

The Marksville Zoning Ordinance

In 1972, the Marksville Town council adopted a Zoning Ordinance for the purpose of promoting the health, safety, morals, and general welfare of the Town. The Ordinance was in accordance with the provisions of the authority granted by Louisiana Revised Statutes, Title 33, Section 4721-4729 as amended.

The Marksville Planning Commission maintains a Comprehensive Master Plan designed to lessen congestion in the streets, prevent over-crowding of land, secure safety from fire, provide adequate light and air, avoid undue concentration of population, facilitate adequate provisions of transportation, water, sewerage, schools, parks and other public requirements.

The city is divided into various districts. Each district is completely described in the Ordinance.

The City Council is responsible for the administration and enforcement of the Ordinance.

Amendments, supplements, or changes of the Zoning Ordinances or District Map may be proposed. In a prescribed period of time, the Planning commission holds a public hearing and then submits its report and recommendation to the Council for approval or disapproval.

Planning commission members are appointed by the Mayor and ratified by the City Council. They serve without any compensation.

THE COMPREHENSIVE MASTER PLAN

MARKSVILLE, LOUISIANA

ZONING ORDINANCE

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April, 1971

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ZONING ORDINANCE

MARKSVILLE, LOUISIANA

AN ORDINANCE establishing the comprehensive zoning regulations for the town of Marksville, Louisiana, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the authority granted by Louisiana Revised Statutes, Title 33, Section 4721-4729 as amended.

ADOPTION

WHEREAS the Council deems it necessary for the purpose of promoting the health, safety, morals, or general welfare of the town to enact such an ordinance; and the Council has appointed a zoning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The zoning commission has divided the town into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to prevent over-crowding of land; to secure safety from fire, panic, and provide adequate light and air; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements.

The zoning commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town. The zoning commission has made a preliminary report and held public hearings thereon and submitted its final report to the Council. The Council has given due public notice of hearings relating to zoning districts, regulations, and restrictions.

All requirements of Title 33, Section 4721-4729 Louisiana Revised Statutes with regard to the preparation of the report of the zoning commission and the subsequent action of the Council have been met.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF MARKSVILLE, LOUISIANA, AS AN ORDINANCE:

PART 1 - DISTRICTS

Section 1.1 Establishment of Districts

1.101 The town is divided into four types of districts:

F Districts - Inundation

A Districts - Residential

C Districts - Commercial

M Districts - Industrial

1.102 The four types of districts are further divided into the following specific districts:

F - Inundation

Planned District

A - Residential District

A-1 Planned Residential

A-2 Residential Single Family

A-3 Residential Urban Multi Family

A-4 Urban Residential High Density

A-5 Mobile Home and Trailer Park District

A-6 Transitional

C - Commercial

C-1 Planned Commercial District

C-2 Neighborhood Commercial

C-3 Commercial

M - Industrial

M-1 Planned Industrial District

M-2 Light Industrial District

M-3 General Industrial District

as shown on the official zoning map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance when properly certified and attested.

1.103 If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made in this official zoning map semi-annually in January and July after the amendment has been approved by the Town Council, and attached to

this ordinance. Each such semi-annual change of the map shall be dated, signed, and certified. However, amendments shall become effective when adopted by the Council.

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 the ordinance and punishable under Part 3 of this ordinance.

The official zoning map, which shall be located in the Marksville town hall together with current amendments approved by the Town Council, shall be the final authority as to the current zoning status of land, buildings, and other structures in the town. The map shall be kept by the Town clerk of Marksville.

Section 1.2 Rules for Interpretation of District Boundaries

- 1.201 Where uncertainties exist, such as boundaries, approximately following the center lines of streets, highways, or alleys, the boundaries shall be construed to follow such center lines.
- 1.202 Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.
- 1.203 Boundaries indicated as approximately following the town limit shall be construed as following town limit.
- 1.204 Boundaries indicated as following railroad lines shall be construed to be midway between the tracks.
- 1.205 Boundaries indicated as following shorelines shall be construed to follow such shoreline and, in event of change in the shoreline, shall be construed as moving with the actual shoreline.
- 1.206 Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- 1.207 Boundaries indicated following other boundary lines, water courses, and other natural topography features, such lines shall be construed to be such boundaries.

- 1.208 Where street or property layout existing on the ground is at variance with that shown on the official zoning map, or in other circumstances not covered by subsections 1 through 7 above, the Board of Adjustment shall interpret the district boundaries, provided such adjustment does not exceed one acre in area. See Part 6.

Section 1.3 Application of District Regulations

- 1.301 No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed moved or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

- 1.302 No building or other structure shall hereafter be erected or altered.

1. To exceed the height;
2. To accommodate or house a greater number of families;
3. To occupy a greater percentage of lot area;
4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required;
5. Nor in any other manner contrary to the provisions of this ordinance.

- 1.303 No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

- 1.304 No yard or lot existing at the time of passage of this ordinance shall be reduced in size of area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

Within each district, the regulations set by this ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.

1.305 Regulations of Land Underwater: All lands within the town which are under water and are not shown as included with any district shall be subject to all the regulations of the district adjacent to 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.

1.306 Location of Streets and Public Ways: Whenever any street, alley, or other public way is vacated by official action of the governing body of the town, the zoning district adjoining each side of such street, alley or public way shall automatically extend to the center of same, and all area included therein shall then become subject to all appropriate regulations of the extended districts.

Section 1.4 Protection of Major Thoroughfare Rights of Way

In computing the front and side yard set back depths of every building or structure to be erected on any lot abutting on any road shown as a designated major street on the major street plan or future land use plan showing major streets, the required set back, as hereafter shown shall be increased by an amount equal to ~~two (2)~~ ^{1/2} feet or one-half the right-of-way as specified on the major street plan when rights-of-way larger than one hundred four (104) feet are required. Such set backs shall be measured from the center line of the existing street or road, other sections of the ordinance notwithstanding. However, if the buildable width of a lot is reduced to less than twenty-four (24) feet then the permit application must be referred to the Planning Commission for recommendation as to reduction in minimum lot width or purchase of the property in question.

* *By amendment of July 23, 1974.*

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PART 2 - SCHEDULE OF DISTRICT REGULATIONS ADOPTED

Section 2.1 F - Inundation District

Purpose and Scope: It is the purpose of the Inundation District to apply special regulations to the use of land in those areas of the town which are subject to severe inundation at frequent intervals as determined by proper authority, which while permitting reasonable economic use of such property will help to protect human life, prevent or minimize material losses, and reduce the cost to the public of rescue and relief efforts occasioned by the occupancy of such flood areas.

- 2.101** The "F" District is established to require elevation of main floor levels of all buildings to a height of not less than one (1) foot above highest flood levels as recorded since 1927.

In any areas shown on the town map as inundation areas, floor levels of all buildings shall be not less than indicated and levels may be amended as necessary by a report of the town engineer based on later information.

- 2.102** Other districts classified with a suffix "F" on the town map shall establish the land use practices, but will be subject to the minimum floor level requirements as established by the "F" district.

Section 2.2 Planned Districts

- 2.201** Persons desiring to use land or erect buildings within a planned district shall first submit a plan to the Town Council showing in detail the manner in which the land is to be used, the location, size, character, and appearance of buildings, and provisions for off-street parking, service areas, and landscaping. Said plan shall include the entire area within an individual planned district.

- 2.202** The Council shall submit such a plan to the Commission who shall have forty-five (45) calendar days in which to investigate plan and hold hearings. If the Commission does not report in forty-five (45) calendar days, the Council may assume that the Commission approves the plan in the manner required in Section 2.203.

2.203 If the Commission reports to the Council that:

- 1. The plan complies with all regulations of this ordinance;**
- 2. The plan provides additional setback of at least twenty (20) feet beyond the space required for major street rights-of-way as shown on the major street plan;**
- 3. The plan provides protection for adjacent properties as follows:**

Apartments, commercial, and industrial uses must meet the following requirements.

