two (2) trees = one (1) Class A tree

**C. Species.**

- The List of Approved Plant Materials (List) is established and defines the species of trees and shrubs that are allowed to satisfy the landscape and buffer requirements of this section.
- As reflected in the List, all required landscaping shall be comprised of plant materials that are indigenous or acclimated to the growing conditions and climate of South Louisiana.
- New horticultural varieties, cultivars, and species are introduced continuously into the nursery industry, and trees not included in the List may exist in a neighborhood and provide significant tree canopy as well as contribute to neighborhood character. Jefferson Parish encourages consideration of alternate cultivars and species to promote diversity in its urban forest, match existing tree canopy, or maintain neighborhood character. For these purposes, the Planning Director may make exceptions to the List.
- Any plant material that is listed as prohibited on the List and is proposed to remain or be planted on the site shall not count toward meeting the landscaping requirement. Artificial plant materials and invasive exotic species shall not be used to satisfy the requirements of this section.

**D. Diversity.** Design objectives should be balanced with the need for biological and species diversity. Disease and pest problems that potentially devastate a species make the planting of monocultures undesirable. The following species diversity requirements shall apply based on the number of trees required for the site:

- Development with less than six (6) required trees: No diversity requirement;

2. Development with between six (6) and forty (40) required trees: No single species shall comprise more than thirty-five (35) percent of the total number of trees required;
  3. Development with more than forty (40) required trees: No single species shall comprise more than twenty (20) percent of the total number of trees required.
- E. *Credit*. In order to encourage the preservation of existing healthy trees, the applicant may receive credit for an existing healthy tree that is preserved and protected, in accordance with the ratios utilized to calculate credit in Table 33-6.25.6-1.
1. *Tree Credit Standard*. Existing preserved, protected, and healthy trees may be credited towards the landscape requirements of this section in accordance with Table 33-6.25.6-2 Tree Credit Standard. Trees on the prohibited list and exotic invasive species will receive no credit.

**Table 33-6.25.6-2. Tree Credit Standard.**

Existing Trunk Diameter (DBH) of Preserved Tree(s)	Number of Tree credits
Each 6 inches or part thereof above 3 inches	1 (equals 1 Class A tree)

2. In all applicable zoning districts, credit may be applied toward the tree planting requirements of this section by the preservation of existing trees within “Property Buffer”, “Streetscape”, and “Parking Lot” landscape areas and other areas of the site left undisturbed by construction.
  3. Trees preserved in each landscape area shall be credited towards the tree planting requirements of the corresponding landscape area.
  4. As determined by the Planning Director, existing or natural vegetation may be used to meet the requirements for a landscape planting area if it provides equivalent planting units, or in the case of a buffer, provides complete screening from the abutting property.
- F. *Size and spacing*.
1. When they are installed, required plant materials shall comply with the minimum size requirements of Table 33-6.25.6-3 Minimum Size and Spacing at Time of Installation.
  2. Plant height shall be calculated using the following measurements:
    - a. Shrub: From the average grade level of the immediate planting area to the top horizontal plane of the shrub;
    - b. Single-trunk tree: From six (6) inches above grade level to the top horizontal plane of the tree, except acceptable palms which shall be measured from the ground line at the top of the root ball to the base of the heart leaf; or
    - c. Multi-trunk tree: From the average grade level of the immediate planting area to the top horizontal plane of the tree.

**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

<b>Groundcovers (except turf grass)</b>	2.5 gallon	N/A	0.5
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3. Spacing requirements are measured as an average of the number of required plant materials by the length of the street frontage or lot line, as applicable. In no instance shall the distance between trees required as streetscape or property buffer landscaping exceed one hundred (100) feet on center.
4. Trees required as streetscape or property buffer landscaping shall be planted in an even, linear spacing. Where the Planning Director grants a ministerial exception to spacing or alignment, one or both of the following planting installation methods shall be used:
  - a. Trees shall be planted in raised planters set at the required spacing and with the following minimum specifications for each planter: height of thirty-six (36) inches from top of curb; area of one hundred (100) square feet; and width of ten (10) feet;
  - b. Trees shall be planted in the ground directly adjacent to the required landscape area or servitude to the maximum extent practicable, provided that adequate tree spacing occurs to provide extended tree canopy while maintaining the health of the trees. Where concrete abuts the landscape area or servitude, landscape islands or planting diamonds shall be used along the edge to provide the required spacing of trees.
5. Where lines exist or are proposed for utilities or public infrastructure, whether overhead or underground, the exact type, size, or location of trees shall be determined during site plan review.

**Sec. 33-6.25.7. Site design and grading.**

- A. *Grading.* If substantial sanitary fill or a retaining wall is needed to meet the lot grade requirements of Sec. 8-3-111. Lot grade rules and regulations in Division 2. Zoning restrictions, Article I. General of Chapter 8. Buildings and building regulations of this Code, the Planning Director may require the applicant to submit a certified grading plan in lieu of spot elevations and drainage information only, to ensure that the overall site design, specific location of greenspace and other areas, and placement of plant material are feasible. The grading plan, as certified by a Louisiana registered civil engineer or land surveyor, shall supplement the grade certificate required in Sec. 14-5.1. General standards, Article V. (14.5) Provisions for flood hazard reduction of Chapter 14. Flood damage prevention ordinance of this Code.
- B. *Existing development.* Where a base or overlay zoning district requires existing development to meet requirements to the maximum extent practicable, impervious surface not needed to satisfy requirements for off-street parking, drive aisles or driveways, loading and service areas, or pedestrian circulation shall be removed and replaced with landscaping to satisfy some or all of the landscaping requirements of this section. The Planning Director shall determine the extent of surface removal and type of landscaping needed to meet this requirement subject to site conditions and site plan requirements.

**Sec. 33-6.25.8. Maintenance.**

- A. *Landscape and buffer.* Landscape materials depicted on landscape plans approved by the Parish are required development plan elements in the same manner as structures, parking, and other improvements.
  1. The owner, tenant, or their agent, if any, shall be jointly and severally responsible for the maintenance, repair, and replacement of all required landscape materials, fences, steps, retaining walls, and similar landscape elements over the entire life of the development.
  2. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year.

3. Plant materials which die shall be replaced with similar healthy plant materials at the first available, optimal time for planting.
  4. Landscape areas within site triangles shall be maintained in an appropriate manner to ensure that no plant material obstructs cross-visibility above three (3) feet or below six (6) feet from the street or accessway grade.
  5. All landscaping shall be maintained in a neat and orderly manner at all times; maintenance shall include mowing, edging, pruning, fertilizing, watering, weeding, mulching, and similar activities common to the maintenance of landscaping.
  6. Landscaped areas shall be kept free of trash, litter, weeds, and similar materials or plants not part of the landscaping.
  7. The placement of barrier curbs or wheel stops is required to protect all landscaped areas from vehicular damage. Breaks in barrier curbs are encouraged to assist with stormwater management so long as the barrier curb still provides protection of the landscaped area.
- B. *Pruning and trimming.* All plant materials planted to satisfy the landscape and buffer requirements of this UDC and Chapter 40 of this Code and noted on an approved landscape plan are subject to the following pruning and trimming standards:
1. Trees shall attain their normal and mature size and shall not be severely pruned, topped, or “hatracked” in order to permanently maintain growth at a reduced height or spread. Trees may be periodically thinned in order to reduce leaf mass in preparation for tropical storms.
  2. Shrubs shall not be trimmed in unnatural, topiary-style shapes and shall attain their normal and mature size or a minimum height of two (2) feet for a hedge in a perimeter buffer abutting non-residential uses.
  3. All pruning, trimming, and maintenance of trees and shrubs shall be performed in accordance with the most current version of the *ANSI/A300 Tree Care Operations: Standard Practices for Tree, Shrub and Other Woody Plant Maintenance*.
- C. *Irrigation.* A permanent in-ground automated and operable irrigation system shall be installed for all required plant materials and grassed areas.

**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:

- A. Notes and graphics on the plan shall illustrate:
1. Location of sight triangles;
  2. Spot elevations showing height from proposed grade to top of all retaining walls, curbs, steps and any grade changes;
  3. Location, name, size, quantity, and condition of all existing plant materials, with indication of plant materials to be retained and removed;
  4. Location and complete plant schedule of materials to be planted on site, including name (botanical and common), size, and quantity;
  5. Landscape and buffer maintenance notation; and
  6. Tree protection plan, where applicable, in accordance with Sec. 33-6.26, Tree preservation.
- B. Preparation and certification of the plan is required by one of the following professionals:
1. Louisiana licensed landscape architect who shall sign the plan and affix his or her official seal on the plan; or
  2. Louisiana licensed landscape horticulturalist who shall sign the plan and print his or her name and Louisiana license number on the plan.
- C. All landscape plans shall be prepared in accordance with the Louisiana Revised Statutes and Administrative Code and rules and regulations of

the Louisiana Horticulture Commission.

**D. *Irrigation plan.***

1. Where required, the irrigation plan shall be drawn and certified by a Louisiana licensed landscape architect or irrigation contractor in accordance with the Louisiana Revised Statutes and Administrative Code and rules and regulations of the Louisiana Horticulture Commission.
2. The irrigation plan shall bear the name of the preparer along with the official seal of the landscape architect or the irrigation license number, as applicable. Submitted with and as part of the landscape plan, the irrigation plan must be twenty-four (24) inches by thirty-six (36) inches, drawn to scale, and include an indication of dimensions and specifications of all irrigation components to be installed including the location and type of all valves, heads, sleeving, controller, backflow preventer, water source connection, main line, and lateral piping.

**Sec. 33-6.25.10. Ministerial exceptions.**

The Planning Director is authorized to approve ministerial exceptions to the following greenspace requirements when strict application of this section would result in practical difficulties or a particular hardship to a property owner due to unique conditions of a property, or when flexible application of this division would result in improved design or environmental quality while maintaining the safety, health, and welfare of the public. The applicant shall submit a written request and reasons for any of the following exceptions with the application for site plan review.

- A. A permanent in-ground automated and operable irrigation system due to restrictions of the site or where a stormwater management plan has been approved by the Public Works Director;
- B. Spacing, alignment, or class of trees due to the location of utilities or public infrastructure, structural footings, required clear vision or sight distance, or existing trees or structures that are proposed to remain on-site or in any adjacent public right-of-way;
- C. To more efficiently accommodate required parking or internal circulation, the following exceptions may be granted:
  1. The depth of a streetscape landscape area or the width of a buffer between properties or between parking lots or drive aisles, provided that at least one-half (1/2) of the required streetscape depth or buffer width is maintained and extends greater in some areas so that the average depth or width of the entire area or buffer is equal to the required streetscape depth or buffer width;
  2. The substitution of typical landscape islands or planting strips in a parking lot with planting diamonds, provided that the minimum number of required interior trees or percentage of landscape area is not reduced.
- D. Area of sign landscaping to meet requirements for parking, clear vision areas, or drive aisles and drive-thru lanes, or to accommodate other site constraints.

**Sec. 33-6.25.11. Minor amendment.**

The Planning Director is authorized to approve the following minor changes to an approved landscaping plan if the minor change does not alter the overall characteristics of the plan or create adverse impacts on adjacent uses or public services and facilities and when the Landscape Architect recommends that a change is necessary because strict adherence to the plan would be deleterious to the health and longevity of the plant materials or because special conditions and circumstances exist on the site that make compliance impractical or would result in a hardship as distinguished from mere inconvenience:

- A. Substitution of different plant class, diversity, or type of landscaping including substitution of other plant materials for shrubs or trees if the numbers of shrubs or trees on the approved landscaping plan comprise

- more plant material than the site can sustain for vigorous healthy growth and sustainability;
- B. Relocation or grouping of plant material;
- C. Decrease in plant quantity, by not more than ten (10) percent, provided the reduction is offset by a compensatory increase in plant size. The planting requirements shall not be reduced by more than ten (10) percent, unless the landscape plan is part of an integrated stormwater management strategy, in which case the landscape requirements may be reduced by no more than twenty-five (25) percent with approval of the Stormwater Management Plan;
- D. Installation or relocation of irrigation; or
- E. Removal of impervious surface to accommodate or facilitate landscaping as long as required parking is not decreased and access is not impaired.

