

CITY OF CENTRAL

BY COUNCIL MEMBER MESSINA (Case No. CUP-4-15)

ORDINANCE NO. 2015 -32

TO GRANT A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 15648 FOUR OAKS DRIVE ON LOT 4-A OF THE TWIN OAKS SUBDIVISION, WHICH IS ON THE EAST SIDE OF FOUR OAKS DRIVE SOUTH OF THE DENHAM ROAD INTERSECTION IN SECTION 48, T5S, R2E, GLD, EBR, LA FOR RAISING LIVESTOCK WITHIN THE RURAL/AGRICULTURAL ZONING DISTRICT AND TO PROVIDE FOR RELATED MATTERS

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

Section 1. The Council for the City of Central hereby grants a Conditional Use Permit for raising livestock within the Rural/Agricultural Zoning District on the property located at 15648 Four Oaks Drive on Lot 4-A of the Twin Oaks Subdivision, which is on the east side of Four Oaks Drive south of the Denham Road intersection in Section 48, Township 5 South, Range 2 East, Greensburg Land District, City of Central, Parish of East Baton Rouge in accordance with the attached site plan.

Section 2. Conflicts. This Ordinance shall supersede any and all other ordinances in conflict with this Ordinance.

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 in the Official Journal.

Approved by the Zoning Commission on July 23, 2015 with the stipulation that all conditions of the Livestock Code are met (Section 7:3:38 of the Code of Ordinances, see Attachment A).

Introduced before the Council on August 11, 2015.

Notice of public hearing was published in The Advocate on the 20th day of August, 2015.

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

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

Adopted the 25th day of August, 2015.

Signed the 27th day of August, 2015.

Delivered to the Mayor on the 27th day of August, 2015:



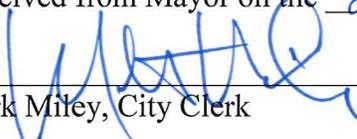
Mark Miley, City Clerk

Approved:



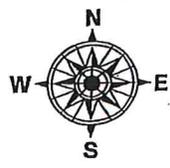
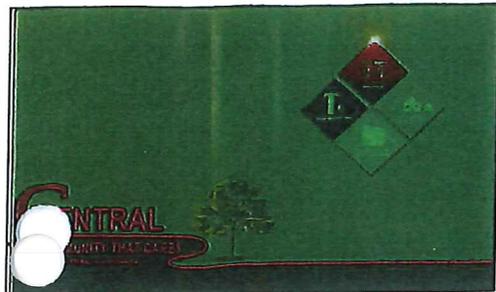
I. M. Shelton, Jr., Mayor

Received from Mayor on the 27th day of August, 2015:

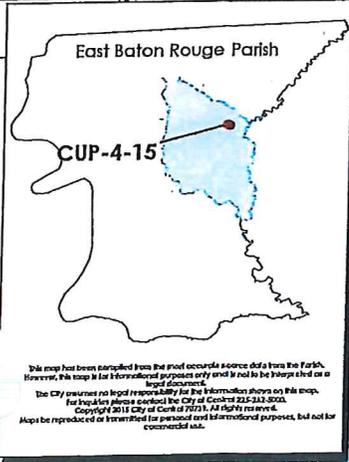


Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 15th day of September, 2015.



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Sec. 3:38. - Same—Prohibited.

- (a) It shall be unlawful for any person to keep, possess or maintain any livestock unit on any parcel of land unless such parcel of land shall have a minimum of three acres for the first two livestock animals, plus a minimum of one acre for each additional livestock animal within the city.
- (b) No livestock shall cause a nuisance to any resident in the city.
- (c) The restrictions as set forth in subsection (a) of this section shall not apply, provided livestock remain on or about their premises as noted below:
 - (1) In a building or structure such as a stable, barn, shed or pen being a minimum of 150 feet, measured in a straight line, from the nearest point of a neighboring structure used for human habitation other than that of the owner, such as a residence, public eating place, church, school or hospital.
 - (2) In a fenced area, the perimeter being a minimum of 150 feet measured in a straight line from the nearest point of a neighboring structure used for human habitation other than that of the owner, such as a residence, public eating place, church, school or hospital.
- (d) The provisions of subsections (a) and (b) of this section notwithstanding, such restriction may be waived if a petition is submitted by any property owner requesting permission to keep livestock, which petition has been signed by more than 50 percent of the property owners within a 300-foot radius of the location of the property.
- (e) This section shall only apply upon receipt of a written letter of complaint, including the complaint's name, address and telephone number.

(Ord. No. 2005-8, 11-23-2005)