



Staff Report
Amendment to the UDC
Definitions and Specific Use

Attachments: Definitions and Specific Use

Work Session: Thursday September 4, 2025
Public Hearing: Thursday, September 11, 2025
City Council Introduction: Tuesday, September 23, 2025
City Council Public Hearing: Tuesday, October 14, 2025

Request:

Update to the UDC by the City Planner to amend definitions and add specific use for definitions. Addition of new Section 2.3.10 with additions shown in red.

City Planner Recommendation:

Staff recommends approval.

Public Hearing:

For: 4
Against: 0

Commission Recommendation:

Motion:

Recommend approval for an amendment to the UDC regarding definitions and specific uses with the addition of new Section 2.3.10.

For: Kylan Douglas, Trey Tycer, Ron Matthews, Monica Perez
Against: None
Abstain: None
Absent: None

Ordinance to Read:

WHEREAS, on September 11, 2025 the Hammond Zoning Commission held a public hearing and recommended approval for an amendment to the UDC regarding definitions and specific uses with the addition of new Section 2.3.10.

NOW THEREFOR BE IT ORDAINED, the Hammond City Council held a public hearing on October 14, 2025 and approved the amendment to the UDC regarding definitions and specific uses with the addition of new Section 2.3.10.

SEPTEMBER 2025 AMENDMENTS

Appendix A. Definitions

Guest House - An attached or detached accessory dwelling located on the same lot-of-record as an existing primary residential structure and containing a lodging unit with kitchen facilities used to house occasional non-paying/non-commercial guests of the occupants of the primary residential unit located on the same site. This use must comply with Sec. 6.3.8.

Home Occupation - An accessory use that is a limited business activity, conducted entirely within the dwelling, clearly incidental and secondary to the use of the dwelling for residential purposes, and does not generate a nuisance to neighbors. This use must comply with Sec. 6.3.9.

Restaurant - ~~An establishment which operates a place of business purposed primarily to prepare food and food items for consumption and to serve meals and meal items to the general public.~~ An eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar located within a restaurant. [R.S 40:1291.3 (10)] The use must comply with Section 6.3.10. City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants.

6.3 Specific Use Standards

6.3.8 Guest House

1. The minimum lot size required for the addition of a Guest House to the site of a primary residential structure shall be 6500 square feet.
2. A Guest House shall be site built meeting all City of Hammond adopted Building Codes and inspected in accordance with City of Hammond typical inspection schedule.
3. A Guest House shall be required to be constructed within the buildable area of the lot and shall not be located in any required front, rear, or side yard setbacks. A Guest House is not an "accessory building" and shall not be regulated as such.
4. A Guest House may be built in conjunction with a primary residential structure under construction or after, but not before the primary residential structure.
5. A Guest House shall be on the same electrical meter, water meter and/or gas meter as the primary residential structure on the premises. No separate utility connections are allowed.

5. A Guest House structure including all porches or permanent structures of the guest house shall not exceed 900 square feet or 20 percent of the square footage size of the existing primary residential structure, whichever is greater. Attached garages of the primary structure shall be excluded from this calculation.
6. A Guest House shall be for the temporary use of guests of the primary residential structure and shall not be rented or leased for financial gain.
7. A Guest House shall not be allowed on a lot-of-record or premises/site with more than one existing residential unit or with any commercial or industrial land use.