- a. Use complies with the requirements of the Board of Health for disposal of waste and sewerage.**
 - b. Roadway entrances and exits shall be located for clear sight distance and safety not closer than forty (40) feet to a street intersection. Parking area called for in Part 4 shall, when occurring in the front of buildings, be arranged so that cars do not back into traffic and with a minimum depth between the building and the street of sixty-five (65) feet.**
 - c. Major drainage channels and culverts shall meet minimum requirements of the parish engineer.**
 - d. There shall be no more than one use on a lot or lots of records.**
 - e. The use must meet the requirements of the subdivision ordinance.**
- 4. The plan is for at least minimum acreage as set forth in Sections 2.3, 2.9, and 2.12;**
 - 5. The plan meets the area and parking regulations for the type of district requested as set forth in the A-1 district in the case of residential; C-1 district, in the case of commercial; or M-1 district, in the case of an industrial district.**

2.204 Then the Council may, after public hearing, approve the plan and building permits may be issued to carry out the approved plan. Buildings and land may be used only in accordance with approved plans. Approved plans may be amended by the same procedure by which they were adopted.

Section 2.3 A-1 Planned Residential District

When an area is planned as set for under Section 2.2, residential units of the A-2 and A-3 districts may be included provided the area to be developed is in excess of eighty (80) acres, the proposed residential zoning units are harmonious to the existing area in which it will be located, and include sites for schools, parks, churches, and a planned commercial area.

Section 2.4 A-2 Urban Residential (Single Family)

2.401 In A-2 Residential District only the following uses shall be permitted: dwellings, agriculture, bulletin boards for churches, temples, institutions, or public buildings only; accessory buildings including private garage and uses customarily incidental to any of the above uses where located on the same lot and not involving the conduct of a business; cemetery, provided it serves as a transitional open use between less compatible uses; hospitals, minimum of ten (10) acres; non-profit private club, minimum of three (3) acres, provided all structures for such uses are located twenty-five (25) feet from any property lines,

2.402 Prohibited Uses: All uses not permitted herein.

2.403 Height Regulations: No building shall exceed thirty-five (35) feet in height.

2.404 Area regulations for all buildings except accessory uses. Also See Part 10 - Lot of Record.

1. Yard

a. 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. On through lots, this minimum front yard shall be provided on both streets.

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amendment

- b. **Side Yard:** There shall be two (2) side yards, one on each side of the building having a minimum width of 7.5 feet each. However, this regulation shall not be so interpreted as to reduce the buildable width of a corner lot existing before the adoption of this ordinance to less than twenty-four (24) feet. In which case, the necessary reduction shall be on the side yard not abutting the street. See Section 1.4.
- c. **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 the required rear yard shall not be less than twenty-five (25) feet and need not exceed fifty (50) feet.

2. Lot Size

- a. There shall be a lot width of a minimum of eighty (80) feet at the building line.
- b. Every lot shall contain an area of not less than twelve thousand (12,000) square feet per family unit.

2.405 Off-street parking regulations provided for under Part 4.

Section 2.5 A-3 Urban Residential (Multi-Family)

2.501 Permitted Uses: Uses permitted in A-2 Residential District; multi-family dwellings; home occupations, provided such occupations are conducted in main buildings and that persons conducting such operations reside on the premises and that advertising signs not exceed one (1) square foot and be non-illuminated; philanthropic uses; lodge halls; and boat rentals.

2.502 Prohibited Uses: All uses not permitted herein.

2.503 Height Regulations: No building shall exceed thirty-five (35) feet in height.

2.504 Area Regulations

1. Yard

- a. 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 (20) feet. When there is undeveloped land for a distance of one hundred fifty (150) feet on both sides of a proposed building, the minimum building setback line shall be twenty-five (25) feet from the established street right-of-way lines. On through lots this minimum depth shall be provided on both streets.
- b. 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. However, this regulation shall not be so interpreted as to reduce the buildable width of a corner lot existing before the adoption of this ordinance to less than twenty-four (24) feet. In which case, the necessary reduction shall be on the side yard not abutting the street. See Section 1.4.
- c. 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 the required rear yard shall not be less than twenty (20) feet and need not exceed fifty (50) feet.

2. Lot Size

- a.** There shall be a lot width of a minimum of seventy (70) feet at the building line.
- b.** Every lot shall contain a minimum of seven thousand five hundred (7,500) square feet and shall be increased by an additional area of eight hundred (800) square feet for each unit in excess of three, and one thousand eight hundred (1,800) square feet for each ground level unit in excess of three.

2.505 Off-street parking requirements as provided for in Part 4.

Section 2.6 A-4 Urban Residential (High Density)

- 2.601 Permitted Uses: Apartments, Row Houses.**
- 2.602 Prohibited Uses: All uses not permitted herein.**
- 2.603 Height Regulations: No building shall exceed forty-five (45) feet in height.**
- 2.604 Area Regulations**
- 1. Yard**
 - a. Whenever an A-4 district abuts on a residential district which requires a minimum set back on the front yard, it is required that the set back be a minimum of one-half (1/2) of the required set back of the abutting district. These requirements shall apply for the A-4 district for the entire block in which the abutment occurs, or one hundred fifty (150) feet if no block exists..**
 - b. No front yard is required except as specified in Section 2.604-a.**
 - c. No side yard is required except where an abutment occurs with a residential district which requires a side yard; The side yard requirement for the A-4 district shall then be the same as for the district to which the abutment occurs.**

In the A-4 district, row housing may be built with common or party walls, and no side yards shall be required except that one side yard of not less than seven and one-half (7.5) feet shall be provided for every unit located at the end of a row on a corner lot, and one side yard of not less than five (5) feet shall be provided for every unit located at the end of a row on an interior lot.

If side yards are provided where not required they must be at least five (5) feet wide.
 - d. Rear Yard: No rear yard is required, however, if a rear yard is provided it must be at least five (5) feet wide.**
 - 2. Lot Size: Same as A-3.**

3. **Open Space:** A minimum of twenty (20) percent of the total lot area shall be reserved for useable open space.

2.605 **Parking:** Off-street parking regulations as provided for under Part 4. In addition to these regulations it is to be required that one (1) driveway or point of access be provided for entry into the parking lot. It is required that no on-street parking be allowed and that all parking for the dwelling units be contained on the lot.

2.606 **Loading Zone:** Requirements shall be provided as set forth in Part 4.

Section 2.7 A-5 Mobile Home and Trailer Park District

2.701 **Permitted Uses:** Parking or sale of mobile home type trailers and travel trailers.

2.702 **Prohibited Uses:** All uses not permitted herein.

2.703 **Height Regulations:** No building shall exceed thirty-five (35) feet in height.

2.704 **Area Regulations**

1. **Yard**

a. **Front Yard:** Trailers and structures shall be set back from the front lot line of the park a minimum distance of twenty (20) feet.

b. **Side Yard:** There shall be two (2) side yards, one on each side of the trailer park having a minimum width of fifteen (15) feet each.

c. **Rear Yard:** There shall be a rear yard having a minimum depth of fifteen (15) feet at the rear of the park.

2. **Lot Size**

a. **Lot:** A trailers park lot shall have a minimum area of three (3) acres. Where trailers spaces are sold as individual lots, they shall conform to the subdivision regulations front on a public street, and have a minimum frontage of fifty (50) feet, a minimum area of five thousand (5,000) square feet per family, and one thousand five hundred (1,500) square feet for each additional family.

- b. Trailer spaces shall be a minimum depth of one hundred (100) feet and a minimum width of twenty-seven (27) feet at the parking line of each trailer space. There shall be a maximum of ten (10) trailer rental units per acre as an average for the entire trailer park. Trailers shall be parked not less than fifteen (15) feet apart in all directions when used as living units and this shall include exterior storage units or wings.

2.705 Off-Street Parking Requirements: As provided for in Part 4. However there shall be not less than two (2) off-street parking spaces for automobiles and one trailer space for each designated trailer rental unit.

Section 2.8 A-6 Transitional

2.801 Permitted Uses: Uses permitted in A-4 district; apartment hotels; motels; office buildings; personal service shops such as beauty shops and barber shops; studios of artists and photographers.

