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 ensure 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; Ord. No. 26490, § 22, 9-28-22)

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; and furthermore, shall be allowed to be restored if it is demolished or destroyed beyond seventy-five (75) percent of its value or more, provided that the new construction meets the minimum dimensional standards provided below:

a. The restoration of a single-family, two-family, three-family, or four-family dwelling shall be subject to the area regulations of the R-3 Multiple-Family Residential District.

b. Restoration of the dwelling shall be the same dwelling type as prior to the demolition or destruction (i.e., a single-family dwelling may only be restored as a single-family dwelling).

(2) One (1) or more dwelling units are allowed only in the main structure containing nonresidential uses permitted in this district provided the following criteria are met:

a. Separate ingresses and egresses shall be provided for the residential uses and the nonresidential uses.

b. In addition to the requirements in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Regulations, parking spaces for the nonresidential uses and residential uses shall be segregated and clearly defined.

c. The front, side, and rear yard requirements shall be based on the nonresidential use on the lot.

d. No dwelling units are allowed in structures containing nonresidential 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 section 33-2.23, special permitted uses.

(7) Car washes, limited to those that meet the criteria listed below, and subject to the standards for car washes in the C-2 General Commercial District with the exception of section 40-522.7.d, which specifies access:

a. Car washes accessory to fuel dispensing businesses and limited to one (1) bay that has the capacity to wash one (1) vehicle at a time.

b. Car washes that perform only by-hand exterior washing and interior cleaning of vehicles when the following criteria are met:

1. Facility shall not include fully or partially automated machines or in-bay automatics, conveyors or similar apparatus.
2. Usage of vacuum and compressor shall be handheld only.
3. Exterior washing shall be limited to no more than two (2) vehicles at a time.
4. No more than five (5) employees are permitted during any work shift.
5. Shall not operate between 7:00 p.m. and 7:00 a.m.

c. No variances or exceptions shall be permitted by the parish council, or any parish agency, board, or commission.

(8) Catering and delicatessen business.

(9) 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 to the front property line in any zoning district.

b. All required yard areas shall be landscaped and permanently maintained.

c. An opaque fence, living fence, or any combination thereof shall be provided at a minimum height of six (6) feet along common lot lines. Additionally, a living fence shall also require the construction of a chain-link fence at a minimum height of six (6) feet.

d. Approval is obtained from the Jefferson Parish Council in accordance with section 33-2.23, 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 section 33-2.23, special permitted uses.

(10) Clinic, medical, dental, chiropractic, or an establishment operated by a massage therapist both of which are licensed and registered pursuant to R.S. 37-3551 et seq.

(11) Clubs and lodges.

(12) Commercial body art facilities.

(13) Copying service.

(14) Tailor, milliner, alterationist or similar business employing not more than five (5) persons on the premises.

(15) Dry cleaning and laundries, collection and distribution stations, including pressing machines operated as part of the business, provided that no steam be dis-charged directly into the atmosphere, and said business not to employ more than five (5) persons on the premises.

(16) 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 planning department 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 in conformance with section 33-6.25, Landscaping, buffering, and screening.
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 planning department 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.

(17) Filling stations.

(18) Funeral homes, mortuaries, and crematories.

(19) Government structures and land.

(20) Parking garages, including parking lots.

(21) 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.

(22) Convalescent and nursing homes.

(23)

Institutions, but not to include chemical dependency units and penal, correction or mental institutions.

(24) Laundromats.

(25) 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.

(26) Locker plants, renting lockers for storage of food.

(27) Nurseries and flower gardening.

(28) Day care centers. Section 33-5.3. Specific use standards shall apply.

(29) 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.

(30) Public utility structures. See article XXXIX, exceptions and modifications, section 40-748, regulations for public utility structures, for additional criteria.

(31) Publishing without printing.

(32) Recreational uses. See article XXXIX, exceptions and modifications, section 40-747, regulations for stadiums and athletic fields, for additional criteria related to those uses.

(33) Schools. See article XXXIX, exceptions and modifications, section 40-747, regulations for stadiums and athletic fields, for additional criteria related to those uses.

(34) Shops, light repair, employing not more than five (5) persons on the premises.

(35) 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 section 33-2.23, special permitted uses.

(36) Taxi stands and stands for public transit vehicles.

(37) 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.

(38) 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. Section 33-6.25, landscaping, buffering, and screening, shall apply.

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 section 33-2.23, special permitted uses, with the exception of the section 33-2.23.6, renewal of special permitted use.

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

(40) 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.

(41) Industrial design, not exceeding thirty thousand (30,000) square feet in one (1) building, in which goods, wares, and merchandise are not stored, exchanged or sold.

(42) Commercial kitchens.

(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; Ord. No. 23330, § XI, 6-11-08; Ord. No. 23292, § 13, 5-7-08; Ord. No. 23954, § 4, 2-2-11; Ord. No. 24112, § II, 9-21-11; Ord. No. 24364, § XXVI, 11-7-12; Ord. No. 24823, § XI, 9-17-14; Ord. No. 25405, §§ 55, 56, 8-9-17; Ord. No. 25349, § 5, 5-3-17; Ord. No. 25379, § 3, 6-28-17; Ord. No. 25513, § 11, 2-21-18; Ord. No. 26302, § 23, 11-10-21; Ord. No. 26625, § 45, 6-14-23; Ord. No. 26792, § 50, 5-22-24)

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. - Sign regulations.

(a) *Permitted signs.*

(1) *Detached and roof signs.*

a. *Number.*

1. Either one (1) detached sign or one (1) roof sign shall be permitted on a development site, but not both.
2. On corner lots, one (1) additional sign of the same type as the first may be allowed when at least one (1) of the lot lines abutting the street right-of-way exceeds three hundred (300) linear feet.

b. *Sign area.* The maximum detached sign area shall be calculated at a ratio of one and one-half (1.5) square feet per linear foot of property frontage or three hundred (300) square feet, whichever is less. The maximum sign area of the second sign on a corner lot shall be calculated in the same manner.

(2) *Attached signs.*

a. *Sign area.* Signs on windows and awnings shall be included in the total attached sign area.

1. The maximum attached sign area shall be calculated at a ratio of three (3) square feet per linear foot of an establishment's primary building frontage or fifteen (15) percent of the primary building frontage elevation area, whichever is less.
2. For sites with more than one street frontage, the site may be granted additional attached sign area. The maximum additional attached sign area shall be calculated at a ratio of one and one-half (1.5) square feet per linear foot of an establishment's secondary building frontage or seven and one-half (7.5) percent of the secondary building frontage elevation area, whichever is less.

b. *Location.* Attached signs may be located on any building elevation.

(3) *Signs with supplemental criteria.*

a. *Freestanding marquees.* Freestanding marquees shall only be permitted for theaters and shall have a maximum area of two hundred (200) square feet.

b. *Roof signs.* The structure of a roof sign shall not be exposed.

c. *Electronic variable message signs.* Electronic variable message (EVM) signs in accordance with section 40-681 of this chapter shall meet the following additional criteria:

1. *Number.* Only one (1) detached EVM sign shall be permitted on a development site.
2. *Sign area.* The EVM portion of the sign shall comprise no more than twenty-five (25) square feet.
3. *Residential proximity.* An EVM sign shall be located a minimum of one hundred fifty (150) feet from any residential district.
4. *Variances.* A variance may be granted for an EVM sign under the provisions set forth in section 40-792 of this Code.

(b) *Prohibited signs.* The following signs shall be prohibited:

(1) Flashing signs and signs with animated and scintillating lights.

(2) Off-premises signs.

(c) *Large development sites.* When the area of C-1 zoning exceeds ten (10) acres, the requirements for C-2 zoning shall take effect except that off-premises signs shall still be prohibited.

(Ord. No. 24364, § XXVII 11-7-12)

Sec. 40-326. - Off-street parking and clear vision area requirements.

Shall be provided as set forth in Article XXXV, Off-Street Parking, Loading, and Clear Vision Area Regulations.

(Ord. No. 20783, § 3(XIII(5)), 9-22-99; Ord. No. 22794, § 6, 7-19-06; Ord. No. 23330, § IV, 6-11-08; Ord. No. 24364, § XXVII 11-7-12)