

1 Introduced March 26, 2024, by Councilman
2 Tamborella, seconded by Councilwoman
3 Haggerty, (by request of Administration)

4 **Item No. 24-03-3514**

5
6 **ORDINANCE NO. 4162**

7
8 An ordinance amending the Code of Ordinances of the City of Slidell, Part I,
9 Chapter 13 – Environment, Article V. – Public Tree Management and Appendix A - Zoning,
10 Part 2, Schedule of District Regulations Adopted, Section 2. Section 2.3. - Permitted
11 Residential Uses, Section 2.15. - Planned Unit Development (PUD), Section 2.16A. - C-1
12 Fremaux Avenue Business District, Sec. 2.16C. - C-2W—Waterfront Mixed Use, Section
13 2.18. - C-4 Highway Commercial, Section 2.18A. - C-6 Regional Shopping Center District,
14 Section 2.19. - M-1 Planned Industrial District, Section 2.21. - O-L Open Land District,
15 Section 2.22. - Supplementary District Regulations, Section 2.25 – Protection of Existing
16 Trees and Landscaping Requirements, Section 2.6. - A-3 Multifamily Residential; Appendix
17 B - Subdivision Regulations, Part 3. - Design Standards, Sec. 3.2. - Residential Design
18 Standards, Sec. 3.3. - Commercial and Mixed-Use Design Standards, and Part 4. -
19 Improvement Standards, Section 4.11. - Street Trees, to relocate, consolidate, and clarify
20 public tree management standards in Appendix A, and to reflect best practices, improve
21 application development and review, and enhance code interpretation and administration
22 regarding citywide tree preservation and landscaping standards.

23
24 WHEREAS, the City of Slidell has been a National Arbor Day Foundation Tree
25 City USA since 2007, and is committed to maintaining and growing its tree canopy cover;
26 and

27
28 WHEREAS, the city's current tree and landscape standards have not been
29 substantially updated since 1995; and

30
31 WHEREAS, a lack of procedural clarity has created unnecessary difficulties for
32 local businesses wishing to locate or redevelop a site in the city and for city departments
33 managing new development applications and public properties; and

34
35 WHEREAS, preservation of the city's tree canopy is identified as a key goal of
36 the *Slidell 2040 Comprehensive Plan*, which focuses on limiting unauthorized tree
37 removals by enforcing the tree removal permit process and applying appropriate
38 landscaping requirements for new and redeveloped sites; and
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4
5 WHEREAS, code amendments that more clearly reflect the community's
6 priorities to preserve trees, implement the Comprehensive Plan, ensure authorities related
7 to tree preservation are clear and administrable, and promote the benefits of trees and
8 landscaping are needed to protect the future health, safety and welfare of the city.
9

10 NOW, THEREFORE, BE IT ORDAINED by the Slidell City Council that it
11 hereby amends the City of Slidell Code of Ordinances, Part I, Chapter 13 – Environment,
12 Article V. – Public Tree Management and Appendix A - Zoning, Part 2, Schedule of District
13 Regulations Adopted, Section 2.3. - Permitted Residential Uses, Section 2.15. - Planned
14 Unit Development (PUD), Section 2.16A. - C-1 Fremaux Avenue Business District, Sec.
15 2.16C. - C-2W—Waterfront Mixed Use, Section 2.18. - C-4 Highway Commercial, Section
16 2.18A. - C-6 Regional Shopping Center District, Section 2.19. - M-1 Planned Industrial
17 District, Section 2.21. - O-L Open Land District, Section 2.22. - Supplementary District
18 Regulations, Section 2.25 – Protection of Existing Trees and Landscaping Requirements,
19 Section 2.6. - A-3 Multifamily Residential; Appendix B - Subdivision Regulations, Part 3. -
20 Design Standards, Sec. 3.2. - Residential Design Standards, Sec. 3.3. - Commercial and
21 Mixed-Use Design Standards, and Part 4. - Improvement Standards, Section 4.11. - Street
22 Trees, to relocate, consolidate, and clarify public tree management standards in Appendix
23 A, and to reflect best practices, improve application development and review, and enhance
24 code interpretation and administration regarding citywide tree preservation and
25 landscaping standards, in accordance with the following:
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5 **Chapter 13 – Environment.**

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8 **ARTICLE V. - Reserved.**

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10 **APPENDIX A – ZONING**

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12 **PART 2. - SCHEDULE OF DISTRICT REGULATIONS ADOPTED**

13 * * *

14 **Section 2.3. - Permitted residential uses.**

15
16
17 **2.301**

18 * * *

19 All multifamily, civic, and commercial uses must conform with buffer, landscape, and
20 parking regulations contained in sections 2.22, 2.25 and Part 4.

21 * * *

22 **Section 2.6. - A-3 multifamily residential.**

23 * * *

24
25 **2.609**

26 Landscaping: The following additional landscaping regulations shall apply to all multi-family
27 housing.

- 28
29 (1) A minimum landscape area five (5') feet wide shall be constructed along the
30 foundation of the building where the building faces a parking lot, street, driveway,
31 or is visible from a public street.
32 (2) The landscaping on each lot must conform to the open space requirements of
33 Section 2.25.
34 (3) With the exception of trees, landscape elements including shrubs must be
35 maintained at a height to not exceed four (4') feet for security and visibility.
36 (4) Street trees and shrubs are required along all public streets per Section 2.25.
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4 (5) All interior medians must be landscaped with plant material that does not interfere
5 with vehicle safety; hardscape only medians are prohibited.

6 2.610

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8 Buffer Zone Requirements: Buffer zones must be established in accordance with Sections
9 2.2207 and 2.2208 of the zoning ordinance.

10 * * *

11 **Section 2.15. - Planned unit development (PUD).**

12 2.1507 Final plan stage.

13 * * *

14
15 (3) Land clearing plan. A land clearing plan drawn at the same scale as the site plan,
16 containing the information described in Section 2.25 of the zoning ordinance.