2.802 Prohibited Uses: All those not permitted herein.

2.803 Height Regulations: No building shall exceed forty-five (45) feet in height.

2.804 Area Regulations

1. Yard

- a. Whenever an A-6 district abuts on a residential district which requires a minimum set back on the front yard, it is required that the set back be a minimum of one-half (1/2) of the required set back of the abutting district. These requirements shall apply for the A-6 district for the entire block in which the abutment occurs, or one hundred fifty (150) feet if no block exists.
- b. No front yard is required except as specified in Section 2.804-a.
- c. No side yard is required except where an abutment occurs with a residential district which requires a side yard. The side yard requirement for the A-6 District shall then be the same as for the district to which the abutment occurs.

In the A-6 district, row housing may be built with common or party walls, and no side yards shall be required except that one side yard of not less than seven and one-half (7.5) feet shall be provided for every unit located at the end of a row on a corner lot, and one side yard of not less than five (5) feet shall be provided for every unit located at the end of a row on an interior lot.

If side yards are provided where not required they must be at least five (5) feet wide.

d. Rear Yard: No rear yard is required.

2. Lot Size: Same as A-4

3. Open Space: A minimum of twenty (20) percent of the total lot area shall be reserved for useable open space.

2.805 Parking: Off-street parking regulations as provided for under Part 4. In addition to these regulations it is to be required that one (1) driveway or point of access be provided for entry into the parking lot. It is required that no on-street parking be allowed and that all parking for the dwelling units and business establishments be contained on the lot.

2.806 Loading Zone: As provided for in Part 4.

Section 2.9 C-1 Planned Commercial District

When an area is planned as set forth under Section 2.2 and contains at least six (6) acres, a commercial zone of the C-3 district may be established.

Section 2.10 C-2 Neighborhood Commercial

2.1001 Permitted Uses: Any permitted in A-6 district; offices; restaurant; grocery and drug stores; filling stations; barber shops; florists; beauty shops; meat market; clinic; bank; including drive-in banks; locker plants for storage of food; appliance shop; sporting goods; hardware; department stores; drive-in theater; launderette; bakery; cleaners; similar retail business or service which is established for the convenience of neighborhood residents; funeral homes and mortuaries; bar rooms; night clubs and lounges; bookkeeping and income tax services; and feed and fertilizer sales.

- 2.1002 **Prohibited Uses:** All uses not permitted herein. Uses detrimental due to odor, smoke, dust, gas, excessive glare, noise, vibrations. See 2.1201 for standards.
- 2.1003 **Height Regulations:** No building shall exceed forty-five (45) feet in height.
- 2.1004 **Area Regulations**

1. **Yard**

- a. Whenever a C-2 district abuts on a residential district which requires front, side, and rear yards, these requirements shall apply for the C-2 district for the entire block in which the abutment occurs.
- b. **Front Yard:** No front yard is required except for a dwelling and it shall be the same as for A-6 district.
- c. **Side Yard:** No side yard required except for a dwelling and it shall be the same as for A-6 district.
- d. **Rear Yard:** No rear yard required except for a dwelling and it shall be the same as A-6 district.
- e. See Section 1.4
- 2.1005 **Off-street parking regulations** as provided for under Part 4.
- 2.1006 **Loading zone requirements** as provided for under Part 4.

Section 2.11 C-3 Commercial District

- 2.1101 **Permitted Uses:** Any use permitted in C-2; all businesses not specifically restricted or prohibited; amusement enterprises including, but not limited to the provision of stage entertainment; bowling alleys, skating rinks and pool rooms; auto retail, wholesale, or repair services, bus and railway stations; retail businesses where articles are sold at retail on the premises; storage, billboards, residential.
- 2.1102 **Prohibited Uses:** Uses detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise, or vibrations as set forth in 2.1201.
- 2.1103 **Height Regulations:** No building or structure shall exceed sixty-five (65) feet in height.

2.1104 Area Regulations

1. Yard

- a. Whenever a C-3 district abuts on a residential district which requires front, side, and rear yards, these requirements shall apply for the C-3 district for the entire block in which the abutment occurs or one hundred fifty (150) feet if no block exists.
- b. **Front Yard:** No front yard is required except for a dwelling and it shall be the same as for A-6 district.
- c. **Side Yard:** No side yard is required except for a dwelling and it shall be the same as for A-6 district.
- d. **Rear Yard:** No rear yard is required except for a dwelling and it shall be the same as for A-6 district.
- e. See Section 1.4

2.1105 Off-Street Parking as required in Part 4.

2.1106 Loading zone requirements shall be provided as set forth in Part 4.

Section 2.12 M-1 Planned Industrial District

When an area is planned and approved as set forth under Section 2.2 and which area contains at least twenty (20) acres, then the following uses shall apply: in the M-1 district there may be no building for residential use except as quarters for watchmen and caretakers employed on the premises; other uses listed in C-3 district. There may also be:

Assembly plants
Book binderies
Bottled gas sales and/or service
Canneries (except fish and meat products)
Cellophane products manufacturing
Ceramic products (previously pulverized clay kilns fired only by electricity or gas)
Cleaning and dyeing works
Cold storage or refrigerating plants
Confectionary manufacturing

Contractors storage yards
Dairy products manufacturing
Electrical parts, assembly and manufacturing
Fiber products manufacturing (previously prepared fiber)
Food products manufacturing (except fish and meat products, sauerkraut, vinegar, yeast, and rendering or refining of fats and oils)
Foundry casting lightweight nonferrous metal (no brass, manganese, bronze, zinc)
Fruit or vegetable canneries
Furniture manufacturing
Garment manufacturing
Glass products manufacturing
Grain elevators
Hotels and motels
Ironworks, ornamental (no foundry, drop hammer, and no punch presses over 20 tons capacity)
Leather products manufacturing (previously prepared leather)
Lumber yards
Machinery, farm sales, repairing and overhauling
Millwork
Open storage of building material, lumber, coal, machinery and pipe when the material is enclosed within a solid fence at least six (6) feet high, said fence to be within required building lines)
Paint mixing and treatment (not employing a boiling process)
Parcel delivery service
Pharmaceuticals manufacturing
Plastic products manufacturing (previously prepared material)
Sheet metal products (light)
Sign painting shop
Television and radio broadcasting transmitters
Textile products manufacturing
Tire retreading, recapping, or rebuilding
Tool manufacturing (no drop hammer or punch presses over 20 tons)
Toy manufacturing
Warehouse or storage building
Well drilling services
Wholesale business, including gasoline and oil
Wood products manufacturing (assembling work and finishings)

2.1201

Other industrial uses, provided such uses: make no greater noise than seventy (70) decibels at the lot line; emit no smoke at period of normal operation of a density greater than No. 1 according to Ringlemann's scale;

emit no particles from any flue or smokestack in excess of 0.2 grains per cubic foot of flue gas at a stock temperature of five hundred (500) degrees F; emit no odors, gas or fumes beyond the lot lines; produce no glare that can be seen from a lot line; dustproof all walks, driveways, and parking areas so that no dust from these or any other operations escapes beyond the lot lines; and conduct all operations within a building or within an area enclosed by shrubs or walls not less than six (6) feet in height.

Section 2.13 M-2 Light Industrial District

- 2.1301 Permitted Uses:** In an M-2 Light Industrial District only the following uses of property shall be permitted: any use permitted in the M-1 Planned Industrial District; ice house; bulk oil storage; fertilizer storage; telephone or utility exchange buildings; boat repair yard; provided, however, that no building or structure shall be erected, reconstructed, or structurally altered for residential use except for dwelling quarters for watchmen and caretakers employed upon the premises.
- 2.1302 Prohibited Uses:** Dwellings; churches; schools offering general education courses; library; all uses not permitted herein.
- 2.1303 Height Regulations:** No limit except when a building abuts on a residential district in which case it shall not exceed the maximum height permitted in the residential district unless it is set back from all yard lines (abutting residential areas) by one (1) foot for each foot of additional height in excess of the height so permitted.
- 2.1304 Area Regulations**
- 1. Yard**
 - a.** Whenever an M-2 district abuts on a residential district which requires front, side, and rear yards, these requirements shall apply wherever the abutment occurs on one hundred fifty (150) feet beyond when no block
 - b. Front, Side and Rear Yard:** None except as noted in a.
 - c. See Section 1.4**
 - 2. Lot Size:** None except principal building or structure shall not cover more than fifty percent of the lot

- 2.1305 Off-street parking regulations as provided for Under Part 4.
- 2.1306 Loading zone requirements shall be as provided for Under Part 4.

