



**CITY OF HAMMOND  
ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING A TEMPORARY 365 DAY  
MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF SUBDIVISION  
PLATS, SITE DEVELOPMENT PLANS OR ZONING AMENDMENTS FOR  
MULTIFAMILY HOUSING WITHIN THE CITY OF HAMMOND, PROVIDING FOR  
VARIANCES AND PROVIDING A SEVERABILITY CLAUSE.**

**WHEREAS,** A Housing Advisory Committee was formed in 2020 by the Hammond City Council to review and analyze Hammond's housing needs and opportunities and to develop a comprehensive housing strategic plan to grow the middle class in the City through investment in residential infrastructure; and

**WHEREAS,** the Housing Advisory Committee is expected to make recommendations to the City to (1) amend the City Code of Ordinances to add to, adjust and clarify sections regarding residential property code violations and enforcement; blighted property definition and condemnation processes, and succession, as well as Unified Development Code amendments that would ensure new housing development in certain areas is compatible with the existing character of the surrounding neighborhood and changes to policies, procedures, and practices that would reduce the City's blighted property and code enforcement burdens; and

**WHEREAS,** Mechanisms and programs that promote the development of high quality, affordable single-family housing in the City, such as developer incentives, private/public partnerships, redevelopment authority implementation and similar projects are in the public interest; and

**WHEREAS,** Other programs, mechanisms, and measures that would assist in revitalizing and stabilizing areas of the City for single family housing, including infrastructure that would create more complete, connected, safe and attractive residential neighborhoods is in the public interest; and

**WHEREAS,** the City wants to insure that the impact of future development of multi-family housing has an acceptable impact on the distinctive character of the neighborhoods of the City; and

**WHEREAS,** the City will change drastically if unlimited growth of development of multi-family housing projects should occur under the City's existing ordinances, before the City can review and

consider the recommendations of the Housing Advisory Committee; and

**WHEREAS**, the City Council has determined that it is necessary to study the recommendations of the Housing Advisory Committee and update its development ordinances and procedures as determined appropriate to meet the housing needs of City's citizens, and to protect the health, safety, environment, quality of life, and general welfare; and

**WHEREAS**, in order for the City to have adequate and reasonable time to review, evaluate and revise the City's development ordinances, as appropriate, and to consider the impact of the ordinances upon future growth, public health and safety, development, the environment, the historic character of the City's neighborhoods and places of importance and significance within the City, the City wishes to implement a moratorium period of 365 days, during which no applications for multi-family housing projects or subdivision plats will be accepted; and

**WHEREAS**, the purposes of prohibiting applications, for multi-family development permits and/or approvals during this study period include, within limitation, preserving the status quo during the planning process, eliminating incentives for hasty applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised ordinances by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development ordinances; and

**WHEREAS**, in recognition of the appropriateness of multi-family development permits and/or approvals to the community, the City desires to implement this moratorium for a stated and fixed time period, and to include a variance provision for cases of necessity and undue hardship.

**THEREFORE, BE IT ORDAINED:**

1. Except as provided below, no applications for multi-family subdivision plats, multi-family site development plans, multi-family building permits or zoning amendments to change from single family zoning to a zoning allowing multi-family development, will be accepted for filing or processed and no such permits or approvals will be issued by the City until (a) 365 days after final adoption of this ordinance, or (b) termination of this ordinance by the City Council, whichever is sooner.
2. This moratorium shall not apply to applications within an area zoned Mixed Use, where the use is at least fifty (50%) non-residential.
3. If the City Council determines that this 365 day period is insufficient for the City to fully complete the process of developing and adopting ordinances to implement the recommendations of the Housing Advisory, this ordinance may be renewed for an additional period of time, not to exceed 180 days, by resolution upon a majority vote of the City Council.
4. An owner of property within the City may request a variance from the requirements of this ordinance under the following conditions:

- (a) special circumstances or conditions exist imposing an undue hardship on the property owner; or
  - (b) where a multi-family project is in the public interest for that particular area and will not disturb the character of the neighborhood; or
  - (c) there is a previously existing legal right to proceed; or
  - (d) a re-zoning of the property would not result in a multi-family development..
5. A written application setting forth the basis for the requested variance must be submitted to the City Planning and Zoning Commission for its recommendation and final approval by the City Council by resolution upon a majority vote of the City Council. A variance may be granted by the City Council if it finds that special circumstances or conditions affecting the property in question justify the variance, and that the adverse effect on the accomplishment of the goals of the moratorium established by this ordinance. Any request for a variance must be submitted to the City Council at least seven (7) days prior in the date of the City Council meeting at which the request is to be considered.
  6. As used herein, the term “multi-family” shall mean a development of three (3) or more contiguous two-family or duplex dwelling site or a single site with multi-family dwelling.
  7. In the case of any conflict between the other provisions of this ordinance and any existing ordinance of the City, the provisions of this ordinance will control.
  8. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.
  9. This ordinance shall be effective as of the date of final adoption.

The above and foregoing ordinance having being duly submitted to the Hammond City Council in writing; introduced at a public meeting on \_\_\_\_\_, **2021** of the Hammond City Council and discussed at a public meeting held on \_\_\_\_\_, **2021**; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Councilman \_\_\_\_\_ and Second by Councilman \_\_\_\_\_ the foregoing ordinance was hereby declared adopted on \_\_\_\_\_, **2021** by the following roll call vote:

**Votes: Councilman Wells ( ), Councilman DiVittorio ( ), Councilman Andrews ( ), Councilwoman Gonzales ( ), Councilman Andrews ( ).**

**WHEREFORE** the above and foregoing ordinance was declared duly adopted on the \_\_\_\_ **day** of \_\_\_\_\_, **2021**, at Hammond, Tangipahoa Parish, Louisiana.

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**Kip Andrews**  
**President, Hammond City Council**

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**Honorable Pete Panepinto**  
**Mayor, City of Hammond**

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**Lisa Cockerham, Clerk  
Hammond City Council**