17 * * *

18 **Section 2.16A. - C-1 Fremaux Avenue Business District.**

19 * * *

20 2.16A10

21 Tree and landscaping requirements in the C-1 district are as follows: All developments
22 shall be designed in accordance with Section 2.25 of the zoning ordinance except that the
23 required 10 foot planting area may be reduced to five (5') feet.

24 * * *

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26 **Section 2.16B. - C-1A Fremaux Avenue/Shortcut Highway district.**

27 * * *

28 2.16B10

29 Tree and landscaping requirements. All developments must be designed in accordance
30 with Section 2.25 of the zoning ordinance except that the required 10 foot planting area
31 may be reduced to five (5') feet.

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5 **Sec. 2.16C. - C-2W—Waterfront mixed use.**

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8 **2.16C07**

9 Landscaping. Landscaping must meet requirements established in Appendix A, Section
10 2.25 of this Code.

11 * * *

12 **Section 2.18. - C-4 highway commercial.**

13 * * *

14 **2.1801B**

15 * * *

16
17 **(2) Yards:**

18 a) Front: Street landscape area must be minimum depth of 20 feet, landscaped in
19 accordance with Section 2.25 of this Code. No access to storage units shall be
20 permitted from the front yard or any yard facing a public right-of-way.

21 * * *

22
23 **(7) Landscaping:** Landscaping must be provided in accordance with Section 2.25 of
24 this Code.

25 * * *

26 **Section 2.18A. - C-6 regional shopping center district.**

27 * * *

28 **2.18A08**

29 Trees and landscaping in the C-6 district: Appendix A, Section 2.25 of this Code shall
30 apply.

31 * * *

32
33 **Section 2.19. - M-1 planned industrial district.**

34 * * *

35 **2.1902**

36 Buffer zone requirements in the M-1 district are as follows: A minimum 10 foot wide
37 landscape buffer zone and a 20 foot building setback must be maintained along all lot lines
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4 adjacent to property zoned and/or developed for uses of a lesser intensity. The buffer zone
5 must meet all other requirements of Section 2.25. Additionally, all shrubs shall be nursery
6 stock of no less than a five (5) gallon container size at planting.
7

8 * * *

9 **2.1903**

10 Landscape requirements in the M-1 district are as follows: A 15 foot wide planting area
11 must be maintained along all property lines that abut public rights-of-way and a 25 foot
12 building setback must be maintained from the property lines that abut public waterway and
13 street rights-of-way. All other requirements of Section 2.25 apply.
14

15 * * *

16 **Section 2.21. - O-L open land district.**

17 * * *

18 **2.2107**

19 Landscaping must be provided in accordance Section 2.25 of this Code.
20

21 * * *

22 **Section 2.22. - Supplementary district regulations.**

23 * * *

24 **2.2207**

25 Landscape buffer areas must be provided in accordance with Section 2.25 of this Code.
26

27 **2.2208**

28 In the event that there exists on the property in either zone a fence meeting the landscape
29 buffer area requirements of Section 2.25, said fence being within 12 inches of the abutting
30 property lines, no additional fence will be required to be built if one of the following
31 conditions is met:

- 32 (1) The fence and property on which it is situated are owned by the owner of the
33 higher density property;
34
35 (2) The owner of the higher density property obtains from the owner of the low density
36 property permission to be responsible for the maintenance and necessary repairs
37 of the fence and ensure its continued effectiveness as a buffer in perpetuity. This
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4 agreement must be in writing and recorded with the Clerk of Court for the Parish
5 of St. Tammany prior to issuance of a building permit.

6 Further, if for any reason a property is raised, the owner of said property will at that time be
7 required to provide a buffer zone fence meeting the requirements of Section 2.25.
8

9 * * *

10 **2.2209 through 2.2212**

11 **Reserved.**

12 * * *

13 **Section 2.25. Tree Preservation, Landscape, and Public Tree Management.**

14 **A. GENERALLY.**

15 1. *Purpose.* These tree preservation and landscape requirements are intended to:

- 16 a. Beautify the city.
- 17 b. Purify and cool the air by providing shade, absorbing particulates, and producing
- 18 oxygen.
- 19 c. Reduce flooding by slowing and capturing stormwater runoff and by returning water
- 20 to the environment through percolation and transpiration.
- 21 d. Improve water quality by filtering out particulates.
- 22 e. Aid in the recharge of groundwater aquifers.
- 23 f. Retain topsoil and reduce soil erosion.
- 24 g. Reduce demand on city drainage infrastructure.
- 25 h. Provide a wildlife habitat where birds and animals can find food, nest, and be
- 26 protected from predators and the environment.
- 27 i. Provide screening and buffers between low and higher intensity uses by blocking or
- 28 limiting the adverse impacts of noise, light, and particulates.

29 2. *Applicability.*

- 30 a. All new development or substantial improvements must comply with land clearing,
- 31 tree preservation, and landscaping requirements in this Section.

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4 b. Trees not approved for removal must comply with tree protective measures in this
5 Section.

6 c. Stewardship of applicable public areas by the city must be provided in accordance
7 with this Section.
8

9 3. *Permits, Licenses, and Certifications.*

10 a. *Permit application.* The Department of Planning reviews and acts on all tree
11 removal, land clearing, and landscaping permits, with the exception that the
12 Department may refer proposed alternative landscape plans to the Planning
13 Commission for review and approval at the discretion of the Director of Planning.
14

15 b. *License and certification requirements.*

16 1) *Tree removal.* A Louisiana State Licensed Arborist must apply for tree removal
17 permits.
18

19 2) *Land clearing.* A Louisiana State Licensed Arborist or General Contractor must
20 apply for land clearing permits.