Section 2.14 M-3 General Industrial District

- 2.1401 **Permitted Uses:** In an M-3 Industrial District only the following uses of property shall be permitted: all uses not specifically prohibited; any use permitted in M-2 Industrial and not specifically prohibited herein, provided, however, that no building or structure shall be erected, reconstructed, or structurally altered for residential use except for dwelling quarters for watchmen and caretakers employed upon the premises or expansion of existing residential uses.
- 2.1402 **Prohibited uses:** New dwellings; churches; schools offering general education courses; library.
- 2.1403 **Height Regulations:** No limit except where the property abuts on a residential district in which case no building shall exceed the maximum height permitted in the residential district unless it is set back from all yard lines by one (1) foot for each foot of additional height in excess of the height so permitted.
- 2.1404 **Area Regulations**
1. **Yard**
 - a. Whenever an M-3 Industrial District abuts on a residential district which requires front, side and rear yards, these requirements shall apply for the entire block in which the abutment occurs or one hundred fifty (150) feet when no block exists.
 - b. **Front Yard:** None except where it abuts on a residential district.
 - c. **Side Yard:** None except where it abuts on a residential district, except in no case where a building side yard is provided shall it be less than three (3) feet.
 - d. **Rear Yard:** None except where it abuts a residential district.
 - e. See Section 1.4
 2. **Lot Size:** None

2.1405 Off-street parking regulations as provided for under Part 4.

2.1406 Loading zone requirements shall be as provided for under Part 4.

Section 2.15 Supplementary District Regulations

2.1501 **Visibility of Intersections in Residential District:** On corner lots in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially 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 in a triangle area bounded by the street right-of-way lines on such corner lots and a side line joining points along right-of-way lines thirty-five (35) feet from the intersection right-of-way corner.

2.1502 **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 hedge along the sides or front edge of any front yard shall be over two and one-half (2 1/2) feet in height unless landscape plans are filed for which permission may be granted by the Board of Adjustment when the neighborhood will be improved by such exception. Height measurements shall be measure vertically from ground level in the adjacent yard.

2.1503 **Flashing Signs:** Revolving signs of the type similar to the revolving beacons or flashing lights used by police cars and ambulances are prohibited in all districts irrespective of the color of the light used.

2.1504 **Land Rehabilitation:** In all districts where temporary sand or other extraction may take place, before abandoning all excavations the banks will be graded to a slope ratio of not less than one and one-half foot horizontal to one (1) foot vertical and seeded to a stand suitable to reduce erosion. Abandoned borrow pits shall not be left in a condition to cause a health or safety hazard.

PART 3 - ADMINISTRATION AND ENFORCEMENT

Section 3.1 Administration and Enforcement

An administrative official designated by the Council shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Council may direct.

If the administrative official shall find that any of the provisions of this ordinance are being violated he shall notify in writing the persons responsible for such violations, indicating the nature of the violations 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 law to insure compliance with or to prevent violation of its provisions.

Section 3.2 Duties of Administrative Official, Board of Adjustment, Council, and Courts on Matters of Appeal

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the administrative official and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the administrative official and that recourse from the decision of the Board of Adjustment shall be to the courts as provided by law.

3.201 **Enforcing Officer:** For the purpose of administering and enforcing this ordinance there is hereby created an Office of Permits and Inspections. The chief of this office, who shall be appointed by the Council, shall be charged with the responsibility of administering and enforcing the provisions of this ordinance.

Section 3.3 Permits and Certificates

Building Permits Required: No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the administrative official. No building permit shall be issued except in conformity with the provisions of this ordinance except after written order from the Board of Adjustment.

The lot and location of the building thereon shall be staked out on the ground and approved by the building inspector before any construction begins.

3.301

Application for Building Permits: All applications for building permits shall be accompanied by plans in duplicate, drawn to a scale of not less than one-eighth (1/8) inch to one (1) foot, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of the buildings already existing, if any; and for the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the administrative official including existing or proposed building or alteration; existing rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with and provide for enforcement of this ordinance.

One (1) copy of the plans shall be returned to the applicant by the administrative official after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The second copy of the plans, similarly marked, shall be retained by the administrative official.

3.302

Certificates of Occupancy for New, Altered, or Non-Conforming Uses: It shall be unlawful to install permanent utilities in or to use or occupy or permit the use or occupancy of any part of any building or premises hereafter erected, created, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefor by the administrative official stating that the proposed use of this building or land conforms to the requirements of this ordinance.

No permit for erection, alteration, moving, or repair of any building shall be issued until an application has been made for a certificate of occupancy and the certificate shall be issued in conformity with the provisions of this ordinance upon completion of the work.

A temporary certificate of occupancy may be issued by the administrative official for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.

The administrative official shall maintain a record of all certificates of occupancy and copies shall be furnished upon request to any person.

Failure to obtain a certificate of occupancy shall be a violation of this ordinance and punishable under Section 3.4 - Violations.

3.303 Expiration of Building Permits: Special Building Permits: If the work described in any building permit has not begun within ninety (90) calendar days from the date of issuance thereof, said permit shall expire and be cancelled by the administrative official and written notice thereof shall be given to the persons affected.

If the work described in any building permit has not been substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be cancelled by the administrative official and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a special building permit has been obtained.

Section 3.4 Violations

3.401 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 causes 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.

3.402 Penalties for Violations: Violations of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not less than ten (\$10) dollars, nor more than twenty-five (\$25) dollars, or imprisoned for not more than thirty (30) days or both, and in addition shall pay all cost and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

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 town from taking such other lawful action as is necessary to prevent or remedy any violation.

PART 4 - OFF-STREET AUTOMOBILE PARKING AND LOADING REGULATIONS

Section 4.1 General Requirements

Off-street parking facilities for one family and two family dwellings shall be located on the same lot or plot of ground as the building to be served. The location of off-street parking facilities for other uses shall not be more than three hundred (300) feet distance measured along the nearest pedestrian walkway, provided, however, that the zoning classification for such land is the same or less restrictive than the classification of the lot upon which the main use is located.

Such parking space to be used in conjunction with the principal use shall be reserved as such through an encumbrance of the title of the property to be designated as a required parking space, such encumbrance to be valid for the total period of the use or uses for which the parking is needed are in existence.

Such agreement or covenant shall be duly recorded in the office of the clerk and recorder and a certificate furnished the building inspector.

Such parking space shall be surfaced with a minimum of four (4) inches of concrete or similar all-weather surface and such entrances shall be similarly surfaced.

- 4.101** Parking requirements for two or more uses of the same or different type may be satisfied by the allocation of a common or collective parking facility. Such facility shall not be less than the same requirements for the individual uses computed separately.

- 4.102** Area reserved for off-street parking or loading in accordance with the provisions of this section shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified except where equivalent off-street parking or loading space is provided.
- 4.103** For uses not mentioned in this section, the requirements for off-street parking and loading facilities for a similar use specifically mentioned in this section shall apply.

Section 4.2 Off-Street Parking Requirements

Off-street automobile parking space shall be provided on any lot on which any of the following listed uses are hereafter established and in accordance with the schedule shown. When a use is increased in capacity by the addition of dwelling rooms, guest rooms, floor area or seats, the minimum off-street parking shall be provided for such increase.