**Sec. 33-6.25.12. Enforcement.**

The Landscape Architect of the Planning Department is authorized to enforce the greenspace provisions of this section. No certificate of completeness or occupancy may be issued for any lot or use subject to the requirements of this division unless all the requirements have been met. Failure to implement the landscaping plan, or to maintain the property or use in conformance with the landscaping plan, is cause for violation pursuant to the procedure for administrative adjudication established in Chapter 2.5, Administrative Adjudication of Public Health, Housing, Fire Code, Environmental and Historic District Violations, of this Code.

**SECTION 36.** That Chapter 33 Unified Development Code, Article 6 General Development Standards, Division 3. Greenspace (Landscaping, Buffering and Screening, Tree Preservation), is hereby amended to replace Sec. 33-6.26 Buffers and screening (reserved) with Sec. 33-6.26 Low impact development, to read as follows:

**Sec. 33-6.26. Low impact development.**

- A. *Purpose.* Jefferson Parish promotes the general welfare through sustainable, low impact development which reduces the long-term capital and operational costs of public facilities and minimizes adverse effects on the environment, public works infrastructure, and public health. Managing stormwater with Low Impact Development (LID) techniques provides an approach to development and redevelopment that works with nature and can achieve the following benefits and purposes:
  1. Reduce flooding, runoff, subsidence, stormwater runoff volume, peak discharge rates, sewer overflows, and the costs of stormwater and sewer treatment;
  2. Mimic a site's predevelopment hydrology by infiltrating, filtering, storing, evaporating, and detaining stormwater runoff;
  3. Add green space by preserving and re-creating natural landscape features including existing tree vegetation;
  4. Use plants and soil to absorb, slow, filter, and cleanse runoff near the source;
  5. Promote low maintenance landscaping that reduces the use of herbicides, fertilizers, and pesticides;
  6. Minimize imperviousness to create functional and appealing site drainage;
  7. Treat stormwater as a resource rather than a waste product and help meet National Pollutant Discharge Elimination System (NPDES) requirements;
  8. Reduce the heat island effect and mitigate the effects of development and the built environment;
  9. Protect natural drainage features and emulate the functions of natural systems to increase recharge and reintegrate rainfall into the water cycle and watershed; and
  10. Reduce energy and water use.
- B. *Applicability.* The applicant for any site plan review required in Chapter 33 or Chapter 40 of this Code may use LID Best Management Practices

(BMPs) to meet or exceed the requirements for stormwater management in Article 7 of this UDC and for landscaping, buffering, screening, and tree preservation requirements of this Code.

- C. *Best Management Practices (BMPs)*. An application for low impact development shall demonstrate the use of BMPs, including, but not limited to, the techniques described in “Bayou Land RC&D Stormwater BMP Guidance Tool,” to meet stormwater management requirements. Jefferson Parish recognizes that in most cases, BMPs, or nonstructural practices, will need to be combined with engineered or structural approaches to meet requirements. BMPs may be placed in the public right-of-way upon approval of the Parish Engineering Director, provided that the perpetual maintenance of the BMPs is borne exclusively by the property owner.
- D. *Standards*. An application for low impact development shall, in addition to all other applicable requirements, achieve the following standards, as applicable: for new developments, retain and filter the first 1.25 inch rainfall event through the utilization of BMPs; or, for redevelopment, either filter the first 1.25 inch rainfall event through the utilization of BMPs, reduce existing imperviousness by 50%, or a combination of the two. These minimum standards should be achieved through the following approaches:
  - 1. Utilize BMPs appropriate to the scale and type of development and specific location, and design them for effective and efficient long-term maintenance;
  - 2. Consider the variation of conditions from one location to another, adjusting to the predevelopment green-to-grey continuum, existing engineered elements, character of the soil, topography, or site geometry, intensity of development, and other factors;
  - 3. Minimize the need for grading and use creative grading techniques to manage stormwater runoff and encourage more filtration;
  - 4. Reduce the amount of impervious surface and disconnect impervious surfaces by directing runoff from rooftops, sidewalks, driveways, or parking lots to landscaped areas or porous pavement;
  - 5. Scrutinize setbacks, parking spaces, travel aisles, driveways, and sidewalks or walkways to see if any of these elements can be reduced in scale;
  - 6. Choose native plants that are easy to maintain, adapted to the local climate and soil conditions, and possess the ability to intercept and hold rainwater and decrease water flow velocity; and
  - 7. Maximize natural lands or existing vegetation set aside for conservation or preservation and protect them from clearing, grading, and other construction-related impacts.
- E. *Ministerial Exceptions*. Jefferson Parish encourages property owners and developers to apply low impact development techniques based on good land use planning and environmentally sound land use strategies. The Parish finds that flexibility in site design practices can promote low impact development while maintaining the safety, health, and welfare of the public. To achieve the purposes of this section, for any application for low impact development that demonstrates full compliance with the standards set forth above, the Planning Director may approve any or all of the following ministerial exceptions:
  - 1. *Dimensional Requirements*.
    - a. Decrease in minimum setback or increase in maximum setback, but no greater than fifty (50) percent of the required minimum or maximum setback, as long as: 1) the total required landscaped and buffer area for a site is not reduced; 2) the required buffer between a commercial district and a residential district is not reduced; and 3) the amount of the decrease or increase is the minimum amount needed to enhance or extend BMP on the site or in public right-of-way adjacent to or in the same block as the property; and



- b. Increase or decrease in the maximum gross floor area of a building by up to twenty-five (25) percent where a zoning district provides a maximum or minimum gross floor area.
2. *Parking Requirements.*
- a. Reduce the total parking requirement by up to twenty-five (25) percent, as an approximation of the floor area occupied by circulation and mechanical systems;
  - b. Allow off-site parking to meet up to one hundred (100) percent of the required off-street parking, as long as the off-site site has parking in excess of its required parking and the amount of required parking spaces being reduced on-site is equal to the amount of excess spaces being provided off-site. The off-site site must be located within 600 feet measured along and following a reasonable and safe walking route from the nearest main entrance of the building or use to the off-site parking area; may be on land separated by a public right-of-way, except roads classified on the Jefferson Parish Thoroughfare Plan as interstates, freeways, or major arterials; and, shall be on land with a zoning district listed in Sec. 40-661 (3) for non-residential uses in non-residential districts. All other requirements for a recorded parking agreement shall apply; and
  - c. Allow shared parking between two or more nonresidential uses in the development, or between nonresidential uses in the development and off-site nonresidential uses, whose peak parking demands occur at different times. The applicant shall demonstrate, through peak use analysis approved by the Parish Traffic Engineer, that the number of parking spaces provided will satisfy the minimum off-street parking requirement for all uses. An applicant may use the latest peak demand analysis published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Parish Traffic Engineer. The off-site site must comply with the provisions for an off-site site listed in subsection b above. All other requirements for a recorded parking agreement of Sec. 33-3.56.4.C. *Shared parking* shall apply.
3. *Landscaping Requirements.*
- a. Substitute native grasses or other plant materials where shrubs are required, and waive the requirement that they create a continuous opaque barrier, if the grasses or other plant materials are integral and necessary to the functioning of a proposed BMP;
  - b. Waive the requirements for interior parking lot landscaping that specify location and minimum widths of islands, peninsulas, endcaps, and planting strips, provided that the minimum square footage of landscaped area and quantity of landscape materials required is still provided on the site, if the alternative interior parking lot landscaping layout is necessary for the proper functioning of the site's overall stormwater management system;
  - c. Waive the requirement that sod be installed in all areas that are not plantings beds, provided that an alternative is proposed that positively contributes to the site's overall stormwater management system;
  - d. Waive the requirement for species diversity, if the applicant can demonstrate that meeting the diversity requirement would be impracticable given the necessary design standards and constraints of the proposed stormwater management system;
  - e. Waive the requirement for mulch, provided that an alternative is proposed that positively contributes to the site's overall stormwater management system; and
  - f. Reduce or eliminate the requirement to irrigate the site, provided that the proposed BMPs provide the same function.

F. *Stormwater Management Plan.* An application for low impact development shall include a stormwater management plan that integrates BMPs with other required plans for site, landscaping, construction, and engineering. A pre-application conference, coordinated by the Planning Department with appropriate Parish staff, is required. In addition to standard information required on plans, the stormwater management plan shall include the following information:

1. Narrative description of stormwater management plan, including a description of proposed series of stormwater BMPs;
2. Existing site conditions, including a description and topographic map of land cover, contours, description and map of soil types, and estimated stormwater pollutant load;
3. All storm drainage systems, including existing and proposed drain lines, culverts, catch basins, headwalls, hydrants, manholes, and temporary and permanent stormwater BMPs;
4. All required hydraulic and hydrologic calculations and specifications used in the design and construction of the permanent stormwater BMPs. Safeguards to prevent short-circuiting of permanent stormwater BMPs shall be designed into the system. Capacities of BMPs shall show surface and sub-surface volumes (in aggregate, chambers, cisterns, etc.) in gallons;
5. A plan showing site sub-catchment areas, all BMP areas and capacities, stormwater runoff treatment train of BMPs in which runoff is directed before leaving the site (surface or sub-surface), and final contours;
6. Description of the receiving stream, canal, pipe, culvert, ditch or other drainage structure into which the runoff from the property flows;
7. Name of entity responsible for maintenance of BMPs; and
8. Plan shall be stamped and signed by appropriate qualified professional.

G. *Maintenance.* A maintenance plan is required in order to ensure the long-term effectiveness of all BMPs. The maintenance plan shall be prepared in accordance with a template approved by the Planning Director and shall be recorded with the Parish Clerk of Court.

**SECTION 37.** That Chapter 33 Unified Development Code, Article 6 General Development Standards, Division 3. Greenspace (Landscaping, Buffering and Screening, Tree Preservation), is hereby amended to replace Sec. 33-6.27 Streetscape landscaping (reserved) with Sec. 33-6.27 Tree preservation, and to delete the names of Sec. 33-6.28 through 33-6.31, to read as follows:

**Sec. 33-6.27. Tree preservation.**

**Sec. 33-6.27.1. Purpose.**

The tree preservation standards of this section aim to protect and preserve the existing tree canopy in Jefferson Parish, promote the maintenance and planting of trees and related urban forestry activities, enhance the appeal of the built environment, increase comfort and property values, and generally improve the quality of the environment in Jefferson Parish.

**Sec. 33-6.27.2. Applicability.**

Where a base or overlay zoning district in this UDC or in Chapter 40 Zoning of this Code requires tree preservation and protection, the provisions of this section shall apply.

**Sec. 33-6.27.3. Generally.**

The following provisions apply generally and are augmented by specific requirements in the base or overlay district regulations.

A. *Protected trees.* No tree designated as a protected tree shall be cut or cleared, except for pruning and tree maintenance in accordance with the most current version of the *ANSI A300 Tree Care Operations: Standard Practices for Tree, Shrub, and Other Woody Plant Maintenance*, and no excavation, grading, filling, trenching, demolition, construction, or other activity that may adversely affect a protected tree may occur on the

property on which the protected tree is located, without approval and issuance of necessary development approvals.

