

Sec. 40-3. Definitions.

For the purpose of this chapter, certain words and terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory. Definitions herein are based on the meaning given to them according to the following order:

- (1) Comprehensive plan;
- (2) Adopted parish ordinances;
- (3) Webster's Eleventh New Collegiate Dictionary.

Unless specifically defined as referenced above, words or phrases used in this Comprehensive Zoning Ordinance shall have the meaning of common usage which gives this ordinance its most reasonable application.

*Accessory building or use* shall mean a building, structure, or that is subordinate to and serves a principal building or principal use; is subordinate in area, extent, or purpose, to the principal building or principal use served; contributes to the comfort, convenience, or necessity of the occupants of the principal building or principal use served; is located on the same lot, under the same ownership, and in the same zoning district as the principal building or principal use served; and is not used for a place of habitation or living room, kitchen, dining room, parlor, bedroom or library.

*Access way* shall mean any driveway, street or other means of providing for the movement of vehicles to or from the public roadway system.

*Adult cabaret* shall mean any place or establishment which features dancers, go-go dancers, exotic dancers, male or female impersonators or similar entertainers or any live entertainment which excludes minors or from which minors are prohibited by statute or ordinance, and whether or not any such business is licensed to sell alcoholic beverages.

*Adult establishment* shall mean any place, establishment or business which offers, advertises or is engaged in any activity, service, sale, or display of any commodity which is prohibited by statute or ordinance to minors or which otherwise forbids sales to or excludes minors by virtue of age; this definition, however, shall not apply to any business licensed to and whose primary purpose is the sale of alcoholic beverages.

*Adult use* shall mean an establishment consisting of, including, or having the characteristics of any of the following: adult establishment, adult cabaret, massage parlor, and tattoo parlor.

*Advertising sign, accessory.* See "sign" definitions.

*Aerial* shall mean an antenna extending into the air.

*Alley* shall mean a way affording a secondary means of access to property abutting thereon.

*Antenna* shall mean a metallic, graphite or fiberglass device for transmitting and receiving electromagnetic waves.

*Apartment* shall mean a room or suite of rooms with culinary facilities designed for or used as living quarters for a single-family.

*Apartment hotel* shall mean a building designed for or containing both apartments and individual guest rooms or suites of rooms and apartments, wherein is maintained an inner lobby through which all tenants must pass to gain access to the apartments and catering to permanent and not transient tenants and which may furnish services ordinarily furnished by hotels, such as drug store, barber shop, cigar and news stands, dining rooms, when

such uses are located entirely within the building with no entrance from the street nor visible from any sidewalk and having no sign display visible from the outside of the building indicating the existence of such use.

*Apartment house.* See "dwelling, multiple-family."

*Assisted living* shall mean a coordinated array of personal care health services, and other supportive services available twenty-four (24) hours per day, to residents who have been assessed to need these services. Assisted living promotes resident self direction and participation in decisions that emphasize independence, individuality, privacy, and dignity in a residential setting.

*Assisted living facility* shall mean a multi-unit residential facility providing living units and assistance for residents, who because of age, mental disability or other reason, live in a supervised environment where assistance with the daily activities of life is promised, available, accessible or managed for residents on a twenty-four-hour basis, including but not limited to, the provision of meals, activities and transportation as needed, by a provider for compensation.

*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.

*Athletic field* shall mean a type of sports arena used for outdoor recreation that may or may not include lighting, but has non-permanent seating structure(s) or permanent seating structure(s) for less than a thousand (1,000) spectators that does not include any press box/restroom/concession stand facilities built within the seating structure.

*Basement.* See "cellar."

*Berm* shall mean any linear mound or series of mounds of soil, sand or gravel, or other earthen work vertically higher than two (2) feet above elevation of the ground with a slope greater than one (1) foot vertical to twelve (12) feet horizontal, and graded, shaped, or improved with shrubs, trees or ground cover in such a fashion as to be utilized for screening purposes to obscure the view of a portion of a lot.

*Billboard.* See "sign" definitions.

*Board and care home* shall mean a facility which provides personal assistance or protective care and/or lodging and meals to not more than six (6) adults who are ambulatory and unrelated to the resident licensee, operator or administrator. Such facilities are also subject to the requirements of Chapter 11, Article III of the Jefferson Parish Code of Ordinances. Any dwelling, building or structure used for residential overnight care facilities and/or housing or treating persons as a part of, condition of, or prerequisite for probation, parole or suspension of sentence; mental and psychiatric care facilities; halfway houses; community rehabilitation centers; juvenile rehabilitation centers; adult rehabilitation centers; drug and alcohol treatment centers; detoxification centers; detoxification houses; and similar correctional and treatment facilities shall not be considered a board and care home.

*Borrow pit* shall mean an excavated area from which soil and unconsolidated materials are removed for commercial purposes for use without further processing or handling as fill for activities such as landscaping, building construction, levees or highway construction and maintenance on-site or off-site.

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

*Building, height of* shall refer to buildings or structures, except as otherwise defined in Article X, Old Metairie Neighborhood Conservation District (OMNCD), section 40-171, Definitions, and shall mean the vertical distance measured from the average elevation of the grade at the front of the building to the following points:

- (1) For gable, gambrel, and hip roofs: to the mean height between the top of the eave and top of ridge;
- (2) For flat roofs: to the highest point;
- (3) For roofs which combine pitched and flat components: if the roof portion that is flat is less than twenty-five (25) percent of the floor area directly below, the measurement shall be taken from the midpoint between the imaginary point of intersection (of the extended pitches) and the top of the eaves;
- (4) For mansard roofs: to the highest point of the deck line or ridge.

See terms defined and depicted in the definition of *Roof* .

*Buildable area* shall mean the area of that part of the lot not included in the yards or open spaces herein required, upon which the maximum permissible main building may be built.