	<u>Use</u>	<u>Parking Space Required</u>
4.201	Single family dwelling	2 spaces per dwelling unit
4.202	Two family dwelling	2 spaces per dwelling unit
4.203	Multi-family dwellings and apartments	2 spaces per dwelling unit
4.204	Hotels, transient	1 space for each guest bedroom plus one additional space for each 4 employees
4.205	Motels and tourist homes	1 space for each guest bedroom plus one additional space for resident manager
4.206	Boarding and lodging homes	1 space for each 3 bedrooms plus one additional space for resident manager
4.207	Clinics	1 space for each 200 square feet of gross floor area
4.208	Clubs and lodges	1 space for each 8 members at time of construction or structural alterations

	<u>Use</u>	<u>Parking Space Required</u>
4.209	Hospitals	1 space for each 2 beds plus one space for each staff doctor, plus one space for each 2 employees including nurses
4.210	Nursing and Convalescence homes and institutions	1 space for each 8 beds
4.211	Churches, temples, and other places of worship and mortuaries	1 space for each 5 seats in the main auditorium or 64 square feet where there are no seats
4.212	Theaters, auditorium sport arenas, and places of public assembly	1 space for each 5 seats
4.213	Skating rink, dance hall, exhibit hall, gym	Space equal to two times the gross floor area
4.214	Kennels and animal hospitals	Space equal to 50 percent of the enclosed area in such kennel
4.215	Bowling alleys	3 spaces per alley
4.216	Schools, public and private	Elementary: 2 spaces per classroom, laboratory or manual training shop Junior high: 4 spaces per classroom, lab, or manual training shop Senior high: 6 spaces per classroom, lab, or manual training shop Colleges, universities, trade, industrial and business schools: 11 spaces per classroom, lab or other teaching room.
4.217	Business and professional offices	1 space for each 150 square feet of gross floor area
4.218	Restaurants, bars, night clubs	1 space for each 100 square feet of gross floor area devoted to patron use, plus one space for each 4 employees.

	<u>Use</u>	<u>Parking Space Required</u>
4,219	Automobile Repair shop	1 space per each 200 square feet of floor space
4,220	General business, commercial and personal service establishments but not including supermarkets	1 space per each 300 square feet of gross floor area
4,221	Supermarkets	1 space per each 100 square feet of gross floor area
4,222	Riding stables	Space equal to 50 percent of the covered area of such stable
4,223	Libraries and museums	Space equal to 50 percent of the floor area devoted to public use
4,224	Roadside stands	5 spaces for each such establishment
4,225	Commercial, manufacturing, and industrial establishments not catering to retail trade	1 space for each 5 employees on the largest work shift plus 1 space for each company vehicle operating from the premises

Section 4.3 Off-Street Loading Requirements

- 4.301 Every hospital, institution, hotel, commercial, or industrial building or use having a gross floor area in excess of seven thousand five hundred (7,500) square feet of space and requiring the receipt or distribution by vehicle of material and merchandise shall have at least one permanently maintained off-street loading space ten (10) feet by forty-five (45) feet for each seven thousand five hundred (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.
- 4.302 Retail operations, wholesale operations, and industrial operations with a gross floor area of less than seven thousand five hundred (7,500) square feet shall provide sufficient off-street loading space (not necessarily full berth if share by an adjacent establishment) so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street, or alley.

PART 5 - SCHEDULE OF FEES, CHARGES AND EXPENSES

The Council 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 Council.

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 action be taken or proceedings before the Board of Adjustment unless or until preliminary charges and fees have been paid in full.

Section 5.1 Recommended Schedule of Fees

- 5.101 Zoning Changes:** Before any action shall be taken as provided in this article, the party or parties proposing or recommending a change in the zoning ordinance, either text change or map change, shall deposit with the Clerk of the legislative body the sum of twenty-five (\$25) dollars for each text change not involving acreage or twenty-five (\$25) dollars for each acre of land or portion thereof for which a change of classification is proposed or recommended to cover the approximate cost of this procedure, however, the maximum fee shall not exceed two hundred (\$200) dollars, irrespective of the size of the area involved and under no condition shall such sum or part thereof be refunded for failure of such changes to be adopted by the legislative body. The fees as set forth are subject to change by resolution of the Council.
- 5.102 Board of Adjustment:** A fee of ten (\$10) dollars shall be paid to the building inspector at the time the notice of appeal is filed.
- 5.103 Building Permits:** A minimum fee of five (\$5) dollars shall be required for a permit or two (2¢) per square foot of building area, whichever is greater.

PART 6 - NON-CONFORMING LOTS; NON-CONFORMING USES OF LAND; NON-CONFORMING STRUCTURES; AND NON-CONFORMING USES OF STRUCTURES AND PREMISES

Section 6.1 Intent

Any building, structure, or 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, the then existing lawful use may be continued.

Section 6.2 Non-Conforming Uses

- 6.201 No building, structure, or premises containing a non-conforming use shall hereafter be extended unless such extension or alteration shall conform to provisions of the use district in which it is located.
- 6.202 Structural repairs and alteration to a non-conforming building or structure may be permitted to the extent of fifty (50) percent of its replacement value.
- 6.203 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 fire, flood, explosion, earthquake, riot, war, or act of God may be reconstructed and re-used as before if completed within eighteen (18) months from the time such damage occur. If such damage is greater than fifty (50) percent of the replacement valuation such building or structure may only be reconstructed to conform with the provisions of the use district in which it is situated. Percent of insured value shall be used to determine fifty (50) percentile estimate. When not insured, local appraisal shall govern.
- 6.204 No building or structure or premises where a non-conforming use has ceased for reasons other than those stated in Section 6.203 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.

- 6.205** Any sign or billboard which lawfully existed prior to the effective date of this ordinance may be continued for a period of not more than one (1) 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.
- 6.206** Any non-conforming use not enclosed within the confines of a building (as junk yards) existing at the time of enactment of or subsequent amendment of this ordinance but not in conformity with its provisions may be continued not longer than six (6) months from and after the enactment of this ordinance, provided, however, that such uses shall not be considered non-conforming so long as they are enclosed and screened from view by walls and/or fences and/or plantings of not less than six (6) feet in height in a manner prescribed by the building inspector.

PART 7 - BOARD OF ADJUSTMENT

Section 7.1 Creation of Board

There shall be a Board of Adjustment, the membership, terms of office, and rights and duties of which shall be as provided in Title 33, Section 4727 of the Louisiana Revised Statutes as amended. The Board shall adopt rules in accordance with the provisions of this Section. Meetings for the Board shall be held at the call of the chairman and at such times as the Board may determine. All meetings shall be open to the public and preceded by due advertisement.

Section 7.2 Powers of the Board

- 7.201** The Board shall hear and decide upon:
- 1.** Appeals from alleged error in the building inspector's decision;
 - 2.** Interpretation of the provisions of this ordinance;
 - 3.** Appeals for variances where exception and peculiar hardship would be caused by enforcement of the

regulations in this ordinance and where such variance would not substantially deviate from the intent of this ordinance but not otherwise.

7.202 The Board shall not be authorized to grant variances in the use of land or to take any other action the result of which would constitute a change in the district boundaries. The Board shall always act with due consideration to promote the public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values; shall permit no building or use detrimental to a neighborhood and may prescribe appropriate conditions and safeguards in each case. Such appropriate conditions and safeguards may include, among other things, provisions for the screening of parking areas by walls, fences, and plantings, and other such measures.

7.203 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 specially for that purpose. Certified copies of such proceedings shall be furnished to the chairman of the zoning commission.

Section 7.3 Fees

A fee as set forth in Part 5 of this ordinance shall be paid the building inspector at the time the notice of appeal is filed which shall be credited to the general revenue of the town.

Section 7.4 Salaries

The Board shall fix the salary of its secretary and of such other employes as are necessary to perform its functions. The salary, fees, and other expenses of the Board shall not exceed the amounts appropriated for its use by the governing body.

Section 7.5 Appeals From the Board of Adjustment

Any person or persons or any Board, taxpayer, department, or bureau of the town aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision in the manner provided by the laws of the State of Louisiana.

