

Village of Folsom Zoning

Ordinance

Chapter 18
ARTICLE B
ZONING ORDINANCE
VILLAGE OF FOLSOM, LOUISIANA

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SECTION 18.11 ESTABLISHMENT OF DISTRICTS

18.110 For purposes of this article, the municipality divided into **four** types of land use districts:

- A DISTRICTS - Residential
- C DISTRICTS - Commercial
- M DISTRICTS - Industrial
- I DISTRICTS - Institutional**

18.111 The four types of districts are further divided following specific districts:

- A-1 SUBURBAN RESIDENTIAL
- A-2 LOW DENSITY RESIDENTIAL
- A-3 SINGLE FAMILY RESIDENTIAL A-4 MEDIUM DENSITY RESIDENTIAL A-5 HIGH DENSITY RESIDENTIAL
- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 HIGHWAY COMMERCIAL
- M-1 LIGHT INDUSTRIAL

- M-2 MEDIUM INDUSTRIAL

MH MOBILE HOME DISTRICT

I INSTITUTIONAL

18.112 The boundaries of these districts are hereby established as shown on a map entitled "Folsom, Louisiana Comprehensive Zoning Plan" on file in the municipal hall, which map, with all explanatory matter thereon, shall be deemed to accompany, be, and is hereby made a part of this article.

18.113 If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matters portrayed on the official zoning map, such changes shall be made on the official zoning map within ninety (90) days after such changes have been approved by the Village of Folsom Aldermen, and attached to this ordinance. Each such change of the map shall be dated signed and certified.

No change of any nature shall be made in this official zoning map or matter shown thereon except in conformity with the procedure set forth in this ordinance. Any unauthorized changes of whatever kind, by any person or persons, shall be considered a violation of this ordinance and punishable under Section 18.36 of this ordinance.

The official zoning map and ordinance inclusive of all amendments made thereto shall be located in the Village of Folsom Town Hall and shall be the final authority as to the current land use status of the land, buildings, and other structures in this Village.

Section 18.12 RULES OF DISTRICT BOUNDARIES

18.120 Where uncertainty exists with respect to the boundaries of the aforesaid districts as shown on the zoning map, the following rules apply:

18.3 A

18.120 (cont.)

a) Where district boundaries are indicated as approximately following the center line or street line of streets, the center line or alley line of alleys, or the center line or right-of-way line of highways, the lines shall be construed to be the district boundaries.

b) Where district boundaries are so indicated that they are approximately parallel to the center lines or streets lines of streets, the center lines or alley lines of alleys, or the center lines or right-of-way lines of highways, the district boundaries shall be construed as being parallel thereto and at the distance therefrom as indicated on the zoning map. If no distance is given, the dimension shall be determined by the use of the scale shown on the zoning map.

c) Where district boundaries are indicated as approximately following lot lines, the lot lines shall be construed to be the boundaries.

d) Where boundary of a district follows a railroad line the boundary shall be deemed to be located midway between the main tracts of the railroad line.

e) Where the boundary of a district follows a stream or other body of water, the boundary line shall be construed to be at the limit of the jurisdiction of the municipality unless otherwise indicated.

f) All areas within the corporate limits which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water area. If the water area adjoins two or more districts the boundaries of each district shall be construed to extend into the water area in a straight line until they meet the other district.

g) Any areas shown on the zoning maps as parks, playground, school, cemetery, water, street, or right-of-way shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining district shall govern.

h) In every case where property has become part of the municipality by annexation, the property shall

automatically be classed as lying and being "residential" (?) district until the classifications shall have been changed by an amendment of this article, as provided by law

i) Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning

18.4 A

district adjoining each side of the street, alley or public way shall be automatically extended to the center of the vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended district.

Section 18.13 APPLICATION OF DISTRICT REGULATIONS

18.130 Except as provided in this article:

a) No building, structure, or premises shall be used or occupied, and no building or part thereof or other structure shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified for the district, as shown on the official map, in which it is located.

b) No building, structure, or premises shall be erected, altered, or used so as to produce smaller yards or less unoccupied area, and no building shall be occupied by more families than prescribed for the building structure, or premises for the district in which it is located.

c) No yard, court, or open space, or part thereof, shall be included as a part of the yard, court or open space similarly required for any other building, structure or dwelling under this article.

Section 18.14 Divided Zoning

18.140 Where a district boundary line as established in this article or as shown on the zoning map divides a lot which was in single ownership and of record at the time of this article, the use thereon and the other district requirements applying to the least restricted portion of the lot under this article shall be considered as extending to the entire lot, provided one-half or more of the area of the lot is in the least restricted district. The use so extended shall be deemed to be conforming.

Section 18.15 A-1 Suburban Residential District

18.150 Purpose

The A-1 Suburban Residential District is intended to provide a single-family residential environment on large, multi-acre lots. The A-1 District is located primarily in less populated areas where central sewer and water systems do not exist and where the character of the area should be preserved through low densities. To protect the intention of the district, permitted activities are limited to single family dwellings and certain specified agricultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-1 Suburban District.

18.151 Permitted Uses

Only the following permitted uses shall be allowed in the A-1 Suburban District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 18.152.

A. Residential Uses

1. One Single-Family Dwelling per lot of record
2. Private Garages and Accessory Structures
3. Attached garage Apartment or Guest House under 1000 square feet of habitable floor space

B. Cultural and Recreational Uses

1. Public and Private Parks
2. Botanical Gardens
3. Playgrounds
4. Nature Preserves and Sanctuaries
5. Swimming Clubs and Pools
6. Athletic Fields
7. Private Stables
8. Tennis Courts

C. Miscellaneous Uses

1. Water treatment, Well, and Storage Facilities

D. Home Occupations, as defined herein

E. Similar and Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-1 Suburban Residential District determined by the Village of Folsom Mayor acting in the capacity of Zoning Administrator

18.152 Conditional Uses

A. Conditional Uses are prohibited unless application for the use

has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27

Conditional Uses for the procedures and requirements that apply to Conditional Uses.

Residential Uses

1. None

B. Agricultural Uses

1. Wholesale Greenhouses and Nurseries
2. Roadside Farm Stands
3. Horse farms, ranches, and cattle farming activities including related commercial activities conducted on site .

C. Religious Uses

1. Churches, Temples and Synagogues
2. Convents and Monasteries

D. Educational Uses

1. Day-Care Centers
2. Day Care Homes
3. Schools (*define*)

F. Health, Medical and Care Facilities

1. Convalescent Homes
2. Day Care Homes
3. Nursing Homes

G. Cultural and Recreational Uses

1. Horses Riding and Training Stables
2. Kennels
3. Golf Courses and Practice Ranges
4. Community and Recreational Centers

H. Public Utility Surface Structures

1. Electrical Substations
2. Telephone Relay Facilities
3. Utility Substations
4. Waste-Water Treatment Facilities under 1,000 square feet
5. Utility Distribution System
6. Municipal uses

H. Miscellaneous

1. Temporary Batch Plants and related Construction Facilities for a single development
2. On Site Real Estate Sales Office

I. Similar and Compatible Uses

other uses which are similar and compatible with the A-1 Suburban Residential District's Conditional Uses as determined by the Mayor of the Village of Folsom acting in the capacity of Zoning Administrator.

18.153 Site and Structure Provisions

A. Minimum Lot Area

1. Residential Uses - The lot area of each zoning lot shall not be less than two and one-half (2.5) acres.

NOTE: Existing lots in A-1 that are less than 2.5 acres will be grandfathered as non-conforming lots, if such lots were created before the date of this amendment.

2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Minimum Lot Width - The width of each zoning lot shall not be less than three hundred (300) feet.

2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of fifty (50) feet from the front property line.

3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of fifteen (15) feet each.

4. Rear Yard - There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided however, that the depth of such rear yard shall not be less than twenty-five (25) feet and need not exceed fifty (50) feet.

D. Height Regulations

1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above natural grade.

2. Uses incidental to farming, such as silos, windmills, etc. and any other non-habitable structure (e.g. radio, TV tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every one (1) foot over forty-five (45) feet from existing dwellings or residences and/or property lines.

E. Off-Street Parking and Loading Requirements Off-street parking and loading shall be provided as put forth in Part 4.

18.154 District Standards

All uses of land and structures in the A-1 Suburban District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-1 Suburban District shall be subject to the following standards:

A. Signs and Lighting

1. Signs - In the A-1 District one sign may be permitted only. Real Estate Signs for sale/for lease will be permitted in addition to the one sign limitation. All signs shall be limited in height to eight (8) feet above the ground.

18.8 A

2. Exterior Lighting - All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or institutional lots. The intensity of such lighting shall not exceed two (2.0) foot candles as measured at the abutting property line.

B. Utilities 1.

Sewer

- a. Residential and Non-Residential
On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
2. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.

Section 18.16 **A-2 Low Density, Residential District**

18.160 Purpose

The A-2. Low Density Residential District is intended to provide a single family residential environment on large lots often served by public utility systems and other urban services. The A-2 District is located primarily in areas of growth, but not adjacent to commercial or industrial uses. To protect the intention of the District, 'permitted activities are limited to single-family dwellings and certain specified agricultural, cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-2 District.

18.161 Permitted Uses

Only the following permitted uses shall be allowed in the A-[^] District and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of the ordinance; (b) conditional uses in compliance with the provisions of Section 18.162.

- A. Residential Uses
 - 1. One single-Family Dwelling
 - 2. Private Garages and attached Accessory Structures

- B. Cultural and Recreational Uses
 - 1. Public and Private Parks
 - 2. Botanical Gardens
 - 3. Playgrounds
 - 4. Nature Preserves and Sanctuaries
 - 5. Swimming Clubs and Pools
 - 6. Athletic Fields
 - 7. Private Stables
 - 8. Tennis Courts

- C. Miscellaneous Uses
 - 1. Water Treatment, Well, and Storage Facilities

- D. Home Occupations

- E. Similar & Compatible Uses
 - other uses which are similar and compatible with the allowed uses of the A-2 Suburban District as determined by the Mayor of the Village of Folsom acting in the capacity of Zoning Administrator.

18.162 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27- Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29- Minimum Standards for minimum standards that apply to

certain uses.

F. Residential Uses

1. None

18.10 A

B. Religious Uses

1. Churches, Temples, and Synagogues
2. Convents and Monasteries
3. Any Secondary Building or Structure necessary for a Religious Use, excluding Schools Grades 1 through 12

C. Educational Uses

1. Day-Care Centers
2. Nursery Schools

D. Cultural and Recreational Uses

1. Horse Riding and Training Stables
2. Kennels
3. Golf Courses

G. Public Utility Surface Structures

1. Electrical Substations
2. Telephone Relay Facilities
3. Utility Substations
4. Waste-water Treatment Facilities under 1,000 square feet
5. Utility Distribution Systems

H. Miscellaneous

1. Temporary Batch Plants and related construction facilities for a single development
2. On-Site Real Estate Sales Office

I. Similar and Compatible Uses

Other uses which are similar and compatible with the A-3 Suburban District's Conditional Uses as determined by the mayor acting in the capacity of Zoning Administrator.

18.163 Site and Structure Provisions

A. Minimum Lot Area

1. Residential Uses - The lot area of each zoning lot shall be not less than 40,000 square feet.
2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each Zoning lot shall not be less than one hundred fifty (150) feet.

Front Yard - Front building lines shall conform to the average building lines established in a developed block, in

all cases, this front building line shall be set back a minimum of fifty (50) feet from the front of the property line.

18.11 A

3. Side Yard - There shall be two side yards, one on each side of the building, having a minimum width of fifteen (15) feet each.

4. Rear Yard - There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided however that the depth of such rear yard shall not be less than twenty (20) feet and need not exceed fifty (50) feet

C. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above natural grade.

D. Off-Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 18.30.

18.164 District Standards

All uses of land and structures in the A-2 Single Family Residential District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-2 District shall be subject to the following a standards:

A. Signs and Lighting

1. Signs - In the A-2 District, one sign may be permitted only. Real Estate Signs for sale/for lease will be permitted in addition to the one sign limitation. All signs shall be limited in height to eight (8) feet above the ground.
2. Exterior Lighting - All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or *institutional* lots. The intensity of such lighting shall not exceed two (2.0) foot candles as measured at the abutting property line.

B. Utilities

1. Sewer

A. Residential and Non-residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.

2. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.

Section 18.17 A-3 Single-Family Residential District

18.170 Purpose

The A-3 District is intended to provide single-family residential dwellings in a setting of moderate density. Central utility systems, convenience to commercial centers and efficient access to major transportation routes are locational characteristics of this District. To protect the intention of the District, permitted activities are limited to single-family dwellings and certain specified cultural, 'educational, religious and public uses. All strictly commercial uses are prohibited in the A-3 District.

18.171 Permitted Uses

Only the following permitted uses shall be allowed in the A-3 Single-Family Residential District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Sections 18.172.

- A. Residential Uses
 - 1. Single-Family Dwelling
 - 2. Private Garages and Accessory Structure

- B. Cultural and Recreational Uses
 - 1. Public and Private Parks
 - 2. Botanical Gardens
 - 3. Playgrounds
 - 4. Nature Preserves and Sanctuaries
 - 5. Swimming Clubs and Pools
 - 6. Athletic Fields
 - 7. Tennis Courts

- C. Miscellaneous Uses
 - 1. Water Treatment, Well, and Storage Facilities

- D. Home Occupations

- E. Similar & Compatible Uses - Other uses which are similar and compatible with the allowed uses of the A-3 District as determined by the Mayor acting in the capacity of Zoning Administrator.

18.172 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

- A. Residential Uses
 - 1. None
- B. Religious Uses

18.14 A

3. Side Yard - There shall be two (2) side yards, one on each of the building, having a minimum width of five (5) each, plus one (1) additional foot for each one (1) foot in building height over twenty (20) feet above natural grade. However for structures located on corner lots, there shall be a side yard setback from the side street of no less than (10) feet.

4. Rear Yard - There shall be a rear yard having a depth of not less than twenty percent of the depth of the lot provided however, that the depth of such rear yard shall not be less than twenty (20) feet and need not exceed 50 feet.

D. Height Regulations

1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above natural grade.

E. Off-Street Parking and Loading Requirements

Off-Street Parking and loading shall be provided forth in Part 4.

18.174 District Standards

All uses of land and structures in the A-3 Single-Family Resident al District area subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-3 District shall be subject to the following standards:

A. Utilities

1. Sewer

A. Residential - Non-Residential - Or. lots without sewerage facilities, an individual sewer system meet Department of Health and Human Resources standards and be approved by the Parish Health Department.

2. Water - On lots without central water facilities any well must be fifty (50) feet from any sewer disposal unit.

Section 18.18 A-4 SINGLE FAMILY PLANNED RESIDENTIAL DISTRICT

18.180 PURPOSE AND INTENT

The purpose of the A-4 SINGLE FAMILY PLANNED RESIDENTIAL DISTRICT is to provide for the location and grouping of low-density single family residences and accessory uses connected to the central ci^{ty} sewer and water systems.

18.181 PERMITTED USES

A. Single Family Residences

B. Conservatories, greenhouses and structures for plants and flowers not in conjunction. with commercial use

- C. Agricultural uses excluding aircraft landing strips
- D. Golf courses and club houses
- E. Forestry
- G. Public Parks

18.182 ACCESSORY USES

All buildings and structures permitted are those customarily accessory and clearly incidental and subordinate to permitted uses including, but not limited to the following uses:

- A. Incidental home occupations
- B. Swimming and wading pools
- C. Private non-commercial piers, wharves and boat houses

18.183 CONDITIONAL USES

(A) Conditional uses are prohibited unless application for the use has been favorably approved by the zoning commission.

- 1. Bed and Breakfast
- 2. Telephone, telegraph, and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations, and equipment houses.

(B) To ensure safety and compatibility with surrounding use, site plan approval is required for any conditional use in this section.