*Bulk plane* shall mean an imaginary inclined plane, rising over a lot, drawn at a specified angle, and used in conjunction with yard requirements, lot size requirements, and height limits as delineated in the district regulations, to establish the maximum bulk of a structure. The structure's design is at the discretion of the developer, provided that no portion of any structure shall be permitted to protrude through the bulk plane except as provided for in Article XXXIX, Exceptions and Modifications. This definition shall not be construed to mean that solid roofing to follow the angle of the plane is encouraged. Where such requirements exist, upper floors are set back increasingly greater distances from the street or sides of the lot, often creating "wedding cake" style architecture. The bulk plane concept is illustrated in Figure 40.3.1:

*Bulletin board.* See "advertising sign, accessory."

*Cafeteria* shall mean a restaurant at which patrons serve themselves at a counter, taking the food to the tables to eat.

*Camping and recreational equipment* shall mean:

- (1) A "travel trailer" is a vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreational and vacation uses, permanently-identified travel trailer by the manufacturer of the trailer and, when factory-equipped for road, having a body width not exceeding eight (8) feet, a body length not exceeding twenty-nine (29) feet and a gross weight not exceeding four thousand five hundred (4,500) pounds.
- (2) A "pickup coach" is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses and limited to eight (8) feet in width, four thousand five hundred (4,500) pounds in weight and twenty-nine (29) feet in length.
- (3) A "motorized home" is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle and limited to eight (8) feet in width, four thousand five hundred (4,500) pounds in weight and twenty-nine (29) feet in length.

*Carport* shall mean a canopy or shed attached to the main building, open on two (2) or more sides, for the purpose of providing shelter for one (1) or more vehicles.

*Casino* shall mean a room or rooms in which legal gaming is conducted.

*Cellar* shall mean an area below the first story having more than one-half ( 1/2) of its height below grade and used for utilities, storage or garage for occupants of the building, or janitor or watchman quarters. A cellar so used shall not be considered as a story.

*Cemetery* shall mean land used or intended to be used for the interment of human remains, including but not limited to a burial park, mausoleum, columbarium, chapel, administrative office and greenhouse when used in conjunction with, accessory to and within the boundaries of a cemetery. For purposes of this chapter, a tomb, vault, headstone, statuary, burial marker and similar items used to denote a burial site shall be considered a structure.

*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.

*Clinic* shall mean an establishment used by physicians, surgeons, dentists, physiotherapists, psychiatrists or practitioners in related specialties where patients who are not lodged overnight are admitted for examination and treatment.

*Club* shall mean buildings and facilities owned and operated by a corporation, association, person or persons for social, educational or recreational purpose, but not primarily for profit or to render a service which is normally carried on as a business.

*Composting facility* shall mean a facility where organic matter is processed by natural or mechanical means to aid the microbial decomposition of the organic matter. Composting facility as defined in this section shall not include small-scale residential composting for use by the resident.

*Comprehensive plan* shall mean a comprehensive long-range plan intended to guide the growth and development of unincorporated Jefferson Parish, and containing goals, objectives and policies for elements including, but not limited to, land use, transportation, housing, community facilities, public works, and economic development, and further described in this Code. The term "Comprehensive Plan" shall include the terms "master plan" and "land use plan." Within this chapter, the comprehensive plan will also be known as the "plan."

*Condominium* shall mean a dwelling unit, townhouse or apartment that is owned in fee simple with the undivided ownership, in common with other purchasers, of the common elements in the structure and including the land and its appurtenances.

*Copying service* shall mean establishments engaged in providing photocopying, duplicating, blueprinting and other document copying services (except printing services), and a range of office support services such as mailing (except direct mail advertising), facsimile, word processing, on-site PC rental, and office product sales.

*Court* shall mean an open space which may or may not have access and around which is arranged a single building or a group of related buildings.

*Density* shall mean the number of dwelling units per acre.

*Density, gross* shall mean the total number of dwelling units divided by the total project area, expressed as gross dwelling units per acre.

*Density, net* shall mean the total number of dwelling units divided by the total project area excluding land used for roads, drainage, or any other public uses, expressed as net dwelling units per acre.

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

*Development site* shall mean any group of one (1) or more lots occupied or intended for development as a unit.

*District* shall mean any section of the Parish of Jefferson in which these Zoning Regulations are uniform.

*Dwelling* shall mean any building which is designed for or used exclusively for human habitation and other residential purposes. For the purpose of this chapter, such building shall have a minimum area of four hundred (400) square feet and the construction of which shall be subject to and governed by the Building Code of Jefferson Parish, Ordinance No. 2225.

*Dwelling, single-family* shall mean a building designed for or occupied exclusively by one (1) family.

*Dwelling, two-family* shall mean a building designed for or occupied exclusively by two (2) families.

*Dwelling, three-family* shall mean a building designed for or occupied exclusively by three (3) families.

*Dwelling, four-family* shall mean a building designed for or occupied exclusively by four (4) families.

*Dwelling, multiple-family* shall mean a building designed for or occupied exclusively by five (5) or more families.

*Dwelling, townhouse* shall mean a single-family dwelling forming one (1) of a group of two (2) or more attached single-family dwellings separated from one another by party walls without doors, windows or other provisions for human passage or visibility through such walls from basement or cellar.

*Dwelling unit* shall mean a portion of a building designated as the residence of one (1) family or individual with permanent provisions for living, sleeping, cooking, and sanitation.

*Electric power utilities* shall mean electric utilities shall be divided into three (3) parts for the purposes of this chapter - Generation, Transmission and Distribution, as follows:

(1) "Generation" refers to the manufacture of electrical energy for the purpose of sale to consumers. Generation includes power generating plants or stations.

(2) "Transmission" refers to the transportation of electrical energy from generating plants to substations, or from substation to substation, and carrying nominal voltages of more than sixty-nine thousand (69,000) volt amps. Transmission includes substation.

(3) "Distribution" refers to the delivery of electrical energy from substation to individual industrial, service, commercial and residential consumers, and carrying nominal voltages of sixty-nine thousand (69,000) volt amps or less.