21 3) *Landscape plans.* Landscape plans must be prepared and stamped by a
22 Louisiana Licensed Landscape Architect in compliance with this Section and
23 applicable Louisiana Revised Statutes.
24

25 4) *Landscape installation and planting.* A Louisiana Licensed Landscape Architect
26 or Louisiana Licensed Horticulturist must supervise all landscape plantings
27 installed per a required landscape plan. Yard work (cutting lawns, edging, and
28 hand-weeding beds) is not regulated by State licensure.
29

30 5) *Planting certification.* Upon installation, the Louisiana Licensed Architect or
31 Horticulturist who submitted the plan must certify in writing the installed plantings
32 are in accordance with the approved plan.
33

34 4. *Fees.* Must be provided in accordance with Appendix F of this Code.

35 5. *Definitions specific to this Section.*

36 a. *Branch.* An outgrowing shoot, stem, or twig that grows from the main stem or trunk.
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- 4 b. *Caliper*. The diameter measurement of the stem or trunk of plants grown in or
5 obtained from a nursery.
- 6 c. *Canopy*. The portion of the tree that includes the branches.
- 7 d. *Container*. A flat, pot, tub, etc., usually made of plastic, wood, ceramic, or metal,
8 used to grow or hold one or more plants and which generally prevents the growth of
9 roots beyond its side walls or bottom.
- 10 e. *Critical Root Zone (CRZ)*. The equidistant extent of the majority of a tree's root
11 system from the tree trunk around a tree trunk in all directions, determined by
12 multiplying the tree DBH (diameter at breast height) in inches by 12 and measured
13 in linear feet at ground level.
- 14 f. *Deciduous*. Plants that shed all their leaves at the end of the growing season and
15 remain leafless throughout the winter or dormant period.
- 16 g. *Diameter Breast Height (DBH)*. On the tree trunk, measure the circumference
17 outside the bark at 4.5 feet above grade on the uphill side of the tree; divide the
18 circumference by π ($\pi = 3.14$) to get the trunk diameter. Diameter may also be
19 measured by use of a caliper tool.
- 20 h. *Evergreen*. A plant that has foliage that remains green and functional through more
21 than one growing season.
- 22 i. *Hardscape*. Non-living, human, or machine-made features or structures that are
23 constructed using durable materials such as concrete, brick, stone, or metal; these
24 features are typically immovable and include elements such as driveways,
25 walkways, patios, pools, retaining walls, fences, and similar structures.
- 26 j. *Invasive species*. A plant species that is not native to Louisiana and may rapidly
27 dominate the beneficial plants that have evolved in local native habitats. These
28 invaders out-compete native species, are very prolific, are not usually affected by
29 native insects or diseases, and grow very rapidly. Introduction may cause economic
30 or environmental harm.
- 31 k. *Landscape area*.
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4 1) *Buffer landscape area.* That vegetated planting area between a more intense
5 and a less intense use that is intended to shield the less intense use from the
6 adverse effects of light, noise, and particulates created by the more intense
7 use.

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9 2) *Open space landscape area.* That vegetated planting area reserved for trees,
10 landscaping, or other vegetative ground cover where structures and
11 hardscape are not permitted; this area in calculation is considered separate
12 and not synonymous with buffer, parking, or street landscape areas.

13
14 3) *Parking landscape area.* That vegetated planting area within and on the
15 immediate perimeter of private parking lots.

16 4) *Street landscape area.* That vegetated planting area along a property
17 frontage at the boundary between any public right-of-way (ROW) and the
18 private property, not inclusive of the public ROW.
19

20 l. *Landscape irrigation contractor.* A Louisiana licensed contractor specializing in the
21 construction, installation, connection, repair, maintenance, improvement, or
22 alteration of any portion of a landscape irrigation system, including the required
23 wiring for that system.

24
25 m. *Licensed arborist.* A professional who recommends or executes tree-surgery type
26 work, including tree removal, pruning, trimming, cabling, fertilization, and cavity
27 work, who is licensed by the State of Louisiana in accordance with Louisiana
28 Revised Statutes. A Utility Arborist License is required for a professional who
29 recommends or executes the removal of trees or portions of trees along any utility
30 easement, servitude, or right-of-way (ROW).
31

32 n. *Licensed landscape architect.* A professional who prepares landscape design plans,
33 landscape grading and drainage plans, landscape irrigation plans, planting plans,
34 and related landscape construction details and specifications for a fee, who is
35 licensed by the State of Louisiana in accordance with Louisiana Revised Statutes.
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- 4 o. *Licensed horticulturalist.* A professional who recommends and executes measures
5 for interior and exterior beautification through the use of nursery stock or sells,
6 leases, and maintains nursery stock, who is licensed by the State of Louisiana in
7 accordance with Louisiana Revised Statutes. Horticulturalists are not authorized to
8 draw landscape plans for a fee.
9
- 10 p. *Perennial.* A plant that lives for more than two years; the foliage of herbaceous
11 perennials may die in fall and winter, but the roots and rhizomes persist. The term is
12 also used to distinguish those plants with little or no woody growth from trees and
13 shrubs.
14
- 15 q. *Planting season.* The preferred time of year for the installation of trees and shrubs
16 to ensure the plant's successful establishment and root growth is between October
17 and March. Palm species require warm season planting (May to September) for
18 best results.
19
- 20 r. *Shrub.* Generally smaller than a tree; a small-to-medium-sized perennial woody
21 plant. Unlike herbaceous plants, shrubs have persistent woody stems above the
22 ground. Shrubs can be either deciduous or evergreen.
23
- 24 s. *Substantial Improvement.* Any repair, reconstruction, rehabilitation, alteration,
25 addition or other improvement of a building, structure, or premise, the cost of which
26 equals or exceeds 45 percent of the value of the structure before the improvement
27 or repair is started. If the structure has sustained substantial damage, any repairs
28 are considered substantial improvement regardless of the actual work performed.
29
- 30 t. *Tree.* A wood perennial, usually having a single trunk, normally exceeding 10 feet in
31 height at maturity; including the following tree types:
32 1) *Large tree.* Any self-supporting woody plant of a species which normally
33 grows to an overall height greater than 40 feet, usually with one main
34 stem or trunk and many branches; it may also appear to have several
35 stems or trunks.
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4 2) *Heritage tree*. Any non-invasive tree with a DBH equal to or greater than
5 24 inches.

