

CITY OF CENTRAL

BY COUNCILMEMBER EVANS (TA-2-19)

ORDINANCE NO. 2019-48

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

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

WHEREAS, Section 7.18.5 and 7.18.7 require that certain plans and inspections regarding landscaping be performed by Louisiana licensed Landscape Architects;

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

WHEREAS, a public hearing was held on October 24, 2019 before the City of Central Zoning Commission where the vote on the Motion to Recommend approval of the proposed ordinance failed by a vote of 2 members voting for and 5 members voting against.

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

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

- (a) In addition to meeting Louisiana Horticulture Law requirements, building permit applications on commercial, multi-family, institutional and industrial lots of more than two acres shall have a landscape plan prepared by a Louisiana Licensed Landscape Architect which shall bear the Landscape Architect's seal and signature. All landscape plans shall meet the standards set forth in section 7:18.3 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(4)(a)(b.) 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 the preparer of the landscape plan 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 for up to 90 days for good cause shown. Upon completion of the installation, certification by the preparer 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.

Section 4. Effective Date

This Ordinance shall be effective upon publication.

Introduced before the Council on November 12, 2019.

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

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

Adopted this 10th day of December, 2019.

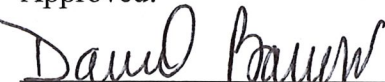
Signed this 13th day of December, 2019.

Delivered to Mayor on the 16th day of December, 2019:



Mark Miley, City Clerk

Approved:



David R. Barrow, Mayor

Received from Mayor on the 16th day of December, 2019:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 25th day of December, 2019.