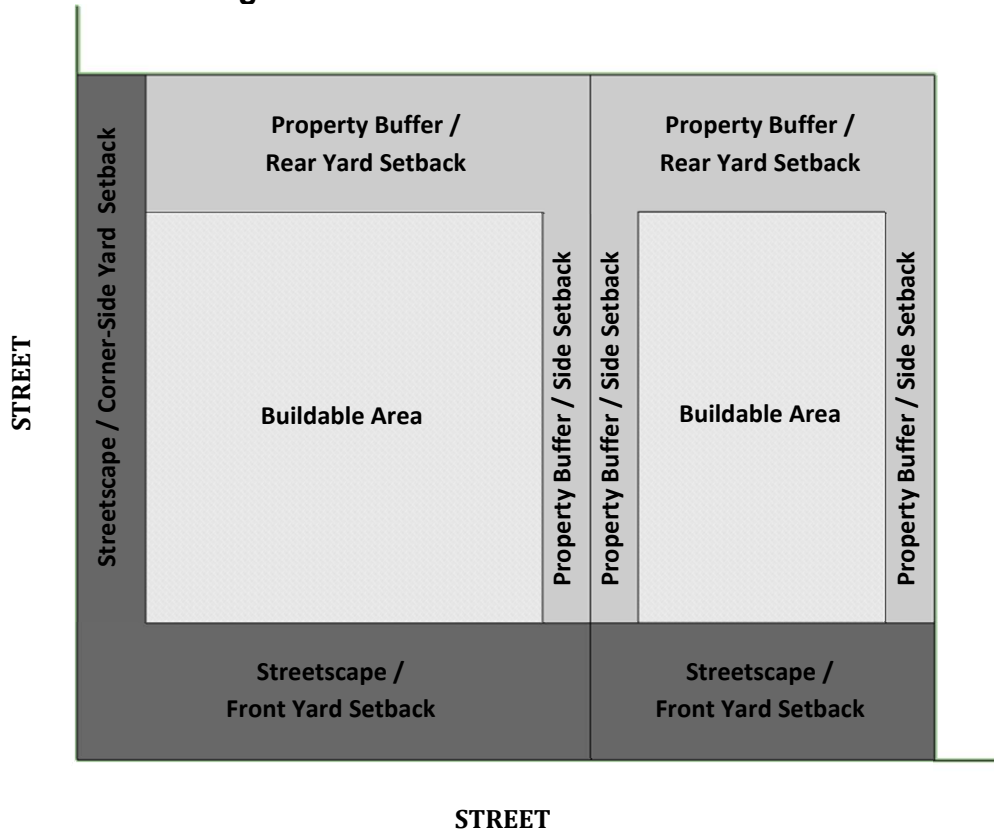
- B. *Tree removal.* Conditions and procedures for approval of cutting or clearing of a protected tree are provided in the base or overlay zoning district regulations or in this section.
- C. *Public trees.* Trees or other vegetation located on or in parish public property adjacent to a private property subject to the requirements of this section are regulated by Article II. Planting of trees on public property in Chapter 37 Vegetation of this Code. Where the root protection zone (RPZ) of any tree on or in any public property falls on or in a private property subject to the requirements of this section, the tree protection requirements shall apply to the RPZ associated with the public tree and located on or in private property.
- D. *Emergency removal.* When a protected tree has suffered irreparable damage due to a weather phenomenon such as a hurricane, tornado, or severe rainstorm or due to an emergency created by situations including, but not limited to, fire, tree disease, or insect infestation, and poses imminent danger to public health and safety, the owner of the property may immediately remove said damaged tree without penalty or tree replacement. However, if the Parish Arborist determines that a protected tree removed in an emergency was not irreparably damaged, the property owner shall be in violation of this section and subject to penalties.
- E. *State requirements.* La. Civil Code Articles 687 and 688 and La. R.S. 3:4278 apply regarding the cutting or trimming of trees located on an adjacent property.
- F. *Site plan review.* Where site plan review by the Planning Department is required, a required tree protection plan may be combined with the site plan or landscaping plan.
- G. *Development approval.* Requirements for review and approval of tree preservation are specified in this section or in the base or overlay zoning district regulations, as applicable.
- H. *Stands of trees.* Nothing in this section prohibits the conservation of stands of trees or undisturbed woodlands. Development patterns that cluster development on a portion of the site and leave stands of trees or woodlands as buffers or open space is encouraged.

**Sec. 33-6.27.4. Protected trees and preservation areas.**

- A. *Protected trees* shall include ~~all heritage, historic, or landmark trees~~, all significant trees and other canopy trees where at least fifty (50) percent of the base of the tree is located in a preservation area, and all replacement trees, as further described below:
  - ~~1. *Heritage, historic, or landmark trees* shall include the following:~~
    - ~~a. Any Live Oak registered with the Live Oak Society;~~
    - ~~b. Any Live Oak with a dbh of thirty (30) inches or greater;~~
    - ~~c. Any Cypress with a dbh of thirty (30) inches or greater; or~~
    - ~~d. Any significant tree or other canopy tree designated a Louisiana State Champion, United States Champion, or World Champion by the American Forestry Association.~~
  - 1.2. *Significant trees* shall include the following species that have a DBH of eight (8) inches or greater:
    - a. Oak: Live
    - b. Elm: American
    - c. Cypress: Bald, except those located within fifteen (15) feet of a parking space or building foundation
    - d. Magnolia: Southern, Sweetbay
    - e. Sycamore
  - ~~2.3.~~ *Other canopy trees* shall include trees specified as a protected or significant tree in a base or overlay district that requires tree preservation.
  - 3.4. *Replacement trees* shall include a tree planted as a replacement tree for a protected tree, in accordance with Sec. 33-6.27.8. For the

- purposes of this section, a replacement tree shall be considered a protected tree after installation regardless of DBH.
- B. *Preservation areas* shall include certain areas of a lot or development site where tree preservation and protection is required, as specified in this UDC or in Chapter 40 Zoning of this Code. In accordance with district regulations, preservation areas are defined in relation to streetscape area, property buffer, setback, and buildable area (Figure 33-6.27.2.1).

**Figure 33-6.27.2-1. Preservation Areas.**



**Sec. 33-6.27.5. Responsibility for tree preservation.**

- A. *Generally.* A property owner shall be responsible for the maintenance and protection of all protected trees on his or her property at all times.
- B. *Construction-related damage.* The property owner is responsible to ensure the health of protected tree(s) during construction and for one (1) calendar year after the issuance of the certificate of completeness for the permitted activity. If the parish arborist or landscape architect determines that loss of or damage to a protected tree resulted from construction, the property owner shall repair the damaged tree or replace it in accordance with this section. Failure to fulfill these requirements may result in penalties in accordance with this section.
- C. *Non-construction-related damage.* If any non-construction-related activity is determined to be the cause of later damage to, or death of, a protected tree, the property owner shall replace the protected tree in accordance with the replacement policy of this section and may be subject to the penalties for violation of this section.
- D. *Trees on abutting property.* In accordance with state law regarding the cutting or trimming of tree limbs or roots that extend from an adjacent property, a property owner who has authorization in writing from the owner of the abutting property regarding cutting or trimming of a protected tree shall comply with the requirements of this section as if the protected tree existed on his or her property.

**Sec. 33-6.27.6. Standards for the Preservation of Protected Trees.**

- A. *Generally.* A protected tree shall be preserved and protected in accordance with the standards of this section, and shall be replaced in accordance with Sec. 33-6.27.9 if approved for cutting or clearing. In addition to the standards below, the parish landscape architect or parish arborist may recommend additional tree preservation requirements.

- B. *Protection during construction activities.* Construction activity, including excavation, filling, grading, trenching, demolition, construction, or other activity is prohibited within the Root Protection Zone (RPZ), except as provided in this section. When a tree protection plan is required, the following minimum requirements for preservation of protected trees shall apply:
1. *Protective barrier.* Prior to any construction activity, the property owner shall erect a protective barrier around each protected tree or group of protected trees that are designated for preservation, as follows:
    - a. A protective barrier shall be a minimum of six (6) feet high and constructed of chain-link fence that will remain in place until construction is completed;
    - b. The barrier shall be erected and maintained at least one (1) foot past the Root Protection Zone of the protected tree(s), or ten (10) feet from the base of the tree(s), whichever is greater. The parish landscape architect or parish arborist may approve barrier placement within the RPZ based on site conditions;
    - c. Barriers shall be self-supporting and not supported by the plants they are protecting;
    - d. A weatherproof or metal sign shall be mounted on the tree protection fencing with minimum dimensions of three (3) feet in height by five (5) feet in width; with the following notice printed on the sign in English and Spanish, "Tree Protection Area Do Not Enter."
  2. *Barrier exception.* Where site conditions make a protective barrier impracticable as determined by the parish landscape architect or parish arborist, as applicable, the parish landscape architect or arborist may grant an exception to the erection of all or part of the barrier for all or part of the construction period, provided that the RPZ is protected by three-quarter (3/4)-inch plywood sheets placed around the protected tree(s) in the RPZ on a minimum six (6)-inch base of shredded hardwood mulch, or by any other measure deemed necessary by the landscape architect or arborist.
  3. *Trenching or digging.* Trenching or digging may occur within the RPZ subject to the following requirements:
    - a. The method for any excavation to deal with displaced roots shall be air spade, root pruning, or other commonly accepted horticultural method as approved by the parish landscape architect or parish arborist, in accordance with the following criteria:
      - i. Air spade shall mean the use of specialized mechanical equipment to expose roots, leaving them intact, followed by the manual redirection of roots away from excavated areas;
      - ii. Root pruning shall mean cleanly severing the roots according to commonly accepted horticultural methods;
    - b. The excavation shall be as shallow as possible;
    - c. Roots to be cut shall be cut as shallow as possible and only to the depth of the excavation.
  4. *Directional boring.* Directional boring shall be used for utilities within the RPZ under two (2) conditions:
    - a. The boring enters and exits outside the RPZ;
    - b. The depth of boring is greater than twenty-four (24) inches.
  5. *Additional plantings.* Any additional landscape bed plantings within the RPZ shall be installed by hand. A roto tiller shall not be used within the RPZ.
  6. *Parking or storage prohibited.* There shall be no parking of vehicles or equipment or storage of building materials within the RPZ, with the following exception: Pilings may be temporarily stored on site within the RPZ for a maximum of one (1) week from the start of construction without erecting the required fencing.

7. *Mixing or dumping prohibited.* No mixing or dumping of building materials, chemicals, or paints, and no rinsing of tools or equipment, is allowed within the RPZ
  8. *Access.* Contractor vehicles and equipment shall use only one (1) access route in and out of the property and this access route shall be the existing or proposed driveway. If an existing driveway is used for access and is to be demolished, it shall be the last feature demolished during the demolition/new construction process. In cases where there is no existing driveway, the parish landscape architect or parish arborist, as applicable, shall evaluate the impact of the proposed access route on protected trees and may recommend alternate routes.
  8. *RPZ extension.* If a protected tree does not require protection because less than fifty (50) percent of its base is within a protected area, but the RPZ of the tree extends into a protected area, all reasonable steps to save the protected tree shall be taken. These steps include, but are not limited to, an aeration system, tree wells, retaining walls, deep root fertilizer injections, and selective pruning (thinning out) of the tree canopy and root pruning.
- C. *Preservation through site design standards.*
1. There shall be no soil fill greater than two (2) inches, other than wood chips or mulch, within the RPZ.
  2. Paving within the RPZ shall be permeable. In situations where the paving within the RPZ continuously extends outside the RPZ, the portions outside the RPZ may be constructed of the same permeable material used within the RPZ. Pouring concrete to replace an existing sidewalk or entrance walk within the RPZ is allowed only when a material such as a plastic vapor barrier is laid down first permeable material is used.
- D. *Cutting or clearing protected trees.* The Parish Landscape Architect or Parish Arborist may allow, through the applicable development approval procedures, the cutting or clearing of a protected tree under the following circumstances:
1. The protected tree is diseased or hazardous, as certified by a licensed arborist.
  2. Where the buildable area is a preservation area, the protected tree is located in the buildable area and would substantially hinder the development of the site.
  3. Only the Parish Council may approve the cutting or removal of a heritage, historic, or landmark tree.