6 3) *Protected tree*. Any non-invasive tree where the DBH is equal to or
7 greater than 12 inches.

8 4) *Small tree*. Any self-supporting woody plant of a species which normally
9 grows to an overall height less than 40 feet, usually with one main stem
10 or trunk and many branches; it may also appear to have several stems or
11 trunks.

12 u. *Trunk*. The stem and main woody axis of a tree, as distinct from, branches, limbs,
13 and roots, which is an important feature in tree identification, and which often differs
14 markedly from the bottom of the trunk to the top, depending on the species.

15 v. *Vegetative cover*. Mixed vegetation within that portion of a property upon which
16 living elements such as trees, shrubs, groundcover, grass, and other plants inhabit;
17 it includes natural or cultivated vegetation that provides greenery, contributes to
18 ecological balance, and enhances the visual appeal of the area.

19 w. *Woody plant*. Vegetation, typically trees and shrubs producing hardened stems and
20 trunks that persist above ground from year to year in their environment.

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26 **B. LAND CLEARING AND TREE PRESERVATION.**

27 1. *Purpose*. To preserve existing trees, protect trees during construction, require planting
28 of new or replacement trees, and provide for the remediation of damaged trees.

29 2. *Applicability*.

30 1. A tree removal permit is required prior to the removal of any protected or heritage
31 tree as defined in this Section.

32 2. A land clearing permit and tree survey are required prior to the removal of five (5) or
33 more trees greater than six inches (6") DBH.

34 3. *Minimum tree protective measures*. Existing trees to be preserved must be shown on
35 all demolition, grading, and site plans.
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- 4 a. High-visibility plastic fencing, wooden fencing, or a chain link barricade of at
5 least 48 inches in height must be installed at the edge of the tree CRZ to avoid
6 damage.
7
8 b. Vehicles and materials are not allowed within the tree protection barricade.
9
10 c. This temporary barricade must be maintained throughout the entire period of
11 construction activity.
12
13 d. Trenching within the CRZ of barricaded trees is not permitted. Only boring or air
14 spading is permitted within the critical root zone. No roots two inches (2") or
15 larger can be cut without prior arborist approval and remediation measures
16 enacted.
17
18 e. Sidewalk bridging should be used where possible in instances of tree root
19 conflicts.
- 20 4. *Criteria for tree removal.* Protected or heritage trees may only be removed for one or
21 more of the following reasons and only after approval by the Department of Planning:
22
23 a. Dead or dying trees, trees weakened by age, storm, fire or other injury, or trees that
24 must be removed to observe good tree management practices as supported by a
25 written opinion from a Licensed Louisiana Landscape Architect or Arborist.
26
27 b. Trees that pose a safety hazard to pedestrians, vehicular traffic, or buildings as
28 supported by a written opinion from a Licensed Louisiana Landscape Architect or
29 Arborist, or appropriate city staff with the Department of Engineering or Public
30 Works.
31
32 c. Trees located near an existing or planned building foundation, where the
33 owner/applicant has demonstrated that the project cannot be redesigned to
34 accommodate retention of the tree.
35
36 1) Trees that qualify for removal must be shown on a project site plan, and
37 supported with photographs that establish the relationship of the tree to the
38 existing or proposed structure.
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- 4 i. Trees less than 30 feet tall: must be within 10 feet from the building
5 foundation or eight (8') feet from a corner of the building foundation.
6 ii. Trees between 30 to 60 feet tall: must be within 15 feet from the
7 building foundation or 12 feet from a corner of the building foundation.
8 iii. Trees greater than 70 feet tall: must be within 20 feet from the building
9 foundation or 15 feet from a corner of the building foundation.

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11 2) Height refers to the tree height at maturity, not at planting or current height.

12
13 5. *Remediation of protected and heritage trees removed per provisions of Section*
14 *2.25.B.4.*

15 a. *Purpose.* To retain the city's mature tree canopy, owners/developers must
16 demonstrate their attempt, whenever feasible, to remediate damaged or
17 distressed trees before requesting a permit for their removal. Such evidence
18 must be submitted with the request for removal for consideration by the
19 Department of Planning.

20
21 b. *With permit.* Trees removed with a permit will be required to be replaced on a
22 one to one ratio.

23 1) Replacement trees must meet the minimum plant standards described in this
24 Section.

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26 2) *Delay in planting.* If approved by the Director of Planning, the planting of
27 replacement trees can be delayed to the beginning of the next planting
28 season to provide the best opportunity for the planting to take root and
29 survive. In no case will the planting of replacement trees be delayed beyond
30 the next planting season. If replacing more than five (5) trees, the developer
31 must provide a performance bond as a guarantee of the tree(s) replacement.

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33 c. *Without permit or damaged caused by development activity.* If it is determined
34 by the Department of Planning that the damage or distress to the protected or
35 heritage tree was caused by the property owner, developer, or an entity
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4 contracted by them, the owner/developer will be required to plant replacement
5 trees and/or be subject to fines.

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7 1) Trees removed, damaged beyond repair, or killed without a permit will be
8 required to be replaced on a one-inch DBH to one-inch caliper ratio.

9
10 2) Trees may be replaced by one or multiple trees whose total caliper inches
11 equals or exceeds the DBH in inches of the removed tree; replacement trees
12 must meet the minimum plant standards described in this Section.

13 3) *Delay in planting.* If approved by the Director of Planning, the planting of
14 replacement trees can be delayed to the beginning of the next planting
15 season to provide the best opportunity for the planting to take root and
16 survive. In no case will the planting of replacement trees be delayed beyond
17 the next planting season. The developer must provide a performance bond
18 as a guarantee of the tree(s) replacement.

