Staff Report

Planning Commission Case#PC2013-5-1

Attachments:
Draft UDC dated 12/5/2013; Proposed Zoning Map; Proposed Changes made

Planning Commission Public Hearing: Thursday December 5, 2013
City Council: Introduction-4/16/2013
Mayor Report -12/17/2013
Public Hearing- 01/07/2014 FINAL-02/18/2014
Planning Commission: Work Session-1/30/2014 Final Public Hearing-2/6/2014

Item to be presented to the Council: (Ordinance)
Final adoption of an Ordinance to adopt the Unified Development Code (UDC) and to repeal all ordinance in conflict therewith (PC2013-5-1) recommended approval by Planning, Zoning Commission, and Board of Adjustments

Brief Description:
The Unified Development Code (UDC) is a comprehensive document for development in the City of Hammond. It pulls together the various ordinances that we operate by on a day to day basis for developing property, and provides clearer direction for developments in the City of Hammond.

Chart below shows what existing zoning designations will be after approval of the UDC. Very minimal changes were done to the usage portions of the zonings. Most changes pertain to lot sizes, setbacks, and density. Names were changed to better represent what each zone is used for going forward.

Current Zoning Districts	Proposed Zoning Districts
R-11 Residential	RS-11 Single Family Residential
R-8 Residential	RS- 8 Single Family Residential
R-5S Residential	RS-5 Single Family Residential
R-5 Residential	RM-2 Multi- Family Residential
R-4 Residential	RS-3 Single Family Residential
R-S Residential	RS-11.A Single Family Residential -Agriculture
R-A Residential	RM-3 Multi-Family Residential
B-1 Office	MX-N Mixed Use Neighborhood
B-2 Restricted Business	MX-C Mixed Use Commercial
C-1 Central Business District	MX-CBD Mixed Use Central Business District
C-2 Commercial	C-N Commercial Neighborhood
C-3 Highway Commercial	C-H Commercial Highway
C-4 and C-4A Commercial	C-R Commercial Restricted
L- Light Industrial	I-L Light Industrial
H- Heavy Industrial	I-H Heavy Industrial
S- 1 Southeastern Louisiana University District	S- 1 Southeastern Louisiana University District
S-2 Hammond Airport District	S-2 Hammond Airport District
I- Institutional District	I- Institutional District
RP- Residential Preservation	RP- Residential Preservation
SC- School Church	SC- School Church
S-Special District	PUD-Planned Unit Development
Thomas/Morris Street Overlay	-TM Thomas/Morris Street Economic Development Overlay
Hyer-Cate Preservation	-HC Hyer-Cate Preservation Overlay
Iowa Addition Overlay	-IA Iowa Addition Overlay
Historic Overlay	-H Historic Overlay

Specific Action taken by the Commission:
12/5/2013: Motion to recommend to adopt the Unified Development Code dated draft 12/5/2013 be forwarded to the Hammond City Council.

Planning Commission Vote Results:
For: Jimmy Meyer, Ralph Ross, Stanley Young, William Travis, Sam McClugage
Against: None
Absent: None

Specific Action taken by the City Council:
01/07/2014: City Council forwards UDC Considerations back to the Planning Commission:
1. Article 1.4 (page 1-1- the effective date needs to be included (based on the Council decision)
2. Article 1.10- (repeal of ordinances) it looks to me like Article 8.1. in the UDC entirely replaces current Chapter 17.3 in the book of ordinances (ordinances #2535 and #10-5193). These ordinances should be referenced in this "repeal of ordinances" section
3. Article 2.4.3(A) line 3- replace "the" with "than".

4. Article 4.1.5 (E) Tree preservation & landscaping requirements: See also Article 9 for additional requirements AND EXEMPTIONS
5. Page 9-15 Environmentally Sensitive Area- Specific geographic area in need of special protection by Federal, State, or Local government
6. Charts on pages 6-18 through 6-35 – Awnings and double gallery should be allowed throughout.
7. Article 8.1- I think 8.1.1 should end with the word "Hammond"- without reference to a city ordinance (original #2535)- since that ordinance is being repealed by the UDC.
8. Overlay District for Greenville Park Subdivision and areas surrounding Zemmurray Park (Lemar Marshall)
9. Trash receptacle size requirements (Jason Hood)
10. Lot Size requirements

Specific Action taken by the Commission:
02/06/2014: Motion to recommend to adopt the Unified Development Code dated 2/13/2014 be forwarded to the Hammond City Council.

Planning Commission Vote Results:
For: Stanley Young, William Travis, Sam McClugage
Against: Ralph Ross
Absent: Jimmy Meyer

Specific Actions taken by the Planning Commission:
02/06/2014: Planning Commission forwards UDC Considerations back to the City Council with below revisions:

1. 2.1.2 A. pg 2-1 remove reference to Ordinance 295 and replace with … as provided herein. Add 295 to list of repealed Ordinances
2. 2.1.3 A. pg 2-2 remove reference to ordinance 2769 and replace with … as provided herein.
3. 2.1.6 B. pg 2-5 remove reference to ordinance 2535 and end after City of Hammond.
4. 3.4.1 B. pg 3-11 Insert Date in place of ordinance 2550. (Aug 4, 1998) Also added 2550 to repeal list.
5. 7.1.1 B. and 11.4.2 I. references to Ordinance 820 Leave alone and do not repeal. No action
6. 7.1.1 B. pg 7-1 reference to ordinance 1070. Leave alone and do not repeal. No action
7. 7.2.5 H. pg 7-6 Change ordinance 2482 reference to more accurately describe Ch 16 Article IV
8. Pg 7-3 Height restrictions for RP. Lift height restrictions from ordinance 2550 that were referenced here and placed in this section
9. 8.1.1 remove "… in accordance with City Ordinance XX-XXXX." And replace with "…as provided herein."
10. 9.1.4 D. 4. Removed reference to Ordinance 2085 and replaced with applicable ordinance 2058. This was a typo in the original ordinance.
11. In definition of Violation on page A- it references a Ch 60 and a bunch of sections. This definition comes from the model FEMA Floodplain Damage Prevention Ordinance. It should be rewritten with CFR in front like this:

    Violation (Floodplain) - The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

12. 2.2.1 Summary of review table. Made edits to table to more accurately reflect the content. Made no changes to document content.
13. 2.3.4 Subdivision flow chart. Also changed to make much more detailed and paint a clearer picture. No content was changed in the document.
14. Changed the lighting section 11.4.2 per the email from Janice in this morning's email. She has been out.

FROM: Josh Taylor, City Planner **Date: 02/17/2014**

Edits to UDC involving ordinances after meeting with Andre.

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CITY OF HAMMOND

LOUISIANA

UNIFIED DEVELOPMENT CODE

APPROVED BY THE HAMMOND CITY COUNCIL: MONTH X, XXXX

Draft 2/13/2014

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Article 1. General Provisions

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Article 1. General Provisions

1.1 Title

This Ordinance shall be known as the "City of Hammond Louisiana Unified Development Code" and may be cited and referred to as "this development code" or "UDC."

1.2 Authority

This development code is adopted pursuant to the authority granted by Louisiana Revised Statute 33:4721-4732, [particularly the creation of boundaries of zoning districts as well as the restrictions and regulations to be enforced therein, such that the City of Hammond may avail itself of the provisions of Louisiana Revised Statute 33:4721-4732.

1.3 Applicability

The provisions of this development code apply to the development of all land within Hammond, Louisiana. No development shall be undertaken without prior authorization pursuant to this development code.

1.4 Effective Date

This development code was adopted on [insert date] and became effective on [insert date].

1.5 Purpose

A. This development code is adopted for the purpose of guiding development in accordance with the City of Hammond's comprehensive master plan and existing and future needs of the City of Hammond in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare

B. The regulations hereby enacted are designed to exercise the full range of authority available to the City of Hammond under Louisiana Law to:

(1) Promote the health, safety and general welfare of the residents of the City of Hammond, while recognizing the rights of real property owners, by adopting a comprehensive zoning ordinance.

(2) Help achieve the goals, objectives and policies of the Comprehensive Master Plan.

(3) Prevent overcrowding of land and avoid undue concentration or dispersal by creating zoning districts consistent with the character of each area within the City of Hammond and adopting an official zoning map.
(4) Provide the most beneficial relationship between the uses of land and buildings and the circulation of automobile traffic and pedestrians throughout the City of Hammond, and to secure safety from natural disaster, fire and other dangers by providing for the proper location and width of streets, sidewalks, and buildings.
(5) Provide for a range of open spaces through the most efficient design and layout of the land.
(6) Carry out such other purposes in the public interest as may be specifically cited in this development code.

1.6 Intent

This development code is intended to provide a mechanism for implementing the following goals:

A. Protecting the natural infrastructure and visual character of the region.
B. Creating a range of housing opportunities and choices.
C. Creating mixed use, walkable neighborhoods.
D. Encouraging community and stakeholder collaboration.
E. Fostering distinctive, attractive communities with a strong sense of place.
F. Making development decisions predictable, fair and cost effective.
G. Mixing land uses.
H. Preserving open space, farmland, rural character, natural beauty and critical environmental areas.
I. Providing a variety of transportation choices and transportation corridors that are planned in coordination with land use.
J. Strengthening and directing development towards existing communities.
K. Taking advantage of compact building design where infrastructure is in place.
L. Prohibit uses, buildings or structures incompatible with the character of established districts.
M. Establish procedures necessary to implement and enforce the provisions of this development code.
N. Encourage compliance with all applicable Americans with Disabilities Act Accessibility Guidelines.
O. Establish district regulations which encourage originality and flexibility in design to ensure that development is properly related to its site and to surrounding development patterns.

1.7 Minimum Requirements

The requirements of this development code shall be considered as the minimum requirements for the promotion of the public health, safety and general welfare.

1.8 Conflicting Provisions

A. All development must comply with relevant Federal and State regulations. Whenever any provision of this development code imposes a greater requirement or a higher standard than is required in any Federal or State statute or regulation, the provisions of this development code shall govern unless preempted by Federal or State law.
B. It is not the intent of this development code to interfere with or annul any easements, covenants, or other agreements between parties; provided that where this development code imposes a greater restriction upon the use and dimensions of buildings, structures, or land, or requires larger open spaces than are imposed or required by other ordinances, regulations, or permits, or by easements, covenants, or agreements, the provision of this development code shall govern, except where expressly qualified in this development code.
C. This development code shall not interfere with and does not supersede any regulations or guidelines, including the Americans with Disabilities Act or Architectural Barriers Act (ADA-ABA) Accessibility Guidelines or other applicable guidelines.

1.9 Severability

Should any provision of this development code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of this development code other than the part declared to be unconstitutional or invalid.

1.10 Repeal of Ordinances

The following ordinances of the City of Hammond as amended are hereby repealed.

A. Ordinance No. 346 Zoning
B. Ordinance No. 2769 Zoning
C. Ordinance No. 351 Subdivision
D. Ordinance No. 1095 Subdivision
E. Ordinance No. 1096 Subdivision
F. Ordinance No. 2325 Subdivision
G. Ordinance No. 5144 Stormwater
H. Ordinance No. 3040 Landscaping, Clearing, Fill-Urban Forestry
I. Ordinance No. 2670 Administrative Procedure
J. Ordinance No. 3003 Lighting Standard Amendment
K. Ordinance No. 5202 Flood Damage Prevention
L. Ordinance No. 2118 Sign Ordinance
M. Ordinance No. 4042 Addresses and Use of Street Names
N. Ordinance No. 5176 Amendment to Ordinance No. 2769
O. Ordinance No. 5219 Amendment to Ordinance No. 2769
P. Ordinance No. 5237 Amendment to Ordinance No. 2769
Q. Ordinance No. 5273 Amendment to Ordinance No. 2769
R. Ordinance No. 295 Planning and Zoning Commission
S. Ordinance No 2550 Zoning

The following regulations of the City of Hammond as amended are hereby repealed.

A. Chapter 3: Advertising and Signs
B. Chapter 9: Article I. – In General, Sections 9-8, 9-10, 9-11, 9-12 and 9-13
C. Chapter 9: Article VIII. – Landscaping, Clearing, Fill and Urban Forestry
D. Chapter 14.5: Flood Damage Prevention Ordinance
E. Chapter 17.3: Historic Preservation
E. Chapter 28: Article II. - Subsurface Drainage and Stormwater Regulations
F. Chapter 28: Article IV. – Public Tree Ordinance/Urban Forestry
G. Chapter 28: Article V. – Abandonment of Streets

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

1.11 Tract or Lot Reduction

No tract or lot, even though it may consist of one or more adjacent tracts or lots of record in single ownership, shall be reduced in size so that the minimum area per dwelling unit, minimum width, maximum density or building coverage requirements, and other requirements of this development code are not maintained. This prohibition shall not be construed to prevent the purchase or condemnation of narrow strips of land for public utilities or right-of-way purposes.

1.12 Altering Code

It shall be unlawful for any person in the city to change or amend by additions or deletions, any part or portion of this development code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Hammond to be misrepresented thereby. Any person, violating this section shall be punished as provided in Section 2.4.3 hereof.

1.13 Plans to Be Considered

Relevant plans shall be considered in making any modifications to this development code, including but not limited to the following:

A. City of Hammond Comprehensive Master Plan
B. Major Streets Plan, City of Hammond, Louisiana
C. Hammond Downtown Development District Development Plan
D. Tangipahoa Parish Hazard Mitigation Plan
E. Tangipahoa Parish Comprehensive Plan
F. City of Hammond Drainage Study

1.14 Annexed Land

A. If the City receives an annexation request, the parties requesting the annexation must provide the Planning and Zoning Commission with a property plat map, a legal description, and a proper petition from the applicants at least 30 days prior to the Planning Commission meeting at which the request will be reviewed. Zoning of annexed land shall be in accordance the provisions of LA R.S. 4725.1 in addition to any other applicable state statutes.
B. The map provided shall be consistent with the existing zoning plat maps in form and shall include the following features:
   (1) The scale of the map shall be 1 inch = 400 feet.
   (2) The map shall show the property boundaries and property owners in the newly annexed territory, proper placement of these properties, a north arrow, roads and canals in the annexed area or adjacent to it, and any classifications (the map shall be to scale).
   (3) The map shall be legible and dated.
C. Provision of this map shall be the responsibility of the petitioners for annexation and shall either be drawn by a professional draftsman, engineer, or land surveyor or be obtained from the Parish Clerk of Court's Office and updated.
D. All territory which may hereinafter be added to the City of Hammond shall automatically be classified as lying and being in the RS-8 Zoning District until such classification shall have been changed by a rezoning amendment as provided by this code. The property owner may request a certain zoning classification other than RS-8 in conjunction with the annexation request and in this manner be exempt from payment of rezoning fees.
E. All uses, yards, and lots area of properties in the newly annexed territory not complying with the guidelines and specifications of the RS-8 District, shall be classified as non-conforming, until such time as other more appropriate zoning classifications have been requested and approved by the Zoning Commission and City Council. Non-conforming uses, yards and lots may continue to exist in annexed territory according to the non-conforming guidelines of this Ordinance.
F. The Planning and Zoning Commission or the City Council may call for a study to be undertaken (and coordinated by the Planning and Zoning Commission) of the proposed annexation to determine proper zoning recommendations as well as other appropriate information needed by the City. If done, the Planning and Zoning Commission may recommend to the City Council appropriate zoning classifications for the new territory that may be other than RS-8. These recommendations may become part of the official zoning map, if passed by the City Council after appropriate public hearings are held by both the Planning and Zoning Commission and the City Council.
G. Any property owner in the newly annexed area or any adjacent property owner to the newly annexed territory may make one appeal of the zoning recommendations, or any part thereof, to the City Council.
H. The Zoning & Planning Commission shall call a public hearing concerning the annexation and advertise such in the official journal of the City at least one time prior to making their recommendation to the City Council.

1.15 Code Numbering

This development code is divided into Articles, Chapters and Sections, as set forth below. The terms shall be used to interpret the provisions of this development code.

Article 3.
- Chapter 3.1
  - Section 3.1.1
    - Sub-Section 3.1.1A
      - Paragraph 3.1.1A (1)
        - Item 3.1.1A (1)(a)
          - Sub-Item 3.1.1A (1)(a)(1)

Article 2. Administration 2.1 Review Bodies 2.1.1 City Council 2.1.2 Planning and Zoning Commission 2.1.3 Board of Adjustments 2.1.4 City building 2.1.5 Building Official 2.1.6 Historic District Commission 2.1.7 Downtown Development District (DDD) Design Review Committee 2.1.8 Liability of administering officials, officers, and employees 2.2 Summary of Review Authority 2.2.1 Summary of Review Table 2.3 Procedures 2.3.1 Common Review Procedures	2.3.2 Text Amendment 2.3.3 Zoning Map Amendment 2.3.4 Subdivision 2.3.5 Site Plan Review 2.3.6 Right of Way Revocation 2.3.7 Right of Way Dedication 2.3.8 Development Agreements 2.3.9 Variances 2.4 Enforcement 2.4.1 Building Official 2.4.2 Building Permit Required 2.4.3 Violations, Penalty, and General Provisions 2.4.4 Validity

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)
(5) Right-of-way Revocation;
(6) Right-of-way Dedication; and
(7) Development Agreements.

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 exercise the power and authority to review, approve, and disapprove plats for subdivision land within the corporate limits of the municipality.

(4) By the same authority, the Planning Commission does hereby exercise the power and authority to pass and 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) The plat shall be considered to be entirely or partially undeveloped if:

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

(b) said plat has been approved by the Planning Commission where the approval has been granted more than three 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);
(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 Plan;
(2) Major Subdivision Final Plan (Procedure A & B);
(3) Minor Subdivision (Non-Administrative); and
(3) Major Site Plan Review

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.

2.1.3 Board of Adjustments

A. Establishment

The Hammond Board of Adjustments is established as provided herein.

B. General Authority

(1) The Board of Adjustment performs related duties as directed by the City Council and pursuant to LA R.S. 33:4727.

(2) The Board of Adjustment 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 Board of Adjustment is responsible for final action regarding:

(1) 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;

(2) 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.

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

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

(a) 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.

(b) 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.

D. Role of the Board of Adjustments: The role of the Board of Adjustment 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 Board of Adjustment. 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 Board of Adjustment. Any appeal of a decision by the Board of Adjustment shall be to the courts as provided by law. Members of the Planning Commission may serve on the Board of Adjustments.

E. Membership: The membership of the Board of Adjustment (Board), the terms of office, and the rights and duties of the Board shall be as provided in LA R.S. 33:4727. The Board shall consist of five (5) members who shall be recommended by the Mayor and appointed by the Hammond City Council and shall be legal residents and owners of real property in the City of Hammond. The membership of the Board shall serve respectively, one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for terms of five years each. All members are subject to removal for just cause (including consistent lack of attending meetings) by the Mayor or City Council. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. No Board of Adjustment member is to be paid. The Board shall elect its own chairman and vice-chairman who shall serve for one year at a time and may be reelected by the Board to an additional one year term. A Vice-Chairman shall also be elected by the Board to serve in the absence of the Chairman.

F. Rules of Procedure: The Board shall adopt its own rules of procedure not in conflict with any State Act or City Ordinance. Meetings of the Board 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 board 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 ordinance, or to effect any variation in the ordinance. Three (3) members of the Board must be present to constitute a quorum.

G. Appeals to the Board Appeals or variances to the Board 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 Board meeting at which the appeal is scheduled. The appeal may be decided by the Board 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 Board.

H. Fees for Board of Adjustment Applications: A fee as prescribed in Section 2.3.1 is required for applications.

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

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/lots;
(2) any commercial, institutional, or industrial project in excess of 2 acres (phased or not phased development); and
(3) Any proposed 20,000 square feet of building or larger.

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.

2.1.6 Hammond Historic District Commission

A. Defined

The Hammond Historic District Commission is identified as having the authority to enforce certain provisions known as the Hammond Historical District Design Guidelines within the legal boundaries of the Hammond Historical District. Requirements of the Commission are found in Chapter 8.1 and Appendix E of the UDC.

B. Establishment

The Historic District Commission serves as a historic district quasi-zoning commission for the City of Hammond.

C. General Authority

The Hammond Historical District shall have for its purpose the promotion of the educational, cultural, economic, and general welfare of the public through the preservation and protection of all such buildings, sites, monuments, and structures of historic interest or importance through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the state and nation; to establish and improve property values; and to foster the economic development of the areas affected.

D. Review Authority

With respect to the Historic District Design Guidelines, the Historic District Commission reviews and makes recommendations regarding any new building construction, exterior renovations and modifications which require a building permit and which are located within the boundaries of the Historic District as outlined in its charter.

E. Final Authority

With respect to this development code, the Hammond Historic District Commission is responsible for final action regarding applications for a Certificate of Appropriateness in accordance with the Chapter 8.1 and Appendix E of the UDC. Appeals shall be made in accordance with Chapter 8.1 of the UDC.

2.1.7 Downtown Development District (DDD) Design Review Committee

A. Defined

The Hammond Downtown Development District (DDD) Design Review Committee is identified as having the authority to enforce certain provisions known as the Downtown Development District Guidelines within the legal boundaries of the Hammond Downtown Development District.

B. Establishment

Pursuant to LA R.S. 33:2740.15 the Downtown Development District (DDD) serves as a political subdivision of the state of Louisiana as defined in Article VI, Section 44(2) of the Constitution of Louisiana.

C. General Authority

(1) The Hammond Downtown Development District (DDD) shall have the specific authority provided in R.S. 33:4625(F); such authority shall be exercised solely within the district.

(2) The city building department will coordinate with and consult any adopted design guidelines passed by the Downtown Development District (DDD) before approving building permits within the DDD boundaries. The DDD may appoint a design representative or subcommittee to review and approve the architectural design of building plans before building permits are issued.

D. Review Authority

(1) With respect to the Downtown Development District Design Guidelines, the Downtown Development District (DDD) Design Review Committee reviews and makes recommendations regarding any new building construction, exterior renovations and modifications which require a building permit and which are located within the boundaries of the Downtown Development District as outlined in its charter.

(2) The Hammond DDD reviews those sections within its boundaries that are not zoned industrial and do not fall within the parameters of the Local Register Historic District (that is, are not under the purview of the Historic District Commission).

(3) The Hammond DDD Design Review Committee will issue a Certificate of Appropriateness to the City Planner.

E. Final Authority

As ultimate authority for enforcing these guidelines resides with municipal authorities, the Hammond City Council will be the final venue for resolving any disputes that may arise from their implementation or interpretation.

2.1.8 Liability of administering officials, officers, and employees.

Any official, officer or employee charged with the enforcement of the construction and technical codes adopted by the city, acting for the city in the discharge of their duties, shall not thereby render themselves liable personally; and they are relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their duties. Any suit brought against any official, officer or employee because of such act performed by them in the enforcement of any provision of the construction and technical codes adopted by the city shall be defended by the city attorney until the final termination of the proceedings.

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[1]		
		Building Official	City Planner	Hammond Historic District Commission	DDD Design Review Committee	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
Subdivision:																
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[2]				D/A					PH-A		SP	M	PZ-A
Site Plan Review:																
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

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

2. See Sub-Section 2.3.4F for approval requirements.

D = Decision
R = Review
RR = Review & Recommendation
A=Appeal
PH = Public Hearing
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 may schedule a pre-application conference with the City Planner to discuss the procedures, standards and regulations required for approval in accordance with this development code.

(2) A mandatory pre-application conference with the City Planner shall be required for the following:

(a) Zoning Map Amendment;

(b) Major Subdivision;

(c) Minor Subdivision; and

(c) Major Site Plan Review.

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 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

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

Applications may be filed and reviewed concurrently, at the option of the applicant.

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. Applicants may appeal a decision of the Zoning Board to the Council only once.

(c) 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.

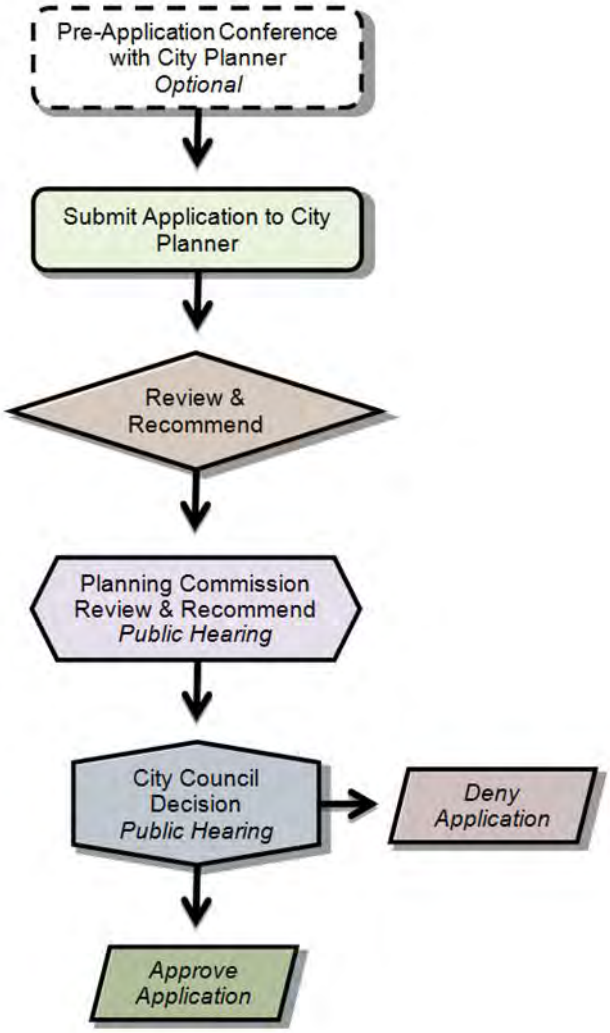
(2) The statement of withdrawal shall be signed by all persons who signed the application or their representative.

(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.

2.3.2 Text Amendment



A. When Allowed

The regulations of this code may, from time to time, be amended, supplemented, changed, modified or repealed, as determined by the City Council.

B. Application and Fees

(1) A pre-application conference is optional.

(2) All applications for a text 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.

D. Amendments shall not become effective except by a favorable vote of at least a majority of the authorized membership of the council.

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 text amendment. No amendment or supplement to this Ordinance or to the Zoning Map shall become effective until:

a) The Council has received a final report from the Planning and Zoning Commission on the merits of the amendment.

b) The Council has held a public hearing(s) as required in Section 2.3.1. The public hearing may be held in conjunction with regular City Council meetings.

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

F. Review Criteria

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

A. The proposed text amendment is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans;

B. The extent to which the text amendment is consistent with the remainder of this development code;

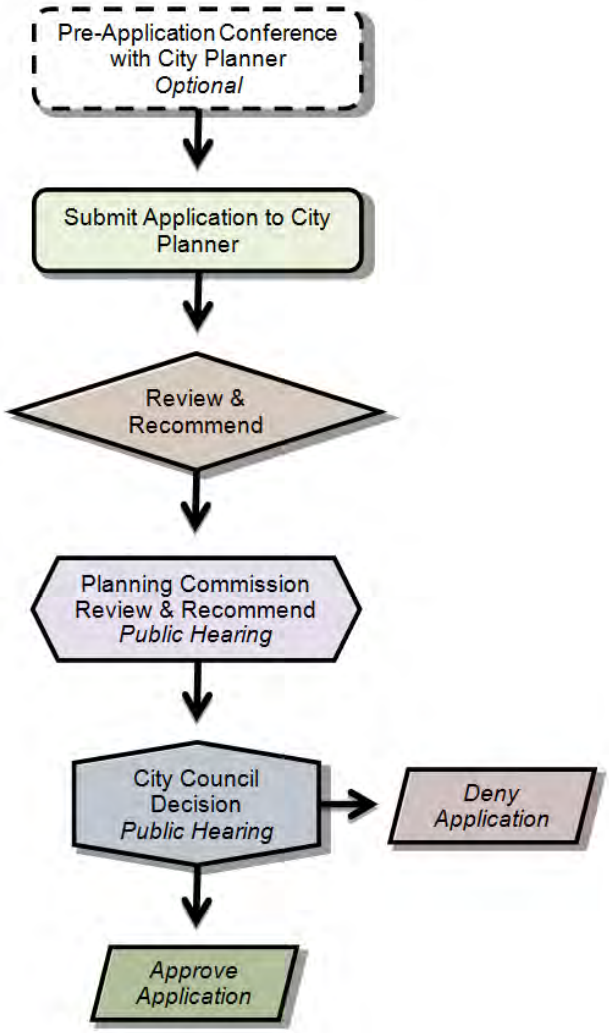
C. The extent to which the text amendment represents a new idea not considered in the existing code, or represents revisions necessitated by changing conditions over time; whether or not the text amendment corrects an error in this development code; and

D. Whether or not the text amendment revises this development code to comply with state or federal statutes or case law.

G. Expiration

A text amendment does not expire.

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.

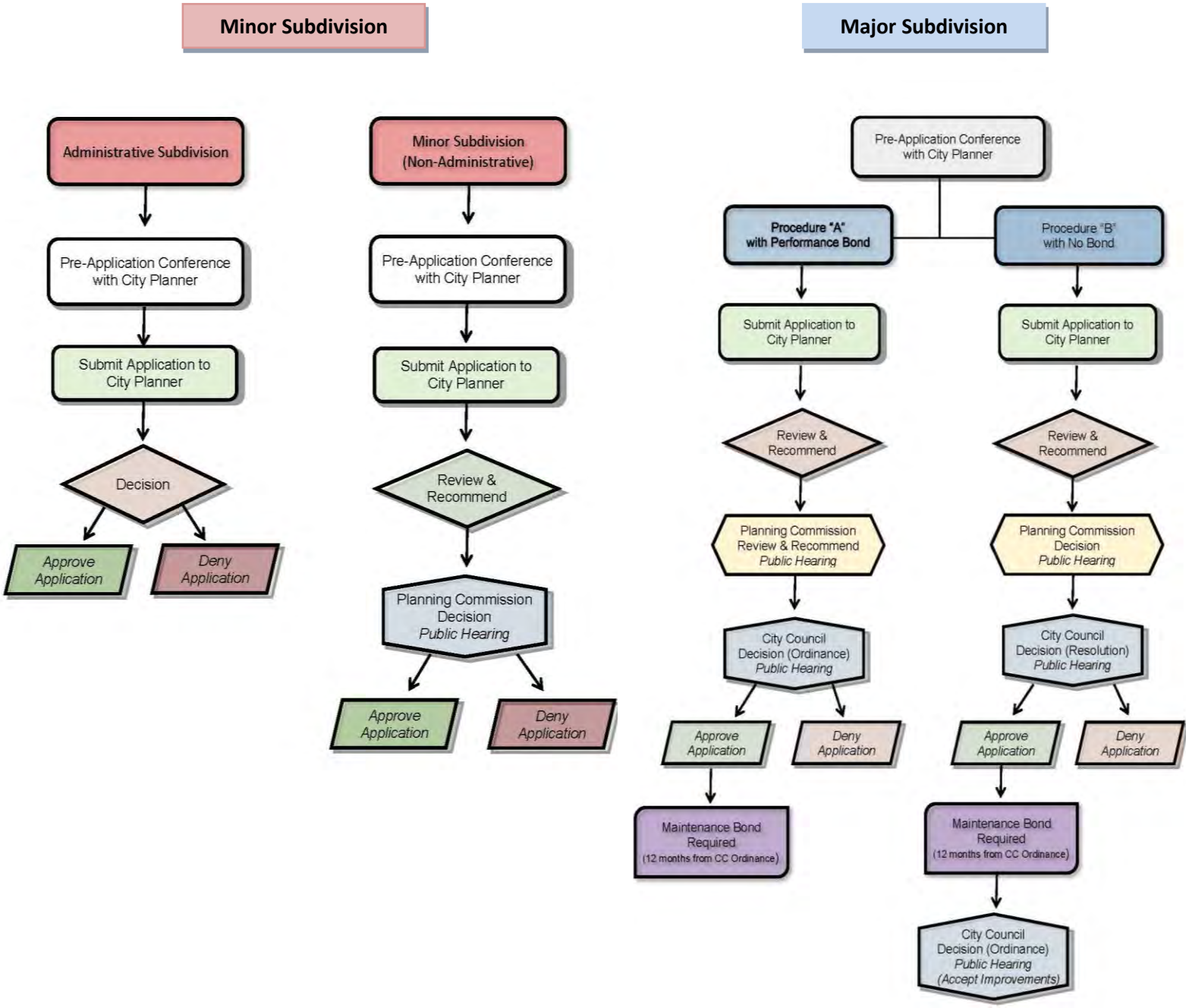
G. Effect of Denial

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.

2.3.4 Subdivision



A. When Required

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

(1) Major Subdivision

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.

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.

Major subdivision approval is required for:

(a) 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

Minor subdivision approval is required for:

(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.

B. 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.

C. Specific procedures for 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.

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.

(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.

(8) 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.

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

(4) In order to be considered approved a minor subdivision must be signed by 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.

H. Appeal

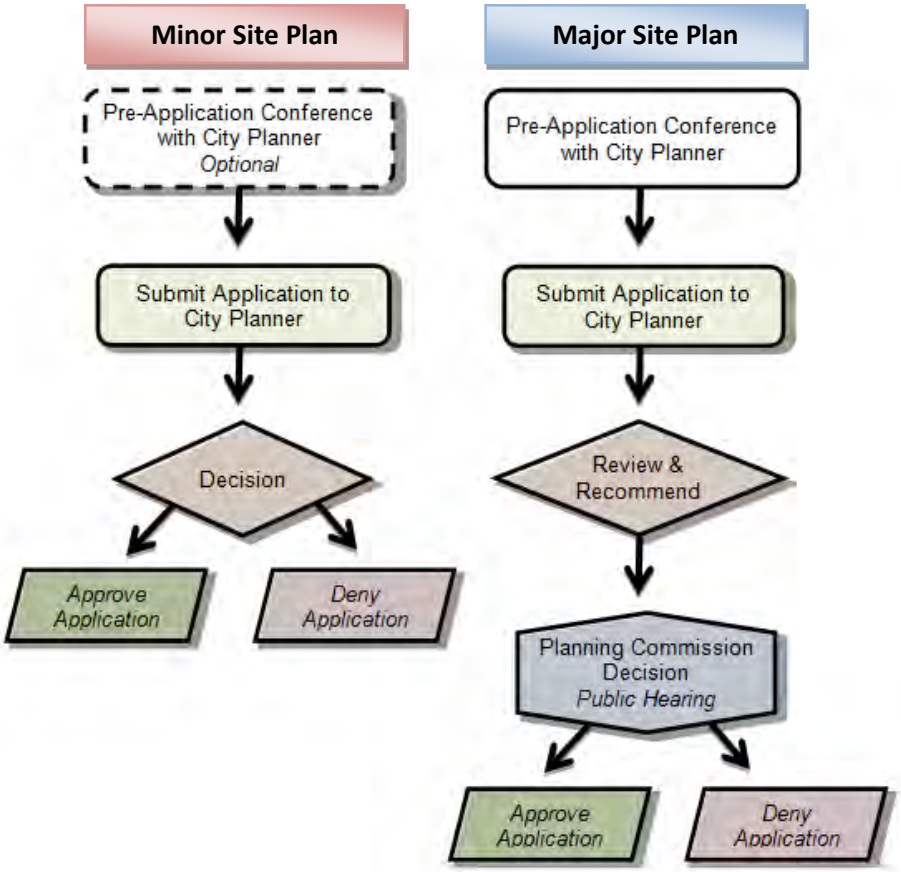
(1) A final decision by the City Planner on a minor subdivision may be appealed to the Planning Commission. The Planning Commission shall review the subdivision as a major subdivision.

(2) A final decision by the Planning Commission on a major subdivision may be appealed to the city council.

I. Expiration

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.

2.3.5 Site Plan Review



A. When Required

(1) Major Site Plan

Major site plan review by the Planning Commission is required for:

(a) Construction of 10 or more residential units on a platted lot of record.

(b) Construction or expansion of 5,000 or more square feet of Row House, Apartment, Mixed Use, Commercial or Industrial building types.

(2) Minor Site Plan

Minor site plan review by the City Planner is required for:

(a) Construction or expansion of up to 5,000 square feet of Row House, Apartment, Mixed Use, or Industrial building types.

(b) Construction of more than two, but less than 10, residential units on a platted lot of record.

(c) Creation of more than 1,000 square feet of additional impervious surface (paving).

(d) Construction of accessory structures in nonresidential districts.

(3) No Site Plan Required

No site plan review is required for the following however a building permit may be required in accordance with Chapter 9 – Buildings and Building Regulations in the City Code of Ordinances:

(a) Construction or expansion of less than three residential (single family or duplex) units on a platted lot of record.

(b) Creation of up to 1,000 square feet of additional impervious surface (paving).

(c) Construction of accessory structures in residential districts.

B. Application and Fees

(1) A pre-application conference is optional for a minor site plan and mandatory for a major site plan.

(2) All applications for site plan review 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, approval with conditions, or denial of a Major Site Plan.

D. Minor Site Plan Decision by City Planner

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

(2) The City Planner may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the development code.

E. Major Site Plan Decision by Planning Commission

(1) The Planning Commission shall approve or deny the major site plan.

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

(3) The Planning Commission may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the development code.

F. Review Criteria

The City Planner and Planning Commission shall consider the following criteria in approving or denying a site plan:

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

(2) The proposed development meets the requirements of this unified development code and any applicable City Ordinances;

(3) The site plan demonstrates compliance with any prior approvals.

G. Building Permit

No building permit shall be issued for development requiring a site plan until the site plan has been approved.

H. Dedication and Improvements

(1) In developing property requiring a site plan under this development code, the applicant must dedicate any additional right-of-way necessary to the width required by the City of Hammond for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and landscaping, all based on the unified development code.

(2) The applicant shall bear the costs of installation of any on-site or off-site improvements required by this development code, including provisions for stormwater management, paving and utilities.

I. Modification of Approved Site Plan

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

(1) Up to a 25 percent increase or any decrease in gross floor area of a single building;

(2) Up to a 25 percent reduction or any increase in the approved setbacks from exterior property lines; and

(3) Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

J. Appeal

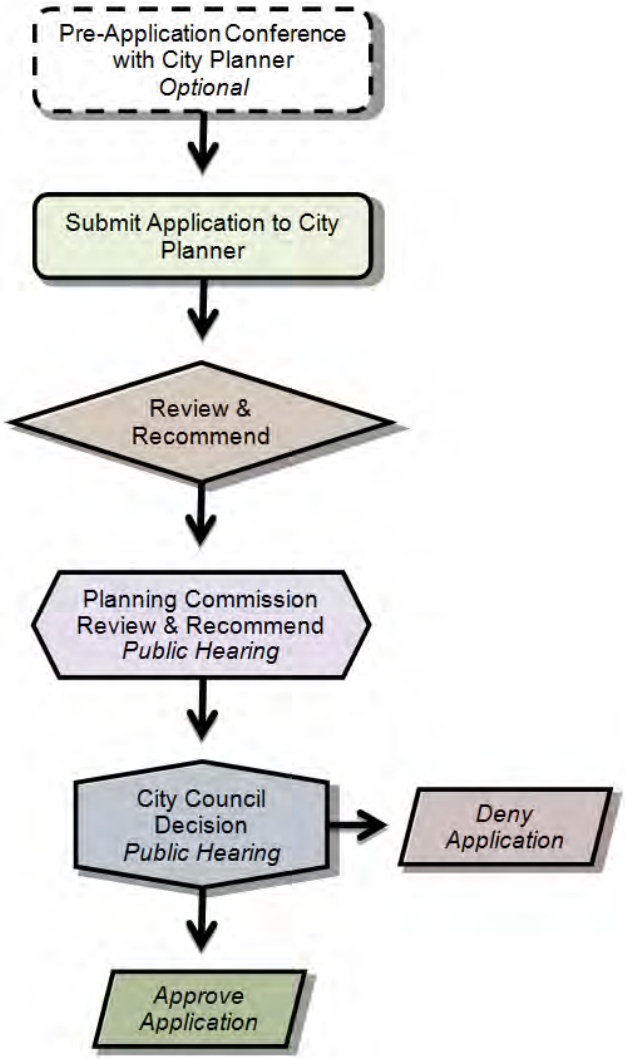
(1) A final decision by the City Planner on a minor site plan may be appealed to the Board of Adjustment.

(2) A final decision by the Planning Commission on a major site plan may be appealed to the City Council.

K. Expiration

A site plan expires after one year if a building permit application has not been filed.

2.3.6 Right Of Way Revocation



All applications for right-of-way revocation, including revocation of easements and divestiture of excess right-of-way, shall be subject to the following procedure.

A. Pre-Application Conference

An applicant requesting right-of-way Revocation shall schedule a pre-application conference.

B. Application Requirements

(1) An application for right-of-way Revocation shall be submitted in accordance with Section 2.3.1, Application Requirements.

(2) At the time of filing application with the Planning Commission, the applicant shall submit to the Office of the Planning Commission a plat showing the existing street, alley, right-of-way, or servitude, and the proposed relocation, if necessary, together with a written request giving the reasons supporting such revocation or relocation.

C. City Planner Action

(1) Upon submission of a completed application, the City Planner may schedule the application for review by the interested parties.

The interested parties may make comments concerning the revocation and conditions of approval.

(2) The City Planner shall prepare a report that reviews the application in light of comments provided by the interested parties, any plans to be considered and the general requirements of this development code. The report and any related application materials shall be forwarded to the Planning Commission.

D. Planning Commission Action

(1) Not less than 35 or more than 60 days after an application has been determined complete, the Planning Commission shall hold a public hearing and give notice in accordance with Section2.3.1, Public Hearings and Notification.

(2) The Planning Commission shall make a recommendation on the application after deliberation and prior to the close of the public hearing. The Planning Commission may, prior to the close of the public hearing, take the matter under advisement or defer decision until the next regular meeting of the Commission.

E. City Council Action

(1) Within 21 days following the Planning Commission public hearing, the City Planner shall forward the completed request and any related materials, including the Planning Commission recommendation, to the City Council for final action.

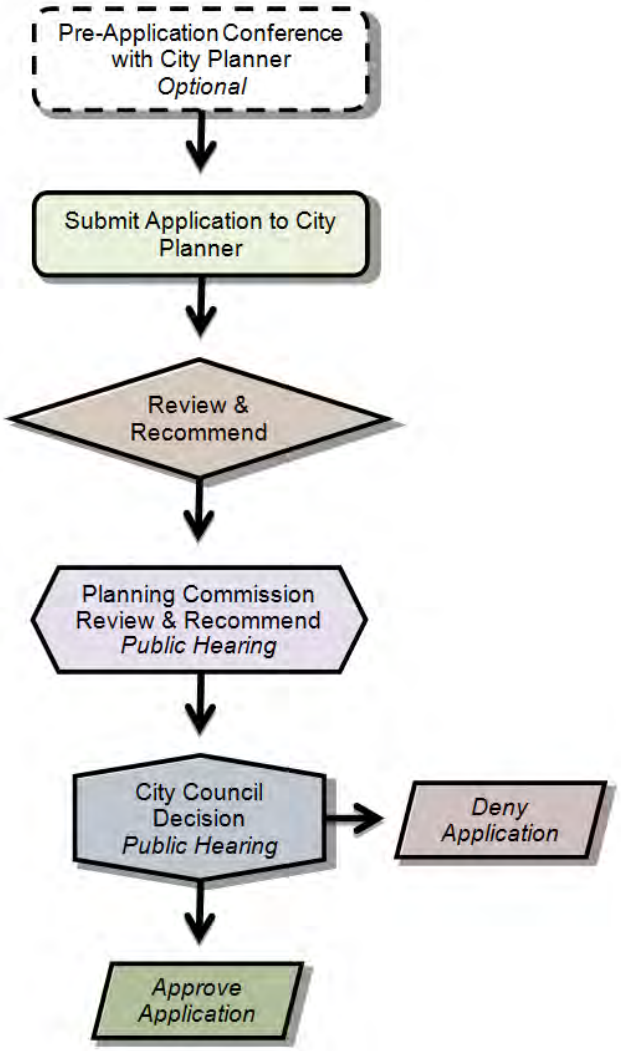
(2) The City Council shall hold a public hearing and give notice in accordance with Section 2.3.1, Public Hearings and Notification. The City Council shall by Ordinance approve, approve with conditions, or reject the application. The City Council may defer action until the next regular meeting.

F. Transfer of Title and Recording

(1) The applicant shall pay to the appropriate Real Estate Department the cost for the transfer of title and the recording of appropriate deeds prior to the recording of any deeds.

(2) This chapter does not give any person the right to have a street, alley, right-of-way, or servitude revoked and the City does not warrant clear and merchantable title to any property over which the street, alley, right-of-way or servitude to be revoked or relocated lies.

2.3.7 Right Of Way Dedication



A. Applicability

These procedures shall not apply to street widening dedications, dedication of streets where a design hearing has been held, a subdivision or a site plan has been approved, or to dedication of streets where the Public Works Department will provide the improvements.

B. Pre-Application Conference

An applicant requesting right-of-way dedication shall schedule a pre-application conference in accordance with Section 2.3.1.

C. Application Requirements

(1) An application for right-of-way dedication shall be submitted in accordance with Section 2.3.1, Application Requirements.

(2) The City Planner will establish specific submittal requirements for right-of-way dedication applications.

D. City Planner Action

(1) Upon submission of a completed application, the City Planner may schedule the application for review by the City Staff. The City Staff may make comments concerning the dedication and conditions of approval.

(2) The City Planner shall prepare a report that reviews the application in light of comments provided by the City Staff, any plans to be considered and the general requirements of this development code. The report and any related application materials shall be forwarded to the Planning Commission.

E. Planning Commission Action

(1) Not less than 35 or more than 75 days after an application has been determined complete, the Planning Commission shall hold a public hearing and give notice in accordance with Section 2.3.1, Public Hearings and Notification.

(2) The Planning Commission shall make a recommendation on the application after deliberation and prior to the close of the public hearing. The Planning Commission may, prior to the close of the public hearing, take the matter under advisement or defer decision until the next regular meeting of the Commission.

F. City Council Action

(1) Within 21 days following the Planning Commission public hearing, the City Planner shall forward the completed request and any related materials, including the Planning Commission recommendation, to the City Council for final action.

(2) The City Council shall hold a public hearing and give notice in accordance with Section 2.3.1, Public Hearings and Notification. The City Council shall approve, approve with conditions, or reject the right-of-way dedication. The City Council may defer action until the next regular meeting.

G. Improvements

A Bond shall be required for the improvement of the dedicated street in accordance with Article 3 of the UDC.

2.3.8 Development Agreements

A. When Allowed

The City of Hammond may enter into a development agreement in accordance with this section.

B. Contents

A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase be completed within a specified time. The agreement may also include terms and conditions relating to financing of necessary public facilities by the applicant and subsequent reimbursement of the applicant over time.

C. Rules, Regulations and Official Policies

Unless otherwise provided by the development agreement, the rules, regulations and official policies governing permitted uses of the land, density, and design, improvement, and construction standards and specifications applicable to development of the property subject to a development agreement shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A development agreement shall not prevent the City of Hammond, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a development agreement prevent the City of Hammond from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

D. Public Hearing; Notice of Intention

A public hearing on an application for a development agreement shall be held by the Planning Commission and by the City of Hammond. Notice of intention to consider adoption of a development agreement shall be published at least three times in a newspaper of general circulation and at least 10 days shall elapse between the first publication and the date of the hearing.

E. Approval by Ordinance

A development agreement shall be approved by ordinance of the City Council.

F. Amendment or Cancellation; Notice of Intent

A development agreement may be amended or cancelled in whole or in part by mutual consent of the parties to the agreement or their successors in interest. Notice of intention to amend or cancel any portion of the agreement shall be given in the manner provided by Section 2.3.1.

G. Recording Copy of Agreement; Effect

No later than 10 days after the City of Hammond enters into a development agreement, the clerk shall record in the parish a copy of the agreement, which shall describe the land subject to the agreement. From and after the time of such recordation, the agreement shall impart such notice to all persons as is afforded by the recording laws of the state. The burdens of the agreement shall be binding upon and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.

H. Modification or Suspension

In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

I. Periodic Review; Termination or Modification

Any development agreement shall provide for periodic review at least every twelve months, at which time the applicant or his successor in interest shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the City Council finds and determines, on the basis of substantial evidence, that the applicant or successor in interest has not complied in good faith with terms or conditions of the agreement, the City Council may terminate or modify the agreement.

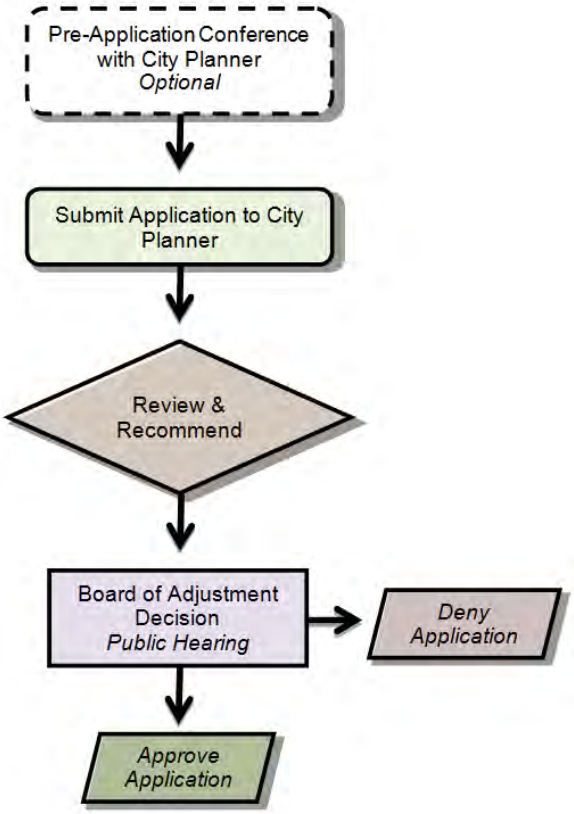
J. Enforcement

Unless amended, cancelled, modified or suspended, a development agreement shall be enforceable by any party to the agreement notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the City of Hammond entering the agreement which alters or amends the rules, regulations, or policies specified in this Unified Development Code or the city Code of Ordinances.

K. Restrictions on Authority

Nothing in this procedure shall be construed to authorize property use contrary to existing zoning classifications or to authorize the reclassification of such zones.

2.3.9 Variances



A. When Allowed

The Board of Adjustment shall have the authority to authorize such variances from the terms of this development code, subject to terms and conditions fixed by the Board, as will not be contrary to the public interest where, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this development code will result in practical difficulties or unnecessary hardship.

B. Application and Fees

(1) No pre-application conference is necessary.

(2) All applications for administrative review shall be filed in writing with the City Planner.

C. Review by City Planner

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

D. Public Hearing and Decision by Board of Adjustment

(1) Following notice and a public hearing as required in Section 2.3.1, the Board of Adjustment shall approve, approve with conditions or deny the variance request based on the recommendation of the City Planner and the review criteria below.

(2) The Board of Adjustment may attach any condition to the permit necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties.

E. Review Criteria

No variance shall be authorized unless the Board of Adjustment finds that all of the following conditions exist:

(1) That the variance will not authorize a use other than those uses allowed in the district;

(2) That, due to exceptional and extraordinary circumstances, literal enforcement of the provisions of this zoning code will result in practical difficulties or unnecessary hardship;

(3) That the exceptional and extraordinary circumstances were not created by the owner of the property or the applicant and are not due to or the result of general conditions in the district in which the property is located;

(4) That the practical difficulties or unnecessary hardship are not solely financial;
(5) That the variance will not substantially or permanently injure the allowed uses of adjacent conforming property;
(6) That the variance will not adversely affect the public health, safety or welfare; and
(7) That the applicant has adequately addressed any concerns raised by the City Planner.

F. Appeal
A final decision by the Board of Adjustment on a variance may be appealed to District Court.

G. Expiration
A variance runs with the land and does not expire unless an expiration date is assigned as a condition by the Board of Adjustment.

H. The City Planner is authorized to approve minor modifications to an approved site plan. All modifications not listed as minor below shall be considered by the body that approved original site plan. The following modifications shall be considered minor:
(1) Up to a 25 percent increase or any decrease in gross floor area of a single building;
(2) Up to a 25 percent reduction or any increase in the approved setbacks from exterior property lines; and
(3) Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

2.4 Enforcement

2.4.1 Building Official

The Building Official shall enforce the Unified Development Code; appeals from the Building Officials decision may be taken to the Board of Adjustment.

2.4.2 Building Permit Required

No building may be undertaken in the City without a building permit as required by Chapter 9, Sec. 9-111 of the Hammond Code of Ordinances. Each application for a building permit shall be accompanied by a plat in duplicate, drawn to scale, showing the name of the person making the application, the actual dimensions of the lot to be built upon as shown by a survey, the size, shape, and location of the building to be erected, and such other information as may be necessary to provide for the enforcement of the Unified Development Code. A record of applications and plats shall be kept in the office of the Building Official.

2.4.3 Violations, Penalty, and General Provisions

A. Any person or corporation who shall violate any of the provisions of this UDC or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be fined not less than two hundred fifty (250) dollars and not more than five hundred (500) dollars or be imprisoned for not more than thirty (30) days(amount(s) indicated in Appendix H)for each day that the violation continues and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, individual persons, or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense and upon conviction shall be fined as herein provided.

B. In case any building or structure is erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is used in violation of this chapter, the Building Official, in addition to other remedies, may institute any appropriate action or proceedings in the name of the City of Hammond to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about said premises.

C. Nothing within the enforcement or other provisions of this Unified Development Code shall be interpreted to limit the City's enforcement remedies and procedures afforded by LA R.S. 33:4754.

2.4.4 Validity

Should any section or provision of the Unified Development Code be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Unified Development Code as a whole or any part thereof, other than the part so declared to be invalid, this City Council hereby declaring that it would have passed those parts of the Unified Development Code which are invalid, and omitted any parts which may be unconstitutional or otherwise invalid if it had known that such parts were invalid at the time of the adoption of the Unified Development Code.

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

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 Subdivision Review and Procedures

A. Submittal of Plans

(1) SUBMITTAL OF SUBDIVISION PLANS. Whenever any 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 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 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 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 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 Planning Commission four copies of preliminary plans of the proposed 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 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 TANGIPAHOA 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 twenty (20) lots, or at five hundred (500) foot scale for subdivisions of less than 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 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:

(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 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 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 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.

C. PUBLIC HEARING

(1) As required by LA R.S. 33:113, at least one public hearing must be called for 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 plans. 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.
(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, along with a marked copy of the preliminary plan (showing Planning Commission comments).

D. PUBLIC IMPROVEMENTS

The Planning Commission may require, 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:

PROCEDURE A
After preliminary plans approved…..

1. Construction plans approved by all applicable agencies.
2. Post proper completion bond.
3. Final plan approved and signed (planning commission and city council).
4. Plat filed in Clerk of Court.
5. Lots may be sold.
6. Construct improvements.
7. Acceptance by City.
8. Post maintenance bond

PROCEDURE B
After preliminary plans approved….

1. Construction plans approved by all applicable agencies.
2. Final plan approved by Planning Commission.
3. Construct improvements.
4. Acceptance of improvements by City.
5. Post maintenance bond.
6. Final plat signed (by City Council Chairman).
7. Plat filed in Clerk of Court.
8. Lots may be sold.

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 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 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 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 incompleted portion of required improvements. The completion bond shall also secure all lot improvements on the individual lots of the 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 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 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 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 one (1) year 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 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 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).

3.3 FEES

3.3.1 General Provisions

A. GENERAL REQUIREMENTS. Fees shall be charged for review of applicant's subdivision so that the subdivision will meet the requirements of state and local regulations. Application fees will be the minimum required as per formal application requirements in Section 2.3.1 of this Code. The applicant has a temporary and one time cost related to the development of the subdivision and having it accepted by the City of Hammond. After acceptance and dedication of the public infrastructure (streets, sewer, water, drainage, etc.) in the subdivision, the City bears the perpetual burden of costs related to the maintenance and improvement of the subdivision, making it imperative upon the City to require a complete and thorough review of the subdivision before final acceptance.

B. FORMAL APPLICATION. Formal application shall be considered to be when the applicant files an Application Form and submits either a sketch plat or preliminary plat for review by the local municipal review engineer and the Planning Commission. A minimum fee will be prescribed by the City Council. Appropriate fee will be paid to the City of Hammond and submitted with the Application Form to the Planning and Zoning Clerk.

C. APPROVAL OF FINAL PLANS AND SPECIFICATIONS. Upon approval of final plans and specifications by the Planning Commission and the appropriate health agency, a minimum fee prescribe by the city council will be charged. This fee shall be in addition to the fee charged for formal application.

D. Acceptance of final plat does not mean that the City has accepted dedication of streets, water, sewer and other services in the subdivision. This acceptance of dedication can only come after these services have been completely installed and accepted by the Planning Commission.

E. Payment for the services of a local municipal review engineer shall be paid out of the fees charged above, unless such review engineer is a paid city employee. The review engineer may not be the project engineer.

3.4 MOBILE HOMES, TEMPORARY TRAILERS & BUILDINGS

3.4.1 MOBILE HOMES

A. GENERAL REQUIREMENTS. Mobile Homes legally located and existing in Hammond at the time this Unified Development Code is adopted may continue to be occupied. These Mobile Homes may be upgraded and replaced, regardless of the zoning district they occupy, if the upgrading and replacement meets current City requirements on anchoring, skirting, model, year, and condition. Mobile Homes/Manufactured housing are defined in the “Definitions” section of this Code. Development of Mobile Home parks in the City is not permitted. All new and allowable replacement Mobile Homes shall meet the following standards:

(1) Conform to the 1994 HUD minimum standards for Mobile Homes and be no older than 10 years.

(2) Conform to the FEMA standards adopted by the City of Hammond at the time of permitting.

(3) All Mobile Homes must have a manufacturer approved, vented skirting, completely enclosing the area between bottom of the Mobile Home and the natural ground.
(4) Other than porches and exit steps, no additional structures will be allowed to attach to the Mobile Home.
(5) The allowable area of porches shall not exceed 15% of the total area of the Mobile Home.
(6) All exit steps and porches must meet all City of Hammond building codes and ordinances.
(7) Mobile Home movers must contact the City Building Department at least 7 days before moving the Mobile Home for placement and occupancy in the City.
(8) All Mobile Homes will be properly secured and anchored with devices that are made specifically for this purpose in accordance with Federal Manufactured Home Construction and Safety Standards, Wind Zone II requirements.

B. Should a Mobile Home meet the standards of Article 5 regarding Nonconformities, it may be replaced with another Mobile Home within 6 months of its removal, as stated in Paragraph 5.2.5A (3), provided the replacement Mobile Home meets all the standards outlined in Sub-Section 3.4.1A.
(1) Newly placed Mobile Homes (not meeting the condition above) must be located in an RS-11.A residential district, and meet that District's requirements, if that Mobile Home is not replacing one that was previously at that location within the past 6 months.
(2) In existing Mobile Home parks that have platted lots or spaces for sale or rent, Mobile Homes may be placed regardless of the Zoning District. These Mobile Home parks must be recognized by the Building Department as legally existing on the date Aug 4, 1998.
(3) Mobile Home permits are not issued by the Building Department until an application has been completed by the applicant, proof of permission to place that Mobile Home has been legally given by the land owner, the Mobile Home has been inspected by the City, properly placed on the property, skirted, and anchored.
(4) Mobile Homes may not be moved into the City for occupancy unless an application for such as first been completed and City Building Department staff has been made aware of the date that the Mobile Home will be moved.
(5) Mobile Homes illegally placed in the City or moved without Building Department approval must be removed within 30 days from the date the owner or mover receives notice from the City.
(6) Mobile Homes are not permitted in the City for commercial purposes but may be allowed only as a temporary use for construction projects, special events, or as temporary offices for not more than one year. These temporary Mobile Homes or construction trailers that are permitted will not be used for residential occupancy. These temporary uses must be permitted by the City Building Department and a $25.00 permit fee per temporary Mobile Home/construction trailer will be collected by the City. Temporary buildings in general are not permitted for occupancy and must be removed at the end of the one year period allowed.

3.4.2 TEMPORARY BUILDINGS

A. All commercial buildings being reviewed by the City Building Department for occupancy or for business use in the City will be reviewed, prior to construction, as if they are permanent structures if they are connected or will connect to City utilities, electric service, gas service, or telephone service. Such structures must obtain State Fire Marshall review and Health Department review and approval where required, along with hard-surfaced parking approved by the City Building Department. Mobile homes or mobile offices shall not be permitted as permanent business structures within the City limits. Complete plans and specifications for each building must be provided to the Building Dept. to be reviewed as a permanent structure.

B. Buildings to be used for a seasonal business purpose (a declaration from the owner must be attached to the application indicating that the business will be seasonal only) and containing less than 200 square feet under one single roof may be exempt from the paved parking requirement and the requirement to submit full building plans (but not site plans) to the City. Such buildings and building sites shall only be in use for less than 6 months per calendar year. This may include snowball stands, sweet shops, fruit, vegetable, and fresh seafood sales, and Christmas tree sales. Such property (land and building) meeting this criteria must

be maintained on a continual basis by the licensed business in order to renew its license annually. Lack of maintenance may result in the revocation of the business license.

C. All other requested temporary commercial uses of buildings, mobile homes, or tents must first receive a waiver before being occupied or used for commerce within the City. Such waiver may not exceed six months and must be granted by the City Zoning Commission acting in their role as the Board of Zoning Adjustments, before such uses are placed in the City.

D. The use of temporary construction trailers or portable buildings used on a temporary basis by construction companies while building and site construction is progressing, must be approved by the Building Department prior to placement in Hammond and may not be approved for more than one year. Temporary structures or tents to be placed as a result of a natural disaster and used on an emergency basis for only health or safety purposes must be approved by the Building Department prior to placement.

E. Non-profit fund raising organizations requesting to erect tents or temporary structures within the City on a temporary basis must first receive written permission from the City of Hammond Parks and Grounds Department and the Mayor, or his designee.

3.4.3 METAL BUILDING FACADES

A. **All Street facing facades**:

Must be no less than 80% non-R Metal.

Glass windows and non-rollup doors shall be considered non-metal

Non-Street facing facades:

30% shall be Non-Metal and must be contiguous with the front street facing façade.

R-Metal cannot be used on metal buildings

All sides facing RS or MX-N zones shall comply with the front street facing façade requirements. This requirement shall not include areas of the city approved as industrial zones for industrial uses, or buildings within the federally recognized Hammond Historic District, seasonal temporary buildings or temporary construction trailers used for a period not to exceed twelve (12) continuous months; and that

C. The city planning department will coordinate with and consult any adopted design guidelines passed by the downtown development district (DDD) before approving building permits within the DDD boundaries. The DDD may appoint a design representative or subcommittee to review and approve the architectural design of building plans before building permits are issued.

D. If the planning/building department, the DDD, or an applicant for a building permit, disagree with the requirements necessary to approve a building permit for building construction, addition, or renovation, an appeal may be made to the Hammond Planning and Zoning Commission for final administrative approval.

E. Alternative compliance, in regards to architectural metal, may be obtained by presenting rendered drawings to an ad hoc internal review board, appointed by the Mayor on a case by case basis. Appeals of this board's decisions will be presented to the Board of Appeals. (See Appendix G for examples of generally accepted metal buildings.)

Article 4. Site Conditions
4.1 General
4.1.1 Purpose
4.1.2 Exceptions
4.1.3 Permit Applicability
4.1.4 Fill Requirements
4.1.5 Permit Requirements
4.1.6 Administrative Requirements

Article 4. Site Conditions

4.1 General

A. The provisions of this article shall be required of all parties engaged in land clearing or land filling when a tract of land is changed from an agriculture, developed, undeveloped, or forestry use to residential subdivision, commercial, multi-family or an industrial use.

B. All Grading, Filling, or Clearing in the City of Hammond must comply with this chapter, LA Civil Code Article 658 & 667, other applicable state and federal requirements and with the following standards:

(1) The owner must maintain the amount of drainage through the tract that existed when the tract was created. If any drainage ways are cut, broken down, or rendered useless during the construction activity on the tract, the landowner will be responsible for the repair, replacement, or relocation of the drainage way.

(2) The owner may not change the locations where surface water enters the tract and exits the tract from the locations that existed when the tract was created, unless the tract is included in a master drainage plan.

(3) Water which sheds off of a new structure, especially when the new structure is elevated or near a property line, or both, must exit the tract in the same location where it did when the tract was created.

> Art. 658. Estate through which water runs:
> The owner of an estate through which water runs, whether it originates there or passes from lands above, may make use of it while it runs over his lands. He cannot stop it or give it another direction and is bound to return it to its ordinary channel where it leaves his estate. Acts 1977, No. 514, §1.
>
> Art. 667. Limitations on use of property:
> Although a proprietor may do with his estate whatever he pleases, still he cannot make any work on it, which may deprive his neighbor of the liberty of enjoying his own, or which may be the cause of any damage to him. However, if the work he makes on his estate deprives his neighbor of enjoyment or causes damage to him, he is answerable for damages only upon a showing that he knew or, in the exercise of reasonable care, should have known that his works would cause damage, that the damage could have been prevented by the exercise of reasonable care, and that he failed to exercise such reasonable care… Acts 1996, 1st Ex. Sess., No. 1, §1, eff. April 16, 1996.

4.1.1 Purpose

The purpose of this section is to regulate clearing and grading property within the incorporated area of the City of Hammond to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen material generated on or caused by surface runoff on or across the permit area; and to ensure that the intended use of a graded site is consistent with applicable city ordinances.

4.1.2 Exceptions

The following described activities shall not require a Site Clearing-Grading permit in order to perform clearing, excavation, or related earthwork:

A. If building permit is obtained, no grading permit is required;

B. Utility or public works improvements do not require a grading permit;

C. Excavation in connection with a building, swimming pool, retaining wall, or other structure authorized by a valid building permit. Permits for activities listed in Section 3.1.2 must be obtained for each separate activity;

D. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;

E. Septic repair and/or alteration;

F. Cemetery graves;

G. Temporary stockpiling or storing of materials provided that such operations do not affect adjacent properties and all drainage and erosion control requirements;

H. Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations leaving the stump and root mat intact, and cultivated sod operation;

I. Minor landscaping and sprinkler installation.

The permit exceptions listed in this section do not relieve the owner, developer, contractor, or other legal representative of the responsibility of installing and properly maintaining the proper erosion/ sedimentation control measures or other liability resulting from such activities.

4.1.3 Permit Applicability

Unless otherwise stated, no person(s) shall perform any clearing, excavation, or earthwork within the City of Hammond without first having obtained a Site Clearing-Grading permit or building permit from the building department. Application fees will be the minimum required as per formal application requirements in Section 2.3.1 of this Code. The permit is applicable, but is not limited, to the following activities:

A. Excavating, cutting, filling, grading, draining, or paving lots, parcels, or other areas;

B. Altering, rerouting, deepening, widening, obstructing, or changing in any way an existing drainage system or feature;

C. Development for: residential, commercial, institutional, industrial, utility, or other activities;

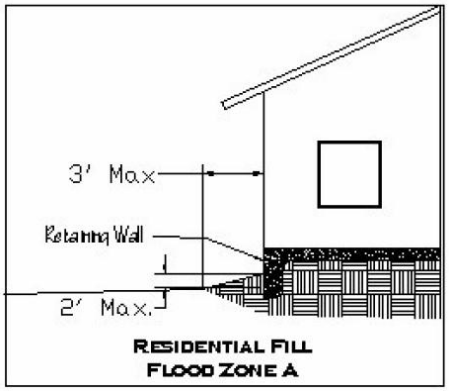
D. Commencing any other development or excavation which may: significantly increase or decrease the rate and/or quantity of surface water runoff; degrade the quality of water; or adversely affect any sinkhole, water course, or water body.

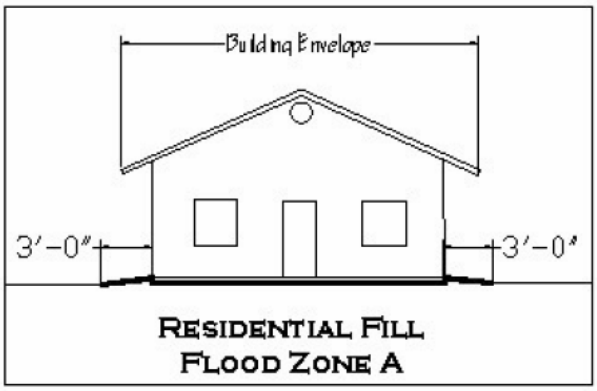
4.1.4 Fill Requirements

A. The requirements of this Section shall be met by all parties engaged in the placement of fill material on land when a tract or parcel of land is being prepared for development, or is being changed from an agriculture, open, developed, undeveloped, or forestry use to a residential subdivision, commercial, multi family, or industrial use. i) Residential Fill Requirements: Fill for Individual single family residential lots located in Flood Zone A, shall be limited to the area under the building envelope and shall extend no more than three feet from any foundation or concrete slab for lots 60 ft wide and less or five feet for lots wider than 61 feet (*or as determined reasonable by the City Building Official, based upon the size of the lot versus the proposed building*). Fill for properties without an approved building permit shall first receive a Land Clearing / Fill Permit from the Building Department as per the above section and only be allowed to place the minimum amount of fill necessary to achieve positive drainage on the site through a combination of cut and fill work.

(1) Foundation Fill Requirements

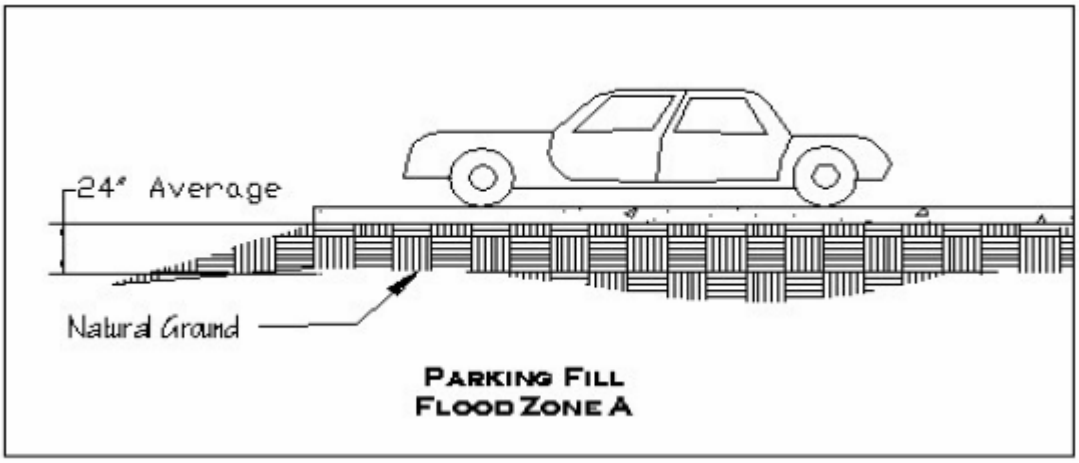
Where concrete slab construction is used, fill for a foundation in excess of 24 inches in height measured from existing grade and on lots measuring 60 feet or less in width, shall be retained in a concrete retaining wall.





(2) Multi Family, Commercial, Industrial Fill Requirements: Land being prepared for development by filling or is being changed from an agriculture, open, developed, undeveloped, or forestry use to a residential subdivision, commercial, multi family, or industrial use shall first receive a Land Clearing / Fill Permit from the Building Department as per the above section be allowed to place fill on the site as follows:

(3) Fill With Building Permit: Fill placed on sites with an approved building permit or a work order issued for subdivision construction shall follow the fill requirements set forth in the permit. In Flood Zone A, fill material for parking areas may be placed to a maximum average height of twenty-four (24) inches above the existing property grade. Fill material for building foundations in excess of 24 inches above existing property grade shall be retained in a concrete retaining wall. This would not prohibit excavating existing soil material to achieve a suitable foundation.



(4) Fill Without Building Permit:
Fill for properties without an approved building permit or work order issued for subdivision construction shall first receive a Land Clearing / Fill Permit from the Building Department as per the above section and only be allowed to place the minimum amount of fill necessary to achieve positive drainage on the site through a combination of cut and fill.

(5) Flood Zone X: There are no fill requirements in areas designated as Flood Zone X.

(6) Floodways: No fill may be placed in the portions of Flood Zone AE denoted as regulatory floodway without meeting requirements of Section 12.1.4 E herein.

4.1.5 Permit Requirements

A. Prior to the cutting, clearing, or removal of any plant matter, or the filling of a lot with soil with the intent of further construction, a Site Clearing-Grading permit for such activity shall be obtained from the City of Hammond's Building Department. The following information shall be provided at the minimum.

(1) Name, address, phone number and contact person of contractor.

(2) Adequate legal description of property.

(3) Authorization of property owner.

(4) Site plan and Site sketch of property, with indication of buffer areas, where required. Access points to public roads.

(a) An approved site sketch is required to obtain a grading permit. The site sketch shall contain in addition to such basic information as owner name and address, date and parcel number the following:

(1) The actual shape, location, and dimension of the lot to be built upon;

(2) The shape, size, and location of all existing and proposed buildings or other structures; (If known at the time of permit application)

(3) The location and approximate dimension of all points of access to a public street or road;

(4) The location of all driveways and entrances; and

(5) Locations of areas subject to flooding, if applicable.

(b) An approved site plan is required to obtain a grading permit (Unless site meets proposed master drain plan for larger development). The site plan shall contain, as a minimum, the following items or information, as applicable:

(1) Total land area;

(2) Existing and proposed topography of existing land and impervious areas shown;

(3) Elevations of all existing and proposed streets, alleys, utilities, sanitary and storm water sewers, and existing buildings and structures;

(4) All existing and proposed impervious area;

(5) Natural or artificial watercourses;

(6) Limits of floodplains, if applicable;

(7) All existing and proposed slopes, terraces, or retaining walls;

(8) All existing and proposed stormwater drainage structures or features;

(9) All stormwater structures/features immediately upstream and downstream of the site;

(10) Erosion and siltation controls plans;

(11) Drainage calculations when required; and

(12) Drainage easement when required.

(5) Estimated starting date.

(6) Estimated completion date.

(7) Erosion control measures to be taken. A SWPP Plan is mandatory by federal law for any site that disturbs greater than 1 acre. An example SWPP Plan and a template can be found on the EPA's Stormwater Pollution Prevention Plans for Construction Activities Website.

(8) When a site disturbs more than 5 acres submit one (1) complete approved copy to the city, including all supporting documentation for the LDEQ LPDES Permit (**Stormwater General Permit Associated with Construction Activity Greater than 5 Acres,** for a Louisiana Pollutant Discharge Elimination System (LPDES) permit, authorized under EPA's delegated NPDES program under the Clean Water Act.) These documents must be provided before a permit will be issued.

(9) When a site contains Wetlands or Jurisdictional waters or other waters of the U.S. submit one (1) copy of the United States Army Corps of Engineers Preliminary Jurisdictional Determination documentation including any required Federal or State Permits. These documents must be provided before a permit will be issued.

B. All land clearing operations shall be on site. The access roadway shall be of sufficient strength to allow access by construction vehicles and shall be maintained during land clearing operations such that it is not allowed to become rutted. It shall be constructed so as not to impede the natural drainage runoff and temporary ditches shall be constructed when necessary to maintain drainage for the property being

cleared and also for adjacent properties included in its drainage basin. All public right-of-ways, public properties, existing and recognized natural drainage and engineered drainage shall be restored to pre-existing conditions with the cessation of the land clearing activity.

C. Developers and/or property owners shall use appropriate erosion and sedimentation control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to an acceptable minimum and does not cross to an adjoining property, right-of-way, or stream.

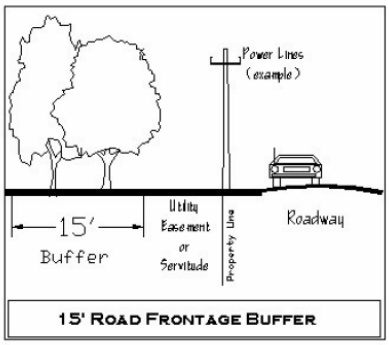
D. Clearing Buffers - The following requirements are mandatory unless the land clearing permit is an approved part of a valid building permit which would show other buffers. All buffers required shall be exclusive of all easements, servitude and or right-of-ways within the property.

(1) Waterways - fifty feet in width along both banks of natural stream beds, riverbanks and drainage canals.

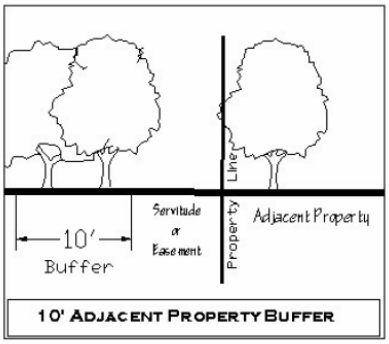
(2) Adjacent property - Ten foot width.

(3) Road Frontage – Fifteen feet width along the existing public road frontage (*not including accessways)* or railroads. In the case of new subdivisions, all Road Frontage Tree Buffer requirements shall apply to all roadways existing and those proposed for development.

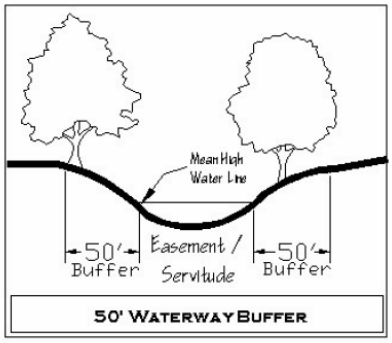
(4) It shall be unlawful to place soil or other matter such that trees so maintained in the buffers become diseased, stressed or die as a result. At the preliminary stage of subdivision approval, the Planning Commission may suggest or require alterations to the buffers indicated by this requirement.



15' Road Frontage Buffer



10' Adjacent Property Buffer



50' Waterway Buffer

E. Tree Preservation and Landscaping Requirements: See Article 9 for additional requirements and exemptions.

4.1.6 Administrative Requirements

A. If site, drainage, grading, and erosion plans for the purpose of obtaining a site clearing-grading permit are required, they shall be submitted to the building department.

B. Upon concurrence with the Hammond Urban Forester/Licensed Arborist when tree removal activities are proposed, or designee, a clearing-grading permit shall be issued by the Building Inspector within 30 days of submittal. The permit shall be valid for 1 year.

C. No less than three (3) working days prior to beginning work the contractor shall request a pre-condition and pre-clearing inspection.

D. In the event a land clearing operation causes damage to City property resulting in the City having to take corrective action, the City will present the invoice to the responsible party of record and/or have the responsible party rectify the damages.

E. Post Inspection: The Building Inspector and/or other appropriate City officials shall inspect the clearing site during and after completion for compliance with City regulations and to inspect for any damage to culverts, roadways, drainage ways, etc.

5.1 In General	
5.1.1 Continuation	5.4 Nonconforming Sites
5.1.2 Use of Most Restrictive Regulations	5.4.1 Continuation
5.1.3 Types of Nonconformity	5.4.2 Maintenance and Restoration
5.1.4 Evidence of Status	5.4.3 Expansion
5.1.5 Time Extensions	5.4.4 Change of Use
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5.2.1 Continuation	5.4.6 Relocation
5.2.2 Change of Use	5.5 Nonconforming Lots of Record
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5.2.4 Destruction	5.5.2 Other Lots of Record
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5.3.5 Destruction	5.4 Exception for Repairs Pursuant to Public Order
5.3.6 Relocation	5.5 Exception for Historic Properties

Article 5. Nonconformities

5.1 In General

5.1.1 Purpose

The purpose of this Chapter is to establish regulations and limitations on the continued existence of uses, lots, structures and signs established prior to the effective date of this development code that do not conform to the provisions of this development code. Much such nonconformities may continue, but the provisions of this Chapter are designed to curtail substantial investment in nonconformities and to bring about their eventual elimination, where appropriate, in order to preserve the integrity of the regulations established in this development code.

5.1.2 Use of Most Restrictive Regulations

The regulations applicable to a nonconforming use are in addition to the regulations applicable to a noncomplying structure. In the event of any conflict, the most restrictive provision shall apply.

5.1.3 Types of Nonconformity

There are several types of nonconformities that may exist, as follows

A. Nonconforming Uses
B. Nonconforming Structures
C. Nonconforming Sites
D. Nonconforming Tracts and Lots of Record

5.1.4 Evidence of Status

Evidence of the status of a nonconforming use shall be supplied by the owner of the property upon request of the City Planner.

5.1.5 Time Extensions

The Board of Adjustment may permit one extension of up to twelve (12) additional months to the time periods for abandonment, obtaining a building permit or completing construction, provided the applicant can demonstrate circumstances out of his or her control have prevented a good faith attempt to reestablish or rebuild the nonconformity. Such circumstances may include the health of the applicant, court proceedings, and failure to reach an insurance settlement, acts of God, or similar hardships.

5.2 Nonconforming Uses

5.2.1 Continuation

A lawful use made nonconforming by the adoption of this development code or other ordinances may continue only for so long as such use is not expanded, increased or changed.

5.2.2 Change of Use

A nonconforming use of land or structure shall not be changed to any use other than a use permitted in the zoning district in which such land or structure is located. When such nonconforming use had been changed to a permitted use, it shall only be used thereafter for a use permitted in the zoning district in which it is located. For purposes of this paragraph, a use shall be deemed to have been changed when an existing nonconforming use has been terminated and the permitted use had commenced and continued for a period of seven days.

5.2.3 Abandonment

A nonconforming use that has been discontinued for any twelve (12) month period for whatever reason shall be considered to be abandoned and shall not be reestablished. Any use on the property after that time shall conform with all provisions of this development code. Evidence of intent to abandon the use is not required.

5.2.4 Destruction

A nonconforming use that is damaged may be rebuilt following approval by the Board of Adjustments in accordance with the following:

A. A nonconforming use may only be reestablished within a conforming structure.
B. All restorative and other work must be within adopted building codes.
C. A building permit must be issued within one year from the date of the damage.
D. The certificate of occupancy (or other final inspection) must be issued as provided by adopted codes.

5.2.5 Special Standards for Residential Use

As used in this paragraph, a “nonconforming residential use” is a structure which contains more dwellings than allowed by the district or a dwelling located in a district that does not permit residential uses.

A. Abandonment

(1) A nonconforming residential use other than a single family dwelling that has not been occupied for a continuous period of six (6) months, for whatever reason, shall be considered to be abandoned and shall not be reoccupied except in conformance with all applicable provisions of this development code. Evidence of intent to abandon the nonconforming use is not required.

(2) A nonconforming single-family dwelling that has not been occupied for a continuous period of six (6) months or longer shall not be considered to be abandoned and may be reoccupied at any time, provided the structure has not been changed, legally or illegally, to a nonresidential use or multi-unit residential use.

(3) Removal of a nonconforming mobile home or manufactured home, not in a mobile home park, from its foundation or pad for a continuous period of six (6) months shall constitute abandonment of the use and

placement of a new unit must comply with the provisions of this development code. Evidence of intent to abandon the nonconforming mobile home or manufactured home use is not required.

B. Destruction

Nonconforming residential uses that are damaged may be rebuilt in accordance with the following:

(1) All portions of the structure being restored are not and were not on or over a property line;

(2) The number of dwelling units does not increase;

(3) All construction is in compliance with current construction codes, such as the fire and building codes;

(4) A building permit is obtained within one year from the date of the damage; and

(5) The certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.

5.2.6 Relocation

Nonconforming uses of land shall not be relocated in whole or in part to any other location on the same lot or on any other lot, unless such use shall thereafter conform to all the regulations of the zoning district in which such use of land is located after being so relocated.

5.3Nonconforming Structures

5.3.1 Continuation

A lawful structure existing as of the effective date of this development code or any amendment to this development code may continue to be used for any purposes permitted in the district provided it is in conformance with the provisions of this section.

5.3.2 Maintenance and Restoration

A nonconforming structure may be maintained or restored provided no expansion of the nonconformity occurs.

5.3.3 Expansion

A nonconforming structure may be expanded, provided that no increase in the nonconformity occurs

5.3.4 Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the purposed use in accordance with Article 14. Parking. Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and stormwater management requirements of Article 9. and Article 12.

5.3.5 Destruction

A. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of damage; and the certificate of occupancy (or other final inspection) is issued within one year of the issuance of the building permit.

B. A nonconforming nonresidential structure which is damaged to 75 percent or less of its fair market value, based on market appraisal performed by a State certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other field inspection) is issued within one year of the issuance of the building permit. If damage exceeds 75 percent or more, restoration or improvements shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this development code.

5.3.6 Relocation

No structure that is devoted in whole or in part to a nonconforming use shall be relocated in whole or in part to any other location on the same lot or any other lot, unless the entire structure and the use thereof shall hereafter conform to all the regulations of the zoning district in which such structure and use are located after being so relocated.

5.4 Nonconforming Sites

5.4.1 Continuation

A site existing as of the effective date of this development code that is nonconforming due solely to failure to meet the site development standards of this development code may be used for any purpose permitted in the district provided the use is in conformance with provisions of this section.

5.4.2 Maintenance and Restoration

A nonconforming site may be maintained or restored provided no expansion of the nonconformity occurs.

5.4.3 Expansion

Additions to structures, additional paving, or parking on nonconforming sites shall require correction of existing nonconforming parking, stormwater management, landscape and screening.

A. Complete redevelopment or expansions that result in a 25 percent or greater increase in the gross square footage of the existing structure require the entire property to meet all of the landscaping, stormwater management, and screening requirements of the development code.

B. Expansions that result in less than a 25 percent increase of the gross square footage of the existing structure require a corresponding percentage increase in compliance for landscaping and screening requirements of this development code until the site achieves 100 percent compliance.

C. Expansions that require an increase in the number of parking spaces shall be required to provide 100 percent of the required parking spaces for the additional floor area in accordance with the development code. The additional parking area shall comply with all associated landscaping and stormwater management requirements of this code.

D. Properties that are physically constrained form complying with these provisions shall comply with the maximum extent practicable as determined by the City Planner.

5.4.4 Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the purposed use in accordance with Article 14. Parking. Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and stormwater management requirements of Article 9. and Article 12.

5.4.5 Destruction

A. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of damage; and the certificate of occupancy (or other final inspection) is issued within one year of the issuance of the building permit.

B. A nonconforming nonresidential structure which is damaged to 60 percent or less of its fair market value, based on market appraisal performed by a certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other field inspection) is issued within one year of the issuance of the building permit. If damage

exceeds 60 percent or more, restoration or improvements shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this development code.

5.4.6 Relocation

No structure shall be relocated to a non-conforming development site until the site is brought into conformance with the provisions of this development code.

5.5 Nonconforming Lots of Record

When an undeveloped lot of record, that was recorded prior to the effective date of this development code that does not meet the minimum zoning district standards as to width or area, is used together with one or more contiguous lots for a single use or unified development, all of the lots so used, including any lots used for off-street parking, shall be considered a single lot of record for the purposes of these land use regulation.

5.5.1 Residential Lots of Record

A. All undeveloped lots of record in an agricultural or residential district that were not recorded prior to the effective date of this development code that do not meet the minimum zoning district lot standards shall be allowed one single-family house
B. The building type standards of the closest applicable zoning district as determined by the City Planner shall be applied to qualifying lots.

5.5.2 Other Lots of Record

All undeveloped lots of record in a non-residential district that were recorded prior to the effective date of this development code that do not meet the minimum zoning district standards as to width or area may be used for any purpose permitted in the district provided the use meets all other regulations prescribed for the district.

5.6 Enforcement

5.6.1 Violations

In case any building or structure is erected, structurally altered, or maintained, or any building, structure or land is used in violation of the development code, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alterations, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of the building, structure, or land, or to prevent illegal act, conduct, business, or use in or about such premise.

5.6.2 Enforcement Powers

This development code shall be enforced by the City Planner/Building Official, who is empowered to:

A. Cause any building, structure, place or premises to be inspected and examined; and
B. Order in writing the remedying of any condition found to exist in violation of any provision of this development code.
C. Nothing within the enforcement or other provisions of this Unified Development Code shall be interpreted to limit the City's enforcement remedies and procedures afforded by LA R.S. 33:4754.

5.6.3 Notice of Violation

If the City Planner finds that any of the provisions of the development code are being violated, the City Planner shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it.

5.6.4 Enforcement Action

The City Planner shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work

being done; or shall take any other action authorized by its statute to ensure compliance with or the prevent violation of its provisions.

5.6.5 Penalties

Any person, violating this Article shall be punished as provided in Section 2.4.3 hereof.

5.6.6 Exception for Repairs Pursuant to Public Order

Noting in this Article shall be deemed to prevent the strengthening or restoration to a safe condition of a building or structure in accordance with an order of public official who is charged with a protecting the public safety and who declares such structure to be unsafe and orders it to be restored to a safe condition provided such restoration is not otherwise in violation of the various provisions of this Article prohibiting the repair or restoration of partially damage or destroyed buildings or structure.

5.6.7 Exception for Historic Properties

This Article shall not apply to properties designated as Historic properties, buildings, sites, monuments, and structures of historic interest or importance as designated in Chapter 8.1 - Historic Overlay District.

Article 6. Zoning Districts 6.1 Purpose and Permitted Uses in Each Zoning District 6.1.1 Residential Single-Family 6.1.2 Residential Multi-Family 6.1.3 Mixed Use 6.1.4 Commercial 6.1.5 Industrial 6.1.6 Planned Development	6.2 Allowed Use Table 6.3 Building Types 6.3.1 Single-Family Residential Building Types 6.3.2 Multi-Family Residential Building Types 6.3.3 Mixed Use Building Types 6.3.4 Commercial Building Types 6.3.5 Industrial Building Types

Article 6. Zoning Districts

6.1 Purpose and Permitted Uses in Each Zoning District

6.1.1 Residential Single-Family

The Residential Single Family Districts are intended to accommodate single-family houses on individual lots. These districts should be applied in areas where the land use pattern is predominately single-family residential or where such land use pattern is desired in the future. These districts allow residential cluster development with smaller minimum lot sizes and additional building types in exchange for protecting significant common open space.

For all Residential Single Family Districts, no outdoor storage is permitted in front, side, or rear areas visible from the street, except in enclosed areas such as a garage. This includes storage in the following areas: front or side porches, carports and breezeways, or storage on a trailer. Boats on trailers will not be included in this prohibition. Storage of brush, fence posts, crates, vehicle tires, vehicle bodies or parts, scrap metal, bed mattress or springs, water heater or other household appliances, damages, stored or discarded furniture and other household goods or items, material recovered from demolition or other discarded objects three (3) feet or more in length shall not be allowed or permitted on the premises. Temporary storage of items that include trash, leaves, brush, and refuse, for not more than seven (7) days that are being discarded or removed from the premises, will not be in violation of this part.

A. RS-11

The RS-11 District is a single-family dwelling residential district allowing for large lots and including noncommercial uses generally associated with family residential areas.

a. Allowed Uses
    1. Detached Single-Family Dwelling
    2. Gardens, growing of crops (noncommercial)
    3. Parks and Open Space
    4. Minor utilities
    5. Civic Uses
    6. Guest House
b. Conditional Uses
    1. Day Care Facility
c. Accessory Uses
    1. Home Occupations
    2. Vegetable and Flower Gardens
    3. Private Garages

4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
5. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.

B. RS-11.A

The RS-11.A District is primarily a single-family dwelling residential district that also may include noncommercial uses generally associated with family residential areas. This district also allows for Agriculture and is intended to protect farming ranching and timberlands and uses while preventing the encroachment of incompatible land uses.

A. Permitted Uses
   1. Detached Single-Family Dwelling
   2. Vegetable and Flower Gardens
   3. Growing of crops
   4. Parks and Open Space
   5. Minor utilities
   6. Civic Uses

B. Conditional Uses
   1. Day Care Facility
C. Accessory Uses
   1. Home Occupations
   2. Private Garages
   3. Tennis courts, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
   4. Raising and keeping of domestic animals but not on a scale objectionable to neighboring property owners.

C. RS-8

The RS-8 District is primarily a single-family dwelling residential district that also may include noncommercial uses generally associated with family residential areas.

A. Allowed Uses
   1. Detached Single-Family Dwelling
   2. Gardens, growing of crops (noncommercial)
   3. Parks and Open Space
   4. Minor utilities
   5. Civic Uses
   6. Guest House
B. Conditional Uses
   1. Day Care Facility
C. Accessory Uses
   1. Home Occupations
   2. Vegetable and Flower Gardens
   3. Private Garages
      a. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
      b. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.

c. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.

D. RS-5

The RS-5 District is primarily a single-family dwelling residential district that also may include noncommercial uses generally associated with family residential areas.

A. Allowed Uses
    1. Detached Single-Family Dwelling
    2. Gardens, growing of crops (noncommercial)
    3. Parks and Open Space
    4. Minor utilities
    5. Civic Uses
    6. Guest House
B. Conditional Uses
    1. Day Care Facility
C. Accessory Uses
    1. Home Occupations
    2. Vegetable and Flower Gardens
    3. Private Garages
    4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
    5. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
    6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.

D. RS-3

The RS-3 District is primarily a single-family dwelling residential district that also may include noncommercial uses generally associated with family residential areas.

A. Allowed Uses
    1. Detached Single-Family Dwelling
    2. Gardens, growing of crops (noncommercial)
    3. Parks and Open Space
    4. Minor utilities
    5. Civic Uses
    6. Guest House
B. Conditional Uses
    1. Day Care Facility
C. Accessory Uses
    1. Home Occupations
    2. Vegetable and Flower Gardens
    3. Private Garages
    4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
    5. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
    6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.

6.1.2 Residential Multi-Family

The Residential Multi-Family Districts are intended to accommodate existing or proposed development where the land use pattern is a mix of single-family, two-family, and multi-family housing in order to provide for the integration of single-family, two-family, and multi-family together.

A. RM-2

The RM-2 District in intended to accommodate existing and proposed development where land use pattern is a mix of single-family and two-family housing. The RM-2 district is intended to provide for the integration of single-family and two-family housing together. The RM-2 district allows buildings up to two stories in height.

A. Allowed Uses
    1. Detached Single-Family Dwelling
    2. Attached House
    3. Gardens growing of crops (noncommercial)
    4. Parks and Open Space
    5. Minor Utilities
    6. Civic Uses
    7. Guest House
B. Conditional Uses
    1. Day Care Facility
    2. Bed and Breakfast
    3. Major Utilities
C. Accessory Uses
    1. Home Occupations
    2. Vegetable and Flower Gardens
    3. Private Garages
    4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
    5. Accessory Places of Worship uses that are not considered a nuisance to the neighborhood.
    6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.
    7. Single attached accessory apartment. No more than one such unit per lot.

B. RM-3

The RM-3 District in intended to accommodate existing and proposed development where land use pattern is a mix of single-family, two-family, and multi-family housing. The RM-3 district is intended to provide for the integration of single-family, two-family, and multi-family housing together. The RM-3 district allows buildings up to three stories in height.

A. Allowed Uses
    1. Detached Single-Family Dwelling
    2. Attached House
    3. Apartments (multi-family dwelling)
    4. Gardens growing of crops (noncommercial)
    5. Parks and Open Space
    6. Minor Utilities
    7. Civic Uses
    8. Guest House
B. Conditional Uses
    1. Day Care Facility

2. Bed and Breakfast
3. Major Utilities

C. Accessory Uses
1. Home Occupations
2. Vegetable and Flower Gardens
3. Private Garages
4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
5. Accessory Places of Worship uses that are not considered a nuisance to the neighborhood.
6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.
7. Single attached accessory apartment. No more than one such unit per lot.

6.1.3 Mixed Use

A. MX-CBD Central Business District

MX-CBD is a multi-use district intended to accommodate office, employment, and residential within downtown. The district regulations recognize and support downtown's role as a center of regional importance and as a primary hub for business, communications, office, living, government, retail, cultural, educational, visitor accommodations and entertainment. The district promotes vertical mixed use (residential/nonresidential) projects that contain active ground floor uses. The MX-CBD district is intended to promote safe, active and pedestrian-scaled mixed use centers. The district enhances the convenience, ease and enjoyment of walking, shopping and public gathering space.

A. Allowed Uses
1. Upper-story living
2. Multi-family living
3. Office
4. Medical office
5. Civic Use
6. Parks and Open Space
7. Indoor recreational uses except sexually oriented business
8. Overnight lodging
9. All personal service
10. Animal Care (indoor only)
11. All Restaurant
12. All retail sales
13. Bakery shop, provided such operations are limited to the use of non-smoke producing types of furnaces
14. Bank, finance and loan companies
15. Food Store but excluding the dressing or killing of any flesh or fowl
16. Manufacturing of articles to be sold on the premises provided such manufacturing is incidental to the retail business and employs not more than five operators engaged in the production of such items.
17. Publishing establishment, printing plant
18. Art studio/gallery
19. Convince store without gas
20. Dry Cleaning
21. Taxi stand limited to five taxis
22. Wholesale business included within a building – not including warehouse

B. Accessory Uses
    1. Home Occupations
    2. Private Garages
    3. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
    4. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
    5. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.
    6. Gardens for noncommercial uses
    7. Incidental storage not to exceed 40% of the floor area
C. Conditional Uses
    1. Day Care Facility
    2. Home occupations
    3. Commercial Parking
    4. Off street parking facility
    5. Social services
    6. Convenience store with gas
    7. All vehicle sales
    8. All water-oriented sales and services
    9. Minor utilities

B. MX-N Neighborhood Mixed Use

The MX-N District is intended to provide appropriate areas for new and existing development that incorporates both small-scale residential and office uses within close proximity to one another and adjacent neighborhoods. The district is also intended to provide for live/work opportunities where people can live and work in the same physical space. The district can also be used as a transition between arterials or more intense commercial areas and established residential neighborhoods. Neighborhood Mixed Use is intended to provide for a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods.

A. Allowed Uses
    1. Detached Living (Single-Family Dwelling)
    2. Attached House
    3. Row Houses
    4. Apartments (multi-family dwelling)
    5. Group living
    6. Social Services
    7. Civic Uses
    8. Parks and open space
    9. Minor utilities
    10. Day Care
    11. Country Club
    12. All indoor recreation except sexually oriented business
    13. All medical
    14. All office
    15. Overnight lodging
        a. Bed and Breakfast
    16. Services
        a. All personal services
        b. Tanning bed facilities
        c. Barber and beauty shops

    d. Florists
    e. Mortuary
    f. Real Estate office
    g. Banks, financial institutions
    h. Dry Cleaning
17. Animal Care
    a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
18. All restaurant
19. All retail sales
20. Art Studio/gallery, no including tattoo parlors
21. Convenience store without gas
22. Convenience store with gas
23. All vehicle sales and services
24. All water oriented sales and services
25. All research and development
26. All vehicle services
27. Off street parking

B. Conditional Uses
    1. Tattoo parlor
    2. Major utilities
    3. Commercial parking lots and garages
    4. All outdoor recreation
    5. Sweet Shop

C. Accessory Uses
    1. Gardens for non-commercial purposes
    2. Storage garages and parking lots for use solely by occupants and guests of the premises.
    3. Tennis courts, swimming pools
    4. Radio and television towers incidental to a permitted use
    5. Incidental storage not to exceed 40 percent of the floor area
    6. Home occupations

C. MX-C Commercial Mixed Use

MX-C is intended to provide for a variety of residential, retail, service, and commercial uses. While MX-C accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed use opportunities.

B. Allowed Uses
    1. Detached Living (Single-Family Dwelling)
    2. Attached House
    3. Row Houses
    4. Apartments (multi-family dwelling)
    5. Group living
    6. Social Services
    7. Civic Uses
    8. Parks and open space
    9. Minor utilities
    10. Day Care
    11. Country Club
    12. All indoor recreation except sexually oriented business
    13. All medical
    14. All office

15. All overnight lodging
    a. Bed and Breakfast
16. Services
    a. All personal services
    b. Tanning bed facilities
    c. Barber and beauty shops
    d. Florists
    e. Mortuary
    f. Real Estate office
    g. Banks, financial institutions
    h. Dry Cleaning
17. Animal Care
    a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
18. All restaurant
19. All retail sales
20. Art Studio/gallery, no including tattoo parlors
21. Convenience store without gas
22. Convenience store with gas
23. All vehicle sales and services
24. All water oriented sales and services
25. All light industrial
    a. Bottling plant
    b. Publishing establishment, printing plant
    c. Canning and preserving foods
    d. Lumber yard as part of retail establishment
    e. Contractor's storage yard
    f. Carpentry shop
    g. Any retail or wholesale use not the storage above ground of petroleum and other inflammable liquids in excess of 100,000 gallons.
26. All research and development
27. All self-storage
28. All vehicle services
29. Off street parking

D. Accessory Uses
    1. Gardens for non-commercial purposes
    2. Storage garages and parking lots for use solely by occupants and guests of the premises.
    3. Tennis courts, swimming pools
    4. Radio and television towers incidental to a permitted use
    5. Incidental storage not to exceed 40 percent of the floor area
    6. Home occupations

E. Conditional Uses
    1. Tattoo parlor
    2. Major utilities
    3. Commercial parking lots and garages
    4. All outdoor recreation
    5. Sweet Shop

6.1.4 Commercial

A. C-N Commercial Neighborhood

The C-N Neighborhood Commercial District is a non-industrial commercial area more restrictive than other Commercial districts and allowing multi-family residential uses. The C-N district allows buildings up to three stories in height.

A. Permitted Uses
    1. Detached Living (Single-Family Dwelling)
    2. Attached House
    3. Row Houses
    4. Apartments (multi-family dwelling)
    5. Group living
    6. Social Services
    7. Civic Uses
    8. Parks and open space
    9. Minor utilities
    10. Day Care
    11. Country Club
    12. All indoor recreation except sexually oriented business
    13. All medical
    14. All office
    15. Overnight lodging
        a. Bed and Breakfast
    16. Services
        a. All personal services
        b. Tanning bed facilities
        c. Barber and beauty shops
        d. Florists
        e. Mortuary
        f. Real Estate office
        g. Banks, financial institutions
        h. Dry Cleaning
    17. Animal Care
        a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
    18. All restaurant
    19. All retail sales
    20. Art Studio/gallery, no including tattoo parlors
    21. Convenience store without gas
B. Conditional Uses
    1. Tattoo parlor
    2. Major utilities
    3. Commercial parking lots and garages
    4. All outdoor recreation
    5. Sweet Shop
C. Accessory Uses
    1. Gardens for non-commercial purposes
    2. Storage garages and parking lots for use solely by occupants and guests of the premises.
    3. Tennis courts, swimming pools

4. Radio and television towers incidental to a permitted use
5. Incidental storage not to exceed 40 percent of the floor area
6. Home occupations

B. C-H Commercial Highway Corridor

The C-H Highway Commercial groups together those major retail office and service uses that generate high traffic volumes, that could create nuisances to residential area, and that require easy access to a major highway or interstate road. The C-H district allows buildings up to five stories in height.

A. Allowed Uses:
    1. Attached House
    2. Row Houses
    3. Apartments (multi-family dwelling)
    4. Group living
    5. Social Services
    6. Civic Uses
    7. Parks and open space
    8. Minor utilities
    9. Day Care
    10. Country Club
    11. All indoor recreation except sexually oriented business
    12. All medical
    13. All office
    14. All overnight lodging
        a. Bed and Breakfast
    15. All passenger terminal
    16. All personal services
        a. Tanning bed facilities
        b. Barber and beauty shops
        c. Florists
        d. Mortuary
        e. Real Estate office
        f. Banks, financial institutions
        g. Dry Cleaning
    17. Animal Care
        a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
    18. All restaurant
    19. All retail sales
    20. Shopping Mall
    21. Art Studio/gallery, no including tattoo parlors
    22. Convenience store without gas
    23. Convenience store with gas
    24. All vehicle services
    25. All vehicle sales and services
        a. Sale of mobile or manufactured homes, trailers, and motor homes
        b. Motor Truck terminal
    26. All water oriented sales and services
    27. All light industrial
        a. Bottling plant
        b. Publishing establishment, printing plant

c. Canning and preserving foods
d. Lumber yard as part of retail establishment
e. Contractor's storage yard
f. Carpentry shop
g. Any retail or wholesale use not the storage above ground of petroleum and other inflammable liquids in excess of 100,000 gallons.
h. Sheet metal or welding or machine shop or metal fabrication shop having a floor area of less than 10,000 square feet.

28. All research and development
29. All self-storage
30. Off street parking
31. Tattoo Parlor

C. Accessory Uses

1. Gardens for non-commercial purposes
2. Storage garages and parking lots for use solely by occupants and guests of the premises.
3. Tennis courts, swimming pools
4. Radio and television towers incidental to a permitted use
5. Incidental storage not to exceed 40 percent of the floor area
6. Home occupations
7. Sale of alcohol in conjunction with a full-service restaurant

D. Conditional Uses

1. Major utilities
2. Commercial parking lots and garages
3. All outdoor recreation
4. Sweet Shop

C. C-R Commercial Restricted

The C-R Restricted District is restrictive in nature and are intended to strictly govern the commercial, retail, and entertainment uses described herein, and to set forth special conditions which may bind the properties and uses thereof. The C-R district allows buildings up to two stories in height.

Allowed uses within C-R district may be specified by the City for each C-R rezoned property from the following:

A. Permitted Uses

1. Sale or rental of adult material
2. Adult entertainment
3. Bars and lounges
4. All restaurants

6.1.5 Industrial

A. I-L Light Industrial

The Light Industrial District represents industrial uses that engage in light manufacturing and processing activities that generally are not considered dangerous to nearby residential or commercial areas. No residential uses, aside from plant caretakers/watchman's quarters, are allowed in this District.

A. Allowed Uses

1. Automobile, truck and machinery repair shops
2. Railroad stations and service yards

3. Car sales
4. Gasoline filling stations
5. Dry Cleaning and laundry self-service and/or pick up stations
6. Manufacturing of articles to be sold exclusively on the premises
7. Off street parking facilities
8. Publishing, printing plants
9. Warehouse
10. Manufacturing of clothing, candy, ice cream, bedding material
11. Product distribution centers not related to on-site heavy industrial manufacturing
12. Lumber yards
13. Carpentry Shop
14. Animal Hospital
15. Pipe yard
16. Storage yards
17. Salvage yard (auto, scrap metal)
18. Canning and preservation of foods
19. Bottling plant
20. Transportation and truck terminals
21. Sheet metal, welding, machine shop
22. Vegetable packing plant
23. Manufacture and storage of concrete and brick products, furniture, and wood products, light metal frames, and electronic parts
24. Blacksmith shop
25. Storage (only) of petroleum and similar products
26. Junk yard and auto wrecking provided that all of these uses when located outside the confines on an enclosed and secure building shall be screened from public view by wall and/or fences or other screening of not less than 6 feet in height in a manner that will shield said item from public view.
27. Other light manufacturing and processing approved by the Planning and Zoning Commission
28. Caretaker's Quarters
29. Truck sales and service

A. Accessory Uses
1. Accessory structures shall be clearly incidental and subordinate to a permitted principal structure.
2. Accessory structures shall be located on the same lot as the principal structure, or on a contiguous lot in the same ownership.
3. No accessory structure may extend forward of the front building facade of the primary structure.
4. Accessory structures shall be separated from all principal structures by a minimum of 10 feet.

B. I-H Heavy Industrial

The Heavy Industrial represents industrial uses that engage in manufacturing or processing activities that are generally considered nuisance generating and/or potentially dangerous to residential or commercial areas. Therefore, residential and most commercial uses are prohibited in this District.

A. Allowed Uses
1. Automobile, truck and machinery repair shops
2. Railroad stations and service yards
3. Car sales
4. Gasoline filling stations

5. Dry Cleaning and laundry self-service and/or pick up stations
6. Manufacturing of articles to be sold exclusively on the premises
7. Off street parking facilities
8. Publishing, printing plants
9. Warehouse
10. Manufacturing of clothing, candy, ice cream, bedding material
11. Product distribution centers not related to on-site heavy industrial manufacturing
12. Lumber yards
13. Carpentry Shop
14. Animal Hospital
15. Pipe yard
16. Storage yards
17. Salvage yard (auto, scrap metal)
18. Canning and preservation of foods
19. Bottling plant
20. Transportation and truck terminals
21. Sheet metal, welding, machine shop
22. Vegetable packing plant
23. Manufacture and storage of concrete and brick products, furniture, and wood products, light metal frames, and electronic parts
24. Blacksmith shop
25. Storage of petroleum and similar products
26. Junk yard and auto wrecking provided that all of these uses when located outside the confines on an enclosed and secure building shall be screened from public view by wall and/or fences or other screening of not less than 6 feet in height in a manner that will shield said item from public view.
27. Other light manufacturing and processing approved by the Planning and Zoning Commission
28. Caretaker's Quarters
29. Truck sales and service
30. Manufacturing of chemical products
31. Smelters
32. Processing of metal (steel, aluminum) products and by-products, along with other processing systems that may involve the continued use and storage of chemicals, cleaners, and by-products.
33. Petroleum processing and animal slaughterhouses
34. Other heavy industrial uses as approved by the Planning and Zoning Commission
35. Paper and products mill

B. Accessory Uses
1. Accessory structures shall be clearly incidental and subordinate to a permitted principal structure.
2. Accessory structures shall be located on the same lot as the principal structure, or on a contiguous lot in the same ownership.
3. No accessory structure may extend forward of the front building facade of the primary structure.
4. Accessory structures shall be separated from all principal structures by a minimum of 10 feet.

6.1.6 Planned Development (PD)

A planned development district (PD) is established by rezoning of property from other zoning to PD. PD zoning is intended to allow flexible planning and design of land uses, circulation, and open spaces in larger tracts of land. The governing body may approve a planned development subject to the following standards and per the Planning Commission's requirements. No planned development may exceed a gross density of 15 dwelling units per acre. Required street cross-sections shall be established as part of the approved concept plan.

6.2 Allowed Use Table	Single Family Residential					Multi-Family Residential		Mixed Use			Commercial			Industrial	
	RS-11	RS-8	RS-5	RS-3	RS-11.A	RM-2	RM-3	MX-CBD	MX-N	MX-C	C-N	C-H	C-R	I-L	I-H
Residential Use Categories															
Single Family Detached House	■	■	■	■	■	■	■		■	■	■	■			
Attached House					■	■	■		■	■	■	■			
Row House							■		■	■	■	■			
Multifamily Dwelling							■	■	■	■	■	■			
Upper-story Residential								■	■	■	■	■			
Attached accessory apartment (no more than one per lot)	■	■	■	■	■	■									
Manufactured Home Park					■										
Camps															
Group Living							■	□	□	□	□	□			
Nursing Home							■		■	■	■	■			
Social Services							■	■	■	■	■	■			
Public Use Categories															
Civic Uses	■	■	■	■	■	■	■	■	■	■	■	■			
Parks and Open Space	■	■	■	■	■	■	■	■	■	■	■	■			
Minor Utilities	□	□	□	□	□	□	□	□	□	□	□	□			
Major Utilities															
Commerce Use Categories															
Commercial Parking								■	■	■	■	■		■	■
Day Care		□	□	□	■	■	■		■	■	■	■			
Country Club	■	■					■	■		■	■	■			
Indoor Recreation except as listed below:							■		■	■	■	■			
Adult Material													■		
Adult Entertainment													■		
Sexually oriented business													■		
Hospital							■			■	■	■			
Health Clinic except as listed below:							■		■	■	■	■			
Mental Health Clinic										■	■	■			
Office								■	■	■	■	■			

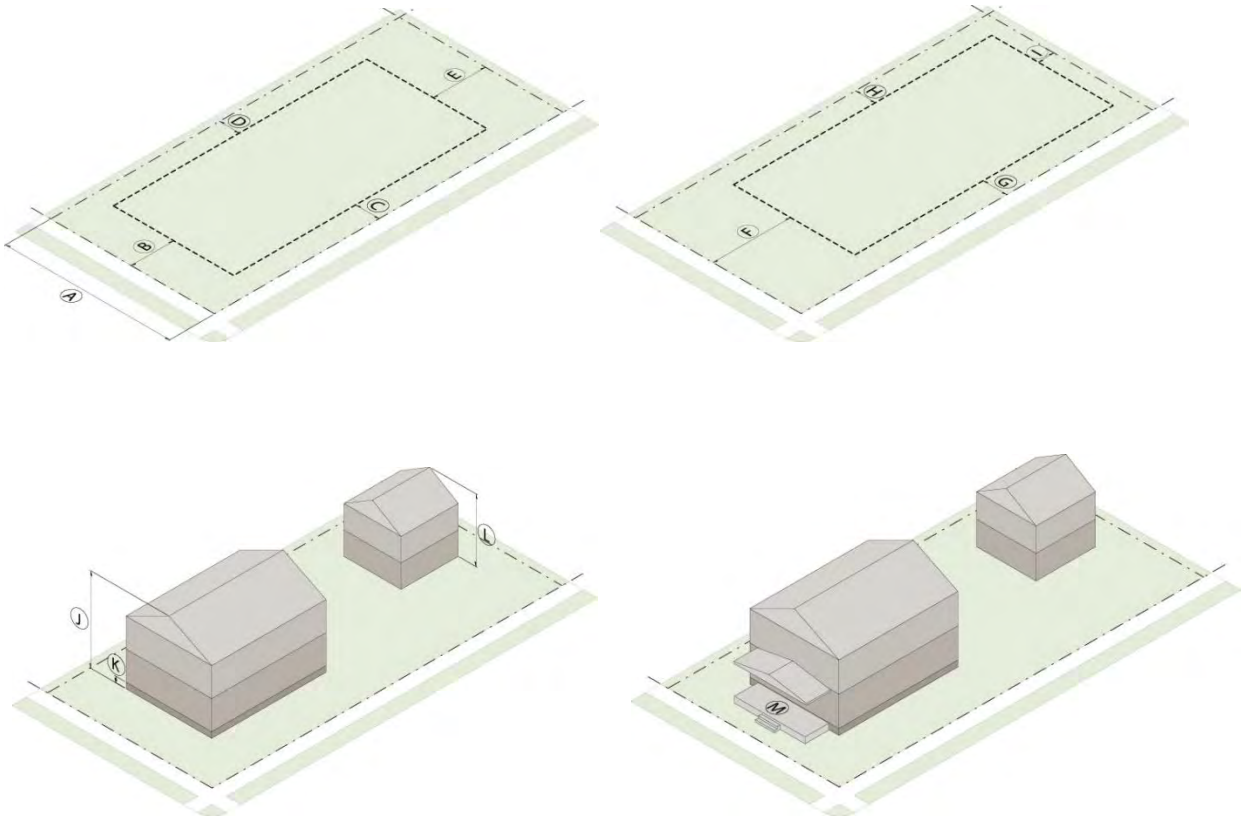
6.2 Allowed Use Table	Single Family Residential					Multi-Family Residential		Mixed Use			Commercial			Industrial	
	RS-11	RS-8	RS-5	RS-3	RS-11.A	RM-2	RM-3	MX-CBD	MX-N	MX-C	C-N	C-H	C-R	I-L	I-H
Commerce Use Categories (Cont.)															
Outdoor recreation, except as listed below:	■	■				■	□								
Golf Courses	■	■				■									
Miniature golf course															
Driving range															
Campground, travel trailer park, RV park															
Horse stable, riding academy															
Hunting and Fishing preserve															
Retreat Center															
Overnight Lodging except as listed below:							■	■			■	■			
Bed & Breakfast						■									
Personal services except as listed below:								■	■	■	■	■			
Animal Care										■	■	■		■	■
Body piercing & tattoo services												■			
Restaurant except as listed below:								■	■	■	■	■	□		
Automobile oriented restaurant											■	■			
Bars / Lounges													□		
Retail Sales except as listed below:					■			■		■	■	■			
Art studio/gallery							■	■	■	■	■	■			
Convenience store with gas										■	■	■		■	■
Convenience store without gas								■	■		■	■			
Dry Cleaning							■	■	■	■	■	■		■	■
Laundromat						■	■	■	■	■	■	■		■	■
Car wash facility							■			■	■	■			
Vehicle Sales								■		■	■	■		■	■
Manufactured Home/Motor Home Sales												■		■	■
Water-oriented sales and service								■				■		■	

6.2 Allowed Use Table	Single Family Residential					Multi-Family Residential		Mixed Use			Commercial			Industrial	
	RS-11	RS-8	RS-5	RS-3	RS-11.A	RM-2	RM-3	MX-CBD	MX-N	MX-C	C-N	C-H	C-R	I-L	I-H
Commerce Use Categories (Cont.)															
Plant Nursery					■		■								
Industrial Use Categories															
Heavy industrial															■
Light industrial								■			■	■		■	■
Self-service storage														■	■
Vehicle service								■			■	■		■	■
Warehouse & distribution											■				■
Waste-related services except as listed below:															■
Landfill															■
Recycling facility															■
Wholesale trade except as listed below:								■			■	■		■	■
storage above ground of petroleum or other flammable liquids in excess of 100,000 gallons															■
Open Use Categories															
Agriculture					■										
Gardens, growing of crops (non-commercial)	■	■	■	■		■	■		■	■	■	■			
Agricultural airstrip															
Resource extraction					■										
▪ **ALLOWED BY RIGHT**						□ **ALLOWED BY CONDITIONAL USE**									

6.3 Building Types

6.3.1 Single-Family Residential Building Types

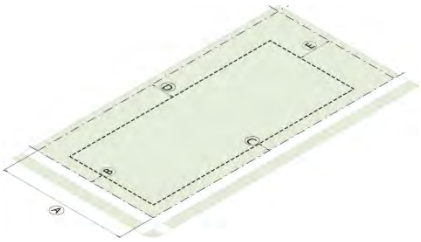
A. Single-Family House

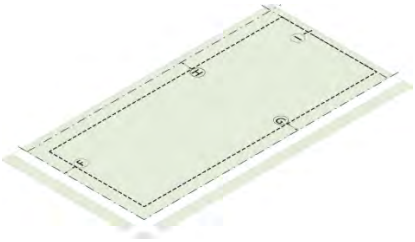


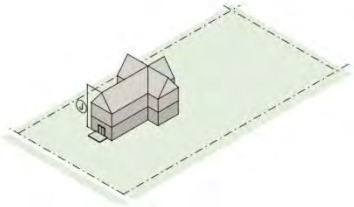
		RS-11	RS-8	RS-5	RS-3
	Project				
	Area (min acres)	n/a	n/a	n/a	n/a
	Common Open Space (min)	n/a	n/a	n/a	n/a
	Gross Density (max units/acre)	3.75	5.5	6.5	14.5
	Lot				
	Area (min square feet)	11,250	8,000	5,000	3,000
	Building Coverage (max)	40%	45%	50%	65%
A	Width (min)	75'	65'	50'	40'
	Principal Structure Setbacks				
B	Front (min)	25'	25'	25'	10'
C	Side, street (min)	15'	15'	10'	8'
D	Side, interior (min)	10'	10'	5'	5'
E	Rear (min)	15'	15'	10'	10'
	Accessory Structure Setbacks				
F	Behind front façade of principal structure (min)	10'	10'	10'	10'
G	Side, street (min)	15'	15'	10'	8'
H	Side, interior (min)	10'	10'	5'	3'
I	Rear, common lot line (min)	10'	10'	10'	5'
	Principal Structure Height				
J	Stories (max)	2	2	2	2
J	Feet (max)	35'	35'	35'	35'
K	Ground story elevation (min)	n/a	12"	12"	12"
	Bulk Plane				
	Bulk Plane abutting RS-district (1:1 above 40'	n/a	n/a	n/a	n/a
	Accessory Structure Height				
L	Stories (max)	2	2	2	2
L	Feet (max)	30'	30'	30'	30'
	Building Entrance				
M	Street facing entrance required	yes	yes	yes	yes
	Building Elements Allowed				
	Gallery				
	Awning	■	■	■	■
	Double gallery				
	Porch, stoop	■	■	■	■
	Balcony	■	■	■	■

- **Ground Story Elevation is above Base Flood El**

B. Civic – A building type containing community uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



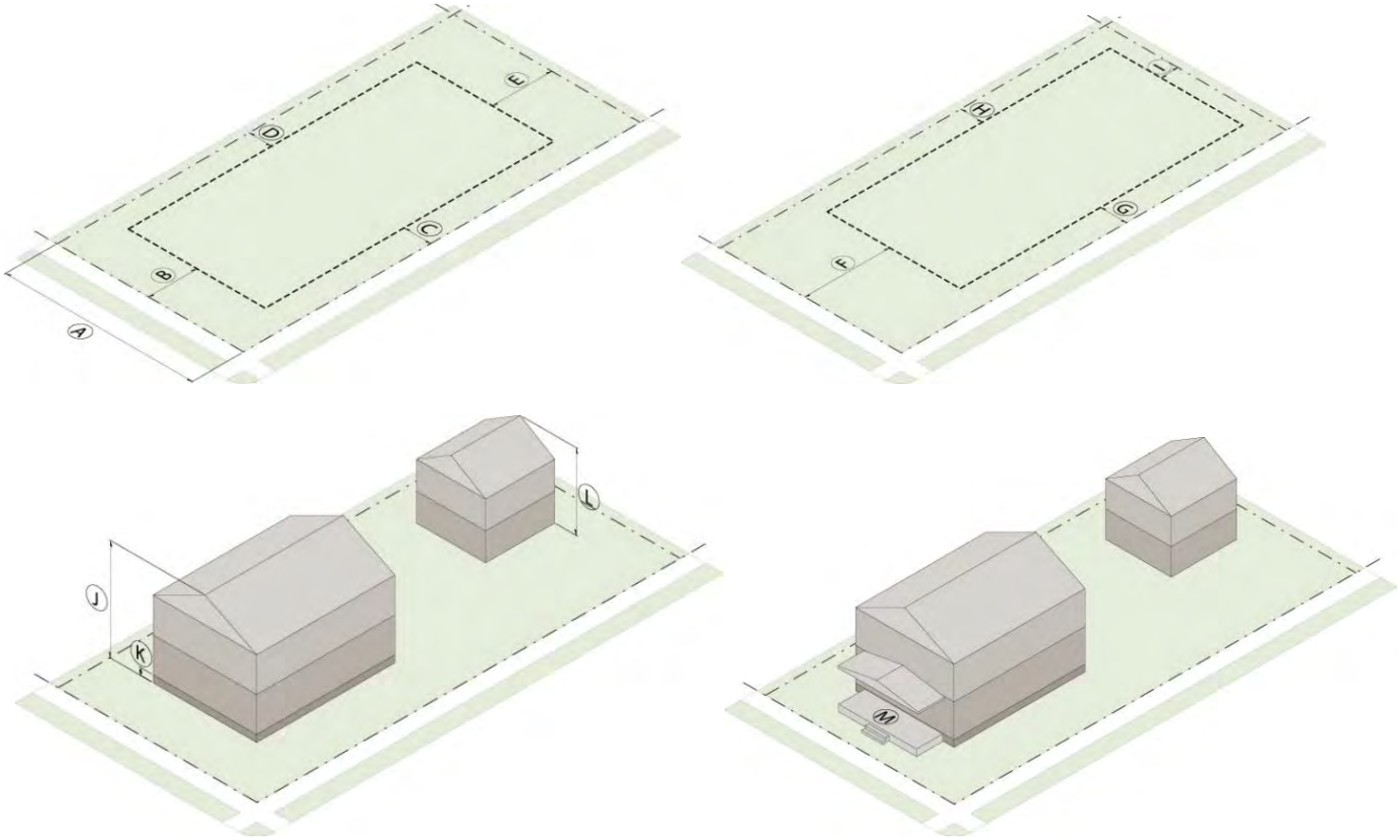




		RS-11	RS-8	RS-5	RS-3
	Lot				
	Area (min square feet)	7,500	7,500	6,000	6,000
	Building Coverage (max)	50%	50%	60%	60%
A	Width (min)	75'	75'	45'	45'
	Principal Structure Setbacks				
B	Front (min)	25'	25'	15'	15'
C	Side, street (min)	25'	25'	15'	15'
D	Side, interior (min)	25'	25'	10'	10'
E	Rear (min)	15'	15'	15'	15'
	Parking Setbacks				
F	Front (min)	25'	10'	15'	15'
G	Side, street (min)	25'	15'	15'	15'
H	Side, interior (min)	25'	10'	10'	10'
I	Rear (min)	10'	10'	15'	15'
	Height				
J	Stories (max)	3	3	3	3
J	Feet (max)	35'	35'	35'	35'
K	Ground story elevation (min)	n/a	12"	12"	12"
	Bulk Plane				
	Bulk Plane abutting RS-district (1:1 above 40'	yes	yes	yes	yes
	Building Elements Allowed				
	Gallery				
	Awning	■	■	■	■
	Double gallery	■	■	■	■
	Porch, stoop				□
	Balcony	■	■	■	■

6.3.2 Residential Multi-Family Building Types

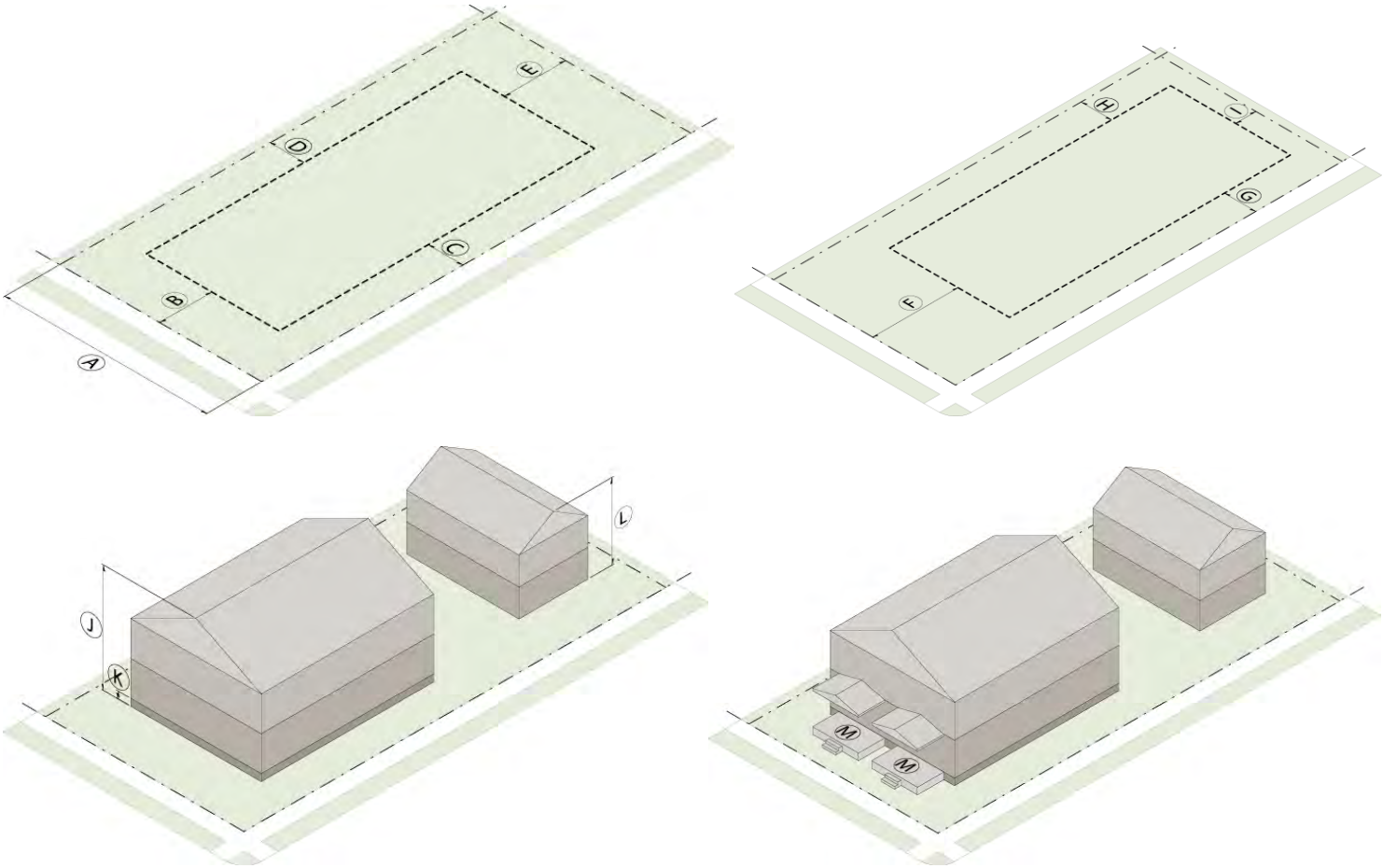
A. **Single Family House**



		RM-2	RM-3
	Project		
	Area (min acres)	n/a	n/a
	Common Open Space (min)	n/a	n/a
	Gross Density (max units/acre)	7.25	7.25
	Lot		
	Area (min square feet)	5,000	5,000
	Building Coverage (max)	45%	45%
A	Width (min)	45'	45'
	Principal Structure Setbacks		
B	Front (min)	20'	20'
C	Side, street (min)	10'	10'
D	Side, interior (min)	5'	5'
E	Rear (min)	20'	20'
	Accessory Structure Setbacks		
F	Behind front façade of principal structure (min)	10'	10'
G	Side, street (min)	10'	10'
H	Side, interior (min)	5'	5'
I	Rear, common lot line (min)	10'	10'
	Principal Structure Height		
J	Stories (max)	2	3
J	Feet (max)	35'	45'
K	Ground story elevation (min)	12"	12"
	Bulk Plane		
	Bulk Plane abutting RS-district (1:1 above 40'	yes	yes
	Accessory Structure Height		
L	Stories (max)	2	2
L	Feet (max)	30'	30'
	Building Entrance		
M	Street facing entrance required	yes	yes
	Building Elements Allowed		
	Gallery		
	Awning	■	■
	Double gallery		
	Porch, stoop	■	■
	Balcony	■	■

- **Ground Story Elevation is above Base Flood Elevation**

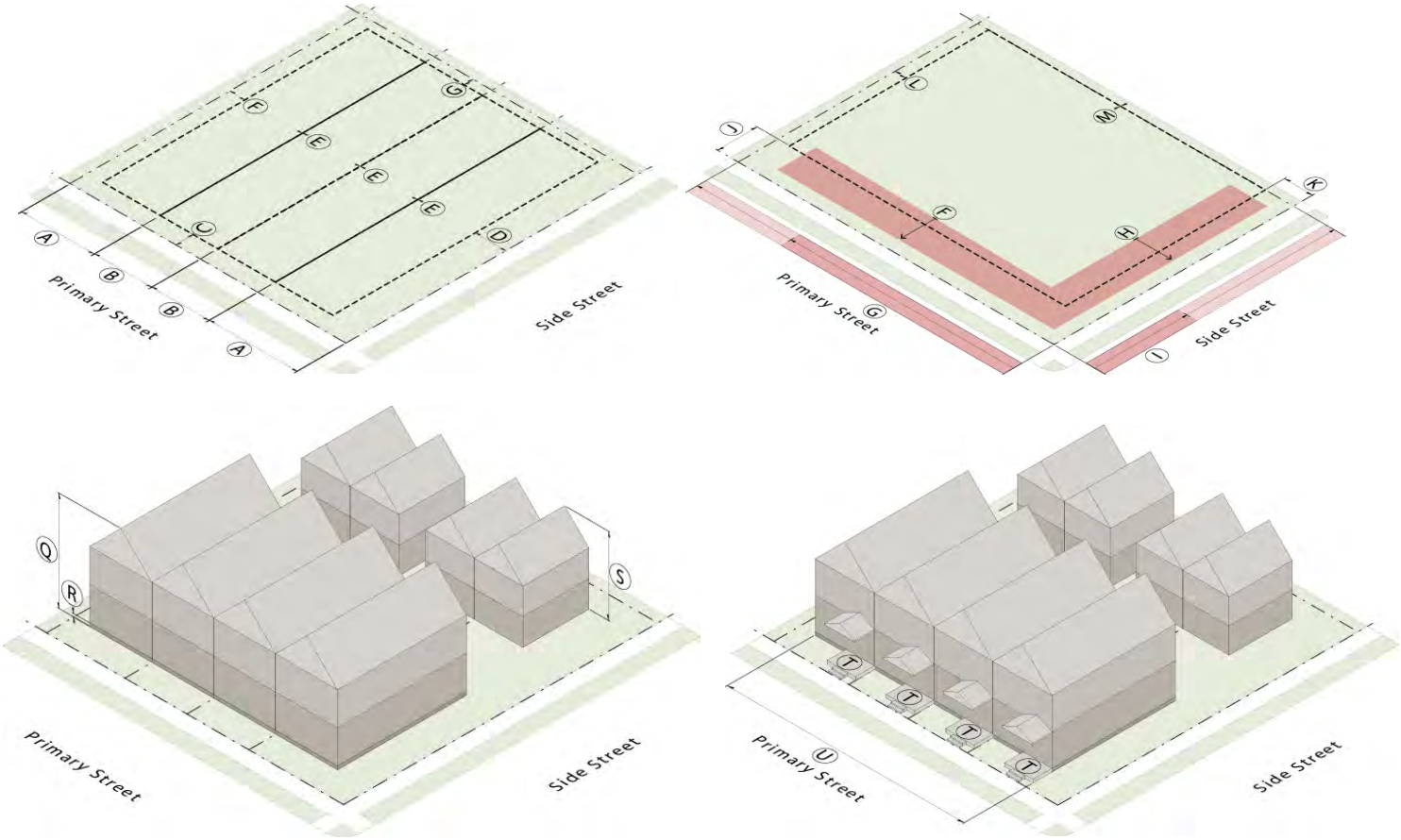
B. Attached House



		RM-2	RM-3
	Project		
	Area (min acres)	n/a	n/a
	Common Open Space (min)	n/a	n/a
	Gross Density (max units/acre)	7.25	15
	Lot		
	Area (min square feet)	10,000	8,000
	Building Coverage (max)	55%	55%
A	Width (min)	55'	45'
	Principal Structure Setbacks		
B	Front (min)	25'	20'
C	Side, street (min)	10'	10'
D	Side, interior (min)	5'	5'
E	Rear (min)	25'	20'
	Accessory Structure Setbacks		
F	Behind front façade of principal structure (min)	10'	10'
G	Side, street (min)	10'	10'
H	Side, interior (min)	5'	3'
I	Rear, common lot line (min)	10'	5'
	Principal Structure Height		
J	Stories (max)	2	3
J	Feet (max)	35'	45'
K	Ground story elevation (min)	12"	12”
	Bulk Plane		
	Bulk Plane abutting RS-district (1:1 above 40')	yes	yes
	Accessory Structure Height		
L	Stories (max)	2	2
L	Feet (max)	30'	30'
	Building Entrance		
M	Street facing entrance required	yes	yes
	Building Elements Allowed		
	Gallery		
	Awning	■	■
	Double gallery		
	Porch, stoop	■	■
	Balcony	■	■

- **Ground Story Elevation is above Base Flood Elevation**

C. Row House


A
B
B
A
C
D
E
E
E
F
G
Primary Street
Side Street
J
L
M
K
F
H
G
I
Primary Street
Side Street
Q
R
S
Primary Street
Side Street
T
T
T
T
U
Primary Street
Side Street

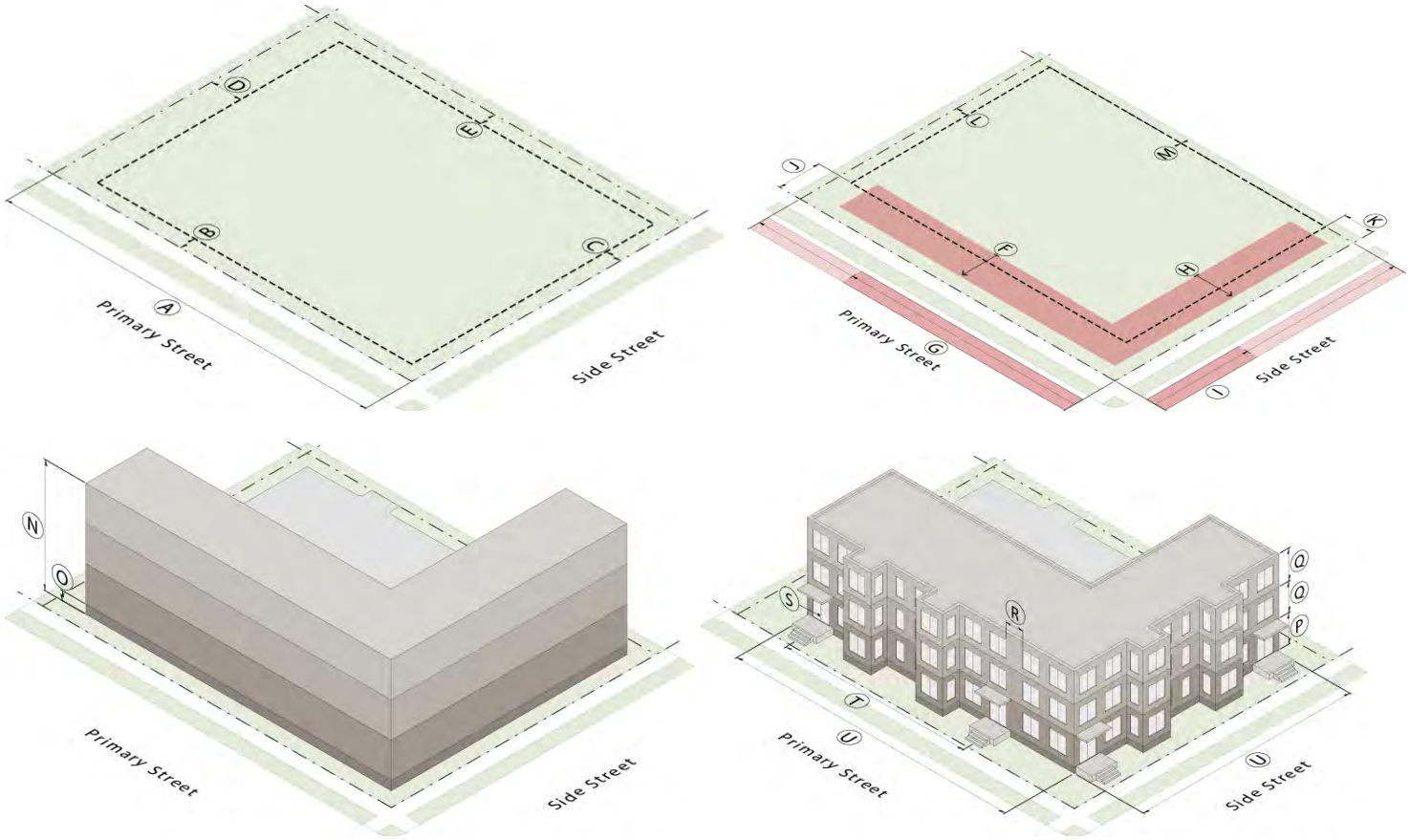
		RM-3
	Project	
	Area (min acres)	n/a
	Common Open Space (min)	n/a
	Gross Density (max units/acre)	15
	Lot	
	Area (min square feet)	1,800
	Building Coverage (max)	70%
A	Width, end lot (min)	40'
B	Width, interior lot (min)	40'
	Structure Setbacks	
C	Primary street (min)	5'
D	Side street (min)	10'
E	Side interior, interior lot (min)	0'
F	Side interior, end lot (min)	0' or 10'
G	Rear, common lot line (min)	20'

		RM-3
	Build-to Area	
H	Primary street build-to area (min/max)	5'/15'
I	Building façade in primary street build-to area (min % of lot width)	65%
J	Building Façade in primary street build-to area, interior lot (min% of lot width)	100%
K	Side street build-to area (min/max)	10'/20'
L	Building façade in side street build-to area (min% of lot depth)	30%
	Parking Setbacks	
M	Primary street setback (min)	30'
N	Side street setback (min)	10'
O	Setback abutting RS- district (min)	5'
O	Setback abutting any other district (min)	0' or 5'

		RM-3
	Principal Structure Height	
Q	Stories (max)	3
Q	Feet (max)	45'
R	Ground story elevation (min)	12"
	Bulk Plane	
	Bulk Plane abutting RS-district (1:1 above 40')	yes
	Accessory Structure Height	
S	Stories (max)	2
S	Feet (max)	30'
	Building Entrance	
T	Street facing entrance required	yes
	Building Mass	
U	Attached building length (max)	200'
	Building Elements Allowed	
	Gallery	
	Awning	■
	Double gallery	
	Porch, stoop	■
	Balcony	■

- **Ground Story Elevation is above Base Flood Elevation**

D. Apartment


A
B
C
D
E
Primary Street
Side Street
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G
H
I
J
K
L
M
Primary Street
Side Street
N
O
Primary Street
Side Street
P
Q
R
S
T
U
Primary Street
Side Street

		RM-3
	Project	
	Gross Density (max units/acre)	15
	Lot	
	Area (min square feet)	22,500
	Building Coverage (max)	60%
A	Width (min)	125'
	Structure Setbacks	
B	Primary Street (min)	15'
C	Side Street (min)	5'
D	Setback abutting RS- district (min)	15'
D	Setback abutting any other district (min)	0' or 10'
E	Setback abutting alley	20'
	Build-to Area	
F	Primary street build-to area (min/max)	15'/35'
G	Building façade in primary street build-to area (min % of lot width)	65%
H	Side street build-to area (min/max)	15'/35'
I	Building façade in side street build-to area (min% of lot depth)	30%

		RM-3
	Parking Setbacks	
J	Primary street setback (min)	25'
K	Side street setback (min)	10'
L	Setback abutting RS- district (min)	15'
L	Setback abutting any other district (min)	0' or 10'
M	Setback abutting alley (min)	0'
	Height	
N	Stories (max)	3
N	Feet (max)	45'
O	Ground story elevation (min)	12"
	Bulk Plane	
	Bulk Plane abutting RS- district (1:1 above 40')	yes
	Transparency	
P	Ground story (min)	40%
Q	Upper story (min)	30%
R	Blank wall area (max)	30'
	Building Entrance	
S	Street facing entrance required	yes
T	Entrance spacing (max)	100'
	Building Mass	
U	Building length (max)	150'
	Building Elements Allowed	
	Gallery	
	Awning	■
	Double gallery	■
	Porch stoop	■

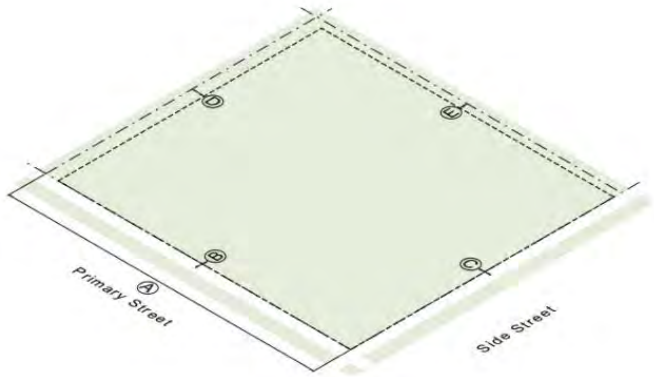
- **Ground Story Elevation is above Base Flood Elevation**

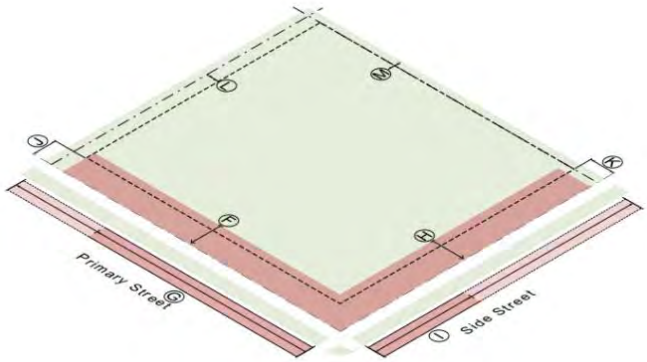
E. Civic

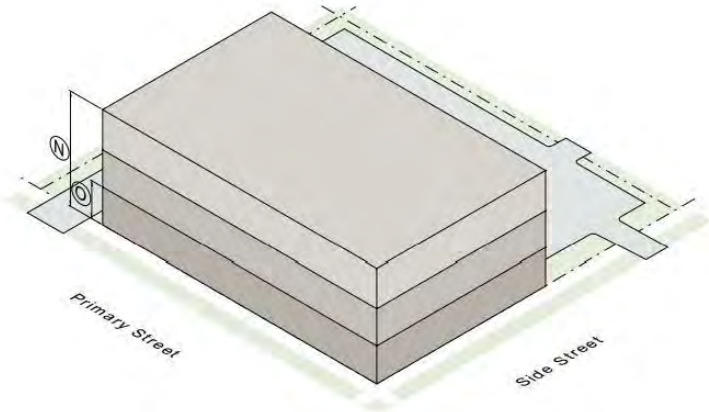
		All Districts
	Lot	
	Area (min square feet)	22,500
	Building Coverage (max)	30&%
A	Width (min)	150'
	Principal Structure Setbacks	
B	Front (min)	50'
C	Side, street (min)	50'
D	Side, interior (min)	30'
E	Rear (min)	50'
	Parking Setbacks	
F	Front (min)	50'
G	Side, street (min)	50'
H	Side, interior (min)	30'
I	Rear (min)	20'
	Height	
J	Stories (max)	3
J	Feet (max)	50'
	Bulk Plane	
	Bulk Plane abutting RS-district (1:1 above 40'	yes
	Building Elements Allowed	
	Gallery, awning	■
	Double gallery	■
	Porch, stoop	■
	Balcony	■