**Sec. 33-6.27.7. Tree survey.**

Where a tree survey is required, the survey shall include all trees of eight (8) inches dbh or greater and all trees in the public right-of-way adjacent to the property. Stands of trees may be indicated by species groups with the average dbh. The tree survey shall be prepared by a licensed landscape architect, surveyor, engineer, or arborist retained by the applicant, and shall be reviewed by the LURTC as part of site plan review.

**Sec. 33-6.27.8. Tree protection plan.**

- A. A tree protection plan shall include the following minimum information, described in notes and shown in graphics:
1. The location of the base and RPZ of all protected trees whose RPZ is located, wholly or partially, within a protected area.
  2. Location of all tree protection fencing, noted with the height and material of the fence to be used.
  3. The following note: "Within any and all tree protection fencing, there shall be no parking of vehicles or equipment; storage of building materials; mixing or dumping of building materials, chemicals, or paints; and, no rinsing of tools or equipment."
  4. The location of the driveway for access by contractor vehicles and equipment, with a note that "This shall be the only access route in and out of the property for contractor vehicles and equipment."

- B. A tree protection plan may include the following information, described in notes and shown in graphics, as appropriate:
  - 1. The location of any proposed trenching, digging, or excavation with a note indicating the depth of such excavation and the method to be used.
  - 2. The location of any proposed directional boring with a note indicating the depth of such boring.
  - 3. The location of any proposed soil fill with a note indicating the depth of such soil fill and the material to be used.
  - 4. The location of any proposed hardscaping or other disturbance within the RPZ, with a note indicating materials and installation methods.
  - 5. The location of any proposed landscape bed plantings within the RPZ, with a note that "These plantings shall be installed by hand; no roto tiller or other mechanical devices are permitted to be used in this area."
  - 6. A note indicating the steps to be taken to protect any tree that is not required to be protected.
- C. Where a tree protection plan is required, the following shall apply:
  - 1. The applicant shall provide an affidavit signed by the property owner agreeing that no construction activity shall commence until all tree protection measures are in place in accordance with the approved tree protection plan. Commencement of construction activity without the approved tree protection measures in place is a violation of this section and subject to the penalties of this section.
  - 2. Removal of tree protection measures.
    - a. Removal of the tree protection measures shall occur when the construction activity is complete and the department of inspection and code enforcement has issued the certificate of completeness.
    - b. If a property owner wants to begin landscaping his or her property prior to the issuance of the certificate of completeness, he or she may submit a written request to the planning department or parkways department for an inspection of the site by the Parish Landscape Architect or Parish Arborist, as applicable. The Parish Landscape Architect or Parish Arborist may authorize the removal of the tree protection measures prior to the issuance of a certificate of completeness if it is his or her determination that the remaining construction activities will not have a negative impact upon the protected trees. The Parish Landscape Architect or Parish Arborist shall provide notification to the property owner and the department of inspection and code enforcement that authorization has been given or denied for the removal of the tree protection measures.
  - 3. At any time after the issuance of development approval, in accordance with this section, the Parish Landscape Architect or Parish Arborist may recommend to the department of inspection and code enforcement that a "stop work order" be issued or a permit revoked and a violation citation issued to protect trees.

**Sec. 33-6.27.9. Tree Replacement.**

Where replacement of a protected tree is required, the following shall apply:

- A. Each protected tree that is to be replaced shall be replaced on-site with a tree of the same or similar species with a minimum trunk size of two and one half (2 ½ ) inch caliper. Trees determined by a licensed arborist to be hazardous or diseased may be replaced on a one to one (1:1) ratio, only if that determination is corroborated by the parish arborist. In all cases, the Parish Arborist's determination of the health of a tree shall prevail. A replacement tree shall also be:
  - 1. A nursery-grown certified tree;
  - 2. Marked with a durable label indicating genus, species, and variety; and
  - 3. Satisfying the standards established for nursery stock and installation thereof, set forth by the American Association of Nurseryman.
- B. Replacement of protected trees shall be in accordance with the following timelines:

1. For protected trees removed after approved for removal in accordance with this section, replacement shall occur within one (1) calendar year of the date of the issuance of the approval for the removal, unless the property owner has applied for a building permit within the year, in which case the trees shall be replaced before the issuance of the certificate of completeness by the Inspection and Code Enforcement Department after inspection and certification by the Parish Landscape Architect or Parish Arborist that installation is complete and in compliance with this section.
  2. For protected trees that must be replaced as a result of construction-related damage, replacement shall occur as soon as practicable given growing conditions, as determined by the Parish Arborist or Parish Landscape Architect, as applicable, but in no case shall replacement be later than one (1) calendar year after the protected tree was removed.
- C. Replacement trees shall be in addition to all other landscaping requirements for the site, unless the parish has approved credit toward minimum requirements for the replacement trees.
- D. In lieu of replacement trees on the project site, the property owner may provide the monetary value of the required replacement tree(s), as determined by the Parish Landscape Architect or Parish Arborist. This value shall be established based upon the current market value for local nursery stock. The money shall be placed in a special parish fund dedicated to the planting or maintenance of trees on Jefferson Parish public property.

**Sec. 33-6.27.10. Procedures in Certain Districts. (Reserved)**

- ~~A. *Purpose.* Jefferson Parish promotes the aesthetics and functionality of its major roadways through enhanced standards for landscaping and development review. Major roadways have mature tree canopy because they are located on relatively high ridges, naturally occurring deposits of alluvial soil created thousands of years ago and often sustaining stands of trees, especially like oak, or have been subject to landscaping requirements imposed in more modern times. A mature tree is a significant community resource that required many years to develop and can provide benefits to the parish for generations. These tree preservation standards aim to preserve and protect desirable, healthy, and long-lived native trees and trees of historic, heritage, or landmark significance. They also recognize the importance of site-specific physical and biological factors and the planting of new trees to promote the long-term health, vitality, and diversity of landscaping along major transportation corridors.~~
- ~~B. *Applicability.* This section shall apply to the Commercial Parkway Overlay Zone (CPZ), Commercial Parkway Pedestrian Overlay Zone (CPZ Ped), and Mixed-use Corridor District (MUCD), except any one-, two-, three-, or four-family residential development in these districts.~~
- ~~C. *Documentation of Protected Trees.*~~
- ~~1. If no protected trees exist on a site, the applicant shall submit a notarized affidavit attesting to the lack of protected trees.~~
  - ~~2. Any protected trees on a site shall be shown on a tree survey; or, if all protected trees are proposed to remain, they may be shown on the landscaping plan in lieu of a tree survey.~~
- ~~D. *Requests to Cut or Remove Protected Trees.*~~
- ~~1. If the applicant proposes to cut or remove a protected tree, except for routine maintenance or pruning or emergency removal as provided in this article, he or she must provide to the Planning Department in written and/or graphic documents, including, but not limited to, a licensed arborist's report, an aerial photograph, or a ground survey, the number, location, and species of tree(s) to be cut or removed, and justification for removal.~~
  - ~~2. The Planning Department shall review the applicant's justifications and reasons. With input from LURTC, the Planning Director shall determine~~



~~whether the cutting or removal of a protected tree is justified and shall approve or deny the request, based on one or more of the following findings:~~

- ~~a. The condition of the tree with respect to its general health, damage, status as a public nuisance or in danger of falling, status as host for parasitic plants, pests, or diseases compromising its health or endangering other species of trees or plants with infections or infestations;~~
- ~~b. Good forestry practices such as, but not limited to, the number of healthy trees the site will support;~~
- ~~c. Proximity to existing or proposed structures, utilities, public infrastructure, or require parking spaces, drive aisles, driveways, and similar features, given reasonable efforts to design or alter the proposed project to save protected trees, including the use of pervious paving;~~
- ~~d. The topography, soil type, or base flood elevation with regard to grading, filling, runoff, erosion, stormwater management, or other engineering factor.~~

- ~~3. In no case shall the Planning Director approve the cutting or removal of a heritage, historic, or landmark tree.~~

#### **Sec. 33-6.27.11. Appeals. (Reserved)**

~~Except as otherwise provided, once the Parish Landscape Architect, Parish Arborist, or Planning Director, as applicable, has made a determination that a specific tree is a protected tree and that the protected tree shall not be cut or removed but shall be protected in accordance with this section, the applicant may appeal said determination in accordance with the following procedures and findings:~~

- ~~A. The Parish Council may grant an appeal for property located in the CPZ or MUCD districts, in accordance with the legislative development procedures of Article 2, Procedures, of this UDC.~~
- ~~B. The BZA may grant an appeal for property located in the CPZ Ped district, in accordance with the quasi-judicial development procedures of Article 2, Procedures, of this UDC.~~
- ~~C. The BZA or Parish Council may grant an appeal upon findings that:~~
  - ~~1. The property cannot be developed reasonably under the provisions of this section;~~
  - ~~2. The appeal, if granted, will not conflict with the purposes of this UDC or the Comprehensive Plan;~~
  - ~~3. The appeal, if granted, will not confer on the applicant any special privilege that is denied by this section to other lands that are similarly situated and configured; and~~
  - ~~4. The appeal, if granted, will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other properties in the vicinity, and will be in harmony with the intent and purposes of this UDC.~~

#### **Sec. 33-6.27.12. Violations of this Section.**

- ~~A. *Obligation of property owner.* For purposes of enforcement of this section:~~
  - ~~1. Tree permitting, protection, and replacement obligations remain the obligation of the property owner which was, or should have been, the subject of a permit under this section, at the time of permitting, protection, or replacement, regardless of a later transfer of ownership of said property, unless the obligation to fulfill the requirements of this section have been specifically written in the document transferring ownership of said property.~~
  - ~~2. Penalties for violation of this section shall be assessed against the property owner which was, or should have been, the subject of a permit under this section, at the time of the violation of this section regardless of a later transfer of ownership of said property.~~
- ~~B. *Enforcement.* Upon report of a violation of any of the provisions of this section, the Parish Arborist or Parish Landscape Architect shall~~

immediately investigate the alleged violation. Upon confirmation of sufficient evidence that the violation occurred, the Parkways Director or Planning Director, as applicable, shall notify the property owner in writing, indicating the nature of the violation and ordering the discontinuance of the illegal activity and any action necessary to correct it, including action pursuant to *Chapter 2.5 Administrative adjudication of public health, housing, fire code, environmental and historic district violations* of this Code.

- C. **Penalties.** All monetary proceeds from fines imposed under this section, excluding court costs, shall be dedicated to a special fund for the planting or maintenance of trees on public property.
1. Any property owner who violates the provisions of this section by causing significant damage or death to protected trees because of non-construction related activities on site shall be subject to a maximum monetary fine of five hundred dollars (\$500.00) per tree.
  2. Any property owner who violates the provisions of this section by removing a protected tree unlawfully or without compliance with the requirements of this section, shall be subject to a maximum monetary fine of five hundred dollars (\$500.00) per tree removed unlawfully.
  3. Any property owner who violates the provisions of this section by failing to provide a tree protection plan when required under this section or who violates the tree protection requirement(s) of an issued permit shall be subject to a maximum monetary fine of five hundred dollars (\$500.00) per day, per violated requirement, that the property owner remains in violation of each requirement.
  4. Submission of false information required by this section shall be a violation considered separate from, and in addition to, the violation of any other provisions in this section. Anyone, including, but not limited to, property owners and state licensed professionals, who knowingly submits false information required by this section shall be subject to a maximum monetary fine of five hundred dollars (\$500.00) in addition to any other fines or penalties for violations of this section.
  5. State licensed professionals authorized to provide information or perform work by this section who also have parish licenses shall be subject to revocation of their parish license upon determination of their violation of the requirements of this section, including but not limited to submission of false information and performance of work at the request of a property owner who has not received the proper permits for the work.