19
20 4) *Fines.* When a protected or heritage tree is killed or removed without a
21 permit, a \$500 fine will be assessed per day following tree removal and until
22 the subject tree is verified as being replaced, or a mitigation plan is submitted
23 for review and approval.

24
25 d. *Performance bond for delayed planting.* A performance bond, as a guarantee for
26 delayed planting, must be equal to the cost to install and maintain the
27 replacement tree(s) for one year after planting. The Planning Director shall have
28 the authority to redeem the bond and cause the replacement trees to be planted
29 or to release the bond upon successful completion of the planting based on
30 current bond acceptance and release practices as approved by the City.

31
32 e. *Payment in lieu of planting or replacement.* When plantings are impractical due
33 to lack of sufficient planting area, presence of utilities or other obstructions, or
34 lack of suitable soil and growth medium to plant a tree, or when a historic or
35 protected tree has been removed illegally, the Director of Planning can authorize
36 payment in lieu of required plantings to mitigate tree planting requirements.
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- 4 1) The amount of the payment is based on the following formula, where *Tree*
5 *Value* = *COT* + *COL* + *COM* + *COER*.
6
7 i. *COT* = Cost of Tree, which includes the cost of purchasing one or
8 more trees such that the caliper inches of the replacement trees equal
9 or exceed the DBH of the tree removed, as affirmed by an estimate or
10 invoice from a nursery showing the cost of the trees.
11
12 ii. *COL* = Cost of Labor, which includes the hourly cost of the licensed
13 arborist or horticulturist and the hourly cost for each laborer times the
14 number of hours to complete the installation. The hourly rate must be
15 based on prevailing wages.
16
17 iii. *COM* = Cost of Material, which includes all materials needed to plant,
18 support, and maintain the tree(s) for one growing season. Materials
19 must be itemized on an estimate, invoice, or sales receipt and be
20 based on prevailing rates.
21
22 iv. *COER* = Cost of Equipment Rental, which includes the cost of renting
23 equipment needed for installation and the maintenance of the
24 tree/trees for one growing season. Equipment rental costs must be
25 itemized in a rental contract and be based on prevailing rates.
26
27 2) Such payment will be applied to the city's tree maintenance budget, and is
28 separate and distinct from any fine assessed by the Director of the
29 Department of Planning for tree removal without a permit, tree damage
30 beyond repair, or killing of a protected or heritage tree.
31

32 **C. LANDSCAPE REQUIREMENTS.**

- 33 1. *Purpose.* To establish planting requirements for street, parking, open space, buffer
34 landscape areas, and alternative landscape plans.
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4 2. *Applicability.* Landscape requirements apply to all new construction and substantial
5 improvements for industrial and commercial developments, including multi-family
6 residential, and for one and two-family dwellings.
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8 3. *Landscape Plan.*

9 a. *Applicability.* Landscape plans are required for industrial, commercial, and multi-
10 family (three units or more) development in the following situations:

- 11 1) New construction;
12 2) Substantial improvements; and
13 3) Once a property has lost its legal nonconforming status. Refer to Appendix A,
14 Part 6.
15

16 b. *Review, approval, and appeal.* The Department of Planning shall review and has
17 the authority to approve, require modifications, or reject landscape plans.
18 Appeals of a rejected landscape plan must be made within 10 calendar days of
19 the Director's decision to the Board of Zoning Adjustment per Appendix A
20 Zoning, Part 7.
21

22 c. *Inspection.* After the permit holder has notified the Department of Planning that
23 the landscape installation is complete, the Department of Planning will inspect
24 the work, and either approve or require planting modification. In the latter case,
25 the Department of Planning will notify the permit holder of the deficiencies and
26 what is required for final approval.
27

28 d. *Alternative landscape plan.* To encourage more creative approaches to
29 landscaping and where existing site configurations preclude strict adherence to
30 these regulations, the Director of the Department of Planning may approve
31 alternative landscape plans or refer alternative plan applications to the Planning
32 Commission for decision-making.
33

34 1) *Eligible requests for alternative plans.*

- 35 i. *Developed lot.* When a previously developed lot does not have
36 sufficient space or the configuration of principal and accessory
37
38
39

4 structures improvements preclude strict compliance with landscape
5 regulations.

- 6 ii. *Alternative arrangement.* An owner/developer of either a developed or
7 undeveloped lot may submit an alternative landscape plan that
8 rearranges or combines required landscape areas to provide a
9 creative or functional landscape.

10 2) *Ineligible requests for alternative plan approval.*

- 11 i. Lack of sufficient space for a new construction project.
12 ii. Lack of sufficient space for a developed site when the decision-
13 making of the current property owner created the lack of sufficient
14 space.
15 iii. Lack of sufficient space on a developed lot where the existing
16 improvements are to be demolished and the site redeveloped.

17 4. *Common requirements and exceptions generally applicable to landscape areas.*

18 a. *Planting requirements.*

- 19 1) Within all landscape areas unless otherwise specified, trees and shrubs may
20 be planted in clusters with variable spacing.
21 2) All landscape areas not planted with trees or shrubs must be planted with a
22 living vegetative covering unless otherwise approved by the Director of the
23 Department of Planning.
24 3) When a required landscape area is calculated to be less than 1000 square
25 feet, the Director of the Department of Planning may approve a proportional
26 percentage reduction of planting requirements consistent with the required
27 landscape area square footage calculations.
28 4) No hardscape may be counted towards any landscape area.
29 5) No hardscape may be located in any landscaped area other than exceptions
30 provided in this Section.
31
32
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4 b. *Camellia requirement.* All multi-family, commercial, and industrial new
5 construction or substantial improvements must plant and maintain three (3)
6 camellias for the first five (5) acres or portion thereof of property and a
7 minimum of two (2) additional camellias for every additional acre.
8

- 9 1) Any genus of the camellia is acceptable.
10 2) The camellia can be planted in the Open Space, Parking, or Street
11 landscape areas provided that each camellia is in a location visible from the
12 public right-of-way or near a building main entrance.
13

