

1 CITY OF CENTRAL

2
3 BY COUNCILMEMBER EVANS (TA-2-19)

4
5 PROPOSED ORDINANCE NO. 2019-____

6
7 AN ORDINANCE TO AMEND TITLE 7, CHAPTER 18,
8 SECTIONS 7.18.5 AND 7.18.7 OF THE CITY OF CENTRAL
9 CODE OF ORDINANCES AND TO PROVIDE FOR RELATED
10 MATTERS

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13 WHEREAS, Title 7, Chapter 18 of the City of Central Code of Ordinances provides
14 regulations regarding landscape, clearing and trees;

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16 WHEREAS, Section 7.18.5 and 7.19.7 require that certain plans and inspections regarding
17 landscaping be performed by Louisiana licensed Landscape Architects;

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19 WHEREAS, the City believes that the current regulations are overly burdensome on the
20 owners and developers of smaller properties; and

21
22 WHEREAS, a public hearing was held on October 24, 3019 before the City of Central
23 Zoning Commission where the vote on the Motion to Recommend approval of the proposed
24 ordinance failed by a vote of 2 members voting for and 5 members voting against.

25
26 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of
27 Louisiana as follows:

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29 **Section 1.** Title 7, Chapter 18, Section 7.18.5(a) is hereby amended to read as follows:

- 30
31 (a) In addition to meeting Louisiana Horticulture Law requirements,
32 building permit applications on commercial, multi family,
33 institutional and industrial lot of more than ~~three (3) acres 15,000~~
34 ~~square feet~~ shall have a landscape plan prepared by a Louisiana
35 licensed Landscape Architect. ~~The landscape plan shall meet the~~
36 ~~standards set forth in section 7:18.3 of this chapter and shall bear~~
37 ~~bearing~~ the Landscape Architect's seal and signature. Building
38 permit applications on commercial, multi-family, institutional and
39 industrial lots of between 15,000 square feet and three (3) acres
40 shall have a landscape plan prepared by a Louisiana Licensed
41 Landscape Architect or a Louisiana License Landscape
42 Horticulturist (in which case the palm shall bear the licensees name,
43 the words "Landscape Horticulturist," and license number). All
44 landscape plans shall meet the standards set forth in section 7:18.3
45 of this chapter and shall contain a statement, signed and dated by the

preparer certifying that the plan was prepared in accordance with Louisiana Horticulture Law and the provisions and specifications of this chapter.

Section 2. Title 7, Chapter 18, Section 7.18.5(a) is hereby amended and reenacted to read as follows:

(4) Certificate of Occupancy.

a. Prior to issuance of the Certificate of Occupancy by the building permit office, the owner or developer of projects on lots of greater than 15,000 square feet shall have a Louisiana Licensed Landscape Architect or Louisiana Licensed Landscape Horticulturalist certify with signature and seal in an affidavit that the landscape has been installed in accordance with the City approved plans and specifications.

b. An extension for installation may be granted by the Urban Forestry and Landscape Manager for up to 90 days for good cause shown. Upon completion of the installation, certification by a Louisiana Licensed Landscape Architect or Louisiana Licensed Landscape Horticulturalist is required, unless exempted from the landscape plan requirements under the provisions of 7:18.6(a), with signature and seal in an affidavit that the landscape has been installed in accordance with the City approved plans and specifications. Additional extensions may be granted by the Planning Commission.

Should the landscaping not be installed within the extension period, the City may exercise its right to revoke the Certificate of Occupancy

Section 3. Conflicts

The specific terms and conditions of this Ordinance shall prevail against prior ordinances of the City to the extent there is any conflict.

Section 3. Severability

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

1 **Section 4. Effective Date**

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3 This Ordinance shall be effective upon publication.

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5 Introduced before the Council on November 12, 2019.

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7 This Ordinance having been submitted to a vote, the vote thereon was as follows:

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9 For:

10 Against:

11 Absent:

12
13 Adopted this ____ day of _____, 2019.

14
15 Signed this ____ day of _____, 2019.

16
17 Delivered to Mayor on the ____ day of _____, 2019:

18
19 _____
20 Mark Miley, City Clerk

21
22 Approved:

23
24 _____
25 David R. Barrow, Mayor

26
27 Received from Mayor on the ____ day of _____, 2019:

28
29 _____
30 Mark Miley, City Clerk

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32 Adopted Ordinance published in The Advocate on the ____ day of _____, 2019.