

**PARISH OF WEST FELICIANA
ORDINANCE NUMBER: _____**

AN ORDINANCE TO AMEND AND REENACT CHAPTER 115 OF THE WEST FELICIANA PARISH CODE OF ORDINANCES IN REGARD TO GREEN LAW REGULATIONS; AND TO PROVIDE FURTHER WITH RESPECT THERETO:

The West Feliciana Parish Council hereby ordains:

WHEREAS, Sec. 115-1 of Chapter 115 provides for the purposes of the Green Law Regulations;

WHEREAS, it is the intent of the Parish Council to provide for more detail and specificity in the application of the Green Law Regulations for the mutual benefit of the parish and the property owners who are subject to the Green Law Regulations;

WHEREAS, it is determined that the existing Chapter 115 of the West Feliciana Parish Code or Ordinances needs to be amended, reenacted and supplemented to facilitate the purposes set forth therein.

Section 1 – Section 115-1 is hereby amended and reenacted to read as follows:

- a)** The purpose of this section is to promote the health, safety, and general welfare of the public; to facilitate the creation of a convenient, attractive, and harmonious community; to conserve natural resources including adequate air and water; to conserve properties and their values; to preserve the character of an area by preventing the harmful effects of prejudicial uses; and to encourage the appropriate use of the land. More specifically, this section is intended to make incompatible uses compatible by requiring a screen or a buffer between uses in order to minimize the harmful impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusion, and other objectionable activities or impacts conducted on or created by an adjoining or nearby use. Additionally, this section is intended to require the landscaping of certain parking lots in order to reduce the harmful effects of wind and air turbulence, heat and noise, glare of motor vehicle lights; to preserve underground water reservoirs and to permit the return of precipitation to the ground water strata; to act as a natural drainage system and ameliorate storm water drainage problems; to reduce the level of carbon dioxide and return pure oxygen to the atmosphere; to prevent storm and run-off erosion, particularly along embankments on water ways and road ways; to provide shade and to enhance the blighted appearance of parking lots and roadways.
- b) The provisions of this Chapter shall be applicable to all new construction or major renovation on a property with any commercial or industrial zoning designations or a zoning designation of T-R, A-R or M-R.**

Section 2 – Section 115 - 2 is repealed and replaced as follows:

Section 115-2 - Definitions.

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

Frontage buffer strip means landscape area located at the frontage of a property on a major roadway or highway, to a depth of not less than 15 feet from the property line.

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

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

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

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

Line of sight is the clear sight distance area at an intersection required by motorists, pedestrians, bicyclist, or others to view a conflict, make a decision, and react to that decision.

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

Side buffer strip means landscape area located between the property line of a residential use property and an adjacent structure on a non-residential use property.

Section 3 – Section 115-3 is amended to read as follows:

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

The term "buffer strip" or "buffer zone" means the unpaved area of land located between the property line and building that is designated for the preservation and placement of plant materials, wall, or fence where commercial, special use, or industrial property is rezoned adjacent to any residential zoning district. **The owner of a property subject to the provisions of this Chapter that lies adjacent to a property that is not subject to the provisions of this Chapter shall maintain a side buffer strip between the two properties** The unpaved area may be a planted buffer strip or a solid brick or stone 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, or if wood, stone or brick, shall not be less than six feet high.

Section 4 – Section 115-4, 5 and 6 are hereby enacted to read as follows:

Sec. 115-4. Landscape standards

- a) Each property on a major roadway or state highway that is otherwise subject to this Chapter shall maintain a Frontage buffer strip to a depth of not less than 15 feet in depth from the property line, not to include the road right of way or servitude, across the entire road frontage.
- b) The landscape area shall be maintained with planted or sodded grass and/or groundcover in conjunction with trees and/or shrubs. If there is existing grass, groundcover, shrubs or trees, such shall satisfy this requirement.
- c) The landscape area shall be properly maintained in accordance with the landscape plan.

Sec. 115-5. Landscape plan and review

- a) Every applicant for a building permit for a property subject to this Chapter shall also submit a landscape plan setting forth the proposed method for compliance with the requirements of this Chapter, and a building permit shall not issue without the approval of the landscape plan by the administrator.
- b) The administrator shall review the landscape plan incidental to the review of the building plans and make such determinations as to compliance as are appropriate.
- c) The landscape plan shall the location and dimensions of any side buffer strip or 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.
- d) 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.
- e) 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.
- f) The administrator shall reject any landscape plan that appears to impair a line of sight, but may identify the nature of the impairment and allow the applicant to revise the landscape plan to alleviate such potential impairment.
- g) In the event the administrator rejects the landscape plan as non-compliant, the applicant may appeal that decision to the Planning and Zoning Commission.

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

Sec. 115-6. Impairment of line of sight

The owner of any property subject to this Chapter, on which there exists an impairment of line of sight may be ordered by the administrator to alleviate the impairment by a date certain and identified but not less than 14 days from the date of notice. Such notification shall be in writing. In the event of the failure of the owner to alleviate such impairment with the time set forth in the notice, the parish may alleviate the impairment and the property owner shall be liable to the parish for the costs incurred by the parish.

This ordinance shall take effect five (5) days after its publication in the official journal.

Introduced by: Parish President Kevin Couhig at the regular meeting of the West Feliciana Parish Council on the 13th day of November, 2017

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Publication of Summary and Notice of Public Hearing on _____

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Full reading and passage on _____

Moved for adoption by . Seconded by .

FOR:

AGAINST:

ABSTAIN:

ABSENT:

ATTEST:

SYDNEY PICOU WALKER DATE

WEST FELICIANA PARISH COUNCIL VICE CHAIRPERSON

ROLANDA J. ROBINSON DATE

WEST FELICIANA PARISH COUNCIL SECRETARY