18.184 PROHIBITED USES

All uses not specifically permitted or by reasonable implication permitted herein including but not limited to the following:

- A. Commercial Uses
- B. Industrial Uses
- C. Pre-manufactured Homes
- D. Personal Care Homes (nursing homes & group homes)

18.185 AREA REQUIREMENTS

a. LOT AREA:

- 1. Every lot shall contain an area of not less than twenty thousand (20,000) square feet per family.

b. LOT WIDTH:

- 1. There shall be a minimum lot width of one hundred (100) feet at the building line for single family lots.

c. LOT DEPTH:

- 1. A minimum lot depth of one hundred fifty (150) feet is required for single family units.

d. FRONT YARD:

- 1. Front building lines shall be no closer than thirty five (35) feet from the property line for single family lots.

e. SIDE YARD:

1. A combined total of twenty (30) feet shall be required^d for side yards, but in not case shall any - building be located any closer than ten (10) feet from the side property line, except in the case of the side yard abutting the street right of way, the required side yard shall be a minimum of twenty (20) feet.

f. REAR YARD:

1. There shall be a rear yard having a minimum depth of not less than twenty (20) percent of the dept'. of the lot. And shall be no less than twenty-five (25) feet and need not exceed fifty (50) feet.

18.186 PARKING REQUIREMENTS:

As provided for in Section 18.30 of the Folsom Zoning ordinance.

18.187 HEIGHT REQUIREMENTS:

No building or structure shall exceed thirty-five (35) feet above the Base Flood Elevation as established in the current FEMA maps and guidelines.

18.188 SIGNAGE REQUIREMENTS:

As provided for in Chapter 17 of the Village of Folsom Code of Ordinances.

8.19 A

Section 18.19 A-5 High Density Residential District

18.190 Purpose

The purpose of the A-5 high Density Residential District is to provide for the location and grouping of a variety of higher density residential uses, in areas where there is easy access to existing or proposed arterial streets, shopping, recreation, schools and the like and where sewer and water facilities are provided.

18.191 Permitted Uses

Only the following permitted uses shall be allowed in the A-5 District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance (b) conditional uses in compliance with the provisions of Section

A. Residential Uses

1. Single and two-Family Dwellings ²
2. Three and Four Family Dwellings

3. Private Garages and Accessory Structures

B. Cultural and Recreational Uses

1. Public and Private Parks
2. Botanical Gardens
3. Playgrounds
4. Nature Preserves and Sanctuaries
5. Swimming Clubs and Pools
6. Athletic Fields

7. Tennis Courts

C. Miscellaneous Uses

1. Well and Storage Facilities
- 2. Commercial laundrymat, washaterias**

D. Similar & Compatible Uses

Other uses which are similar and compatible with the Permitted Uses of the A-5 District as determined by the Mayor of the Village of Folsom, acting in the capacity of Zoning Administrator.

18.19 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

A. Residential Uses

- 1. Condominiums, townhomes, attached patio homes**

B. Religious Uses

1. Churches, Temples and Synagogues
2. Convents and Monasteries

C. Educational Uses

1. Day-Care Centers
2. Nursery Schools

18.20 A

D. Health, Medical and Care Facilities

1. Convalescent Homes
2. Day Care Homes
3. Nursing Homes
- 4 Retirement Centers
- 5 Group Homes

E. Cultural and Recreational Uses

1. Libraries
2. Community and Recreational Centers
3. Recreational Camp grounds

F. Public utility Surface Structures

- 1.. Electrical Substations

2. Telephone relay Facilities
3. Utility Substation
4. Waste Water Treatment Facilities under 1000 square feet

G. Miscellaneous

1. Temporary Batch Plants and related construction facilities for a single development
2. On site sales office

H. Similar and Compatible Uses

Other uses which are similar and compatible with --he Conditional Uses of the A-5 District as determined by the Mayor acting in the capacity of Zoning Administrator.

18.193 Site and Structure Provisions

A. Minimum Lot Area

1. Lot Area:

- a. Every lot shall contain and area not less --'liar. eighty-four hundred (8,400) square feet.
- b. Two family residences and duplexes shall have a minimum lot size of ten thousand (10,000) square feet.
- c. Three family residential units shall have a minimum lot size of twelve thousand (12,000) square feet.
- d. Four family residential units shall have a minimum lot size of fifteen thousand (15,000) square feet.

2. Non-Residential Uses - The lot area of each zoning lot shall not be less than twenty thousand (20,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Lot Width:

- a. There shall be a minimum lot width of sixty (60) feet at the building line for single family lots.

18.21 A

- b. There shall be a minimum lot width of seventy-five (75) feet at the building line for two family residences and duplexes.
- c. There shall be a minimum lot width of one hundred feet (100) at the building setback line for three or four family residential units.

2. Lot Depth - A minimum lot depth of one hundred twenty (120) feet is required for residential uses.

3. Front Yard - Front building lines shall conform to the average building lines established in a developed block; in all cases, this front building line shall be setback a minimum of twenty (20) feet from the property line.

4. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of five(5)

feet each. In the case of a side yard abutting the street right-of-way, the required side yard shall be a minimum of fifteen (15) feet.

5. Rear Yard - There shall be a rear yard having a depth of not less than twenty (20) percent of the lot, provided however, that the depth of such rear yard shall not be less than twenty (20) feet and need not exceed fifty (50) feet.

C. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above natural grade.

D. Off-Street Parking and Loading Requirements

Off-Street parking and loading shall be provided as put forth in Section 18.30.

18.194 District Standards

All uses of land structures in the A-5 District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-5 District shall be subject to the following standards:

A. Signs and Lighting

1. Signs - In the A-5 District, one sign may be permitted only. All signs must be non-illuminated and may range in size from two (2) square feet at any lot line to eight (8) square feet at a setback of twenty (20) feet. Real Estate Signs for sale/for lease will be permitted in addition to the one sign limitation. All signs shall be limited in height to eight (8) feet above the ground.

18.22 A

2. Exterior Lighting - All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or institutional lots. The intensity of such lighting shall not exceed (2.0) foot candles as measured at the abutting property line.

B. Utilities

1. Sewer - All uses must be served by central sewer systems.

2. Water - All uses must be served by central water systems.

3. Street Improvements - Any road or street constructed to serve more than four (4) residential units or any nonresidential use must meet standards set forth in the Subdivision Regulations.

Section 18.20 MH - Mobile Home District

18.00 Purpose

The purpose of this district and the regulations and standards contained herein are to establish a zoning category which will permit mobile homes to be located in mobile home parks, lots and subdivisions specifically designed and set aside therefore and to insure that mobile home parks and subdivisions develop in accordance with specified design criteria to assure harmonious development both within the mobile home park and subdivision and with other zoning districts. **All mobile homes placed hereinafter within the Village of Folsom must be only those manufactured after January 1994 in accordance with minimum HUD design and windload standards.**

18.01 Permitted Uses

Only the following permitted uses shall be allowed in the ME Mobile Home District and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of the ordinance; (b) conditional uses in compliance with the provisions of Section 18.202.

- A. Residential Single Family
 - 1. Mobile Home Park
 - 2. Mobile Home Subdivision
 - 3. Modular Home Subdivision
 - 4. *Post 1994* Mobile Homes used as residences.
 - 5. Single family site built home**
- B. Commercial
 - 1. Convenience Store
 - 2. Laundromat
- C. Cultural and Recreational Uses
 - 1. Public and Private Parks
 - 2. Botanical Gardens
 - 3. Playgrounds
 - 4. Nature Preserves and Sanctuaries
 - 5. Swimming Clubs and Pools
 - 6. Athletic Fields
 - 7. Tennis Courts
- D. Miscellaneous Uses
 - 1. Water Treatment, Well, and Storage Facilities
- E. Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the MH Mobile Home District as determined by the Mayor of the Village of Folsom acting in the capacity of Zoning Administrator.

18.202 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

18.24

A foundation that forms a complete enclosure under exterior walls. Material used for skirting shall be standard building materials such as brick, concrete block, woodlattice work, etc. (used tin, tires, etc. are not to be considered suitable skirting material).

d. All mobile homes shall be certified as meeting the current Department of Housing and Urban Development "Mobile Home Construction Safety Standards." *and homeowners shall have written permission to place a mobile home on a lot if such homeowner is not the owner of the lot.*

18.04 Sites and Structure Provisions

A. Minimum Lot Area

The site for a mobile home park or subdivision shall be a minimum of five (5) acres *or a 50 foot lot of record per home. Mobile home parks must be reviewed through the Subdivision review process.*

B. Minimum Area Regulations

These shall be set in the Subdivision Regulations.

C. Open Space Requirements

A minimum of twenty-five (25) percent of the gross area of each park or subdivision in the MH District must be reserved and dedicated for public or common use. Retention basins, lakes, streets and other impermeable surfaced areas and any other unusable land may not be included in determining the required open space for the District.

D. Height Regulations

No building or structure shall exceed thirty-five (35) feet in height above Natural Grade.

18.205 Administration and Permits

All Mobile homes shall comply with the requirements of this section and all applicable sections prior to receiving water and electric connections. A certificate of occupancy shall be issued by the building inspector confirming that all requirements of this ordinance have been complied with prior to receiving water and

permanent electrical connections

18.25 A

- A. Religious Uses
 - 1. Churches, Temples, and Synagogues

- B. Educational Use
 - 1. Day-Care Centers
 - 2. Nursery Schools

- C. Cultural and Recreational Uses
 - 1. Horse Riding and Training Stables
 - 2. Kennels
 - 3. Libraries
 - 4. Golf Courses and Practice Ranges
 - 5. Community and Recreational Centers

- D. Public Utilities
 - 1. Electrical Substations
 - 2. Telephone Relay Facilities
 - 3. Utility Substations
 - 4. Waste Water Treatment Facilities under 1,000 square feet
 - 5. Municipal uses

- E. Similar and Compatible Uses

Other uses which are similar and compatible with the MH Mobile Home District's Conditional Uses as determined by the Mayor of the Village of Folsom acting in the capacity of Zoning Administrator.

18.03 Performance Standards

A. Design

- 1. A subdivision plan and approved in accordance with the provisions of the Subdivision Regulations shall be required prior to the issuance of any building permits for the development of a mobile or modular home subdivision or park.
- 2. The site must provide direct access to arterial or collector streets.
- 3. The site must be served by central water and sewer systems.
- 4. Each mobile home lot and mobile home shall comply with the following requirements:
 - a. Each mobile home shall be provided with anchors and

tie-downs. Examples include cast-in place concrete "deadman" eyelets imbedded in concrete slabs, screw augers, arrowhead anchors or other devices to be used to stabilize the mobile home.

c. All mobile homes shall be skirted and/or placed on a Slab or other approved foundation.

18.26 A

Section 18.1 C-1 neighborhood Commercial District

18.210 Purpose

The C-1 District is intended to provide for the location and grouping of uses to a type designed to dispense commodities, provide professional services or provide personal services. These uses are intended to be small in nature, serving the everyday needs of the surrounding neighborhood rather than large areas of the parish. These uses should be located to allow for convenient pedestrian circulation, common parking and a village-type atmosphere. Uses which may create noise, odors, hazards, unsightliness, or which may generate excessive traffic should not be located in this District. The residential character of the area surrounding this district shall be of primary consideration when Conditional Uses or exceptions to these regulations are reviewed.

18.211 Permitted Uses

Only the following permitted uses shall be allowed in the C-1 Neighborhood Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 18.212;. See Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

A. Retail and Service Uses

The following general retail and services uses shall be located in buildings of 4,000 square feet of floor space or less. However, if more than one use occupies a building, the entire building can have no more than 12,000 square feet of floor space.

Retail Outlets: Antique

Shops Appliance

Stores Art and School

Supply Stores

Bakeries

Barber and Beauty Shops

Book or Stationery Stores

Convenience Stores of less than 2,000 s.f.

Custom Dressmaking and Sewing Shops
Delicatessens
Florist
Garden Supply Centers & Greenhouses
Gift Shops
Hardware
Stores Hobby
Shops
Ice Cream Shops
Interior Decorating
Shops Jewelry Stores
Photography Shops &
Studios Restaurants
Show Stores and Repair Shops Sp^orting Goods Stores
Toy Stores
Wearing Apparel Shops

B. Service Establishments

Animal hospital provided boarding of animals in completely enclosed and soundproof" building.
Barber and beauty shops
Catering

Dance and music studio, not serving or selling alcohol
Dry cleaning and laundries
Locksmith shop

Radio and Television repair Self-service laundry
Shoe repair

C. Offices

Law Offices
Architecture or Engineering Offices
Accountant Offices
Real Estate Offices Insurance Offices
Doctor, Dentist or Chiropractor
Offices
Other Professional Offices
Loan agencies Travel agencies
Newspaper office, but not printing

D. Residential Uses

1. Inns or Guest Houses of (10) guest rooms or less
2. Dwelling Units located above any first floor designed for business users.
3. Residential uses permitted under the terms and conditions of the A-3 Residential District. Section 18.17.

E. Miscellaneous Uses

1. Churches, Temples and Synagogues

18.212 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

A. Retail and Service Uses

1. Restaurants greater than 4,000 square feet
2. Restaurants with alcohol sales, not including adult entertainment.
3. Convenience Store greater than 2,00 square feet
4. Drug Stores
5. Dry Cleaning, Laundries and self-service
6. Food Stores under .2,000 square feet

18.28 A

7. Automobile Service Stations
8. Farmers Market or Vegetable Stands
9. Any other retail establishment not specifically permitted herein but which has economic compatibility with established uses on adjoining premises and which meets the intent and purpose of this District.

B. Public Uses

1. Museums and Libraries
2. Police and Fire Stations
3. Public Utility Facilities
4. Post office
5. Municipal uses

C. Cultural and Recreational

1. Golf course
2. Community Center
3. Parks and Playgrounds
4. Sports or Gymnasium
5. Athletic Field

D. Educational

1. Elementary School, Public or Private
2. Day-Care Centers
3. Nursery Schools, Pre-Schools, and Kindergartens provided there is minimum play area of seventy-five (75) square feet for each child which is enclosed to a height of not less than four (4) feet.
4. Institution of Fine Arts
5. Adult Education Classes

E. Medical

1. Clinics, Day-time opening
2. Veterinary Clinics

- F. Miscellaneous Uses
 - 1. Civic Clubs, Lodges, Fraternal & Religious Institutions
 - 2. Meeting Halls

- G. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted under this Section
- 2. Temporary Buildings for Construction Purposes
- 3. Parking Lots

18.29 A

18. 213 Administrative Permits

Purpose

This Section is designed to allow flexible seasonal uses with buildings of 100 square feet of floor space or less, in accordance with zoning classifications. A staff review will be required to oversee hours of operation, and parking requirements.

Allowable Administrative Permits

- 1. Snowball Stands between April 1 and September 30
- 2. Christmas Tree Sales between November 1 and January 13.
- 3. Sale of farm products grown locally

18.214 Site and Structures Regulations

- A. Minimum Lot Area

- B.

- 1. Non-Residential - The lot area for each zoning lot which is provided with central water and sewerage utilities shall be eight thousand four hundred (8,400) square feet. For each lot which lacks either central water or central sewerage facilities, the minimum area shall be twelve thousand (12,000) square feet.

- C. Minimum Area Regulations

- D.

- 1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lot width shall not be less than sixty (60) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be eighty (80) feet.
- 2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than ten (10) feet from the

Property line. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building setback shall be determined in accordance with the following table. All setbacks shall be measured from the right-of-way line of the street or road.

3. Side yard: The minimum side yard (each side) for permanent buildings shall be 1/2 the height of the building, measured from the building slab or foundation to the adjacent lot line (on side). Other accessory, temporary, or secondary buildings on the lot shall include a minimum of five foot side yard.
4. Rear yard: The minimum rear yard (each side) for permanent buildings shall be 1/2 the height of the building, measured from the building slab or foundation to the adjacent lot line (in rear). Other accessory, temporary, or secondary buildings on the lot shall include a minimum of five foot rear yard.

Exception: *Legal lots of record developed prior to the enactment of the Village's Zoning Ordinance that do not meet the minimum lot area and lot width requirements of the zoning classification which they are located in, may have a minimum side and rear yards of five feet each.*

These standards shall be required in both the C-1 and C-2 Districts.

18.30 A

MINIMUM SETBACK IN ADDITION TO LANDSCAPE REQUIREMENTS FOR COMMERCIAL BUILDINGS WITH OFF-STREET PARKING BETWEEN THE FRONT FACADE AND THE STREET RIGHT-OF-WAY LINE.