**Sec. 33-6.28. (Reserved).**

**Sec. 33-6.29. (Reserved).**

**Sec. 33-6.30. (Reserved).**

**Sec. 33-6.31. (Reserved).**

**SECTION 38.** That Chapter 33 Unified Development Code, Sec. 33-7.4.1 Purpose (Stormwater), is hereby amended to remove “being subdivided” and add stormwater BMPs as a type of facility, to read as follows:

Development shall be laid out to provide proper drainage of the area, including facilities such as curb and gutter, catch basins, canals, culverts, bridges, natural waterways, and stormwater best management practices (BMPs). Drainage improvements shall accommodate potential runoff from the entire upstream drainage area and shall be designed to reduce or prevent increases in downstream flooding. Stormwater drainage systems shall be separate and independent of any sanitary sewer system whether public or private. The Parish shall require the use of control methods such as retention or detention, and/or the construction of off-site drainage improvements to mitigate the impacts of the proposed development to achieve these purposes.

**SECTION 39.** That Chapter 33 Unified Development Code, Sec. 33-7.4.2 Design standards (Stormwater), is hereby amended to state that the use of stormwater BMPs is encouraged, to read as follows:

The design of the storm drainage system shall be done in accordance with the Jefferson Parish Subdivision Public Improvements Standards Manual. The Public Works Director must grant exceptions to these requirements in writing. The use of stormwater BMPs is encouraged for all development and in accordance with Sec. 33-6.26 of this UDC.

\* \* \*

**SECTION 40.**That Chapter 33 Unified Development Code, Article 10 Definitions, is hereby amended to add a new Sec. 33-10.1 Generally, to read as follows:

**Sec. 33-10.1. Generally.**

- A. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; and the word "shall" is mandatory and not directory.
- B. Omission or Conflict. Where there is a lack of definition or a conflict between definitions, the definitions applicable to a specific section of this UDC shall prevail, followed by definitions applicable to this entire UDC, followed by the definitions of Chapter 40, followed by the meaning provided in other ordinances where applicable and unless otherwise provided, followed by the meaning of common usage which gives this code its most reasonable application.

**SECTION 41.**That Chapter 33 Unified Development Code, Sec. 33-10.1 Definitions, is hereby amended to renumber and rename the section, and to add, delete, or amend certain definitions, to read as follows:

**Sec. 33-10.2. Definitions applicable to this entire UDC.**

For the purpose of this UDC, certain words and terms are hereby defined.

\* \* \*

*Assisted living unit* shall mean a dwelling unit within an assisted living facility containing one (1) or more rooms that includes a culinary facility, bedroom (s), and bath for one (1) or more persons.

*Base of tree* shall mean the area delineated by the circumference of the tree trunk at its widest point at or near ground level.

*Berm* shall mean a mound of earth or manmade hill forming a raised barrier separating two areas or to provide visual screening. A berm shall have a slope of not greater than the slope created by three (3) horizontal feet with one (1) foot of vertical rise, and shall be covered with grass or perennials where trees and shrubs are not planted.

*Best Management Practice, Stormwater (LID BMP)* shall mean any structural device or nonstructural practice, intended to control or reduce stormwater runoff in order to mitigate flooding, reduce pollution conveyed to receiving waters, and minimize erosion.

*Block* shall mean a unit of land bounded by streets or by a combination of streets and public land, railroad right-of-way, waterways, or any other barrier to the continuity of development.

\* \* \*

*Building* shall mean any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

*Caliper* shall mean the diameter measurement of the trunk of a tree taken from a point six (6) inches above final grade.

*Canal* shall mean any excavation below the surface of the earth having a width at its top of thirty-five (35) feet or more.

*Canopy* shall mean an attached or detached structural protective cover open on two (2) or more sides and is intended for drive-in, drive-up or drive-through use.

*Certificate of Compliance* shall mean a certificate issued by the Department of Inspection and Code Enforcement indicating that all of the requirements of a permit have been fulfilled.

*Child care center* shall mean a licensed private facility, nursery school, pre-school or kindergarten that provides non-medical care to children under the age of eighteen (18), in need of professional services, educational services, or assistance for sustaining the activities of daily living or for the protection of the individual on a less than twenty-four-hour basis.

\* \* \*

*Development Regulation* shall mean a zoning, subdivision, floodplain ordinance, or other governmental regulation of the use and development of land.

*Diameter at breast height (dbh)* shall mean the diameter measurement of the trunk of a tree taken from a point four and one half (4 ½) feet above final grade.

*Diseased tree* shall mean a tree that has been affected by disease or infestation so that it becomes a hazardous tree, or presents a danger of spreading the disease or infestation to other nearby trees and the only solution is removal as determined only by a licensed arborist with the concurrence of the Parish Arborist.

*Ditch* shall mean any long and narrow excavation below the surface of the earth, dug in the roadside of a right-of-way, parallel to and alongside the lateral line of a roadway, designed to carry surface water from the roadway and the surrounding property with a width at its top of less than thirty-five (35) feet, but more than five (5) feet.

*Drip line* shall mean the farthest distance away from the trunk that rain or dew will fall directly to the ground from the leaves or branches of the tree.

*Dwelling* shall mean any building which is designed for or used exclusively for human habitation and other residential purposes. For the purpose of this UDC, such building shall have a minimum area of four hundred square feet (400 sf) and the construction of which shall be subject to and governed by The Building and Related Construction Codes of Jefferson Parish.

\* \* \*

*Exceptions* shall mean permission to depart from the design standards as specifically authorized in this UDC.

*Fence* shall mean a free-standing structure consisting of wood (rails or stakes), metal, masonry, or other similar materials designed for the purposes of fence construction, erected so as to enclose, divide, screen, or protect yards or lots and portions thereof. Low lying structures in required front yards solely used for the purpose of gardening, and not acting as a barrier between yards, when less than twelve (12) inches tall, shall not be considered a fence.

*Fence, living or hedge* shall mean a group or thicket of shrubs, trees, or other vegetation, or combination thereof, erected or planted so as to enclose, divide, screen or protect yards or lots and portions thereof.

*Fence, open* shall mean a fence, including any gates, constructed to admit a minimum of seventy-five (75) percent light and air.

*Fence, ornamental* shall mean a decorative fence constructed of wrought or cast metal and other similar durable materials that the director of inspections and code enforcement or the planning director, as applicable, determines are substantially similar in appearance. Posts and supports

shall not be greater than eighteen (18) inches in width, unless approved by the applicable director. This definition excludes barbed wire and chain link fences.

*Filling* shall mean process of depositing fill in low-lying marshy or water areas to create usable land.

\* \* \*

*Frontage* shall mean that distance where a property line is common with a street right-of-way line.

\* \* \*

*Grade* shall mean the elevation of the ground at a building or building site.

*Hardscaping* shall mean structural design elements in the yard area of a lot such as pavement, decks, fences, walls, steps, or benches.

*Hazardous tree* shall mean any tree that possesses a structural defect which presents an eminent risk of the tree or part of tree falling on someone or something of value. A tree shall be determined to be hazardous only by a licensed arborist with the concurrence of the Parish Arborist.

*Hotel* shall mean a building containing six (6) or more guest rooms where access to individual units is from interior lobbies, courts, or halls and which are used, rented, or hired for lodging or sleeping purposes by transient guests.

*Impervious Area* shall mean an area of a lot covered by materials that significantly reduce and prevent natural infiltration of water into the underlying soil, resulting in an increased volume and velocity of surface water runoff. These areas include but are not limited to roofs, streets, driveways, sidewalks, and any concrete, stone, brick, asphalt or compacted gravel surfaces.

*Inspection and Code Enforcement Director* shall mean the Jefferson Parish Inspection and Code Enforcement Director or the director's designee.

*Land use action* shall mean site plan review, exception and modification, special permitted use, development agreement, zoning or land use text and map amendment, zoning or land use determination, subdivision, resubdivision, or certificate of use and occupancy.

*Landscape Area* shall mean any area planted with living groundcover, trees, shrubs, or other plant material, including mulch.

*Landscaping* shall mean living plant materials collectively referred to as softscape items that include turf, seasonal color, groundcovers, vines, shrubs and trees; and nonliving materials collectively known as hardscape items that include soil, fertilizer, staking materials, mulch and edging used in combination to create landscape beds.

*Licensed Arborist* shall mean a person who has a current arborist license from the State of Louisiana.

*Live-work unit* shall mean an attached or detached single family residential unit in which a residential unit is connected to and accessible through non-residential floor area that is associated with the residential unit. For attached residential units each non-residential unit shall have access to only one residential unit. Residential space is generally located above and/or behind the non-residential space. For purposes of this ordinance, a live-work unit is not considered to be a mixed-use building.

*Lot* shall mean a single plot or tract of land with fixed boundaries, legally created, occupied or intended for occupancy by a principal use or a principal building and its accessory buildings, the yard area and parking

spaces required by this chapter, and having its principal frontage upon a publicly-owned street; except as provided for frontage upon a common driveway or upon a private street.

\* \* \*

*Lot of Record* shall mean a lot which is either part of a subdivision, the map of which has been approved by the Jefferson Parish Council and subsequently recorded in the office of the Jefferson Parish Clerk of Court after August 28, 1958, or a lot which is part of a subdivision, the map of which has been recorded in the office of the Jefferson Parish Clerk of Court prior to August 28, 1958, or a parcel of land which became legally established and defined by deed or act of sale prior to August 28, 1958.

*Low Impact Development* shall mean systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat. This approach to site development works with nature to manage stormwater as close to its source as possible.

*Luminaire* shall mean a light fixture or complete lighting unit consisting of a lamp or lamps and ballasting (when applicable) together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

\* \* \*

*Off-Site Improvements* shall mean improvements made outside the boundaries of the development as a result of a development application and including, but not limited to, utility extensions, road widening and upgrading, stormwater facilities, and traffic improvements.

*Parcel* shall mean a lot or tract of land described by plat, deed or other legal instrument that allows transfer of fee simple ownership without the addition or removal of property boundary lines.

*Parish Attorney* shall mean the Jefferson Parish Attorney or the attorney's designee.

*Parking area* shall mean an area of a lot used as an off-street parking facility, enclosed or unenclosed, including parking spaces and access drives.

*Parking lot* shall mean an open hard-surfaced area used for temporary parking of motor vehicles.

*Parking space* shall mean a hard-surfaced area permanently reserved for the storage of one (1) automobile, connected with a street or alley by a hard-surfaced driveway providing unobstructed ingress and egress for motor vehicles.

*Parking space compact vehicles* shall mean a hard-surfaced area permanently reserved for the storage of one (1) compact vehicle, connected with a street or alley by a hard-surfaced driveway providing unobstructed ingress and egress for motor vehicles.

*Place* shall mean an open, unoccupied space other than a street or alley permanently reserved as the way of access to abutting property.

\* \* \*

*Road* shall mean "street" and it encompasses the entire width between the boundary lines of the public right-of-way including medians, neutral grounds, roadways, roadsides, pedestrian islands, esplanades and sidewalks for purposes of pedestrian and bicycle travel ways; the word is synonymous with the word "highway", "street" and "right-of-way."

*Root Protection Zone (RPZ)* shall mean the area within the tree's drip line.

*Service vehicle* shall mean a car or truck that provides services for the business and shall not include vehicles used by employees to commute to and from work. Service vehicles shall exclude heavy equipment and any vehicle requiring a class A or class B driver's license to operate.

