

BY COUNCIL MEMBER MESSINA (Case No. CUP-4-18)

**CITY OF CENTRAL
ORDINANCE NO. 2018-20**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE
CONSTRUCTION AND OPERATION OF A 195 FOOT TALL MONOPOLE
COMMUNICATIONS TOWER
(14639/14769 Wax Road)**

WHEREAS, application has been made by New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility for a conditional use permit to construct and operate a 195 foot tall monopole communications tower on property zoned B-3 located north of Wax Road, east of Willowbrook Drive; and

WHEREAS, the subject property is in an area made up of both residential and commercial uses; and

WHEREAS, the applicant has demonstrated that there is a need for a communications tower in this area to fill a "hole" in cell coverage; and

WHEREAS, a public hearing was held on May 24, 2018 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission, voted 7-0 to recommend approval of the Conditional Use Permit subject to certain conditions; and

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

Section 1: That the property that is the subject of this Ordinance is legally described in Exhibit A attached hereto and made a part hereof.

Section 2: That the subject property is hereby granted a Conditional Use Permit for the construction and operation of a 195 foot tall monopole communications tower with a deviation from the 293-foot setback requirement subject to the terms and conditions set forth in this Ordinance. Such documents and modifications thereto which condition this approval and to which the rezoning is subject are the following:

- A. Topographic Survey of Wax Road Tower Site dated August 7, 2017, last revised September 13, 2017, by Turner Surveys, LLC (Job No. 17-0168A).
- B. Tower Elevation and Antenna Orientation, dated February 22, 2018, by Tower Engineering, Inc. (Job No. 2018-100-1005-001).

- C. Correspondence from Natalie K. Maples, counsel for petitioner, dated April 12, 2018.

Section 3: Approval of the Conditional Use Permit is further subject to the following terms and conditions:

- A. Existing vegetation shall be maintained wherever possible to screen the facility. Prior to issuance of construction permits, applicant shall provide a landscape plan to City staff for review and approval showing the tree preservation planned at the site.
- B. A 20' x 30' concrete apron shall be installed at the access drive from Willowbrook Drive.

Section 4: The specific terms and conditions of this Ordinance shall prevail against other ordinances of the City to the extent that there may be any conflict. Except for the foregoing, the development of the subject property is subject to the terms of all applicable ordinances and regulations of the City of Central, including any amendment thereto.

Section 5: 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.

Section 6. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on June 12, 2018.


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

For:	Ellis, Evans, Fralick, Vance
Against:	None
Absent:	Messina

Adopted the 26th day of June, 2018.

Signed the 26th day of June, 2018.

Delivered to the Mayor on the 27th day of June, 2018.



Mark Miley, City Clerk

Approved:



I.M. Shelton, Jr. Mayor

Received from Mayor on the 27th day of June, 2018:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 30th day of June, 2018

EXHIBIT A

This property is located on the northeast corner of Wax Road and Willowbrook Drive in Section
8, T6S, R2E, GLD, EBR, LA
14639/14769 Wax Road, Central, LA

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