		Type	of	Parkin	
				g	
	Parallel	30	45	60	98
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44'	48'
Sidewalk plus two rows of parking and one driving lane	40'	45'	50'	59'	79'
Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69'	89'

5. Side Yard - No side yard shall be required for non residential uses except on the side(s) of lots abutting an adjacent existing dwelling or residential district, in which case there shall be a side yard as provided in Section 18.15 Transitional Yards.

6. Rear Yard - No rear yard is required for non-residential uses except where a lot abutts an existing dwelling or residential district, in which case there shall be a side yard as provided in Section 18.15 Transitional yards

C. Height Regulations

No building or structure shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in the Flood Hazard Ordinance.

D. Off-Street Parking & Loading Zone Requirements

off-street parking & loading zones will be provided as put forth in Section 18.30.

18.15 Transitional yards

Where a C-1 District adjoins a residential district, transitional yards shall be provided in accordance with the following regulations:

A. In a C-1 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.

18.31 A

B. In a C-1 District where a rear lot line coincides with a rear of side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.

18.16 District Standards

All uses of land structures in the C-1 Neighborhood Commercial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards.

A. Signs and Lighting

1. Signs may be non-flashing illuminated. Off-site signs are prohibited in the C-1 District.
2. Exterior Lighting - All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or institutional lots. The intensity of such lighting shall not exceed two (2.0) foot candles as measured at the abutting property line.

C. Utilities

1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.

Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal unit.

3. Street Improvements - Any road or street constructed to serve any zoning lot for any use must meet standards set forth in the Subdivision Regulations.

D. Fire Marshall Approval

A certificate attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Folsom Clerk prior to issuance of a building permit.

Section 18.22

18.32 A

C-2 Highway Commercial District

18.20 Purpose

The purpose of the C-2 Highway Commercial District is to provide areas for a wide variety for commercial and business uses that are intense, highly automotive oriented uses that require a conspicuous and **accessible location** convenient to streets carrying large volumes of traffic. Such activities generally require large land areas, do not cater directly in an appreciable degree to pedestrians and require ample off street parking and loading space. This district permits uses not of a neighborhood commercial type and serves large sections of the parish. Orientation and expansion of this District should desirably occur as an increase in depth rather than as a strip-like extension long the street or thoroughfare.

18.221 Permitted Uses

Only the following permitted uses shall be allowed in the C-_- highway Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Sections 18.222; See Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

A .Retail and Service Uses

1. Any retail or service use which is a permitted use in the C- 1 District
2. Automotive Service, Stations, Centers, and Sales
3. Automotive Parts Stores (but not including junkyards or auto wrecking yards)
4. Business College or Business Schools operated as a business enterprise
5. Catering Establishments
6. Commercial Recreation
7. Department Stores
8. Convenience Stores
9. Drive-Restaurants
10. Drive-in Banks
11. Fertilizer sales
12. Funeral Homes and mausoleum
13. Indoor Recreations Establishments, such as bowling alleys, skating rinks and movie theaters.
14. Instruction of Fine Arts
15. Mobile Home Sales
16. Motorcycle sales
17. Passengers Transportation Terminals
18. Physical Culture & Health Establishments
19. Enclosed plumbing, electrical and home building supply showrooms and sales centers with associated assembly processes

18.33 A

20. Printing, lithography and publishing establishments
21. Public or Private Auditoriums
22. Restaurants and Restaurants with Lounges
23. Wholesale merchandise broker
24. Drug Stores
25. Dry cleaning, Laundries and self-service Laundries
26. Food stores
27. Liquor Stores for consumption off the premises
28. Car Wash

B. Offices

1. Any private office use which is a permitted use in the C-1 District

2. Medical Clinics
3. General multi-use office buildings.

C. Residential Uses

1. Hotels and Motels of 150 or less rooms
2. Apartment-Hotels

D. Educational Uses

1. Museums and Libraries
2. Elementary and Secondary schools
3. Day-Care Centers
4. Nursery Schools, Pre-Schools, and Kindergartens provided there is a minimum play area of one- hundred (100)square feet for each child, which is enclosed to a height of not less than four (4) feet.
5. Adult Education Classes

D. Miscellaneous

1. Post Office, municipal uses
2. Radio and Television Studios and Broadcasting Stations
3. Civic Clubs, Lodges, Fraternal & Religious Institutions, Meeting Halls
4. Public Service Facilities, including electric distributing substations, fire telephone exchange and similar
5. Veterinary Clinics
6. Outdoor Advertising (Billboards, meeting minimum distance requirements)

18.222 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section. 18.27 - Conditional Uses for the procedures and requirements that apply to conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

A. Retail and Service Uses

1. Nightclubs, bars and lounges, not including adult entertainment
2. Farmer's Market or Vegetable Stand
3. Funerary Crematoriums
4. Entertainment which typically consists of live or programmed performances
5. Drive- in Movie Theaters
6. Any other retail establishment not specifically permitted herein but which has economic compatibility with established uses on adjoining premises and which meets the intent and purpose of this District.
7. Mobile Homes used for commercial purposes
8. Game rooms, tattoo or massage parlors

B. Cultural and Recreational

1. Golf Course
2. Parks and Playground
3. Outdoor Amusement Facilities

C. Medical

1. Veterinary hospitals
2. Hospitals
3. Out-Patient Surgical and Treatment Centers

E. Accessory Uses

1. Any use normally and customarily incidental to any use permitted under Section 18.220.
2. Temporary Buildings for Construction Purposes
3. Parking Lots and Garages

18.223 Administrative Permits

Purpose

This Section is designed to allow flexible seasonal uses with buildings of 100 square feet of floor space or less. A Staff review will be required to oversee hours of operation, parking requirements.

1. Snowball Stands between April 1 and September 30
2. Christmas Tree Sales between November 1 and January 1 3.
3. Firework Sales during periods established by ordinance of the Board of Aldermen where prohibited by ordinance.
4. Sale of farm products grown locally.

18.35 A

18.224 Site and Structure Regulations

A. Minimum Lot Area

The lot area for each zoning lot shall be not less than eight thousand four hundred (8,400) square feet.

B. Minimum Area Regulations

1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lot width shall not be less than sixty (60) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be one hundred (100) feet.

2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no

case shall it be less than ten (10) feet from the property line. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building set-back shall be determined in accordance with the following table. All set-backs shall be measured from the right-of-way line of the street or road.

MINIMUM SETBACK IN ADDITION TO LANDSCAPE REQUIREMENTS FOR COMMERCIAL BUILDINGS WITH OFF-STREET PARKING BETWEEN THE FRONT FACADE AND THE STREET RIGHT-OF-WAY LINE.

	Type of Parking			
	Parallel	30	45	50 90
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44' 48'
Sidewalk plus two rows of parking and one driving lanes	40'	45'	45'	59' 79'
Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69' 89'

3. Side Yard - No side yard shall be required, except as outlined under Section 18.225, Transitional Yards

4. Rear yard - No rear yard is required except as outlined under Section 18.225, Transitional Yards.

C. Height Regulation

No building or structure shall exceed thirty-five (35) feet in height above natural grade.

D. Off-Street Parking & Loading Zone

Off-Street Parking & loading Zones shall be provided as put forth in Section 18.30

18.36 A

18.225 Transitional Yards

Where a C-2 District adjoins a residential district, transitional yards shall be provided in accordance with the following regulations.

A. In a C-2 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.

B. In a C-2 District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential

district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the district.

18.226 District Standards

All uses of land structures on the C-2 Highway commercial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall to the following standards:

A. Signs and Lighting

1. Signs must be non-flashing if illuminated

2. Exterior Lighting - All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or institutional lots.

The of

such lighting shall not exceed two (2.0) candles as measured at the abutting property line

C. Utilities

1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.

Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal system.

3. Street Improvements - Any road or street construction to serve any zoning **lot for any** use must meet standards set forth in the Subdivision Regulations.

18.37 A

D. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the municipality prior to issuance of a building permit.

Section 18.23 M-1 Light Industrial District

18.230 Purpose

The M-1 District is intended for light manufacturing, processing, storage and warehousing, wholesaling and distribution. This district should have efficient accessibility to major transportation routes and should be located to maximize safety and minimize infrastructure costs to local government. Service and commercial activities relating to the character of the district and supporting its activities are permitted. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential and commercial district.

18.231 Permitted Uses

Only the following permitted uses shall be allowed in the M-1 District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 18.232; See Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

- A. Generally, those light manufacturing uses listed below, conducted in enclosed buildings, which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types specifically permitted below:
1. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clock, games, and electrical or electronic apparatus.
 2. Packaging and processing of premanufactured items.
 3. Manufacture of computer and high technology items.
 4. Manufacture of ceramic products.
- B. Wholesaling, warehousing, storage or distribution establishments, cold storage or refrigeration

plants.

C. Printing lithographing,
publishing establishment.

13.39 A

- D. Storage of petroleum products and gases that are clearly incidental and secondary to the principal use of the property, provided that all above ground tanks, contain a maximum of 500 gallons or less and locate no closer than 300 feet from all property lines. All storage tanks below low ground shall contain a maximum of 12,000 gallons or less and shall be located no closer to any property line than the greatest dimension (diameter r, length, height) of the buried tank
- E. Outdoor storage yards and lots and contractors storage yards provided such outdoor storage yards shall not be located closer than fifteen (15) feet to any public street and shall be screened by a six (6) foot high sight opaque screen of living (70%, opaque) or non-living (100%) material; and providing further that this provision. shall not permit wrecking yards or yards used in ;whole or in part for a scrap or salvage operation.
- F. Retail and repair establishment for the sale and/or repair of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, automotive parts and accessories (but not junk or automotive wrecking yards), heavy machinery and equipment, farm building supplies, monuments and similar uses.
- G. Services establishments catering to commerce and industry including professional office, linen supply, freight movers, communication services, business machine services, canteen services, restaurant (including drive-in and fast food restaurant), hiring and union halls, employment agencies, sign companies, automotive service and/or truck stops, and similar uses.
- H. Vocational, technical, trade, or industrial schools, and similar uses.
- I. Medical clinics in connection only with industrial activity.
- J. Miscellaneous uses such as express office, sign painting shop, parcel delivery service, telephone exchange, commercial parking lots and parking

garages, motor bus or truck. or other transportation terminal, and related uses.

- K. Radio and television stations and relay transmitters, motion picture studios.

18.40 A

- L. Railroad rights-of-way and siding.
- M. Laboratories, research, experimental or testing centers.
- N. Plant nurseries.
- O. Utility facilities.
- P. Residence for watchman or caretaker employed on the premises.
- Q. Outdoor Advertising (Billboards).

18.232 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

- A. Hotel, motel or motor lodge if located in a district of thirty-five (35) acres or more.
- B. Gasoline service station.
- C. Day care centers.
- D. Recreational facilities.
- E. General office buildings.

18.233 Prohibited Uses and Structures:

- A. Dwelling units except as provided under accessory and conditional uses, hospitals or clinics (except clinic in connection with industrial activity) nursing home and similar uses, private or public elementary or high schools, yards or lots for scrap or salvage operations for process storage, display or sale of any scrap or salvage.
- B. Wrecking yards (including automotive wrecking

- yards) and junk yards.
- C. Chemical, paints, and fertilizer manufacturing
- D. Explosives manufacturing or storage.
- E. Paper and pulp manufacturing.
- F. Petroleum refining.
- G. Landfills for the disposal of solid waste

18.41 A

Section. 18.24 M-2 Heavy Industrial District

18.40 Purpose

This district is intended to create an environment that will promote and protect a strong industrial base for the Municipality. The M-2 District shall be located in area of minimal environmental impact and close to major transportation routes. Because of the nature of many uses in this District, it should be distanced from residential uses and districts either by large buffer areas or transitional districts.

18.241 Permitted Uses

Only the following permitted uses shall be allowed in the M-2 intermediate Industrial District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 18.242; See section 18.29 - Minimum Standard for minimum standards that apply to certain uses.

- A. Any permitted use in the M-1 Light Industrial District.
- B. Uses in the following list, including the manufacture, compounding, processing, packaging, treatment, storage and/or distribution of the products in the list.
 - 1. Assembly plants
 - 2. Boats of less than (3) tons
 - 3. Book binderies
 - 4. Cellophane products manufacturing
 - 5. Cleaning and dyeing works
 - 6. Confectionery manufacturing
 - 7. Dairy Products manufacturing
 - 8. Electrical parts, assembly and manufacturing
 - 9. Fiber products and manufacturing
 - 10. Food products manufacturing (except fish and

meat products, pet foods, vinegar, yeast and rendering or refining of fats and oils)

11. Foundry casting of lightweight nonferrous metal
12. Fruit or vegetable canneries
13. Furniture manufacturing
14. Garment manufacturing
15. Glass products manufacturing
16. Ironworks, ornamental
17. Non-ferrous extruding mills
18. Millwork
19. Paint mixing and treatment
20. Pharmaceuticals manufacturing
21. Sheet metal products

18.42 A

hazardous, and/or toxic substances.

- H. No other residential uses except as provided for in Section 18.231 or 18.232.
- I. All other uses not permitted herein.
- J. Disposal and/or permanent storage of Hazardous Waste (as defined in the Louisiana Revised Statute 30:1133).

2.1505 Site and Structure Provisions

A. Minimum Lot Area

The lot area of each zoning lot shall not be less than ten thousand (10,000) square feet.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than seventy-five (75) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of twenty-five (25) feet plus one foot for every foot in height over thirty-five (35) feet above Base Flood Elevation.
3. Side and rear yards _ No side or rear yard is required where party wall exist. If there are no party walls, a minimum side or rear yard of 20 **feet is** required.
where a lot adjoins any non-industrial zoning district, front yard requirements shall apply to side and rear yards.

C. Maximum Lot Coverage

A minimum of thirty (30) percent of each zoning lot/district shall be retained as open space, including landscaped areas.

- D. Height Regulations
No building or structure shall exceed thirty-five (35) feet in height above natural grade except for accessory towers.
- E. Off-Street Parking and Loading Requirement
Off-Street parking and loading shall be provided as put forth in Section 18.30.
- F. Fire Marshall Approval
A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Engineering prior to issuance of a building permit

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- 22. Shop fabricating and repair
 - 23. Open storage of building material, lumber, coal, machinery, and pipe
 - 24. Structural fabrication (steel and concrete)
 - 25. Television and radio broad: sting transmitters
 - 26. Tire retreading, recapping or rebuilding
 - 27. Tool manufacturing
 - 28. Toy manufacturing
 - 29. Well drilling services
- C. Utility Facilities
 - D. Support services such as small machine repair, automotive repair and welding shops.

18.242 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 - Conditional uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

- A. Any conditional use in the Mpl Light Industrial District.
- B. Beverage distilling.
- C. Outdoor storage yards for scrap metal or wrecked automobiles provided a six (6) foot minimum high visual barrier surrounds the entire yard.
- D. Sanitary landfills for the disposal of solid waste.

18.243 Prohibited Uses:

1. Commercial uses not incidental to the principal industrial use.
2. Schools, churches or public or private institutions.
3. Landfills for the disposal of hazardous and/or toxic substances.
4. No other residential uses except as provided for in Section 18.231 (P).
5. Disposal and /or permanent storage of Hazardous Waste (as defined in the Louisiana Statute 30:1133)

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18.244 Performance Standards

All performance standards withing a M-2 District are provided to ensure protection of the environment by regulating air and water resources and regulation of pollution thereof, radiation hazards, noise pollution and fire and explosive hazards.

1. Exhaust Emission - No industry in an M-2 District shall emit from any exhaust pipe, flue, chimney or whatever, an emission that shall be deemed harmful by the Louisiana Office of Environmental Affairs.
2. Odor - Odorous matter released from any operation or activity in a M-2 District shall not exceed the odor threshold concentration beyond lot lines, measured at ground level or habitable levels.
3. Water Quality - No industry shall emit harmful substances into a waterway or water disposal system, in compliance with the Federal Water Pollution Control Act and Louisiana Water Control Law.
4. Noise - No industry shall emit noise level above 70 decibels (dB-A) at the lot boundary line measured at ground level or habitable elevation. Applicable measurement standards shall be taken by an independent lab institute at the expense of the applicant or legal property owner.
5. Radiation - No operation in a M-2 District involving radiation hazards shall be conducted which violates the standards of the Nuclear Energy and Radiation Control Law regulated by the Office of Environmental Affairs.