6.3.9 Home Occupations

1. A home occupation must be conducted within the dwelling unit and not within any accessory structure. Nothing shall be done to make the building appear in any way as anything other than a dwelling.
2. The home occupation shall be incidental to the use of the dwelling unit for residential purposes. No more than twenty-five per cent (25%) of the floor area of the residence or five hundred (500) square feet (whichever is less) may be used in connection with the home occupation.
3. The person conducting the home occupation must live at this location, and consider the property as their primary residence. No one shall be employed from outside of the resident family. Proof of owner occupancy may be established by submission of proof of a homestead exemption.
4. There shall be no retail sale of goods on premises in connection with said home occupation.
5. The use shall not create greater vehicular or pedestrian traffic than normal for the residential district in which it is located, as determined by the city planner or designee. The use shall not require additional off-street parking spaces for clients or customers of the home occupation. No bus or truck, other than a school bus or a pick-up truck or van will be kept on the premises of the dwelling being used for home occupations.
6. There shall be no advertising, display, or other exterior indications of a home occupation on the premises, other than one (1) sign attached to the dwelling unit itself. The sign shall be flat, non-illuminated, and shall not exceed two (2) square feet in area.
7. No more than one (1) home occupation or business shall be conducted within a dwelling unit, and services shall be limited to one (1) client at a time. The hours of operation for a home occupation shall be limited to 8:00 am to 6:00 pm.
8. Barber or beauty shops shall be limited to one (1) operator with no assistants, one (1) styling chair and one (1) shampoo bowl. Scheduling shall allow for one (1) appointment at a time only. All parking for customers and residents shall be located on the site. Sales and services

to patrons shall be arranged by appointment and scheduled so that not more than one patron vehicle is on the premises at the same time;

9. Mechanical equipment used shall be only that normally used in, or found in, a single family dwelling.
10. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other restricted materials shall be used or stored on the site. The use shall not produce offensive noise, odors, vibrations, smoke, fumes, heat, or dust detectable to normal sensory perception beyond the premises.
12. Storage of stock, supplies, and products shall be permitted only inside the premises where a home occupation is being operated. There shall be no outdoor storage of equipment or materials used in the home occupation.
13. Certificate of occupancy. An application for a certificate of occupancy for a home occupation shall be made to the planning office on a form provided by the department. Inspection of the applicant's premises shall be made by the building inspector to determine compliance with these regulations before a certificate of occupancy shall be issued.

6.3.10 Restaurant

1. City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants. Bars and lounges are allowed in accordance with the zoning district in which the business is located.
2. A restaurant must:
 - a. Serve food on all days of operation.
 - b. File a copy of the applicant's menu together with the application, both new and renewal.
 - c. Provide an affidavit from the local health department showing compliance with all applicable health and sanitary requirements with new application.
 - d. Gross a minimum of sixty (60%) percent of their monthly revenue from the sale of food, food items and non-alcoholic beverages. For new businesses without prior business experience on which to base a determination of percentage of food, food item and non-alcoholic beverage sales where a temporary alcoholic beverage permit has been issued by the tax collector for sixty (60) days after which time evidence of all purchases and sales, as may be deemed necessary by the tax collector, can be required to make the alcoholic beverage permit permanent.
 - e. Maintain separate sales figures for alcoholic beverages.
 - f. Operate a bona fide restaurant by having a fully equipped kitchen facility and dining room manned and operated at all times that alcoholic beverages are sold on Sunday.
 - g. Maintain a written record of the name, address and telephone number of all vendors and suppliers of food, food items and non-alcoholic beverages and alcoholic beverages, and maintains, for a minimum period of twelve (12) consecutive months previous to application for renewals, all records of purchase and delivery of food, food items and non-alcoholic beverages and alcoholic beverages to the permittee's place of business,

including, without limitation, all billings, invoices, statements of accounts, delivery tickets and receipts of food, food items and non-alcoholic beverages.

DEFINITIONS:

Conditional Use - A land use that is listed as a conditional use in the zoning classifications or a land use that restricts or expands the permissible usages available under the current zoning classification.

Conditional Use, Expanded - A conditional use, which expands allowed and conditional usages, must originate with the Zoning Commission and must comply with all procedural requirements and limitations of a rezoning.

Conditional Use, Restricted

A conditional use, which restricts allowed and conditional usages, may either initiate with the Zoning Commission or the City Council, and may be given final approval by the City Council by resolution or ordinance.

ADD NEW SECTION

2.3.10 Conditional Uses

Standards Applicable to All Conditional Uses.