*Elderly housing* shall mean a building or buildings designed or used in whole or in part, to provide for compensation, the housing of persons sixty (60) years or older. Such facilities may furnish services to its permanent residents similar to those services furnished by hotels, including accessory use such as: home health services, meals, maid and linen services, grocery and drug stores and banking services, provided such uses are located entirely within the facility with no entrance from the street nor visible from the outside of the facility indicating the existence of these services. Occupancy is restricted to persons sixty (60) years or older with the following exceptions:

- (1) Children under eighteen (18) years of age residing with at least one (1) person over sixty (60) years of age;
- (2) Adults under sixty (60) years of age residing with an occupant sixty (60) years or older;
- (3) Handicapped adults over eighteen (18) whose disability requires the amenities and services of an elderly housing facility.

Nursing and convalescent homes are not considered elderly housing facilities.

*Exception* shall mean an expansion of a right to use or build on property as expressly permitted by this chapter when certain specified facts or circumstances are present.

*Facade* shall mean the exterior face of a building.

*Family* shall mean one (1) or more persons related by blood or marriage living together and occupying a single housekeeping unit with single culinary facilities or a group of not more than four (4) persons living together by mutual agreement and occupying a single housekeeping unit with single culinary facilities on a non-profit cost-sharing basis.

Domestic servants resident on premises shall be considered as part of the family. A second culinary facility may be permitted only as provided in Article VI, Single-Family Residential District - R-1A.

*Family day care home* shall mean a home operated by a person residing on the premises who receives pay for the day-time care of one (1) to ten (10) children under seven (7) years of age; however, after school hours, school holidays and school vacations, children under seventeen (17) years of age are permitted. The operating hours shall be from 7:00 a.m. to 6:00 p.m. provided further that all such homes be licensed by the department of public welfare, and to conform to any other applicable laws.

*Fence* shall mean a structure consisting of wood (rails or stakes), metal, masonry, or other similar materials erected so as to provide a partition, barrier or enclosure along the boundaries of a yard or lot, or to divide a piece of land into distinct portions to otherwise separate two (2) contiguous lots or to otherwise be utilized for screening purposes to obscure the view of a portion of a lot.

*Filling station* shall mean any building, structure, or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, lubricants, tires, or accessories, except that indoor car washing, minor motor adjustment, and flat tire repair may be performed when incidental to the conduct of a filling station.

*Floor area* shall mean:

(1) *Commercial, business and industrial.* The sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls, or from the centerline of walls separating two (2) buildings but not including:

- a. Attic space providing less than seven (7) feet of headroom;
- b. Cellar space not used for retailing;
- c. Outside stairs or fire escapes, roof overhangs and balconies;
- d. Accessory water towers or cooling towers;
- e. Accessory off-street parking spaces;
- f. Accessory off-street loading area.

(2) *Residential.* The gross horizontal areas of the several floors of the dwelling exclusive of garages, cellars and open porches, measured from the exterior faces of the exterior walls of a dwelling.

*Frontage* shall mean:

*Street.* All the property abutting on one (1) side of a street between two (2) intersecting streets (crossing or terminating) or if the street is dead ended, then all the property abutting on one (1) side between an intersecting street and the point at which the street dead ends.

*Game* shall mean any banking or percentage games played with cards, dice or any mechanical device or machine for money, property or any representative of value, and located exclusively within a casino.

*Gaming* shall mean the dealing, operating, carrying on, conducting, maintaining or exposing for pay of any game. For purposes of this chapter restaurants and/or bars containing video poker machines and charitable organizations and facilities licensed by the parish to conduct games of chance shall not be considered gaming.

*Gaming establishment* shall mean any premises wherein or whereon gaming is done. For purposes of this chapter restaurants and/or bars containing video poker machines and charitable organizations and facilities licensed by the parish to conduct games of chance shall not be considered gaming establishments.

*Gaming device or equipment* shall mean any mechanical device or machine used in connection with gaming.

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

*Garage, private* shall mean an accessory building not exceeding eight hundred (800) square feet in area designed or used for the storage of not more than four (4) motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles stored shall be a commercial vehicle of not more than two-ton capacity.

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

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

*Government structures and land* shall mean any government building or other structure or land held, used, or controlled by the Parish of Jefferson, or its assigns for public purposes, or any government building, structure or land used by any department or branch of federal, state, or parish government, or other political subdivision, for public purposes, except correctional institutions or mental hospitals.

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

*Hair care service* shall mean accessory use to a dwelling in a residential zoning district in which a family member residing in the dwelling unit cuts, trims, shaves, shampoos, weaves, colors, waves, or styles hair. Hair care service shall not include nail care services such as manicures, pedicures, and nail extensions or skin care services such as facials and makeup application.

*Hazardous waste* shall mean any waste, or combination wastes, which because of quantity, concentration, physical, or chemical, characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Such definition shall be applied only to those wastes identified and designated as such by the Department of Environmental Quality of the State of Louisiana consistent with applicable federal laws and regulations.

*Hazardous waste disposal facility* shall mean a facility at which a hazardous waste is disposed.

*Hazardous waste treatment facility* shall mean a facility that stores, processes, neutralizes, reclaims, or treats hazardous wastes by any method.

*Health and athletic club* shall mean a building or facility used primarily for active physical recreation, sport or exercise which offers such activities on a commercial membership basis or non-profit basis and is not open to the general public. A maximum of five (5) percent of the building floor area may be used for therapeutic massage. The remainder of the facility shall be used for active physical activities, including but not limited to aerobics, basketball, body building, calisthenics, handball, judo, karate, racquetball, swimming, scuba diving, tennis and other similar activities and accessory uses such as health bar and restaurant, pro-shop and offices.

*Health care facility* shall mean a facility, whether public or private, principally engaged in providing services for health maintenance, diagnosis, surgery or treatment of human disease, pain, injury, deformity or physical condition, having a maximum of twenty-five (25) beds for overnight care. The facility may include such laboratory or other central facilities as may be necessary for the provision of said health maintenance, diagnosis or treatment, but shall not provide such services for other clinics or institutions except on a courtesy basis.

*Hedge* shall mean a group or thicket of shrubs, trees or other vegetation, or combination thereof, erected or planted so as to provide a partition, barrier or enclosure along the boundaries of a yard or lot, or to divide a piece of land into distinct portions to otherwise separate two (2) contiguous lots, or to otherwise be utilized for screening purposes to obscure the view of a portion of a lot.