Fire and Explosive Hazards - All uses in a M-2 District shall comply with the applicable standards set forth in the rules and regulations of the State Fire Marshall.

7. Administration and Enforcement - As required by State Law, the Department of Natural Resources will administer, monitor and enforce the requirements of Section 18.244 exclusive of Section 18.44 (4) and (5).

18.245 Building Permit Acquisition: Before a building permit can be issued by the Building Inspector, it is the responsibility of the applicant or owner of the property to provide to the Building Inspector written approval for construction or written verification that no such approval is required from each of the following agencies:

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1. Office of Environmental Affairs, Louisiana
Department of Natural Resources
La. Dept. Of Environmental Quality
2. Environmental Control Commission Louisiana
Department of Natural
3. Coastal Zone Management.
4. Army Corps of Engineers.
5. Louisiana Wildlife and Fisheries.
6. State Fire Marshall.

Prior to the issuance of a building permit (s) by the Municipality, additional buffer requirements may be necessary if noise, sight, sound and public safety factors relating to the proposed use warrant greater buffer requirements than is normally necessary under Section 18.247.

The Village Clerk shall arrange for a public hearing before the Zoning Commission of the possible need for additional buffer. The Zoning Commission may request additional information on the proposed use of the property. Necessary studies by an consultant or institute at the expense of the applicant or legal property owner may be requested by the Zoning Commission .

At the public hearing the Zoning Commission must decide if additional buffer requirements are necessary for the proposed use. The Board of Aldermen shall consider the recommendations of the Zoning Commission and make a final recommendation as to additional buffer requirements. Recommendations of the Zoning Commission must be affirmed or denied in the same manner as any Zoning Commission recommendation is denied or affirmed by the Board of Aldermen. Additional buffer requirements, if any, shall become a part of the public record and the conditions under which the permit is issued; they must be indicated on the plans submitted as part of the permit application/records. The permit(s) may be

issued only after the final decision on the requirement for additional buffer is made by the Board of Aldermen.

18.246 Locational Standards

In reaching recommendations and decisions as to rezoning land to M-2 Intermediate Industrial District, The Zoning Commission and the Board of Aldermen shall apply the locational standards.

- A. Relation to Major Transportation Facilities - The M-2 District shall be so located with respect to arterial or major streets and highways, or other transportation facilities as to provide direct access to such areas without creating or generating traffic along minor streets in residential areas or districts other than industrial districts.
- B. Relation to utilities, Public Facilities, and Services - The M-2 District shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations that neither extension nor enlargement of such systems will be required in *manner*, form, character, location, degree, scale, or timing and consequently resulting in higher net public cost or earlier incursion of public cost than would development in forms generally permitted under existing zoning in the area.

However, if applicants will (1) provide private facilities, utilities, or services approved by appropriate public agencies as substituting on an equivalent basis, and assure their satisfactory *continuing* operation, or (2) make provision acceptable to the Parish for offsetting any added net public cost or early commitment of public funds made necessary by such development, the rezoning may be approved.

18.247 Site and Structure Provisions

- A. Minimum Lot Area

The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet.

- B. Minimum Area Regulations

- 1. Minimum Lot Width - The lot width of each zoning lot shall not be less than two hundred (220) feet.
- 2. Front yard - Front building lines shall conform to the average building lines

established in a developed block. In all cases this front building line shall be set back a minimum of twenty-five feet from the front property line.

3. Side and Rear Yards - No side or rear yard is required where party walls exist. If there are no party walls, a minimum side or rear yard of five (5) feet is required. Where a lot adjoins any non-industrial zoning district, front yard requirements shall apply to side and rear yards.

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- C. Maximum Lot Coverage
A minimum of thirty (30) percent of each zoning lot/district shall be retained as open space, including landscaped areas.
- D. Height Regulations
No building or structure shall exceed (35) feet in height above natural except for accessory towers.
- E. Off-Street Parking and Loading Requirements
Off-street parking and loading shall be provided as put forth in Section 18.30.
- F. Fire Marshall Approval
A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Engineering prior to issuance of a building permit.

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Section 18.25 ID Institutional

18.1250 Purpose

The purpose of this district is to provide a zoning category in which to locate and protect public and private institutional uses such as hospitals and health-related services, colleges and universities, police and fire stations, secondary and elementary schools and other similar uses. While these institutional facilities may be located in various other zoning districts as conditional uses, any permanent such use should be placed in a ID Institutional District.

18.51 Permitted Uses

Only the following permitted uses shall be allowed in the ID Institutional District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 18.252; See Section 18.29 - Minimum Standards for minimum standards that apply to certain uses.

- A. Health Care Facilities
 - 1. Hospitals and Medical Centers
 - 2. Psychiatric Centers
 - 3. Alcohol and Drug Treatment Centers
 - 4. Sanitariums and Recovery Centers
 - 5. Hospices

 - B. Educational Facilities
 - 1. Elementary Schools
 - 2. Secondary Schools
 - 3. Colleges
 - 4. Vo-Technical Schools
 - 5. Universities
 - 6. Research Centers
 - 7. Day Care Centers
 - 8. Nursery Schools
 - 9. Adult Education Classes

 - C. Governmental Facilities
 - 1. Municipal Offices
 - 2. Fire Stations
 - 3. Sheriff and Police Stations
 - 4. Military Reservations
 - 5. Post Office

 - D. Residential Facilities
 - 1. Homes for Retarded
 - 2. Orphanages
 - 3. Caretaker Residence for any Permitted Uses
 - 4. Institutional Housing
 - 5. Convalescent Homes
 - 6. Nursing Homes
- 18.49 A
- E. Miscellaneous Uses
 - 1. Events Centers
 - 2. Lodges and Clubs
 - 3. Day Care Homes

18.252 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Village of Folsom and such use has been favorably approved by the Zoning Commission. See Section 18.27 -

Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 18.29 - Minimum Standards for standards that apply to certain uses.

A. Residential

1. Half-way Houses

B. Commercial - Establishments serving only a permitted use such as the following:

1. Gift Shop
2. Pharmacy
3. Craft Shop
4. Bookstore
5. Snackbar

C. Miscellaneous

1. General offices serving a permitted use.
2. Laboratories
3. Cemeteries and Mausoleums

18.253 Performance Standards

A. Site Plan Approval

To insure safety and compatibility with surrounding uses, site plan approval is required for any ID District greater than three (3) acres or having more than one (1) building on site. If construction is to take place in phases, a general schematic plan shall be submitted.

B. Residential Uses

Any residential uses in the ID Institutional District must maintain a density not to exceed eight (8) dwelling units per acre.

18.254 Site and Structure Regulations

A. Minimum Lot Area

The lot area for each zoning lot shall be not less than twenty thousand (20,000) square feet.

B. Minimum Area Regulations

1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lot width shall not be less than one-hundred (100) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be one hundred fifty (150) feet.

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2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than twenty-five (25) feet from the property line. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building set-backs shall be determined in accordance with the requirements for the

C-1 District. All set-backs shall be measured from the right-of-way line of the street or road.

3. Side Yard - No side yard shall be required, except as outlined under Section 18.255, when common or party walls adjoin buildings on two zoning lots. However, when a side yard is provided, it must be a minimum of three (3) feet.
4. Rear Yard - No rear yard is required except as outlined under Section 18.255.

C. Maximum Lot Coverage

1. The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot.

D. Height Regulation

No building or structure shall exceed thirty-five (35) feet in height above natural grade.

E. Off-Street Parking & Loading Zone

Off-Street Parking & Loading Zones shall be provided as put forth in Section 18.30.

18.255 Transitional yards

Where a ID District adjoins a Residential District, transitional yards shall be provided in accordance with the following regulations.

- A. In a ID District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- B. In a ID District, where a rear lot line coincides with a side or rear lot line of property in adjacent residential district, a yard shall be provided along such rear lot line.
Such yard shall be equal in dimension to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.

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18.256 District Standards

All uses of land structures in the ID Institutional District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the

following standards:

A. Signs and Lighting

1. Signs may be illuminate and may range in size from six (6) square feet at any lot line to thirty-six 3⁶) square feet at a set-back equal to five (5) feet from the lot line one (1) for every two (2) square feet of sign surface area.

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Section 18.26 Non-Conforming Uses

Any building, structure or permitted use lawfully existing at the time of enactment of this ordinance may be continued as a non-conforming use even though such building, structure or use does not conform with the provisions of this ordinance for the use district in which it is located. Similarly, whenever a use district shall be changed thereafter, then the existing lawful use may be continued. Non-conforming uses shall be subject to the following regulations:

18.261 No building, structure or premises containing a non-conforming use shall hereafter be extended, unless such extension or alternation shall conform to provisions of the use district in which it is located.

18.262 Structural repairs and alterations to a building or structure may be permitted to the extent of fifty (50) percent of its replacement value.

18.263 Any non-conforming building or structure which has been damaged to the extent of not exceeding fifty (50) percent of its replacement valuation by reason of fires, flood, explosion, earthquake, riot, war or act of God (natural disaster), may be reconstructed and reused as before if done within twelve (12) months from the time such damage occurred. If such damage is greater than fifty (50) percent of the replacement valuation, in the opinion of the Building Official, such building or structure may only be reconstructed to conform with the provisions of the use district in which it is situated.

18.264 No building or structure or premises where a non-conforming use has ceased for reasons other than those stated in Section 18.263 for a period of more than twelve (12) months or has changed to a permitted or conforming use, shall again be used as a non-conforming use. ***The 12-month period shall relate to activity or use of the structure, whether or not a business permit is still active or utilities are still in use at the building.***

18.65 Signs or billboards which lawfully existed prior to the effective date of this ordinance may be continued for a period of not more than one year; except that an identifying non-conforming sign or billboard attached to a non-conforming building or structure may be maintained through the lawful non-conformity of such building or structure.

Legal lots of record that were buildable lots before zoning regulations existing, may be built upon.

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Section 18.27 **Conditional Uses**

In order to accomplish the general purpose of these regulations, there are certain uses which must be recognized in addition to the regular permitted uses of a district because of unusual characteristics or the service they provide the public. Because the principle objective of this zoning ordinance is to promote an orderly arrangement of compatible building and land uses, these conditional uses require special regulation to achieve a compatibility with existing or planned development. Often the effect of these uses on the surrounding environment cannot be foreseen and evaluated until a specific site has been proposed. The conditions controlling the location and operation of such conditional uses are established by the following provisions of this ordinance.

18.270 Authority, Conditions and General Standards for Approval of Conditional Uses

A. Approval

The Zoning Commission shall have the authority to permit the Conditional Uses of land or structures listed in each zoning district. However, if a formal appeal is lodged with the Clerk of the Village of Folsom, the final decision of any request to such approval or denial made by the Zoning Commission shall rest with the Board of Aldermen.

B. Conditions

1. All regulations of the district in which a conditional use is located shall apply to such uses, except where specific differences in requirements of any section of these regulations apply, or where requirements are specifically amended by the conditions under which the conditional use is granted.

2. Zoning Commission may attach such conditions to the conditional use as are necessary to assure continuous conformance to all applicable standards and requirements.
3. Failure to observe the conditions of the Commission, imposed pursuant to the issuance of the conditional use, shall be deemed to be a violation of these regulations and may be grounds for revocation of the conditional use.
4. The Zoning Commission may approve uses subject to the regulations, and to any additional requirements imposed in the public interest to cover circumstances unique to the selected site including a drainage analysis of the site by an independent engineering firm.

C. General Standards

1. The location and size of the use, the nature and intensity of the operation involved in or conducted in connection with) the use, the size of the site in relation to the use, and the location of the site with
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respect to streets giving access to the site shall be such that the use will be in harmony with the land uses in the district in which it is located.
2. Time limit requirement for length of permit use.
3. Hours of operation for use, buffering and/or landscaping above the minimum requirements.
4. The location, nature and height of structures, walls and fences, and the nature and extent of landscaping on site shall be such that the use will not hinder or discourage the development and use of adjacent land and structures.
5. Parking areas shall be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the ingress and egress drives shall be laid out so as to achieve maximum safety.
6. Conditional Uses may be approved on lots of less than the minimum lot size in any zoning district subject to review and approval of the variance for the minimum lot size by both the Zoning Commission and the Board of Adjustments.

18.71 Procedures

A. Application

An application verified by the owner of record or authorized agent of said owner of the property involved shall be filed with

the Village Clerk for the attention of the Zoning Commission upon a form prescribed therefor, which shall contain, or be accompanied by, all required information.

B. Public Hearings

Upon receipt of such verified application, the Village Clerk shall notify the Chairman of the Zoning Commission, or in his absence the Vice-Chairman, who shall give notice of a Public Hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the intended permit hearing. A record of pertinent information presented at the public hearing shall be made and maintained by the Zoning Commission as part of their permanent record relative to the applicant.

C. Determination

The Zoning Commission shall then make its findings and the permit decision shall not become effective for ten (10) working days, during which time an appeal can be made in written form to the Clerk Village of Folsom. Should the next scheduled Board of Aldermen meeting occur prior to the expiration of the appeal period, the appeal must be filed in time for placement on the regular agenda. The Board of Aldermen may sustain the

18.55 A

conditional use by majority vote or may overturn the decision of the Zoning Commission by a vote of three-fifths (3/5ths) of the Board of Aldermen.

Section 18.28 Accessory Uses

The following regulations shall apply to accessory uses located in any zoning district covered by this ordinance. Accessory uses are any use on a zoning lot which is not the primary or principal use. All accessory uses, buildings and structures shall be compatible with the principal use and shall not be constructed prior to construction of the principal use.

18.280 Site Requirements

A. Required Yards

1. No accessory building may be located in a required front yard. Fences, signs, lighting, paved driveways and other accessory structures may be located in required front yards.
2. Accessory buildings and structures may be located in a required rear yard, providing they not cover more than forty (40) percent of said yard and that no accessory building is located less than ten (10) feet from the rear lot line.
3. Accessory buildings and structures may be located in a required side yard, providing that no accessory

building is located less than five feet from the side lot line

B. Maximum Height

No accessory building may have a height greater than fifteen (15) feet above base flood elevation. No accessory structure may have a height greater than twenty-five (25) feet.

C. Fences, Wall and Hedges

Fences, walls or hedges may be located along property lines and within required yards, providing that no fence, wall or hedge may be located around or in required front and side yards within twenty (20) feet of an intersection.

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Section 18.29 Minimum Standards

For certain uses in this ordinance, the following minimum standards will apply. However, the Zoning Commission, and/or the Board of Aldermen shall at all times be allowed to set additional standards prior to issuing a permit for any conditional use.

A. Day Care Centers

In addition to all Federal and State laws, the following requirements must be met.

1. A fenced play area at a minimum equal to twenty-five (25) square feet for each child.
2. An off-street loading area shall be provided to accommodate a minimum of five (5) automobiles.
3. Where a day care center adjoins any non-residential zoning district, a buffer yard must be provided which is a minimum of ten feet in depth and which is planted to form a screen that within two years time will be seventy (70) percent opaque sight obscuring.

B. Automobile Service Stations

1. The following uses shall not be preformed in conjunction with any automobile service station:
 - a. Outdoor repairs, including changing of oil and lubrication of automobiles.
 - b. Outdoor Painting and body work on automobiles.
 - c. The outdoor storage of wrecked or abandoned vehicles. If the body of a vehicle is damaged more than twenty-five (25) percent and is awaiting parts for no longer

than ninety (90) days, it will be allowed, provided it is screened from public view.