1. **Application:** When a person applies for a conditional use, the Planning Commission and/or the City Council shall hold a public hearing on the proposal. The public hearing shall be published as set forth in this ordinance. The application shall include material necessary to demonstrate that the grant of a conditional use will be in harmony with the general intent and purpose of these zoning regulations, will not be injurious to the neighborhood or to adjoining properties, or otherwise detrimental to the public welfare. Such material may include but is not limited to the following, when applicable:
 - a. Site and development plans at an appropriate scale showing proposed placement of structures on the property; provisions for ingress and egress, off-street parking and off-street loading access, refuse and service areas, and required yards and open spaces
 - b. Plans showing proposed locations for utilities hook-ups.
 - c. Plans for screening, buffering and landscaping.
 - d. Proposed signs and lighting, including type, dimensions and character.

If a zoning amendment is required or requested, that application shall accompany the application for a conditional use for reference. If the proposed use requires subdivision, an application for a subdivision shall be filed prior to the issuance of a building permit. The subdivision must be completed prior to the issuance of a certificate of occupancy for the structure or use.

For conditional uses subject to additional requirements from state or federal agencies, such as the Federal Aviation Administration or the Louisiana Department of Environmental Quality, all required submittals from such agencies shall be submitted with the application. Where the state or federal agency cannot verify that all requirements are met prior to approval of the conditional use, the applicant shall obtain a letter from the agency stating that the agency will verify that all requirements are met after the conditional use approval is granted.

2. ***Supplementary Conditions and Safeguards:*** The Planning Commission and/or the City Council may provide such conditions and restrictions upon the construction, location and operation of a conditional use as may be deemed necessary to promote the general objective of this title and to minimize any injury to the value of property in the neighborhood. Such conditions shall be expressly set forth in the ordinance granting the conditional use permit, and shall be recorded by the city as a supplement to the deed for the property, in the parish recorder's office. These conditions may include, but are not limited to, the following:
 - a. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion or traffic;
 - b. Increase the required lot size or yard dimension;
 - c. Limit the height, size or location of buildings, structures and facilities;
 - d. Control the location and number of vehicle access points;
 - e. Increase the street width;
 - f. Increase the number of required off-street parking spaces;
 - g. Limit the number, size, location or lighting of signs;
 - h. Require diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property;
 - i. Designate sites for open space;
 - j. Provide ease of access to major roadways;
 - k. Assure that the degree of compatibility to the surrounding land use shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which the use is proposed to be located. Failure to maintain such conditions or restrictions as may have been imposed shall constitute grounds for revocation of such conditional use permit, pursuant to Section 2.4, "Enforcement".
- 3.. ***No Presumption of Approval:*** The listing of a conditional use within each zoning district does not constitute an assurance or presumption that such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this section and with the standards for the district in which it is located, in order to determine whether approval of the conditional use is appropriate at the particular location and in the particular manner proposed.
4. ***Limitations on Approval of Conditional Uses:***
 - a. The approval of a proposed conditional use permit by the City Council shall be deemed to authorize only that particular use at that particular location for which the conditional use was issued.
 - b. No conditional use permit shall be valid for a period longer than one year unless a building permit is issued and construction is thereafter diligently pursued within that period. However, the city building official may extend the one-year period to a mutually agreed upon time.
 - c. Except as where otherwise provided for in this ordinance, if a property with a conditional use remains vacant for a period of 12 consecutive months, the conditional use permission

becomes null and void. The property owner and/or business must apply for a new conditional use, or upgrade to meet all requirements of this ordinance before occupancy. Buildings which are actively available for lease and occupancy, or are being remodeled pursuant to permit are not considered vacant.

- d. Any change involving major structural alterations, enlargements, intensification of use, or similar change must be approved in the same manner as the original conditional use.

5. **Effect of Approval:** The approval of a conditional use permit by the City Council shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or approvals as may be required by the regulations of the city, including, but not limited to occupational licenses, inspections, and building permits.