*Height, maximum allowed by right* shall mean the upper height limit of a building or structure, either a set height or based on the width of a right-of-way, permitted in a zoning district when the site plan meets the minimum standard regulations of the district and without the application of any exception(s) to height regulations which may be invoked in some zoning districts or for some types of uses, including but not limited to multiple-family, and the height exceptions in Article XXXIX, Exceptions and modifications.

*Holding bar* shall mean an area of a restaurant at which alcoholic beverages may be prepared and served across the bar, provided that the bar area does not exceed thirty (30) percent of the entire area of the restaurant and that in no case shall the area exceed six hundred (600) square feet, that no live entertainment be allowed, that the only entrance to the bar be through the restaurant and further provided that the bar be only open to the public while food is being served in the restaurant's dining area.

*Home occupation* shall mean any occupation within a dwelling and clearly secondary thereto, carried on by a member of the family residing on the premises, provided that no person not a resident of the premises is employed, that not more than fifteen (15) percent of the floor area of the dwelling is used for the home occupation, and no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic, or household purposes, and there is no exterior indication other than a small nameplate of not more than two (2) square feet that the building is being used for any purposes other than a dwelling. When within the above requirements, a home occupation includes but is not limited to the following: the secondary professional office of a lawyer, engineer, architect, journalist, accountant or other professional person, and salesman, real estate agent, insurance agent and mail-order service provided that the stock or commodities connected with the service are not delivered to or from the premises. Other similar occupations including musical instruction limited to not more than one (1) pupil at a time; and the occupation of an artist, photographer, draftsman, tailor, milliner or seamstress shall also be deemed to be home occupations. The following shall not be interpreted to be home occupations: dancing instructions, band instrument instruction groups, tearooms, tourist homes, real estate offices, convalescent homes, mortuary establishments, stores, trades, offices of a physician or a dentist where mechanical equipment is used or business of any kind not herein excepted. In addition to the required parking for the residential use of the property, all property on which a home occupation is to be located, shall have a minimum of at least one (1) additional parking space exclusive of that which is required for the residential use of the property.

*Home occupation mailing address* shall mean a resident of any dwelling may make application to use his home address for mailing and telephone service and recordkeeping for business purposes. The request shall be for communication purposes only and under no circumstances shall the resident of a dwelling unit operating under such limited permission be considered as operating as a home occupation or enjoy any of the other rights permitted under the home occupation definition.

*Hospital* shall mean a building or group of buildings, in which is provided primary health services and psychological, medical or surgical care to persons, primarily inpatients, suffering from illness, disease injury, deformity and other abnormal physical or mental conditions, and including related facilities such as laboratories, outpatient services, training facilities, central service facilities and staff facilities, provided that such related facilities shall be incidental and subordinate to the primary hospital use.

*Hotel* shall mean a building used as an abiding place of more than twenty (20) persons who for compensations are lodged, meals provided, no provision is made for cooking in individual rooms or suites and in which ingress and egress to and from all rooms is through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boardinghouse or an apartment which are herein separately defined.

*Hotel, apartment.* See "apartment hotel."

*House trailer* shall mean a trailer which is detached movable unit(s) designed for conveyance or transportation after fabrication, on streets or highways on its own wheels or on a flatbed or other trailers and is constructed and designed for use as a place of habitation, living abode, or sleeping place either permanently or temporarily. For the purposes of this section "house trailer" shall include the following:

(1) Movable unit(s) intended for family occupancy, originally equipped with or having a vehicular chassis but lacking one (1) or more of the following mechanical systems and equipment; plumbing, heating, electrical, cooking and refrigeration.

(2) Movable units(s) intended for family occupancy originally equipped with or having a vehicular chassis and provided with all of the following mechanical systems and equipment, plumbing, heating, electrical, cooking and refrigeration, but not constructed in compliance with "the national mobile home construction and safety standard act," 42 USC 5401, et seq., and federal regulations promulgated pursuant thereto.

(3) "Mobile homes" or "manufactured homes" which are classified by law as movables or chattels or are otherwise subject to the provisions of Louisiana Revised Statutes Title 32, Motor Vehicles and Traffic Regulations.

*Infectious medical waste* shall mean that portion of potentially infectious biomedical waste which contains pathogens (living agents capable of producing disease) with sufficient virulence (disease-producing power) and quantity so that exposure to the waste by a susceptible host could result in an infectious disease.

*Institution* shall mean a building or group of buildings designed or used for the non-profit, charitable, or public service purposes of providing board, lodging, health care for persons aged, indigent, or infirm, or for the purpose of performing educational or religious services and offering board and lodging to persons in residence.

*Joint change or joint application* shall mean an amendment to the official zoning map and a corresponding amendment to the future land use map, processed concurrently.

*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.

*Laundromat* shall mean a business providing for the hire and use on the premises of home-type washing, drying and/or ironing machines.

*Loading space* shall mean a space within the main building or on the same lot providing for the standing, loading or unloading of trucks.

*Lot* shall mean a single plot or tract of land with fixed boundaries, 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 in Chapter 33, Subdivisions, section 33-24 or upon a private street in section 33-23.5; for parking in Chapter 40, Article 35; and for principal buildings in Chapter 40, Article 39, section 40-738.

*Lot, corner* shall mean a lot abutting upon two (2) or more streets at their intersection.

*Lot, depth of* shall mean the average horizontal distance between the front and rear lot lines.

*Lot lines* shall mean the lines bounding a lot or a lot of record; the term shall include the vertical plane extension of such lines when referring to lot lines which bound a development site or which otherwise separate a lot or lot of record from adjoining development sites or adjoining public rights-of-way.

*Lot width* shall mean the average horizontal distance between side lot lines.

*Lot, through* shall mean a lot having frontage upon two (2) approximately parallel streets. Also a lot of double frontage.

*Lot, interior* shall mean a lot other than a corner lot.

*Lot lines* shall mean the lines bounding a lot.

*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 Clerk of District Court of the Parish of Jefferson 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 Clerk of the District Court of the Parish of Jefferson 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.