- d. Sale of two or more automobiles, trailers, trucks, tractors, boats, or any other similar commodity.
 - e. Outdoor Storage of Automotive Parts.
 - f. Bulk plants.
2. The minimum lot size for a automobile service station, or any facility with retail gasoline sales, shall be twenty thousand (20,000) square feet. Twenty (20) percent of each site must be landscaped open space.
3. A site plan must be approved by the Zoning Commission prior to issuance of a building permit. At a minimum, this plan must illustrate the following:

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- a. Location of the main structure and secondary structures.
 - b. Location of storage tanks.
 - c. Proposed traffic movements and points of ingress and egress.
 - d. Landscaping design.
 - e. Location and coverage of lighting, location and design of signage, and finishes and colors to be used on all surfaces.
4. Where an automobile service station is allowed as a conditional use, evidence must be presented to the Zoning Commission in support of the following criteria:
- a. That the proposed facility will not create traffic or safety hazards, or adversely affect existing or logical future development of the neighborhood in which the station will be located.
 - b. That hours of operation will conform to existing patterns in the neighborhood.
 - c. That adequate buffer yards will be installed and maintained to shield non-compatible adjacent uses.
 - d. That the design of all structures and signage, including materials, textures, and colors, be harmonious with the surrounding neighborhood.
- C. Bars, Lounges, and Nightclubs

1. Hours of operation should conform to established uses in the neighborhood and may be adjusted by the Zoning Commission and/or the Board of Aldermen.
2. Live entertainment will only be allowed when it does not adversely affect the surrounding neighborhood because of noise and other factors. "Adult entertainment" will not be permitted within bars and lounges or establishments serving alcohol.
3. The use of neon signs exposed to the exterior shall be limited to two sign units which both are directly related to the subject facility and are not corporate advertisements for products sold in the facility.
4. The premises on which a bar, lounge or nightclub is located and the public rights-of-way within one hundred (100) feet of such facility must be maintained in a clean and orderly manner.

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D. Outdoor Advertising (Billboards)

In addition to all Federal and State laws, the following standards must be met:

1. Definition:

On premise outdoor advertising sign - any outdoor advertising; display; figure; painting; drawing; message; plaque; poster; billboard; or any other thing which is designed, intended, or used to advertise or inform, any part of which advertising or informational content is visible from any place on the main traveled way of any public highway system. The term includes signs advertising or identifying only on-premise products, services, or activities sold, produced or furnished on the premises and provided further that the advertising relates to a primary activity on the premises and the owner of the premises does not receive income from the advertising; such on premise advertising structures is exempt from the provisions of these minimum standards and none of the terms or conditions shall be applicable thereto. Provided, however, that should the owner of the premises receive income therefrom, such outdoor advertising structures shall be classified as commercial and shall be deemed to have the status of an off-premise outdoor advertising sign for the purpose hereof and same in subject to all of the terms and conditions of these standards.

Off-premise outdoor advertising sign - any outdoor structure, display, figure, painting, drawing, message, plaque, poster, billboard, or any other thing which is designed, intended or used

to advertised or inform, any part of which is visible from any place on the main traveled way of any public highway system, provided that such signs advertise or identify, in whole or in part, any off-premise products, services, or activities.

Distance between structures - spacing and the measurement thereof is the measurement in feet along the nearest edge of the pavement or surface between points directly opposite the signs on each side of the highway and shall apply only to structures located along the same side of the highway, spacing restrictions shall apply to property facing on the highway or interstate system and all other property within five hundred (500) feet of the nearest edge of the right way of the highway or interstate which is zoned to permit outdoor advertising signs. For the purposes hereof, each side of the State and Federal highway or interstate system shall be considered separately.

Height - the elevation measured in feet from either the ground level of the sign at its support or the nearest edge of the main traveled way, whichever is higher.

Lighting - the illumination of whatsoever nature or kind which is attached to, connected with or designed on or off-structure to provide or enhance visibility for any off-premise outdoor advertising; same included; flood lights.

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Set - Back - the minimum distance measured in feet as to the location of an off-premise sign from the highway right of way or the setback of an existing building.

Sight line - the triangular area formed by the right of way line and a line connection them at points specified herein.

Size - the maximum area as measured in square feet, inclusive of any border or trim but excluding the base or apron, supports and other structural members; the area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which shall encompass the entire sign; the maximum size limitations shall apply to each side of the sign structure; and signs may be placed back to back or in V - type construction with not more than one display on each facing, and such sign structure shall be considered as one.

2. Prohibited Signs and Locations Thereof

- a. Only on-premise advertising signs shall be permitted along Parish roads, other than and except off premise advertising signs are permitted on Parish roads which are parallel to and within two hundred (200) feet of any State and Federal highway at the situs of the off-premise outdoor advertising sign.
- b. Roof, piggy-back, i.e. stack signs, side by side and multiple panel signs.

- C. No off-premise advertising structure shall be located or situated in a manner of to obscure or otherwise physically interfere with the effectiveness of any official traffic sign, signal or devise, or obstruct or physically interfere with the driver's view of approaching, merging or interstate traffic.
 - d. All off-premise outdoor advertising signs not permitted herein.
3. Location Standards of Off-Premise Signs Along State and U.S. Highways other than Interstate
- a. An off-premises sign must be located within. two hundred feet of the highway right of way. An off-premise sign_ must be setback at least fifteen feet from the highway right of way or the setback of an existing building within fifty feet of the sign, whichever is less.
 - b. An off-premise sign is not allowed within or nearer than one hundred feet of a residential zoned district abutting the same highway to which the sign is oriented.

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c. An off-premise sign may not be located within a triangular area formed by the highway right-of-way lines and a line connecting them at points fifty (50) feet from the rights-of-way intersection

4. Size of Off-Premise Signs along State and U.S. Highway
- a. The maximum area of any off-premises sign face shall be three hundred (300) square feet, with a maximum length of thirty (36) feet, plus 20% temporary embellishments in size, height, and length, inclusive of any border and trim and excluding the base or supports or other members, but not to exceed one display panel per sign face.
 - b. When two off-premise signs are placed back-to-back or V-type on the same structure with an angle between them of not more than sixty (60) degrees, each sign facing shall conform to the maximum size limitations.
 - c. The lowest point of any off-premise sign shall extend not less than ten (10) feet and the highest point shall extend not more than forty-five (45) feet measured from either the ground level at its supports or the nearest edge of the main traveled way, whichever is higher in elevation.

5. Spacing of Off-Premise Signs Along State and U.S. Highways

- a. No two off-premise outdoor advertising structures shall be spaced less than 500 feet apart.
- b. V-Type or back-to-back signs on the same structure with an angle between them of not more than sixty (60) degrees shall be considered one sign.

6. Lighting

Signs may be illuminated, subject to the following restrictions:

- a. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign.
- b. External lighting, such as flood lights, thin line and goose neck reflectors are permitted provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main travel way of the highway system, or into a residential use area.

7. Construction

- a. All structural elements of off-premise signs shall be of metal construction.

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- b. A free standing off-premise sign having a size or area of three hundred (300) square feet shall have no more than (1) support.
- c. Every free standing off-premise sign shall henceforward be so erected or construed in such a manner as to minimally withstand a wind load factor of thirty (30) pounds per square foot.

8. Erection and Maintenance of Signs

The following signs shall not be allowed to remain or to be erected:

- a. Signs which are obsolete, including outdoor advertising that has been blank for twelve(12) months, out-of-date political advertising and advertising of defunct business, and signs or structures which have been erected without a building permit having been issued.
- b. Signs which are illegal under state laws or regulations.
- c. Signs which are not clean and in good repair.
- d. Signs that are not securely fixed on a substantial

structure.

- e. Signs which attempt or appear to attempt to regulate, warn or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
- f. Signs which are not consistent with the standards in this section.
- g. Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority.

9. Vegetation Control

No trees or other vegetation may be cleared, cut or removed on a State right of way without first obtaining a state vegetation control permit.

10. Permits and Fees

No off-premise outdoor advertising structure shall be erected, nor shall construction commence thereon, without first obtaining a permit from the municipality.

E. RVP RECREATIONAL VEHICLE PARK

1. Purpose:

The purpose of these requirements is to provide for, on a temporary basis, recreational vehicle campers for recreation, camping, or travel and accessory uses supporting such activities. A recreational vehicle shall be construed within this ordinance as any vehicle or temporary dwelling mobile unit whether motorized or not used for occupancy during its stay in the park.

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The intent of these requirements is to also provide an assured compatibility with surrounding land uses, and to avoid health and safety hazards.

2. LOCATIONAL STANDARDS:

- a. Campgrounds shall not be located adjacent to developed or developing residential areas in such a way that the traffic or noise generated by campgrounds would interfere with the surrounding neighborhoods.
- b. The design of campground ingress/egress points and the internal road circulation system shall be regulated so as to be compatible with the surrounding road system as well as safe and convenient for vehicular traffic and emergency traffic at all times.
- c. The location of RV Campgrounds shall be located in areas where fragile environmental areas such as wetlands and wildlife domains will not be adversely effected. Also campgrounds shall not be located near

hazardous areas where rapid flooding or ground subsidence occur.

3. PERMITTED USES:

- a. Recreational Vehicles
- b. Offices (for the conducting of campground business)
- c. Boathouse
- d. Public Restrooms
- e. Laundry Room (to serve only those utilizing the Campground facilities)
- f. Convenience Store no larger than 1500 sq. ft. and providing a limited range of groceries, toiletries, souvenirs, and recreational equipment.
- g. Recreational facilities such as but not limited to swimming pools, tennis courts, golf courses, trails and bike paths.
- h. Tents for camping purposes.

4. PROHIBITED USES

- a. The occupancy of a Recreational Vehicle for a period exceeding 3 months in any 12 month period shall be deemed permanent occupancy and is prohibited.
- b. Any uses which are not specifically, provisionally or by reasonable implication permitted herein.

5. HEIGHT REGULATION:

No building or structures shall exceed 35 feet in height above natural grade.

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6. AREA REQUIREMENTS:

- a. Campsite area: Each RV Campsite and incidental site shall be at least 1200 sq.ft. in size with minimum dimensions of 30' X 40'. No campsite or structure shall be located closer than 150 feet from any adjacent residences.
- b. FRONT YARD: All structures shall setback a distance of at least 15 feet from any roadway or front campsite line.
- c. SIDE YARD: All structures shall setback a distance of at least 10 feet from one another. RV's shall not be closer than five (5) to a side campsite line.
- d. REAR YARD: All structures shall setback a distance of at least 10 feet or 20% of the depth of the sit, whichever is the less restrictive.

7. PARKING:

Each campsite shall have at least one 10' :: 19' off-street parking stall composed of shell, gravel or other suitable paving material. All other uses that are permitted in RV Park shall meet the Off-Street Parking Rules as set forth in Section *****

8. DEVELOPMENT STANDARDS:

- a. Soil and Ground Cover: Exposed ground surface in all parts of the recreational vehicle park shall be paved, or protected with a vegetative growth than is capable of preventing soil erosion and objectionable dust.
- b. Drainage Requirements: Surface drainage plans for the entire park shall be submitted and reviewed by the municipality which shall determine if the plan is compatible with the existing drainage pattern of the area.
- c. Park Size and Density: Each RV Park shall be at least five (5) acres in size with a density no greater than fifteen (15) campsites per acre.
- d. Roadways: All internal roadways shall be paved with concrete or asphalt materials in accordance with Parish construction standards if the park density exceeds 8 campsite per acre. In all other cases shell or gravel type materials may be used. All roadways shall be at least 20 feet in width for two way and 12 feet for one-way traffic. All internal roads shall be privately maintain by the developer unless otherwise specified by the Board of Aldermen at the time of Subdivision review.

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- e. Open Space and Recreational Area: At least 40 % of the park's total land area shall remain as open space and /or recreational use.
- f. Buffering and Landscaping: A minimum buffer area of 30 feet shall be imposed around the perimeter of the RV Park and shall be landscaped in such a fashion as to achieve a 70% visual screen of living plant material at time of planting. Also, at least 50% of all the trees within the perimeter of the RV Park shall remain intact.
- g. Water System: All RV Parks shall have a portable water supply. A water station for filling RV water storage tanks shall be provided at a rate of one station per every 100 campsites.

- h. Sewerage Disposal: Where a public sewer system is available within 300 feet, the RV Park shall be required to tie in to the system. If a public sewer system is not available, a private sewerage collection and disposal facility shall be installed which meets the requirements of the Louisiana Department of Public Health and Welfare.
- i. Sanitary Facilities: Central toilet and lavatory facilities shall be provided for every 10 campsites. A central bathhouse shall also be provided containing at least one shower receptacles for every 15 campsites.
- j. Maintenance Requirements:
 - a. Storage of Vehicles is prohibited
 - b. No pets shall be allowed to roam free within the RV Park. Pets shall be confined in a fenced yard or on a leash.
 - c. Large trash receptacles shall be screened by a six (6) foot sight obscuring fence. Small trash receptacles shall be aesthetically decorated and blend in with the environment of the RV Park.
- k. Utilities: Electrical and/or gas utilities shall be provided for each RV Park. However, individual hookups are not required for all RV Campsites.
- l. Lighting: RV Parks shall be lighted during the hours of darkness in a way as to ensure the safety of the occupants. Such lighting shall be the responsibility of the developer of the RV Park.

Site Plan Approval: All Recreational Vehicle Parks must apply for rezoning as well as comply with the procedures established by the Village of Folsom for development of land. All applicants filing for zoning of a Recreational Vehicle Park must submit a site development plan to the Village of Folsom consisting of the following information:

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- a. The title of the project and the names of the project planner and the developer.
- b. Scale, date, north arrow, and general location map which indicates existing land use within 500 feet of all the proposed RV Park.
- c. Boundaries of the property involved; all existing streets, buildings, water courses, easements, section lines, and other existing streets, buildings, water courses, easements, section lines, and other existing important physical features in and adjoining the property.
- d. Master plan locations and the acreages of each

component thereof of the different uses proposed (e.g. open space designation; campsites, recreational facilities, other uses incidental to the RV Park) .

- e. Master Plan showing access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic.
- f. Tabulations of total gross acreage in the development, and the percentage thereof proposed to be devoted to each use.

In addition, the Zoning Commission or Board of Alderman may require additional material such as plans, maps, studies, and reports which may be needed in order to make the necessary findings and determinations that the applicable standards and guidelines have been complied with.

Zoning Commission Findings and Recommendations: After a public hearing, the Zoning Commission may recommend approval subject to any stipulations made regarding the companion site development plan.

Fire Marshall Approval: A certificate attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the state fire code must be provided to the Village Clerk prior to the issuance of a building permit.

Application Fee: Applications with required supporting data should be filed with Village of Folsom. The filing fee shall be as follows:

- one hundred and fifty dollars (\$150.00)
- initial fee Fifty dollars (\$50.00) per acre up to a maximum of fifteen hundred dollars (\$1500.00)
- Fifty dollars (\$50.00) shall accompany the application to cover final advertising cost and can be refunded for failure of such zoning application to be adopted.

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F. Mobile Homes

- 1. Mobile Homes used as residences or commercial.
 - a. In all districts, mobile homes used as residences or commercial structures shall comply with the following requirements:
 - 1. Each mobile home shall be provided with anchors tie-downs. Examples include cast-in place concrete slabs, screw augers, arrowhead anchors, or other devices to be used to stabilize the mobile home.

2. All mobile homes shall be skirted or placed on a foundation that forms a complete enclosure under exterior walls. Material used for skirting shall be standard building materials such as brick, concrete block, wood lattice work, etc. (used tin, tires, etc. are not suitable skirting material).
3. All mobile homes shall be certified as meeting the current Department of Housing and Urban Development's 1994 or later "Mobile Home Construction Safety Standards" and *must be certified as being built after 1994.*

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Section 18.30 Off Street Parking, and Loading Regulations

Section 18.300 General Requirements

A.

Off-street parking and loading facilities required by these regulations for residential uses shall be provided on the same lot premises with such structure or land use, except that off-street parking and loading spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots; provided said lots are owned in common, or are subject to recorded covenants easements for parking.

or

B. For non-residential uses, all parking spaces required in this ordinance shall be located on the same lot with the building or use served or within 300 feet of the main building, provided the zoning classification of such land is the same as, or less restrictive than, the classification of the lot upon which the main use is located. In any case, where the required parking is not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the title of the property to be designated as required parking space. Such encumbrance is to be valid for the total period the use or uses for which the parking is needed exists. Such agreement or covenant shall be duly recorded in the office of the Clerk of court and certificate furnished to the

Mayor.

