

1 **PARISH OF WEST FELICIANA**

2 **ORDINANCE NUMBER:** _____

3
4 **AN ORDINANCE TO AMEND AND REENACT PART II, LAND DEVELOPMENT**
5 **CODE; AND TO PROVIDE FURTHER WITH RESPECT THERETO:**
6

7 The West Feliciana Parish Council hereby ordains:

8 Section 1 – As authorized by Article IV, Section D of the Home Rule Charter for West Feliciana
9 Parish, Part II – Land Development Code, is hereby amended and reenacted to read as provided in
10 the attachment hereto, a copy of which is available in the Office of the President for public
11 inspection and review.

12 Section 4 - This ordinance shall take effect five (5) days after the publication of the adopted version
13 of this Ordinance in the Official Journal.

14 Introduced by _____ at the meeting of the West Feliciana Parish Council
15 on the ____ day of _____ 2023.

16
17 Publication of Summary and Notice of Public Hearing on _____.

18
19 Full reading and passage _____.

20
21 Moved for adoption by _____. Seconded by _____.

22
23 FOR:

24
25 AGAINST:

26
27 ABSTAIN:

28
29 ABSENT:

30
31 ATTEST:

32 _____
33 John Thompson
34 WEST FELICIANA PARISH COUNCIL CHAIR

DATE

35
36 _____
37 Emily Cobb
38 WEST FELICIANA PARISH COUNCIL SECRETARY

DATE

Compound or “family” development. Update DRAFT.3.8.2023

Sec. 135-20. - Compound or “family” development.

- (a) In accordance with the use table in Sec. 135. – 4, a compound or “family” development can be located in the RA Residential Agricultural, R1 Large Lot Rural, and FR Flex Rural zoning districts.
- (b) A compound or “family” development consists of a lot/tract/parcel at least five (5) acres in area that ~~can~~ may be developed with up to five (5) single-family detached residences, with the following stipulations:
 - 1) Sub-areas within the subject lot/tract/parcel cannot be sold, conveyed, or in any other way transferred to another owner unless such areas are subdivided into legal lots of record lot by the West Feliciana Parish Government.
 - 2) One of the single-family detached residences on the subject lot/tract/parcel must be occupied by the owner of the lot/tract/parcel; and
 - 3) The remaining ~~four (4)~~ residences must have a minimum one (1) acre in land area.
 - 4) All residences and structures on the site must adhere to the following:
 - i. The location of dwelling units and accessory structures must conform to the front, side, and rear setback from the property line as set forth in the dimensional requirements of zoning district in which the lot/tract/parcel is located.
 - ii. All permits for buildings and utility connections must be applied for by the owner of the lot/tract/parcel on behalf of the occupants.
 - iii. A plot/site plan is submitted to the Parish Zoning Administrator for approval and retention and said plot/site plan shall be revised to reflect any proposed land development changes. The plot/site plans shall at a minimum include:
 - a. Existing lot/tract/parcel boundaries.
 - b. Existing and proposed location of dwelling units and accessory structures.
 - c. Location and alignment of any interior roads, driveways, and access driveways relative to parish roads and state highways.
 - d. Location of connections and alignment of utility lines to include sewer, water, electricity, and gas.
 - e. Existing and proposed drainage areas
 - 5) *Utilities.* Utility connections on a compound or family development shall be designed so that service to a single residence or structure can be shut off and removed without affecting service to the lot/tract/parcel or to any other structure on the site. The lot/tract/parcel shall be allowed one (1) connection to public utilities, including sewer, water, electricity, and gas. Utility service within the compound or family development shall be provided by the extension of service lines interior to the lot/tract/parcel to each building. The owner of the lot/tract/parcel shall be responsible for the payment of bills and the maintenance of the service lines.
 - 6) *Access.*

- i. Each building on the site is authorized to have a driveway or vehicular access connection to the parish road or state highway. The lot/tract/parcel owner shall be required to make application for said access connection to the parish or state road.
- ii. The lot/tract/parcel owner shall be responsible for maintenance of interior roads and driveways between structures and also facilitating access connections to parish roads and state highways.

(c) *Transition of a compound or "family" development into a subdivision or legal lots of record.*

- 1) Portions of land within the lot/tract/parcel used as the Compound or Family Development may not be transferred to another owner unless such areas are subdivided into legal lots of record by the West Feliciana Parish Government.
- 2) Upon discontinuance, building permits shall not be issued unless and until the site is brought into conformance with the LDC.

(d) *Waiver for lots/tract/parcel less than five (5) acres. Where the parish council finds that unnecessary hardship results from strict compliance with the five (5) acre minimum requirement for a compound or "family" development, a waiver for the five (5) acre minimum requirement may be granted by the parish council. No other standard in this Section shall be eligible for a waiver.*

Telecommunication Tower Update DRAFT.3.8.2023

(add) Sec. 130-1. – Definitions used throughout the LDC.