*Massage parlor* shall mean any place, establishment, club or business by whatever name designated which offers, advertises or is equipped or arranged so as to provide as its primary purpose or as a substantial or significant portion of its services any of the following: physical massage of the person, body rubs, alcohol rubs, baths, steam baths, hot box, magnetic baths or any other similar services commonly rendered by such establishments; the following, however, shall not be included within this definition of massage parlor:

(1) Establishments or businesses which routinely provide such services by a licensed physician, a licensed chiropractor, a licensed osteopath, a licensed practical nurse or a registered professional nurse, or a massage therapist, licensed pursuant to LSA R.S. 37:3551 et seq.;

(2) Establishments or businesses which provide electrolysis treatment by a licensed operator or electrolysis equipment;

(3) Hospitals, nursing homes, medical clinics or medical offices;

(4) Barber shops or beauty parlors which offer massage to the scalp, the face, the neck or the shoulders only or which are operated by or employ licensed cosmetologists or licensed barbers performing functions authorized under the license held and;

(5) Any establishment or business operated by or employing licensed psychologists, licensed physical therapists or licensed athletic trainers performing functions authorized under the license held.

*Mast* shall mean a vertical pole with a diameter not to exceed six (6) inches or other structure and limited to thirty-five (35) feet in height and may be located on a rooftop, which serves to support antennas and/or aerials.

*Major street* shall mean a street or highway shown as a major street upon the street plan of the Parish of Jefferson.

*Manufactured home: (manufactured housing)* . See "mobile home."

*Medical waste* shall mean that portion of potentially-infectious biomedical waste that is generated from the operation of medical programs, offices or facilities.

*Mini-storage structures* shall mean any commercial structure offering storage space for lease to the general public for the storage of household goods, furniture, appliances, automobiles, boats, recreational equipment and other similar type wares except for those that are highly flammable or combustible.

*Minor street* shall mean a street or highway not shown as a major street upon the thoroughfare plan of the Parish of Jefferson.

*Mixed-use building* shall mean a building that contains at least one (1) floor with allowed nonresidential uses and at least one (1) floor with allowed residential uses.

*Mobile home* shall mean a factory-assembled residential unit transportable in one (1) or more sections and ready for occupancy except for minor and incidental unpacking and assembly operations, all as more particularly defined and governed by Louisiana Revised Statutes 51:911,21 et seq. "Uniform Standards Code for Mobile Homes and Manufactured Housing."

*Mobile home park* shall mean an area providing a minimum of three (3) spaces where mobile homes used for dwelling purposes can be or are intended to be located and connected to all required utilities for a minimum period of not less than sixty (60) days.

*Monopole* shall mean a tower consisting of a single self-supporting pole with no guy anchors or other supports, usually consisting of neutral-colored metal or a natural-colored wooden pole.

*Motel.* See "tourist courts."

*Non-conforming use* shall mean any building or land lawfully occupied by or used at the time of the passage of this chapter which after passage does not conform to the use regulations of the district in which it is located. Improvements existing at time of passage of this chapter not meeting required parking and loading regulations, height regulations, and area regulations for the district in which they are situated shall not be considered as non-conforming use.

*Nursing or convalescent home* shall mean a facility which provides full-time care to the ill, aged or otherwise infirm persons resident on the premises; or a facility which provides personal assistance or protective care and/or lodging and meals to more than six (6) adults. Any dwelling, building or structure used for housing or treating persons as a part of, condition of or prerequisite for probation, parole or suspension of sentence; mental and psychiatric care facilities; halfway houses; community rehabilitation centers; juvenile rehabilitation centers; adult rehabilitation centers; drug and alcohol treatment centers; detoxification centers; detoxification houses; and similar correctional and treatment facilities shall not be considered a nursing or convalescent home.

*Off-site potentially-infectious biomedical waste treatment facility* shall mean a facility which is not an accessory use to any hospital, clinic, convalescent or nursing home, or other generator of potentially-infectious biomedical waste that stores, processes, neutralizes, reclaims, or treats potentially infectious biomedical waste by any method; including but not limited to incineration, steam sterilization, thermal inactivation, chemical disinfection, microwaving and irradiation sterilization. This definition does not apply to facilities that recycle materials such as waste papers, metals, glass and plastic that are presorted to be recycled or reused and not destined for disposal.

*On-site potentially infectious biomedical waste treatment facility* shall mean a facility which is an accessory use to any hospital, clinic, convalescent or nursing home, or other generator of potentially infectious biomedical waste that stores, processes, neutralizes, reclaims or treats potentially infectious biomedical waste produced on-site by the facility it is accessory to by any method including, but not limited to, incineration, steam sterilization, thermal inactivation, chemical disinfection, microwaving and irradiation sterilization. Such facilities are subject to criteria enumerated in Article XXXIX, Exceptions and Modifications, section 40-744, Regulation of on-site potentially infectious biomedical waste treatment facility.

*Overlay zone* shall mean a set of zoning requirements that is described in the ordinance text is mapped and is imposed in addition to those of the underlying zoning district.

Developments within the overlay zone must conform to the requirements of both the district and the overlay zone or the more restrictive of the two (2).

*Outdoor advertising signs.* See "sign" definitions.

*Park or playground, private* shall mean land used for recreation owned and maintained by a homeowners association incorporated as a legal entity. Parks and playgrounds may include athletic fields, stadiums, gymnasiums, meeting rooms and other support buildings.

*Park or playground, public* shall mean public land used for recreation and maintained by a government entity other than school recreational facilities. Parks and playgrounds may include athletic fields, stadiums, gymnasiums, meeting rooms and other support buildings.

*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 and limited to the parking of vehicles used to transport students to and from schools and churches, automobiles, station wagons and pick-up trucks of no more than one-ton capacity in residential areas except as allowed in private garages.

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

*Parking space* shall mean an impervious, hard surfaced area, enclosed in a main building or in an accessory building or unenclosed, having a rectangular area of not less than one hundred sixty (160) square feet, with a minimum width of eight and one-half (8 1/2) feet, when unenclosed, or one hundred eighty (180) square feet, with a minimum width of nine (9) feet, when individually enclosed on two (2) or more sides, exclusive of driveways, permanently reserved for the storage of one (1) automobile. Said space must be connected with a street or alley by an impervious hard surface driveway at least eight (8) feet in width providing unobstructed ingress and egress for motor vehicles, and further provided that all parking spaces, lanes and aisles (see sketch in Appendix) are approved by the Office of Public Works Engineering.