- C. When the intensity of use of any building, structure or premises shall be increased through additional dwelling units, gross floor area, seating capacity or other units of measurements specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.
- D. Whenever the existing use of building or structure which has been provided with the required number of off-street parking and loading spaces shall hereafter be changed to a new use, parking or loading facilities shall be required as provided for such use. However, if the building or structure was erected prior to the effective date of this ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements of the new use would exceed those for the existing use of the latter were subject to the parking and loading provisions of this ordinance.
- E. The arrangement, character, extent, width, grade and location of all parking areas shall be considered in relation to existing and planned streets, to reasonable circulation for traffic within and adjacent to parking areas, to topographical conditions, to runoff of storm water, public convenience and safety and in their appropriate relations to the proposed uses to be served.

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All traffic intersections and confluences must encourage safe and efficient traffic flow. In order to meet these requirements, the Zoning Commission may, upon recommendation of the Permit Inspector, vary the strict interpretation of the parking area standards contained herein.

- F. In no case shall dedicated public rights-of-way be used to provide facilities required by these regulations.
- G. At least one handicapped parking stall shall be provided in all off-street parking areas larger than 15 spaces. Additional handicapped parking shall be provided at the rate of one handicapped stall per 100 standard stalls. Handicapped parking stalls shall be at least twelve (12) by twenty (20) feet for ninety (90) degree parking and shall be proportionally larger at other angles. All stalls shall be appropriately marked and signed, be located in close proximity to the principal building and shall offer barrier free access to the principal building. The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement of the restriction of such spaces to handicapped motorists by the Parish.
- H. When determination of the number of off-street parking spaces required by this ordinance results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be

counted as one parking space.

- I. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces provided collectively is not less than the sum of the separate requirements for each such use and provided that all regulations governing location of accessory parking spaces in relation to the use served are adhered to.
- J. The uses of any required parking space for storage of any motor vehicle for sale, or for any other purpose other than the parking of motor vehicles, is prohibited.

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Section 18.301 Design Standards

- A. The following minimum design standards shall be observed in laying out off-street parking facilities:

a	b	c	d	e	f	g
PARKING ANGLE	STALL WIDTH	STALL TO CURB	ISLE WIDTH	STALL LENG	CURB TO CURB	OVERLAP CURB TO CURB
0-15	9 feet	9 ft.	12 ft	2 FT	30'/38'6"	0'/30'0"
16-37	9 feet	16'9"	11 ft	1 ft	44'6"	36'8"
38-57	9 feet	19'7"	13 ft	1 ft	52'2"	46'4"
58-74	9 feet	20'0"	18 ft	1 ft	58'	55'0"
75-90	9 feet	18'0"	22 ft	1 ft	58'	58'0"

- B. Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion-resistant material in accordance with applicable Municipal specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.
- C. Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence or curbing or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.
- D. Location and design of entrances and exits shall be in accord with the requirements of applicable municipal traffic regulations and standards. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

- E. Interior drives shall be of adequate width to serve :. design arrangement of parking spaces.
particular
- F. Parking spaces in lots of more than 10 spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.
- G. Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or use of fixtures designed to eliminate direct view of luminaries in fixtures from residential property.
- H. When surface off-street parking areas for ten (10) or more automobiles are located closer than fifty (50) feet to a lot in a residential district, or to any lot upon which there is a dwelling as a permitted use under these regulations, and where such parking areas are not entirely screened visually from such

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lot by an intervening building or structure, there shall be provided along the lot line a continuous visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge of foliage screening or a louvered wall or fence.

Section 18.302 Minimum Parking Requirements

<u>USE</u>	<u>Spaces Required</u>
a. Single and two family dwellings	2 per dwelling unit
b. Rooming house, fraternities, sororities, dormitories, convalescent homes	1 per bedroom (living unit)
c. Hotels	1.2 per room in addition to spaces required for restaurant facilities
d. Apartments, condominiums, townhouses	2 per dwelling unit
e. Mobile home subdivisions and parks	2 per mobile home unit
f. Churches, theaters, facilities for spectator sports, auditoriums, concert halls	1 times the seating capacity
g. Golf course	7 per hole
h. Barber shops and beauty shops	2 plus 1.5 per chair

i. Bowling alleys		5 per lane in addition to spaces required for restaurant facilities
j. Fast food take-out establishments		1 times the seating capacity and 2 per every 3 employees on duty
k. Schools - elementary secondary university and college		2 1/2 per classroom 15 per classroom 1 per 10 classroom seats
l. Restaurants (except drive-ins)		1.2 per 100 square feet of floor area
m. Furniture, appliance, household equipment, carpet and hardware stores, repair shops including shoe repair, contractor's showrooms, museums and galleries		1 per 800 square feet of floor area
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n. Funeral parlors		1 per 50 square feet of floor area
o. Gas stations		1 per pump plus 2 per lift (in addition to stopping places adjacent to pumps)
p. Laundromats		.5 per machine
q. Doctors' and dentists' Offices		1 per 200 square feet
r. Banks		1 per 200 square feet
s. Warehouses		1 per 500 square feet of floor area
t. Day Care Center		2 per every 3 employees on duty (additional parking access requirements for the transference of children will be determined by the Building Inspector)

For uses not specifically listed above, the requirements listed below are applicable:

u. Retail stores and service	1 per 200 square feet
v. Offices, general, or mixed commercial	1 per 200 square feet

w. Industrial uses

Upon *approval of Building official based upon site plan review.*

Section 18.303 Minimum Off-Street Loading Requirements

A. Every hospital, institution, hotel, commercial or industrial building or use having a gross floor area in excess of seventy-five hundred (7,500) square feet of space and requiring the receipt of distribution by vehicles of material and merchandise shall have at least one permanently maintained off-street loading space for each seventy-five (7,500) square feet of gross floor area or fraction thereof and so located as not to hinder the free movement of pedestrians and vehicles over sidewalks, streets, and alleys.

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B. Retail operations, wholesale operations and industrial operations with a gross floor area of less than seventy-five hundred (7,500) square feet shall provide sufficient off-street loading space (not necessarily full berth if shared by an adjacent establishment) so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street, or alley.

C. Each required off-street loading and/or unloading space shall be designed with direct access via an approved access drive, to a deeded right-of-way which offers satisfactory ingress and egress for trucks. Access drives or aisles shall be laid out with a width of at least twelve (12) feet for one-way circulation and at least twenty four (24) feet for two-way circulation.

Off-street loading and/or unloading space shall be so designed and constructed so that all maneuvering for loading and /or unloading can take place entirely within the property lines of the premises. Such off-street loading and/or unloading space shall be so located as not to hinder the free movement of pedestrians and vehicles over sidewalk, street, road, highway or deeded right-of-way.

D. The off-street loading and/or unloading requirements, as listed in this ordinance, shall apply at any time any building is enlarged or increases in capacity by adding floor area.

E. Design and Maintenance

1. Lighting - Any lighting used to illuminate off-street loading and/or unloading areas shall be directed away from property in any residential district as well as public roads in such a way as not to create a nuisance.

2. Spaces Allocated to Any Off-Street Loading and/or Unloading Spaces - These spaces shall not be used to satisfy the space requirements for any off-street parking facilities or portion thereof.

Section 18.304 Reduction of Required Spaces

- A. Joint use up to fifty (50) percent of required parking spaces may be permitted for two or more uses provided that:
 - A. The applicant for development approval can demonstrate that the uses will not substantially overlap in hours of operation;

or;
 - B. The proposed development is a bank, office, retail sales establishment, or manufacturing company and the applicant intends to share parking facilities with a church, theater or restaurant.

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- B. Joint use of up to one hundred (100) percent of the required parking spaces may be permitted for churches or schools if the parking will be provided off-site, the total amount of required parking, provided in conjunction with a bank, office, retail sales establishment or manufacturing company.
- C. If an applicant for development approval can demonstrate that employee parking facilities will be provided off-site, the total amount of required parking, provided on site or within five hundred (500) feet of the site, may be reduced up to fifteen (15) percent.
- D. Compact car stalls will be allowed only for hotels and office parking. The maximum number of compact car stalls allowed is as follows:

Number of Parking Spaces Provided for the Use	Percentage Compact Spaces Allowed
0-99	0%
100-199	20%
200-299	20%
300-399	20%
400-499	25%

Section 18.31 Supplementary District Regulations

- 18.310 Sight Distance Lines at Intersections - The following statements are definitions of the sight distance area.
- A. Sight triangle at intersections of two public streets - On any corner lot, a triangle formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 25 feet along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections.
 - B. Sight triangle at the intersection of a public street and a private accessway - Except for single-family residential accessways, the sight triangle shall have sides of fifteen (15) feet along the accessway and twenty-five (25) feet along the public street.
 - C. Sight Obstructions - No parking, wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within the sight distance area so as not to impede vision between a height of two and one half (2 1/2) feet and ten (10) feet above the center line grades of the intersecting streets and/or drives.
 - D. Landscape Materials - No plant materials except grass or ground cover shall not be located closer than three (3) feet from the edge of any accessway pavement.
- 18.311 Fences, Walls and Hedges - Notwithstanding other provisions of this ordinance, fences, walls and hedges may be permitted in any required yard, or along the edge of any yard provided that no fence, wall or edge along the sides or front edge of any front yard shall be over two and one half (2 1/2) feet in height; unless landscaped plans are filed for permission granted by the Board of Adjustment when in their opinion the neighborhood will be improved by such exception.
- 18.312 Signs in the Public Rights-of-Way and Flashing Signs
(See Village Sign Ordinance)
- A. In all zoning districts, private signs are prohibited within the public right-of-way of any street or basement.
 - B. No revolving or rotating beam, beacon of light, or internally illuminated sign which flashes, blinks, or changes in color or intensity shall be used upon the public right-of-way or upon private property so that it
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is visible from the public right-of-way (with the exception of traffic control lights and those lights temporarily set in place as emergency warning lights).

- C. No exposed reflective-type bulbs and no strobe lights, fluorescent, or incandescent lights exceeding fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property. Rotating signs which do flash the time, and temperature, and other as prohibited by this ordinance.

The Village of Folsom is hereby authorized to enforce all provisions of this ordinance, which shall include the authority to remove or disconnect from electrical power all said violating signs as provided for in this ordinance.

All signs being placed upon the public right-of-way in violation of this ordinance may be confiscated as a danger to the health and safety of the public after notice herein provided for.

18.313 Land Rehabilitation

In all districts where temporary and/or commercial extraction of dirt, soil, clay, sand, gravel or earth may take place according to this ordinance, all excavations must either be made to a water producing depth, or graded, or backfilled. Excavation made to a water producing depth must have a depth of not less than six (6) inches.

Backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible soils; the graded or backfilled area shall not collect and permit stagnant water to remain thereon; the peaks and depressions of the area shall be reduced to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding in order to minimize erosion due to rainfall; such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land area immediately surrounding

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and to a depth of not less than the depth of the topsoil on surrounding land; such topsoil shall be planted with trees, legumes, or grasses, upon the parts of such area where revegetation is possible.

18.314 Yards and Open Space Generally

1. Every part of a required yard area shall be open to the sky except as follows:
 - a. Where accessory buildings are specifically permitted in a rear or side yard under these regulations.
 - b. A roof, gutter, eave, fixed awning, marquee, or canopy

attached to a building but having no other support, may project no more than five (5) feet into a required front, side or rear yard, if a minimum distance of two (2) feet remains open to the sky between the farthest projection and the lot lines.

- c. Notwithstanding the foregoing, a canopy or marquee shall be permitted to extend from the entrance door of any church, school, college, hospital, sanitarium, public building, or educational, religious, or philanthropic institution in any district, or from the entrance door of any main building in multiple-family residential, commercial, or industrial district. Where a sidewalk and curb exist, the canopy or marquee may extend to within eighteen (18) inches of the curb line. Such canopies or marquees shall not exceed fifteen (15) feet in width or twelve (12) feet in height or be screened or enclosed in any manner and shall provide an unobstructed, clear space between the grade and the bottom of the valance of at least seven (7) feet.
 - d. Movable awnings may be placed over doors or windows in any required yard, but such awnings shall not project closer than two (2) feet to any lot line or be vertically supported.
2. Where these regulations refer to side streets for corner lots, the side street will normally be the street along which the corner lot has its largest dimensions, but the Director of Development may be guided by the pattern of development in the vicinity of the lot in question in determining which of the two streets is the side street.
3. More than one main building may be located upon a zoning lot or tract in the following instances:
- a. Institutional buildings.
 - b. Public or semi-public buildings.

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- c. Multiple-family dwellings.
- d. Commercial or industrial buildings.
- e. Homes for the aged, nursing homes, convalescent homes, and orphans homes.
- f. Rural Districts

The provisions of this exception shall not be construed to allow the location or erection of any main building or portion of a main building outside of the buildable area of lot except as

otherwise provided.

4. In the event that a lot is to be occupied by a group of two or more related buildings to be used for residential purposes, there may be more than one main building on the lot when such buildings are arranged around a court; provided, that said court between buildings that are parallel or within forty-five (45) degrees of being parallels, shall have a minimum width of thirty (30) feet for 8 one-story buildings, forty (40) feet for two-story buildings, and fifty (50) feet for buildings of three (3) stories or more, and in no case, may such buildings be closer to each other than fifteen (15) feet.
5. Where a court is more than fifty (50) percent surrounded by a building, the minimum width of the court shall be at least fifteen (15) feet for one-story buildings, forty (40) feet for two-story buildings, and fifty (50) feet for three story buildings. The width of such a court shall be increased by three (3) feet for each additional story over three (3) stories or each ten (10) feet of height over thirty-five (35) feet, whichever requires the greater width of court.

18.315 Front Yards

1. Where a right-of-way has been established by the municipality for the future widening or opening of a street upon which a lot abuts, then the depth of a front or side yard shall be measured from such official line to the building line.
2. Except as otherwise provided in these regulations, on through lots, the required front yard shall be provided on each street.
3. Where a lot is located at the intersection of two (2) or more streets, there shall be a yard of ten (10) feet on the side street, provided however, that said front yard on the side street need not exceed the average front yard established by other buildings in the block which front on the side street.

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4. Open, unenclosed porches, raised platforms or raised paved terraces not covered by a roof or canopy, and which do not extend above the level of the first floor of a building, or a maximum of five (5) feet above grade, may extend or project into the front or side yard not more than six (6) feet.

18.316 Side Yards

1. For the purpose of the side-yard and lot frontage

regulations, a two-family, three-family, or four-family dwelling, a group of town houses, a multiple-family dwelling, electric substation, telephone exchanges, or telephone repeater structures for public utility purposes shall be considered as one building occupying one lot.

2. A carport, attached to or detached from the main building, may be constructed in a required side yard and may be attached to an enclosed accessory building provided that no wall of such accessory building is less than forty (40) feet from the front lot line nor less than three (3) feet from the side lot line; that every part of the projection of such carport is at least two (2) feet from the side lot line; that the combined length of such carport and accessory building does not exceed forty (40) feet; and that the height of such carport or accessory building does not exceed thirteen (13) feet. A carport attached to the main building shall be unenclosed on the street side and on the side nearest the side lot line; a carport detached from the main building shall be unenclosed on the street side and on both sides approximately paralleling the side lot line.
3. Where a side yard(s) is not required, but is provided, such yard(s) shall not be less than three (3) feet in width paralleling the side lot line.

18.317 Rear Yards

1. Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard are permitted for a distance not more than five (5) feet
2. Where a rear yard(s) is not required, but is provided, such yard(s) shall not be less than three (3) feet in width paralleling the rear lot line.

18.318 Accessory Buildings and Structures

1. Except as hereinafter provided (for a corner lot see paragraph 3 of this section), any accessory building may be built in a required side yard, providing such accessory building is not less than forty (40) feet from the front lot line nor closer than three (3) feet from the nearest

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interior side lot line. On through lots, an accessory building may be built in a required side yard if no part of such accessory building is less than three (3) feet from the nearest interior side lot line and no portion of such building is located in either required front yard.

2. Accessory buildings may be built in required rear yards, but such accessory buildings shall not occupy more than forty

(40) percent of the required rear yard, provided in any case where accessory buildings are not built on the side or rear lot line.

