



# Staff Report

## Text Amendment

Case #: TA-2020-07-00019

**Attachments:** Staff Report, Previous B-1 Zoning Uses (Same as MX-N), Current MX-N Uses, Proposed MX-N Uses, Comparison to MX-C Uses

Zoning Commission Public Hearing: Thursday, August 6, 2020

City Council Introduction: Tuesday, April 13, 2021

City Council Final: Tuesday, April 27, 2021

### **City Council Request (Ordinance):**

Introduction for a Text Amendment to Ordinance #14-5364

- 1) Article 6.1.3 Mixed Use MX-N to removed several allowed uses, and
- 2) Add required construction routes for developments to be approved prior to issuance of permits. (TA-2020-07-00019) Recommend Approval by Zoning Commission

### **Additional Information:**

B-1 zoning uses were changed when the UDC was adopted in 2014. The same zoning classification was renamed to MX-N. The purpose of this change is because some of the current uses for MX-N are less neighborhood friendly. MX-N should be low impact to residential neighborhoods while also encouraging a live and work environment. Day use for mixed-use business area is more appropriate next to neighborhoods.

The City has been enforcing construction routes for development to ensure the safety of our citizens and to protect road conditions. There is no ordinance at this time to enforce this requirement.

### **Public Hearing:**

**For:** NONE

**Against:** NONE

### **Commission Recommendation:**

**Motion:** Recommend approval

**For:** Jeffrey Smith, Matt Sandifer, Jimmy Meyer, William Travis, Kylan Douglas

**Against:** NONE

**Abstain:** NONE

**Absent:** NONE

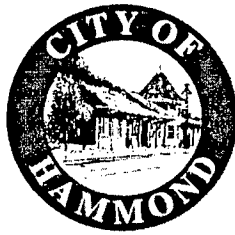
### **Ordinance to Read:**

WHEREAS on August 6, 2020 the Hammond Zoning Commission held a public hearing and recommended approval to Amend Ordinance #14-5364

1) to remove the following uses from Article 6.1.3 B) MX-N Neighborhood Mixed Use:

Country Club, All indoor recreation except sexually oriented business, animal care/animal hospital, all restaurant (including alcohol), convenience store with/without gas, all vehicle sales and services, all vehicle services, reception/banquet hall.

2) add to Article 10.1.2 Streets, Sidewalks, and Railroads: General Provisions D. Construction routes must be approved for any development prior to issuance of permits.



**CITY OF HAMMOND  
ORDINANCE N° 11-5273 C.S.**

**AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 01-2679 TO CHANGE SECTION 2.4 (8) B-1 OFFICE DISTRICT TO ALLOW LIMITED RETAIL ON COLLECTOR AND ARTERIAL STREETS WITHOUT THE SALE OF ALCOHOL.**

**WHEREAS**, on November 3, 2011 the Zoning Commission recommended approval to amend Zoning Ordinance No. 01-2679 to change Section 2.4 (8) B-1 Office District *as provided herein*;

**WHEREAS**, the City Council determines that it is in the City's interest to amend Zoning Ordinance No. 01-2679 to change Section 2.4 (8) B-1 Office District, *as provided herein*;

**THEREFORE BE IT ORDAINED** by the City Council of Hammond, Louisiana, that:

\*\*\*\*\*

A. The City of Hammond Zoning Ordinance No#01-2769 is amended as follows:

**2.4(8) B-1 Office District –**

(a) The B-1 Office District is primarily a very restrictive business area that allows office and very limited retail uses of buildings for businesses that provide goods and services to the general public. These businesses are types that are non-nuisance generating (as opposed to those that generate noise, odors and/or traffic) since B-1 Districts frequently abut residential areas.