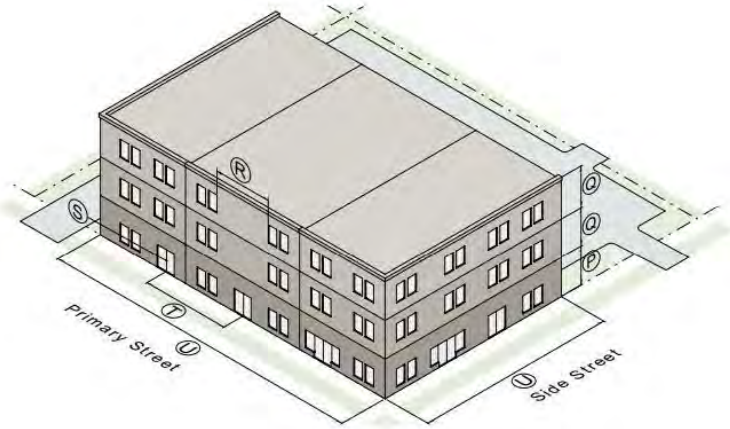
6.3.3 Mixed Use Building Types

A. Mixed Use Building







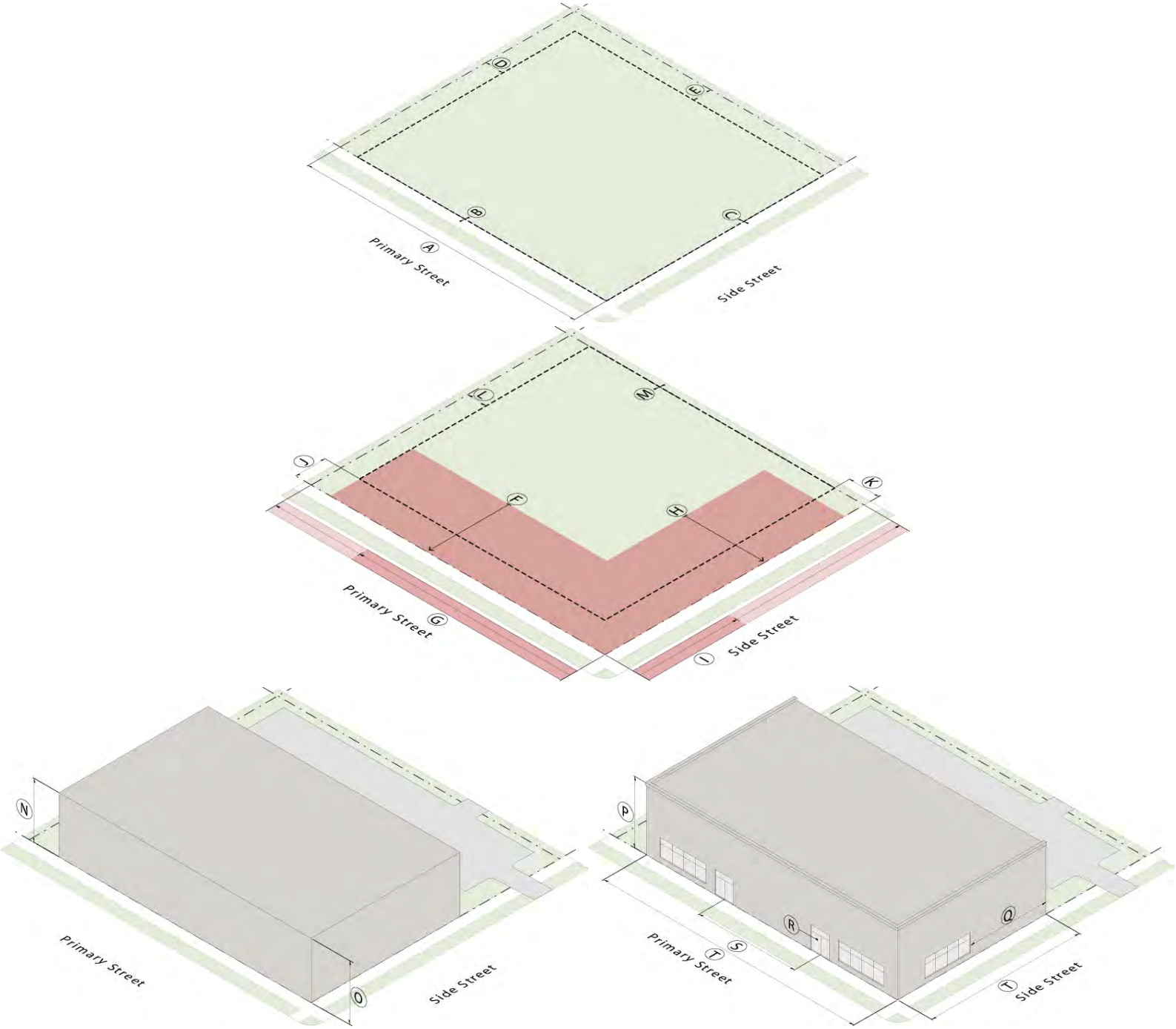


Mixed Use		MX-CBD	MX-C	MX-N
Lot				
	Area (min square feet)	6,500	3,500	7,500
	Building footprint (max)	70%	80%	65%
A	Width (min)	65'	35'	75'
Principal Structure Setbacks				
B	Primary street (min)	0'	0'	0
C	Site street (min)	0'	0'	0
D	Setback abutting RS districts (min)	15'	15'	15'
D	Setback abutting any other districts (min)	0'	0'	0'
E	Setback abutting alley (min)	5'	5'	5'
Build-to Area				
F	Primary street build-to line (min/max)	0'/15'	0'/5'	0'/15'
G	Building façade on primary street build-to area (min % of lot width)	65%	85%	65%
H	Side street build-to line (min/max)	0'/15'	0'/5'	0'/15'
I	Building façade on side street build-to area (min % of lot depth)	30%	40%	30%
Parking Setbacks				
J	Primary street setback (min)	10'	10'	15'
K	Side street setback (min)	10'	15'	15'
L	Setback abutting RS district (min)	10'	10'	10'
L	Setback abutting any other district (min)	0'	0'	0'
M	Setback abutting alley (min)	0'	0'	0'
Height				
N	Stories (max)	3	3	3
N	Feet (max)	45'	45'	45'
O	Ground story height (min)	12'	12'	12’
Transparency				
P	Ground story (min)	55%	65%	45%
Q	Upper story (min)	20%	30%	20%
R	Blank wall area (max)	30'	30'	35'
Building entrance				
S	Street facing entrance required	yes	yes	yes
T	Entrance spacing (max)	100'	100'	100'
Building Mass				
U	Building length (max)	200'	200'	200'
Building Elements Allowed				
	Gallery, awning	yes	yes	yes
	Double gallery	yes	yes	yes
	Porch, stoop			
	Balcony	yes	yes	yes

- **Ground Story Elevation is above Base Flood Elevation**

6.3.4 Commercial Building Types

A. Single Story Shop front

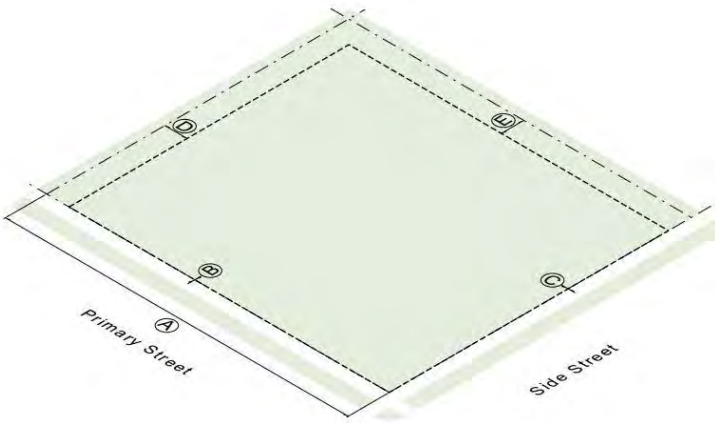


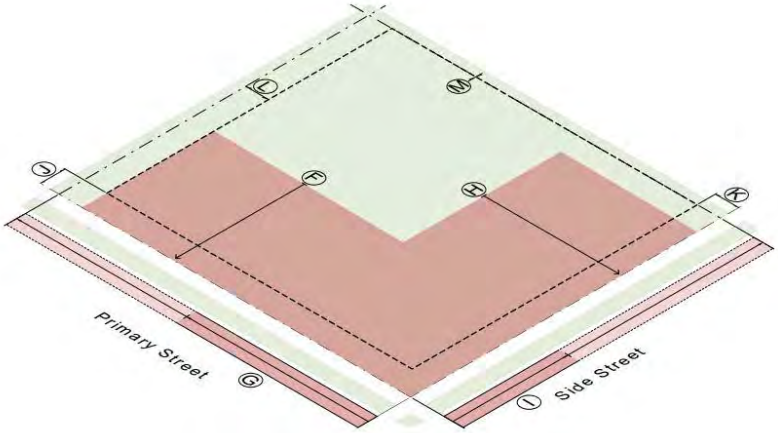
Mixed Use		C-H	C-N	C-R
Lot				
	Area (min square feet)	6,500	3,500	7,500
	Building footprint (max)	70%	80%	65%
A	Width (min)	65'		75'
Principal Structure Setbacks				
B	Primary street (min)	0'	0'	0
C	Site street (min)	0'	0'	0
D	Setback abutting RS districts (min)	15'	15'	15'
D	Setback abutting any other districts (min)	0'	0'	0'
E	Setback abutting alley (min)	5'	5'	5'
Build-to Area				
F	Primary street build-to line (min/max)	0'/15'	0'/5'	0'/15'
G	Building façade on primary street build-to area (min % of lot width)	65%	85%	65%
H	Side street build-to line (min/max)	0'/15'	0'/5'	0'/15'
I	Building façade on side street build-to area (min % of lot depth)	30%	40%	30%
Parking Setbacks				
J	Primary street setback (min)	10'	10'	15'
K	Side street setback (min)	10'	15'	15'
L	Setback abutting RS district (min)	10'	10'	10'
L	Setback abutting any other district (min)	0'	0'	0'
M	Setback abutting alley (min)	0'	0'	0'
Height				
N	Stories (max)	5	3	3
N	Feet (max)	60'	45'	45'
O	Ground story height (min)	0'	0'	0'
Transparency				
P	Ground story (min)	55%	65%	45%
Q	Upper story (min)	20%	30%	20%
R	Blank wall area (max)	30'	30'	35'
Building entrance				
S	Street facing entrance required	yes	yes	yes
T	Entrance spacing (max)	100'	100'	100'
Building Mass				
U	Building length (max)	200'	200'	200'
Building Elements Allowed				
	Gallery, awning	yes	yes	yes
	Double gallery	yes	yes	yes
	Porch, stoop			
	Balcony	yes	yes	yes

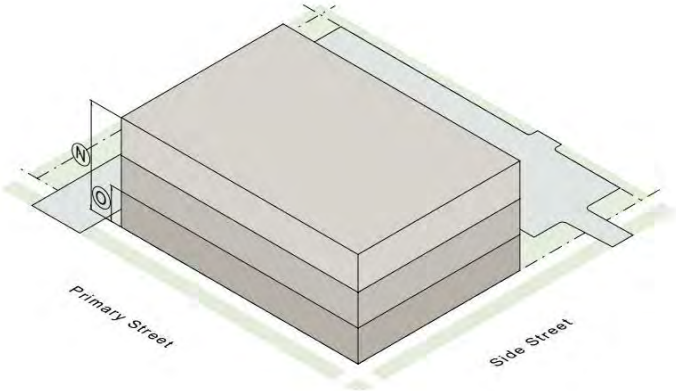
- **Ground Story Elevation is above Base Flood Elevation**

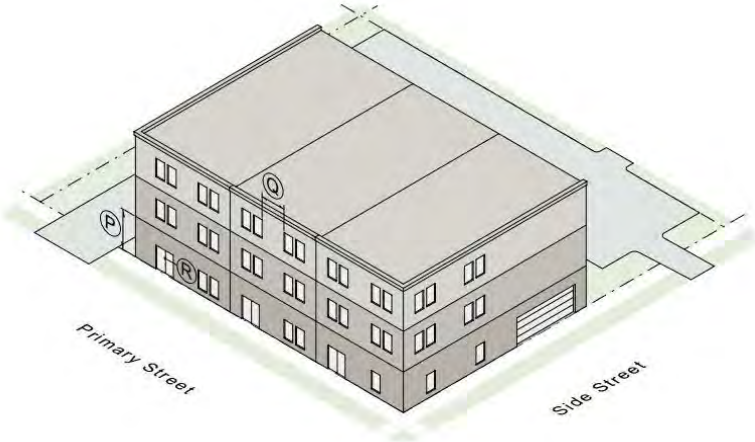
6.3.5 Industrial Building Types

A. Industrial









Industrial		I-L/I-H
Lot		
	Area (min square feet)	22,500
	Building footprint (max)	65%
A	Width (min)	125'
Principal Structure Setbacks		
B	Primary street (min)	0'
C	Site street (min)	0'
D	Setback abutting RS districts (min)	35'
D	Setback abutting any other districts (min)	0'
E	Setback abutting alley (min)	5'
Build-to Area		
F	Primary street build-to line (min/max)	0'/80'
G	Building façade on primary street build-to area (min % of lot width)	50%
H	Side street build-to line (min/max)	0'/80'
I	Building façade on side street build-to area (min % of lot depth)	30%
Parking Setbacks		
J	Primary street setback (min)	10'
K	Side street setback (min)	10'
L	Setback abutting RS district (min)	30'
M	Setback abutting any other district (min)	0'
N	Setback abutting alley (min)	0'
Height		
O	Stories (max)	1
P	Ground story height (min)	15'
Transparency		
Q	Ground story (min)	35%
R	Blank wall area (max)	50'
Building entrance		
S	Street facing entrance required	yes
T	Entrance Spacing (max)	n/a
Building Elements Allowed		
	Gallery, awning	yes
	Double gallery	
	Porch, stoop	
	Balcony	

Article 7. Special Districts
7.1 General
7.1.1 General Provisions
7.2 Special Districts
7.2.1 S-1 Southeastern Louisiana University District
7.2.2 S-2 Hammond Airport District
7.2.3 I – Institutional District
7.2.4 RP-Residential Preservation District
7.2.5 SC-School/Church District

Article 7. Special Districts

7.1 General

7.1.1 General Provisions

A. A **Special District** shall be any particular district created by special act or ordinance by the City of Hammond for the purposes of creating, developing, or administering particular activities or regulations peculiar to that special district. To be considered a special district for the purposes of this Ordinance, the Special District created must have its own set of Zoning regulations, and building setback regulations, which complement those in this unified development code. The proposed sale of property included in a special district for uses other than those agreed upon by the City and the Special District Administrator, shall result in that property having to be rezoned by the City through its normal re-zoning procedure. Typical examples of such districts are Airport districts, historic districts, and Southeastern Louisiana University district.

B. Airport Ordinances 820 and 1070 are adopted as part of this Unified Development Code by reference. Enforcement of these two ordinances shall be as specified in Chapter 2.4 of the Unified Development Code.

C. Special Residential Preservation Zoning District (SRPZD). An application to create a Special Residential Preservation District shall be made to the Zoning Commission by 100 percent of the property owners in the proposed district. The properties therein must be contiguous and all be then zoned and used for residential uses. Each property owner in the proposed district must agree in writing to the creation of said district. Creation of the district must be approved by a majority vote of the Zoning Commission, and must be submitted to the City Council for final approval. Once created, the Special Residential Preservation Zoning District shall prohibit any uses other than residential uses and permissible accessory uses. Any application to rezone property, or to seek an expanded conditional use must contain a petition signed by at least 66 percent of property owners who must also represent at least 66 percent of the square footage of property within the district. The rezoning of property within the SRPZD must be approved by a majority vote of the Zoning Commission, and a majority vote of the City Council.

7.2 Special Districts

7.2.1 S-1 Southeastern Louisiana University District

A. The S-1 District in Hammond is the Southeastern Louisiana University District that comprises that SLU property north of University Ave. and between Tornado Drive, and the original SLU campus area bounded on the north by University Drive, on the south by W. Dakota Street, on the east by North Oak Street, and on the west by N. General

Pershing. The SLU S-1 District also includes their property north and west of the Hammond Airport within the corporate limits.

B. Within the S-1 District, permitted uses will be in accordance with SLU's Master Plan or Land Use Plan. The City will not require re-zonings within the S-1 area if such proposed uses are part of the intended use of that

special district (such as educational, airport, etc.). In addition, the City will not have to inspect buildings nor review building plans that are part of the State's improvements within that district. However, SLU will be required to submit City Building Permits even though no City Building Construction fees are charged. This will allow the City to keep up with new construction within the corporate limits and provide for improved coordination between the University and the City of Hammond.

7.2.2 S-2 Hammond Airport District

The S-2 District in Hammond will include that property typically known as the Hammond Airport and covered by the adopted Airport Master Plan of Hammond. Within this District, building plans and building permit applications will be submitted and reviewed by the City of Hammond. The City Building Office will perform building and site inspections and will collect the appropriate building fees from private entities building within that district. Permitted uses will be those allowed in the Airport Special Zone in conformance with the Airport Master Plan. Special restrictions for this district are located in Chapter 4 of the city code of ordinances.

7.2.3 I – Institutional District

A. The purpose of this District is to provide a zoning category in which to locate and set guidelines for certain public and private institutional uses such as schools, cemeteries and municipal uses that may not be permissible in other residential or commercial zoning categories. All such uses in this district require site plan review and approval before final approval of building permits.

B. Premises may be used for the following purposes:

(1) Elementary and secondary schools with curriculums approved by the State Board of Elementary and Secondary Education and operated on a non-profit basis.
(2) Public colleges and universities
(3) Municipal, public offices
(4) Fire Stations
(5) Police Stations; prisons, jails
(6) Municipal recreation
(7) Building caretakers and on-site staff residences
(8) Cemeteries and mausoleums
(9) Municipal treatment plants and water storage facilities
(10) Orphanages
(11) Nursing Homes

C. The following accessory uses to the primary use of the premises are permitted:

(1) storage buildings and parking lots to be used by employees and guests to the permitted facility
(2) gardens for non-commercial purposes
(3) public voting precincts
(4) radio and communication antennas that are incidental to permitted uses and related to the permitted primary use on site

D. Minimum yards shall be provided as follows:

Permitted institutional uses abutting upon residential lots or residential uses shall provide a minimum of 25 feet side or rear yard and a solid 6 foot buffer fence in conformance to City fencing guidelines. Other yard requirements for institutional uses not abutting upon residential zoning or lots shall be as follows:

Front yard and minimum building setback: 25 feet
Rear yard: 15 feet
Side yard (each side): 10 feet

E. Minimum lot widths and lot areas shall be as follows:

The minimum lot size shall be 7,500 square feet with a minimum lot width of 75 feet.
Minimum lot sizes, lot widths and set backs are not required for sewerage lift stations.

7.2.4 RP-Residential Preservation District

A. Definition

The RP District is a single family dwelling residential district of a historic nature and character allowing for large lots and allowing certain noncommercial uses associated with single family residential areas.

B. Premises may be used for the following purposes:

Single family dwelling

Garden, growing of crops (noncommercial)

C. The following Accessory Uses are permitted:

Professional home occupations

Private garages

Single accessory attached apartment provided that the lot area per residence unit requirements set forth in section 'e' below are met.

Vegetable and flower gardens

Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners

Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens, and similar uses customarily accessory to residential uses.

Radio and television towers and antenna for amateur and noncommercial uses.

D. Minimum yards shall be provided as follows:

One front yard of 25 feet

One rear yard of 15 feet in length

Two side yards of eight (8) feet each in width. Provided that on corner lots there shall be a side street yard equal to at least one-half the required front yard.

E. Minimum lot width and lot areas shall be as follows:

Prior surveys, plats, or maps notwithstanding, property located within the defined area of this district shall not be further subdivided, and the size of each tract of land shall retain the dimension that exists on the date of adoption of this ordinance. However, multiple adjoining lots containing the same building may be subdivided to remove lot lines. Furthermore, a 'Lot 1Double Frontage (or through)' lot as per the definitions, may be divided providing that there is a minimum of 75' feet frontage on each street, and sufficient area for 11,250 sq. ft. of lot area per living unit.

F.Height Restrictions:

a. The maximum building height in R-P shall be four stories or 45', whichever is greater. When a structure exceeds two stories in this district and is adjacent to a residential use or residentially zoned district, the side or rear yard of the building adjacent to the residential use must equal in depth to at least one-half the height of the building being built next to that residential use.
b. Whenever a building of more than two stories is being constructed adjacent to a conforming residential use or residentially zoned district, the side or rear yard of the building adjacent to the residential use must be equal to at least one-half the height of the building being built next to that residential use.

   This yard requirement in this type of situation would prevail over the side and/or rear yard requirements of the applicable district in which the situation arises.
c. Detached garages and other accessory buildings shall not exceed the height of primary structure on the lot.
d. In R-P buildings designed for residential occupancy shall not exceed 2 ½ stories and shall not exceed thirty-five (35) feet.

G. Replacement of Existing Buildings

In the event any main building within the Residential Preservation District shall be destroyed or for any reason be condemned by the Building Inspector, any replacement main building thereafter erected shall occupy the identical footprint (measurement and square footage) as the previous building. If construction of said building is completed within one (1) year of the destruction or demolition of the previous building, no

variance shall be needed for any nonconforming condition which previously existed. Nothing herein shall prevent application for a variance to change the footprint and square footage of the replacement building.

H. Foundation Requirements

All new or replacement main buildings erected within the Residential Preservation District shall be constructed on raised twelve (12) inch footings. Accessory buildings may be erected on a concrete slab

I. Siding Requirements

Any new or replacement main building erected within the Residential Preservation District shall be sided with wooden or vinyl clapboard siding on every exterior wall.

J. Roofing Requirements

Roofing materials for any new or replacement building shall be composition, asphalt, slate, tile, or standing seam metal. Any roofing materials on existing buildings shall only be replaced with identical materials, unless all roofing materials are replaced with those permissible for new or replacement buildings.

K. Porch Requirements

Any new or replacement building erected within the Residential Preservation District shall contain an exterior, unenclosed covered porch. Each porch shall face one or more streets adjoining said lot, and shall contain no less than fifteen percent and no more than twenty-five percent of the square footage of the remaining main building.

L. Submission of plans for exterior changes to the Building Official.

Prior to the commencement of any exterior change to an existing building, the erection of any new building or the demolition of any existing building in the area defined as *Residential Preservation District*, application for a permit therefore shall be made to the Building Department of the City accompanied by the full plans and specifications thereof so far as they relate to the building materials of the exterior of such building, alteration or addition, or of any outbuildings, courtyard fence or other dependency thereto..

M. Removal of sheds and outbuildings.

There shall be no restrictions against the removal of sheds or outbuildings. These buildings must be removed or repaired when in dangerous conditions. Any changes to the exterior of any shed or outbuilding may be made only after the owner of the property obtaining a permit from the Building Official or his staff under the provisions of this ordinance.

N. Prohibition against demolition by neglect.

Any building within the boundaries of the Residential *Preservation District* shall be protected by the owner of said building against decay and deterioration and shall be maintained against structural defects. The owner of such property shall repair such building upon the finding by the Building Official that the building has one (1) or more of the following:

(1) Deterioration to the extent that the building creates or permits a hazardous or unsafe condition as determined by the Building Official or a member of his staff.

(2) Deterioration, as determined by the Building Official or a member of his staff, that the building is characterized by one (1) or more of the following:

(a) Those buildings which have parts thereof which are so attached that they may fall and injure persons or property;

(b) Deteriorated or inadequate foundations;

(c) Defective or deteriorated floor supports that split, lean, list or buckle due to defective material, workmanship or deterioration;

(d) Members of walls or other vertical supports that split, lean, list or buckle due to defective material, workmanship, or deterioration;

(e) Members of walls or other vertical supports that are insufficient to carry imposed loads with a reasonable factor of safety;

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split or buckle due to defective material, workmanship, or deterioration;

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys which list, bulge or settle due to defective material, workmanship, or deterioration; or

(i) Any fault, defect or condition in the building which renders same structurally unsafe or not properly watertight.

(3) If the Building Official makes a preliminary determination that a building is being demolished by neglect, that official shall notify the owner of said building of this determination, stating the reasons therefore, and shall give the owner or owners of record thirty (30) days from the date of mailing of the notice or the posting thereof on the property, whichever comes later to commence work to correct the specific defects as determined by the Building Official. Said notice shall be given as follows:

(a) By certified mail, restricted delivery, mailed to the last known address of the owner or owners of record as listed on the city and/or parish property tax rolls; or

(b) If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the building.

(4) If the owner or owners fail to commence work within the time allotted as evidenced by a building permit, the Building Official shall notify the owner or owners of record in the manner provided above to appear at a public hearing before the City Council at a date, time and place to be specified in said notice, which shall be mailed or posted at least thirty (30) days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time. The City Council shall receive evidence on the issue of whether the subject resource would be repaired and the owner or owners shall present evidence in rebuttal thereto. If after such hearing the City Council finds that the building is being demolished by neglect, the Council shall order repairs be made by the owner or owners of record with the provision that if repairs are not completed within 90 days of said order that the Building Official bring misdemeanor charges against the owner or owners of record or take other such actions as the council deems appropriate.

(5) If the owner or owners of the building in question raise the defense that the repair of the property causes "Unreasonable economic hardship" Council shall require the submission of the same information as required under Section 17.3-20, 3(b) of the Code of Ordinances of the City of Hammond.

O. Building Code not superseded.

No part of this ordinance is intended or to be construed to supersede the provisions of Section 9-2 ; Section 9-3.1; Section 9-3.2; or Section 9-3.3 of the Code of Ordinances of the City of Hammond as they pertain to the various building codes adopted for the government of construction in the City of Hammond.

P. Conflict

The provisions of this section shall govern and take precedence over other provisions of any other ordinances or codes of the city.

7.2.5 SC-School/Church District

A. The purpose of this District is to provide a zoning category and associated regulations and activities in which to locate primary and secondary schools that may or may not be associated with church uses. This includes both private and public schools that meet the definitions defined herein. Churches that also operate schools must be located within this zoning category unless they are considered legally non-conforming and are not expanding their physical plant.

B. This zone is intended to protect neighboring residential activities while also providing appropriate land use guidelines for schools and church schools. All such uses in this district require site plan review and approval before final approval of building permits. The review and approval of the site plan shall be done by the Planning and Zoning Commission. Individual churches not associated with on-site schools are not required to request this zoning classification and may continue in residential zoning classifications.