3. On corner lots where a side yard or a front yard on a side street is required there shall be a minimum distance between any accessory building and the side street. Where a lot adjoining the rear of a corner lot fronts on the side street, no part of any accessory building on the corner lot within fifteen (15) feet of the common lot line shall project beyond the prolongation of the front yard line of the lot in the rear, provided, however, that this limitation shall not reduce the length of the buildable area of the accessory building to less than twenty (20) feet.
4. Except as otherwise provided in this ordinance, accessory buildings or structures permitted in a required rear or side yard by this ordinance shall not exceed fourteen (14) feet in height.
5. Accessory buildings may project from the required rear yard into a required side yard on or approximately parallel to an interior side lot line, provided no portion of the accessory building is located more than twenty-five (25) feet from the rear property line.
6. The combined gross area of all accessory buildings or portions thereof located in required side and rear yards shall not exceed forty (40) percent of the required rear yard area, nor shall more than one accessory building cover any part of a required side yard.
7. Filling station pumps and pump islands, without canopies or with canopies attached to a main building, may occupy the required yards; provided, however, that pumps, pump islands, and canopies are not less than fifteen (15) feet from street lines.
8. Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard provided the water's edge is not located closer than four (4) feet to a rear or interior side lot line. Adequate hand holding provisions shall be made for pool entry and exit. Every swimming pool shall be protected by a safety fence or barrier. A walk space at least three (3) feet in width shall be provided on two sides or 50% of the exterior of the pool, whichever is greater, between the pool walls and protective fences or barrier walls.

18.80 A

9. Permitted accessory storage of a boat or boat trailer shall not be conducted in a required front yard.
10. Power plants, heating or refrigerating plants or apparatus or machinery not a part of the main building and when accessory to permitted uses shall be permitted in the

buildable area or required side or rear yards only when so placed and operated as to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing Parish Ordinances and do not cause serious annoyance or injury to occupants of adjoining premise by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light, glare, or other nuisances.

18.81 A

Section 18.32 Modifications and Exceptions

18.320 Lot of Record

The minimum lot size requirement, notwithstanding, a single-family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a residential or commercial district which because legally established and defined by deed or act of sale; provided that the minimum area setback requirements for the district in which it is located are maintained.

18.321 Exceptions to Height Requirements

A. There shall be no restrictions on the height of the following buildings:

1. Churches
2. Schools
3. Hospitals
4. Public Service buildings
5. Institutions
6. Barns, silos and other farm structures when located on farms.
7. Bellfries, cupoles, domes, flagpoles, and monuments.
8. Water towers, windmills.
9. Chimneys and smoke stacks
10. Fire towers
11. Oil derricks
12. Water tanks; cooling towers

18.322 Carport

A carport attached to or detached from the main building may be constructed in a required side yard and may be attached to an enclosed accessory building provided that no walls of such accessory building is less than sixty (60) feet from the front lot line nor less than three (3) feet from the side lot line. Every

part of the projection of such carport shall be at least two (2) feet from the side lot lines; that combined length of such carport and accessory building does not exceed thirty (30) feet and that the height of such carport or accessory building does not exceed thirteen (13) feet. A carport attached to the main building may be enclosed on the rear side and on the side nearest the side lot line.

Section 18.33 Area

18.330 Yard Regulations - Where the yard regulations cannot be reasonably complied with or their application determined on lots of peculiar shape, location, or topography, such regulations may be modified by the Board of Adjustments.

18.82 A

18.331 Projections in Yard - Cornices, eaves, belt courses, chimney or other similar architectural features may extend or project into a required side yard. Unroofed platforms, landings, steps or balconies may extend or project into a required side yard, as may landscape features such as arbors, pergolas, etc.

18.83 A

SECTION 18.34 ADMINISTRATION AND ENFORCEMENT

An administrative official or officials designated by the Municipality shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Municipality may direct. If the administrative official or officials shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the persons responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures, or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

18.340 INTENT

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the administrative officials and that such questions shall be presented to the Board of Adjustment only on appeal from the

decision of the administrative officials, and that recourse from the decision of the Board of Adjustments shall be to the courts as provided for such matters in appropriate legislature of the State of Louisiana.

18.341 ENFORCING OFFICER AND BUILDING PERMIT DISTRICTS

The Village of Folsom Zoning Commission is hereby authorized to administer and enforce this ordinance. The Mayor of the Village of Folsom shall be the Chief Administrative Official responsible to the Zoning Commission and the Board of Aldermen and charged with the interpretation and administration of this Ordinance. The Mayor may designate staff members to assist in the administration and interpretation of this ordinance. The Mayor and his designated staff, shall be the administrative officials responsible to the Board of Aldermen and charged with the responsibility of enforcement.

Section 18.35 PERMITS AND CERTIFICATIONS

18.350 BUILDING PERMITS REQUIRED

No building, new or renovated, or mobile home building, or other structure can be occupied until a building permit and an occupancy permit is obtained from the Village.

18.84 A

18.351 **APPLICATIONS FOR BUILDING PERMITS**

All requests for building permits shall be submitted upon the Building Permit Application Form to the Village of Folsom; information which may be required prior to the processing of a building permit request shall include but may not be limited to the following information.

1. Bona fide survey plat of the property completed by a certified Land Surveyor registered in the State of Louisiana
2. Legal Description of property (i.e., as recorded on the deed, tax receipt, or other acceptable document.)
3. Five (5) copies of a plat plan drawn to a reasonable scale with all dimensions legible and plat size not less than 8 1/12" X 11" and not greater than 24" X 36".
 - a. The actual dimensions of the lot to be constructed upon or improved, and deed of ownership.
 - b. The exact size and location of existing structures, roads, and significant land features on the property inclusive of the land usage presently recorded for all

adjacent properties. In addition, the proposed construction or improvement must be clearly illustrated - indicating the setback line of the construction or improvement of all existing structures and roads, and the location of new or proposed water wells, septic tank systems and other utility facilities contemplated or required for this permit.

- c. The exact usage of the property for which the permit is being applied; specifically, the size, number of units, type (i.e., rental or sale) and intensity (single family, light commercial, heavy industrial and so on) of the development which is to be placed upon this property.
4. Certificate attesting to the Board of Health's approval of the water and sewerage disposal plans for all construction, improvements and/or existing uses of land as depicted upon the plot plan submitted. Also Fire Marshall approval where applicable.
5. All fees required by this and/or other applicable Municipal Ordinances or administrative regulations.

18.85 A

6. A plot drainage plan shall be provided as a part of the application, otherwise the building permit cannot be considered for issuance.
7. Applications for Mobile Homes to be located in a Mobile Home Park that has been approved and licensed by the Municipality will only require the basic inspection processing fee and Certificate of Occupancy.

18.352 **Certificates of Occupancy for New, Altered or Non-Conforming Uses**

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure in any district until a Certificate of Occupancy shall have been issued therefor by the Village of Folsom.

Application for a Certificate of Occupancy with the Village of Folsom shall include the following:

1. Name and address of Applicant
2. Description and location of structure proposed for occupancy
3. Purpose of proposed occupancy (residential, commercial,

industrial, ect.)

4. Final inspection report from the Building Inspector

5. Final inspection report from St. Tammany Health Unit
sewerage disposal and water supply

6. Payment of required fees

7. Compliance with Minimum Landscape Requirements

The Village of Folsom shall *maintain* a record of all Certificates of occupancy included in the building permit file and copies shall be furnished upon written request to any person or agency.

Failure to obtain a Certificate of Occupancy shall be a violation of this ordinance and punishable under Section 18.36 - Violations

18.353 **EXPIRATION OF BUILDING PERMITS**

If the work described in any building permit or conditional use permit has not begun within one hundred eighty (180) days from the date of issuance thereof, said permit shall expire and be canceled shall be Aldermen on a one petitioner must apply for the proposed extension at least ten (10) days prior to expiration of the building permit or conditional use permit.

by the village of Folsom and written notice thereof given to the person effected. However, the Board of can extend a building permit or conditional use permit time basis for a period of up to one (1) year. The petitioner must apply for the proposed extension at least ten (10) days prior to expiration of the building permit or conditional use permit.

18.86 A

18.354 **ADVERTISEMENT OF BUILDING PERMITS**

Notice of the proposed construction requiring a hearing before the Zoning Commission shall be duly advertised in the recognized official journal at least once, ten (10) days prior to such hearing.

18.355

ELECTRICAL CONNECTION PERMIT

An Electrical Connection Permit issued by the Village of Folsom shall be required prior to the connection of temporary or permanent electrical service to any parcel of land, lot, or structure. The requirements for the Electrical Connection Permit shall be as follows:

1. Temporary Electrical Services
 - a. Applicant's Name
 - b. Service location
 - c. Use
 - d. Zoning
 - e. Building permit application
 - f. Application from ST. Tammany Parish Health Unit on sewerage disposal and water supply
 - g. Payment of required fees

2. Permanent Electrical Services

- a. Applicant's Name
- b. Service location
- c. Use
- d. Zoning
- e. Completed Certificate of Occupancy
- f. Certificate of Elevation, if required
- g. Payment of required fees

Section **18.36** **VIOLATIONS**

18.360

COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof, shall be filed with the administrative official. He shall record properly such complaint, immediately investigate and take action thereon as provided by this ordinance.

18.87 A

18.361 **PENALTIES FOR VIOLATION**

Violations of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor and upon conviction thereof, the violator(s) shall be fined not less than one hundred (\$100.00) dollars nor more than three hundred (\$300.00) dollars or imprisoned for not more than thirty (30) days, or both, and in addition thereto shall pay all costs and expenses involved in the case; however, the maximum of aggregated fines are not to exceed one thousand (\$1,000.00) dollars. Each day such violation continues shall be considered as a separate offense all in accordance with the Code of Ordinances of the Village of Folsom, Louisiana.

The owner or tenant of any building, structure, premises, or thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the Municipality from taking such other lawful actions as is necessary to prevent or remedy any violation.

18.362 **"After the Fact" Building Permits**

Notwithstanding any provisions of Section 18.35 of this ordinance, as a remedy for failure on the part of any owner,

lessor, or tenant, having an interest, expressed or unexpressed in a development of land, to obtain a building permit prior to the commencement of the erection, placement or construction of any structure in an area of the Municipality the following provisions shall be followed:

- A. Immediately upon obtaining knowledge of such violation, the building inspector for the Village of Folsom shall affix in a prominent place on the premises a yellow citation briefly stating the building permit requirements of the Village of Folsom and ordering the owner, lessor or tenant to immediately cease all construction on said premises until a fully issued building permit has been obtained from the Village of Folsom.
- B. Said citation shall also contain a statement that the Building Inspector shall not accept any application for a late permit without charging a mandatory fifty (\$50.00) dollars per day late penalty for each day following the citation of said violation; however the maximum of aggregate late penalties shall not exceed two-thousand (\$2,000.00) dollars. Should such violation continue, it will be considered as a separate offense. Said penalty shall be non-waivable by the Folsom Board of Aldermen.

18.88 A

- C. Said citation shall be executed in triplicate with the original copy being affixed to the premises, duplicate copy being retained in the permanent record of the Building Inspector, and the triplicate copy being forwarded within ten (10) days of the issuance to the St. Tammany Parish District Attorney's Office.
- D. Nothing herein shall interfere with the ability of the St. Tammany Parish District Attorney's Office to obtain an injunction at any time in order to prevent further construction on the premises and/or proceed in a civil action to collect any late penalties.
- E. If, after the end of a ninety (90) day period from when the building inspector initially obtained knowledge that a building permit has not been obtained by the violator, the penalty provisions as stated in Section B shall be reinstated.

Furthermore, at the end of each ninety (90) day period thereafter, the penalty provisions in Section B shall automatically be reinstated until a building permit has been obtained.

The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may

each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the parish from taking such other lawful actions as is necessary to prevent or remedy any violation.

18.89 A

Part 18.37 - BOARD OF ADJUSTMENTS

SECTION 18.370 CREATION OF BOARD

There is herewith created and established a Board of Adjustment for the Village of Folsom, Louisiana pursuant to the authority granted in Louisiana Revised Statutes NO.33, et sec.

The Board of Adjustment shall consist of five (5) members who shall be Village residents and qualified voters. The membership of the first board shall serve respectively, one for one year, one for two years, one for three years, and one for four years, and one for five years. Thereafter, members shall be appointed for terms of five years each. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

All appointments shall be made by Resolution of the Board of Aldermen.

All members shall be removable for cause by the appointment authority upon written charges and after public hearings; provided however that any member who shall be absent for three (3) consecutive meetings, regardless of cause, shall be deemed to have removed himself or herself from membership on the Board and that appointment shall be automatically vacated as a result of such non-attendance.

The Board shall elect its own Chairman from its membership. The Chairman shall serve for one year.

The Board shall adopt rules in accordance with provisions of any ordinance adopted pursuant to this act.

Meetings of the Board shall be held at the call of the Chairman and at such other times as the board may determine. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel

the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Board and shall be public record. All testimony, objections thereto and rulings thereon, shall be taken down by a reporter employed by the Board for the purpose. Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of the Municipality affected by any decision of the Permit officer of the Municipality.

Such appeal shall be taken within a reasonable time as provided by the rules of the board, by filing with the Clerk of the Municipality from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Clerk shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from unless the village Clerk from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril of life or property.

18.90 A

In such case, the proceeding shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the Officer from whom the appeal is taken and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the interested parties, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

SECTION 18.371 POWERS OF THE BOARD

A. The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Permit Officer in the enforcement of the enabling legislation by the Louisiana or of any ordinance adopted pursuant thereto.
2. To hear and decide all matters referred to it or upon which it is required to pass under such ordinance.
3. In passing upon appeals, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

In exercising the above mentioned powers such Board may, in conformity with the provisions of this act, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Department from whom the appeal is taken.

- B. The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.
- C. The Board shall have the power and authority to appoint a secretary who shall not necessarily be a member of the Board, in which event the salary of such secretary shall be fixed by the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings at such meetings, both general and special of said Board, in a book or books, to be kept specifically for that purpose.

18.91 A

Such minutes shall be furnished to the chairman of the Planning Commission.

SECTION 18.38 FEES

A fee shall be paid to the Village Clerk at the time the notice of appeal is filed which shall be credited to the general revenue of the Municipality. The fee shall be \$25.00 per application.

SECTION 18.39 APPEALS FROM THE BOARD OF ADJUSTMENT

Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any officer, department, board or bureau of the said Municipality may present to the district court of the Parish a petition duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board. Upon the presentation of such petition, the court may allow a writ of certio rati directed to the Board of Adjustment to review such decision of the Board of Adjustment and shall prescribe therein the time within which a return less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may, on application or notice to the Board and due cause shown, grant a restraining order. The Board of Adjustment shall not be required to return certified or sworn copies thereof or such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the mater, it may take additional evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusion of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. Costs shall not

be allowed against the Board unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

18.92 A

SECTION 18.40 - AMENDMENTS, INCLUDING REZONINGS

- 18.400 Amendments, supplements or changes of the Land Use Ordinance or District Map
- 18.401 No amendment, supplement or change of the Land Use Ordinance shall become effective unless and until there shall have been held a public hearing in relations thereto before the zoning Commission at which parties in interest and citizens shall have had an opportunity to be fully heard.
- 18.402 Notice of such public hearings by the *Zoning Commission* shall give the time and place of hearing and shall be published once a week in three different weeks in the official journal of the Village, if such Journal is a weekly newspaper. *The Zoning Commission agenda will also be posted in a public location at the Town Hall at least 2 working days before the meeting date.* At least 15 days shall elapse between the first publication and the date of the public hearing. Should there be no official journal, then the publication in the newspaper of general circulation in the area wherein the property is located shall be sufficient.
- 18.403 For all proposed changes, except comprehensive zoning changes and text changes, a printed notice in bold type shall be posted for not less than ten (10) consecutive days prior to the public hearing conducted by the Zoning Commission on signs not less than one square foot in area, prepared, furnished, and placed by the Mayor or his designated appointee upon the principal and accessible rights-of-way adjoining the area proposed for a zoning change. Said signs shall contain an accurate statement of the proposed changes and the time and place of the public hearing as provided above. The Board of Aldermen shall take no action until it has received the final report of the Zoning Commission.

No such posting is required of the area within or adjoining an area to be affected by any proposed text change provided there is compliance with the publication requirements set above.