*Parking space compact vehicles* shall mean an impervious, hard surfaced area having a rectangular area of not less than one hundred twenty (120) square feet with a minimum width of eight (8) feet and a minimum length of fifteen (15) feet. Said space must be connected with a street or alley by an impervious hard surface driveway at least eight (8) feet in width providing unobstructed ingress and egress for motor vehicles, and further provided that all parking spaces, lanes and aisles (see sketch in Appendix) are approved by the Office of Public Works Engineering. In required parking areas of fifty (50) spaces or more a maximum of twenty-five (25) percent of the minimum off-street parking requirement may be allocated to compact car spaces. Compact car spaces shall be clearly designated and all necessary markings and signs shall be maintained and/or replaced on a regular interval as may be necessary. When existing parking areas are redesigned to accommodate compact car spaces, the old signs and space markings shall be removed or completely covered in an appropriate manner as approved by the Office of Public Works Engineering. Compact car spaces shall be designated in groups as much as possible rather than intermingled with large car spaces in single spot spacing. These provisions shall not apply to general business, commercial or personal services establishments catering to retail trade, including supermarkets, hospitals, residential use, restaurants and lounges, theaters, auditoriums, sport arenas and places of public assembly.

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

*Planning director* shall mean the director of the planning department, or his duly authorized representative, agent or employee as so designated by him.

*Pond* shall mean a small body of standing water, naturally or artificially formed with a depth not to exceed six (6) feet in depth and having an area of less than one (1) acre.

*Potentially infectious biomedical waste* shall mean includes medical waste, infectious waste as defined herein, and as may be defined in other Louisiana Law or Code, and waste considered likely to be infectious by virtue of what it is or how it may have been generated in the context of health care activities.

*Potentially infectious biomedical waste disposal facility* shall mean a facility at which potentially infectious biomedical waste is disposed.

*Potentially infectious biomedical waste treatment facility* shall mean a facility that stores, processes, neutralizes, reclaims, or treats potentially infectious biomedical waste by any method including; but not limited to incineration, steam sterilization, thermal inactivation, chemical disinfection, microwaving and irradiation sterilization. This definition does not apply to facilities that recycle materials such as waste papers, metals, glass and plastic that are presorted to be recycled or reused and not destined for disposal.

*Principal building or structure* shall mean the building or structure in which is conducted the primary or principal use of the lot on which the building or structure is located.

*Principal use* shall mean the main or primary purpose for which a building, other structure, and/or development site is designed, arranged, or intended, or for which may be used, occupied or maintained.

*Printing* shall mean establishments using methods such as offset, lithography, gravure, screen, flexography, digital, and letterpress to transfer an image from a plate, screen, or computer file to some medium, such as paper, plastic, metal, and textile articles, on a job order basis. Establishments do not manufacture the stock that they print but may perform related prepress and postpress services in support of printing activities, including mailing but excluding publishing.

*Public building* or *semi-public building* shall mean any building frequented by the public or into which the public is invited, has access to, or has a right of resort for business, recreational, entertainment, educational, religious or other similar and lawful purposes. The term public building includes governmental buildings but is not necessarily restricted to mean governmental building unless it is clear from the context of its usage that such a restrictive meaning is intended. Examples of public and semi-public buildings include, but are not limited to, office buildings, stores, malls, hotels, hospitals, churches, schools, museums, libraries, art galleries, theaters and assembly halls.

*Public utilities* shall mean a privately owned and operated business, franchised to use public rights-of-way and whose purpose is to systematically provide energy or power; water; transportation; data; communications liquid, gaseous or solid commodities, or other services to the general public.

*Publishing* shall mean establishments primarily engaged in producing and distributing information and cultural products, such as newspapers, magazines, other periodicals, books, databases, and other works, characterized by the intellectual creativity required by

their development and, usually, copyright protection. Publishers may print, reproduce, and offer direct access to their works.

*Radio, transmission or receiving tower* shall mean a framework or structure principally intended to support electromagnetic transmission and reception antennas and/or aerials related to telecommunication, higher than a mast.

*Reclaiming* shall mean the use of methods to purify a substance making it suitable for use.

*Recycling* shall mean a process by which non-hazardous solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed and revised or returned to use in the form of raw materials or products other than as a fuel for the generation of electricity, heat or steam. This definition applies only to materials such as waste papers, metals, glass and plastic that are presorted to be recycled or reused and not destined for disposal.

*Restaurant* shall mean a retail establishment offering food and beverages for consumption on the premises. A restaurant may contain a holding bar or a service bar. Restaurants include cafeterias.

*Roof* definitions:

(1) *Eave* shall mean that portion of the roof which projects past the plane of the exterior wall.

(2) *Flat roof* shall mean a roof that has a pitch of less than three (3) inches per foot. See Fig. 40.3.1.

GRAPHIC LINK:[Click here](#)

(3) *Gable roof* shall mean a roof which slopes from both sides of a ridge forming a gable wall at each end. See Fig. 40.3.2.

GRAPHIC LINK:[Click here](#)

(4) *Gambrel roof* shall mean a gable roof with two (2) slopes on each of two (2) sides, the lower slope steeper than the upper slope and the upper slope having a pitch greater than three (3) inches per foot. See Fig. 40.3.3.

GRAPHIC LINK:[Click here](#)

(5) *Hip roof* shall mean a roof with slope on all sides. See Fig. 40.3.4.

GRAPHIC LINK:[Click here](#)

(6) *Mansard roof* shall mean a roof with two (2) slopes on each of the four (4) sides, the lower slope steeper than the upper slope and the upper slope having a pitch less than three (3) inches per foot. See Fig. 40.3.5.

GRAPHIC LINK:[Click here](#)

(7) *Shed roof/lean to* shall mean a roof with a single slope. See Fig. 40.3.6.

GRAPHIC LINK:[Click here](#)

*Rooming house.* See "lodging house."