\* \* \*

*Street, public* shall mean a street that is maintained by the Parish or other public utility.

*Streetscape* shall mean the general appearance of a block or group of blocks with respect to the structure, setbacks from public rights-of-way, open spaces, and the number and proportion of trees and other vegetation.

*Streetscape zone* shall mean the area that extends between the back of curb or curb zone and the front, or side in the case of a corner lot, building façade or build to line, and is composed of the frontage zone, furniture zone, and pedestrian zone as defined below and illustrated in Figure 33-10.1-1:

\* \* \*

*Truck stop* shall mean a structure(s) or land used primarily for the retail sale of fuel for trucks and incidental service or repair of trucks including but not limited to: attendance eating, and truck parking facilities, but not to include the storage of vehicles for the purpose of using parts of such vehicles for sale or repair. Such a facility may include video poker gaming, but only if such a facility is on a site of at least ten (10) acres and meets the criteria listed in Article XXX, Industrial District M-1.

*Undeveloped* shall mean land in its natural state before development, and the meaning of development shall not include the subdivision of land.

*Vesting, Final Application* shall mean a term indicating the time and date a development application has met all submittal criteria as established by the Planning Department as stated on departmental application requirement forms. Once vested, a development application may only be evaluated on the basis of the rules, regulations, and regulatory ordinances in effect as of the vesting date, or as otherwise provided in the UDC. Vesting rights shall apply only to the application being processed, not subsequent applications on the same property.

\* \* \*

**SECTION 42.**That Chapter 33 Unified Development Code, Article 10 Definitions, is hereby amended to add a new section 33-10.3, to read as follows:  
**Sec. 33-10.3. Definitions applicable to specific sections of this UDC.**

For the purpose of specific sections of this UDC, certain words and terms are hereby defined.

**Sec. 33-10.3.1. Reserved.**

**SECTION 43.**That Chapter 40 Zoning, Sec. 40-3 Definitions, is hereby amended to add, delete, and amend certain definitions, to read as follows:

\* \* \*

*Berm* shall mean a mound of earth or manmade hill forming a raised barrier separating two areas or to provide visual screening. A berm shall have a slope of not greater than the slope created by three (3) horizontal feet with one (1) foot of vertical rise, and shall be covered with grass or perennials where trees and shrubs are not planted.

\* \* \*

*Parking lot* shall mean an open hard-surfaced area used for temporary parking of motor vehicles.

*Parking space* shall mean a hard-surfaced area permanently reserved for the storage of one (1) automobile connected with a street or alley by a hard-surfaced driveway providing unobstructed ingress and egress for motor vehicles.

*Parking space compact vehicles* shall mean a hard-surfaced area having permanently reserved for the storage of one (1) compact vehicle connected with

a street or alley by a hard-surfaced driveway providing unobstructed ingress and egress for motor vehicles.

\* \* \*

*Shopping center* shall mean a group of retail stores planned and designed for the site upon which they are built.

*Sight triangle* shall mean a type of clear vision area of triangular shape designed to promote public safety by maintaining cross-visibility among pedestrians, bicyclists, and motorists. Sight triangles shall be provided in accordance with Section 40-665 of this Code.

\* \* \*

*Trailer* shall mean any vehicle, covered or uncovered, without motive power, designed for carrying property or passengers, or designed to be used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirting and which has been or reasonably may be equipped with wheels or other devices for transportation from place to place, whether drawn or towed by a motor vehicle or other motive power or other means, or is otherwise subject to the provisions of Louisiana Revised Statutes, Title 32 Motor Vehicles and Traffic Regulations.

*Truck stop* shall mean a structure(s) or land used primarily for the retail sale of fuel for trucks and incidental service or repair of trucks including but not limited to: attendance eating, and truck parking facilities, but not to include the storage of vehicles for the purpose of using parts of such vehicles for sale or repair. Such a facility may include video poker gaming, but only if such a facility is on a site of at least ten (10) acres and meets the criteria listed in Article XXX, Industrial District M-1.

\* \* \*

**SECTION 44.** That Chapter 40 Zoning, Sec. 40-80 Sign regulations (S-1), subsection (b)(5), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Landscaping. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 45.** That Chapter 40 Zoning, Sec. 40-84 Landscaping standards (S-1), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, and renumber subsequent sections in alphabetical order, to read as follows:

- (a) *Applicability.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply for nonresidential principal uses to new development, or to an existing development when a change in use results in an increase in the number of required parking spaces or when an addition to an existing principal building is fifty (50) percent or more of the existing square footage of the building.
- (b) Compliance with landscaping requirements shall be shown on a site plan submitted to the Planning Department for approval by the Planning Director in accordance with Sec. 33-2.25 Site Plan in Article 2, Procedures, of Chapter 33, UDC, of this Code; however, if the nonresidential use requires the approval of the Parish Council, then these landscaping requirements and any other applicable requirements must be shown on a site plan for Council approval.
- (c) A change in use resulting in increased required parking or an addition of fifty (50) percent or more of an existing building shall result in compliance with these landscaping standards to the maximum extent practicable given the constraints of the site.

**SECTION 46.** That Chapter 40 Zoning, Sec. 40-178 Definitions (MRTPD), is hereby amended to delete definitions for certificate of compliance, diseased tree, hardscaping, hazardous tree, other canopy trees, protected tree, replacement tree, and significant tree, to read as follows:

\* \* \*

*Base of tree* shall mean the area delineated by the circumference of the tree trunk at its widest point at or near ground level.

*Certification* shall mean a written statement signed by the licensed



professional making the statement and, as applicable, attesting to the accuracy of information ascertained by the licensed professional or provided by another person.

\* \* \*

*Diameter at breast height (dbh)* shall mean the diameter of a tree measured four and one-half (4'-6") feet above the ground level for existing trees. Diameter at Breast Height may appear as the abbreviation "dbh."

*Drip line* shall mean the farthest distance away from the trunk that rain or dew will fall directly to the ground from the leaves or branches of the tree.

*Licensed Arborist* shall mean a person who has a current arborist license from the State of Louisiana.

*Parish Arborist* shall mean an employee of the Jefferson Parish Department of Parkway or other third party contractor employed by the Parish to fulfill the duties of the Department of Parkway who is a licensed arborist.

*Property Owner's Agent* shall mean a person, authorized by the affidavit of the owner of the property on which a permit is requested, to act on behalf of the property owner only as specified in this article.

*Public property* shall mean land, including right-of-way, owned by any government agency—parish, state, or federal.

*Root Protection Zone* shall mean the area within the tree's drip line in which no vehicular movement, construction material storage, disposal or other activities are allowed except in compliance with the tree protection minimum requirements within this article and as contained in a tree protection plan recommended for approval by the Parish Arborist. Root Protection Zone may appear as the abbreviation "RPZ."

**SECTION 47.** That Chapter 40 Zoning, Sec. 40-180 Preservation and maintenance of trees (MRTPD), is hereby amended to reference Sec. 33-6.27 Tree preservation, to read as follows:

(a) *General.*

- (1) Sec. 33-6.27 Tree preservation shall apply. Where the provisions of Sec. 33-6.27 conflict with those of the MRTPD, the MRTPD shall prevail.
- (2) In addition to the trees identified as protected trees by Sec. 33-6.27.4, the following trees shall be protected:
  - a. The following species with a dbh of eight (8) inches or greater:
    1. All Oaks
    2. All Elms
    3. All Bald Cypress
    4. Pecan
    5. Magnolia, Japanese
  - b. Any tree, not identified as a protected tree, that contributes to the canopy of the MRTPD and has a dbh of at least twenty-four (24) inches.

- (b) *Application.* Notwithstanding, and in addition to, any other permitting requirements stated in Chapter 8 or any other chapter of the Jefferson Parish Code of Ordinances, prior to any construction activity as defined herein, in the MRTPD, including but not limited to tree removal only, a property owner or his agent shall submit a Metairie Ridge Tree Preservation District permit application to the Department of Inspection and Code Enforcement showing any and all trees of eight (8) inches dbh or greater, including any tree(s) not defined as a protected tree. Exceptions to the application and fee requirements are as follows:

\* \* \*

- (f) *Tree Protection Plan Requirements.* A Tree Protection Plan is required for major construction activities as defined in this article. Tree removal only, while defined as major construction activity, does not require a tree protection plan; however, the Parish Arborist may require the submittal of a tree protection plan if, after the property owner applies for tree removal, it is determined that the tree removal may be detrimental to other

protected trees and tree protection is necessary.

- (1) Removal of the tree protection measures shall occur when the construction activity is complete, and a certificate of compliance has been issued by the Department of Inspection and Code Enforcement. If a property owner wishes to begin landscaping his property prior to the issuance of the certificate of completion, he or his agent may submit a written request to the Department of Parkway to request an inspection of the site by the Parish Arborist. The Parish Arborist may authorize the removal of the tree protection measures prior to the issuance of a certificate of compliance if it is his determination that the remaining construction activity will not have a negative impact upon the protected trees. The Parish Arborist shall issue written notification to the property owner and the Department of Inspection and Code Enforcement that authorization has been given or denied for the removal of the tree protection measures.
- (2) At any time after the issuance of a permit for construction activity, the Parish Arborist may recommend to the Department of Inspection and Code Enforcement that a "Stop Work Order" be issued or a permit revoked and a violation citation issued to protect trees in the MRTPD.

**SECTION 48.** That Chapter 40 Zoning, Sec. 40-183 Violations of the article (MRTPD), is hereby amended to delete the section, to read as follows:

~~**Secs. 40-183-40-185. Reserved.**~~

**SECTION 49.** That Chapter 40 Zoning, Sec. 40-237 Permitted Uses (R-3), subsection (7)a.7 Elderly housing and assisted living facility, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The landscaping plan in conformance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 50.** That Chapter 40 Zoning, Sec. 40-238 Height regulations (R-3), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 51.** That Chapter 40 Zoning, Sec. 40-268 Height regulations (R-1CO), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 52.** That Chapter 40 Zoning, Sec. 40-282 Permitted uses (H-1), subsection (9)a.7 Elderly housing and assisted living, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The landscaping plan in conformance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 53.** That Chapter 40 Zoning, Sec. 40-302 Permitted uses (H-2), subsection (6)e Health and athletic clubs, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- e. *Landscaping and buffer provisions.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply, with the following additional provisions:
  1. All service areas and trash receptacles are screened by a wood, brick or masonry fence a minimum height of seven (7) feet. When such service areas or trash receptacles are located adjacent to residential development, an additional landscaped buffer strip a minimum of ten (10) feet in width is provided on that side of the property;

2. In accordance with Sec. 40-665. Clear vision area regulations, access way and street intersection sight triangles shall be maintained.

**SECTION 54.** That Chapter 40 Zoning, Sec. 40-304 Height regulations (H-2), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 55.** That Chapter 40 Zoning, Sec. 40-322 Permitted uses (C-1), subsection (14)a.7 Elderly housing and assisted living facility, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The landscaping plan in conformance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 56.** That Chapter 40 Zoning, Sec. 40-322 Permitted uses (C-1), subsection (36)h Animal hospitals and veterinary clinics, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 57.** That Chapter 40 Zoning, Sec. 40-323 Height regulations (C-1), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 58.** That Chapter 40 Zoning, Sec. 40-342 Permitted uses (GO-1), subsection (11)a.7 Elderly Housing and Assisted Living Facility, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The landscaping plan in conformance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 59.** That Chapter 40 Zoning, Sec. 40-343 Height regulations (GO-1), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 60.** That Chapter 40 Zoning, Sec. 40-362 Permitted uses (GO-2), subsection (5)c Clubs or churches, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- c. *Landscaping and buffer requirements.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply, with the following additional provisions:

1. All service areas and trash receptacles are screened by a wood, brick or masonry fence a minimum height of seven (7) feet. When such service areas or trash receptacles are located adjacent to residential development, an additional landscaped buffer strip a minimum of ten (10) feet in width is provided on that side of the property;

In accordance with Sec. 40-665. Clear vision area regulations, access way and street intersection sight triangles shall be maintained.