Comprehensive re-zoning proposals need be posted under the requirements set out above only within the area to be affected in general geographic terms and need not list the specific zone proposed for all land within that area. The Zoning Commission may then adopt the final map after a public hearing.

Any amendment that has failed to receive the approval of the Zoning commission shall not be passed by the Board of Aldermen except by the affirmative vote of three-fifths (3/5) of the legislative body.

18.93 A

- 18.404 A final ye and nay vote shall have been taken on the proposal by the Board of Aldermen within one hundred twenty (120) days dated from the introduction of an ordinance in correct form.
- 18.405 In case, however, of a protest against such change signed by the owner of twenty (20) percent or more either of the area of the lots included in such proposed change, or in those immediately adjacent, extending two-hundred (200) therefrom, or those directly opposite thereto extending five-hundred (500) feet from the street frontage of such opposite lots, such amendments shall not become effective except by the favorable vote of at least three-fifths (3/5) of the governing body.
- 18.406 After published notice required by Section 18.402, the Board of Aldermen may hold any public hearing requiring by this article or the statutes of Louisiana pertaining to Land Use jointly with any public hearing required to be held by the Parish Planning-Zoning Commission, but the Board of Aldermen shall not take action until it has received the final report of the Zoning Commission.
- 18.407 An annexation that is approved by the Board of Aldermen, as per Section 18.7 of the Subdivision ordinance, shall be recognized by the Village Zoning Commission as a legal amendment to the official Zoning Map of the Village. Such Zoning Map shall be adjusted to reflect the newly annexed area and its zoning classification(s).

SECTION 18.41 - SCHEDULE OF FEES, CHARGES AND EXPENSES

The Board of Aldermen shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this ordinance. This schedule of fees shall be posted in the office of the administrative official and may be altered or amended only by the Board of Aldermen.

No permit, certificate, special exemption, or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any proceeding or action be taken before the Board of Adjustment unless or until preliminary charges and fees have been paid in full.

Provided, however that the Board of Aldermen, by Resolution adopted by a two thirds (2/3) vote of the Board of Aldermen membership, may amend, alter or waive the fees for building permits, zoning application, certificates of occupancy, appeals and other matters pertaining to this ordinance.

18.410 **RECOMMENDED SCHEDULE OF FEES**

- A. Zoning Changes - Before any action shall be taken, the party or parties proposing a change in the zoning ordinance, either text change or map change, shall deposit with Village of Folsom the following fees as applicable:
 - 1. Existing single-family and two-family residential:
Fifty Dollars (\$50.00) per acre up to a maximum fee of One Thousand Two Hundred Fifty Dollars (\$1,250.00).

New single-family and two-family residential:
Fifty Dollars (\$50.00) per acre up to twenty five (25) acres. For twenty six (26) acres and above another Ten Dollars(\$10.00) per acre will added.
 - 2. Multi-family, Planned Districts and Planned Unit Developments (PUDs):
One Hundred Dollars (\$100.00) per acre up to twenty five (25) acres. For twenty six (26) acres and above another Ten Dollars(\$10.00) per acre will be added.
 - 3. For other than residential (unless other specified herein):
A processing fee of Two Hundred Dollars (\$200.00) as well as of Fifty Dollars(\$50.00) per acre up to twenty five (25) acres.
 - 4. For annexation of real property:
Two Hundred Dollars (\$200.00) per lot, together with an advertising fee of Fifty Dollars (\$50.00) and a filing fee of Fifty Dollars (\$50.00).

5. For resubdivision of lots of record:
One Hundred Fifty Dollars (\$150.00) per lot, together with an advertising fee of Fifty Dollars (\$50.00) per acre up to twenty five (25) acres.
6. For resubdivision of acreage up to twenty five (25) acres:
Two Hundred Dollars (\$200.00) per plot, together with an advertising fee of Fifty Dollars (\$50.00) and a filing fee of Fifty Dollars (\$50.00).
7. For rezoning of lots of record:
One Hundred Fifty Dollars (\$150.00) per plot, together with an advertising fee of Fifty Dollars (\$50.00).
8. For rezoning of acreage up to twenty five (25) acres:
One Hundred Fifty Dollars (\$150.00) per plot, together with an advertising fee and filing fee of Fifty Dollars (\$50.00)

For plots of twenty six (26) acres or more, an additional fee of Ten Dollars (\$10.00) per acre will be imposed.
9. For rezoning of lots within an existing subdivision:
One Hundred Fifty Dollars (\$150.00) per lot, together with an advertising fee of Fifty Dollars (\$50.00)
10. For new subdivisions annexed to the municipal limits:
Two Hundred Dollars (\$200.00) per plot, together with an advertising fee of Fifty Dollars (\$50.00) and a filing fee of (\$50.00)
11. Under no conditions shall the sums charged be refunded for failure of requested changes to be adopted.

18.411 BOARD OF ADJUSTMENT FEES should be paid to the Village of Folsom at the time the notice of appeal is filed as follows:

\$25.00 - Interpretation of the Ordinance
 \$25.00 - Decision of Variance
 \$ 25.00 - Appeals from the Zoning Administrator or Planning Commission

18.412 BUILDING PERMIT FEES

(1) Except as provided in (2) below the permit fee shall be calculated as follows:

New Commercial	\$0.20 per	square foot
Commercial remodeling	\$0.15 per	square foot
New residential	\$0.15 per	square foot
Residential remodeling	\$0.10 per	square foot

There shall be a minimum building permit fee of \$25.00.

(2) Special mobile home permit fee:

\$0.08 per square foot for each square foot of space,
or \$50.00 whichever is greater.

No building permit shall be issued until satisfactory evidence is produced by the building contractor or owner to the permitting authority that adequate and sanitary toilet facilities will be available on the construction site during construction.

18.413 **CONDITIONAL USE PERMIT FEE**

For uses which require a conditional use permit hearing before the Folsom Zoning Commission, a non-refundable processing fee of One Hundred Dollars(\$100.00) shall be required prior to the public hearing. This fee shall include the advertising fee.

18.42 DEFINITIONS

Accessory use of building is a subordinate use of building customarily incident to and located on the same lot with the main use of building.

Adult Material - As used in these land use regulations, adult or pornographic material shall consist of: (1) movies, films, motion pictures, video tapes, video discs, slides, photographs, or other medium of visual representation or live performances, exhibitions or presentations; or (2) books, papers, pamphlets, magazines, periodicals or publications which are characterized by emphasis upon the depiction or description of any of the conduct or activities set forth and described in the provisions of Louisiana Revised Statutes Title 14, Chapter 1, Part VI, Sub-part C, and in that portion thereof designated as sub-paragraphs (2)(b) and (3) of paragraph A of Section 106 [La. R.S. 14:106 A(2)(b), (3),] or as such provisions may hereafter be amended, re-enacted or re-designated from time to time, and shall also consist of any instruments, devices or paraphernalia described in La. R.S. 26:90(F).

Adult Uses/Pornographic Uses - Establishments in which the gross receipts from providing entertainment, goods, and/or services defined as Adult Material/Pornographic Materials herein or in combination therewith including, but not limited to, to those from sales, rental fees, admission fees, tips, gratuities, and/or other revenues collected constitutes at least twenty (20) percent of total gross revenues. Adult Uses/Pornographic Uses may only be approved as an expanded conditional use and may only be granted within the C-4 Commercial District. Failure of an applicant for, or grantee of, the conditional use Adult Uses/Pornographic Uses, to conclusively establish the percentage of gross revenues herein from said activities shall be grounds to deny or revoke the adult use/pornographic use.

Alteration as applied to a building or structure, is a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Apartment house is a multi-family dwelling for three or more families, living independently of each other, and doing their own cooking upon the premises.

Area building is the aggregate of the maximum horizontal cross section area of the main building on a lot, excluding cornices, caves, gutters, chimneys, open porches, open carports, balconies and terraces projecting not more than two and one half feet.

Boarding house - SEE Rooming or lodging house.

Building is a structure designed built or occupied as a shelter or roofed enclosure or persons, animals, or property used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational, or recreational purposes. For the purpose of this definition "roof" shall include an awning or other

similar covering, whether or not permanent in nature.

Building line is the line parallel to the street line, intersecting the foremost point of the building, forming an area within which no building or other structure or portion thereof, except as provided in this code, may be erected above the grade level. The building line is considered a vertical surface intersecting the ground on such line.

Day Care Center is a facility for the care of infants and other preschool children by non-family members approved and licensed by the appropriate Louisiana state agency.

Dwelling is a building designed or used as the living quarters for one or more families.

Dwelling house is a detached house designed for and occupied exclusively as the residence of not more than two families each living as an independent housekeeping unit.

Dwelling unit is one or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping and eating.

Dwelling, multiple-family is a dwelling or group of dwellings, on one plot containing separate living units for three or more families, but which may have joint services or facilities for both.

Essential service is the erection, construction, alteration, or maintenance by municipal utilities or department or commissions, of underground or overhead gas, electrical steam or water transmission or distribution systems, collection, communication wires, mains, drains, sewer, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by the municipal utilities or departments, or commission or for the public health or safety or general welfare.

Family - An individual or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit, or a group of not more than four persons, living in single family unit, that are not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit, but not including sororities, fraternities, or group care facilities for the physically or mentally disabled, or others similar organizations.

Floor area, gross For the purpose of determining the ratio of the floor area of a building to the area of the lot, the "gross floor area" shall be the sum of the gross horizontal area of the several floors of the building excluding areas used for accessory garage purposes and basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building. All horizontal dimensions shall be taken from the exterior faces of walls, including

walls or other enclosures of enclosed porches.

Garage, private, is a building or part thereof accessory to a main building and providing for the storage of automobiles and in which no occupation or business for profit is carried on.

Garage, public or storage, is a building or part thereof other than a private garage for the storage of motor vehicles and in which service station activities may be carried on.

Home occupation is a professional occupation conducted by the resident in a dwelling and including the following: a physician, surgeon, dentist, lawyer, clergyman, or other similar professional persons, dress making and tailoring, provided, that not more than twenty percent (20%) of the floor area of any dwelling unit shall be used for such home occupations; and provided that no windows or other display or sign to advertise such home occupations other than single sign not more than six (6) inches in width and twenty-four (24) inches in length shall be permitted; and provided further that only one (1) person who does not reside on the premises may be employed as an assistant.

Hotel is a building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

Junk is any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored salvage or conversion to some use. Any article or material which, unaltered, or unchanged and without further reconditioning can be used for its original purposes as readily as when new shall not be considered junk.

Junk Yard is the use of more than 500 square feet of the area of any lot, whether inside or outside a building or the use of any portion of that half or any lot that joins any street, for the storage, keeping or abandonment of junk.

Lot is parcel of land occupied or capable of being occupied one (1) building and the accessory building or uses customarily incident to it, including the open spaces as are required by this article.

Manufactured Modular Building is a structure transportable in one or more sections, which is designed for use only with a permanent foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the Village's adopted building codes.

Mobile home lot is a designated site within a mobile home court for the exclusive use of the occupant of a single mobile home.

Mobile home park is a tract of land in single ownership whereby the owner designs to place two or more mobile homes, modular homes, or

trailers and which has been developed with all necessary facilities and services in accordance with a site development plan meeting all the requirements of this ordinance and which is intended for the express purpose of providing a satisfying living environment for mobile home residents on a long term basis.

Mobile Building or Home/Manufactured Housing (house trailer) is a movable or portable building which is constructed on a chassis, and/or which is designed to be towed over Louisiana roads and highways under special permit, designed for year-round occupancy, and designed primarily to be used without a permanent foundation, but which may sit on permanent foundation, and designed to be connected to utilities. It may consist of one or more sections that can be telescoped when transported and expanded later for additional capacity, or two or more sections, separately transportable, but designed to be joined together into one integral unit. Building onto or around a mobile home or building will not change its identification as a mobile home or mobile building. The following shall not be included in this definition:

1. Travel trailers, pickup coaches, motor homes, camping trailers or other recreational vehicles.
2. Manufactured modular buildings, meeting the requirements of Folsom's adopted building codes.

Mobile homes or manufactured housing in Folsom must be built after 1976, must be skirted and tied down (anchored) according to the standards called for in Village and federal wind load regulations and must bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards approved by the Secretary of the Department of Housing and Urban Development. Mobile or manufactured homes shall, upon Village inspection, be either new or good used vehicles that meet the Class A, Class B, or Class C standards defined by the Village Building Inspector. Mobile homes must meet the Minimum Housing Code of the Standard Housing Code as written by the Southern Standard Housing Code Congress. Mobile home or mobile home trailer structures used as commercial buildings or storage in Folsom are not permitted, except for temporary use with construction sites. Building inspections, occupancy permits, and moving permits must be obtained before such buildings are occupied in Folsom.

CLASS A - mobile home will include new mobile homes certified as meeting the most recent standards of HUD's *Mobile Home Construction and Safety Standards Codes*.

CLASS B - mobile home will include used mobile homes that are not over 2 years old and certified as meeting the most recent standards of HUD's *Mobile Home Construction and Safety Standards*.

CLASS C - mobile home built on or after January 1, 1976 and shall include used mobile homes certified as meeting the most recent or prior HUD standard construction and safety codes and found, upon Village Inspection, to be in good

condition, meeting minimum housing codes, and safe and fit for residential occupancy.

Mobile home owners must receive a Village approval and provide information on the proposed location and type of mobile home before moving or occupying it in the Village corporate limits.

Nonconforming use is a building structure or use of land existing at the time of the enactment of this article and which does not conform to the regulations of the district in which it is located.

Nursery school - SEE "'Day Care Center", supra.

Occupancy pertains to and is the purpose for which a building is used or intended to be used.

Rooming or lodging house is any dwelling in which not more than ten (10) persons are housed or lodged for hire, with or without meals pursuant to previous arrangement and not to any one who may apply. A boardinghouse or furnished room house shall be deemed a "rooming house."

Setback building line is a building line back of the street line;

Site development plan is a plot or survey prepared and certified by a registered engineer showing the size and location of each mobile home lot, and the location of all water distribution lines, sewerage collection lines, electrical distribution lines, telephone service lines and other such utilities and specifications thereon; and such other specifications, information as may be required by this ordinance or any regulations and requirements issued pursuant hereto.

Street is a public thoroughfare which has been dedicated or deeded to the public for public use and which affords principal means of access to abutting property.

Structure is anything constructed or erected which requires location on the ground or attached to something having location on the ground, including signs and billboards, but not including fences or walls used as fences.

Trailer camp includes any place or premises adapted for parking or used for parking two or more motor trailers or house cars for living or sleeping purposes, or any place or premises used or held out to the public for the purposes of supplying motor trailers or house cars for living or sleeping purposes.

Vacant For the purpose of this ordinance the word "vacant" shall be construed to mean that the building or land has not been occupied or used in whole or in part, or by any nonconforming use for a period of 12 calendar months. Neither the intention of the owner nor that of anybody else to use a building, or lot or part of either for any prohibited business, nor the fact that the building or lot or part of either may have been used by a makeshift or pretended business, shall

be taken into consideration in interpreting and construing the word "vacancy" as used in this article; provided that any building or part of any building known as a place of business, which had been constructed at the date of the adoption of any prohibitory ordinance affecting the building or part thereof shall not be deemed vacant for a period of 12 months from that date and any building or part thereof which had not been constructed at that date, if completed within 12 months from that date, shall not be deemed vacant for a period of 12 months from the date of its completion: provided further that if the lessee of any building or place be used or occupied for commercial purposes under a lease duly recorded in the conveyance office, shall at any time before the expiration of the lease cease to occupy or use the building for commercial purposes, the building or place shall nevertheless be considered as used or occupied for those purposes and shall not be considered vacant until the owner of the building or place shall again obtain legal control of its occupancy and use.

Yard is an open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provide in this article.

Yard, front, is an open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side line of the lot.

Yard, rear, is an open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot extending to full width of the lot.

Yard Side is an open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

18.96 A

This ordinance shall be effective thirty (30) days after adoption by the Village Board of Aldermen.

I certify that the above Ordinance was adopted by the Town Council of the Village of Folsom at its regular meeting held on _____ following the reading of said ordinance section by section, on motion by Alderman _____, Seconded by Alderman _____.

The vote thereon was as follows:

