

**CITY OF HAMMOND, LOUISIANA**  
**UNIFIED DEVELOPMENT CODE**

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## Article 2. Administration

### 2.1 Review Bodies

#### 2.1.1 City Council

##### A. General Authority

The Hammond City Council may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

##### B. Final Authority

With respect to this development code, the governing body is responsible for final action regarding:

- (1) Text Amendments;
- (2) Zoning Map Amendments;
- (3) Major Subdivision (Procedure A & B);
- ~~(4) Minor Subdivision (Administrative & Non-Administrative)~~
- ~~(45) Right-of-way Revocation;~~
- ~~(65) Right-of-way Dedication; and~~
- ~~(76) Development Agreements.~~

**Commented [EHC1]:** Final action and appeals for minor subdivisions have been delegated elsewhere in the UDC. See table 2.2.1 and the following pages.

#### 2.1.2 Planning and Zoning Commission

##### A. Establishment

The Hammond Planning and Zoning Commission is established as provided herein.

##### B. General Authority

- (1) The Planning and Zoning Commission performs related duties as directed by the governing body and by authority of [LA R.S. 33:101 – 33:120](#).
- (2) The Planning and Zoning Commission may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.
- (3) ~~By authority of LA R.S. 33: 101-120, as amended, other applicable laws, statutes, ordinances, and regulations of the State of Louisiana, the Planning Commission does hereby e~~ Exercise the power and authority to review, approve, ~~and or~~ disapprove plats for subdivision ~~land~~ within the corporate limits of the municipality.

(4) ~~By the same authority, the Planning Commission does hereby exercise~~ Exercise the power and authority to ~~pass and review~~, approve, or disapprove ~~development of plat subdivisions of land~~ already recorded in the office of the Parish Clerk of Court if such plats are entirely or partially undeveloped.

~~(5)-(a)~~ The plat shall be considered to be entirely or partially undeveloped if:

~~(1a)~~ said plat has been recorded with the Parish Clerk of Court's office without a prior approval by the City Planning Commission, or

~~(2b)~~ said preliminary plat has been approved by the Planning Commission where the approval has been granted more than ~~three-two~~ years prior to granting a building permit, on the partially or entirely undeveloped land, and the zoning regulations for the district in which the subdivision is located, have been changed subsequent to the original final subdivision approval.

#### C. Review Authority

With respect to this development code, the Planning and Zoning Commission reviews and makes recommendations regarding:

(1) Zoning Map Amendments;

(2) Major Subdivision (Procedure A & B);

~~(3) Minor Subdivision (Administrative & Non-Administrative);~~

~~(3) Minor Subdivision Referrals;~~

(4) Right-of-way Revocation;

(5) Right-of-way dedication; and

(6) Text Amendments.

#### D. Final Authority

With respect to this development code, the Planning and Zoning Commission shall be responsible for final action ~~(subject to appeal)~~ regarding:

(1) Major Subdivision Preliminary Plats~~a~~;

(2) Major Subdivision Final Plats~~a~~ (Procedure A & B);

(3) Minor Subdivision Appeals: ~~(Non-Administrative); and~~

~~(4)~~ Major Site Plan Review; and

~~(5)~~ Minor Lot Boundary Adjustment Appeals.

E. Composition of the Planning and Zoning Commission: The Planning and Zoning Commission shall be composed of 5 members appointed by the Mayor and confirmed by the City Council in accordance with [Title 33](#) of the Louisiana Revised Statutes. In addition, at least two persons on the Commission shall be familiar with the building industry. These persons may be developers, architects, engineers, realtors, city planners or any other person familiar with community growth and building. However, such members of the Commission may not vote on items in which they have a conflict of interest.

#### F. Additional Authority

##### (1) General Authority

(a) The Planning and Zoning Commission Shall have authority to perform related duties as directed by the City Council and pursuant to [LA R.S. 33:4727](#).

(b) The Planning and Zoning Commission may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

##### (2) Final Authority

With respect to this development code, the Planning and Zoning Commission is responsible for final action regarding:

(a) To hear and decide appeals involving the interpretation of any provision of this Unified Development Code or when it is alleged that there is error in any order, requirement, decision, or determination made by the Building Official concerning this Unified Development Code;

(b) Decide on structures and uses that are for temporary or seasonal purposes (such as Christmas tree sales or fireworks stands) that may not typically be included in this UDC.

(c) Hear and decide appeals involving the boundaries of the zoning district; and

(d) To review and grant variances to the zoning district regulations when it is found that:

(1) Strict application of the zoning district regulations would cause an unreasonable hardship to the property owner/owners, unless the hardship was actually created by the applicant.

**Commented [EHC2]:** Because a public hearing is required of minor subdivisions, they will often be presented during the regular monthly meetings as a method of referral.

(2) There are special demonstrable circumstances or conditions applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the district, and that strict application of the provisions of this ordinance under these conditions would deprive the applicant of any reasonable use of such land or building.

~~(3) According to Section 2.3.9, "Variances."~~

(3) Role of Planning and Zoning Commission as the Board of Adjustments:

The role of the Planning and Zoning Commission shall be to hear appeals and variances on matters of interpretation of the Unified Development Code that have first been presented to the Building Official. Any business or citizen may appeal a decision by the Building Official to the Planning and Zoning Commission. The Building Official may also request interpretation and/or clarification of any zoning and sign regulation or district boundary by presenting the issue to the Planning and Zoning Commission. Any appeal of a decision by the Planning and Zoning Commission shall be to the courts as provided by law.

(4) Rules of Procedure:

The Planning and Zoning Commission shall adopt its own rules of procedure not in conflict with any State Act or City Ordinance. Meetings of the Planning and Zoning Commission shall be held at the call of the chairman and shall be publicly announced and open to the public. Each meeting agenda shall be sent to the official journal for publication at least 24 hours before such meeting takes place. Minutes of the meeting shall be kept. The concurring vote of a majority of the members of the Commission present and voting shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any appeal or variance.

(5) Appeals ~~to the Commission:~~

Appeals ~~or variances~~ to the Commission shall be stated in writing ~~on a form designated by the Building Official, and submitted at least seven (7) days prior to the Board meeting.~~ The appeal shall include the name(s) and address(es) of the affected parties, conclusive proof of property ownership, and the nature of the appeal. ~~The Building Official shall be notified of any appeal and shall attend the Commission meeting at which the appeal is scheduled.~~ The appeal may be decided by the Commission at that same meeting or within a 30 day time period following the meeting. There shall be only one appeal on the same matter ~~to the Commission.~~

~~(6) Fees for Planning and Zoning Commission Applications:~~

~~A fee as prescribed in Section 2.2.1 is required for applications.~~

Commented [EHC3]: Duplicative

### 2.1.3 [Reserved]

### 2.1.4 City Planner

#### A. Delegation of Authority

The City Planner may designate any staff member to represent the City Planner in any function assigned by this development code. The City Planner remains responsible for any final action.

#### B. General Authority

- (1) The City Planner performs related duties as directed by the City Council and Mayor.
- (2) The City Planner may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

#### C. Review Authority

With respect to this development code, the City Planner reviews and makes recommendations regarding:

- (1) Text Amendments;
- (2) Zoning Map Amendments;
- (3) Major Subdivision Preliminary Plan;
- (4) Major Subdivision Final Plan (Procedure A & B);
- (5) Minor Subdivision Final Plan (Non-Administrative);
- (6) Major Subdivision Final Plat;

- (7) Major Site Plan Review;
- (8) Right-of-way Revocation;
- (9) Right-of-way dedication;
- (10) Certificate of Appropriateness;
- (11) Development Agreements
- (12) Variances; and
- (13) Written interpretations of this development code.

D. Final Authority

With respect to this development code, the City Planner is responsible for final action (subject to appeal) regarding:

- (1) Minor Subdivision; ~~and~~
- (2) Minor Site Plan; ~~and~~
- (3) Lot Boundary Adjustments.

E. The City Planner must forward to City Staff Personnel for review any ~~site~~ plans and application information when a new development is proposed that consists of:

- (1) any ~~new residential single family or multi family~~ development of three (3) or more units;
- (2) any development of three (3) or more lots;
- (3) ~~any commercial, institutional, or industrial project plans~~ in excess of 2 acres ~~(phased or not phased development); and~~
- (4) ~~Any proposed 20,000 square feet of building or larger;~~ ~~and~~
- (5) As otherwise provided by this development code.

The following city staff personnel will provide review and comments:

- (1) Review Engineer
  - (2) Superintendent of Water/Sewer
  - (3) Superintendent of Streets
  - (4) Fire Chief
  - (5) Drainage District (When any drainage canal maintained by the Drainage District abuts the property)
- The City Planner may also request that the City Staff review site plans for other commercial or industrial projects.

## 2.1.5 Building Official

A. Delegation of Authority

The Building Official may designate any staff member to represent the Building Official in any function assigned by this development code. The Building Official remains responsible for any final action.

B. General Authority

- (1) The Building Official performs related duties as directed by the City Council.
- (2) The duties and authority of the Building Official are prescribed in [Chapter 9 – Buildings and Building Regulations, Code of Ordinances.](#)
- (3) The Building Official may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

C. Final Authority

With respect to this development code, the Building Official is responsible for final action (subject to appeal) regarding the following:

- (1) Building Permit
- (2) Other permits (See [Chapter 9 – Buildings and Building Regulations, Hammond Code of Ordinances](#)); and
- (3) Certificate of occupancy.

D. Role of the Building Official:

The Building Official, his designee, or any such other responsible official appointed by the Mayor, and approved by the City Council, shall administer and enforce this development code. He shall be responsible for assuring that all zoning, signage and parking regulations are complied with and for interpreting the location of any structure or property in relation to its zoning district. If the Building Official finds that any

provision of this development code is being violated he shall notify in writing, by certified mail, the persons responsible for such violations, indicating the nature of the violation, ordering the action necessary to correct it and stating any fines applicable. In addition the issuance of further building permits of any type may be withheld from the person in violation until corrective action is made.

## **2.2 Summary of Review Authority**

2.2.1 Summary of Review Table

Action	Cross Reference	Review, Recommendation, Decision and Approval							Public Hearing					Public Hearing Notice <sup>1</sup>			
		Building Official	City Planner	Hammond Historic District Commission	DDD Design Review Committee	Planning and Zoning Commission acting as the Board of Adjustments	Planning and Zoning Commission	City Council	Historic District Commission	DDD Design Review Committee	Board of Adjustments	Planning and Zoning Commission	City Council	Sign Posted	Mailed	Newspaper Publication	
Text Amendment	2.3.2		RR					RR	D				PH	PH			PZ/CC
Zoning Map Amendment	2.3.3		RR					RR	D				PH	PH	SP	M	PZ/CC
<b>Subdivision:</b>																	
Major Subdivision Final Plan (Procedure "A")	2.3.4		RR					RR	D				PH	PH	SP	M	PZ/CC
Major Subdivision Prelim Plan(Procedure "B")	2.3.4		RR					D	D				PH	PH	SP	M	PZ/CC
Minor Subdivision	2.3.4		D <sup>2</sup>					D/A					PH-1 -A		SP	M	PZ-A
<b>Site Plan Review:</b>																	
Minor	2.3.5		D					A					PH-A			M	PZ-A
Major	2.3.5		RR					D	A				PH			M	PZ
Right of Way Revocation	2.3.6		RR					RR	D				PH	SP	M	PZ/CC	
Right of Way Dedication	2.3.7		RR					RR	D				PH	SP	M	PZ/CC	
Certificate of Appropriateness	8.1.11		RR	D	D				A				PH-A		M	HD	
Development Agreement	2.3.8		RR					RR	D				PH	PH			PZ/CC
Variance	2.3.9		RR			D					PH			SP	M	BA	
<u>Lot Boundary Adjustments</u>	<u>2.3.10</u>		<u>D</u>			<u>A</u>							<u>PH-A</u>				

~~1- Public hearing notice shall be mailed to all adjacent property owners.~~

~~2- See Sub Section 2.3.4C for approval requirements.~~

D = Decision

R = Review

RR = Review & Recommendation

A=Appeal

PH = Public Hearing

PH-1 = Public Hearing on Final Plan Only

PH-A = Public Hearing upon Appeal Only

SP = Sign Posted

M = Mailed

CC=City Council

PZ = Planning and Zoning Commission

BA = Board of adjustment

HD = Historic District Commission

DDD = DDD Design Review Committee

## 2.3 PROCEDURES

### 2.3.1 Common Review Procedures

#### A. Pre-Application Conference

- (1) Before submitting an application for development approval, an applicant ~~will may~~ schedule a pre-application conference with the City Planner to discuss the project, relation to the Comprehensive Plan and this development code, submission requirements, and appropriate application strategy, procedures, standards and regulations required for approval in accordance with this development code.
- (2) A ~~mandatory~~ pre-application conference with the City Planner ~~shall is not be~~ required for the following when no other approval is needed:
  - (a) ~~Line boundary adjustments; Zoning Map Amendment;~~
  - (b) ~~Private access servitudes; and Major Subdivision;~~
  - (c) ~~Appeals; and-~~
  - (d) ~~Variances.~~
  - ~~-Minor Subdivision; and~~
  - ~~(d) Major Site Plan Review.~~

**Commented [EHC4]:** For example, a lot boundary adjustment cannot be granted if a variance is implicated per statute

#### B. Application Requirements

##### (1) Submittals

Applications required under this development code shall be filed with the Department of Planning in accordance with the following.

