



# CITY OF HAMMOND

## PLANNING DEPARTMENT

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Mayor  
Pete Panepinto  
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Director of Administration  
Lacy Landrum  
landrum\_l@hammond.org

May 7, 2024

Dear City Council,

I am writing to recommend approval of TA-2024-04-00035 regarding supplemental use standards.

The idea of supplementary standards are to override other articles when doing so is preferable to standard application of the zoning requirements. The concept can be found in several sections of the code as it exists today. However, the establishment of a new article with these general provisions is an essential first step toward the kind of code reforms that have been discussed by the Planning and Zoning Commission or introduced to it by ordinances, and their organization moving forward.

The elements regarding accessory structures demonstrate how the Article can be used. In public meetings, there was a sentiment that the accessory structures have to be build “in the middle of the yard.” In some circumstances, say for ADUs / granny flats, the current setbacks are practical. However, an accessory garage should generally be nearer the street if there is no potential obstruction of public equipment. By way of this amendment, the issue of accessory garage location, which is common throughout all zoning districts, can be regulated without reliance on variance procedure.

If passed, our UDC’s 15<sup>th</sup> article offers many opportunities to improve upon the code in general and will grow in importance in future years.

Sincerely,

Edward H. Company II  
City Planner



## ORDINANCE OF THE HAMMOND CITY COUNCIL

NO. \_\_\_\_\_

*An ordinance of the Hammond City Council amending the Unified Development Code providing for a supplemental use article of the Unified Development Code and establishing its general provisions, specific provisions for accessory buildings and uses, and specific provisions for accessory garages.*

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

**WHEREAS**, the City of Hammond Louisiana Unified Development Code (“UDC”) guides development in accordance with the City of Hammond’s Comprehensive Master Plan; and

**WHEREAS**, characteristics are generally uniform throughout a zoning district and apply regardless of building types; and

**WHEREAS**, a supplemental use standards article which supersedes general standards may provide greater flexibility to respond special cases; and

**WHEREAS**, without a supplemental use article, the only recourse for approval of some structures including accessory garages is a variance; and

**WHEREAS**, a variance should not be used to grant approval of development circumstances which are largely general throughout a zoning district; and

**WHEREAS**, the City of Hammond desires supplementary use standards for accessory buildings and uses as well as accessory garages in this way; and

**WHEREAS**, the Planning and Zoning Commission has found accessory garages may more appropriately be developed under different setback, height, area and other requirements than would be applicable to accessory garages; and

**WHEREAS**, the general provisions of the supplementary use article will be necessary to progress with other text amendments laid on the table of the Planning and Zoning Commission.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Hammond City Council, that:

**SECTION 1:** All of the aforementioned “Whereas” clauses are adopted as part of this ordinance.

**SECTION 2:** The Unified Development Code is amended providing for a supplemental use article of the Unified Development Code including therein the regulation of accessory structures and uses, and accessory garages.

**SECTION 3:** This amendment shall be as reflected in any pertinent documents which are attached hereto and made a part hereof and filed in the Office of the Hammond Clerk of the Council.

**SECTION 4:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

**SECTION 5:** This ordinance shall become effective upon the signature of the Mayor, the elapse of ten (10) days after receipt by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

This ordinance having been submitted to a roll call vote, the vote on behalf of the Hammond City Council thereon was as follows: Kip Andrews (    ), Carlee Gonzales (    ), Devon Wells (    ), Sam DiVittorio (    ), Steve Leon (    ).

AND the above and foregoing was declared adopted on this, the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kip Andrews  
President of Hammond City Council

\_\_\_\_\_  
Pete Panepinto  
Mayor of the City of Hammond

\_\_\_\_\_  
Lisa Cockerham  
Clerk of Hammond City Council

<p><b>Article 15. Supplemental Use Standards</b>  15.1 Generally  15.2 Accessory Buildings and Uses  15.3 Accessory Garages  15.4 Multifamily Structures  15.5 Warehouses</p>	
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**Article 15. Supplemental Use Standards**

**Chapter 15.1 General Provisions**

1. This Article establishes standards for certain uses. These standards may:
  - A. Supplement the standards in the applicable zoning district (Article 6) or development standards; and
  - B. Supersede other standards of this development code unless otherwise indicated.
2. This Article applies regardless of the zoning district where the use is located or whether the use is allowed by right or as a conditional use, unless otherwise indicated in this Article.
3. The uses listed in this Article are defined in Appendix A (Glossary), unless otherwise indicated.
4. Each section applies to the use listed in the chapter or heading, and as described in the cross-reference or applicability section. Provisions of any section of this Article will not apply to any other chapter or article of this development code.
5. Some sections in this Article apply to buildings or site features that are not a use, such as accessory structures. These apply to any use, unless otherwise indicated.
6. Code numbering is made with respect to Chapter 1.15, and may be helpful to reference while interpreting this Article.

**Chapter 15.2 Accessory Buildings and Uses**

1. Purpose
  - A. To supplement Article 6, "Zoning," for accessory buildings and uses.
2. Applicability
  - A. This Chapter applies to all accessory buildings or accessory uses.
  - B. Other chapters of this Article which also regulate accessory buildings or uses, including accessory garages, supersede this Chapter to the extent that they are inconsistent with this Chapter.
  - C. Section 6.3.1, "Single-Family Residential Building Types," supersedes this Chapter, but only as applied to accessory dwelling units.
3. General Provisions
  - A. No accessory building may be erected or occupied prior to the erection of a main building unless as a temporary building placed for construction within the duration of its permit.
  - B. There may not be more than one accessory structure for a single lot of record.
4. Accessory Building Standards
  - A. Setbacks
    - (1) 20 feet from the front property line or no closer to the front property line than the front wall(s) of the

- principal structure;
- (2) At least 7 feet 6 inches from the side lot line;
- (3) On corner lots, the side lot line is equal to the setback required of properties which front that road and should vary according to the road's functional classification; and
- (4) 10 feet from the rear property line, and 20 feet when the rear property line is a street or path.
- B. Height
  - (1) Minimum first floor elevation is regulated by the base flood elevations as provided in Article 12.
  - (2) The maximum height is 2.5 stories.
  - (3) The first story clear height minimum is 12 feet.
  - (4) The maximum second story clear height is 9 feet.
- C. Building Coverage
  - (1) Not more than 40% of the lot's available building coverage may be used for an accessory building or use.
- 5. Location
  - A. Obstructions. No accessory structure may be placed where it would obstruct:
    - (1) Views necessary to maintain safe vehicular movements;
    - (2) Municipal equipment including fire hydrants;
    - (3) Utilities;
    - (4) Rights of Way;
    - (5) Sidewalks;
    - (6) Servitudes;
    - (7) Fences; or
    - (8) Driveways.
  - B. Obstruction determination will be made by the City Planner or Building Official charged with the application, and will be based on obstructions observed in the site visit, comments received after referral to local utilities, and future needs of servitudes exclusive of the right-of-way.
  - C. Must be separated from the principal structure by a minimum of 10 feet.
  - D. No accessory structure may be located in front of the primary structure.
- 6. Accessory Use Standards
  - A. Reserved.

### **Chapter 15.3 Accessory Garages**

- 1. Purpose
  - A. To supersede Chapter 15.2, "Accessory Building and Uses."
- 2. Applicability
  - A. This chapter applies to accessory garages.
  - B. This chapter does not apply to carports, open air parking, or other parking which is part of a principal structure.
- 3. General Provisions
  - A. Accessory garages will follow provisions of Chapter 15.2.
    - (1) Exceptions
      - (a) Accessory garages may encroach on setbacks up to 18 inches from the right of way when determined non-obstructive.
      - (b) Maximum clear height is 16 feet.
      - (c) Accessory garages do not need to provide a parking layout plan to comply with Sub-section 14.1.3A unless specifically requested as part of the application completeness determination.
- 4. Accessory Garage Standards
  - A. Reserved
- 5. Location
  - A. Accessory garages located on corner lots must front the less principal road. The principal road is determined by the City Planner or City Engineer based on functional classification and traffic.

### **Chapter 15.4 Multifamily Structures**

- 1. Reserved.

## Chapter 15.5 Warehouses

1. Reserved.

Text Amendment Report 2024-04-00035

Planning Commission, Zoning Commission, and Board of Adjustments

April 11, 2024

Abstract

Providing for consideration related to supplemental use standards text amendment. The amendment creates a new article with general provisions supplementing or superseding Article 6, “Zoning Districts,” and related articles. The amendment provides location regulation for accessory garages and other non-principle buildings. The amendment reserves space for other topics under the consideration of the Planning and Zoning Commission which would benefit from the general provisions introduced in this article; namely multifamily structures and warehousing.



## Text Amendment Report

Pursuant to UDC Subsection 2.3.2F, the Council's consideration is directed to the following four review criteria: 1) the proposed text amendment is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans, 2) the extent to which the text amendment is consistent with the remainder of this development code, 3) the extent to which the text amendment represents a new idea not considered in the existing code, or represents revisions necessitated by changing conditions over time; whether or not the text amendment corrects an error in this development code, 4) whether or not the text amendment revises this development code to comply with state or federal statutes or case law.

### **Section 1. Consistency with Adopted Plans**

This amendment is not inconsistent with the Comprehensive Plan or other adopted plans.

### **Section 2. Consistency with the Remainder of the UDC**

This amendment is consistent with the remainder of the UDC. Where potential inconsistencies were discovered, they were avoided through careful cross referencing. Some components of other UDC articles may have been enacted with the intention to operate as supplemental use standards, and should be more closely investigated and codified into Article 15 after general provisions are adopted to make their articles more consistent with their purpose.

### **Section 3. Causes for Amendment**

The text amendment represents a new idea not considered in the existing code.

#### **Section 4. Related Laws**

##### **Louisiana Law**

It is reasonable to assume this amendment is consistent with Louisiana law.

##### **Federal Law**

It is reasonable to assume this amendment is consistent with federal law.

##### **Case Law**

It is reasonable to assume this amendment is consistent with pertinent case law.