

ARTICLE XIX. NEIGHBORHOOD COMMERCIAL DISTRICT C-1**Sec. 40-321. Description.**

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

- (1) That the neighborhood commercial district as proposed will not adversely affect the abutting residential areas.
- (2) That the site development plan of the neighborhood commercial district provides for adequate vehicular and pedestrian access and circulation, and that the resulting concentration of traffic will not present problems of safety or impede normal traffic movement on adjacent streets.
- (3) That the need for such neighborhood commercial district is justified on the basis of facts submitted by the applicant, which clearly indicate that a present or potential market exists for the facilities and services proposed, and that existing zoned neighborhood commercial districts cannot adequately satisfy these needs.

(Ord. No. 20783, § 3(XIII(1)), 9-22-99)

Sec. 40-322. Permitted uses.

In C-1 districts only the following uses of property shall be permitted:

- (1) Any existing stand-alone single-family, two-family, three-family, or four-family dwelling shall be recognized as a conforming use; however, the existing stand alone single-, two-, three-, or four-family dwelling cannot be restored if it is destroyed beyond seventy-five (75) percent or more of its value.
- (2) A residential dwelling shall be permitted in the main structure containing non-residential uses permitted in this district provided the following criteria are met:
 - a. Separate ingresses and egresses shall be provided for the residential dwelling and the non-residential use.
 - b. In addition to the requirements in Article XXXV, Off-Street Parking and Loading Regulations, parking spaces for the non-residential uses and residential dwellings shall be segregated and clearly defined.
 - c. The front, side, and rear yard requirements shall be based on the non-residential use contained on the lot.

- d. A residential dwelling shall not be permitted in structures containing non-residential uses that operate between the hours of midnight and 6:00 a.m., or use, sell, or store hazardous materials as classified in Chapter 13 Fire Prevention and Protection; Emergency Services and Communication of the Jefferson Parish Code of Ordinances, more particularly section 13-7(a) entitled Classes of hazardous substances.
- (3) Bakeries, **retail**, employing not more than ten (10) persons per work shift, provided the gross floor area of the bakery not exceed ten thousand (10,000) square feet.
- (4) Banks, including drive-in banks.
- (5) Barber shops and beauty shops.
- (6) Board and care home provided all applicable requirements are met and approval is obtained in accordance with Article XL, Special Permitted Uses.
- (7) Catering and delicatessen business.
- (8) Cemeteries provided the following criteria are met:
- a. No structure shall be permitted within the required yard area, however, in no case shall a structure be located closer than ten (10) feet from the front property line of any zoning district.
 - b. All required yard areas shall be landscaped and permanently maintained.
 - c. An opaque, visual barrier of not less than six (6) feet in height and consisting of material such as masonry, wood, metal, vegetation or any combination thereof shall be established along the perimeter property lines in compliance with the applicable requirements of the Jefferson Parish Building Code and Comprehensive Zoning Ordinance. Additionally, if the visual barrier consists entirely of plant materials, a chain-link fence of not less than six (6) feet in height is also required.
 - d. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses, however, any cemetery established and/or dedicated at the time of adoption of this ordinance shall be considered conforming and shall not have to comply with the provisions of Article XL.
- (9) Clinic, medical, dental, chiropractic, or an establishment operated by a massage therapist both of which are licensed and registered pursuant to LSA R.S. 37-3551 et seq.
- (10) Clubs and lodges.
- (11) Copying service.
- (12) Custom dressmaking, millinery, tailoring or similar retail trades employing not more than five (5) persons on the premises.
- (13) Dry cleaning and laundries, collection and distribution stations, including pressing machines operated as part of the business, provided that no steam be discharged directly into the atmosphere, and said business not to employ more than five (5) persons on the premises.
- (14) Elderly housing and assisted living facility provided the following minimum criteria are met:
- a. A site plan and other drawings showing the name of the development and the density (units per acre) are to be submitted to the department of inspection and code enforcement containing the following minimum information:
 1. The location and dimensions of all existing and proposed streets, driveways, entrances and exits, loading areas, parking spaces and sidewalks.

