

## MINUTES

### **Livingston Parish April 17, 2023**

Pursuant to notice duly posted in the public lobby of the Livingston Parish Governmental Building, the Livingston Parish Ordinance Committee met on April 17, 2023, at the hour of five- thirty o'clock (5:30) p.m. in the Parish Council Chambers, located in the Livingston Parish Governmental Building, 20355 Governmental Boulevard, Livingston, Louisiana with the following members present:

Shane Mack- Chair  
John Wascom  
Erin Sandefur  
Randy Delatte

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The Chairman, Councilman Shane Mack, called the meeting to order.  
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The Council Clerk called roll. With everyone being present, **the Chair began by addressing item 3, Old Business:**

**a. L.P. Ordinance No. 23-06: Zoning classification of Nonconformities/Non-Conforming uses**

Public Input: Councilman Gerald McMorris

Mr. Mack explained this ordinance has been talked about previously and is introduced for adoption for the next Council meeting. John Wascom explained this ordinance is for property owners that have property that does not exactly meet the zoning requirements that they are zoned as but will still be able to have existing use of the property, even though it is zoned.

Councilman McMorris asked if this would be able to be transferred to family members if they take ownership of the property. Mr. Mack and Mr. Wascom explained that the existing use will be able to be transferred to anyone, but if the land use ever changes to something else, it will not be able to go back to how it was before.

**b. L.P. Ordinance No. 23-07: Creation of Zoning District "R-2.5"**

Public Input: Sarah Phares

Ms. Phares brought up her concern about the ordinance saying, "minimum density of 2.5 per acre," when all of the other ordinances say maximum. She questioned what the purpose of the ordinance is, when someone could just use R-3 in its place.

Mr. Delatte made a **motion** that this ordinance be tabled until the author (Councilman Garry Talbert) could be there to explain and answer their questions. No second.

Mr. Wascom made a **substitute motion** to send this to the full council with an unfavorable recommendation, which was **seconded** by Randy Delatte.

**The Chair addressed item 4, New Business:**

**a. Amend Chapter 127, "Multi-Family Development", Section 127-4(E), "Multifamily Development Buffer Zones", requiring all Multifamily Units to adhere to the required buffer zone and fence requirements.**

Mr. Mack explained the ordinance was contradictory and is just clarifying that you must have a 50-foot buffer zone if you have a multistory, multifamily development. At the last council meeting, some thought waivers should be allowed, and some didn't. The ordinance committee had previously talked about this and agreed the waiver should be granted in some scenarios if you have letters of no objections from surrounding property owners.

A **motion** was made by Randy Delatte and **seconded** by John Wascom to accept these changes and send to the full council with a favorable recommendation.

**c. Amending Chapter 127 to create Section 127-9, Clearing and Grubbing**

Public Input: Jeremy Glasscock  
Steve Larkey  
Councilman Gerald McMorris  
Morgan Sanchez

Mr. Mack explained this ordinance was for clarification. When developing a piece of property, you must have your drainage impact study done first, and approved by the planning department, before clearing the land of trees 8 inches and bigger. Mr. Mack explained he was okay with this ordinance, but the point he was trying to make was if a development hadn't submitted a preliminary site plan yet, there is no law saying you cannot clear your property and put nothing on. If you chose years later to develop the property, then you would need to go through the proper steps for development.

Mr. Delatte asked the parish engineer why the ordinance is needed. She gave an example of a development in Mr. Delatte's district when someone filed a preliminary site plan to be evaluated, then the very next day they started clearing off the land, which could impact drainage on neighbors due to the preliminary site plan not being evaluated yet, and once they cleared the land, there was nothing they could do about it if it affected the surrounding neighbors. Mr. Delatte suggested they add something in the ordinance to say this does not affect land owners, just for commercial development.

Mr. Wascom gave some suggestions to move around some steps within the ordinance to make it clearer.

Mr. Larkey brought up the point of someone getting around the ordinance by just not saying the plans are to later develop the property, and they wouldn't have to have a drainage impact study done. The committee members agreed that that could happen, but they can't tell everyone that they can't clear their property for no reason.

After further discussion, and clarification that item b and c on the agenda were the same, one being in commercial and the other being in multifamily,

A **motion** was made by Randy Delatte and **seconded** by John Wascom to send both ordinances to the send this ordinance with a favorable recommendation to the Council.

**d. Amending Chapter 125 to redact section 125-138, "Requirements and procedures for Recreational Vehicles (RV)", letter (b), Exceptions**

A **motion** was made by John Wascom and **seconded** by Randy Delatte to send this ordinance with a favorable recommendation to the Council.

**e. Banning Tik Tok on all Parish Government computers and cell phones including all subdivisions of Parish Governments including but not limited to the Livingston Parish Library**

Public Input: Sarah Phares  
Jeremy Glascock  
Billy Taylor  
Marla Elzy

Shane Mack explained that he thinks the committee should skip this ordinance since the sponsoring Councilman (Councilman Garry Talbert) couldn't make it to the meeting to speak about it.

A **motion** by Randy Delatte to table this item until the sponsoring Councilmember can come to talk about it. No second.

A **substitute motion** was made by John Wascom to send this to the Council with a non-favorable recommendation, and suggested if the Council wanted to take action, to write a resolution. No second.

A **substitute motion** was made by Randy Delatte and **seconded** by Erin Sandefur to send this ordinance to the Council with an unfavorable recommendation.

**f. An Ordinance supporting the Second Amendment of the United States Constitution and declaring Livingston Parish as a Second Amendment Sanctuary Parish**

A **motion** was made by John Wascom and **seconded** by Erin Sandefur to send this ordinance to the Council with a favorable recommendation.

**g. Amending Section 100-5, “Penalty for Violations of this Chapter”, by adding the allowance of Enforcement Officers to write citations and summons for court appearances.**

Public Input: Morgan Sanchez  
Jeremy Glasscock

When this ordinance was adopted in December, it gave the inspectors the authority to write citations. This amendment gives the director of homeland security the ability to do the same. Mr. Delatte shared that he was not in support of this ordinance and would like to table it because there is a bill in legislature currently that takes homeland security out of parish government.

A **motion** was made by Randy Delatte and **seconded** by John Wascom to table this ordinance until they know if this same topic is passed through legislature.

**h. Amending Chapter 125, “Subdivision Regulations”, Section 125-10, “Clearing and Grubbing”, Section 125-117, “Construction Plans”, Section 125-52, “Procedures for Subdivisions without Improvements”, and Section 125-68, “Procedures for Subdivisions with Improvements”**

Public Input: Morgan Sanchez

Morgan explained that this is just “clean up,” from when chapter 125 had a lot of changes, some things got left out on accident.

A **motion** was made by Erin Sandefur and **seconded** by Randy Delatte to send this ordinance to the Council with a favorable recommendation.

A **MOTION** was offered by John Wascom and duly seconded by Randy Delatte to adjourn the April 17, 2023, meeting of the Livingston Parish Ordinance Committee, with no further discussion and where none opposed.

**/s/ Caroline Lockhart**  
Caroline Lockhart, Deputy Clerk

**/s/ Shane Mack**  
Shane Mack, Chairman