14 c. *New planting standards.* New plantings must comply with the following
15 standards:

- 16 1) Large trees shall have a minimum height of eight (8') feet and be a minimum
17 of two (2") inches in caliper at the time of planting, as determined in the
18 American Standard for Nursery Stock, ANSI Z60.1-2004, as amended.
19 2) Small trees shall have a minimum height of six (6') feet and be a minimum of
20 1.25 inches in caliper at time of planting, as determined in the American
21 Standard for Nursery Stock, ANSI Z60.1 -2004, as amended.
22 3) Multi-stem trees, whether canopy or understory, shall have at least three (3)
23 stalks and be a minimum of eight (8') feet in height above ground level at the
24 time of planting.
25 4) Large shrubs shall have a container size of at least three (3) gallons, and
26 shall be at least three (3') feet in height at the time of planting, and shall
27 reach the required minimum performance height within four (4) years of
28 installation.
29 5) Small shrubs shall have a container size of at least two (2) gallons and shall
30 be at least two (2') feet in height at the time of planting, and shall reach the
31 required minimum performance height within five (5) years of installation.
32
33
34
35

36 d. *Measurement.* When the required landscaping area calculation results in a
37 fraction, the final calculation shall be rounded up to the nearest whole number
38
39

4 once all calculations are complete. Required planting areas do not include
5 curbing; accessory structures, such as light poles; or hardscape such as paving
6 stones, gravel, asphalt, or concrete.
7

8 e. *Exceptions.*

9 1) For developments in zoning districts with zero lot lines, the requirement for
10 landscape areas may be waived by the Department of Planning.

11 2) Sidewalks, bicycle pathways, subsurface utility lines, and overhead utility
12 lines may cross any required landscape area, provided:

13 i. Sidewalks and bicycle pathways connect to existing trails, sidewalks,
14 and paths.

15 ii. The alignment of underground utility lines does not cross through the
16 Critical Root Zone (or CRZ) of any large or small trees, and the area
17 above the utility line is planted with a living vegetative covering.

18 iii. Large trees are not planted underneath overhead utility lines, and the
19 selection of any small trees planted underneath utility lines typically
20 grow no higher than 20 feet at maturity.

21 iv. Large trees must not be planted over underground utility lines. If the
22 public utility line runs parallel to the required landscape area, thereby
23 precluding the planting of large trees, the width of the area shall be
24 extended to ensure the landscape area meets the intent of standards
25 established in this Section.
26
27
28
29

30 5. *Landscape areas.* Four landscape areas shall be required in accordance with this
31 Section, including buffer, open space, parking and street landscape areas. (see
32 Figure 2.25.1).

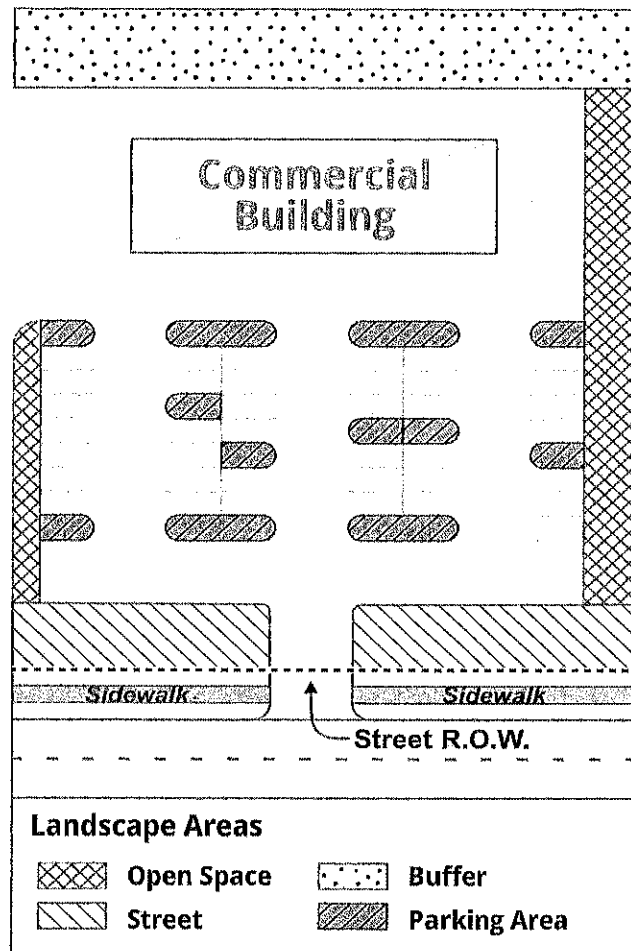
33 6. *Buffer landscape area.*

34 a. *Applicability.* A buffer includes both a landscape area and an opaque fence or
35 wall.
36
37
38
39

4 1) A required buffer and the entity responsible for the buffer occurs in the
5 following conditions, whenever the conditions for permitting require a
6 landscape plan:
7

- 8 i. Between a multi-family development and any existing single-family
9 use.

10 **Figure 2.25.1 – Typical Required Landscape Areas.**



- 34
- 35 ii. Between a commercial development and any existing single-family or
36 multi-family use.
- 37
- 38
- 39

4 iii. Between an industrial development and any existing single-family or
5 multi-family use or commercial use.

6
7 b. *Planting requirement.*

8 1) Must consist of a minimum of five (5) large trees, five (5) small trees, and 20
9 shrubs for every 1,000 square feet of landscape area.

10 2) All trees and shrubs must be evergreen and dispersed evenly along the
11 shared property boundary to provide continuous screening.

12 c. *Fence requirement.* Must include an opaque fence at least six (6') feet tall to
13 block noise, light, and particulates. The Department of Planning may require a
14 taller fence and sound abatement materials to increase the buffer effect when
15 light, noise, or particulates from the more intense land use are likely to pass over
16 a six (6') foot fence without hindrance.

