



CITY OF HAMMOND
ORDINANCE No. _____

AN ORDINANCE ESTABLISHING A TEMPORARY 365 DAY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR GROUP HOMES, GROUP CARE FACILITIES, GROUP LIVING FACILITIES, DAY CARE FACILITIES, ADULT DAY CARE FACILITIES, ASSISTED LIVING FACILITIES, LODGING HOMES, BOARDING HOMES, ROOMING HOUSES AND ZONING AMENDMENTS THEREFOR WITHIN THE CITY OF HAMMOND, PROVIDING FOR VARIANCES AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Hammond City Council had identified a concern over the operation of Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses; and

WHEREAS, the City Planner and the City Planning and Zoning Commission has recommended substantive changes to the Hammond Unified Development Code relating to Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses; and

WHEREAS, the recommended changes require careful review by Council Members with the public, the Planning and Zoning Commission, the City Planner, the city administration and discussions at City Council meeting prior to consideration of final adoption of the recommended changes and possible revisions; and

WHEREAS, the Council wants to insure that the impact of future operation of Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Houses, Rooming Houses has an acceptable impact on the distinctive character of the single family neighborhoods and other areas where Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses; and

WHEREAS, neighborhoods in the City may change drastically if unlimited growth of Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses should occur under the City's existing ordinances, before the City can review and consider the

recommendations of the City Planner and the Planning and Zoning Commission; and

WHEREAS, the City Council has determined that it is necessary to study the recommendations of the City Planner and the City Planning and Zoning Commission Housing to protect the health, safety, environment, quality of life, and general welfare of the City; and

WHEREAS, in order for the City Council to have adequate and reasonable time to review, evaluate and revise the City's ordinances, as appropriate, and to consider the impact of the recommended changes upon future growth, public health and safety, development, the environment, the historic character of the City's neighborhoods and places of importance and significance within the City, the City wishes to implement a moratorium period of 365 days, during which no applications for Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses; and

WHEREAS, the purposes of prohibiting applications, for Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes, Rooming Houses permits and/or approvals during this study period include, within limitation, preserving the status quo during the planning process, eliminating incentives for hasty applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised ordinances by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development ordinances; and

WHEREAS, in recognition of the appropriateness of Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes and Rooming Houses permits and/or approvals to the community, the City desires to implement this moratorium for a stated and fixed time period, and to include a variance provision for cases of necessity and undue hardship.

THEREFORE, BE IT ORDAINED:

1. Except as provided below, no applications for Group Homes, Group Care Facilities, Group Living Facilities, Day Care Facilities, Adult Day Care Facilities, Assisted Living Facilities, Lodging Homes, Boarding Homes and Rooming Houses will be accepted for filing or processed and no such permits or approvals will be issued by the City until (a) 365 days after final adoption of this ordinance, or (b) termination of this ordinance by the City Council, whichever is sooner.
2. If the City Council determines that this 365 day period is insufficient for the Council to fully complete the process of reviewing and adopting ordinances to implement the recommendations of the City Planner and the Planning and Zoning Commission, this ordinance may be renewed for an additional period of time, not to exceed 180 days, by resolution upon a majority vote of the City Council.

3. An owner of property within the City may request a variance from the requirements of this ordinance under the following conditions:
 - (a) special circumstances or conditions exist imposing an undue hardship on the property owner; or
 - (b) where a Group Home, Group Care Facility, Group Living Facility, Day Care Facility, Adult Day Care Facility, Assisted Living Facility, Lodging Home, Boarding Home and Rooming House is in the public interest for that particular area and will not disturb the character of the neighborhood; or
 - (c) there is a previously existing legal right to proceed; or
 - (d) a re-zoning of the property would not result in a Group Home, Group Care Facility, Group Living Facility, Day Care Facility, Adult Day Care Facility, Assisted Living Facility, Lodging Home, Boarding Home and Rooming House in the re-zoned area
4. A written application setting forth the basis for the requested variance must be submitted to the City Planning and Zoning Commission for its recommendation and final approval by the City Council by resolution upon a majority vote of the City Council. A variance may be granted by the City Council if it finds that special circumstances or conditions affecting the property in question justify the variance, and that the effect of the variance will accomplish the goals of the moratorium established by this ordinance. Any request for a variance must be submitted to the City Council at least seven (7) days prior in the date of the City Council meeting at which the request is to be considered.
5. As used herein, the terms “Group Homes”, “Group Care Facilities”, “Group Living Facilities”, “Day Care Facilities”, “Adult Day Care Facilities”, “Assisted Living Facilities”, “Lodging Homes”, “Boarding Home” and “Rooming House” shall have the assigned meaning as set forth in the City Unified Development Code
6. In the case of any conflict between the other provisions of this ordinance and any existing ordinance of the City, the provisions of this ordinance will control.
7. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.
8. This ordinance shall be effective as of the date of final adoption.

The above and foregoing ordinance having being duly submitted to the Hammond City Council in writing; introduced at a public meeting on _____, **2025** of the Hammond City Council and discussed at a public meeting held on _____, **2025**; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Councilman _____ and Second by Councilman _____ the foregoing ordinance was hereby declared adopted on _____, **2025** by the following roll call vote:

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

WHEREFORE the above and foregoing ordinance was declared duly adopted on the ____ **day** of _____, **2025**, at Hammond, Tangipahoa Parish, Louisiana.

Kip Andrews
President, Hammond City Council

Honorable Pete Panepinto
Mayor, City of Hammond

Lisa Cockerham, Clerk
Hammond City Council