PART 8 - AMENDMENTS

Section 8.1 No Amendment, Supplement, or Change of the Zoning Ordinance or District Map Shall Become Effective Unless and Until:

- 8.101** There shall have been held a public hearing in relation thereto before the planning commission at which parties in interest and citizens shall have had an opportunity to be fully heard.
- 8.102** Notice of the proposed change and of the time and place of the hearing shall have been published once a week for three different weeks in the official paper of the city. At least fifteen (15) days shall elapse between the first publication and the date of hearing.
- 8.103** A printed notice in bold type shall have been posted for not less than ten (10) consecutive days prior to the hearing on signs not less than one and one-half (1 1/2) square feet in area, prepared, furnished, and placed by the building inspector on each block of each street adjoining the area proposed for a change in zoning classifications. Said signs shall contain an accurate statement of the proposed changes and also the time and place of the public hearing as provided above. The zoning commission shall have submitted its report and recommendations upon the proposed changes and amendments to the secretary of the Council. The Council shall not take action until it has received the final report of the zoning commission. Notice of such public hearing by the governing body shall give time and place of hearing and shall be published once a week in three different weeks in the official journal of the city, or if there be none, in a paper of general circulation therein. At least fifteen (15) days shall elapse between the first publication and the date of hearing.

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

- 8.104 A final ye and nay vote shall have been taken on the proposal by the Council within one hundred twenty (120) calendar days dated from the introduction of an ordinance in correct form.
- 8.105 In case, however, of a protest against such change signed by the owners 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) feet from the nearest property lines of the lots proposed for change 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.
- 8.106 After published notice required by Section 8.1, the Council may hold any public hearing required by this article or the statutes of Louisiana pertaining to zoning jointly with any public hearing required to be held by the planning commission but the legislative body shall not take action until it has received the final report of the planning commission.

PART 9 - DEFINITIONS

Section 9.1 Certain Words and Terms are Defined as Follows:

- 9.101 Words used in the present tense include the future; words in the singular number include the plural; words in the plural number include the singular; and the word "shall" is mandatory.
- 9.102 The term "Commission" means the Planning Commission of Marksville, Louisiana, which shall act as a zoning commission at such time as this ordinance shall go into effect.

- 9.103 **Town Governing Body** means the Town Council of Marksville, Louisiana.

Section 9.2 Specific Words Used in this Regulation

- 9.201 **Accessory Building and Use:** Subordinate building or a portion of the main buildings, the use of which is incidental to that of the main building or land not used for a place of habitation or a living room, kitchen, dining room, parlor, ~~bedroom,~~ or library. An accessory use is one which is incidental to the main use of the premises.
- 9.202 **Advertising Signs:** Pertaining only to the lease, sale or use of a lot or building on which placed and not exceeding a total area of twelve (12) square feet; provided that on a lot occupied by a dwelling the total area of all signs shall not be more than two (2) square feet for each dwelling unit. All other signs are prohibited in residential areas.
- 9.203 **Agriculture:** A farm of ten (10) acres or more for the production of crops and livestock including greenhouse and nurseries for the raising of plants and sale of farm products raised on the premises, but shall not be construed to mean the commercial processing of farm products such as slaughter houses, canning plants, feed mills, etc.
- 9.204 **Apartments:** A room or suite of rooms with culinary facilities designed for or used as living quarters for a single family
- Apartment Hotel:** Means a multiple dwelling under resident supervision.
- Apartment Motel:** Means an inn or group of cabins designed for occupancy by paying guests.
- 9.205 **Alley:** A minor right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
- 9.206 **Block:** A parcel of land, intended to be used for urban purposes which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, rural land or drainage channels or a combination thereof.

- 9.207 **Board:** Means the Board of Adjustment established in Part 7.
- 9.208 **Building:** Means any structure built for use of persons or animals.
- 9.209 **Building Line:** A line between which line and any street line of a lot, tract, or parcel of land, no building or part of a building may be erected or altered.
- 9.210 **Building Line or Set Back Line:** A line or lines designating the area outside of which buildings may not be erected.
- 9.211 **Comprehensive Plan or Master Plan:** Any legally adopted part or element of the overall plan for development of the area as provided by the legislature of Louisiana.
- 9.212 **Corner Lot:** A lot which abuts two or more streets at their intersection, or upon a curved street, provided that the two sides of the lot intersect to form an interior angle of not more than one hundred thirty-five (135) degrees.
- 9.213 **District:** A part of the town wherein regulations of this ordinance are uniform.
- 9.214 **Dwelling:** A building used entirely for residential purposes and shall not be construed to include trailers. A single family dwelling is a building that contains only one living unit; a two family dwelling is a building that contains only two living units; and a multiple dwelling is a building that contains more than two (2) living units. Dwellings may include accessory uses.
- 9.215 **Easement or Servitude:** A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.
- 9.216 **Engineer:** Shall mean a registered professional engineer registered in the State of Louisiana.
- 9.217 **Engineering Authority:** Persons, firm, or public agency recognized by the Town Council as responsible for approving construction design of public works such as streets, roads, bridges, etc., in the town of Marksville.
- 9.218 **Family:** One or more persons occupying a living unit as an individual housekeeping organization as distinguished from a group occupying a boarding house, lodging house or hotel.

- 9.219 **Frontage:** The distance for which property abuts on street, road, highway, or other public way measured along the dividing line between the public way and private property.
- 9.220 **General Terms:** The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as individual. The present tense includes the future; the singular includes the plural; and the plural the singular. The word "shall" is mandatory; the word "may" is permissive. The words "used" or "occupied" include the words "intend", "designed", or arranged" to be used or occupied.
- 9.221 **Home Occupations:** Customarily home occupations such as dressmaking or tailoring, office of a physician, or other professional persons incidental to a permitted use; provided such occupations are conducted in the main building and by persons resident in said buildings and provided further that persons conducting such operations may employ no one outside the family.
- 9.222 **Living Unit:** The rooms occupied by a family. The living unit must include a kitchen.
- 9.223 **Lot:** A parcel of land adequate for occupancy by a use herein permitted; providing the yards, area and off-street parking herein required and fronting directly upon a street.
- 9.224 **Lot, Corner:** A lot which abuts on two (2) or more streets, and/or roads at their intersections, or upon a curved street, provided that the two sides of the lot or the tangents to the curve at the street line at its starting points at or within the side lines of the lot intersect to form an interior angle of not more than one hundred thirty-five (135) degrees.
- 9.225 **Lot Depth:** The distance between front and rear lot lines. If two opposite sides of said lot are not parallel the depth shall be deemed to be the mean distance between the front and rear lot lines.
- 9.226 **Lot, Interior:** A lot which is not a corner lot.
- 9.227 **Lot Line, Front:** The front lot line of an interior lot is the line separating the lot from the street or easement of principal access. The front lot line of a corner lot shall be the lot line with the least frontage.

- 9.228 **Lot Line, Rear:** The rear lot line is the boundary opposite and more or less parallel to the front lot line. The rear lot line of an irregular or triangle lot shall be for the purpose of this ordinance a line not less than ten (10) feet long, lying wholly within the lot and parallel to and at the farthest distance from the front lot line.
- 9.229 **Lot Line, Side:** Any lot line not a front or a rear lot line.
- 9.230 **Lot, Through:** In general, this is bad planning, but some do exist. Therefore, a through lot is defined as one whose depth extends between two more or less parallel streets and has frontage on each street.
- 9.231 **Lot, Reverse Frontage:** A lot fronting on two (2) parallel streets but with access to only one.
- 9.232 **Lot, Width:** Shall mean the width of the lot at the building setback line measured parallel to the street right-of-way line.
- 9.233 **Lot of Record:** A parcel of land, the dimensions of which are shown on a map on file with the Clerk of the appropriate court of Avoyelles Parish, Louisiana. All lots of record shall front on and have ingress and egress by means of a public street or road.
- 9.234 **Office Building:** A building designed for or used as the offices of professional, commercial, industrial, religious, public, or semi-public persons or organizations.
- 9.235 **Parking Space:** (One automobile parking space shall be an area not less than nine (9) feet by twenty (20) feet and the access to the parking space from a public street or alley shall be provided in addition to the space necessary for parking, a total space of four hundred (400) square feet in area per car.
- 9.236 **Planned District:** A planned district shows in detail the manner in which the land will be used by designating the type and location of buildings, roadways, off-street parking, service areas, set back requirements, landscaping, and character of a development in conformance with requirements of all other parish ordinances and specific districts of the zoning ordinance.