##### (2) Forms

Applications required under this development code must be submitted on forms and in such numbers as required by the Department of Planning.

##### (3) Fees

Filing fees have been established to defray the cost of processing the application, as listed with the Department of Planning and adopted by the City Council. Before review of an application, all filing fees must be paid in full.

##### (4) Completeness Determination

- (a) All applications must be complete before the City Planner/Building Official is required to review the application.
- (b) An application is considered complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this development code.
- (c) The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this development code Article. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the City Planner/Building Official as to whether more or less information shall be submitted.
- (d) Once the application has been determined complete, copies of the application shall be referred by the City Planner/Building Official to the reviewing entities.
- (e) The City Planner/Building Official may require an applicant to present evidence of authority to submit the application.

##### (5) Application Deadline

- (a) Complete applications shall be submitted in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

##### ~~(6) Staff Consultation after Application Submitted~~

- ~~(a) Upon receipt of a complete application, within 21 days after the filing deadline, the City Planner/Building Official shall review the application and confer with the applicant to ensure an understanding of the applicable requirements of this development code; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.~~



~~(b) Once the applicant indicates that the application is as complete as the applicant intends to make it, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures. However, if the application is determined incomplete, a recommendation to deny the application on that basis shall be provided to the appropriate reviewing entity.~~

(7) Concurrent Applications

~~(a) Applications should may be filed and reviewed concurrently, at the option of the applicant.~~

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C. Public Hearings and Notification

(1) Required Hearings and Notification

A public hearing shall be required and notification given as set forth below:

(2) Published Notice

- (a) The Planning and Zoning Commission when conducting any public hearing for subdivision in accordance with [LA R.S. 33:113](#) shall schedule and publish notice of the date of public hearing. A notice of the date, time, and place of the public hearing must be published at least once in the official journal of the municipality and at least five (5) days shall elapse between the first publication and the date of the hearing.
- (b) The Planning and Zoning Commission when conducting any public hearing for zoning amendment shall schedule the date of public hearing of all requests in accordance with [LA R.S. 33:4726](#). Notice of the proposed amendment and of the time and place of the hearing shall have been published at least three times in the official journal of the municipality; at least ten (10) days shall elapse between the first publication and the date of the hearing.
- (c) The City Council when conducting any public hearing shall schedule the date of public hearing of all requests noted in [Section 3.2.1](#). In accordance with [LA R.S. 33:4724](#) notice of the proposed amendment and of the time and place of the hearing shall have been published at least three times in the official journal of the municipality; at least ten (10) days shall elapse between the first publication and the date of the hearing. The public hearing may be held in conjunction with regular City Council meetings.

~~(1) Applicants may appeal a decision of the Planning and Zoning Commission or Board of Adjustments Zoning Board to the Council only once.~~

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- (d) All other Public Hearings shall publish the time and place of a public hearing and notices shall be published at least three times in the official journal of the municipality; at least ten (10) days shall elapse between the first publication and the date of the hearing.

(3) Posted Notice (Sign)

When an application for a rezoning amendment is filed, the City Building Official or his representative shall post one sign in a conspicuous place on the property to be rezoned. The sign shall be posted before the public hearing of the Planning and Zoning Commission and the Hammond City Council and shall stay posted until the date of that meeting. The sign shall have printed on it, in bold type, the following:

*"A request to rezone this property from [current zoning] to [proposed zoning] has been made. A public hearing has been set for [date] at City Hall on [date] at [time]."*

The sign shall be not less than two feet wide by two feet in length and shall be made to resist discoloration and bending from wetness or weather. Though the sign is provided by the City, it is the responsibility of the applicant to ensure that the sign stays posted for the time required as above. The Commission or Council may decline to hear an application upon finding that the sign has been removed. When an area or block application for rezoning has been filed, two (2) signs shall be posted on the right-of-ways (in the proposed areas) of two different streets (if there are two streets) that pass through the proposed area to be rezoned, or on one street if there is only one.

(4) Mailed Notice

- (a) ZONING: In accordance with [LA R.S. 33:4724](#) at least 10 days prior to a hearing regarding amendments to zoning districts conducted by the City Council, a good faith attempt to notify the owner or owners of record of all adjacent property shall be made by sending an official notice by regular U.S. mail of the time, place and subject matter of the hearing. When more than ten (10) parcels are to be zoned or rezoned by enactment of a zoning ordinance, the advertisement in the official journal or a paper of general circulation as required by [Paragraph 2.3.1C \(2\)](#) of this Section shall be considered adequate notice to the property owners.

(b) SUBDIVISION: The Planning Commission shall in accordance with [LA R.S. 33:113](#) for subdivision plats mail notice of the time and place of the public hearing to the applicant by certified mail not less than five days before the date of the hearing.

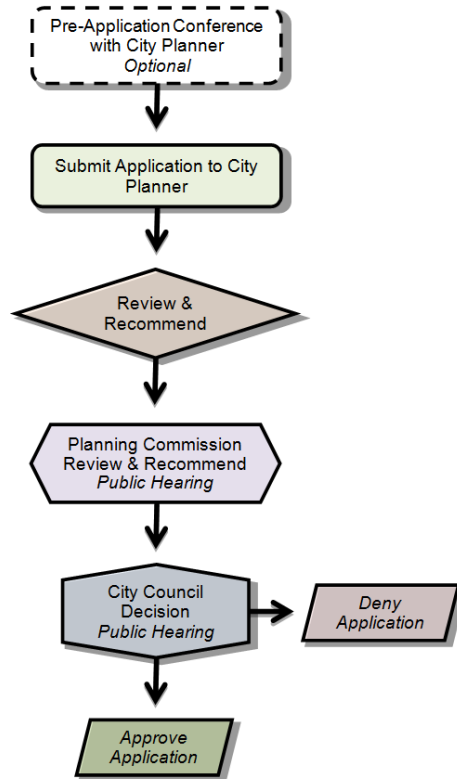
D. Notice of Decision

Within seven days after a decision is made, a copy of the decision shall be sent to the applicant and filed with the City Planner, where it shall be available for public inspection during regular office hours.

E. Withdrawal of Application

- (1) An applicant may withdraw an application at any time, by filing a statement of withdrawal with the City Planner/Building Official except as provided in paragraph (3) below.
- (2) The statement of withdrawal shall be signed by all persons who signed the application or their representative.
- (3) If a valid zoning protest petition has been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the public hearing upon which the matter is to be returned for action by the governing bodies. Thereafter, the application may be withdrawn only by action of the governing bodies, by majority vote.
- (4) The City Planner/Building Official may withdraw applications due to the failure of the applicant to submit required information within 90 days of the initial request.
- (5) The application shall move forward to the agenda of the appropriate review body or, if not moved to the appropriate agenda within six months, may be withdrawn by the City Planner.

### 2.3.3 Zoning Map Amendment



#### A. When Allowed

The boundaries of zoning districts as shown on the zoning map may, from time to time, be amended or modified, as determined by the City Council.

#### B. Application and Fees

- (1) A pre-application conference with the City Planner is required.
- (2) All applications for a zoning map amendment shall be filed in writing with the City Planner.

#### C. Review by City Planner

- (1) The City Planner may refer the application to other affected or interested agencies for review and comment.
- (2) The City Planner shall provide notice as set out in [Section 2.3.1](#).
- (3) The City Planner shall recommend approval, or denial of the zoning map amendment.

#### D. Review by Planning Commission

- (1) Following notice and a public hearing as required in [Section 2.3.1](#), the Planning Commission shall recommend approval or denial of the zoning map amendment.
- (2) In recommending, the Planning Commission shall consider the recommendation of the City Planner, relevant comments of all interested parties and the review criteria below.

#### E. Public Hearing and Decision by City Council

(1) Following notice and a public hearing as required in [Section 2.3.1](#), the City Council shall approve or deny the zoning map amendment.

(2) In deciding, the City Council shall consider the recommendations of the City Planner and Planning Commission, relevant comments of all interested parties and the review criteria below.

(3) In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the district proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire City Council.

F. Review Criteria

The City Council shall consider the following criteria in approving or denying a zoning map amendment:

(1) The proposed zoning map amendment is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans;

(2) The proposed zoning map amendment is consistent with the areas designated context;

(3) The proposed zoning map amendment will reinforce the existing or planned character of the neighborhood;

(4) The site is appropriate for the development allowed in the proposed district;

(5) There are substantial reasons why the property cannot be used according to the existing zoning;

(6) Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services are adequate for the development allowed in the proposed district; and

(7) The zoning map amendment will not substantially or permanently injure the appropriate use of adjacent conforming properties.

G. Effect of Denial

(1) The denial of a zoning map amendment application shall ban the subsequent application for the same or similar district for a period of 12 months.

H. Expiration

A zoning map amendment does not expire.

[I. See Section 2.3.10 for relation to lot boundary adjustments.](#)

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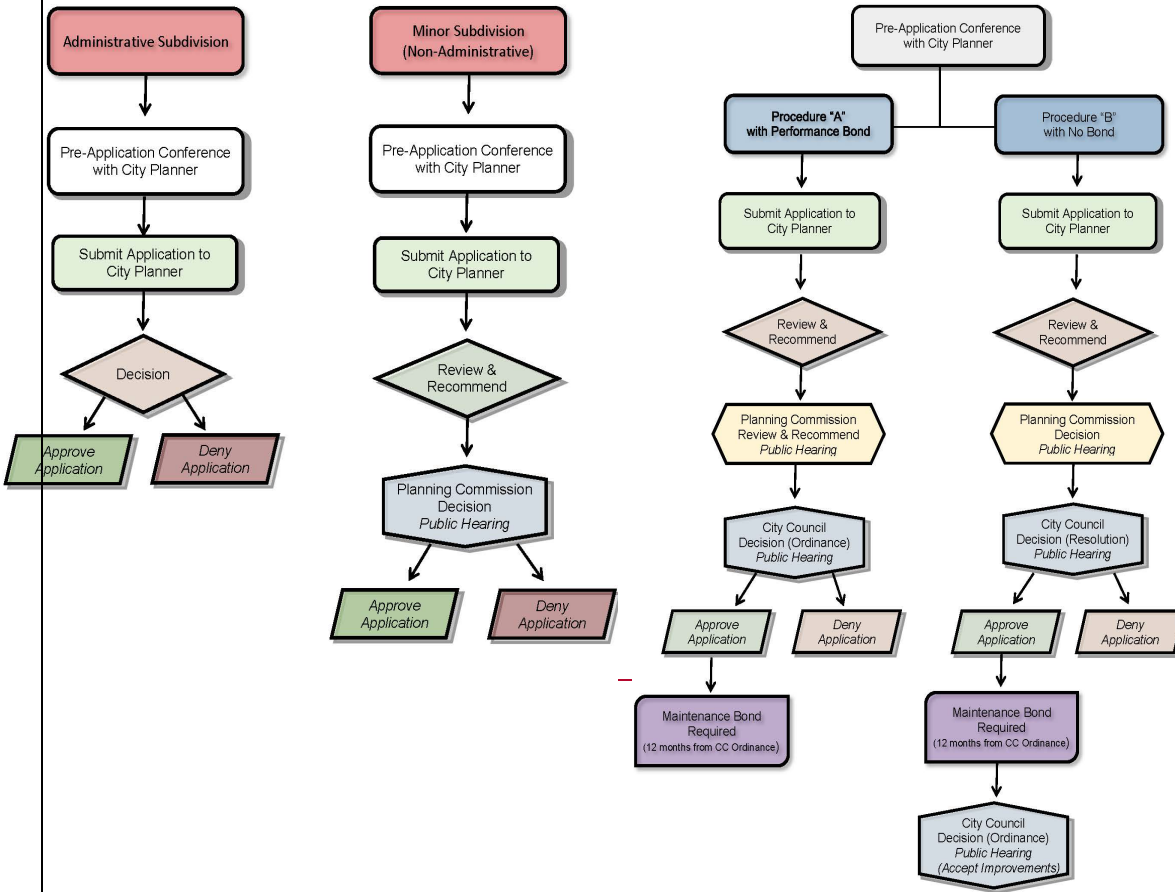
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2.3.4 Major and Minor Subdivisions

Commented [EHCS]: Diagrams to be updated

Minor Subdivision

Major Subdivision



A. When Required Applicability Generally

No person may subdivide land except in accordance with the procedure and standards of this subdivision development code.

(1) Major Subdivision Applicability

(a) A Major Subdivision (Procedure A) is defined as a major subdivision where a Performance Bond is required because public improvements will be dedicated to the city at the completion of construction.

~~(b) A Major Subdivision (Procedure B) is defined as a major subdivision where a Performance Bond is not required because public improvements will not be dedicated to the city at the completion of construction.~~

~~(c) Major subdivision approval is required for Applicability:~~

~~(1a) Any subdivision of land not considered a minor subdivision or exempted by the provisions of Paragraph 2.3.4 A (3).~~

~~(b) The creation of any number of lots where:~~

- ~~(1) New public or private streets are created;~~
- ~~(2) A private drive or private street provides access to more than three lots;~~
- ~~(3) Water or wastewater lines are extended;~~
- ~~(4) Drainage improvements through one or more lots must be installed; or~~
- ~~(5) A waiver of any Development Code standard is desired.~~

~~(2) Minor Subdivision Applicability~~

~~Minor subdivision approval is required for: when the case: When the case meets all of the following criteria:~~

~~(a) The case does not involve the creation of any new public or private infrastructure that was not previously approved by Hammond including:~~

- ~~(1) Roads;~~
- ~~(2) Water mains;~~
- ~~(3) Wastewater mains; or~~
- ~~(4) Drainage improvements.~~

~~(b) Involves less than two (2) acres; and a drainage study pursuant to Article 12;~~

~~(c) The case does not involve more than three (3) lots of record;~~

~~(d) The case does not reduce the lot size below the minimum area or frontage established by Article 6;~~

~~(e) portion has been expropriated or has been dedicated, sold, or otherwise transferred to a public entity, thereby leaving a severed portion of the original property which requires a designation of lot number and establishment of new lot boundary lines. When the owner has not submitted any other application for a minor subdivision of the same or adjacent property within two years prior to the current application.~~

~~(a) The realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided the application meets the following requirements:~~

- ~~(1) Does not involve the creation of any new street or other public improvement except as otherwise provided in this Section;~~
- ~~(2) Does not involve more than two acres of land or three lots of record;~~
- ~~(3) Does not reduce a lot size below the minimum area or frontage requirements established by this code; and~~
- ~~(4) Otherwise meets all the requirements of this development code.~~

~~(b) Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the City of Hammond, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.~~

~~(3) No Subdivision Review Required~~

~~No subdivision review is required for the following:~~

- ~~(a) The public acquisition of land for roads, water or wastewater infrastructure.~~
- ~~(b) Any parcel of land, wherever located, upon which a servitude of passage is created for ingress or egress which does not create a through passage and is used exclusively as a driveway need not meet any street planning dimensions, except said servitude must be adequate in dimensions to provide for ingress and egress by service and emergency vehicles.~~

~~(4) No eligibility for Subdivision~~

~~(a) The land or adjacent land may not have been applied for as a minor subdivision within two years prior to the current application at the direction of the owner.~~

- ~~(1) To evade or be a party to evading the requirements of a major subdivision by making separate applications for minor subdivision is prohibited and penalized as provided in this development code.~~
- ~~(2) Lot boundary adjustments are not subdivisions or resubdivisions.~~

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**B. Common Subdivision Procedures Application and Fees**

~~(1) A pre-application conference is optional for administrative subdivisions and mandatory for minor or major subdivisions.~~

~~(2) All applications for subdivision review shall be filed in writing with the City Planner. See Section 2.3.1.~~

~~(3) All major subdivision applications shall be prepared and sealed by a land surveyor licensed in the State of Louisiana.~~

~~(4) The City Planner may refer the preliminary plat and application to other affected or interested agencies for review and comment.~~

~~(2) The City Planner shall recommend approval, approval with conditions, or denial of the preliminary plat and application for major subdivision, and decide for minor subdivision following a public hearing.~~

~~(3) The City Planner may attach conditions required to make the preliminary plat and application comply with this development code.~~

**Commented [EHC6]:** Repetitive with common review procedures (2.3.1)

**Commented [EHC7]:** Note Green indicates text which has been moved from another section while red is new or deleted text.

**C. Specific procedures for Further information on major subdivision Plat approval are listed in Article 3.**

**D. Preliminary Plat Review by City Planner**

~~(1) The City Planner may refer the preliminary plat and application to other affected or interested agencies for review and comment.~~  
~~(2) The City Planner shall recommend approval, approval with conditions, or denial of the preliminary plat and application.~~

~~(3) The City Planner may attach conditions required to make the preliminary plat and application comply with this development code.~~

~~(4) The City Planner shall provide notice as set out in Section 2.3.1.~~

**Commented [EHC8]:** Repetitive

**E. Preliminary Plat Decision by Planning Commission**

(1) Following notice and a public hearing as required in Section 2.3.1, the Planning Commission shall approve, approve with conditions, or deny the preliminary plat for a major subdivision.

(2) The preliminary plat shall be approved or denied within 60 days of filing of a complete application, except where such time period is extended by the applicant.

(3) The act of approving or denying a preliminary plat is a legislative function involving the exercise of legislative discretion by the Planning Commission, based upon data presented to it.

(4) In deciding, the Planning Commission shall consider the recommendation of the City Planner, relevant comments of all interested parties and the review criteria below:-

(a) The proposed development is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans.

(b) The proposed development will reinforce the existing or planned character of the neighborhood.

(c) The capacity of public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services.

(d) The subdivision demonstrates:

(1) Compliance with any prior approvals;

(2) Subdivision design appropriate for and tailored to the unique natural characteristics of the site;

(3) Adequate, safe and convenient arrangement of access, pedestrian circulation facilities, bicycle facilities, roadways, driveways, and off-street parking, stacking and loading space;

(4) Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwater; and

(5) Adequate access for disabled or handicapped residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities.

(6) Any adverse impacts on adjacent properties have been minimized or mitigated. With respect to a proposed development that requires a new passage through a residential subdivision, primary consideration shall be given to the impact on the existing subdivision and the comments received from the residents of the impacted subdivision. A notice shall be posted by the City Building Official or other department member in a conspicuous place in the impacted subdivision before the public hearing of the Planning and Zoning Commission and the Hammond City Council and shall stay posted until the date of the meeting. The sign shall have printed on it, in bold type, the following: "A request for a proposed development has been made to the City of Hammond that requires a new passage through [name of subdivision] subdivision by extending [ ] street to [ ] street. A public hearing has been set for [date] at City Hall on

[date] at [time].” The sign shall be not less than two feet wide by two feet in length and shall be made to resist discoloration and bending from wetness or weather. Though the sign is provided by the City, it is the responsibility of the applicant to ensure that the sign stays posted for the time required as above. The Commission or Council may decline to hear an application upon finding that the sign has been removed.

(5) The Planning Commission may attach any reasonable conditions necessary to make the subdivision comply with this subdivision code, or to protect the health, safety and welfare of City of Hammond and minimize adverse impacts on adjacent properties.

~~(6) Where the Planning Commission finds that unnecessary hardship results from strict compliance with this development code, a waiver may be granted. The Planning Commission shall find that due to the particular physical surroundings, shape or topographical conditions of the property, a particular hardship would result, as distinguished from a mere inconvenience. The granting of the waiver must not be detrimental to the public safety, health or welfare or injurious to other property or improvements. No waiver shall be granted based strictly upon financial considerations.~~

(7) The Planning Commission shall consider the following criteria in approving or denying a subdivision:

~~(a) The proposed development is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans.~~

~~(b) The proposed development will reinforce the existing or planned character of the neighborhood.~~

~~(c) The capacity of public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services.~~

~~(d) The subdivision demonstrates:~~

~~(1) Compliance with any prior approvals;~~

~~(2) Subdivision design appropriate for and tailored to the unique natural characteristics of the site;~~

~~(3) Adequate, safe and convenient arrangement of access, pedestrian circulation facilities, bicycle facilities, roadways, driveways, and off-street parking, stacking and loading space;~~

~~(4) Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwater; and~~

~~(5) Adequate access for disabled or handicapped residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities.~~

~~(6) Any adverse impacts on adjacent properties have been minimized or mitigated. With respect to a proposed development that requires a new passage through a residential subdivision, primary consideration shall be given to the impact on the existing subdivision and the comments received from the residents of the impacted subdivision. A notice shall be posted by the City Building Official or other department member in a conspicuous place in the impacted subdivision before the public hearing of the Planning and Zoning Commission and the Hammond City Council and shall stay posted until the date of the meeting. The sign shall have printed on it, in bold type, the following: "A request for a proposed development has been made to the City of Hammond that requires a new passage through [name of subdivision] subdivision by extending [ ] street to [ ] street. A public hearing has been set for [date] at City Hall on [date] at [time]." The sign shall be not less than two feet wide by two feet in length and shall be made to resist discoloration and bending from wetness or weather. Though the sign is provided by the City, it is the responsibility of the applicant to ensure that the sign stays posted for the time required as above. The Commission or Council may decline to hear an application upon finding that the sign has been removed.~~

~~(68)~~ In the event that the Planning Commission denies any preliminary plat and application, the grounds for such denial shall be stated in the records of the Planning Commission.

#### F. Minor Subdivision Decision by City Planner

(1) In deciding to approve, approve with conditions or deny the proposed minor subdivision, the City Planner shall consider relevant comments of all interested parties and the review criteria below:

(a) Consistent Consistency with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans;

(b) Meets the requirements of this development code;

(c) Complies with any prior approvals, including specifically the preliminary plat and any conditions; and

(d) Comments received during the public hearing on the final plat including those of the commissioners.

(2) The City Planner may attach conditions required to make the final plat and application or preliminary plat comply with this subdivision development code.



~~(3) A minor subdivision shall be approved in accordance with the requirements where it is:~~

~~(a) Consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans;~~

~~(b) Meets the requirements of this development code;~~

~~(c) Complies with any prior approvals, including specifically the preliminary plat and any conditions.~~

~~(34) In order to be considered approved a minor subdivision must be signed by the owner, and the City Planner or by the Planning Commission Chair in appealed cases, 2 of the following three people: City Planner, Planning Commission Chairman, or District Councilman.~~

#### G. Modification of Approved Subdivision

The City Planner is authorized to approve minor modifications to an approved subdivision. All modifications not listed as minor below shall be considered by the body that approved the original subdivision. The following modifications shall be considered minor:

~~(1) Additional or wider easements that do not affect the general placement of buildings or general location of roadways;~~

~~(2) Reduction in the number of lots;~~

~~(3) Reduction of length of streets; or~~

~~(4) Modification of public utility service.~~

#### G.H. Appeal

(1) A final decision by the City Planner on a minor subdivision may be appealed to the Planning Commission. The Planning Commission shall review the minor subdivision as a major subdivision.

(2) A final decision by the Planning Commission on a ~~major~~ minor subdivision may not be appealed to the City Council.

(3) A final decision by the Planning Commission on a major subdivision may be appealed to the City Council.

(a) appeals to the City Council may only be made once.

#### H. Expiration

(1) A preliminary plat expires after one year where a final plat application has not been filed. Each final plat for a phase of the preliminary plat extends the preliminary plat for an additional year. A final plat, once officially recorded, does not expire.

### 2.3.10 Lot Boundary Adjustments

#### A. Purpose

(1) This section establishes a procedure to approve minor modifications to lots as provided in RS 33 §113.1.

#### B. Procedure

(1) Pre-application meetings are optional for lot boundary adjustments.

(2) A plat of properties will be submitted to the City Planner for completeness determination.

(3) The City Planner may refer the application to other affected or interested agencies for review and comment.

(4) The City Planner will, within thirty (30) days of issuing a positive completeness determination letter, approve, with or without conditions, or deny approval of the plat.

(5) Within seven (7) days after a decision is made, a copy of the decision will be sent to the applicant and filed with the City Planner, where it will be available for public inspection during regular office hours or as provided in Subsection 2.3.1D, "Notice of Decision."

(6) No public hearing will be required for lot boundary adjustments unless appealed or a change in the Official Zoning Map is required other than as set forth in Subsection 2.3.10D.

(7) A decision may be appealed to the Planning and Zoning Commission for final action.

#### C. Applicability:- A plat qualifies for approval under this section if:

(1) It involves the realignment or shifting of lot boundary lines, including removal, alignment, or shifting of the interior lot boundaries or the re-designation of lot numbers;

(2) Does not reduce a lot size below the minimum area or frontage requirements;

(3) Does not involve the creation of any new lots of record;

(4) Does not deprive an established lot from access to infrastructure including roads;

(5) Does not obstruct public servitudes, easements, dedications, or property; and

(6) Does not require a variance.

(7) Additionally, whenever a portion of land has been expropriated or has been dedicated, sold, or otherwise transferred to a public entity, thereby leaving a severed portion of the original property which requires a designation of lot number and establishment of new lot boundary lines, this may be processed according to the procedure for lot boundary adjustments.

#### D. Relation to Zoning

(1) Lot boundary adjustment approval will also grant approval for a zoning map amendment when:

(a) Each lot was previously zoned exclusively for one use;

(b) The zoning map amendment does not change the zoning of each lot which was designated before the lot boundary adjustment application; and

(c) Either lot boundary is not increased more than one acre.

(2) Cases consistent with Paragraph 2.3.10.D(1) affirm the current zoning, and are not rezonings.

(a) Hammond Code of Ordinances Section 2-10 is not applicable to lot boundary adjustments.

(3) Lot boundary adjustments which do not meet the requirements of Paragraph 2.3.10D(1) may only become effective after receiving separate zoning text amendment approval.

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### **Article 3. Permits and Final Plat Approval**

#### **3.1 General**

##### **3.1.1 General Provisions**

##### **3.1.2 Permit Required**

#### **3.2 Procedures**

##### **3.2.1 Subdivision Review and Procedures**

##### **3.2.2 Bond and Maintenance Requirements**

#### **3.3 Fees**

##### **3.3.1 General Provisions**

#### **3.4 Mobile Homes, Temporary Trailers & Buildings**

##### **3.4.1 Mobile Homes**

##### **3.4.2 Temporary Trailers & Buildings**

##### **3.4.3 Metal Building Façade-(see examples Appendix G)**

## **Article 3. Permits and Final Plat Approval**

### **3.1 General**

#### **3.1.1 General Provisions**

A. Each subdivider of land (hereinafter referred to as applicant), developer of apartment, commercial or industrial complexes (hereinafter referred to as applicant) or his representative should confer with the City Planner before preparing the tentative geometric layout, in order to become thoroughly familiar with subdivision requirements and with the proposals of the official Master Plan affecting the territory in which the proposed subdivision lies. The City Planner shall cause sufficient copies of these regulations to be prepared for distribution to interested parties.

#### **3.1.2 Permit Required**

A. In addition to the major development activities listed in [Article 2](#) of this Unified Development Code a permit is required for the following development/building activities in the city of Hammond.

- A. Building Permit
- B. Demolition Permit
- C. Drainage and Driveway Permit
- D. Electrical Permit
- E. Fence Permit
- F. Lot and Land Clearing Permit
- G. Grading Permit (May be obtained with Clearing Permit if presented on Clearing Plan)
- H. Mechanical Permit
- I. Mobile Home Permit
- J. Move A Building Permit
- K. Noise Variance (Long Term)
- L. Noise Variance (Temporary)
- M. Pave Public Right of Way Permit
- N. Plumbing Permit
- O. Portable Building Permit
- P. Use Of Public Sidewalk Permit
- Q. Sign Permit
- R. Swimming Pool Permit
- S. Temporary Trailer Permit
- T. Use of Public Right of Way Permit

B. A complete list of permits and fees is located in [Chapter 9 – Buildings and Building Regulations](#) of the City Code of Ordinances. (See Appendix H)

C. A permit for any development activities listed in [Sub-Section 3.1.2A](#) is contingent on verification that the Use, Structure, Site, and Lots of Record are in compliance with [Article 5 – Nonconformities](#).

D. Mobile Homes and Manufactured Housing

(1) Manufacturing requirements: No mobile/manufactured home may be transported into or relocated within the city, nor installed within the city unless an installation permit has been obtained, and permits will not be issued for any mobile/manufactured home which is greater than ten (10) years in age and does not possess the seal or label issued by the United States Department of Housing and Urban Development.

(2) Installation requirements: Any mobile/manufactured home which is moved into or relocates within the city shall be installed in compliance with the manufacturer's installation instructions if available. In the absence of the manufacturer's installation instructions the installation of mobile/manufactured homes shall comply with the provisions of [R.S. 51:912.22, 51:912.23, 51:912.24](#), as may be amended from time to time as well as any other applicable state law.

E. Addressing

(1) Purpose - In order to promote and maintain public safety and welfare it is necessary to take steps to reasonably assure efficient and prompt emergency response services to the citizens of Hammond.

(2) Address Numbering- Municipal property addresses for properties without existing addresses must be obtained from the City's Planning Department. Proper municipal street addresses, which the City coordinates with the Parish 911 Communication District, shall be obtained from the GIS (Geographical Information Systems) Section of the City Planning Department before a properly owner, tenant, or business owner uses ru1d posts such address.

(3) Address Visibility-Municipal address numbers must be posted clearly and visibly on the building and on a street side mailbox when used. Address numbers must be visible from the nearest street to the building. Therefore, the minimum height for address numbers is 4 inches.

(4) No occupancy permit or public utilities will be provided until a legal address is obtained from the City.

## 3.2 Procedures

### 3.2.1 Major Subdivision Review and Procedures

A. Submittal of Plans

(1) SUBMITTAL OF MAJOR SUBDIVISION PLANS. Whenever any major subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent shall apply for and secure approval of such proposed major subdivision in accordance with the following procedure, which includes basically two (2) steps:

(a) Preliminary Plans and Specifications

(b) Final Subdivision Plans and Specifications

~~Unless the proposal is considered a minor subdivision, preliminary and final plans may not be approved at the same Planning Commission meeting.~~

(2) OFFICIAL SUBMISSION DATES. For the purposes of these regulations, the date of the regular meeting of the Planning Commission at which time approval of the final major subdivision plat, including any adjourned date thereof, is considered, shall constitute the official submittal date of the plat and plans at which the statutory period required for formal approval or disapproval of the plan shall commence to run (see Final Plans and Specifications).

(3) COORDINATION OF ZONING APPLICATION WITH MAJOR SUBDIVISION APPROVAL

(a) It is the intent of these regulations that subdivision review be carried out simultaneously with the review of zoning applications (where applicable). The data required for zoning applications shall be submitted in a form to satisfy the requirements of the subdivision regulations in the UDC and the proposed zoning classification.

(b) ZONING REGULATIONS. Every plan shall conform to existing zoning regulations and subdivision regulations applicable at the time of proposed final approval, except that any plan which has received preliminary approval shall be exempt from any subsequent amendments to the Zoning regulations rendering the plan nonconforming as to bulk or use, providing that final approval is obtained within the one-year period.

(c) No building permits or certificates of occupancy shall be issued for the project until the zoning application has been finally approved and final subdivision plan approval has been given and the subdivision plan is recorded with the Clerk of Court.

B. PRELIMINARY **MAJOR** SUBDIVISION PLANS - PROCEDURES AND REQUIREMENTS

(1) At least 30 days prior to the meeting at which it is to be considered, the subdivider shall submit to the [City Planner Planning Commission](#) four copies of preliminary plans of the proposed **major** subdivision drawn to a scale of not more than one inch to two hundred (200) feet. Completed plans and specifications must be certified by a civil engineer registered in the State of Louisiana when such plans include the provision of new streets, water, sewer or other public improvements. At the Planning Commission meeting which the preliminary plan is considered, the review engineer shall present the results of his preliminary review of the plat and plot plan. Six copies of the preliminary plat checklist ([Appendix D](#)), preliminary plans and subdivision restrictions (if any) (and 10 copies of plat of subdivision) will be submitted to the Planning Office and will be distributed as follows:

- (a) One copy to the review engineer;
- (b) one to the Building Official;
- (c) one to the Chairman of the City Planning Commission;
- (d) one to the Street Department;
- (e) one to the City Water and Sewer Department; -and
- (f) One copy of the subdivision plat shall be distributed to each other member of the Planning Commission.

In particular cases additional copies may be requested from the Builder or Developer if copies of plans need to go to the:

- (a) Drainage Board;
- (b) Fire Department; or
- (c) other reviewer.

All review comments that are returned to the City Planner shall be in writing.

(2) The preliminary plan, which shall meet the minimum standards and specifications of the [City of Hammond department of public works](#), and the general requirements for the construction of public improvements as set forth in this development code shall give the following information:

(a). Title. The title under which the proposed subdivision is to be recorded; the location of the property to be recorded; the location of the property to be subdivided; the name of the owner or owners and/or the applicant; and the name of the appropriate licensed design professional of record, if any, who is platting the tract. The Title should read: "Preliminary Plat of," "Subdivision Name," "the legal description and township and range."

(b). Boundary Lines and Existing Improvements.

(1) Boundaries of the subdivision location; width and names of streets adjoining the subdivision; section and township lines; indication of incorporated areas, zoning district classification and boundaries, school districts and other legally established districts; all watercourses, drainage ways, and other features within the area to be subdivided as well as the same facts regarding adjacent property.

(2) All property affected must be platted; i.e., when a lot is removed from a property, both the lot and the remainder must be designated as lots and dimensions given.

(3) All dimensions, bearings, and corner markers must be shown on the plat

(c) When subdividing lots of record, lots must be redesigned. For example, if Lot one (1) was divided into lots, the resulting new lots would become 1-A and 1-B. All subdivisions shall bear a name that is not already in use in the City of Hammond.

(d) Abutting Property. The names of all abutting subdivisions, and the names and recorded owners of abutting tracts of unsubdivided land.

(e). Features of Proposed Subdivision.

(1) The proposed location, names, and width of streets layout and approximate dimensions of lots; any other necessary descriptions of lots, servitudes and easements; and applicant's front building lines with setbacks. The lots shall not encroach on any rights-of-way and all rights-of-way shall be excluded from lot area.

(2) Existing buildings must be shown and municipal address if any.

(3) Existing ditches, drains or canals must be shown. See [Section 12.2.2](#) for drainage right-of-way requirements.

(f) Sewers, Water Lines, and Drainage.

- (1) Existing drainage ways, sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent; statement of proposed plans for drainage and sewage disposal, including location of proposed culverts and bridges and contours from USGS Quadrangle Maps or better.
- (2) All ~~minor~~ subdivisions will show existing sewer lines and wyes. If the lot is to be subdivided and has only one (1) existing sewer wye, then an additional wye must be installed to serve the additional lot. If no wye exists, then two (2) wyes must be installed to serve both lots. The cost of the installation must be borne by the property owner or applicant.
- (3) If the property is not to be served by a public wastewater network and has no connection to sanitary sewer line, the following sewer note is required with a place for the owner to sign. See [Section 11.3.2](#) for specific sewer requirements.
  - (a) If Private sewer is being proposed the following note should be added to the plat:

SEWAGE DISPOSAL  
NO PERSON SHALL PROVIDE A METHOD OF SEWAGE DISPOSAL,  
EXCEPT CONNECTION TO AN APPROVED SANITARY SEWER  
SYSTEM, UNTIL THE HEALTH UNIT OF TANGIPAOHA PARISH  
HAS APPROVED THE METHOD OF SEWAGE TREATMENT AND  
DISPOSAL.

\*(IF APPLICABLE, THE FOLLOWING IS TO BE ADDED)  
WHERE A SEWAGE TREATMENT PLANT IS TO BE PROVIDED BY THE  
APPLICANT, THE AREA TO BE USED FOR THIS PURPOSE SHALL BE  
DEDICATED BY THE OWNER AS A SERVITUDE FOR THAT PURPOSE  
ONLY, AND SHALL BE SEPARATE FROM ANY OTHER LOT OR  
BUILDING SITE.

SIGNATURE \_\_\_\_\_  
NAME & TITLE \_\_\_\_\_  
NAME OF COMPANY \_\_\_\_\_

- (b) Public Utilities. The location of all existing and proposed servitudes and existing and proposed public utilities including storm and sanitary sewers, water, gas and power lines.
- (c) Streets.
  - (1) Statement of proposed street improvements. All existing streets' names and right-of-way widths must be shown.
  - (2) No lots may be subdivided on private streets or roads or on unimproved right-of-way unless such roads are first improved to Unified Development Code standards.
- (d) Special Use Areas. Location and size of proposed parks, playgrounds, church or school sites, or other special uses of land.
- (e) North Point, Scale, and Date.
- (f) Vicinity Map. A key or vicinity map with a North arrow at two thousand (2,000) foot scale for subdivisions of more than ~~three (3)~~ ~~twenty (20)~~ lots, or at five hundred (500) foot scale for subdivisions of less than ~~four (4)~~ ~~twenty (20)~~ lots, showing existing streets, roads, drainage ways within at least one thousand (1,000) feet from the boundaries of the property being subdivided.
- (g) Flood Elevation Data. The preliminary plat showing the major subdivision of property shall include the record inundation, the FEMA flood zone(s) and the FIRM Base Flood Elevation(s), all of which shall be reviewed by the Floodplain Manager. Where the area subdivided lies at or below the record inundation level, or the FIRM Base Flood Elevation, whichever is greater, that area shall be shaded with approved drafting type shading. Shading by pencil is not acceptable. The foregoing information shall also be set forth in a separate box in the general notes.

(h) All public servitudes and all private servitudes intended for public use must be dedicated by the owner. This requires dedication notes and a place for owner's signature. This includes the dedication of major street right-of-way as indicated on the Major Street Plan. The following dedication note is to be added to plats when servitude or right-of-way is being dedicated.

DEDICATION

RIGHTS OF WAY SHOWN HEREON AND LABELED AS A PUBLIC RIGHT OF WAY, IF NOT PREVIOUSLY DEDICATED ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. STREETS NOT INDICATED AS PRIVATE STREETS ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. ALL AREAS SHOWN AS SERVITUDES ARE GRANTED FOR THE PURPOSES INDICATED ON THE PLAT, AND IF NO PURPOSE IS INDICATED, TO THE PUBLIC FOR USE OF UTILITIES, DRAINAGE, SEWAGE REMOVAL OR OTHER PROPER PURPOSE FOR THE GENERAL USE OF THE PUBLIC. NO TREES, SHRUBS OR OTHER PLANTS MAY BE PLANTED, NOR SHALL ANY BUILDING, FENCE, STRUCTURE OR IMPROVEMENTS BE CONSTRUCTED OR INSTALLED WITHIN OR OVER ANY SERVITUDE OR RIGHT-OF-WAY SO AS TO PREVENT OR INTERFERE WITH ANY PURPOSE FOR WHICH THE SERVITUDE OR RIGHT-OF-WAY IS GRANTED.

(i) The general location of existing significant live oak trees that exceed 7" caliper dbh (diameter breast height).

~~(j) Any information required by the Preliminary Plat Checklist located in Appendix D.~~

(3) The following shall be submitted with the preliminary plat of a major subdivision:

(a) Drainage Impact Study.

(1) A Preliminary Drainage Impact Study shall be submitted if applicable. See [Section 12.2.1](#).

(b) Traffic Impact Statement.

(1) A Traffic Impact Statement and if required Traffic Impact Study shall be submitted if applicable. See [Section 10.2.4](#).

(4) In accordance with [LA R.S. 33:113](#), within sixty (60) days after submission of the preliminary plans, the Planning Commission will review and indicate approval or disapproval, or tentative approval with conditions. If a plat is disapproved, reasons for such disapproval shall be stated with comments. If approved subject to conditions, the nature of the required conditions shall be indicated.

(5) Distribution of plans after Planning Commission Decision:

(a) One copy of the preliminary plans will be retained in the Planning Commission files;

(b) ~~One~~ copy shall be returned to the subdivider with any notations at the time of approval or disapproval, and the specific changes if any required; and

(c) ~~One~~ copy to the municipal department of Public Works or comparable agency.

(6) Failure of the Planning Commission to act on the preliminary plat within sixty (60) days will be deemed approval of the plat.

(7) The approval of the preliminary plan by the Planning Commission will not constitute acceptance of the final plan.

(8) The approval of the preliminary plan shall lapse unless a final plan based thereon is submitted within twelve months from the date of such approval unless an extension of time is applied for and granted by the Planning Commission.

(9) Application for Planning Commission considerations and approval of the proposed subdivision preliminary plan will be made on forms provided by the ~~City Planner Planning Commission Office.~~

(10) Application will be accompanied by appropriate fees as required in [Section 2.3.1](#).

~~(11) Property which is not being subdivided and which no municipal facilities are being dedicated but which must be reviewed by the Planning and Zoning Commission shall be reviewed with the following special provisions:~~

- ~~(a) City Council review and approval shall not be required.~~
- ~~(b) Planning Commission review and approval of preliminary and final plans may be completed at the same meeting provided that all applicable information has been presented at that meeting.~~
- ~~(c) Such property does not need to be submitted to the Health Department or Clerk of Court by the Planning Commission.~~
- ~~(d) No public notice requirements need be met.~~
- ~~(e) Application fees will be the minimum required as per formal application requirements in Section 2.3.1 of this Code.~~

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**C. PUBLIC HEARING**

- (1) As required by [LA R.S. 33:113](#), at least one public hearing must be called for ~~preliminary plat approval and final plat approval for major subdivisions each proposed subdivision~~. At least five days before the date set for this hearing, notice of said hearing shall be published at least once in the local newspaper of general circulation. Notice of the hearing shall be sent to the person, company, or representative so named, of the applicant by registered mail not less than five days before the hearing date. Similar notice shall be mailed to the owners of land immediately adjoining the platted land, as their names and addresses appear on the parish or town assessment rolls.
- (2) Public hearings shall be held by the Planning Commission when reviewing the preliminary ~~plats of major subdivisions~~. Subsequent public hearings held by the City Council are not required, but the City Council must vote to approve or disapprove acceptance of final subdivision plans ~~based upon the Planning Commission's recommendations, and other available information. Under Procedure B.~~
- (3) After the public hearing and Planning Commission review of preliminary plans, the applicant shall be advised of any required plan changes and/or additions in writing. This shall be given to the applicant or his representative, ~~and may be accompanied along~~ with a marked copy of the preliminary plan (showing Planning Commission comments).

**D. PUBLIC IMPROVEMENTS**

The Planning Commission ~~may~~ requires, as per [LA R.S. 33:112](#), that all proposed public improvements be installed prior to the signing of the final subdivision plat by the Chairman of the City Council. If the Planning Commission shall not require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the Chairman of the Planning Commission, posting of a completion, surety bond, or escrow fund shall be established (for such improvements) based upon the recommendation of the local review engineer (not the project engineer) and the City Attorney. Bond shall be submitted in an approved form and amount prior to the signing and recording of the approved final plat by the President of the City Council. Form of bonds shall be recommended by the City Attorney. The Planning Commission shall require the applicant to indicate in the plans all roads and public improvements to be dedicated. [Section 3.2.2](#) further details the bond requirement stated above.

**E. OUTLINE OF PROCEDURES**

The outline indicated below shows, in general, two procedures for subdivision approval:

<b>PROCEDURE A</b>
After preliminary plans approved....
<ol style="list-style-type: none"> <li>1. Construction plans approved by all applicable agencies.</li> <li>2. Post proper completion bond.</li> <li>3. Final plan approved and signed (planning commission and city council).</li> <li>4. Plat filed in Clerk of Court.</li> <li>5. Lots may be sold.</li> <li>6. Construct improvements.</li> <li>7. Acceptance by City.</li> <li>8. Post maintenance bond</li> </ol>

<b>PROCEDURE B</b>
After preliminary plans approved....
<ol style="list-style-type: none"> <li>1. Construction plans approved by all applicable agencies.</li> <li>2. Final plan approved by Planning Commission.</li> <li>3. Construct improvements.</li> <li>4. Acceptance of improvements by City.</li> <li>5. Post maintenance bond.</li> <li>6. Final plat signed (by City Council Chairman).</li> <li>7. Plat filed in Clerk of Court.</li> <li>8. Lots may be sold.</li> </ol>



F. FINAL PLAT, PLANS AND SPECIFICATIONS

(1) Following approval of the preliminary plat, application may be made for approval of final plans ~~if such application is submitted in writing at least ten (10) days prior to the meeting at which it is to be considered.~~

(a) Application must be accompanied by appropriate fees as stated in [Section 2.3.1](#).

(b) Application for final approvals must be accompanied by a notice to provide for appropriate completion bond, upon approval, if improvements have not already been completed.

(c) All other appropriate approvals from the LA DHH, LA DEQ, LA DOTD, USACOE, Review Engineer, and any other federal, state or parish permitting entities must be obtained before signature of the final plat by the Planning Commission Chairman and City Council.

(d) Final Plans and Specifications must be submitted within twelve (12) months from the date of preliminary approval.

(e) Three (3) copies of final plans and specifications must be submitted to the Planning Commission for distribution to the Review Engineer and the Public Works Department.

(2) Final plans submitted shall include those items stated in [paragraph 3.2.1 B\(2\)](#) but also the following:

(a) Plans of proposed utility servitude layouts (sewer, water, and electricity) showing feasible connections where possible, to existing and proposed utility systems.

(b) Contour interval to sea level datum, of not more than two feet when the slope is less than four percent (4%). Show spot elevations of all breaks in grades along drainage channels or swales and at selected points not more than two hundred feet apart in all directions for slopes less than two percent (2%), and contour intervals of not more than five feet when the slope is greater than four percent (4%).

(c) Typical cross sections of the proposed grading and roadways or sidewalks and topographic conditions drawn to scale of not less than one inch equals five feet vertical.

(d) Location and description of monuments. They shall be constructed in accordance with the specifications of the project engineer or city engineer. All corner lot markers shall be permanently located satisfactory to the engineer at least 3/4" (if metal) in diameter and at least 30" in length, and located in the ground at existing grade. Location of temporary stakes shall be shown and may be used until final plot approval.

(e) Location, sizes, elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto, existing utility poles and utility rights-of-way on or immediately adjacent to the site.

(f) Proposals for public dedication of streets, utilities, parks, and easements.

(g) Any proposed information on traffic flow patterns, one-way streets, signal lights, etc.

(h) Location of all hardwood trees on public right of way which are to be removed and the location of replacement trees as per [Section 9.1.4](#).

(i) Demographic, information checklist as provided by the Planning Commission.

(j) OFFER OF DEDICATION. Be accompanied by irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks, and easements, in a form approved by the local government attorney; and the subdivision plat shall be marked in the following fashion:

The owner, or his representative, hereby irrevocably offers for dedication to the local government uses, roads, easements, parks, and required utilities shown in the subdivision plat and construction plans in accordance with an irrevocable offer of dedication dated, and recorded in the Parish Clerk of Court's Office.

By: (Owner or Representative)

Date: \_\_\_\_\_

(3) Upon formal acceptance of any dedication, and posting of maintenance bond, the City of Hammond will undertake the maintenance of such facilities so dedicated. There upon, the City Council President will sign the subdivision plat as final release to record said plat.

G. SIGNING AND RECORDING OF **MAJOR** SUBDIVISION PLAT

(1) The Clerk of Court shall not file any final subdivision plat that is not signed by the City Council President and Planning Commission Chairman.

(2) Before signatures by the Planning Commission Chairman and City Council President are made on the final plat, there shall be proof that the subdivision improvements were installed in a manner satisfactory to the

local government, or that proper completion bonds were filed with the City in accordance with these regulations.

(3) It will be the responsibility of the Planning Commission staff or appointed representatives to insure that the final plat is filed with the Clerk of Court within thirty (30) days of the date of signature of the Council President.

### 3.2.2 Bond and Maintenance Requirements

#### A. IMPROVEMENTS AND COMPLETION BOND

(1) **COMPLETION OF IMPROVEMENTS.** Before the final plat is signed by the City Council President, all applicants shall be required to complete, in accordance with the Planning Commission's decision and to the satisfaction of the Local Review Engineer, all the street, sanitary, and other improvements on the individual lots of the subdivision as required in these regulations, specified in the final [major](#) subdivision plat, and as approved by the Planning Commission, and to dedicate same to the local government, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

#### (2) SURETY OR COMPLETION BOND IN LIEU OF IMPROVEMENTS

(a) The Planning Commission may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plan, and that, as an alternative, the applicant post a bond or an escrowed cash fund may be set up in lieu of the completion bond at the time of application for final [major](#) subdivision approval in an amount estimated by the Planning Commission and the Review Engineer, and in form approved by the Commission's attorney, as sufficient to secure to the local government the satisfactory construction, installation, and dedication of any incompleting portion of required improvements. The completion bond shall also secure all lot improvements on the individual lots of the [major](#) subdivision as required in these regulations.

(b) Such completion bond shall comply with all statutory requirements and shall be satisfactory to the local government attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The 12 month period within which required improvements must be completed shall be specified by the Planning Commission in the resolution or motion approving the final [major](#) subdivision plat and shall be incorporated in the bond. The period shall be counted as starting with the date of final approval of the plans and plat. The Planning Commission may, upon proof of difficulty, recommend to the governing body extension of the completion date set forth in such bond for maximum period of one (1) additional year. The governing body may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the Planning Commission.

(3) **COSTS OF IMPROVEMENTS.** All required improvements shall be made by the applicant, at his expense, without reimbursement by the local government or an improvement district therein.

(4) **FAILURE TO COMPLETE IMPROVEMENTS.** For [major](#) subdivisions for which no completion bond has been posted, if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases where completion bond has been posted and required improvements have not been installed within the terms of such bonds, the local government may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

(5) **ACCEPTANCE OF DEDICATION OFFERS.** Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by ordinance of the local governing body. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street, easement, or park shown on said plat. The Planning Commission may require said plat to be endorsed with appropriate notes to this effect. Acceptance of dedication shall be signed by the City Council President in form similar to that appearing in [Appendix D](#).

#### B. INSPECTION OF IMPROVEMENTS AND RELEASE OF BOND

(1) **GENERAL PROCEDURE.** The Planning Commission shall provide (through their representative) for inspection of required improvements during construction to insure their satisfactory completion. If the local government's engineer finds, upon inspection, that any of the required improvements have not been constructed in accordance with local construction standards and specifications, or the approved plat, the

applicant shall be responsible for completing the improvements accordingly. Wherever the cost of improvements is covered by completion bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.

(2) RELEASE OR REDUCTION OF COMPLETION BOND

(a) CERTIFICATE OF SATISFACTORY COMPLETION. The governing body will not accept dedication of required improvements nor release nor reduce a performance bond, until the Local Review Engineer has submitted a written certificate stating that all required improvements have been satisfactorily completed and until the applicant's engineer has certified that the improvements have been completed, are ready for dedication to the local government, and are free and clear of any and all liens and encumbrances. Upon such approval and recommendation, the governing body shall thereafter accept the improvements for dedication, in accordance with the established procedure, and release the bond.

(b) REDUCTION OF COMPLETION BOND. A performance bond may be reduced upon actual dedication of public improvements but only to the ratio that the public improvement dedicated bears to the total public improvement for that plat.

C. MAINTENANCE OF IMPROVEMENTS BEFORE CITY ACCEPTANCE

(1) The applicant shall be required to maintain all improvements in the major subdivision until acceptance of said improvements by the governing body.

D. MAINTENANCE BOND

(1) The applicant (developer) shall be required to file a maintenance bond or The maintenance bond may be substituted by a cash escrow account or property of equal value to the bond, with the governing body, prior to dedication, in an amount equal to 10 percent of the costs of such improvements and in a form satisfactory to the local government attorney. This is done in order to assure the satisfactory condition of the required improvements for a period of two (2) years after the date of their acceptance by the governing body and dedication of same to the local government (city).

E. DEFERRAL OR WAIVER OF REQUIRED IMPROVEMENTS

(1) The Planning Commission may defer or waive at the time of final approval, subject to appropriate conditions, the provisions of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities that are to be provided by the City.

(2) Whenever it is deemed necessary by the Planning Commission to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant shall pay his share of the costs of the future improvements to the local government prior to the signing of the final subdivision plat, or the applicant may post a bond insuring completion of said improvements upon demand of the local government.

F. ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

(1) Where a completion bond has been required for a major subdivision, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements and dedication of same to the local government, as required in the Planning Commission's final approval of the major subdivision plans.

(2) The extent of street improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment, prior to the issuance of an occupancy permit.

(3) No building permits shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two lots of a subdivision, until all public improvements required by the Planning Commission for the plat have been fully completed and dedicated to the local government.

G. CONSUMER PROTECTION LEGISLATION AND CONFLICTS OF INTEREST STATUTES

(1) No building permit or certificate of occupancy shall be granted or issued if a developer or his authorized agent shall have violated any federal, state, or local law pertaining to consumer protection of real estate land sales, promotion, or practices, or any applicable conflicts of interest legislation with respect to the lot or parcel of land which is subject of the permit or certificate, until so ordered by a court of competent jurisdiction.

(2) With respect to said lot or parcel of land, in the event a building permit or certificate of occupancy has been granted or issued, it shall be subject to revocation by the municipality until so ordered otherwise by a Court of competent jurisdiction, provided that in no event shall the rights of intervening innocent third parties in possession of a certificate of occupancy be prejudiced by any such revocation.

(3) Any violation of a federal, state, or local consumer protection law (including but not limited to: Postal Reorganization Act of 1970; the Federal Trade Commission Act of 1970; Interstate Land Sales Full Disclosure Act; the Truth in Lending Act; the Uniform Commercial Credit Code; state subdivision disclosure acts or conflicts of interest statute, law, or ordinance shall be deemed a violation of these regulations and subject to all of the penalties and proceedings as set forth in this development code.

#### H. RECORDING OF FINAL SUBDIVISION PLAN

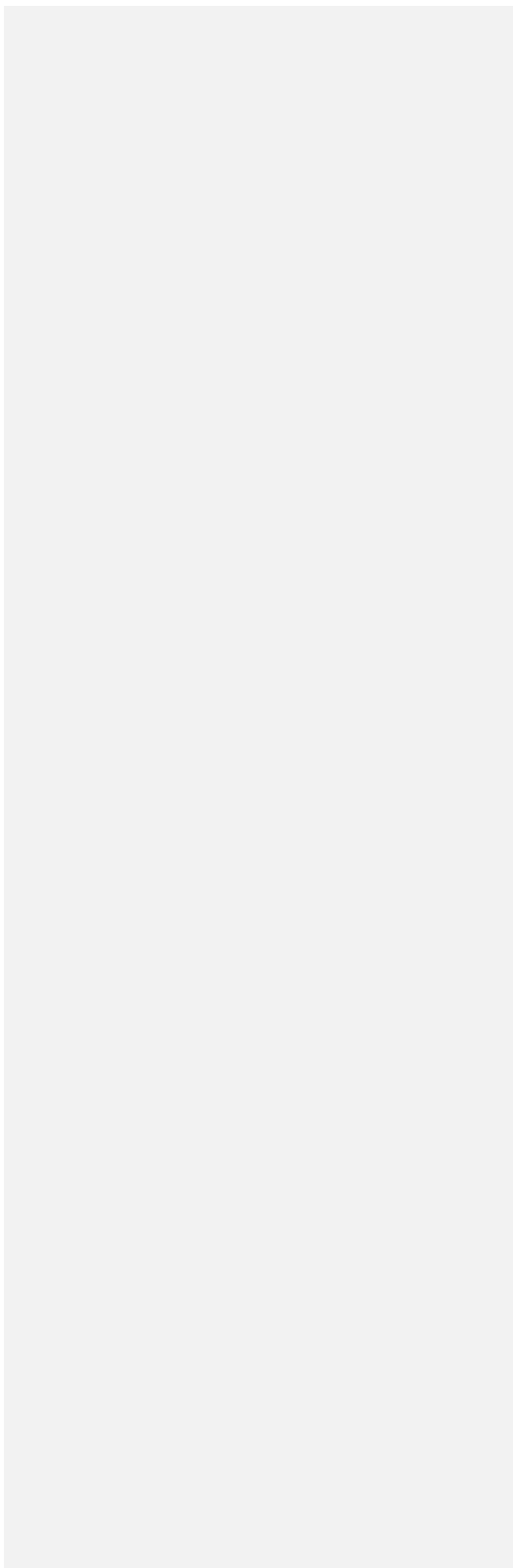
(1) After final plans and specifications have been approved by the Planning Commission and the plat signed by the City Council President, the City shall record the plat and the plot plan (but not the construction plans and specifications) in the Clerk of Court's Office in Amite.

