

ORDINANCE NUMBER 2024-10

AN ORDINANCE AMENDING CHAPTER 40 LAND USE CODE OF THE SCOTT MUNICIPAL CODE, TO ADD DIVISION 5. LANDSCAPE BUFFERS

WHEREAS, the City Council for the City of Scott desires to amend **Chapter 40 LAND USE CODE**, of the Scott Municipal Code, to add **Division 5. Landscape Buffers**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council for the City of Scott, in regular session assembled, that **Chapter 40, LAND USE CODE**, be amended to add new **Division 5. Landscape Buffers** to read as follows:

Purpose

To enhance the aesthetic, environmental, and economic value of land uses within the city while ensuring compatibility and minimizing adverse impacts between differing land uses.

Section 1: Categorization of Land Use

Residential
Commercial
Industrial
Mobile Home
Civic

Section 2-Buffer Requirements

General Buffer Requirements Buffers shall consist of a combination of physical barriers and landscaping elements to mitigate visual and audible impacts between different land uses.

1. Specific Requirements Based on Land Use Categories:

- a. Commercial: A buffer of 20 feet with a combination of dense shrubs and medium-height trees.
- b. Industrial: A buffer minimum of 50 feet with tall trees and a physical barrier(e.g., fence or wall)
 - i. For land use classifications deemed by the planning commission to be of an obnoxious nature, the buffer may be increased up to 500 feet with tall trees and a physical barrier. Obnoxious land uses may include, but are not limited to, asphalt and concrete batching plants, borrow pits, disposal facilities, dumping pits, incinerators, landfills, logging, pipe yards, prisons, recycling facilities, scrap and salvage yards, and sewer treatment plants.
- c. Mobile Home: In addition to adhering to the city's existing regulation that mandates a 50- foot setback from all sides for mobile homes not within a mobile home park, a portion of this setback area must include specific landscaping elements to enhance the aesthetic and environmental quality of the surroundings. Specifically, a minimum of 10 feet of the 50-foot setback area must be developed with low-height vegetation to serve as a landscape buffer.
- d. Civic: A buffer of 5 feet primarily with aesthetic landscaping.

2. Rule for Adjacent Land Uses (Most Restrictive Rule)

- a. When land is developed adjacent to a different land use, the buffer requirement that is most restrictive between the two land uses shall be applied. This ensures the highest level of mitigation against potential negative impacts between different land uses.
- b. This rule applies regardless of the chronological order of development, prioritizing the protection and mitigation for all involved land uses.

3. Flexibility and Consultation

- a. The planning office retains the flexibility to make adjustments to these requirements in special cases, particularly where unique circumstances or community input warrant such consideration.

- b. Consultation with relevant stakeholders, including property owners, community groups, and environmental experts, is encouraged in cases involving significant changes or exceptions to the standard buffer requirements.

4. Decision-Making Process for Buffer Requirements

- a. Administrative Decisions:
 - i. Standard Compliance: Decisions regarding compliance with the standard buffer requirements as outlined in Sec. 1 for Commercial, Civic, and Mobile Home land uses shall be handled administratively.

 - ii. Minor Variations: Administrative authority may approve minor variations from the standard buffer requirements. A minor variation is defined as a deviation of no more than 10% from the specified buffer dimensions.

 - iii. Routine Processing: All routine processing, documentation, and issuance of approvals or rejections for standard buffer requirements will be conducted administratively.

- b. Planning Commission Decisions
 - i. Discretionary Matters: Decisions involving significant discretion, including those related to Industrial land uses and any land use deemed 'obnoxious', shall be made by the planning commission.

 - ii. Major Variations: Variations from the buffer requirements exceeding 10% of the specified dimensions, or any variations that could significantly impact adjacent land uses, require planning commission approval.

 - iii. Public Interest and Policy Considerations: Matters involving substantial public interest, policy considerations, or potential community impact shall be decided by the planning commission.

Exceptions

- (a) In cases where integrating buffer standards with setbacks is not feasible due to spatial constraints, the Planning Commission may approve alternative buffering solutions.

Section 3- Landscaping and Open Space Regulations

Maintenance

- (a) Property owners shall maintain buffers in a healthy and neat condition, in accordance with city maintenance standards.

Section 4-Flexibility and Exceptions

(a) Variances

The Planning Commission may grant variances to the buffer requirements in cases where strict application of the standards is impractical, provided that the overall intent of the ordinance is maintained. Should a variance request be denied by the Planning Commission, an appeal may be made to the City Council for further consideration.

(b) Special Conditions

In cases of unique land use situations or innovative development proposals, alternative buffering and landscaping solutions may be considered.

This ordinance shall become effective immediately upon its adoption. Any provisions of the code or ordinances which are in conflict herewith are hereby repealed.

This ordinance having been submitted to a vote in regular session assembled of the Mayor and the City Council of the City of Scott, the vote thereon being as follows:

YEAS: Councilman Moreau Councilman Boudreau Councilman Roy
Councilman Montbucet Councilman Domingue

NAYS: None

ABSENT: None

ABSTAIN: None

on this 2nd WHEREUPON, the presiding officer declared the above Ordinance duly adopted day of May, 2024.

Shelley M. Gautreau
SHELLEY M. GAUTREAU-CITY CLERK

JAN-SCOTT RICHARD
JAN-SCOTT RICHARD-MAYOR

2nd I certify that the above Ordinance was presented to the Mayor by me on the day of May, 2024.

Shelley M. Gautreau
SHELLEY M. GAUTREAU-CITY CLERK

2nd I acknowledge receipt of the above Ordinance from the City Clerk on the day of May, 2024.

JAN-SCOTT RICHARD
JAN-SCOTT RICHARD - MAYOR

I hereby approve the above Ordinance on this 2nd day of May, 2024.

JAN-SCOTT RICHARD
JAN-SCOTT RICHARD - MAYOR

2nd I certify that the above Ordinance was received by me from the Mayor on the day of May, 2024.

Shelley M. Gautreau
SHELLEY M. GAUTREAU-CITY CLERK