*Satellite parking facility* shall mean a paved lot and or garage utilized for the purpose of providing additional overflow parking in excess of required parking, with an approved means of transportation to and from the facility served.

*School bus* shall mean a bus, i.e., a motor vehicle, which has affixed a valid school bus license plate issued by the Louisiana Office of Motor Vehicles, and which is primarily used for transportation to and from permitted uses in residential districts.

*School, elementary, junior high or high* shall provide curriculum in accordance with the state board of elementary and secondary education or a nonpublic school offering similar

curriculum. A school may include a campus setting with several structures, the principal structures being those used for classroom and/or administrative use. Accessory buildings and structures associated with a school may include a gymnasium, auditorium, or stadium/athletic field.

*School, trade or industrial* shall mean an establishment, public or private, offering training to students, in skills required for the practice of trades and in industry.

*Second culinary facility* shall mean a space in a dwelling which may include a stove, oven, sink, cabinets and/or other related storage areas, refrigerator or any combination of these, in addition to the primary culinary facilities located in the kitchen of a dwelling. Such space shall comprise the living quarters of a person or persons who shall be related by blood or marriage to the occupant of the primary structure who shall also be the owner.

*Service bar* shall mean an area of a restaurant at which alcoholic beverages may be prepared to serve patrons of the dining room area only, provided no alcoholic beverages will be sold across the bar.

*Service station* shall mean a building, structure or land used for dispensing, sale or offering for sale at retail, any automobile fuels, lubricants, or accessories and in connection with which is performed general automobile servicing as distinguished from automobile repairs.

*Setback* shall mean required yard, the minimum horizontal distance of open space required to be maintained between the buildable area and the lot line of the lot, lot of record, or development site upon which the building is situated.

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

*Shrub* shall mean one (1) or more bushes or vegetation, more than twelve (12) inches but less than ten (10) feet tall, usually having permanent stems branching from or near the ground, standing singly or in such a manner as to not constitute a hedge.

*Sight triangle* shall mean the portion of each corner of any yard formed by the intersection of two (2) public rights-of-way or a public right-of-way and an access way within which cross-visibility of oncoming traffic or pedestrians shall not be obstructed by fences, hedges, shrubs, berms, or structures at a level between three (3) feet and eight (8) feet above the elevation of the ground.

*Sign* definitions:

*Sign:* Any structure, display, device or inscription which is located upon, attached to, or painted or represented on any land, on any building or structure, on the outside or inside of a window, or on an awning, canopy, marquee, or similar appendage, and which displays or includes any numeral, letter work, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used, as, or in the nature of, an announcement, advertisement, attention-arrestor, direction, warning or designation of any person, firm, group, organization, place community, product service, business, profession, enterprise, or industry.

*Sign area:* That area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of a sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area. Only one (1) side of a double-faced sign shall be

included in a computation of sign area. The area of a cylindrical sign shall be computed by multiplying one-half ( 1/2) of the circumference by the height of the sign. The area of a sign made of individually cut out letters is the sum of the area of rectangles or triangles necessary to enclose each letter.

*Accessory sign:* A sign relating only to the main use of the premises on which the sign is located, or indicating the name and address of a building or the occupants or management of a building on the premises where the sign is located.

*Canopy sign:* Any sign attached to or hung from the underside of a canopy or marquee.

*Detached sign:* A sign not attached to or painted on a building but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall of an accessory building shall be considered a detached sign.

*Double-faced sign:* A sign with two (2) faces back to back, the angle between which is no greater than ninety (90) degrees.

*Flashing sign:* An illuminated sign on which the artificial or reflected light is not maintained stationary or constant in intensity or color at all times when in use and actually (or giving the impression of being) flashing or blinking. Rotating signs are not interpreted as being flashing signs.

*Flat sign:* Any sign attached to, and erected parallel to the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than eighteen (18) inches from the building wall. Flat signs shall include marquee signs for the calculation of sign area, but shall not include canopy signs.

*General advertising sign:* Any sign which is not an accessory sign, relating to a business activity, use or service not carried on the premises upon which the sign is placed, or to a product not sold, handled, produced or fabricated on the same premises upon which the sign is placed.

*Illuminated sign:* Any sign designed to give forth artificial light or designed to reflect from one (1) or more sources of artificial light erected for the purpose of providing light for the sign.

*Indirectly illuminated sign:* A sign which does not produce artificial light from within itself but which is opaque and back lighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself.

*Marquee sign:* Any sign attached to or hung from a marquee. For the purpose of this section, a marquee is a covered structure projecting from and supported by the building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

*Moveable sign:* See "portable sign."

*Portable sign:* Any sign display or advertising device initially designed for being moved or transported and not attached permanently to a foundation or a permanent location on the building site.

*Projecting sign:* A sign which is attached to and projects more than eighteen (18) inches from the face of a wall or building, but not projecting above the parapet or eave line of the building.

*Rotating sign:* Any sign, illuminated or non-illuminated supported from a pedestal, pylon or other vertical support and where the face or faces thereof slowly revolve (no more than

twenty (20) revolutions per minute) and where the light source, if any, shall remain constant.

*Roof sign:* A sign above the roof of a building which is fastened to and supported by the roof of a building or a projecting sign which extends above the roof line or parapet wall of a building.

*Solid waste landfill* shall mean an establishment primarily engaged in operating landfills for the disposal of nonhazardous solid waste or the combined activity of collecting and/or hauling nonhazardous materials within a local area and operating landfills for the disposal of nonhazardous solid waste.

*Special permitted use* shall mean a permitted use that would not be appropriate, generally or without restriction, throughout the zoning district in which it is conducted but which, if controlled as to number, area or relation to the neighborhood, might be deemed appropriate in some location within a district, if certain specific conditions and requirements are met. These conditions and requirements are in excess of the standard regulations, requirements, and criteria of the zoning district in which the activity is conducted. Special permitted uses are those uses which are required to be reviewed under the process provided in Article XL, Special Permitted Uses, of this chapter.

*Stable, private* shall mean an accessory building located on a lot of at least twenty thousand (20,000) square feet for the housing of not more than two (2) horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale.