(b)(1) Premises with access from a local residential street may be used for the following purposes:

- Single family dwelling
- One Duplex (on a single lot-of-record)
- Church
- Lodging house, boarding house, nursing home
- Child Nursery - General health clinic but not animal or mental hospital
- Health and fitness club (recreational)
- Municipal recreation use - Philanthropic use, lodge hall, private club
- Office buildings, provided that no goods, wares or merchandise shall be prepared or sold on the premises.
- Personal beauty shops such as beauty shops and barber shops
- Professional services such as lawyer's, physicians', and accountant's office
- Real estate office
- Studios of artists and photographers, not including tattoo parlors

(b)(2) Premises with sole access and egress from collector or minor or major arterials may be used for the following purposes (excluding any and all sales of any beverages containing any alcohol):

- Any use listed in (b)(1) above
- Multiple family housing
- Banks, financial institutions
- Retail store (maximum 2,500 square feet) including produce market, grocery, home crafted items, art items
- coffee shop (excluding the preparation of food on-premises)
- Parking lots, provided that the parking area shall be used for parking of passenger vehicles only. If lighting facilities are provided, they shall be arranged so as to reflect or direct light downward and shielded from view of residential districts.

(c)The following accessory uses are permitted:

- Private garages
- Gardens for non-commercial uses
- Storage garages and parking lots for use solely by occupants and guests of the premises. - Tennis

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 01-2679 TO CHANGE SECTION 2.4 (8) B-1 OFFICE DISTRICT TO ALLOW LIMITED RETAIL ON COLLECTOR AND ARTERIAL STREETS WITHOUT THE SALE OF ALCOHOL.

courts, swimming pools

- Radio and television towers incidental to a permitted use.
- A use of not to exceed 40 percent of the floor area for incidental storage
- Home occupations

(d) Minimum yards shall be provided as follows:

- One front yard of 15 feet for both dwelling and non-dwelling uses. Front yards shall be landscaped and maintained in good condition. Parking is required to be located in the rear of the building.
- One rear yard of 10 feet.
- Two side yards of 5 feet each. For all uses, a side yard of not less than 5 feet shall be provided, except for corner lots, which will require a set-back of at least 10 feet or one-half the height of the building, whichever is greater ( on the side yard facing the street ).

(e) The minimum lot width and lot areas shall be as follows:

- Lot width 50 feet
- Lot area 5,000 sq.ft.
- Lot area per living unit 3,000 sq.ft.

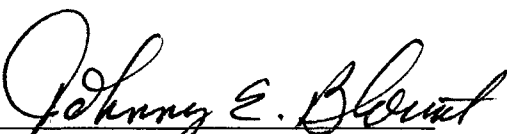
This ordinance shall supersede all prior ordinances in conflict with this ordinance. It is the intention of the City Council that in the event of any conflict with any existing ordinance, the provisions of this ordinance shall control.


The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on November 15<sup>th</sup>, 2011 of the Hammond City Council and discussed at a public meeting held on December the 6<sup>th</sup>, 2011; after motion and second was submitted to the official vote of the Hammond City Council.

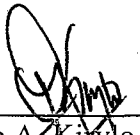
On motion by Jason Hood and Second by Mike Williams the foregoing ordinance was hereby declared adopted on December the 6<sup>th</sup>, 2011 by the following roll call vote:

Notes: Johnny Blount (Y) Jason Hood (Y) Robert "Bobby" Martin (Y) Lemar Marshall (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this 6<sup>th</sup>, Day of December, in the year 2011, at Hammond, Tangipahoa Parish, Louisiana.

  
 Johnny Blount  
 President, Hammond City Council

  
 Honorable Mayson H. Foster  
 Mayor, City of Hammond

  
 Anette A. Kirylo, Clerk  
 Hammond City Council

Recordation of Receipt Received from the  
 Mayor of the City of Hammond on  
 the 7 day of December in the year 2011  
 at 12:30 o'clock P.M., in accordance with  
 Home Rule Charter Article II, Section 2-12 (B).

  
 Anette Kirylo, Clerk  
 Hammond City Council

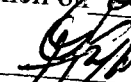
**CERTIFICATE OF DELIVERY**

In accordance with Home Rule Charter Article II, Section 2-12 (A), the above Ordinance was delivered to

the Mayor of the City of Hammond on the  
 7 day of December, in the year 2011  
 at 12:30 o'clock P.M. said delivery being within three (3)  
 calendar days after adoption, exclusive of weekends  
 and state holidays.

  
 Anette Kirylo, Clerk of Hammond City Council

I Anette A. Kirylo, Clerk of the Council,  
 do certify that this is a true and correct  
 copy of Ordinance# 11-5273 C.S.  
 Adopted by the Hammond City  
 Council on December 6, 2011.

