

1 PARISH OF WEST FELICIANA

2 ORDINANCE NUMBER: _____

3
4 AN ORDINANCE TO REPEAL AND REENACT CHAPTER 115 – GREEN
5 LAW REGULATIONS, AND TO PROVIDE FURTHER WITH RESPECT
6 THERETO:
7

8 The West Feliciana Parish Council hereby ordains:
9

10 Chapter 115 is hereby repealed and reenacted in the Code of Ordinances of the Parish
11 of West Feliciana to read as follows:
12

13 CHAPTER 115 – GREEN LAW REGULATIONS
14

15 **Sec. 115-1. Purpose.**

- 16 a) The purpose of this Sec. is to promote the health, safety, and general welfare
17 of the public; to facilitate the creation of a convenient, attractive, and
18 harmonious community; to conserve natural resources including adequate air
19 and water; to conserve properties and their values; to preserve the character
20 of an area by preventing the harmful effects of prejudicial uses; and to
21 encourage the appropriate use of the land. More specifically, this Sec. is
22 intended to make incompatible uses compatible by requiring a screen or a
23 buffer between uses to minimize the harmful impact of noise, dust and other
24 debris, motor vehicle headlight glare or other artificial light intrusion, and
25 other objectionable activities or impacts conducted on or created by an
26 adjoining or nearby use.

27 Additionally, this Sec. is intended to require the landscaping of certain parking
28 lots in order to reduce the harmful effects of wind and air turbulence, heat and
29 noise, glare of motor vehicle lights; to preserve underground water reservoirs
30 and to permit the return of precipitation to the ground water strata; to act as a
31 natural drainage system and ameliorate storm water drainage problems; to
32 reduce the level of carbon dioxide and return pure oxygen to the atmosphere;

1 to prevent storm and run-off erosion, particularly along embankments on
2 water ways and road ways; to provide shade and to enhance the blighted
3 appearance of parking lots and roadways.

- 4 b) The provisions of this chapter shall be applicable to all developments,
5 including planned developments, that meet any of the following categories,
6 with exception granted to RA uses.

7 1) Residential

8 i) Building a structure that contains three or more dwelling units.

9 ii) Developing a new parking lot that contains ten or more spaces.

10 2) Non-residential

11 i) Building a structure of greater than 1,000 gross square feet.

12 ii) Converting a residential structure to non-residential use.

13 iii) Developing a new parking lot that contains ten or more spaces.

14 3) Expansions/Renovations

15 i) Multi-family expansion of ten percent of the number of units or ten units,
16 whichever is less.

17 ii) Cumulative non-residential expansion of a building by more than 2,500
18 square feet or 40% of the original building's square footage, whichever is
19 less.

20 iii) Reconstruction after any voluntary demolition where the value of the new
21 improvements is greater than 50% of the assessed value of the building on
22 the property existing prior to improvement.

23 iv) Parking lot expansion (excluding re-striping and re-surfacing) of six spaces
24 or more.

- 25 c) At least ten percent of the developed site area, which is inclusive of the
26 building footprint, parking areas, driveways, and sidewalks, shall be
27 landscape area. For purposes of this chapter, landscape area shall include
28 required and optional plant materials as well as open areas covered with grass
29 and/or ground cover.

1 **Sec. 115-2. Definitions.**

2 The following definitions shall be applicable for the purposes of this article:

3 *Frontage buffer strip* means landscape area located at the frontage of a property on
4 a major roadway or highway, to a depth of not less than 15 feet from the property
5 line. The administrator shall maintain a list of major parish roadways.

6 *Ground cover* means material planted in such a way as to form a continuous cover
7 over the ground that can be maintained at a height not more than 12 inches.

8 *Landscape area* means an area of land in which landscape materials are placed,
9 planted, or maintained (exclusive of servitude) and may include the retention of pre-
10 existing grasses, shrubs or trees that are preserved.

11 *Landscape design* means the written landscape design plan to arrange and modify
12 the effects of natural features such as planting, ground and water forms, circulation,
13 walks, and other landscape features to comply with provisions of this article.

