

ORDINANCE NO. 416-2019

AN ORDINANCE OF THE CITY OF YOUNGSVILLE, LOUISIANA AMENDING CHAPTER 105, SECTION 105-33 “BUILDING SETBACKS” AND ADDING ARTICLE IV “MISCELLANEOUS” AND SECTION 105-73 “ACCESSORY STRUCTURES”

BE IT ORDAINED by the Mayor and City Council of the City of Youngsville that:

WHEREAS, the City Council of the City of Youngsville desires to amend the City of Youngsville Code of Ordinances, Chapter 105, Section Number 105-33 “Building Setbacks,” in order to eliminate variances but to allow the placement, construction and installation of pervious surface within a portion of the setback;

WHEREAS, the City Council of the City of Youngsville desires to amend the City of Youngsville Code of Ordinances Chapter 105 “Building and Building Regulations” by adding Article IV “Miscellaneous” and Section 105-73 “Accessory Structures” prohibiting the construction or placement of an accessory structure within utility easements and imposing regulations relative to accessory structure permits.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Youngsville that:

SECTION 1: All of the aforescribed “WHEREAS” clauses are herein adopted as part of this ordinance.

SECTION 2: The City of Youngsville Code of Ordinances, Chapter 105 “*Buildings and Building Regulations*,” Section Number 105-33 “*Building Setbacks*,” is hereby amended and replaced as follows:

- (a) *Definitions*. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section.
 - (1) *Impervious surface* means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, concrete or asphalt paving, gravel with compacted subgrade, packed earthen materials, or other surfaces which similarly impede the natural infiltration of stormwater.
 - (2) *Pervious surface* means any material, other than grass or vegetation cover, that permits full or partial absorption of stormwater.
- (b) The building setback for all new construction, alterations, equipment, use and occupancy and maintenance of every building or structure or any appurtenance connected to or detached from such buildings or structures shall be five feet on the side, ten feet at the rear, and 20 feet at the front as measured from the relative property line. The setbacks for traditional neighborhood developments are set forth in Chapter 155 Section 4(l). No variations of these setback measurements shall be allowed.
- (c) The setback established by this article shall prevail over any and all individual subdivision covenant setbacks. Subdivision covenants may impose more restrictive setbacks but shall not impose less restrictive setbacks than those set forth herein.

- (d) There shall be no permanent structure or impervious surface placed, constructed or installed within the defined setback of any property.
- (e) Placement, construction, or installation of pervious surface within building setbacks may be allowed but only with specific approval of the City. In addition to City approval, a drainage plan is required. Upon approval by the City Engineer, any pervious surface placed, constructed or installed within the building setback is still subject to a minimum two-foot setback as measured from the relative property line.
- (d) Building setbacks and the regulation of construction, installation, maintenance, improvements, alterations, and operation of all mobile home or manufactured home subdivisions within the municipal limits of the city shall be governed by chapter 140.

SECTION 3: The City of Youngsville Code of Ordinances, Chapter 105, “Building and Building Regulations”, Article IV “Miscellaneous”, Section 105-73 “Accessory Structures” is hereby created to read as follows:

Sec. 105-73 Accessory Structures.

- (a) *Definition.* The following phrase, when used in this article, shall have the meaning ascribed to it in this section.

Accessory structure shall mean a permanent attached or detached structure that is incidental to that of the main structure. Examples include, but are not limited to, garages, carports, permanent storage buildings, green houses, swimming pools, spas, pool houses, gazebos, cabanas, and outdoor kitchen facilities. The definition of accessory structure does not include a pergola or trellis.

Pergola shall mean a structure usually consisting of parallel posts or columns supporting an open roof of cross rafters or trelliswork that is predominantly open to the elements.

Trellis shall mean a frame usually made of wood or metal, supporting open latticework and used as a screen or a support for a swing or for growing vines or plants.

- (b) *Setback requirements; easements.*

- (1) All accessory structures shall comply with the setback requirements set forth in Chapter 105, Article II, Subsection 33 and Chapter 155, Subsection 4(l).
- (2) Patio or decking may be constructed within the building setback, provided the patio or decking is comprised solely of pervious surface and meets all requirements set forth in Chapter 105, Article II, Section 33(e).
- (3) Pergolas and trellises may be placed within the building setback provided that any groundcover placed beneath such pergola or trellis is comprised of pervious surface.
- (4) No accessory structure, pergola or trellis shall be allowed in any utility easement.

(c) *Permitting requirements; plans.* All accessory structures regulated herein shall conform to the following requirements:

- (1) No accessory structure shall be erected, constructed, placed, altered, repaired, or re-located until a permit has been issued by the city in accordance with Chapter 105, Article I. All utility permits shall be required before any accessory structure is connected to utilities within the city.
- (2) All plans hereafter submitted for accessory structures shall show compliance with the requirements specified herein as well as all state code requirements. Plans must be complete before they will be approved.
- (3) All accessory structure plans must contain a drainage plan that complies with the requirements specified herein and includes pop-up drains.
- (4) Each application for an accessory structure permit shall be accompanied by a permit fee in an amount to be established, from time to time, by resolution of the City of Youngsville City Council.

SECTION 4: EFFECTIVE DATE OF ORDINANCE:

This ordinance shall take effect upon adoption.

This ordinance having been introduced on February 14, 2019 was submitted for a vote and the vote therein was as follows:

YEAS: Jamison Abshire, Lindy Bolgiano, Matt Romero, Ken Stansbury, Gary Williams

NAYS: None

ABSENT: None

ABSTAIN: None

The ordinance was adopted on this the 14th day of March, 2019.

/s/ Ken Ritter

Ken Ritter, Mayor

/s/ Sally M. Angers

Sally M. Angers, City Clerk