2. The existing property boundary of the site and all adjoining street rights-of-way, north point, date and scale of site plan.
 3. The location, height and elevations of all structures to be located on the site showing setback dimensions, use and type of materials.
 4. The total area of the site (square feet or acres) indicating the total area to be used for open or green spaces, exclusive of parking area, on the site.
 5. The floor plans of all structures and their uses to be located on the site showing main floor, typical floors, the layout of individual units and also providing the total number of residential units and any additional accessory uses together with their floor area in square feet.
 6. The lighting plan of the site showing types of fixtures and their location.
 7. The landscaping plan of the site showing the type, size and number of plants to be used and the location, type and height of all fences. The landscaping plan shall be in conformance with the requirements of the Commercial Parkway Overlay Zone (CPZ) section 40-476, Landscape and Buffer Requirements.
 8. The details of all signs indicating the size, height, materials and their locations on the building or development site, which meet the requirements of the zoning district in which the facility is located or the Commercial Parkway Overlay Zone (CPZ), section 40-477, Sign Regulations, whichever is more restrictive.
 9. The emergency systems/plan for fire and evacuation, and the location of the fire plugs on the site.
 10. The location of the trash disposal system with the details of its screening.
 11. The parking layout showing the number of required and proposed parking.
- b. Additional information may be required by the department of inspection and code enforcement depending on the nature and extent of the proposed facility including but not limited to application for state license.
 - c. Any facility requiring a variance to the landscaping and buffering requirements specified above may apply for a variance to these provisions to the Jefferson Parish Council in accordance with CPZ Site Plan Review, section 40-480.
 - d. For the purposes of this district, elderly housing and assisted living facilities with culinary facilities in each dwelling unit that exceed the maximum height allowed by right shall be subject to the criteria for multiple-family dwellings that exceed the maximum height allowed by right in this district.
- (15) **Filling stations.**
 - (16) Funeral homes, mortuaries, and crematories.
 - (17) Government structures and land.
 - (18) Parking garages, including parking lots.
 - (19) **General retail stores and** establishments having a gross floor area of not more than twenty-five thousand (25,000) square feet, or twelve (12) percent of the total area of the commercial shopping center in which the retail store or establishment is located, whichever is larger.

Tire repair is an accessory use

- (20) Convalescent and nursing homes.
- (21) Institutions, but not to include chemical dependency units and penal, correction or mental institutions.
- (22) Laundromats.
- (23) Libraries, museums, community centers, any building or structure used exclusively by the Parish of Jefferson or its assigns for public purposes and any building used by the federal or state government for public purposes, except correctional institutions or mental hospitals, and only with the approval of the Jefferson Parish Council.
- (24) Locker plants, renting lockers for storage of food.
- (25) Nurseries and flower gardening.
- (26) Nursery schools, pre-schools, and kindergartens, privately operated and must provide a minimum play area of seventy-five (75) square feet for each child and such play area must be enclosed to a height of not less than four (4) feet, nor more than six (6) feet.
- (27) Offices, any office not exceeding thirty thousand (30,000) square feet in one (1) building, in which goods, wares, and merchandise are not stored, exchanged or sold.
- (28) Public utility structures. See Article XXXIX, Exceptions and Modifications, section 40-748, Regulations for Public Utility Structures, for additional criteria.
- (29) Publishing without printing.
- (30) Recreational uses. See Article XXXIX, Exceptions and Modifications, section 40-747, Regulations for stadiums and athletic fields, for additional criteria related to those uses.
- (31) Schools. See Article XXXIX, Exceptions and Modifications, section 40-747, Regulations for stadiums and athletic fields, for additional criteria related to those uses.
- (32) **Shops, light repair, employing not more than five (5) persons on the premises.**
- (33) Stores, retail having a gross floor area of not more than twenty-five thousand (25,000) square feet, or twelve (12) percent of the total area of the commercial shopping center in which the retail store is located, whichever is larger, including restaurants and cafeterias, however, retail seafood market establishments which are located within one hundred (100) feet of a residential district will only be permitted when the following criteria are met:
 - a. There be at least fifty (50) feet between any such use and the adjacent residences.
 - b. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.
- (34) Taxi stands and stands for public transit vehicles.
- (35) Accessory buildings and uses customarily incidental to the above uses, including a sign or bulletin board relating only to services, articles and products offered within the building or on the premises to which the sign is attached. Any building used primarily for any of the above uses may use no more than twenty-five (25) percent of the floor area for storage purposes incidental to each operation. The following illuminated or non-illuminated signs shall be permitted in a C-1 Neighborhood Commercial District:

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- a. Either a detached or roof sign shall be permitted, but not both. The sign area shall not exceed one and one-half (1 1/2) square feet for each linear foot of property frontage. On corner lots where either property line exceeds three hundred (300) linear feet, a second sign shall be permitted with the same requirements as for single frontage properties. The maximum area shall not exceed three hundred (300) feet and no point of the sign and/or structure thereof

shall exceed the height limitation of the zoning district. There shall be only one (1) sign or two (2) on corners as described above per single lot of record with the exception of any theaters on the site. They shall be allowed to have a freestanding marquee type sign not to exceed two hundred (200) square feet in total area. No exposed structure shall be visible on a roof sign.

b. Total area for all other exterior signs combined shall not exceed three (3) square feet per linear foot of each establishment's primary building frontage and shall not exceed fifteen (15) percent of this primary building frontage elevation area. Signs may be located on any building elevation based upon total sign area as described above. On corner properties, where more than one (1) frontage is involved, half the requirements of area and percentage shall apply to all other sides. Signs painted on windows and awnings shall be included in total sign areas.

c. When the area of C-1 zoning exceeds ten (10) acres, the requirements for C-2 zoning shall take effect.

(36) Animal hospitals and veterinary clinics provided the following criteria be met:

a. All areas where animals are housed shall be totally contained within an interior space of the hospital.

b. There shall be no exercise runs, yards, pens or other facilities for the care or housing of animals in any exterior space.

c. The structure where animals are kept or housed shall be insulated or soundproofed, including windows and doors, in order to minimize or reduce as much as practically possible sounds emanating from within the structure and shall comply with section 20-102, Noise, of the Jefferson Parish Code of Ordinances.

d. There shall be no openings facing adjacent residentially zoned property other than the main entrance to the hospital.

e. There shall be an air ventilation system capable of filtering out objectionable odors associated with an animal hospital. Such filtered air shall be vented into the atmosphere above the roofline or parapet.

f. Overnight boarding of animals is permitted for veterinary care and as an accessory use for non-veterinary purposes, provided that in no case shall the area used for boarding exceed twenty-five (25) percent of the floor area of the primary structure.

g. The maximum area of the structure or structures in which the animal hospital or veterinary clinic is located shall be twenty-five (25,000) square feet.

h. The site shall be landscaped in conformance with the requirements of Article XXVI, Commercial Parkway Overlay Zone (CPZ), section 40-476, Landscape and Buffer Requirements.

i. For animal hospitals and veterinary clinics not meeting the criteria outlined above due to site related or other hardships, council approval shall be required as per Article XL, Special Permitted Uses, with the exception of section 40-764, Renewal of Special Permitted Uses.

(37) Commercial transmission towers, radio towers, masts, aerials, antennas and/or associated support buildings in accordance with section 40-737(4).

(38) Multiple dwelling units only above the ground floor provided the following criteria are met:

a. There shall be a minimum of five (5) dwelling units.

b. Non-residential uses permitted in this article shall comprise a minimum of fifty

(50) percent of the ground floor of the structure. For the purpose of this provision, uses or areas accessory to the dwelling units exclusively for the use of the residents of the dwellings and located in the structure, such as lobby, management office, mail or laundry room, multipurpose room, health club, or parking shall be considered as residential uses.

c. At least one (1) main entrance shall provide direct public access to the ground floor non-residential uses.

d. Except as provided in the bulk plane and yard requirements below for exceptions to the maximum height allowed by right, any portion of the building that contains any dwelling units shall be located a minimum of three (3) feet from the side and rear lot lines except where the lot abuts a residential zoning district in which case the more restrictive side and rear yard requirements of this article shall apply.