6. Amendments to a Conditional Use Permit.

- a. Minor amendments. The City Planner may administratively authorize minor amendments to a previously approved conditional use when such amendments appear necessary in light of technical or engineering considerations. Such amendments shall be consistent with the intent of this ordinance and the approved conditional use and shall be the minimum necessary to overcome the particular difficulty. Minor amendments may include the following:
 - i. Altering the location of required landscaping by not more than twenty (20) feet.
 - ii. Minor changes to lighting, signs, or screening.
 - iii. Altering the location of any structure by not more than ten (10) feet.
 - iv. Altering the location of a parking area or interior road by not more than five (5) feet.
 - v. Minor relocation of internal access and circulation.
 - vi. Altering the originally planned road grade to the satisfaction of city engineering requirements.
 - vii. Minor relocation of points of access which will improve traffic circulation on adjacent public streets as determined by city engineering requirements.
- b. Major amendments. Any amendments not classified as minor amendments, or which in the opinion of the Zoning Administrator constitute major amendments, or which in the discretion of the City Planner require consideration by the planning commission, shall be subject to the permit a i. Change of ownership or name of proprietor, while maintaining the same or similar use. Minor change of landscaping elements.

7. Revocation of permit.

In addition to any other penalties and remedies for violation of this ordinance, any conditional use may be revoked through adoption of an ordinance for such by the City Council after finding that any one of the following conditions exists or the occurrence of any of the following is found;

- a. Fraud in obtaining the permit;
- b. Concealment or misrepresentation of any material fact on the application or on any subsequent applications or reports;

- c. The operation is found to be in violation of the approved plans, conditions of approvals, or the terms of the permit and the owner has failed to correct the violation after proper notice thereof.
- d. A request if made by the property owner to revoke the conditional use.

8. *Appeals.*

- a. Appeals must be filed within five (5) business days of the final decision.
- b. The filing of an appeal of a decision concerning a conditional use permit shall act to stay any building permit issued for improvements on the property, which is the subject of the appeal.
- c. The appellant shall not have the right to present new evidence.
- d. A final decision concerning a conditional use permit shall be to a court of jurisdiction.

9. **Types**

These uses are subject to all other applicable requirements of this ordinance, including limiting conditions associated with the zoning districts and any overlay districts.

A. Expanded Conditional Use.

An Expanded Conditional Use:

- 1. must originate with the Planning Commission and be approved by the City Council;
- 2. must comply with all procedural requirements and limitations of a rezoning;
- 3. is a personal right and expires upon a change in ownership of the property from the person or persons originally granted the conditional use; and
- 4. Those uses in this ordinance specified exclusively as conditional uses shall be considered for all purposes as Expanded Conditional Uses.

Approval of any Expanded Conditional Use shall be by passage of an ordinance by the City Council. If a rezoning and an Expanded Conditional Use are applied for simultaneously and are considered at the same meeting, each shall be noticed, advertised and voted upon separately.

In deliberating on any application for an Expanded Conditional Use, the Commission/Council shall not grant approval thereof unless it makes findings based upon the evidence presented to it that each case shall indicate all of the following:

- 1. The permit, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.
- 2. The permit, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.
- 3. The granting of the Expanded Conditional Use will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located, in that it will not impair an adequate supply of light and air, or increase substantially the congestion in the public streets, create a traffic hazard, or affect or overburden existing drainage or sewerage systems, or endanger the public safety, nor cause serious annoyance or injury to occupants of

adjoining premises by reason of emission of odors, fumes, gasses, dust, smoke, noise or vibration, light or glare or other nuisances.

4. The proposal's impacts can be appropriately mitigated through the application of conditions of approval, as applicable.
5. The permit, if granted, does not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major or local importance.

B. Restricted Conditional Use.

A Restricted Conditional Use:

1. may either initiate with the Zoning Commission or the City Council;
2. may be given final approval by the City Council by resolution or ordinance;
3. limitations and restrictions not otherwise specified in this Ordinance shall be construed as a Restricted Conditional Use;
4. may be imposed without prior notice to the public; and
5. shall bind any current and future owners thereto,