*Stable, public* shall mean a stable with a capacity for the housing of more than two (2) horses or mules which stable may be operated for remuneration, hire, sale or stabling.

*Stadium* shall mean a type of sports arena used for outdoor recreation that may or may not include lighting, but has a permanent seating structure(s) for a thousand (1,000) or more spectators or includes press box/restroom/concession facilities built within the seating structure regardless of total amount of seating.

*Story* shall mean that portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it.

*Street* shall mean a public or private thoroughfare, affording the principal means of access of abutting property.

*Street classifications* (in hierarchical order):

(1) *Major arterial* shall mean a street identified as "other principal arterials" on the "2002 Highway Functional Classification Urbanized Area Map, New Orleans, LA" produced by the Louisiana Department of Transportation and Development, as amended, or a street with approximately four (4) to eight (8) travel lanes, a minimum right-of-way of one hundred fifty-four (154) feet, and a minimum traffic volume of more than thirty thousand (30,000) ADT.

(2) *Minor arterial* shall mean a street identified as "minor arterial streets" on the "2002 Highway Functional Classification Urbanized Area Map, New Orleans, LA" produced by the Louisiana Department of Transportation and Development, as amended, or a street with approximately two (2) to four (4) travel lanes, a minimum right-of-way of one hundred thirty (130) feet, and a minimum traffic volume of ten thousand (10,000) to thirty thousand (30,000) ADT.

(3) *Collector street* shall mean a street identified as "collector streets" on the "2002 Highway Functional Classification Urbanized Area Map, New Orleans, LA" produced by the Louisiana Department of Transportation and Development, as amended, or a street with approximately two (2) travel lanes, a minimum right-of-way of sixty-six (66) feet, and a minimum traffic volume of two thousand (2,000) to ten thousand (10,000) ADT.

(4) *Street, local* shall mean a street identified as "local" on the "2002 Highway Functional Classification Urbanized Area Map, New Orleans, LA" produced by the Louisiana Department of Transportation and Development, as amended.

*Street line* shall mean the line dividing a lot, tract, or parcel of land and a contiguous street. Also street right-of-way line.

*Structure* shall mean anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground, including but without the generality of the foregoing, advertising signs, billboards, back stops for tennis courts, fences and pergolas.

*Structural alteration* shall mean any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders, and any substantial change in the roof or in the exterior walls.

*Tattoo parlors* shall mean any place or establishment which is operated for the principal business or primary purpose of marking the skin with indelible pigment or other such substance so as to produce a permanent design, mark or similar feature on the skin.

*Tenant dwelling* shall mean a residential structure located on a bonafide farm and occupied by a non-transient farm worker employed by the farm owner for work on the farm.

*Tourist court* shall mean a building or group of buildings designed and used to provide guest rooms primarily for automobile transients, each room or unit having a separate entrance opening out-of-doors or into a foyer, with parking space provided on the lot for use of guests of the court, operation of such court to be supervised by a person in charge at all hours. Tourist courts include auto courts, motels, motor courts, motor hotels, and motor inns.

*Tourist home* shall mean a building other than a hotel where lodging is provided and offered for compensation for not more than twenty (20) individuals and open to transient guests. A tourist home shall be considered as a dwelling use.

*Trailer park* shall mean an area providing spaces where one (1) or more auto trailers can be or are intended to be parked, with flush toilet and bathing facilities provided on the site. Also trailer camp.

*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.

*Tree* shall mean any living self-supporting woody plant of a species, either deciduous or evergreen, that reaches a typical mature height of fifteen (15) feet or greater and has a typical diameter at breast height (dbh) of eight (8) inches or greater measured four and one-half (four (4) feet, six (6) inches) feet above the elevation of the ground.

*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.

*Utility pole* shall mean poles overhead wires and associated structures, including, but not limited to: supports, wires, conductors, collectors and emitters, antennae, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances and appurtenances used or useful in supplying a public utility service. Nothing in this subsection shall supersede the requirements set forth in section 33-17 of the Jefferson Parish Code of Ordinances.

*Utility substation* shall mean any building or structure with a foundation or property used to connect any transmission or distribution facility, lines, channels or trunks for the transmission of electrical current, impulses, sounds, voices or commodities where the energy, data or commodities being transmitted are boosted, switched, stepped up or down, transformed, or changed in character in any way. Utility poles as defined below; electric and communications service drops and communications service drop pedestals shall not be considered a utility substation.

*Utility tower* shall mean any public utility structure having the characteristics described under "utility pole" but exceeding fifty (50) feet in height above ground and/or attached to the ground by more than one (1) support footing. Said structure covered in this subsection shall be approved by the parish council in accordance with Article XL, Special Permitted Uses.

*Variance* shall mean a dispensation, waiver, or authorization granted, in accordance with this chapter, to use or build on property in a way prohibited or otherwise not allowed by strict application of this chapter.

*Veterinary clinic, small animal* shall mean an establishment used by veterinarians, or practitioners in related specialties, for the practice of veterinary medicine where small animals are admitted for examination or treatment and are not lodged or kept overnight. Limited laboratory and other diagnostic services may be offered on an outpatient basis. For purpose of this section, small animals shall include the following domestic animals: dogs, cats, rabbits, hamsters and birds. Reptiles, lizards, hoofed animals, exotic birds or animals and wild animals shall not be considered as small animals.

*Welfare agency* shall mean an organization, public or private, offering professional social work services to individuals or groups.

*Yard* shall mean an open space between lot lines or between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of structure from its lowest point upward except as otherwise provided herein.

In measuring a required yard to determine the minimum setback requirements for a yard under a districts area regulations, the horizontal distance between the lot line and the maximum permissible main building shall be the yard dimension.

*Yard, front* shall mean a required yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the front lot line and the maximum permissible main building. On corner lots the required front yard shall be considered as parallel to the street upon which the lot has its least dimension.

*Yard, rear* shall mean a required yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between a rear lot line and the rear of the maximum permissible main building. On all lots the required rear yard shall be at the opposite end of the lot from the front yard.

*Yard, side* shall mean a required yard between the main building and the side lot lines and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and a side of the maximum permissible main building.