(Ord. No. 20783, § 3(XIII(2)), 9-22-99; Ord. No. 21715, § 1, 11-13-02; Ord. No. 22794, §§ 2, 6, 7-19-06; Ord. No. 22962, § 12, 1-10-07)

Sec. 40-323. Height regulations.

(a) *Maximum height allowed by right.* The maximum height allowed by right is forty-five (45) feet except as provided for in section 40-737 and in this section with respect to multiple dwelling units.

(b) *Exceptions to the maximum height allowed by right for buildings with multiple dwelling units.* Multiple dwelling units meeting the permitted use criteria, above, may exceed the maximum height allowed by right in this district if the building meets the following requirements in addition to all other applicable requirements of this district:

(1) *Site plan.* Site plan submittal and review shall be conducted in accordance with the following requirements:

a. *Application for site plan review.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in this zoning district shall submit applications for site plan review in accordance with the Application for site plan review procedures set forth in the Mixed Use Corridor District, section 40-449(d), Application for site plan review, except as otherwise stated for fee and recordation requirements.

b. *Fee schedule.* Fees for site plan review shall be required in accordance with the site plan review fee schedule located in the BC-2 Business Core District.

c. *Site plan requirements and review criteria.* Site plan submittals for buildings with multiple dwelling units that exceed the maximum height of the district shall contain all applicable requirements of section 40-450, Site plan submittal, located in the Mixed Use Corridor District.

d. *Review procedures.* Requests for multiple-family developments and redevelopment that exceed the maximum height permitted by right in the district shall be submitted to the Jefferson Parish Planning Department. Upon review of complete site plans, the planning department shall determine the level of site plan review required for the particular project.

1. *Level 1 site plan review.* Level 1 site plan review shall apply to all development exceeding the maximum height permitted by right in the district. Once a Level 1 site plan review is determined by the planning department and the planning department determines that the development criteria are fully met, the development proposal shall be submitted to the building permit process through the inspection and code enforcement department.

2. *Level 2 site plan review.*

i. Level 2 site plan review shall apply to all development exceeding the height permitted by right in the district which does not fully meet the development criteria of this article. Once a Level 2 site plan review is determined to be necessary by the planning department because a variance is included in the development proposal, the site plan submittal shall be reviewed by the appropriate parish administrative departments in accordance with the site plan requirements of this section and then submitted with the recommendations of those departments to the parish council for consideration. Approval shall only be by ordinance adopted by the parish council.

ii. The Jefferson Parish Council may grant variances to the requirements in this section for access, landscaping, project completion time limits and sidewalks and may grant limited variances to requirements in this section for signs and yards. Neither the parish council, nor any parish board, commission, department or administrative agency shall grant a variance to the prohibition against moving, rotating, flashing, blinking, or fluctuating signs or to the requirements for yards that abut a one-to four-family residential district or use. Neither the parish council, nor any parish board, commission, department or administrative agency shall grant a variance to any other development regulation in this section, including but not limited to the maximum height requirement.

iii. Variances to the development requirements of this section shall be approved by the Jefferson Parish Council in accordance with the procedures set forth in Article XLVIII, Changes and Amendments, provided the following criteria are met:

A. The variance is consistent with the general provisions and intent of the zoning district.

B. The variance is harmonious and compatible with adjacent land uses.

C. Special conditions and circumstances exist peculiar to land, structures or buildings which are not applicable to other land, structures or buildings in the same district and which a site related hardship can be demonstrated.

e. *Recordation of approved site plan.*

1. *Level 1 recordation.* The applicant shall submit at least four (4) final original site plans to the planning department. Final approval of the site plan, as indicated by the dated signature of the planning department director, shall be withheld until the requested number of site plans has been received by the planning department. Within thirty (30) calendar days of final approval, the planning department shall submit an original site plan to the clerk of court for recordation. The recorded site plan shall thereafter be binding upon the applicants, their heirs, successors, and assigns; shall limit and control the issuance and validity of permits and certificates; and shall restrict and limit the use and operation of all land and structures within the area designated in the site plan and approval thereof. An original of the site plan stamped by the clerk of court indicating the recordation shall be retained by the planning department and by the department of inspection and code enforcement.