Telecommunications Facility means any ground or roof mounted pole, spire, structure, tower or combination thereof taller than fifteen feet (15'), including lines, cables, wires, braces, and masts, intended primarily for the purposes of mounting an antenna, meteorological device, or similar apparatus above grade. Notwithstanding any other provision of this code "Height" of a telecommunication facility is the distance from the base of the tower to the top of the structure. in the provision of wireless services.

Co-location means placement of telecommunications equipment from one or more service provider on a single tower or site.

(add) Sec. 135-4. - Zoning district use established.

Add to use table as "C" conditional under OPA, 10NE, 20NE, CC, W and PUD

(insert section) Sec. 135.26. – Communication Facilities and Towers

- (a) *Purpose.* The purpose of this section is to encourage telecommunication and wireless infrastructure investment by providing a fair and predictable process for the deployment of these facilities, while enabling the parish to promote the management of rights-of-way and visual qualities in the overall interests of the public health, safety, and welfare.
- (b) *Intent.* The parish is establishing uniform standards to address issues presented by telecommunication towers and small wireless facilities, including without limitation, to:
- 1) Prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
 - 2) Prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
 - 3) Prevent interference with the facilities and operations of facilities lawfully located in rights-of-way or public property, as well as public safety vehicles;
 - 4) Protect against environmental damage, including damage to trees;
 - 5) Preserve the character of the neighborhoods in which facilities are installed; and
 - 6) Facilitate rapid deployment of small cell facilities to provide the benefits of advanced wireless services.
- (c) *Conflicts.* This article supersedes all provisions adopted prior hereto that are in conflict herewith, to the extent of such conflict.
- (d) *Permit; application and fees.*
- 1) No person shall place or modify a telecommunication tower or small wireless facility without first filing the appropriate application and obtaining a permit therefore.
 - 2) A pre-application meeting required.
 - 3) No application review, or application review timeline under any applicable law, shall commence until an application is submitted. Applications for wireless facilities which require other permits, including, but not limited to, zoning and building permits, shall not be considered complete until Applicant has made complete application for those other permits, as well.
- (e) *Removal, relocation or abandonment of facilities and/or tower.* In the event the use of any facility or tower has been discontinued for a period of six (6) months, the facility or tower shall be deemed

abandoned. The Building Official who shall have the right to request documentation and/or affidavits from the owner/operator regarding the issue of usage shall make determination of the date of abandonment. Upon such abandonment, the owner/operator shall have an additional six (6) months within which to: reactivate the use of the facility or tower or transfer the facility or tower to another owner/operator who will put the facility or tower back in active service; or dismantle and remove the facility or tower.

(f) *Right-of-way use fees (placeholder).*

(g) *Development Standards.*

- 1) Facilities and towers shall be located such that they do not interfere with public health or safety facilities, such as, but not limited to a fire hydrant, fire station, fire escape, water valve, underground vault, or valve housing structure. New utility poles and other support structures for facilities shall not be installed directly over any water, sewer, or reuse main or service line.
- 2) Facilities and towers shall be setback from all property lines by a minimum distance equal to one half of the height of the tower including all antennas and attachments. Additionally, any tower shall have a setback requirement of a distance equal to or greater than its height from any residential structure.
- 3) Fencing shall be required at the base of the facility or tower and shall be constructed of wood, vinyl, or plastic material. Hurricane fencing, corrugated tin, or any metal material shall be prohibited.
- 4) Towers shall be illuminated by artificial means and not display strobe lights unless the Federal Aviation Administration or other federal or state authority for a particular tower specifically requires such lighting. When the FAA does not require tower lighting, red beacons shall be installed on towers greater than or equal to one hundred feet (100') in height.
- 5) *Signs and Advertising* - The use of any portion of a tower for other than warning or equipment information signs is prohibited.
- 6) Any equipment mounted to the support structures shall also match the support structure in color and general design unless a different color is needed for public safety or service reliability reasons. All antennas and related equipment mounted to existing utility poles, light structures, or traffic signals shall be camouflaged, screened and/or obscured to the extent technically feasible.
- 7) The tower and antennas and related mounted equipment shall be camouflaged, screened and/or obscured to the extent technically feasible.
- 8) All facilities and towers must meet the minimum landscaping requirements.

(h) *Co-location requirements.*

- 1) All communications towers shall be encouraged to construct with co-location potential.
- 2) Any owner shall not prohibit any other service providers from co-locating on a tower owner's existing tower so long as the other service provider pays the tower owner reasonable compensation according to industry standards for space on the tower and pays for any and all costs, if any are required, to ensure that the existing tower is structurally safe according to industry engineering parameters to place additional antennas on the tower.