(2) SIGNATURES ON FINAL PLAT. The required signatures that must appear on the front page of the final plat for major ~~or minor~~ subdivisions after acceptance by all parties are as follows:

- (a) Developer
- (b) Project Engineer
- (c) Review Engineer
- (d) City Planner
- (d) Planning Commission Chairman
- (e) City Council President

~~(3) An administrative subdivision must be signed in accordance with Paragraph 2.3.4F (4).~~

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<p><b>Article 11. Utilities</b></p> <p>11.1 In General</p> <p>    11.1.1 Servitudes</p> <p>11.2 Water</p> <p>    11.2.1 General Requirements</p> <p>    11.2.2 Pipe Sizes</p> <p>    11.2.3 Pipe Rating and Testing</p> <p>    11.2.4 Pipe Separation and Clearance</p> <p>    11.2.5 Construction Sequencing</p> <p>    11.2.6 Water Distribution System Minimum Requirements</p> <p>11.3 Sewer</p> <p>    11.3.1 General Requirements</p> <p>    11.3.2 Individual Wastewater Disposal System</p> <p>    11.3.3 Minimum Size</p> <p>    11.3.4 Maximum Size</p> <p>    11.3.5 Minimum Slopes</p> <p>    11.3.6 Manholes and Clean-outs</p>	<p>    11.3.7 Cover</p> <p>    11.3.8 Sewer and Water Separation</p> <p>    11.3.9 Sewer Collection System Materials</p> <p>    11.3.10 Design Criteria</p> <p>11.4 Street Lighting</p> <p>    11.4.1 Purpose</p> <p>    11.4.2 General Requirements</p> <p>11.5 Communication Towers/Satellite</p> <p>    11.5.1 General Requirements</p> <p>    11.5.2 Tower and Antenna Conditional Use</p> <p>    11.5.3 Conditions Communication Towers</p> <p>    11.5.4 Abandonment of Communication Towers</p> <p>    11.5.5 Amateur Radio Facilities</p> <p>    11.5.6 Wireless Facilities in Public Rights of Way</p>
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## Article 11. Utilities

### 11.1 In General

- A. All lots shall be connected to the public water and wastewater systems unless otherwise approved by the Planning Commission.
- B. The installation of all individual water supplies and sewage disposal units shall be approved by the Health Unit. Plans for all subdivision water supplies, sewer lines and treatment plants or treatment facilities shall be approved by the Louisiana Department of Health and Hospitals Office of Public Health. The construction plans for the installation of all subdivision public sewerage facilities shall be approved by the City Engineer. Building permits shall not be issued by the Building Inspection Division of the City of Hammond until such time as the sanitary sewer collection piping system has been installed and determined to be operational by the City of Hammond. In cases where a lift station and sewerage force mains are required in the sewage system, said equipment shall have been installed at the project site prior to issuance of the building permits. Occupancy permits shall not be issued until such time as the sewer system is placed into operation and accepted by the City Building Inspector.
- C. Only one basic residential utility owned electric meter is allowed for each legal dwelling unit. Except as noted in Sub-Paragraph 11.1C (1), an additional electric meter shall not be permitted for a guest house or a residential garage, workshop, shed, storage, or other residential accessory building. This requirement applies to "utility owned meters" used by public utility companies, and it does not apply to private sub-meters, which the Building Department encourages for certain situations.
  - (1) An additional utility owned electric meter may be signed off by planning staff if one of the following criteria is met:
    - (a) Multiple meters are allowed to serve multiple dwelling units, farm family dwellings, or agricultural employee units, permitted live-work or work-live units, or multi-tenant commercial or industrial buildings;
    - (b) The meter would serve common areas of apartment complexes, condominiums, and planned urban developments;

- (c) In lands with an agricultural use, the meter is for agricultural equipment or structure with high electrical demand such as, but not limited to, a dairy barn, a winery or agricultural water wells;
- (d) There are multiple separate uses on a property with approved permits for individual uses, i.e. on a guest ranch or commercial stable, there may be a separate meter for the residential and lodging use and for the equestrian use that may be operated separately;
- (e) On large properties, an additional meter would avoid trenching for 500 feet or more to serve a remote barn, well, electric gate or fence, or similar agriculturally related uses;
- (f) On corner or through lots, where there is an existing pole or service drop nearby, and use of a second meter would avoid trenching through, or damage to, protected trees, wetlands, or other sensitive habitat;
- (g) The meter is for a shared water well or septic system, providing service to two or more separately owned properties; or
- (i) The meter is for an unconventional voltage requirement for which the public utility requires a separate meter.

### 11.1.1 Servitudes

- A. **Generally.** Where alleys are not provided, a servitude shall be provided on each side of all front and rear lot lines where necessary for the installation and maintenance of underground electrical and communications utilities, gas lines, potable water lines, re-use water lines (if available), subsurface drainage, or drainage ditches, and storm and sanitary sewers. Where both water and sewer lines are located in the same servitude and where the contour of the land requires a drainage ditch, a width of servitude shall be required sufficient to serve all of the necessary services and to provide and maintain the necessary drainage. Wherever it is necessary to install sanitary or storm sewers or subsurface drainage alongside lot lines or across lots, a sufficient servitude shall be required to contain the necessary services as determined by the City Engineer then referred to the Planning and Zoning Commission by the City Engineer.
- B. **Minimum Dimensions.**
  - (1) Unobstructed rear yard utility servitudes for private or municipal use shall be not less than 7 1/2 feet in width on each side of the rear lot line. When rear yards do not abut a proposed lot then an unobstructed servitude not less than 15 feet in width shall be provided.
  - (2) Unobstructed front yard utility servitudes for private or municipal use shall be not less than five feet in width or as designated on the minimum street section showing utility space allocation located in [Appendix B, "Street Cross Sections,"](#) unless the utilities are demonstrably more appropriate when located within the right-of-way.
- C. **Space allocations for utilities in new subdivisions and on new site or tract developments**
  - (1) Certain locations within the street right-of-way and servitudes shall be designated for the construction of subsurface drainage, sanitary sewers, and public facilities to minimize conflicts and facilitate the construction, maintenance, and operation of these various facilities in accordance with typical sections located in [Appendix B](#), showing space allocations for utilities in new subdivision development. Where feasible, all utilities shall be installed below the ground.
  - (2) A copy of the applicable typical cross section showing the location of all utilities shall be included in the subdivision construction plans. The approved typical street cross sections are as illustrated in [Appendix B](#). If there is to be an exception or variation, the consulting engineer shall submit his proposed typical cross section to the City Engineer for their review and approval.

## 11.2 Water

### 11.2.1 General Requirements

- A. Where a public water main is accessible, the subdivider shall install adequate water facilities to serve both domestic use and fire protection (and commercial use, if applicable). Fire hydrants shall be installed of size and location with spacing and size as recommended by the Louisiana Property Insurance Association (Fire Rating Board) or the Hammond Fire Department.

- B. Where access to the municipal public water system is not available, private wells or private central water systems may be approved by the Planning Commission for a temporary period pending extension of the municipal system. The City may choose to participate in the cost of extending the municipal system in cooperation with the developer. Such temporary water supply shall provide flows and fire protection to the development consistent with the requirements of the Louisiana Property Insurance Association for the fire rating in effect for the City.
- C. Responsibility for maintenance of the private system however, will remain with the homeowner or subdivider and not with the City (unless decided otherwise through official action of the City Council).
- D. If the City takes the responsibility of extending water or sewer trunk lines to a proposed subdivision site, a reasonable time period for such extension shall be allowed.
- E. Water systems must be accepted through dedication to the City before the City can bring these systems under their control and maintenance program. The developer shall not reserve rights for others and the City to tap into the system.

### **11.2.2 Pipe Sizes**

All water mains shall be at least six (6) inches in diameter except that smaller lines of at least four (4) inches may be installed on dead end streets of 600 feet or less. A 2 inch flush hydrant must be installed at the end of such dead end line.

### **11.2.3 Pipe Rating and Testing**

Water mains must meet the specifications of ASTM-110 pressure rating and be tested to 2 1/2 times the normal operating pressure (normally 150 psi).

### **11.2.4 Pipe Separation and Clearance**

Water mains shall have a 30 inch compacted cover. Water and sewer lines should be no less than six feet apart (and water line above sewer line) if on the same side of street but should be constructed on opposite sides of the street where feasible.

### **11.2.5 Construction Sequencing**

To eliminate future street openings, all underground utilities for fire hydrants and all other improvements shall be installed before construction of base course and final paving of any street shown on the subdivision plat.

### **11.2.6 Water Distribution System Minimum Requirements**

- A. Materials:
  - (1) Pipe: P.V.C. Class (C900) or ductile iron pipe Class (150) w/pressure rating of 150 psi, slip joint or coupling w/rubber type gaskets.
  - (2) Valves: M & H Mueller w/box and cover w/mechanical joints.
  - (3) Fittings: Ductile Iron
  - (4) Fire Hydrants: 3 way, a 36" bury, M & H or Mueller (improved) (only) w1-4" & 2- 1/2" standard threaded nozzles, mechanical joints. Hydrants shall be repainted red just prior to acceptance.
  - (5) Blowoff Hydrants: 2" hydrant 2/1-2 1/2" nozzle for end of lines smaller than 6" diameter. Hydrants shall be repainted red just prior to acceptance.
- B. Installation:
  - (1) Pipe shall have minimum cover of 30" and bedded in conformance with manufacturer's recommendation. Pipe shall be set at grades to conform to slopes of curbed streets such as to maintain 30" cover below back of curb throughout development.
  - (2) Valves and Fire Hydrants: Shall be set on timber plank or concrete pad, and secured as necessary w/tie bolt and anchors. F.H.'s shall have adequate concrete thrust blocks and a minimum of 1.0 cu. ft. of gravel at weep hole. Hydrants shall be adjusted to match finished grade.
  - (3) Connections: Tie-ins to existing water mains will be hot-tapped w/reqd. fittings and valves if so directed by the superintendent of the Water and Sewer Dept. Otherwise tie-ins will be wet connections. In such situations valves may be required each side of the tie-in on the existing line.



When new line is larger than existing line, the tee for wet tap conditions, shall be the size of the larger line w/reducers each side to reduce to the size of the existing line.

- (4) Water meters shall be 12" inside property line.

## 11.3 Sewer

### 11.3.1 General Requirements

The applicant shall install sanitary sewer facilities in a manner and with materials specified herein and approved by the Louisiana Department of Health and Hospitals Office of Public Health. The subdivision shall be connected with the municipal sewerage system and sewers shall be installed to serve each lot and to grades and sizes required herein. The subdivider shall connect with the public sanitary sewer and provide adequate sewer collection lines to the property line of each lot, and for site or tract developments provide additional treatment where existing trunk lines are inadequate, unless the property line of the development is more than three hundred (300) feet from the existing trunk line or the City of Hammond certifies that there is inadequate capacity in the City conveyance system.

### 11.3.2 Individual Wastewater Disposal System

No individual disposal system or treatment plant shall be allowed within the municipal limits unless such system is first approved, on a temporary basis only, by the Planning Commission. This approval shall only be valid for newly annexed areas or new subdivisions when no access to municipal sewerage connections is available. Agreement between the property owner/developer and the City shall be made starting the method of costs and payment and the time period involved in extending sewer trunk lines. Individual disposal systems or subdivision treatment plants within the City or to be annexed by the City must have written health clearances from the Parish Health Unit and State Health agency.