17
18 d. *Location and dimensions.*

19
20 1) The buffer landscape area must extend along the shared property line
21 boundary with the less intense use(s) as identified in this Section.

22 2) The width of the buffer landscape area shall be a minimum of 10 feet and
23 maximum of 25 feet from the property boundary toward the interior of the
24 property.

25
26 7. *Open space landscape area - Industrial, commercial, and multi-family sites.*

27 a. *Planting requirement.*

28 1) For every 1,000 square feet of landscape area there shall be a minimum of
29 four (4) large trees, five (5) small trees, and 15 shrubs.

30 b. *Location and dimensions.* Open space landscape areas may be:

31
32 1) The project site must retain or provide 10 percent of the overall site square
33 footage as open space, in addition to required buffer, parking, and street
34 landscape areas.

35
36 2) Established by creating planting areas along a building façade, between a
37 building and a parking area, or alongside non-buffered property lines; or
38
39

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3 **PAGE 23**

- 4 3) Made a part of other required landscape areas, but in no case shall the
5 planting space be counted as both open space landscaping and another
6 required landscape areas; or
7
8 4) Elsewhere on the site.
9 5) The minimum size of any planting area shall be 25 square feet.

10 c. *Exceptions.*

- 11 1) The Department of Planning can approve retention of existing vegetation in
12 lieu of removing and replanting areas, provided that the existing vegetation
13 consists of a mix of non-invasive trees and shrubs and may require additional
14 planting of trees and shrubs to meet the minimum planting requirements.
15
16 2) Stormwater drainage improvements may be counted as open space provided
17 improvements consist of a live vegetative covering and include large or small
18 trees and/or shrubs.
19

20 8. *Open space landscape area – One or two-family sites.*

- 21 a. *Planting requirement.* One large tree in the front or side yard visible from the
22 public right-of-way; however, if an existing protected or heritage tree is retained
23 it will satisfy this requirement.
24
25 b. *Location and dimensions.* Every residentially zoned lot, parcel, or tract must
26 maintain a total of 20 percent of the lot, parcel, or tract as open space landscape
27 area.
28

29 9. *Parking landscape area.*

- 30 a. *Applicability.* Required for new construction and substantial improvement of
31 industrial, commercial, and multifamily properties with 10 or more parking spaces.
32 Parking lots shall consist of both endcap planting areas at the end of each
33 parking row and interior island planting areas disbursed throughout the parking
34 lot for maximum shade potential.
35
36
37
38
39

4 b. *Planting requirement.* Both endcaps and interior island planting areas shall
5 consist of at least one large tree and five (5) shrubs. Areas not planted with trees
6 or shrubs must be planted with a living vegetative covering.
7

8 c. *Location and dimensions.*

9 1) *End cap.* The endcap planting area shall consist of a 100 square foot
10 planting area at the end of each row of parking. When two rows of parking
11 abut each other, the 100 square foot endcaps shall be combined into one
12 endcap with a minimum planting area of 200 square feet.
13

14 2) *Interior island.* The interior island planting area must include a minimum of
15 200 square feet of planting area for every 12 parking spaces and be
16 dispersed evenly throughout the parking area to provide a consistent shade
17 canopy.
18

19 3) *Placement.* Trees shall be planted where trunks are a minimum of 30 inches
20 from all curbs, bollards, rear guards, or other permanent parking lot traffic
21 control elements.
22

23 d. *Exceptions.* The Department of Planning may approve alternative layouts of the
24 endcap and interior island planting areas to:

- 25 1) Preserve a heritage or protected tree;
26 2) Retain a cluster of large and small trees and shrubs;
27 3) Accommodate Best Management Practices for stormwater management; or
28 4) Achieve a holistic, integrated landscape plan for the site.
29

30 10. *Street landscape area.*

31 a. *Planting requirement.* For every 1,000 square feet of landscape area, a
32 minimum of four (4) large trees, five (5) small trees, and 15 shrubs must be
33 provided.
34

35 b. *Location and dimensions.*
36
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- 4 1) Must span the entire property frontage along a property frontage at the
5 boundary between any public right-of-way (ROW) and the private property,
6 not inclusive of the public ROW.
7
8 2) The depth of the street landscape area shall be a minimum of 10 feet and
9 maximum of 25 feet from the property boundary toward the interior of the
10 property.
11

12
13 **D. PUBLIC TREE MANAGEMENT.**

- 14 1. *Purpose.* The strategic planting and maintenance of trees, shrubs, and plants on
15 public property is beneficial to the city, its residents, and businesses. Regulations in
16 this Section assign responsibility for public tree planting and management and
17 clarify private property owner's limited ability to plant on public property.
18
19 2. *Responsibility.* The Director of the Department of Parks and Recreation is
20 responsible for tree and landscape planting on public property, including:
21 a. Cultivation, placement, maintenance, and removal of trees, shrubs, flowers, and
22 other plants.
23 b. Protection of trees during city construction projects.
24 c. Review and decision-making on private tree planting requests.
25 d. Maintenance of tree planting and removal records.
26
27 3. *Limited activity permitted on public property.* No private entity or person shall take
28 the following actions in a public right-of-way, park, or any other city property without
29 first submitting an application and receiving approval from the Director of Parks and
30 Recreation or Louisiana Department of Transportation and Development
31 (LADOTD), as applicable:
32
33 1) Plant, cut, prune, break, climb, injure, or remove any tree or landscape
34 material.
35
36 2) Cut, disturb, or interfere in any way with the roots of any tree.
37
38 3) Spray with any chemicals, insecticides, or other oils; or whitewash any tree.
39

- 4 4) Place any wire, rope, sign, poster, barricade, lights, decorations, electric
5 wire, or other fixtures on a tree or within the public right-of-way.
6
7 5) Injure, misuse, or remove any device placed to protect any tree.
8
9 6) Place shells, gravel, or other such material within 24 inches of any tree or
impede the free passage of water and air to any tree, shrub, or plant.