2. *Level 2 recordation.* The applicant shall submit to the planning

department at least five (5) original site plans of the project as approved by the Jefferson Parish Council. After certification by the planning director that the submitted plans conform to the approval of the council, as indicated by the dated signature of the planning director, the planning department shall submit four (4) of the certified site plans to the clerk of council who shall submit the site plans to the clerk of court for recordation with the council ordinance which approved the project within sixty (60) calendar days of the effective date of the ordinance or certification by the planning director that the site plans conform to the approval of the council, whichever is later. The recorded site plan shall thereafter be binding upon the applicants, their heirs, successors, and assigns; shall limit and control the issuance and validity of permits and certificates; and shall restrict and limit the use and operation of all land and structures within the areadesignated in the site plan and approval thereof. An original of the recorded site plan stamped by the clerk of court indicating the recordation shall be retained by the clerk of council, the planning department, and the department of inspection and code enforcement.

f. *Phasing requirements.*

1. *Multiphase development.* The development may be developed in phases provided that the development meets the following criteria:

i. Developments containing a mix of non-residential and residential uses shall complete the non-residential uses and all necessary off-site improvements first.

ii. Each phase can function and can be utilized independently of subsequent phases.

iii. At the time of application, the applicant submits a phasing schedule containing:

A. The number of phases in which the development will be built.

B. The dates when construction of each phase will begin and be completed. For the purposes of this article and references thereto, the "beginning or initiation of construction" of a development shall be the date on which a building permit is issued for the development or phase of the development and the completion of a development shall be the date on which a certificate of use and occupancy (temporary or regular) is issued for the development or phase of a development.

C. The infrastructure and on-site improvements to be included in each phase.

2. *Single phase development.* If no phasing schedule is provided at the time of the application, the applicant shall complete the development as a single phase including all on-site improvements as required by this Code and as delineated in the site plan submittal.

g. *Time limitations.*

1. *Multiphase development.* The applicant shall apply for and receive a building permit for at least one (1) phase of a multiple-phase development within one (1) year of site plan approval. The applicant shall have a maximum of five (5) years from the date the building permit is issued to complete all phases of the development unless the parish council or planning director approves an extension for the development.

2. *Single phase development.* The applicant shall apply for and receive

a building permit within one (1) year of site plan approval. The applicant shall have a maximum of two (2) years from the date the building permit is issued to complete the development unless the parish council or planning director approves an extension for the development.

3. *Failure to meet time limitations.* Approval shall be vacated and site plan approval shall become null and void if a building permit has not been issued for single phase and multiphase development within the time limits prescribed above, including any extension(s), and no request for extension is pending. No building permits shall be issued for site plans that have been declared null and void. Nevertheless, such site plans may be submitted as a new application for review, and must conform to all site plan and review requirements in effect at the time of the later application.

h. *Extensions.*

1. *Standards for extension.* Upon a finding that unforeseen circumstances prevented completion within the approved time limitation, the planning department director may grant an extension for a period not to exceed six (6) months. If the planning director denies a request for an extension, the applicant may appeal the decision to the parish council. The parish council may grant extensions for periods greater than six (6) months subject to the following provisions:

i. *Single phase development.* An extension for a single phase development may be granted by council resolution and shall not exceed a period of three (3) years.

ii. *Multiphase development.* An extension for a multiphase development shall be granted by ordinance for a period at the discretion of the council. If the council grants an extension the applicant shall submit a revised phasing schedule to the planning department for approval by the planning director.