**SECTION 61.** That Chapter 40 Zoning, Sec. 40-362 Permitted uses (GO-2), subsection (10)e Health and athletic clubs, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- e. *Landscaping and buffer provisions.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply, with the following additional provisions:

1. All service areas and trash receptacles are screened by a wood, brick or masonry fence a minimum height of seven (7) feet. When such service areas or trash receptacles are located adjacent to residential development, an additional landscaped buffer strip a minimum of ten (10) feet in width is provided on that side of the property;  
In accordance with Sec. 40-665. Clear vision area regulations, access way and street intersection sight triangles shall be maintained.

**SECTION 62.**That Chapter 40 Zoning, Sec. 40-382 Permitted uses (CD-R), subsection (8)a.7 Elderly housing and assisted living facility, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The landscaping plan in conformance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 63.**That Chapter 40 Zoning, Sec. 40-383 Height regulations (CD-R), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 64.**That Chapter 40 Zoning, Sec. 40-403 Height regulations (BC-1), subsection (b)(11), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (11) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 65.**That Chapter 40 Zoning, Sec. 40-422 Permitted uses (BC-2), subsection (22)a.1 Hotels and motels, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

*Landscaping and buffering.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 66.**That Chapter 40 Zoning, Sec. 40-423 Height regulations (BC-2), subsection (b)(2)l, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- I. *Landscaping.*
  1. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.  
No parking or paving shall be permitted within the required front yard setback, with the exception of the driveway curb cut necessary for ingress and egress to the parking area.
  3. In accordance with Sec. 40-665. Clear vision area regulations, access way and street intersection sight triangles shall be maintained.

**SECTION 67.**That Chapter 40 Zoning, Sec. 40-442 Definitions and District Composition (MUCD), subsection (a) Definitions, is hereby amended to delete certain definitions, to read as follows:

For the purpose of this Article, certain words and terms are hereby defined:

*Group development* shall mean a form of development or a development option which includes one or more lots located within a single block, not separated by any public right-of-way, and designated by its owner or developer as a development site to be used, developed, or built upon.

*Outparcel* shall mean a lot that has been subdivided from a group development site and has a separate deed. It is located on the periphery of the group development site with its principal frontage facing and adjacent to a public right-of-way. An outparcel is adjacent to or partially surrounded by the group development site but functions independently of

the group development site, with or without direct access to the group development site or the public right-of-way.

*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.

**SECTION 68.** That Chapter 40 Zoning, Sec. 40-443 Height regulations (MUCD), subsection (c)(10), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

(10) *Landscaping.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 69.** That Chapter 40 Zoning, Sec. 40-444 Area regulations (MUCD), subsection (b)(1) Setbacks Front yard, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

(1) *Front yard.*

\* \* \*

- b. The required front yard shall be the minimum front building setback and shall be landscaped in accordance with Sec. 33-6.25 Landscaping, buffering, and screening. No parking or paving shall be allowed in the required front yard except for sidewalks or approved driveways directly connecting the development site to the adjacent street. Notwithstanding provisions in Chapter 33 that establish lot frontage, for purposes of applying MUCD landscaped buffer requirements in the required yards of a corner lot and as determined by the Planning Director, the required front yard shall be located on the street with the higher classification in the Parish Thoroughfare Plan, or if the streets have equal classification, it shall be located on the street upon which the building has its primary entrance.
- c. On through lots the required front yard shall be provided on both streets and shall be landscaped in accordance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 70.** That Chapter 40 Zoning, Sec. 40-446 Landscape and buffer standards (MUCD), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening and ~~Sec. 33-6.27 Tree preservation~~, to read as follows:

(a) Sec. 33-6.25 Landscaping, buffering, and screening shall apply, with the following additional provisions:

- (1) 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 nonresidential portion of the development site.
  - (2) Developers are encouraged to incorporate waterscapes, fountains, clock towers and other architectural features excluding fences, with landscaping to add to aesthetics and visual attraction.
- (b) *Development within the Mixed Use Corridor District.* Different land uses within the Mixed Use Corridor District shall be landscaped and buffered

appropriately and in general compliance with the landscape and buffer standards set forth in this section.

(c) *Visual Clearance.*

(1) *Sight triangles.* In accordance with Sec. 40-665. Clear vision area regulations, access way and street intersection sight triangles shall be maintained.

(2) *Fences.* Fences for the purposes of this ordinance shall not be considered structures.

~~(d) *Tree preservation.* Preservation of protected trees is required in accordance with Sec. 33-6.27. Tree preservation of this UDC and subject to the following:~~

~~(1) *Preservation areas.* Streetscape, property buffers, and the buildable area shall be considered preservation areas; however, in the buildable area, only Live Oak trees with a minimum dbh of thirty (30) inches shall be preserved where parking lot landscaping is required.~~

~~(2) *Tree preservation not required.* Where a lot, or two or more contiguous lots under single ownership, is at least ten (10) acres in size, preservation of protected trees is not required. For this purpose, the lot(s) may contain leased portions.~~

**SECTION 71.** That Chapter 40 Zoning, Sec. 40-447 General design standards (MUCD), subsection (a) Public service infrastructure and right-of-way, is hereby amended to replace the term “perimeter” with “streetscape,” to read as follows:

(a) *Public service infrastructure and right-of-way.*

\* \* \*

(2) Public right-of-way may be used to meet streetscape landscaping requirements, to locate vehicular display or parking that is not required off-street parking, to locate directional signs or a monument sign in lieu of an on-premise detached sign, or to locate fountains, clock towers, or other architectural structures, excluding fences, approved by the Department of Public Works, subject to the following provisions:

\* \* \*

b. The Parish may approve the use of right-of-way to meet requirements for streetscape landscaping or to provide vehicular display or parking that is not required off-street parking only in conjunction with the site plan review procedures of this article. For a monument sign in the right-of-way, the property owner requesting the monument sign for the adjacent property must submit an application for a minor amendment to an approved site plan if a site plan is in effect for the property. If no site plan is in effect and the monument sign is the only development approval requested, site plan review in accordance with this article is not required.

c. If an application for site plan review includes a valid lease approved by the Parish Council or written authorization from the State for use of public right-of-way to meet requirements for streetscape landscaping in accordance with Section 40-446 (3)(c), and the application for development approval meets all other requirements of this Code, then Level 1 administrative site plan review may apply. If an application includes a variance to the MUCD regulations or features more than ten (10) feet of the required front landscaped area in the public right-of-way, then Level 2 site plan review shall apply and the Council shall determine final action on the request by ordinance.

\* \* \*

**SECTION 72.** That Chapter 40 Zoning, Sec. 40-448 Sign regulations

(MUCD), subsection (b) Permitted signs, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

(b) *Permitted signs.*

\* \* \*

- (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:

\* \* \*

- c. *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:

\* \* \*

3. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

- d. *Permitted height.*

\* \* \*

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 section, a monument sign shall be limited to six (6) feet in height and not more than sixty (60) square feet and Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

\* \* \*

- (4) *Menu boards.* Menu boards servicing drive-up (drive-through) restaurants shall be permitted provided that:

\* \* \*

- b. *Landscaping required.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

\* \* \*

**SECTION 73.**That Chapter 40 Zoning, Sec. 40-450 Site plan submittal (MUCD), subsection (8), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

A landscaping plan in accordance with Sec. 33-6.25 Landscaping, buffering, and screening, including a tree survey if utilizing Tree Credit provisions.

**SECTION 74.**That Chapter 40 Zoning, Sec. 40-474 Area regulations (CPZ), subsection (a), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- (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 the minimum front yard and building setback and shall be landscaped in accordance with Sec. 33-6.25 Landscaping, buffering, and screening. No parking or paving shall be allowed in the required front yard except for sidewalks or approved driveways directly connecting the development site to the adjacent street. Notwithstanding provisions in Chapter 33 that establish lot frontage, for purposes of applying CPZ landscaped buffer requirements in the required yards of a corner lot and as determined by the Planning Director, the required front yard shall be located on the street with the higher classification in the Parish Thoroughfare Plan, or if the streets have equal classification, it shall be located on the street upon which the building has its primary entrance.

- (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, and this yard shall be landscaped in accordance with Sec. 33-6.25 Landscaping,

buffering, and screening. 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.

**SECTION 75.**That Chapter 40 Zoning, Sec. 40-475 Parking requirements (CPZ), subsection (b), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:  
All parking areas shall be paved and be landscaped in accordance with Sec. 33-6.25 Landscaping, buffering, and screening.  
**SECTION 76.**That Chapter 40 Zoning, Sec. 40-476 Landscape and buffer requirements (CPZ), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening and ~~Sec. 33-6.27 Tree preservation~~, to read as follows:

\* \* \*

(b) Sec. 33-6.25 Landscaping, buffering, and screening shall apply. In addition to the Streetscape landscaping, a hedge, wall, earth berm, or other durable landscape barrier of a minimum of two (2) feet in height shall be placed between the abutting right-of-way and any off-street parking area, service area, or loading and unloading area to screen the vehicular use area. If the barrier consists of nonliving material, one (1) vine or shrub shall be planted every ten (10) feet and abutting the barrier.

~~(c) Preservation of protected trees is required in accordance with Sec. 33-6.27. Tree preservation of this UDC and subject to the following:~~

~~(1) Preservation areas. Streetscape, property buffers, and the buildable area shall be considered preservation areas; however, in the buildable area, only Live Oak trees with a minimum dbh of thirty (30) inches shall be preserved where parking lot landscaping is required.~~

~~(2) Tree preservation not required. Where a lot, or two or more contiguous lots under single ownership, is at least ten (10) acres in size, preservation of protected trees is not required. For this purpose, the lot(s) may contain leased portions.~~

(c) ~~(d)~~ *Service bays/drives.*

- (1) All service bays, loading and unloading areas, trash receptacles and dumpster area must be screened by a wood, brick, or masonry fence with a minimum height of seven (7) feet. This fence is in addition to perimeter landscape requirements set in this section.
- (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 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) ~~(e)~~ Clear vision areas shall be maintained in accordance with Sec. 40-665. Clear vision area regulations.

(e) ~~(f)~~ *Sidewalks.*

\* \* \*

(f) ~~(g)~~ *Lighting.*

\* \* \*

(g) ~~(h)~~ *Support buildings and structures.*

\* \* \*

**SECTION 77.**That Chapter 40 Zoning, Sec. 40-477 Sign regulations (CPZ), subsection (b) Permitted signs, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

(b) *Permitted signs.*



- \* \* \*
- (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:

- \* \* \*
- c. Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

- \* \* \*
- (7) *Menu boards.* Menu boards servicing drive-up (drive-through) restaurants shall be permitted provided that:

- \* \* \*
- b. *Landscaping required.* The menu board shall be located in association with the drive-through service lanes and Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

\* \* \*

**SECTION 78.** That Chapter 40 Zoning, Sec. 40-478 Site plans (CPZ), subsection (b)(2)d, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- d. *Landscaping plan*, in accordance with Sec. 33-6.25 Landscaping, buffering, and screening, including a tree survey if utilizing Tree Credit provisions.