- A. **Sanitary sewer not accessible.** For sites where adequate public sewer is not available as described in [Section 11.3.1](#), sewage treatment and disposal shall be as follows according to the number and sizes of lots in the subdivision:

- (1) ~~Minor subdivisions Subdivisions having five (5) lots or less, each containing twenty-two thousand five hundred (22,500) square feet or more and with a width (frontage) of at least one hundred (100) feet~~ may have effluent from an approved sewage disposal (treatment) system draining to open effluent ditches, provided such open effluent ditches are predominant in the area and are at least twenty-four (24) inches deeper than the grade at the building site. Sufficient grade elevations to adequately determine meeting of this requirement and statement by the engineer certifying that open effluent ditches are predominant in the area are required on the plat and shall be approved by the Health Unit along with a vicinity map at a scale of five hundred (500) feet to the inch showing the subject property and any existing buildings, streets and drainage channels within at least one thousand (1,000) feet in all directions from the subject property.
- (2) ~~Major~~ subdivisions having between ~~four six (46)~~ and fifty (50) lots of two hundred fifty (250) feet and minimum depth of three hundred (300) feet may have effluent from an approved sewage disposal (treatment) system draining to open ditches, provided such open drainage ditches are at least twenty-four (24) inches deeper than the grade at the building site. Sufficient grade elevations to adequately determine meeting of this requirement shall be shown on the plat and shall be approved by the Health Unit along with a vicinity map at a scale of five hundred (500) feet to the inch showing the subject property and any existing buildings, streets and drainage channels within at least one thousand (1,000) feet in all directions from the subject property. None of these lots may be further subdivided unless treatment and disposal are provided for all lots.
- (3) ~~All other~~ subdivisions ~~having over 50 lots shall have lots meeting the width and area requirements of the Unified Development Code and~~ shall have community sanitary sewage treatment facilities.
- (4) In site or tract developments adequate treatment and disposal facilities shall be provided by the developer.

- (5) If private community wastewater collection and treatment facilities are provided, the following requirements must be met:
- (a) The owner or operator that will be serving the subdivision must be a Public Service Commission licensed, Class 4 Wastewater Utility and shall be shown on the Final Plat. e.g. water: Hammond Water; wastewater collection and treatment: XYZ Sewer Co. The "operator" or "discharge permit holder" may not be a resident homeowner's or civic association. The plant site shall also be designated as a common area on the site plan, final plat or re-subdivision map.
  - (b) The operator, discharge permit holder, or private sewerage treatment provider must have a contract with the water service provider that allows the water service provider to disconnect water service in the event of non-payment of applicable service fees.
  - (c) Any contract for the operation and maintenance of the private treatment facility and the collection lines must be recorded in the Conveyance Records of the Clerk of Court for the Parish of Tangipahoa and the existence of the contract and its recordation be shown on the Final Plat.
  - (d) All sewer collection lines, manholes and service lines shall meet the material requirements and be constructed in accordance with the specifications shown herein.
  - (e) Prior to the approval of any construction plans (or building permit where no construction plans are required) for a commercial or multi-family development, commercial or residential subdivision or subdivision of five (5) lots or less, letters or certificates of approval from: (1) LA Department of Health and Hospitals, Office of Public Health; (2) LA DEQ; and (3) a copy of the LPDES Permit must be obtained for the private wastewater collection and treatment facilities and submitted to Department of Public Works.
  - (f) All sewer collection lines, pumping stations and treatment facilities must be approved by the private sewerage treatment provider or operator before any building permits will be issued.
  - (g) A minimum distance for the location of the wastewater treatment plant site from adjacent property shall be required. For the purposes of the implementation of this subsection only, a private community wastewater treatment plant site shall be deemed a heavy industrial use and the appropriate buffer, as specified in the Unified Development Code, shall be provided. The provisions of this subsection shall not relieve the owner of any legal duty imposed by any other governmental agency to provide additional buffers.
  - (h) Prior to the issuance of a building permit the property owner shall submit with its application a certified copy of a letter or certificate showing the recordation information with the Tangipahoa Parish Clerk of Court stating that the owner is aware that wastewater collection and treatment is being provided by a private wastewater company, and that the City is not responsible or liable for any maintenance, operation, sewerage back-ups, blockages or power outages or any other system failure. The owner, and all subsequent owners of the property shall make reference to this certificate or letter and its recordation in any sale of said property.
  - (i) The private sewerage treatment provider shall provide the sewer wye location and shall inspect and approve the sewer building or house connection, prior to the issuance of an occupancy permit.
  - (j) Approval of a final plat ~~or re-subdivision map~~ by the Planning Commission for a subdivision will not be granted to any development or that includes private sewerage collection and/or treatment facilities prior to the actual installation, construction and operation of said improvements and proof of and inspection by the Louisiana Department of Health and Hospitals Office of Public Health and Department of Environmental Quality. The developer or owner shall not be allowed to issue a bond to the City for said improvements in order to obtain final approval.
  - (k) The City Building Department shall maintain a list of all Community Wastewater Treatment Facilities within the City.

(H)

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## 11.4 Street Lighting

### 11.4.1 Purpose

The object and scope of this section is to provide uniformity of standards for street lighting to be maintained by the City of Hammond. All subdivision developers shall provide for proper street lighting as indicated below.

### 11.4.2 General Requirements

- A. Lighting installed by private developers and by electric utility companies shall be indicated on final plat maps, and final AS-Built plans shall be provided.
- B. Aluminum or cast aluminum poles are required. Shall be furnished with pole cap, anchor base bottom, and designed for mounting on concrete bases with anchor bolts. All pole and light standards must be pre-approved from the City of Hammond Subdivision review committee (Building, Utilities, and Street Departments) before agreeing upon types of light standards used on private or public streets.
- C. Must be 120 or 240 volts. Bulbs shall be encased in an approved deflector head to direct light downward.
- D. All wiring shall be installed in non-rigid ¾" – 2" pipe, schedule 40 PVC (below ground). Copper wire installed a minimum of 24" underground. Schedule 80 PVC shall be used in above ground cases.
- E. All wiring and underground work shall be installed before paving of streets to prevent street cuts.
- F. **NOTICE BEFORE WORK IS CONCEALED.** Before any part of wiring is buried, concealed, or placed in service, notice shall be given to the City's Utility Department Office so that an inspector can inspect and approve such work before concealment.
- G. **SERVICE EQUIPMENT.** The service equipment shall consist of an in-ground quartzite type box suitable in size to connect service wires with underground feeder wires. Box must be marked "electric" and placed within the right of way. The box top must be at finished grade of ground. The box must fuse link sized by NEC (National Electric Code). Poles should be grounded with 8' (8 feet) ground rod.
- H. **SPACING OF STANDARDS.** There shall be one standard installed at each intersection, standards shall be at property lines between lots where feasible, and spacing of standards shall be as follows:
  - a. **Decorative Fixtures:** 100 Watt LED on 20 ft. pole @ 100 ft. spacing maximum
  - b. **Shoebox Fixtures:** 150 Watt LED on 25 ft. pole @ 150 ft. spacing maximum
  - c. **Cobra Fixtures:** 200 Watt LED on 30 ft. pole @ 200 ft. spacing maximum.
- I. All lighting shall be shielded so as to direct light downward only. Lighting shall comply with [Airport Ordinance 820](#).

<p><b>Article 12. Floodways, Floodplains, and Stormwater Management</b></p> <p>12.1 Floodways and Floodplains</p> <p>    12.1.1 In General</p> <p>    12.1.2 General Provisions</p> <p>    12.1.3 Administration</p> <p>    12.1.4 Provisions For Flood Hazard Reduction</p> <p>12.2 Stormwater Management</p> <p>    12.2.1 Drainage Impact Study</p> <p>    12.2.2 General Design and Construction Standards of Storm Drainage Improvements</p>	<p>12.3 Water Quality Requirements</p> <p>    12.3.1 General Provisions</p> <p>    12.3.2 User Requirements</p> <p>    12.3.3 Stormwater Discharges from Construction Activities</p> <p>    12.3.4 Grading Permit</p> <p>    12.3.5 Compliance Monitoring</p> <p>    12.3.6 Penalties and Enforcement</p> <p>    12.3.7 Citizen Participation</p> <p>    12.3.8 Miscellaneous Provisions</p>
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## 12.1 Floodways and Floodplains

### 12.1.1 In General

#### A. Statutory Authorization

The Legislature of the State of Louisiana has in statute [LA R.S. 38:84](#) delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Hammond, Louisiana, does ordain as follows.

#### B. Findings of Fact

- (1) The flood hazard areas of Hammond are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

#### C. Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure that potential buyers are notified that property is in a flood area.

#### D. Methods of reducing flood losses.

In order to accomplish its purposes, this chapter uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

### 12.1.2 General Provisions

#### A. Lands to which this chapter applies.

The chapter shall apply to all areas of special flood hazard within the jurisdiction of the City of Hammond, Louisiana as set forth below:

All subdivisions ~~(excluding minor subdivisions)~~, institutional developments (schools, hospitals, etc.), commercial developments (shopping centers, apartment complexes, condominiums, etc.), industrial developments (manufacturing facilities, distribution facilities, etc.), and recreation developments (campgrounds, parks, etc.) on sites of 2.0 acres or greater in size.

Developments ~~as defined above on sites less than 2.0 acres in size~~ shall submit a drainage plan written, certified, and dated by a civil engineer or land surveyor licensed in the State of Louisiana.

**APPENDIX A**

**Definitions**

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**Lot** - An identifiable area of land with one title to its ownership, borders which are definite, and accepted by local certifying authorities for sale. Lots are often distinguished from tracts by the clarity of their boundaries and evidenced by an approved plat. A tract or plat or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

**Parcel** - An area of land which is identifiable, containing one or more lots or tracts with the same ownership.

Note: Parcels are typically used to describe land for taxation purposes.

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**Plat, Preliminary Plat** - a survey of land for a subdivision.

Notes: a plat depicts a wider area than a plot. They are often centered around the plots proposed for subdivision and properties contiguous to them, and show dedications to public entities including utilities.

**Plot** - a survey of a lot with definite boundaries.

1. A map representing a tract of land, showing the boundaries and location of individual properties and streets; or
2. A map of a subdivision or site plan.

**Subdivision** -

1. The division of a lot, tract or parcel of land, vacant or improved, into two (2) or more lots, plats, sites or other divisions of land for the purpose of sale or building development, whether immediate or future. It includes resubdivision, and when appropriate to the contents, relates to the process of subdividing or to the land subdivided.
2. Also, the change of drainage patterns, the dedicating, granting or constructing of a road, street, highway, alley, or servitude through a tract of land regardless of area.
3. Also, development of a tract of land for residential, commercial, industrial or office use when such a tract of land exceeds five (5) acres or when traffic safety or traffic patterns are judged by

~~the Planning Commission to be significantly affected. The City Building Official will forward on to the Planning Commission any such proposed development that, in his judgment, may present significant traffic problems in the area of the development.~~

~~EXCEPTIONS: The following do not need Planning Commission review if none of the above statements apply:~~

- ~~a. The partition of an estate among heirs or members of a family.~~
- ~~b. Partition of property required by a court judgment.~~

**Subdivision:**

1. The process of dividing one lot or tract of land into two or more.
2. A definite land area previously divided from one common lot, tract or land grant.

~~**Subdivision (Final) Plat** – The final map or drawing, described in these regulations, on which the subdivider's plan of subdivision is presented to the Planning Commission for approval, and which, if approved, may be submitted to the Parish Clerk of Court along with the plot plan.~~

~~**Tract** - A contiguous parcel of land under common ownership. An identifiable area of land with one title to its ownership.~~

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