2. *Requests for extension.* The applicant shall request an extension for the beginning of construction or completion of construction. The request, including information which explains the need for an extension, shall be made in writing to the planning director and must be received by the planning department within the original term to complete the development. Requests that require council action shall be processed in accordance with the procedures in Article XLVIII Changes and Amendments. The recommendations to the parish council for extension shall be based on a finding from the planning department and the planning advisory board that unforeseen circumstances prevented completion within the approved time limitation.

(2) *Maximum height.* The height of buildings with multiple dwelling units shall not exceed seventy (70) feet.

(3) *Bulk plane.* A building exceeding the maximum height allowed by right in this district shall use bulk plane(s) on the front facade of the building and on all facades if the lot abuts or is across a right-of-way, with a width of fifty (50) feet or less, from the following one-, two-, three-, or four-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 bulk plane(s) shall begin at a horizontal line located directly above the line(s) created by the setback at a height of forty-five (45) feet, rising over the lot upward at a forty-five-degree angle equal to a pitch or slope of one (1) foot of vertical distance for each one (1) foot of horizontal distance. See Figure 40.238.1, Bulk plane (1:1). No structure or portion of any structure shall be permitted to protrude through any bulk plane. Residential buildings permitted to exceed the maximum height

allowed by right in this district shall not be required to meet the area regulations of section 40-239(b)(2)(b).

(4) *Yards.* There shall be front, side and rear yards each having a minimum depth of twenty (20) feet, landscaped in accordance with the requirements of this section.

(5) *Location.* The development site shall front only on a collector street or a principal, major, or minor arterial. Exempt from this requirement are those properties located in the area identified in Figure ES-1 of the Metairie CBD Land Use and Transportation Plan as adopted by Ordinance No. 21987 on September 17, 2003 and also identified as the area bounded on the north by west Esplanade Avenue and the Lake Pontchartrain lakefront, on the east by Metairie Lawn Drive, Tolmas Drive, and Ridgelake Drive, on the west by North Hullen Street, and Division Street, and on the south by West Napoleon Avenue.

(6) *Frontage.* In a multi-frontage development site, for purposes of this section and in accordance with the relevant provisions in this section, any frontage that permits a height greater than the maximum height allowed by right shall qualify the building(s) on that site to be of a height greater than the maximum height allowed by right. Notwithstanding any other provisions in this Code regarding required yards for corner lots and through lots, the only required front yard for all other purposes related to such a development site shall be located on the frontage that permits a height that exceeds the maximum height allowed by right.

(7) *Access.* Primary access to the development site shall be provided only from a collector street or a principal, major, or minor arterial; however, secondary access from a local street or neighborhood collector shall be permitted if the access point is not located across from the following one-, two-, three-, or four-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), and is located within two hundred (200) feet of the street providing primary access to the development site, measured in a straight line at the major street frontage, along the property line where the secondary access is proposed. Exempt from this requirement are those properties located in the area identified in Figure ES-1 of the Metairie CBD Land Use and Transportation Plan as adopted by Ordinance No. 21987 on September 17, 2003 and also identified as the area bounded on the north by west Esplanade Avenue and the Lake Pontchartrain lakefront, on the east by Metairie Lawn Drive, Tolmas Drive, and Ridgelake Drive, on the west by North Hullen Street, and Division Street, and on the south by West Napoleon Avenue.

(8) *Traffic impact analysis and adequate public facilities.* To ensure adequate transportation access and to minimize impacts on the transportation network, the applicant shall provide to the parish: 1) a traffic impact analysis for any development comprised of thirty (30) or more units or any development that meets the threshold requirements in accordance with parish policy in effect at the time of application; and 2) any improvements reasonably necessary to meet the needs of the development which are clearly and substantially related to the development. The parish shall be the final arbiter of which improvements are reasonably necessary to meet the needs of the development. The development shall not be approved unless and until adequate transportation facilities exist or provision has been made for essential transportation facilities as determined by the parish.