10 4. *Removal.* The city retains the authority to remove or cut back an existing tree or
11 vegetation planted in the city right-of-way or park without permission of the adjacent
12 property owner(s), where the city is not liable for compensation for the removal or
13 loss of any tree, shrub, or plant removed.

15 5. *Enforcement.* The Department of Parks and Recreation employees and City Code
16 Enforcement officers are authorized to enforce the regulations of this Section.
17 Enforcement procedures must be in conformance with applicable City Code of
18 Ordinances regulations for citation and adjudication.
19

20 * * *

21 **APPENDIX B - SUBDIVISION REGULATIONS**

22 * * *

23 **PART 3. - DESIGN STANDARDS**

24 * * *

25 **Sec. 3.2. - Residential design standards.**

26 **3.203 Multifamily design standards.**

27 * * *

28 **B. Building standards.**

29 * * *

30
31 10. Landscaping. All landscaping for multifamily developments shall be in accordance with
32 the standards and requirements of Appendix A, Section 2.25. Additional requirements
33 include:

- 34
35 a. A foundation planting area with a minimum width of five (5') feet shall be provided
36 continuously along building fronts and those façades that face a parking lot,
37 driveway, or are visible from a public street. Such foundation planting area shall be
38
39

4 permanently planted with trees spaced not more than each 15 feet and evergreen
5 shrubs with a mature height under six (6') feet. Annual or perennial flowerbeds may
6 account for up to 10 percent of the foundation planting area.
7

- 8 b. Trees shall be planted along all public or private streets, as well as all driveways
9 and access drives. Trees with a minimum caliper of three (3") inches and a
10 minimum height of 10 feet at planting shall be spaced not more than each 20 feet.
11 c. All medians shall be landscaped with not less than one large tree and eight shrubs
12 for each 180 square feet of landscape surface, or portion thereof. Groundcover
13 composed of shrubs, perennials, and/or turfgrass shall be used on the rest of the
14 landscape surface.
15

16 * * *

17 **Sec. 3.3. - Commercial and mixed-use design standards.**

18 * * *

19 **3.303 Façade treatments for single-use sites, mixed-use and multi-tenant buildings**
20 **or centers.**

21 A. Elevations. Percentages and types of façade surfaces are provided as follows:

22 * * *

- 23 2. Side elevation. Decorative building materials are required on side elevations as
24 follows:
25

26 * * *

- 27 b. Non-street facing. An interior side or any other side elevation that does not front
28 on or most directly face public or private street right-of-way, a street easement,
29 or access easement shall be constructed of or faced with a decorative building
30 material on 25 feet or 25 percent of the façade elevation, whichever is greater,
31 commencing at the common corner with the front or street facing elevation. The
32 remaining portion of the façade elevation shall be constructed of or faced with a
33 limited or non-decorative material, with the Department of Planning Director's
34 approval.
35
36
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- 4 c. Façade elevation shall be screened with small trees that have a mature growth
5 of no less than 15 feet in crown height, which shall be spaced no more than
6 eight (8') feet apart and a continuous row of evergreen shrubs with a mature
7 height under six (6') feet. These trees and shrubs shall be planted in a planting
8 area that complies with landscape requirements in Appendix A, Section 2.25.
- 9
10 d. Abutting parking lot or drive-through lane. A side elevation that abuts a drive-
11 through lane or a parking lot with a parking module width of 40 feet or more on
12 the same or an adjacent or abutting property shall be constructed of or faced
13 with a decorative building material on 25 feet or 25 percent of the façade
14 elevation, whichever is greater. The decorative building material shall be located
15 along the portion of the building adjacent to the parking lot or drive through lane.
- 16
17 e. Other conditions. All other side elevations may be constructed of or faced with
18 limited or non-decorative materials on 100 percent of the façade elevation. For
19 these conditions, landscape screening along the façade elevation shall be
20 provided as set out in Section 3.303.

21
22 * * *

- 23 3. Rear elevation. The building elevation facing the rear of the property may be
24 constructed of or faced with limited or non-decorative materials on 100 percent of the
25 façade elevation, provided this elevation does not:
- 26
27 a. Front on or most directly face public or private street right-of-way or a street or
28 access easement;
- 29
30 b. Abut a drive-through lane or a parking lot with a width of 40 feet or more on the
31 same or an adjacent or abutting property.
- 32
33 c. If the rear elevation meets a. or b. above, it shall be constructed of or faced with
34 a decorative building material on the greater of 50 feet or 50 percent of the rear
35 façade elevation, commencing at the common corner with the front or street
36 facing elevation. In this case, landscape screening shall be provided to include
37 small trees that have a mature growth of no less than 15 feet in crown height,
38
39

4 which shall be spaced no more than eight (8') feet apart and a continuous row of
5 evergreen shrubs with a mature height under six (6') feet. These trees and
6 shrubs shall be installed in a planting area that complies with landscape
7 requirements in Appendix A, Section 2.25.
8


9 * * *
10 **PART 4. - IMPROVEMENT STANDARDS**


11 * * *
12 **Section 4.11. - Street trees.**

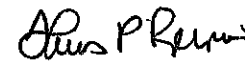
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15 It is recommended that trees be planted inside the property line. Here they are subject to
16 less injury, less likely to cause motor accidents and enjoy more favorable conditions for
17 growth. If trees are to be planted within a planting strip in the right-of-way, their proposed
18 locations and species to be used must be submitted for approval by the Department of
19 Parks and Recreation in accordance with Appendix A, Section 2.25.
20
21

22
23 **ADOPTED** this 23rd day of April, 2024.
24

25 
26 Kenny Tamborella
27 President of the Council
28 Councilman, District E

29 
30 Greg Cromer
31 Mayor

32 
33 Thomas P. Reeves
34 Council Administrator

35
36
37
38
39

DELIVERED	4/25/24
8:00 am	to the Mayor
RECEIVED	4/30/24
3:30 pm	from the Mayor