  
 Anette A. Kirylo

18. Publishing establishment, printing plant
  19. Art studio/gallery
  20. Convenience store without gas
  21. Dry Cleaning
  22. Taxi stand limited to five taxis
  23. Wholesale business included within a building – not including warehouse
  24. Reception/Banquet Hall
  25. Cemeteries and/or Memorial Gardens
- B. Accessory Uses
1. Home Occupations
  2. Private Garages
  3. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
  4. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
  5. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.
  6. Gardens for noncommercial uses
  7. Incidental storage not to exceed 40% of the floor area
  8. Sale of alcohol in conjunction with a full-service restaurant
- C. Conditional Uses
1. Day Care Facility
  2. Home occupations
  3. Commercial Parking
  4. Off street parking facility
  5. Social services
  6. Convenience store with gas
  7. All vehicle sales and rentals
  8. All water-oriented sales and services
  9. Minor utilities

Only difference is in MX-C allows for #28.All Self Storage & #7. Sale of alcohol in conjunction

B. **MX-N Neighborhood Mixed Use** with full service restaurant

The MX-N District is intended to provide appropriate areas for new and existing development that incorporates both small-scale residential and office uses within close proximity to one another and adjacent neighborhoods. The district is also intended to provide for live/work opportunities where people can live and work in the same physical space. The district can also be used as a transition between arterials or more intense commercial areas and established residential neighborhoods. Neighborhood Mixed Use is intended to provide for a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods.

- A. Allowed Uses
1. Detached Living (Single-Family Dwelling)
  2. Modular without chassis
  3. Attached House
  4. Row Houses
  5. Apartments (multi-family dwelling)
  6. Group living
  7. Social Services
  8. Civic Uses
  9. Parks and open space
  10. Minor utilities
  11. Day Care

12. Country Club
  13. All indoor recreation except sexually oriented business
  14. All medical
  15. All office
  16. Overnight lodging
    - a. Bed and Breakfast
  17. Services
    - a. All personal services
    - b. Tanning bed facilities
    - c. Barber and beauty shops
    - d. Florists
    - e. Mortuary
    - f. Real Estate office
    - g. Banks, financial institutions
    - h. Dry Cleaning
  18. Animal Care
    - a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
  19. All restaurant
  20. All retail sales
  21. Art Studio/gallery, no including tattoo parlors
  22. Convenience store without gas
  23. Convenience store with gas
  24. All vehicle sales and services
  25. All water oriented sales and services
  26. All research and development
  27. All vehicle services
  28. Off street parking
  29. Reception/Banquet Hall
  30. Cemeteries and/or Memorial Gardens
- B. Conditional Uses
1. Tattoo parlor
  2. Major utilities
  3. Commercial parking lots and garages
  4. All outdoor recreation
  5. Sweet Shop
- C. Accessory Uses
1. Gardens for non-commercial purposes
  2. Storage garages and parking lots for use solely by occupants and guests of the premises.
  3. Tennis courts, swimming pools
  4. Radio and television towers incidental to a permitted use
  5. Incidental storage not to exceed 40 percent of the floor area
  6. Home occupations

### C. MX-C Commercial Mixed Use

MX-C is intended to provide for a variety of residential, retail, service, and commercial uses. While MX-C accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed use opportunities.