(9) *Public works impact analysis and adequate public facilities.* To ensure adequate public infrastructure and to minimize impacts on the public works systems, the applicant shall provide to the parish a public works impact analysis for the development and shall provide any improvements reasonably necessary to meet the needs of the development which are clearly and substantially related to the development. The Parish shall be the final arbiter of which improvements are reasonably necessary to meet the needs of the development. The development shall not be approved unless and until adequate public facilities exist or provision has been made for the following essential public facilities, in

accordance with the threshold or service level requirements of parish policy in effect at the time of application: water, sewerage, drainage, streets, fire protection and any other provisions for public facilities as determined by the parish.

(10) *Levee impact.* Federal, state, and parish agencies regulate the type and location of improvements for flood and hurricane protection and work within various distances from the river, lakes, levees, and floodwalls in the parish. To avoid adverse impacts on the flood and hurricane protection systems and to ensure continuous and uninterrupted access for maintenance and monitoring, the applicant shall obtain all permits or other types of authorizations required by the U.S. Army Corps of Engineers ("the Corps"), the appropriate state agencies including the appropriate Levee District(s), and Jefferson Parish in accordance with the regulations of these agencies for any project proposed within the areas regulated by such agencies.

(11) *Landscaping.*

a. All yards shall be landscaped in accordance with the requirements of Article XXV, Mixed-Use Corridor District, section 40-446, Landscape and buffer standards. For required yards abutting the following one-, two-, three-, or four-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 such zoning districts shall be landscaped in a manner consistent with the MUCD landscaping for the perimeter of lots adjacent to public rights-of-way.

b. The landscape and buffer standards of Article XXV, Mixed-Use Corridor District, section 40-446, the requirement that the entire twenty (20) feet of yard abutting a one- to four-family residential zoning district, as defined above, be landscaped or any other landscaping and buffer standards of this Code shall not be required of any yard adjacent to and parallel with the line of the visible toe of any levee or floodwall or to any area of the applicant's development site that comprises a levee or floodwall.

c. These landscaping requirements shall supersede landscaping requirements of any overlying districts including, but not limited to, the Commercial Parkway Overlay Zone (CPZ).

(12) *Lighting.* The maximum height for any light fixture is forty (40) feet, except on the side or sides of a development abutting a one- to four-family residential district, in which case the maximum height of twenty-five (25) feet shall be allowed. All light structures shall be shaded or hooded and oriented inward so as to prevent intrusion into surrounding areas.

(13) *Signs.* Signs shall conform to section 40-448, Sign regulations, of the Mixed Use Corridor District MUCD or the sign regulations of this district, whichever is more restrictive. Signage for each ground-floor non-residential use shall be permitted in accordance with the aforementioned regulation.

(14) *Parking.* Parking shall be provided as set forth in Article XXXV, Off-Street Parking and Loading Regulations.

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

a. Service bays, service drives, and trash receptacle and dumpster areas shall not be located on any side of the development abutting the following one-, two-, three-, or four-family residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family

Residential District (RR3), or Townhouses (R1TH). In such cases where this is not possible, an additional five-foot landscaping and buffer strip shall be required in addition to the yard requirements for development that exceeds the height allowed by right in this district.

b. Service bays and drives and trash receptacle and dumpster areas shall be oriented in such a way that in the process of loading and unloading, no vehicle will block the passage of other vehicles on the service drive or extend into any other public or private street.

c. All service bays, loading and unloading areas, trash receptacles and dumpster areas must be screened on all sides by a fence with a minimum height of seven (7) feet and consisting of wood, brick or masonry.

(16) *Sidewalks.* Continuous sidewalks connecting any existing sidewalks shall be provided along public rights-of-way.

(17) *Fire department vehicle access, water supply, and communications.* To provide access for emergency fire suppression response vehicles and to ensure adequate water supply the following criteria shall be met in addition to the currently adopted National Fire Code, International Building Code, and Life Safety Code standards. The Jefferson Parish Fire Department shall review the submitted site plan for compliance with all applicable fire regulations.

a. *Access.* The following minimum criteria for emergency fire suppression response vehicle access shall be required:

1. Two (2) hard-surfaced fire vehicle access roads with twenty-foot minimum width for one-way traffic and twenty-four-foot minimum width for two-way traffic installed on two adjoining sides of all buildings that exceed the height permitted by right, located at a minimum distance of ten (10) feet from the building and a maximum distance of thirty (30) feet from the building as measured from the nearest exterior building wall to the edge of roadway nearest to the building wall

2. Fire vehicle access roads shall be located so that at least seventy-five (75) percent of the two (2) adjoining sides of the building that exceeds the height permitted by right are accessible from the road

3. All fire vehicle access roads shall be connected to and accessible from the main vehicle entrance to the development site

4. A parking lot drive aisle shall be considered part of a fire vehicle access road provided it meets all required criteria.