**SECTION 79.** That Chapter 40 Zoning, Sec. 40-479 Compliance with Commercial Parkway Overlay Zone (CPZ), subsection (f) Use of public right-of-way, is hereby amended to replace the term “perimeter” with “streetscape,” to read as follows:

- (f) *Use of public right-of-way.* Public right-of-way may be used to meet streetscape landscaping requirements, to locate vehicular display or parking that is not required off-street parking, to locate directional signs or a monument sign in lieu of an on-premise detached sign, or to locate fountains, clock towers, or other architectural structures, excluding fences, approved by the Department of Public Works, subject to the following provisions:

- \* \* \*
- (2) The Parish may approve the use of right-of-way to meet requirements for streetscape landscaping or to provide vehicular display or parking that is not required off-street parking only in conjunction with the site plan review procedures of this article. For a monument sign in the right-of-way, the property owner requesting the monument sign for the adjacent property must submit an application for a minor amendment to an approved site plan if a site plan is in effect for the property. If no site plan is in effect and the monument sign is the only development approval requested, site plan review in accordance with this article is not required.
- (3) If an application for site plan review includes a valid lease approved by the Parish Council or written authorization from the State for use of public right-of-way to meet requirements for streetscape landscaping in accordance with Section 40-476 (d)(2) and the application for development approval meets all other requirements of this Code, then administrative site plan review by the Planning Department may apply. If an application includes a variance to the CPZ regulations or the regulations of the underlying zoning district or features more than ten (10) feet of the required front landscaped area in the public right-of-way, then the Council shall determine final action on the request by ordinance.

\* \* \*

**SECTION 80.** That Chapter 40 Zoning, Sec. 40-498 Landscape, buffer and general design standards (GED), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening to read as follows:

- Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 81.**That Chapter 40 Zoning, Sec. 40-499 Submittal requirements (GED), subsection (a)(2), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

A landscaping plan in accordance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 82.**That Chapter 40 Zoning, Sec. 40-522 Permitted uses (C-2), subsection (11)a.1. Hotels and motels, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

*Landscaping and buffering.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

**SECTION 83.**That Chapter 40 Zoning, Sec. 40-522 Permitted uses (C-2), subsection (17)b. Off-track wagering facilities, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The facility shall be subject to the regulations and requirements of this chapter for height, yards, signs, off-street parking, clear vision area, and loading; and to Sec. 33-6.25 Landscaping, buffering, and screening. Only the Parish Council may grant variances to these development regulations and requirements. If the site is overlaid with the Commercial Parkway Overlay Zone (CPZ), the MUCD standards shall prevail for general design, and the stricter of the CPZ or the underlying zoning shall prevail for all other standards.

**SECTION 84.**That Chapter 40 Zoning, Sec. 40-523 Height regulations (C-2), subsection (b)(10), is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

(10) *Landscaping.* For required yards 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), the entire twenty (20) feet of yard abutting a 1-, 2-, 3-, or 4-family zoning district shall be landscaped in accordance with Sec. 33-6.25 Landscaping, buffering, and screening.

**SECTION 85.**That Chapter 40 Zoning, Sec. 40-562 Permitted uses (M-1), subsection (b) Gaming establishments and related activities, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

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

\* \* \*

(6) *Landscape, buffer and general design standards.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

(7) *Submittal requirements:*

a. In addition to the requirements stated above, the following shall also be submitted:

\* \* \*

2. A landscaping plan in accordance with Sec. 33-6.25 Landscaping, buffering, and screening.

\* \* \*

**SECTION 86.**That Chapter 40 Zoning, Sec. 40-562 Permitted uses (M-1), subsection (d)(11) Truck stops, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

Sec. 33-6.25 Landscaping, buffering, and screening shall apply, except that a twenty-foot landscaped buffer between the property line and any abutting more restrictive zoning district shall be provided, and requirements for parking lot landscaping shall not apply to truck parking

areas.

**SECTION 87.**That Chapter 40 Zoning, Sec. 40-562 Permitted uses (M-1), subsection (f)b. Off-track wagering facilities, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

The facility shall be subject to the regulations and requirements of this chapter for height, yards, signs, off-street parking, clear vision area, and loading; and to Sec. 33-6.25 Landscaping, buffering, and screening. Only the Parish Council may grant variances to these development regulations and requirements. If the site is overlaid with the Commercial Parkway Overlay Zone(CPZ), the MUCD standards shall prevail for general design, and the stricter of the CPZ or the underlying zoning shall prevail for all other standards.

**SECTION 88.**That Chapter 40 Zoning, Sec. 40-582 Permitted uses (M-2), subsection (61) Gaming establishments and related activities, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

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

\* \* \*

f. *Landscape, buffer and general design standards.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

g. *Submittal requirements.*

1. In addition to the requirements stated above, the following shall also be submitted.

\* \* \*

ii. A landscaping in accordance with Sec. 33-6.25 Landscaping, buffering, and screening. To reduce the number of submittals, the landscaping plan may be added to the basic site plan noted above.

\* \* \*

**SECTION 89.**That Chapter 40 Zoning, Sec. 40-602 Permitted uses (M-3), subsection (3)n. Gaming establishments and related activities, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening to read as follows:

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

\* \* \*

6. *Landscape, buffer and general design standards.* Sec. 33-6.25 Landscaping, buffering, and screening shall apply.

7. *Submittal requirements:*

i. In addition to the requirements stated above, the following shall also be submitted:

\* \* \*

B. A landscaping in accordance with Sec. 33-6.25 Landscaping, buffering, and screening. To reduce the number of submittals, the landscaping plan may be added to the basic site plan noted above.

\* \* \*

**SECTION 90.**That Chapter 40 Zoning, Sec. 40-662 Off-street parking requirements, is hereby amended to provide that parking surfaces be all-weather, including impervious or pervious surfaces, and to clarify and modify regulations for compact parking, to read as follows:

Off-street parking spaces shall be provided on any lot for which any of the following listed uses are hereafter established, subject to the following and the standards in the Appendix of this Chapter:

- \* \* \*
- (b) A maximum of twenty-five (25) percent of the required parking spaces may be designated for use by compact vehicles. Compact vehicle parking spaces shall be identified by individually marking each parking space as compact vehicle parking.

- \* \* \*
- (i) Parking and other vehicular use areas shall be paved with an approved all-weather hard surface, which may be impervious or permeable or any combination thereof, and shall be properly graded for drainage and maintained in good condition, free of weeds, dust, trash, debris and spillover of material onto public right-of-way or adjacent property. Generally, the type of paving material used shall be manufactured for use as a parking surface. The specific material used shall comply with standards and specifications established by the Engineering Director, who shall make the final determination of suitability where uncertainty exists. The surface material(s), underlying layer(s), and methods of structural and hydrologic design and installation shall be suitable to the soils, water table depth, utility lines, public infrastructure capacities or standards, traffic or fire service loads, trash or debris loads, intended use, or other site-specific factors, as indicated on drawings or in other documents submitted to the parish for approval by the Inspection and Code Enforcement Director or Engineering Director, as applicable. If the permeable paving is an integral part of a stormwater management system, the Maintenance provisions of Sec. 33-6.26 Low Impact Development shall apply.

\* \* \*

**SECTION 91.** That Chapter 40 Zoning, Sec. 40-747 Regulations for stadiums and athletic fields, is hereby amended to reference the requirements of Sec. 33-6.25 Landscaping, buffering, and screening, to read as follows:

- \* \* \*
- (b) *Stadiums and athletic fields in residential zoning districts.* Notwithstanding the definition of accessory building or use, or any other provisions related to accessory buildings or uses, the following regulations shall apply to any stadium or athletic field accessory to a school or located within a park or playground in a residential zoning district:

- \* \* \*
- (4) *Landscape and Buffer.*
- a. Sec. 33-6.25 Landscaping, buffering, and screening shall apply, except that the Streetscape and Property Buffer areas shall only be required on the portion of the lot where the stadium is located.
- b. *Exceptions.* Public parks or playgrounds are exempt from these landscape and buffering criteria.

- \* \* \*
- (c) *Stadiums and athletic fields in non-residential zoning districts.* When a stadium or athletic field is a stand-alone recreational use or accessory to a high school in the case of a stadium, any school in the case of an athletic field, or to a park or playground, in a non-residential zoning district (where such uses are permitted) that abuts or is located across the right of way of a local, neighborhood collector, or collector street from a residential zoning district, the following criteria shall apply:

- \* \* \*
- (3) *Landscape and Buffer.*
- a. Sec. 33-6.25 Landscaping, buffering, and screening shall apply, except that the Streetscape and Property Buffer areas shall only be required on the portion of the lot where the stadium is located.
- b. *Exceptions.* Public parks or playgrounds are exempt from these buffering criteria.

\* \* \*

**SECTION 92.** That Chapter 40 Zoning, Article XLII Board of Zoning

Adjustments, Sec. 40-792 Powers of the Board, subsection (3) Variances, is hereby amended to clarify what sections of the code the BZA may grant variances to, including deleting subsection f. and renumbering subsequent sections in alphabetical order, to read as follows:

- (3) *Variances.* In accordance with standards, hereafter prescribed, to grant variances from the provisions of Chapter 40, Zoning, and Chapter 33, Unified Development Code, in the following instances or as specifically authorized elsewhere in this Code:

\* \* \*

- f. Permit a variance to the building line requirements located in Article XXXV. Off Street Parking, Loading, and Clear Visions Area Regulation, Sec. 40-661. General Requirements (g)(2).

\* \* \*

**SECTION 93.** That Chapter 40 Zoning, Sec. 40-811 Generally, is hereby amended to state that administration is a joint responsibility, to read as follows:

In accordance with Sec. 33-1.12. Responsibilities for application of UDC in Chapter 33 Unified Development Code of this code, the administration of this chapter shall be the joint responsibility of the Planning Director, Inspection and Code Enforcement Director, and Public Works Director, as applicable, and those agents and employees of the Planning Department, Inspection and Code Enforcement Department, and Public Works Department as so designated by him or her.

**SECTION 94.** That Chapter 40 Zoning, Sec. 40-836 Generally, is hereby amended to update requirements related to site plans and plats including applicability, revisions, and maintenance of records, to read as follows:

Specific requirements for site plans and plats are provided in other articles of this chapter and applicable sections of Chapter 8 Buildings and Building Regulations and Chapter 33 Unified Development Code of this code, as supplemented by application requirements of the Planning Department or Inspections and Code Enforcement Department, as applicable. Generally, all applications for a building permit, all applications where a zoning base or overlay district requires site plan review, or all activities where approval by the Department of Inspection and Code Enforcement is required, shall be accompanied by a current survey of the property and a plan of the building site drawn to scale, showing the actual dimensions of the lot to be built upon, the size, height, and location of the building(s), and structures to be erected, converted, enlarged, reconstructed or structurally altered or relocated, the size and location of any existing buildings or structures on the lot, and such other information as may be necessary to provide for the enforcement of these regulations. All required parking areas, drive aisles, and access driveways must be shown and the individual parking stalls clearly indicated. Any and all revisions made to the original or subsequent revised versions of the plan, either through the review process or as a minor amendment during construction, shall be clearly indicated on a new plan or by a cloud on the original drawing and an itemized list of changes indicated on the plan, and shall include the date of each such revision. Complete records of applications, plans, and plats shall be maintained in the Office of the Inspection and Code Enforcement Director or the Office of the Planning Director, as appropriate to the type of application.

**SECTION 95.** That Chapter 40 Zoning, Sec. 40-846 Interpretation, purpose and conflict, is hereby amended to delete the specific types of restrictions, to read as follows:

In interpreting the provisions of this chapter, these shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. Where this chapter imposes a greater restriction or higher standard than is imposed or required by any other provision or regulation of this code, the provisions of this chapter shall govern.

**SECTION 96.** That the Municipal Code Corporation is hereby authorized and directed to correct any cross-references within the code that are affected by


the renumbering of sections or subparagraphs via 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 9<sup>th</sup> day of August 2017, 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