#### B. Allowed Uses

1. Detached Living (Single-Family Dwelling)
2. Attached House

Previous B-1 Zoning Uses	Current MX-N Zoning	Proposed Change to MX-N Zoning	Current MX-C Zoning (Next Zoning Use in UDC)
<p>The B-1 Office District is primarily a very restrictive business area that allows office and very limited retail use of buildings for businesses that provide goods and services to the general public. These businesses are types that are non-nuisance generating (as opposed to those that generate noise, odors and/or traffic) since B-1 District frequently abuts residential areas.</p> <p>B-1 Office District is to allow limited retail on collector and arterial streets without the sale of alcohol.</p>	<p>The MX-N District is intended to provide appropriate areas for new and existing development that incorporates both small-scale residential and office uses within close proximity to one another and adjacent neighborhoods. The district is also intended to provide for live/work opportunities where people can live and work in the same physical space. The district can also be used as a transition between arterials or more intense commercial areas and established residential neighborhoods. Neighborhood Mixed use is intended to provide for a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods.</p>		<p>MX-C is intended to provide for a variety of residential, retail, service and commercial uses. While MX-c accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed use opportunities.</p>
<b>ALLOWED USES:</b>	<b>ALLOWED USES:</b>	<b>ALLOWED USES:</b>	<b>ALLOWED USES:</b>
Single Family Dwelling	Detached Living (Single-Family Dwelling)	Detached Living (Single-Family Dwelling)	Detached Living (Single-Family Dwelling)
1 duplex per lot	Modular without chassis	Modular without chassis	Modular without chassis
Church	Attached House (Duplex)	Attached House (Duplex)	Attached House (Duplex)
Lodging house, Boarding/Nursing	Row Houses	Row Houses	Row Houses
Health and fitness club	Apartments (multi-family dwelling)	Apartments (multi-family dwelling)	Apartments (multi-family dwelling)
Municipal Recreational Use	Group Living	Group Living	Group Living
Office Buildings, provided that no goods are prepared or sold on the premises	Social Services	Social Services	Social Services
Personal Beauty Shop/Barber	Civic Uses (Schools, Churches, etc)	Civic Uses (Schools, Churches, etc)	Civic Uses (Schools, Churches, etc)
Professional services such as lawyers, physicians, and accountants	Parks and Open Space	Parks and Open Space	Parks and Open Space
Real Estate Office	Minor Utilities	Minor Utilities	Minor Utilities
Studios of artists, photographers, not including tattoo parlors	Day care	Day care	Day care
Multiple family housing	Country Club	<del>Country Club</del>	Country Club
Banks/Financial institutions	All indoor recreation except sexually oriented business	<del>All indoor recreation except sexually oriented business</del>	All indoor recreation except sexually oriented business
Retail Store	All Medical	All Medical	All Medical
Coffee Shop	All Office	All Office	All Office
Parking lots	Overnight Lodging (Bed and Breakfast)	Overnight Lodging (Bed and Breakfast)	Overnight Lodging (Bed and Breakfast)
	Services (All personal services, tanning bed, barber/beauty shops, florists, mortuary, real estate office, banks, financial institutions, dry cleaning)	Services (All personal services, tanning bed, barber/beauty shops, florists, mortuary, real estate office, banks, financial institutions, dry cleaning)	Services (All personal services, tanning bed, barber/beauty shops, florists, mortuary, real estate office, banks, financial institutions, dry cleaning)
	Animal Care, Animal Hospital	<del>Animal Care, Animal Hospital</del>	Animal Care, Animal Hospital
	All restaurant (including alcohol)	<del>All restaurant (including alcohol)</del>	All restaurant (including alcohol)
	All retail sales	All retail sales	All retail sales
	Art Studio/gallery, not including tattoo parlors	Art Studio/gallery, not including tattoo parlors	Art Studio/gallery, not including tattoo parlors
	Convenience store without gas	<del>Convenience store without gas</del>	Convenience store without gas
	Convenience store with gas	<del>Convenience store with gas</del>	Convenience store with gas
	All vehicle sales and services	<del>All vehicle sales and services</del>	All vehicle sales and services
	All water oriented sales and services	All water oriented sales and services	All water oriented sales and services
	All research and development	All research and development	All research and development
	All vehicle services	<del>All vehicle services</del>	All vehicle services
	Off Street Parking	Off Street Parking	Off Street Parking
	Reception/Banquet Hall	<del>Reception/Banquet Hall</del>	Reception/Banquet Hall
	Cemeteries and/or Memorial Gardens	Cemeteries and/or Memorial Gardens	Cemeteries and/or Memorial Gardens
		<p>Removing these uses from MX-N will not eliminate any uses in the City limits. They are also allowed in MX-C</p>	<p><b>**additional uses allowed in MX-C that are not in MX-N are:</b></p> <p>All Light industrial (bottling plant, publishing establishment, printing plant, Canning and preserving foods, Lumber yard as part of retail establishment, Contractor's storage yard, Carpentry shop, Any retail or wholesale use not the storage above ground of petroleum and other inflammable liquids in excess of 100,000 gallons.)</p>
			All self-storage