- 9.237 **Recreational Use:** An area offering recreational facilities to the public for boating, boat launching, fishing, swimming, picnicking, camping, outdoor games, horseback riding, parks, playgrounds, and may include community centers.
- 9.238 **Right-of-Way:** A grant by the property owner, usually in the form of a dedication to the public, of a strip or strips of land to be used primarily for transportation passage over the land.
- 9.239 **Set Back:** The minimum distance away from a property line where buildings may be constructed, a building line, usually a line parallel to the front property line.
- 9.240 **Street Line or Right-of-Way Line:** The dividing line between a lot, its property line or lines, and a public right-of-way, a public street, road, or highway, or a private street, road, or highway over which two or more abutting owners have an easement, servitude, or right-of-way.
- 9.241 **Structure:** Anything built that requires a permanent location, however, it shall not be construed to mean trailers.
- 9.242 **Subdivision:** The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose of sale or building development whether immediate or future for the purposes other than agricultural. It includes resubdivision, and when appropriate to the contents, relates to the process of subdividing or to the land subdivided.
- 9.243 **Trailer, Mobile Home:** A vehicle equipped for use as a dwelling and designed to be hauled along a highway.
- 9.244 **Trailer, Park:** A parcel of land under single ownership which has been planned and improved for the placement of mobile homes.
- 9.245 **Trailer, Travel:** A vehicular, portable structure built on a chassis designed as a temporary dwelling for travel, recreational, and vacation use with a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.
- 9.246 **Utility:** A commodity or service which is of public consequence and need, such as electricity, gas, sewer, water, transportation, or telephone or telegraph service.

- 9.247 **Variance:** A modification from the provisions of this regulation by the Board of Adjustment in cases when enforcement of its provisions would result in unnecessary hardship.
- 9.248 **Yard:** A required open space unoccupied and unobstructed by any structure or portion of any structure from six (6) inches above the general ground level of the graded lot upward, provided however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.
- 9.249 **Yard, Front:** A yard extending between side lot lines across the front of a lot. In case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages.
- 9.250 **Yard, Front Depth:** Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost points of the side lot lines, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.
- 9.251 **Yard, Side:** A yard extending from the rear line of the required front yard to the rear lot line. In the case of through lots, side yards shall extend from the rear line of the front yards required. In the case of corner lots with normal frontage, there will be only one side yard adjacent to the interior lot. In the case of corner lots with reversed frontage, the yard remaining after the full front yard has been established shall be considered to be the side yard.
- 9.252 **Yard, Side Width:** Width of required side yards shall be measured at right angles to a straight line joining the ends of front and rear lot lines on the same side of the lot. This inner side yard line of the required side yard shall be parallel to the straight line so established.
- 9.253 **Yard, Rear Depth:** Depth of required rear yards shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight line so established.

PART 10 - MODIFICATIONS AND EXCEPTIONS

Section 10.1 Zone of Transition Establishment

Where the boundary line of commercial district abuts on a residential district the property within a distance equivalent to the width of the two residential lots of record (but not to exceed one hundred fifty (150) feet) next adjoining to either side shall be considered as being a zone of transition. This provision shall not apply when the uses abut on their rear property lines but shall apply when the districts are on opposite sides of a street and shall be applicable to the depth of these lots facing the commercial uses.

10.101 Uses Permitted: Those uses permitted in the A-4 High Density Urban District.

Section 10.2 Lot of Record, Restrictions of Record

The minimum lot size requirement, Part 2, Zoning Schedule, 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 became legally established and defined by deed or act of sale before the passage of this ordinance, provided that the side and rear yard of no dwelling shall be less than three (3) feet. When restrictions of record are in conflict with the zoning ordinance, the ordinance shall not negate the restrictions of record, however, the more restrictive of the two shall apply but it shall not be the duty of the building official to enforce the restrictions of record.

Section 10.3 Exceptions to Height Requirements

The height regulations as stated in this ordinance shall not apply to:

- 1. Churches, schools, hospitals, sanitariums, public and semi-public; public service buildings and institutions. There shall be no restrictions on the height of such buildings, provided the front, side, and rear yard required in the district in which such building is to be located shall be increased an additional one (1) foot for each foot of height that the building exceeds the maximum height permitted in such districts.**

2. Barns, silos, and other farm structures when located on farms; bellfries; cupolas; domes; flagpoles and monuments; water towers; transmission towers; windmills; chimneys; smoke stacks; radio towers; waste and aerial conveyors; fire towers; and oil derricks.
3. Bulkheads, elevator penthouses; water tanks; cooling towers; scenery lofts; and similar structures provided that such structures shall cover not more than twenty-five (25) percent of the total roof area of the building of which structure is located.

Section 10.4 Carport and Accessory Buildings

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 are 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 three (3) feet from the side lot lines and ten (10) feet from the rear lot line; that the combined length of such carport or accessory building does not exceed thirty (30) feet and that the height of such carport or accessory building does not exceed thirteen (13) feet or occupy more than twenty (20) percent of the rear yard. A carport or accessory building attached to the main building may be enclosed only when it will not obstruct sight distance along any street nor abut a building on the lots adjacent whose combined side lines would be less than the district specifies.

Section 10.5 Existing Railroads and Mineral Deposits

Existing railroads may continue to operate and be maintained in dwelling and commercial districts. Mineral deposits may be mined but residential areas shall be protected as set forth under Section 2.1103.

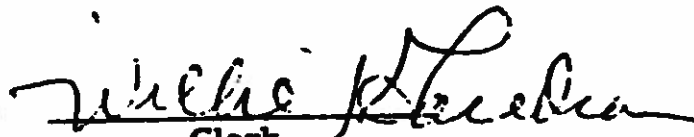
Section 10.6 Area

- 10.601 **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 zoning Board of Adjustment.

PART 13 - SHORT TITLE AND EFFECTIVE DATE

This ordinance may be cited and otherwise referred to as the "Marksville Zoning Ordinance."

This ordinance shall be effective on December 11, 19 72. This ordinance having been submitted to a vote, the vote thereon was as follows: Yeas 5, Nays 0, Absent 0, and the ordinance was declared adopted on this 11th day of December, 19 72.


Clerk


Mayor

10.602 Set Back: Side yard waived. For the purpose of side yard regulations, the following dwellings with common party walls shall be considered as one building occupying one lot: semi-detached dwellings, row dwellings, and apartments.

10.603 Projections Into Yard: Cornices, eaves, belt courses, chimneys or other similar architectural features may extend or project into a required side yard. Unroofed platforms, landings, steps, or balconies may be extended or project into a required side yard and landscape features such as arbors, pergolas, etc. In no case may any part of the projections extend closer than three (3) feet to any property line.

PART 11 - SEPARABILITY CLAUSE

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared unconstitutional or invalid.

PART 12 - REPEALS OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith or incompatible with the provision of this ordinance are hereby repealed.