5. A street shall be considered a fire vehicle access road provided it meets all required criteria.

b. *Water supply.* The following minimum criteria for adequate water supply shall be required:

1. Two (2) fire hydrants capable of supplying not less than twenty-five hundred (2,500) gallons per minute (gpm) of water located within fifty (50) feet of all buildings that exceed the height permitted by right, and

2. Additional fire hydrants capable of supplying not less than twenty-five hundred (2,500) gallons per minute (gpm) of water shall be located so that all portions of the exterior walls of all buildings that exceed the height permitted by right are no more than four hundred (400) feet from any fire hydrant.

c. *Communications.* The following minimum criteria for adequate emergency fire communications shall be required:

1. A radio repeater shall be required for buildings that exceed one

hundred (100) feet in height.

2. Multiple radio repeaters shall be required for buildings that exceed two hundred (200) feet in height.

(Ord. No. 20783, § 3(XIII(3)), 9-22-99; Ord. No. 22794, § 6, 7-19-06)

Sec. 40-324. Area regulations.

(a) Yard requirements for buildings with multiple dwelling units that exceed the maximum height allowed by right are located in the height regulations section of this district.

(b) *Yard.*

(1) *Front yard.*

a. There shall be a front yard having a depth of twenty (20) feet providing, however, that where structures located within fifty (50) feet on both sides of the proposed use have observed a front yard line of less than twenty (20) feet, then the proposed use may be located in line with the most rear yard of the two (2) adjacent structures.

b. On through lots the required front yard shall be provided on both streets.

(2) *Side yard.*

a. No side yard is required except on the side of a lot abutting on a residential district, in which case there shall be a side yard of not less than five (5) feet. Where a side yard, though not required, is provided such side yard shall not be less than three (3) feet.

b. On corner lots the side yard on the side of the lot abutting the side street shall not be less than ten (10) feet, except an accessory building which is not part of the main building may locate as near as five (5) feet from the side of the lot abutting the side street, provided the lot in the rear of the corner lot does not front the side street.

c. The side yard regulations for dwellings as allowed by section 40-322(1) shall be the same as those in the R-3, Multiple-Family Residential District.

(3) *Rear yard.*

a. A rear yard is not required except where a lot abuts upon a residential district, in which case there shall be a rear yard of not less than twenty (20) feet in depth, where a rear yard, though not required, is provided such rear yard shall be not less than three (3) feet in depth.

b. The rear yard regulations for dwellings as allowed by section 40-322(1) shall be the same as those in the R-3, Multiple-Family Residential District.

(c) *Lot area.* When a lot is improved for a stand-alone residential use, or when living facilities are erected above or in connection with other uses, the lot area per family regulation shall be the same as those in the R-3, Multiple-Family Residential District.

(Ord. No. 20783, § 3(XIII(4)), 9-22-99; Ord. No. 21715, § 2, 11-13-02; Ord. No. 22794, § 6, 7-19-06)

Sec. 40-325. Off-street parking requirements.

Off-street parking shall be provided as set forth in Article XXXV, Off-Street Parking and Loading Requirements.

(Ord. No. 20783, § 3(XIII(5)), 9-22-99; Ord. No. 22794, § 6, 7-19-06)

Sec. 40-326. Loading zone requirements.

Shall be provided as set forth in Article XXXV, Off-Street Parking and Loading Regulations.
(Ord. No. 20783, § 3(XIII(6)), 9-22-99)

Secs. 40-327--40-340. Reserved.