

BY COUNCIL MEMBER WELLS (Case No. CUP-2-19)

**CITY OF CENTRAL
ORDINANCE NO. 2019-44**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE
CONSTRUCTION AND OPERATION OF A 180' TALL WATER TOWER
(North of Wax Rd. between Woodland View Dr. and Magnolia Blossom Ave.)**

WHEREAS, in Ordinance No. 2019-43, the City of Central approved making utility facilities a Conditional Use in the R/A District; and

WHEREAS, Parish Water Company has applied for a Conditional Use Permit for the construction and operation of a water tower that may be as tall as 180' on a 1- acre tract zoned R/A located north of Wax Rd., between Woodland View Dr. and Magnolia Blossom Ave.; and

WHEREAS, construction of an elevated water tank will, in addition to providing water reserves, will also improve water pressure in the area for public consumption and fire protections; and

Whereas, due to its height, less than 200', the FAA does not require tower be lighting;
and

WHEREAS, adjacent to the subject property, to the north, west and south are wooded and undeveloped property as well as a 75' DEMCO right-of-way containing transmission lines; and

WHEREAS, a public hearing was held on October 24, 2019 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission voted 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 water tower not to exceed 180' in height, including a deviation from the maximum building height 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. Drawings of Elevated Tank, Sheets G-1, C-1 – C-50, and D-1 – D-4, dated 9-13-19 by Owen & White, Inc.
- B. General Elevation, by Phoenix Fabricators and Erectors, LLC, undated, submitted to City Services
- C. Proposed subdivision plat subdividing Tract Y-2-C-1-A into Tract Y-2-C-1-A-1 and Tract Y-2-C-1-A-2, dated 10/8/2019 by Benchmark Group, LLC Landscaping Plan, Sheet No. L-1, dated February 22, 2018, finally revised and stamped by David M. Ackerman, PE on May 23, 2018, by Tower Engineering, Inc.

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

- A. Building permits shall not be issued until such time as the proposed subdivision is approved by the City of Central Planning Commission (not guaranteed by this Ordinance) and the subdivision plat has been recorded.
- B. The water tower shall not be built or shall be removed if the FAA or other governmental agency ever requires tower lighting other than a single, non-flashing red light on top of the tower.
- C. The 30' private servitude providing access to the subject property (within the DEMCO ROW) shall be improved and maintained at Wax Rd. with a 20' x 30' concrete apron. The private servitude after the initial 30' shall be improved and maintained with a 20' aggregate drive.
- D. Any logos or graphics shall be approved by the Mayor's office.

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 October 22, 2019.

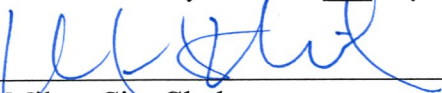
This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Evans, Freneaux, McKinney, Moak, Myer, Roy, Wells
Against: None
Absent: None

Adopted the 12th day of November, 2019.

Signed the 5th day of November, 2019.

Delivered to the Mayor on the 18th day of November, 2019.



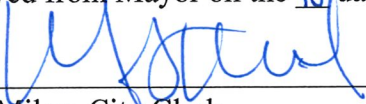
Mark Miley, City Clerk

Approved:



David Barrow, Mayor

Received from Mayor on the 18th day of November, 2019:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 23rd day of November, 2019

EXHIBIT A

Tract Y-2-C-1-A-2 (proposed), a 1-acre portion of Tract Y-2-C-1-A in Sections 4 and 9, T5S, R2E, GLD, EBR, LA

4842-4169-3353, v. 1