ZONING SCHEDULE
MARKSVILLE, LOUISIANA

DISTRICTS AND SECTION NUMBER	USES PERMITTED	EXCEPTIONS	MAX. HEIGHT	YARD SET BACKS			LOT SIZE		PARKING	OTHER
				Front	Side	Rear	Minimum	Width		
F - Foundation 2.1	Any allowed in controlling district			Minimum floor level not less than one foot above highest recorded flood since 1927						
A - 1 Planned Residential 2.3	A-2 and A-3 uses			Same as A-2 and A-3						20 acres or more
A - 2 Urban Residential (Single Family) 2.4	Dwellings, agriculture, accessory buildings, cemeteries		35'	25'	7.5'	25'	7,500 sq. ft.	75'	See Part 4	
A - 3 Urban Residential (Multi-Family) 2.5	A-2 uses, multi-family dwellings, home occupations, lodge halls, boat rentals		35'	20'	5'	20'	7,500 sq. ft. plus 800 sq. ft. for ea. unit in excess of 3 and 1800 sq. ft. for ea. ground level unit in excess of 3	70'	See Part 4	
A - 4 Urban Residential (High Density) 2.6	Apartments and row houses		45'	None ¹	None ¹	None	Same as A - 3		See Part 4	
A - 5 Mobile Home Trailer Park 2.7	Parking or sale of mobile home and travel type trailers		35'	20'	15'	15'	10 trailer rental units per acre maximum	27' per trailer space	See 2.705	3 acres or more
A - 6 Transitional 2.8	A-4 uses, motels, office buildings, personal service shops		45'	None ¹	None ¹	None	Same as A - 4		Part 4 - One driveway into parking lot. No on-street parking	20% of lot reserved for useable open space
C - 1 Planned Commercial 2.9	C-3 uses	See 2.1201		Same as C - 3						5 acres or more
C - 2 Neighborhood Commercial 2.10	A-6 uses, restaurants, grocery and drug stores, florists, laundrette, bars, bookkeeping	See 2.1201	45'	None except for dwelling and then they shall be the same as A-6, or when an abutting occurs with a district requiring yards they shall be the same as the abutting district					See Part 4	Loading Zone See Part 4
C - 3 Commercial 2.11	C-2 uses, all businesses not specifically prohibited	See 2.1201	65'	Same as C - 2					See Part 4	Loading Zone See Part 4
M - 1 Planned Industrial 2.12	C-3 uses, all uses not specifically prohibited	Dwellings except for watchmen caretakers See 2.1201	None	None ¹	None ¹	None ¹			See Part 4	20 acres or more
M - 2 Light Industrial 2.13	M-1 uses, ice house, bulk oil storage, boat repairs	Churches, schools, libraries and dwellings for other than watchmen & caretakers	"	"	"	"	Structure to cover no more than 60% of lot area		See Part 4	Loading Zone see Part 4
M - 3 General Industrial 2.14	M-2 uses, and all uses not specifically prohibited	Same as M-2	"	"	"	"			See Part 4	Loading Zone See Part 4

Supplementary District Regulations - Land Rehabilitation - Section 2.1504

Expect where it abuts a residential district.

RESOLUTION

WHEREAS the Marksville Town Planning Commission in accordance with requirements of Title 33, Section 4721-4729 of the Louisiana Revised Statutes as amended, is authorized by the Council to prepare and review a zoning ordinance and submit its final report to the Council for their adoption; and

WHEREAS due notice of public hearing was published in a newspaper of general circulation in Marksville, Louisiana, stating that a public hearing would be held on September 21, 19 72, at 7:00 p.m. in city hall. Any persons wishing to express their views were invited to do so at this meeting concerning zoning for the incorporated area of Marksville. This hearing was held on said date in accordance with the above notice.

NOW, THEREFORE BE IT RESOLVED that the Marksville Planning Commission does hereby approve and recommend that the Council adopt the zoning ordinance as amended, covering the entire incorporated geographical area of Marksville, which document contains the official zoning map and 43 pages of descriptive matter. It is further identified by the signature of the Chairman of the Planning Commission showing date of the action herein taken and initialed on each page, a certified copy of which said document is attached and made part hereof as though set forth in extenso.

RESOLVED FURTHER the Marksville Planning Commission is authorized to submit its final report to the Council for the subsequent public hearing and official adoption. It is therefore recommended that after careful study, the Planning Commission does recommend that the Council hold public hearing and adopt the zoning ordinance and map as attached and amended.

DULY READ, RENDERED AND SIGNED, this 28th day of September, 19 72, in Marksville, Louisiana.


Chairman


Secretary

RESOLUTION

No. 90-110

On motion by Alfred Channel, seconded by Harold Hardwick and unanimously adopted:

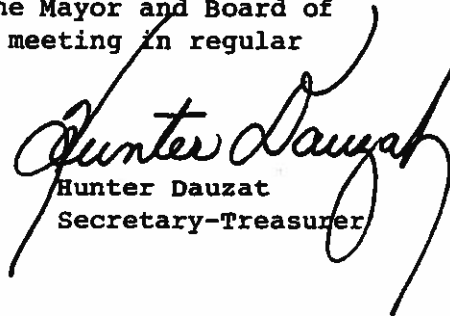
BE IT RESOLVED that the construction of public housing in the area east of Preston St. from Ferdinand St. to Andrus St. be prohibited.

AMENDMENT by Malcolm Baudin, seconded by Alfred Channel and unanimously adopted:

THAT the construction of public housing in the area east of Preston St. from Ferdinand St. to Oak St. be prohibited.

CERTIFICATE

I certify that the above is a true and correct copy of a resolution unanimously adopted by the Mayor and Board of Aldermen of the City of Marksville, meeting in regular session October 9, 1990.


Hunter Dauzat
Secretary-Treasurer

RESOLUTION
NO. 2000-083

On motion by Alfred Channel, seconded by Dennis Decuir and unanimously adopted:

BE IT RESOLVED that Resolution No. 2000-031 on the zoning ordinance concerning mobile homes be and hereby is amended to read as follows:

BE IT RESOLVED that in all areas zoned other than A-2 that use or placement of mobile homes and trailers shall be not permitted unless a special permit is obtained in the following manner. The applicant for a permit must present the request to the Marksville Zoning Committee and comply with the same advertising requirements for a zoning change. A special permit may be issued by the Mayor and Council after a full hearing and report by the Marksville Zoning Commission only when there is no objection. The permit shall be issued only to an individual for that individual's use only and not for rental purposes. The permit shall be issued for no more that two years and shall provide that it shall immediately expire and be of no effect, either at the termination of the time limit or ten days after the individual named in the permit ceases to be a full-time resident in the mobile home or trailer, whichever occurs first. The trailer must be provided with a skirting and roofing of such a nature as to be similar in appearance to that of the roofs of the surrounding neighborhood and within one (1) year the area must be landscaped with shrubs, trees and/or bushes.

CERTIFICATE

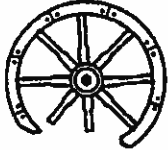
I hereby certify that the above resolution is true and correct as adopted unanimously by the Mayor and Board of Aldermen meeting in regular session June 14, 2000.

Myron Gagnard
Secretary – Treasurer

City of Marksville

427 N. WASHINGTON ST. / PHONE 318-253-9500 / FAX 318-253-0457 / MARKSVILLE, LA 71351

JOHN H. LEMOINE, MAYOR



COUNCIL MEMBERS

CLYDE BENSON
(Mayor Pro-Tem)

District 5

FRANK HAVARD

District 1

MICHAEL J. GREMILLION

District 2

MARY SAMPSON

District 3

EDWARD C. CONWAY

District 4

City of Marksville Mayor and Board of Aldermen

Ordinance No. 2017-007

HEATHER BORDELON
SEC.-TREAS.
DERRICK WHITTINGTON
CITY ATTORNEY

On motion by Frank Havard, seconded by Edward Conway and unanimously adopted:

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Marksville, Louisiana, that the final adoption be;

Section 1: Section 2.402 of the Zoning Code for the City of Marksville is hereby amended to add the following **(proposed language in bold.)**

SECTION 2.4 A-2 URBAN RESIDENTIAL (SINGLE FAMILY)

2.402: Prohibited Uses: All uses not permitted herein

Any single family dwelling constructed after the 11th day of January, 2017 shall not be used for commercial purposes without the approval of the Marksville City Council.

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of an ordinance proposed by the Mayor and Board of Aldermen of the City of Marksville, Louisiana meeting in a regular session convened January 11, 2017 at which meeting a quorum was present and voting.

Heather Bordelon
Secretary/Treasurer

1-11-17
Date