14 *Landscape plan* means a scaled plan that clearly delineates vehicular use areas and
15 displays and describes all landscaping, including methods of irrigation and
16 maintenance of landscaped areas.

17 *Line of sight* means the clear sight distance area at an interSec. required by motorists,
18 pedestrians, bicyclist, or others to view a conflict, make a decision, and react to that
19 decision.

20 *Major renovation* means any alteration, expansion, or addition to an existing
21 structure when the construction cost exceeds 50 percent of the assessed value of the
22 original improvements on the property.

23 *Side buffer strip* means landscape area located between the property line of a
24 residential use property and an adjacent structure on a nonresidential use property.
25

26 **Sec. 115-3. Buffer strip or buffer zone.**

27 **a) General**

- 28 1) The owner of a property subject to the provisions of this chapter that lies
29 adjacent to a property that is not subject to the provisions of this chapter shall
30 maintain a side buffer strip between the two properties or a solid brick or stone
31 wall or a uniformly painted board fence of not less than six feet in height.

Such buffer strip, if planted, shall be composed of healthy plants which possess growth characteristics of such a nature as to produce a dense compact planting screen not less than six feet in height.

- 2) Buffer widths are designated in Sec. 115-3.c. Buffer Standards and shall be calculated using the average width of the buffer per 100 feet or portion thereof. The minimum width of the buffer at any one point shall not be less than one-half the required width of the buffer.

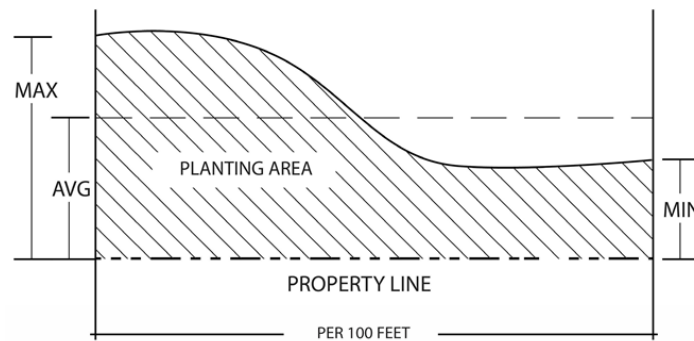


Figure 115-3.1 Calculating buffer width

- 3) A required buffer shall be measured from the property line and may be located wholly or partially within a required setback. Water, sanitary sewer, electrical, telephone, natural gas, cable, underground storm drainage systems, or other service lines may be located within the buffers with the approval of the service providers. The parking and driving of vehicles is prohibited in a required buffer except when providing access to abutting sites. Design variations may be permitted by the Development Director.

b) Responsible party

- 1) The party responsible for installation of the landscape buffer is the owner of the developing property when abutting an existing developed property.
- 2) When developing next to an undeveloped property, the owner of the more intensively zoned property is responsible for installation of the landscape buffer. The required buffer shall be determined based on the most intensive use permitted in the zoning district.
- 3) If a buffer already exists on an abutting property, the Development Director may modify the buffer requirement.

- 1 4) If a property does not fall into any of the categories designated in the Buffer
2 Tables, the Development Director and the Planning Director shall determine
3 the appropriate buffer.
- 4 c) Buffer standards Tables 115-3.1, 115-3.2, and 115-3.3 establish the minimum
5 width and type of buffer required between abutting uses.

Table 115.3.1
Existing Principle Use: Residential, Recreation, Parking

Proposed Site Use	Existing Abutting Site Use					
	Residential			Recreation		Parking
	Low Density	Medium Density	High Density	Public	Private	
Residential						
Low Density	None	None	None	None	None	None
Medium Density	20' @ L2	None	15' @ L3	10' @ L2	20' @ L2	15' @ L2
High Density	20' @ L3	15' @ L3	None	10' @ L2	20' @ L3	15' @ L3
Recreation						
Public		15' @ L3	10' @ L3	None	15' @ L3	15' @ L3
Private	20' @ L2	15' @ L3	10' @ L3	15' @ L3	None	15' @ L3
Parking	20' @ L2	15' @ L3	15' @ L3	15' @ L3	15' @ L3	None
Commercial/Office						
Office	20' @ L2	15' @ L3	15' @ L3	20' @ L2	15' @ L3	15' @ L3

Light Commercial	20' @ L2	15' @ L3	15' @ L3	20' @ L2	15' @ L3	15' @ L3
Heavy Commercial	20' @ L3	20' @ L2	15' @ L3	20' @ L3	20' @ L2	15' @ L3
Utilities						
Utility ROW	None	None	None	None	None	None
Minor Utilities	15' @ L2	15' @ L2	15' @ L3	10' @ L2	10' @ L3	0' @ L3
Major Utilities	30' @ L4	30' @ L4	30' @ L3	20' @ L4	20' @ L3	20' @ L2
Public/Semi-Public	20' @ L2	20' @ L2	20' @ L2	20' @ L2	20' @ L2	20' @ L2
Industrial						
Light Industrial	20' @ L3	20' @ L3	20' @ L2	20' @ L3	20' @ L2	15' @ L3
Heavy Industrial	30' @ L4	30' @ L4	30' @ L4	20' @ L3	20' @ L3	20' @ L2

1

2 Table 115-3.2

3 Existing Principle Use: Office/Commercial/Mixed-Use and Utilities

Proposed Site Use	Existing Abutting Site Use					
	Office/Commercial/Mixed Use			Utilities		
	Office	Light Commercial	Heavy Commercial	ROW	Minor	Major
Residential						
Low Density	None	None	None	None	None	None

Medium Density	15' @ L2	15' @ L2	15' @ L3	None	None	15' @ L3
High Density	15' @ L3	15' @ L3	15' @ L3	None	None	15' @ L3
Recreation						
Public	15' @ L3	15' @ L3	15' @ L3	None	None	15' @ L3
Private	15' @ L3	15' @ L3	15' @ L3	None	None	15' @ L3
Parking	15' @ L3	15' @ L3	15' @ L3	None	None	15' @ L3
Commercial/Office						
Office	None	10' @ L2	15' @ L3	None	None	15' @ L3
Light Commercial	10' @ L2	None	15' @ L3	None	None	15' @ L3
Heavy Commercial	20' @ L2	20' @ L2	None	None	None	15' @ L3
Utilities						
Utility ROW	None	None	None	None	None	None
Minor Utilities	None	None	None	None	None	None
Major Utilities	20' @ L4	20' @ L4	10' @ L3	None	None	None
Public/Semi-Public	20' @ L2	20' @ L2	20' @ L2	None	20' @ L2	20' @ L2
Industrial						
Light Industrial	20' @ L2	20' @ L3	15' @ L3	None	15' @ L3	15' @ L3
Heavy Industrial	30' @ L4	30' @ L4	20' @ L3	10' @ L2	None	None

1

2 Table 115-3.3

3 Existing Principle Use: Public/Semi-Public and Industrial

Proposed Site Use	Existing Abutting Site Use		
	Public/Semi Public	Industrial	
		Light	Heavy
Residential			
Low Density	None	None	None
Medium Density	15' @ L3	15' @ L3	15' @ L3
High Density	15' @ L3	15' @ L3	15' @ L3
Recreation			
Public	15' @ L3	15' @ L3	15' @ L3
Private	15' @ L3	15' @ L3	15' @ L3
Parking	15' @ L3	15' @ L3	15' @ L3
Commercial/Office			
Office	None	None	15' @ L3
Light Commercial	10' @ L2	None	15' @ L3
Heavy Commercial	20' @ L2	None	15' @ L3
Utilities			
Utility ROW	None	None	None

Minor Utilities	None	None	None
Major Utilities	20' @ L4	None	None
Public/Semi-Public	20' @ L2	20' @ L2	20' @ L2
Industrial			
Light Industrial	15' @ L3	None	None or 15' @ L3
Heavy Industrial	20' @ L3	20' @ L2	None or 15' @ L3

d) Types of buffers required:

The types of buffers are generally illustrated in Figures 115-3.2 through 115-3.7. Their purpose and a description of each buffer is as follows:

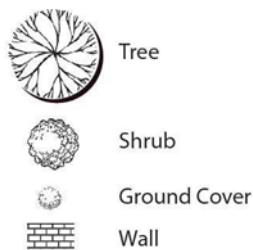


Figure 115-3. 2

Plant legend for figures 115-3.3 through 115-3.7

- 1) L1: General Landscaping. This buffer is used as a landscape treatment for open areas when distance is the principal means of separating uses. L1 requires a minimum of a 20-foot buffer. It is intended to be used in alternative plans when there is adequate land available to provide desired buffer.

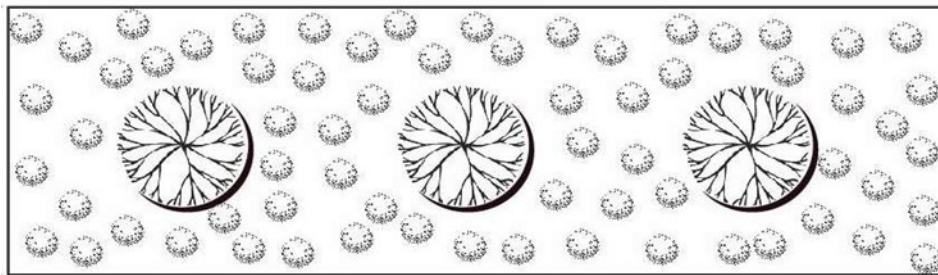


Figure 115-3.3

L1 General Landscaping Buffer (greater than 30')

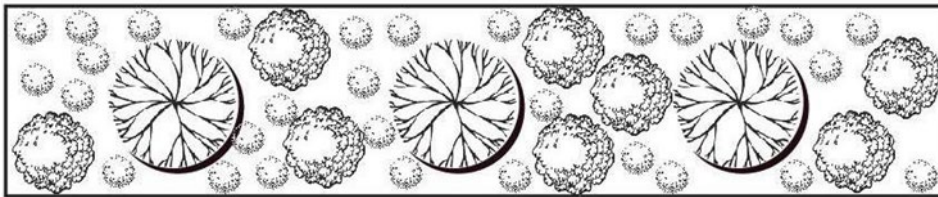


Figure 115-3.4

L1 General Landscaping Buffer (greater than 20' and less than 30')

- 2) L2: Three-foot tall screen. This buffer uses a combination of distance and a minimum three-foot tall screen to separate uses. The standard is used when a low level of screening is adequate to disrupt the impact of the use or development, or where visibility between areas is more important than a total visual screen.

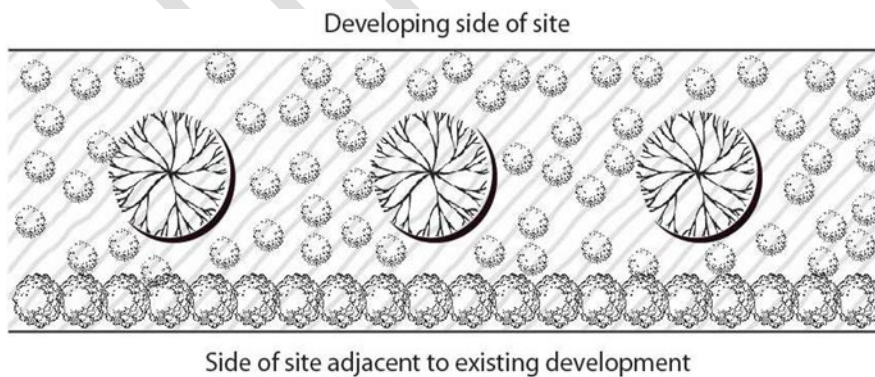


Figure 115-3.5

L2 Three-Foot Tall Screen Landscaping Standard

- 3) L3: Six-foot tall screen. This buffer uses a minimum six-foot tall screen to provide the physical and visual separation between uses or development. The standard is used when visual separation is required. When using shrubs for the screen, the shrubs shall be four feet in height at time of planting.

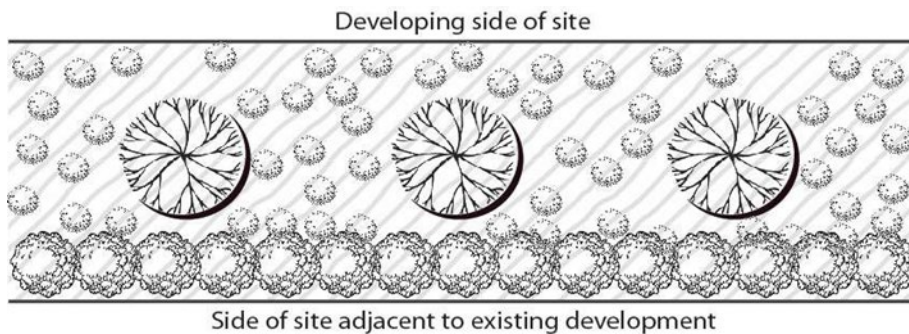


Figure 115-3.6

L3 Six-Foot Tall Screen Landscaping Standard

- 4) L4: Six-foot tall wall This buffer requires a minimum six-foot tall wall to provide physical and visual separation between uses or development. The standard is used when extensive screening of both visual and noise impacts is needed to protect abutting sensitive uses and in areas where there is little space for separation.

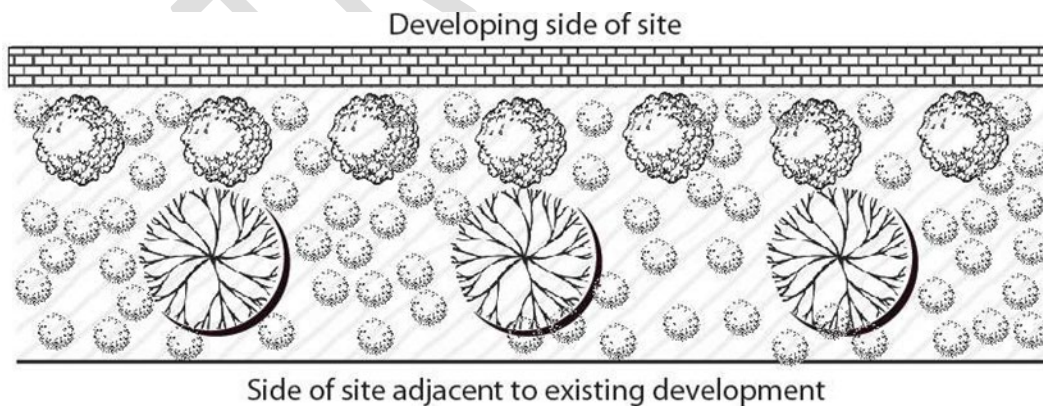


Figure 115-3.7

L4 Six-Foot Tall Wall Landscaping Standard

Landscape and screening requirements by type of buffer

Required buffers shall contain at a minimum the landscaping and screening in Table 115-3.4, Planting and Screening Requirements in Buffers.

All required buffers shall be maintained by the owner of the buffer area.

3) Trees of different classes may be combined to meet the standard.

4) Trees and shrubs may be grouped or spaced at irregular intervals.

5) Ground cover shall be provided.

i) Mulch may only be used as a ground cover in up to 40% of the ground cover area.

ii) No single type of other material may be used in more than 60% of the area.

Table 115-3.4

Planting and Screening Requirements in Buffers

	L1: General	L2: 3' screen	L3: 6' screen	L4: 6' wall
The Number of trees required is: <ul style="list-style-type: none">One Class A tree per 40 linear feet,orOne Class B tree per 20 linear feet	Required	Required	Required	NA
The Number of trees required is: <ul style="list-style-type: none">One Class A tree per 40 linear feet,orOne Class B tree per 20 linear feet,or	NA	NA	NA	Required

One Class C tree per 15 linear feet	Require d	NA	NA	NA
● in combination with or instead of Class A and Class B trees				
Where the area to be landscaped is between 20 and 30 feet, the number of trees and shrubs required is two 6' shrubs or three 3' shrubs per 400 ft² of landscaped area.	Optional	Require d	NA	NA
A continuous 3' screen along the property line consisting of:				
● Continuous evergreen shrubs, or				
● a wall, fence, or berm				
A continuous 6' screen along the property line consisting of:	Optional	Optional	Require d	NA
● Continuous evergreen shrubs, or				
● a wall, fence, or berm				
A continuous minimum six-foot tall masonry wall along the property line	Optional	Optional	Optional	Require d
One six-foot tall shrub is required for every seven linear feet of wall. The shrubs shall be planted on the side facing the existing development.	NA	NA	NA	Require d
Access to the buffer area from the developing side of the site shall be provided in the design of the wall and buffer	NA	NA	NA	Require d

- 1
- 2 Sec. 115-4. Yards
- 3 a) Yards are not required in RA, R1 and R4 districts
- 4 Requirements for all other yards:

1 Street trees are required along the entire street frontage, excluding alleys.

2 Trees of different classes may be combined to meet the standard.

3 Trees may be grouped or spaced at irregular intervals.

4 When trees are placed in tree wells, tree wells for Class A trees shall be a minimum
5 of 36 ft² and for Class B and C trees a minimum of 25 ft².

6 A continuous three-foot tall screen is required between any parking lot and the
7 abutting sidewalk, consisting of:

8 i) Continuous evergreen shrubs, or

9 ii) A wall, fence, or berm.

10 Groundcover shall be provided:

11 iii) Mulch may only be used as a groundcover in up to 40 percent of the ground
12 cover area.

13 iv) No single type of other material may be used in more than 60 percent of
14 the area.

15 All street trees may be planted in the right-of-way with the approval of the
16 Development Director. Where underground utilities or other practical difficulties
17 exist, the Development Director may allow street tree planting no less than five feet
18 and no more than 15 feet from the back of the sidewalk, unless an alternative plan is
19 approved. See Sec. 18.5 regarding required permits to remove, cut, and plant trees
20 and shrubs on public property.

22 Sec. 115-5. Parking Lot Landscaping

23 a) Parking lots with ten or more spaces or expanding by six or more spaces shall
24 provide parking lot landscaping.

25 b) No parking space shall be located further than 100 feet from the trunk of a Class
26 A or Class B tree.

27 c) Trees may be provided in a mix of interior islands, median islands, terminal
28 islands, and buffer areas.

29 d) All islands shall have a minimum area of 75 ft².

- e) Tree wells for Class A trees shall be a minimum of 36 ft² and for Class B and C trees a minimum of 25 ft².
- f) Trees may not be planted closer than two and one-half feet to the paved portion of the parking lot.
- g) Islands provided without trees shall provide ground cover, shrubs, or other plant material as approved by the Development Director.
- Mulch may only be used as a groundcover in up to 40 percent of the groundcover area.
- No single type of other material may be used in more than 60 percent of the area.
- h) The use of bioswales is encouraged. Interior and/or Median Islands may be consolidated or intervals may be expanded to provide for a better bioswale system where approved by the Development Director.

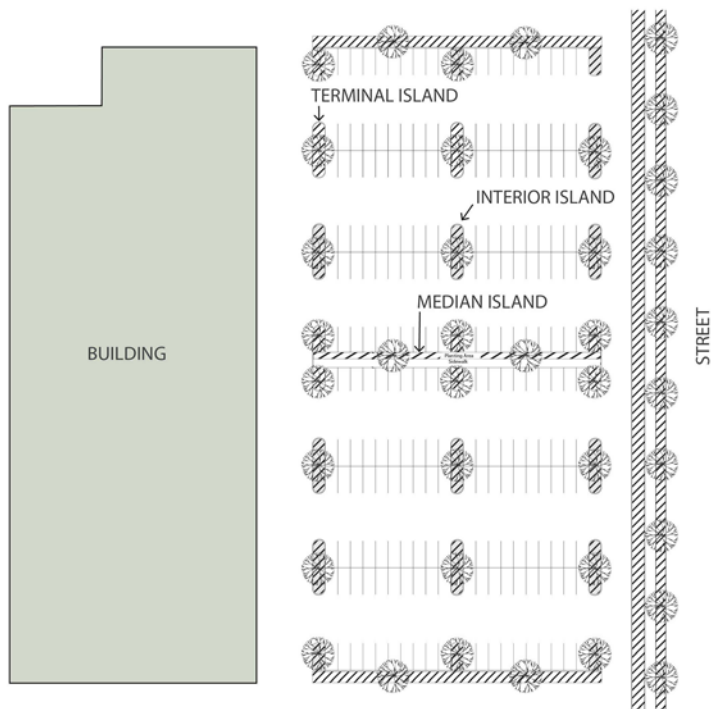


Figure 115-5.1

1 Parking Lot and Landscaping Components

3 Sec. 115-6. Screening

4 a) Utilities

5 Above-ground utilities and appurtenances to underground utilities that require
6 above-ground installation, apart from those located in the right-of-way, shall be
7 screened by a continuous planting of shrubs, with a minimum mature height equal
8 to that of the utility structure and shall contain a break for required access.

9 Trees or shrubs shall not be planted within ten feet of fire hydrants, public utilities
10 such as traffic meter boxes, directional traffic signs and other similar public
11 structures.

13 Sec. 115-7. Landscape standards.

14 a) Each property on a major roadway or state highway that is otherwise subject to
15 this chapter shall maintain a frontage buffer strip across the entire road frontage.

16 The landscape area shall be maintained with planted or sodded grass and/or
17 groundcover in conjunction with trees and/or shrubs. If there is existing grass,
18 groundcover, shrubs, or trees, such shall satisfy this requirement.

19 The landscape area shall be properly maintained in accordance with the landscape
20 plan.

22 Sec. 115-8. Landscape plan and review.

23 a) Every applicant for a building permit for a property subject to this chapter shall
24 also submit a landscape plan setting forth the proposed method for compliance
25 with the requirements of this chapter, and a building permit shall not issue
26 without the approval of the landscape plan by the administrator.

27 The administrator shall review the landscape plan incidental to the review of the
28 building plans and make such determinations as to compliance as are appropriate.

29 The landscape plan shall the location and dimensions of any side buffer strip or
30 frontage buffer strip required by this chapter and shall include a reasonably specific

description of the grass, groundcover, trees, shrubs, or other plants that will be used to comply with this chapter.

The landscape plan shall utilize plants that are appropriate for West Feliciana Parish and have reasonable chance to thrive, but need not be limited to, plants that are indigenous.

If the landscape plan relies upon existing trees or shrubs, it shall provide a description of how such existing trees or shrubs will be protected during construction.

The administrator shall reject any landscape plan that appears to impair a line of sight or existing utility right-of-way or road servitude but may identify the nature of the impairment and allow the applicant to revise the landscape plan to alleviate such potential impairment.

In the event the administrator rejects the landscape plan as non-compliant, the applicant may appeal that decision to the planning and zoning commission.

The issuance of a certificate of occupancy shall be contingent upon completion of the approved landscape plan.

Sec. 115-9. Example Trees by Class.

Table 115-9.1 Class A Trees

Scientific Name	Common Name
<i>Acer barbatum</i>	Surgar Maple
<i>Acer rubrum</i>	Red Maple
<i>Catalpa bignonioides</i>	Catalpa
<i>Carya cordiformis</i>	Bitternut Hickory
<i>Carya illinoensis</i>	Pecan
<i>Carya ovata</i>	Shagbark Hickory
<i>Carya tomentosa</i>	Mockernut Hickory

<i>Celtis laevigata</i>	Sugarberry/Hackberry
<i>Diospyros virginiana</i>	Persimmon
<i>Fagus grandifolia</i>	American Beech
<i>Fraxinus americana</i>	White Ash
<i>Fraxinus pennsylvanica</i>	Green Ash
<i>Juniperus virginiana</i>	Eastern Red Cedar
<i>Juglans nigra</i>	Black Walnut
<i>Liquidambar styraciflua</i>	Sweetgum
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Nyssa aquatica</i>	Water Tupelo
<i>Nyssa sylvatica</i>	Swamp Tupelo/Black Gum
<i>Pinus elliottii</i>	Slash Pine
<i>Pinus glabra</i>	Spruce Pine
<i>Pinus palustris</i>	Longleaf Pine
<i>Pinus taeda</i>	Loblolly Pine
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus serotina</i>	Black Cherry
<i>Quercus alba</i>	White Oak
<i>Quercus falcata</i>	Red Oak
<i>Q. falcata</i> var. <i>pagodifolia</i>	Cherrybark Oak
<i>Quercus laurifolia</i>	Laurel Oak
<i>Quercus lyrata</i>	Overcup Oak
<i>Quercus marilandica</i>	Blackjack Oak
<i>Quercus michauxii</i>	Cow Oak

Quercus nuttallii	Nuttall Oak
Quercus phellos	Willow Oak
Quercus shumardii	Shumard Oak
Quercus virginiana	Live Oak
Taxodium ascendens	Pond Cypress
Robinia pseudoacacia	Black Locust
Taxodium ascendens	Pond Cypress
Taxodium distichum	Bald Cypress
Tilia spp. americana/caroliniana, floridana	Linden
Ulmus americana	American Elm
Ulmus alata	Winged Elm

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3 Table 115-9.2 Class B Trees

Scientific Name	Common Name
Aesculus pavia	Red Buckeye
Betula nigra	River birch
Carpinus caroliniana	Ironwood
Catalpa bignonioides	Catalpa
Cercis canadensis	Eastern Redbud
Chionanthus virginicus	Greybeard/Fringe Tree
Cornus florida	Flowering Dogwood
Crataegus marshallii	Parsley Hawthorn
Crataegus opaca	Mayhaw
Crataegus viridis	Green Hawthorn

Diospyros virginiana	Persimmon
Halesia diptera	Silverbell
Ilex attenuata	Savannah Holly
Ilex cassine	Dahoon Holly
Ilex decidua	Deciduous Holly
Magnolia virginiana	Sweetbay Magnolia
Malus angustifolia	Crabapple
Morus rubra	Red Mulberry
Ostrya virginiana	Hop Hornbeam
Persea borbonia	Red Bay
Prunus americana	American Plum
Prunus caroliniana	Cherry Laurel
Rhus glabra	Shining Sumac
Robinia pseudoacacia	Black Locust
Salix nigra	Black Willow
Sassafras albidum	Sassafras
Viburnum nudum	Possumhaw
Viburnum obovatum	Walter's Viburnum

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3 Table 115-9.3 Class C Trees

Scientific Name	Common Name
Aesculus parviflora	Bottlebrush Buckeye
Amelanchier arborea	Serviceberry
Asimina triloba	Paw Paw

Baccharis halimifolia	Groundsel
Cornus drummondii	Roughleaf Dogwood
Cyrilla racemiflora	Titi
Ilex vomitoria	Yaupon
Morella cerifera	Wax Myrtle
Prunus mexicana	Mexican Plum
Rhamnus caroliniana	Carolina Buckthorn
Rhus copallina	Smooth Sumac
Vaccinium arboreum	Huckleberry
Styrax americanus	American Snowbell
Styrax grandifolius	Big Leaf Snowbell

Sec. 4 - This ordinance shall take effect five (5) days after its publication in the Official Journal.

Introduced by: Parish President Kenneth Havard at the special meeting of the West Feliciana Parish Council on the 15th day of July, 2021.

Publication of Summary and Notice of Public Hearing on _____.

Full reading and passage _____.

Moved for adoption by _____. Seconded by _____.

FOR:

AGAINST:

1
2 ABSTAIN:

3
4 ABSENT:

5
6 ATTEST:

7
8
9 _____
10 John Thompson DATE
11 WEST FELICIANA PARISH COUNCIL CHAIR
12

13
14 _____
15 Emily Cobb DATE
16 WEST FELICIANA PARISH COUNCIL SECRETARY