C. Premises may be used for the following primary purposes:

(1) Elementary and secondary schools with curriculums approved by the State Board of Elementary and Secondary Education

(2) Churches and church related schools

(3) Pre-school and after-school care

(4) Lunchrooms, classrooms, offices, gymnasiums, playgrounds, and meeting rooms related to the on-site school or church function

D. The following accessory uses to the primary use of the premises are permitted:

(1) Storage buildings and parking lots to be used by employees, students, and guest of the permitted facility
(2) Gardens for non-commercial purposes
(3) Public voting precincts
(4) Rectories, convents or parsonages associated with the primary use of the property as stated in item (2) above

E. Minimum yards shall be provided as follows:

Permitted uses adjacent (in whole or part) to residential zoning, lots, or residential uses shall provide a minimum of 25 feet front setback, 25 foot side setback and/or a 25 foot rear setback from the property line along with steel post and beam fencing with steel picket fill-in. Other yard requirements for SC uses not adjacent to residential zoning, lots, or uses shall be as follows:

Front yard and minimum building setback: 25 feet

Rear yard 25 feet

Side yard (each side) 25 feet

When railroad property is adjacent to the property line, a 10 foot setback may be used.

Rear and side yards that also face upon a street or are located on properties that are considered a corner lot must have building setbacks of at least 25 feet.

F. Minimum lot widths and lot areas (size) shall be as follows: The minimum lot size shall conform to the minimum lot size of the adjacent or closest and strictest residential use. If only commercial property is adjacent to the proposed use of building, then the lot guidelines for that commercial zoning will apply.

G. Maximum building heights for structures adjacent to residential zoning, lots or uses shall not exceed 2 occupied floors and shall not exceed 35 feet in height. When not adjacent to residential zoning, lots and uses, the building height shall not exceed 35 feet.

H. Additional requirements for properties or projects adjacent to residential districts or residential structures not owned by the church or school:

Access: Projects shall be located with vehicular access limited to major arterial or collector streets. Site plans shall indicate that traffic is being diverted away from adjacent residential areas or planned to avoid local neighborhood streets.

Gated service entrances should be designed to have as little impact as possible on the surrounding properties.

Noise and Outdoor Lighting: If early morning or night activities are conducted by the on-site user, such activities shall not begin before 7:00AM and shall end no later than 10:00 PM. Such activities shall not create a nuisance for the adjacent residential uses and shall conform to the requirements regarding noise and sound as set forth in the City's Code of Ordinances. All outdoor lighting shall be planned and installed as to be directed downward and away from nearby residential uses and shall not exceed 1 foot candle on adjacent residential properties.

Parking and Traffic: When considering new uses and buildings for school and/or church/school sites, the new or revised plans shall be presented to the Planning and Zoning Commission for approval, before the City of Hammond Building Department grants new building permits. The requirement for adequate parking shall be considered in the context of the entire campus and site plan. A traffic flow analysis or traffic study may be required by the City of Hammond Building Department or requested by the Planning Commission or City Council.

Facade and Building Design: Materials for new construction should be selected from among those that are typical of surrounding buildings, and should be compatible with existing materials in color and texture. All exterior walls of all primary and accessory buildings shall not be constructed with corrugated metal or fiberglass.

Mechanical Equipment: Mechanical equipment shall not be placed within the allowed setbacks.

Bulk containers/dumpsters: Chapter 16 Article IV of the City of Hammond Code of Ordinances for bulk containers/dumpsters shall apply. In addition, no dumpster shall be placed within 50 feet of residential or residentially zoned property.

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Article 8. Overlay Districts

8.1 Hammond Historic District (-H)

8.1.1 Commission established

There is hereby created a commission to be known as the Historic District Commission of the City of Hammond as provided herein.

8.1.2 Recommendation and appointment of members

The commission shall consist of seven (7) members, all of whom shall be residents and electors of the City of Hammond. They shall be appointed by the mayor, subject to approval by a majority vote of the city council. The members of the commission shall be appointed by the mayor as follows: At least one (1) qualified architect and six (6) other citizens of the City of Hammond. In making appointments, preference may be given as far as possible to members of historic, cultural, educational, archaeological, etc. organizations.

8.1.3 Term; vacancies

Each of the members of the commission shall be appointed as follows: Two (2) members shall be appointed for an initial term of two (2) years and five (5) members shall be appointed for an initial term of three (3) years. Thereafter, commission members shall serve a term of four (4) years. Whenever the term of a member of the commission expires, the mayor shall appoint his successor, subject to approval by the city council. The members may serve consecutive terms. The commission shall elect annually from its own number a chairman, vice chairman and any other officers it deems appropriate. All members shall serve without compensation.

8.1.4 Employees and committees

The commission may select existing city employees, with the mayor's approval, as may be necessary to carry out the purposes for which it is created. The city attorney shall be ex-officio the attorney for the commission. The commission may designate and appoint, from among its members, various committees with such powers and duties as the commission may have and prescribe. Subject to appropriations by the city council, services of compensated clerical and technical assistance may be retained.

8.1.5 Rules and regulations; meetings; report and recommendations

The commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs not inconsistent with the laws of the city and state. The commission shall meet at least quarterly, but meetings may be held at any time by the commission on the written request of any of the seven (7) members or on call of the chairman of the commission or the mayor. The commission shall make quarterly reports to the mayor and council containing a statement of its activities. It shall make its recommendations for the future, but recommendations may be made by the council to the commission at any time. Rules of Operation for the Hammond Historic District Commission are located in Appendix D of this UDC.

8.1.6 Purpose of historical district

The Hammond Historical District shall have for its purpose the promotion of the educational, cultural, economic, and general welfare of the public through the preservation and protection of all such buildings, sites, monuments, and structures of historic interest or importance through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the state and nation; to establish and improve property values; and to foster the economic development of the areas affected.

8.1.7 Definition of historical district

The following area of the City of Hammond is hereby designated as the "Hammond Historical District," to-wit: Beginning at the comer of West Morris and South Spruce Streets in the City of Hammond and thence running northerly along Spruce Street to its intersection with West Charles Street and thence easterly along West Charles Street to North Magnolia Street; thence northerly along North Magnolia Street to West Robert Street; thence. easterly along Robert Street to North Cypress Street; thence southerly along North Cypress to East Charles Street; thence easterly to North Cherry Street; thence southerly to East Morris Street, thence westerly along East Morris Street to South Magnolia Street; thence southerly along South Magnolia Street to West Hanson Street; thence westerly along West Hanson to South Spruce Street; thence northerly along Spruce Street to the .said point beginning at the comer of West Morris and South Spruce Streets. The historical district above designated shall include all building sites or lots and all structures, houses or other buildings facing any of the streets on the perimeter of the area.

8.1.8 Commission enforcement powers; criminal penalty; continuing violations

A. The historic district commission shall have the power to institute suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of Chapter 16 of Title 25 of the Louisiana Revised Statutes, as amended from time to time, or of any of the rules and regulations adopted by the commission in conformity with it.

B. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall violate the ordinance or law or rules, regulations, or decision of the historic district commission shall for each offense be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), or suffer imprisonment for not more than thirty (30). days, or both fine and imprisonment. Any owner, agent, lessee, or other person acting for or in conjunction with him. Who shall demolish a structure or edifice without having been issued a certificate of appropriateness shall be fined a single fine of not less than one thousand dollars ($1.000.00). (Appendix H)

C. For violations other than demolition without a certificate of appropriateness, each day that a violation continues shall constitute a separate offense.

8.1.9 Injunctions

Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this chapter or of any of the rules and regulations of the commission, the commission may make application to the appropriate court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition. Upon a showing by the commission, the building inspector, or the city, that such person has engaged or is about to engage in such act or practice, a permanent or temporary injunction, temporary restraining order, or other appropriate action shall be granted without bond.

8.1.10 Submission of plans for exterior changes to commission

Before the commencement of any work in the erection of any new building or in the alteration or addition to, or painting or repainting or demolishing of any existing building, any portion of which is to front on any public street or alley in the Hammond Historical District application by the owner for a permit therefore shall be made to the commission, accompanied by the full plans and specifications thereof so far as they relate to the proposed appearance, color, texture or materials, and architectural design of the exterior, including the front, sides, rear and roof of such building, alteration, addition and any outbuilding, party wall, courtyard, fence or other dependency thereof. Proposed Improvements shall be in accordance with the Design Guideline for the Hammond Historic District located in Appendix E of the UDC.

8.1.11 Certificate of appropriateness, commission recommendation and action thereon

A. Applications for certificates of appropriateness shall be considered' at a public hearing of the commission. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in the official journal of the governmental unit or in a newspaper having general circulation in the area served by the governmental unit, provided it has one at least seven (7) days before such hearing, and by the posting of such notice on or near the main entrance of any hall or room where the commission usually meets.

B. Within not more than forty-five (45) days after the filing of an application, the commission shall pass upon it and shall give written notice of its decision to the applicant setting forth the reason therefore. Evidence of approval shall be by certificate of appropriateness issued by the commission, and whatever its decision, notice in writing shall be given to the applicant. The commission shall keep a record of all applications for certificates of appropriateness and of all its proceedings.

C. No building permit shall be authorized by the governing body which affects a site or structure in the historic preservation district without a certificate of appropriateness except as otherwise permitted by the governing authority.

D. The commission shall have the right to make such recommendations for changes and modifications as it may deem to be necessary in order to enable the applicant to meet with its requirements.

8.1.12 Appeals

A. Any person or persons aggrieved by any decision, act, or proceeding of this commission shall have a right to apply in writing to the governing body of the governmental unit for reversal or modification thereof. The chief executive official, or presiding officer of the governing body, shall have the authority to stay all further action until the governing body may affirm a decision of the commission by majority vote of all its members at any regular or special meeting of said governing body. Any such appeal shall be taken within ten (10) days from the date of decision and the governing body may consider said appeal at its next general or special meeting, but in any event, not more than forty-five (45) days thereafter. The governing body shall have the right to reverse, change, or modify any decision of the commission only by a majority vote of all its members.

B. Any person or persons aggrieved by any decision of the governing body affecting said historic preservation district shall have the right to file a civil suit within thirty (30) days from date of decision in a court of competent jurisdiction under the usual rules of procedure governing same, with the right to stay orders and injunctive relief provided the situation warrants it.

8.1.13 Private floodlights

The public sidewalks, places and alleys, exteriors, roofs, outer walls and fences of buildings and other constructions and signs visible from any Public Street, place or position in the Hammond Historical District shall not be illuminated by privately-controlled floodlights or other illumination except by express approval of the historic district commission. Compliance shall be effective within six (6) months after enactment of this chapter.

8.1.14 Overhang balconies

New or additional balconies may be erected if: (a) they are at least nine (9) feet above the level of the sidewalk; and (b) conform to the distinctive architecture of the Hammond Historical District. The permits for all such new construction or any renovation shall be subject to the requirements of this chapter.

8.1.15 Removal of sheds and marquees

There shall be no restrictions against the removal of sheds. These must be removed or repaired when in dangerous condition. But any changes may be made only after first securing a written order or permit required by this chapter and may be executed only in accordance therewith.

8.1.16 Stopping work commenced without permits

The building inspector shall promptly stop any work attempted to be done without or contrary to a permit issued under this chapter and shall promptly prosecute any person responsible for such a violation of this chapter or engaged in violation. Any officer or authorized agent of the historic district commission shall exercise concurrent or independent powers with the building inspector in prosecuting violations of this chapter and stopping work attempted to be done without or contrary to the permits required by this chapter.

8.1.17 Provisions of chapter prevail in case of conflicts

The provisions of this chapter shall govern and take precedence over any other provisions of any ordinances or codes of the City of Hammond.

8.1.18 Signs

A. Definitions. The following terms, as used in this section, are hereby defined as follows:

(1) Sign shall include any symbol, device, image, poster, flag, banner, billboard, design or directional sign used for advertising purposes, whether painted upon, attached to, erected on, or otherwise maintained on any premises, containing any words, letters or parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which is visible from any public street and is used to attract attention.

(2) Display includes erect, paint, repaint, place, replace, hand, rehand, repair, maintain, paint directly upon a building or other structure, inlay, embed in, or otherwise exhibit in public view.

B. General prohibition of miscellaneous signs. The display of signs visible from the public streets, highways and alleys within the historical district of the city, except as otherwise provided for in this chapter and/or the rules and regulation of the commission is prohibited.

C. Signs must conform to character of section. In addition to the prohibitions contained in this section, approval of the display of a sign in the historical district of the city shall be granted by the commission only when such signs and the plans therefore, so far as they relate to the appearance, color, size, position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of the historical district and do not injuriously affect it or impair the value of the community of those buildings having architectural or historical worth.

D. What signs may advertise. No sign of any character shall be displayed in the ·historical district unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, not exceeding fifty (50) per cent of the area of such sign may be used to advertise products or commodities actually sold on the premises.

E. Signs no longer complying as advertisements to be taken down. Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, upon the notification by the historic district commission or its agent (who is hereby specifically authorized to so proceed) be taken down, removed or obliterated within five (5) days after such notification.

F. No sign shall be displayed from any building, balcony, gallery, canopy, shed, roof, door or, window, or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.

G. Signs with interior illumination. No signs with interior illumination can be constructed or erected within the historical district without the express approval of the historic district commission.

H. Building code applicable to signs. All signs under this section shall be further governed by the existing regulations of the building code of the city which are not in conflict with this section.

I. Application for signs to be submitted to commission. All application for permits to display signs within the historical district of the city shall be submitted to the building inspector for approval before a permit therefore maybe issued.

J. Form of application to display signs; accompanying drawings. Application for a permit to display signs in the historical district of the city shall be made to the commission upon forms furnished by the commission. Such an application shall also be accompanied by sketches and drawings in triplicate showing details of construction and foundation when required by the Building Code of the City and shall delineate the size, shape, design, coloring, lighting, and position in relation to the building for or upon which it shall be displayed.

K. Violating signs, etc., to be removed. Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings displayed after the effective date of this section and contrary to the provision of this section are prohibited.

8.1.19 Prohibition of aerials and antennas

The construction of aerials or antennas of any type within the historical district are prohibited without the express approval of the historic district commission.

8.1.20 Prohibition against demolition by neglect

A. Demolition by neglect.

(1) Any resource which is a landmark and all resources within the Hammond Historical District shall be preserved by the owner or such other persons as may have the legal custody or control thereof against decay and deterioration and free from unreasonable structural defects. The owner or other person having legal custody and control thereof shall repair such resources if it is found to have one or more of the following defects:

(a) Deterioration to the extent that it creates or permits a hazardous or unsafe condition as determined by the city building inspector.

(b) Deterioration, as determined by the building inspector, of a building characterized by one or more of the following:

(1) Those buildings which have parts thereof which are so attached that they may fall and injure persons or property;
(2) Deteriorated or inadequate foundations;
(3) Defective or deteriorated floor supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration;
(4) Members of walls or other vertical supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration;
(5) Members of walls or other vertical, supports that are insufficient to carry imposed loads with safety;
(6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
(7) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
(8) Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration; or
(9) Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight:

(2) If the historic district commission makes a preliminary determination that a resource is being demolished by neglect, it shall direct the city building official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of mailing of such notice or the posting thereof on the property, whichever comes later, to commence work to correct the specific defects as determined by the historic district commission. Said notice shall be given as follows:
(a) By certified mail, restricted delivery, mailed to the last known address of the record owner or owners as listed on the city and/or parish tax rolls; or
(b) If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.

(3) If the owner or owners fail to commence work within the time allotted as evidenced by a building permit, the historic district commission shall notify the owner' or owners in the manner provided above to appear at a public hearing before the district commission at a date, time, and place to be specified in said notice, which shall be mailed or posted at least thirty (30) days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time. The historic district commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner or owners may present evidence in rebuttal thereto. If, after such hearing, the historic district commission determines that the resource is being demolished by neglect, it may make any and all appropriate recommendations, including but not limited to the recommendation that the city building official should bring misdemeanor charges against the owner or owners if the necessary repairs are not completed within ninety (90) days of the determination by the commission that the subject building or resource is being demolished by neglect.

B. Unreasonable economic hardship. When a claim of unreasonable economic hardship is made due to the effect of this section, the owner of record must present evidence sufficient to prove that as a result of the historic district commission's action, he is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the historic district commission for its review information which shall include but not be limited to the following:
(1) Date the property was acquired by its current owner;
(2) Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
(3) Mortgage history of the property, including current mortgage;
(4) Current market value of the property;
(5) Equity in the property;
(6) Past and current income and expense statements for a two (2) year period;
(7) Past capital expenditures during ownership of current owner;
(8) Appraisals of the property obtained within the previous two (2) years;
(9) Income and property tax factors affecting the property; and

(10) Terms of any and all offers of such purchase of said property for past five (5) years, including name, address, and telephone number of such offerors.

The historic district commission may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship. The historic district commission may receive and consider studies and economic analysis from other city agencies and from private organizations relating to the property in question. Should the historic district commission determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes.

8.1.21 Minimum maintenance requirements

A. In order to insure the protective maintenance of landmarks and/or resources within the Hammond Historical District, the exterior features of such properties shall be maintained to meet the requirements of the city's minimum housing code and the city's building code.

B. The use of boarded openings is prohibited within the Hammond Historical District. The use of boards for windows shall be permitted in cases of emergency for a period of time not to exceed fourteen (14) days consecutively.

C. All property owners with boarded windows at the time of adoption of this section shall be notified in writing that all such boards are to be removed within thirty (30) days of such notice. Said notice shall be given as follows:

(1) By certified mail, restricted delivery, mailed to the last known address of the record owner or owners as listed on the city and or parish tax rolls; or

(2) If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.

8.1.22 No grandfather clause

No "grandfather clause" shall be applicable to this chapter.

8.1.23 Historic district fund.

A. All fines collected by the historic district commission and all other funds appropriated by the city council for the benefit of the Hammond Historic District shall be deposited into a dedicated fund for the purposes set forth herein (the "historic district fund").

B. The historic district fund shall be used only for the promotion of the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, and structures of historic interest or importance situated in the area designated as the Hammond Historic District through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the city, state and nation; to establish and improve property values therein; and to foster the economic development of areas affected by the Hammond Historic District.

C. The commission shall have control over the historic district fund and all disbursements made from the historic district fund, however, the historic district fund shall be used exclusively for the purposes set forth above.

8.2 Thomas/Morris Street Economic Development Overlay District (-TM)

8.2.1 Creation

There is hereby established the Thomas/Morris Street Economic Development Overlay District (-TM) within the City of Hammond that will supplement existing zoning regulations.

8.2.2 Administration

The overlay district guidelines will be administered by the Hammond Building Department, with variance requests reviewed by the Hammond Zoning Commission, acting in their capacity as the Board of Adjustments.

8.2.3 Location

This overlay district is bounded on the East by Range Road and on the West by Morrison (Highway 51 By-Pass). All properties fronting onto East and West Morris and Thomas Street within this area are included in this newly created district, excepting the federal Hammond Historic District.

8.2.4 Purpose

The Purpose of creating this Economic Development Overlay District is to:

A. Encourage investment and restoration of property in a manner that values preservation of historic structures while enhancing property values;
B. Provide predictability and conformity in zoning designations and relation to the character of the adjoining properties and neighborhoods;
C. Provide a minimum set of design standards that relate to building facades, signage, landscaping, and lighting;
D. Provide for a set of optional development and preservation incentives to be used by the City as a negotiating and incentive tool; and
E. Provide for the adoption of a proposal zoning plan for this corridor.

8.2.5 Compliance with Existing Zoning Classifications

The Economic Development Overlay District guidelines will supplement those regulations in effect within the applicable Zoning classifications of each property within the Economic Development Overlay District. In cases of a conflict between guidelines of the Overlay District (and not addressed specifically in this section) and those of the applicable Zoning classification, the Economic Development Overlay District guidelines shall prevail.

8.2.6 Incentive Tools to Be Used

The City of Hammond may use the following incentives or conditions to encourage compliance with the Thomas/Morris Street Economic Development Overlay District guidelines, that include both the Overlay standards and Economic Development District minimum financial investments

A. Endorsement of the State's Restoration Tax Abatement Program benefits, providing for a five to ten year freeze of property values at the pre-renovation or pre-construction levels, provided that the minimum guidelines are met.
B. Endorsement of the State's Enterprise Zone Program benefits, providing for a State tax credit for each new employee hired or retained. In addition, State and local sales taxes paid for construction materials and equipment can be refunded to the owner/developer if minimum guidelines are met.
C. Free technical assistance provided by the City and TEDF (Technology and Engineering Development Facility) in preparing application for the Restoration Tax Abatement Program and Enterprise Zone Program.
D. Historic structure federal income tax credits if such eligible structures are recognized as historic by the federal Office of Historic Preservation.
E. The City may negotiate to have unpaved or paved parking placed in the rear and sides of a building to provide additional green space in front
F. City parking space requirements may be reduced by up to 20% of the number of spaces required if health and safety are not adversely affected and if a property owner is trying to meet these overlay guidelines.
G. The City may install, at its own costs, new sewer service lines from the sewer main to the property lines and may install driveway culverts when purchased by the owner (these services usually must be completed by the owner/developer)

H. The City or Downtown Development District may install new public sidewalks, at a shared cost or at no cost to the property owner, depending upon City budget and sidewalk plans, and to be completed in conjunction with proposed private property improvements
I. Historic properties being renovated may apply for façade grants made available to the City through the State Office of Historic Preservation.
J. New street light standards will be installed on public property by the City and/or the Downtown Development District.

8.2.7 Minimum Design Standards

A. Sidewalks – It is the intention of this amendment to install public sidewalks within the Thomas/Morris Economic Development Overlay District on at least one side of the street included in the District within those areas east of Mooney Avenue. Sidewalks shall be required on East and West Morris Streets on the North side and along other areas in the Economic Development Overlay District so designated by the City that are in need of sidewalk connections. However, existing sidewalks on either side of the streets shall be retained and upgraded. Sidewalks that meet City requirements shall be installed at the expense of the property owner/developer at the time building permits (new, additions, or renovations) are requested for that same property. The City may install the required sidewalks when a property owner deposits with the City (in escrow), the City's cost of the sidewalk measured in dollars per linear feet of street frontage. All sidewalk improvements made by private parties must first be reviewed and permitted by the City Building Department.

   Sidewalk Design – Sidewalks shall be concrete and a minimum of five feet in width and be curbed at street intersections to allow access to the handicapped. Paver bricks shall be used as expansion joints and shall consist of a single row of bricks installed horizontally at each property line and at approximately 10 feet to 12 feet centers. Color and style of the sidewalks and paver tiles shall conform to the colors and styles being installed by the City within the Hammond Historic District. Repair of existing sidewalks shall follow the same standards. Damage to tree roots shall be minimized in order to preserve as many trees as possible.

B. Signage – the Thomas/Morris Street corridor is a unique blend of residence and business in a neighborhood style setting. Signage guidelines are used to improve the harmony between different property uses and the historic aesthetic nature of this area. All proposed signage within this District must be approved and permitted by the City Building Department and City Planner before being installed. In addition to the following the existing requirements of the City of Hammond Unified Development Code Article 13, additional standards for commercial uses in the Thomas/Morris Street Economic Development Overlay District are hereby as follows:
   (1) When signage is installed, replaced, or renovated for a business and not attached to a building, monument signs not exceeding seven feet in height shall be installed. An additional three feet in height may be allowed for a base, berm, or foundation if such area is landscaped. Such signs east of Mooney Ave. shall not be back-lit but may be externally illuminated in a fashion that directly illuminates the sign and does not disturb neighboring properties. Monument signs shall meet the requirements of the City's sign ordinance and have frames constructed of brick, stucco, or cement. They shall be placed so as not to obstruct the view of on-coming traffic. This section does not prohibit the sign face only or the name of the business from being changed on existing, legal signs within the District.
   (2) Non-portable reader board signs (in which letters and numbers are often changed to announce information), which allow letters to be temporarily attached, will not be permitted within the Economic Development Overlay District East of Mooney Ave. Reader board signs will be allowed to the permanently mounted on existing, legal pole signage for businesses West of Mooney Avenue. All other signage will follow the City's Sign Ordinance and shall first be permitted by the City. Reader board signs may be included within a monument sign west of Mooney Ave.

(3) Façade mounted or façade painted signs will be limited in size to 25 square feet or 15% of the principal façade area, whichever is greater, except for that area West of Mooney Avenue within the Thomas/Morris Economic Development Overlay District (which will follow the existing City's sign Ordinance Article 13)

(4) All Signs that are legally non-conforming at the time that this ordinance is passed, may continue to be used if they are maintained in good condition. If a new sign is constructed or substantially rebuilt, or if a sign is destroyed though an act of nature or by way of an accident, these new sign standards shall be used in constructing the new sign.

C. Street Lighting – City approved public street light standards will be used within the Overlay District when installing new or replacement public lighting standards.

(1) Street lighting standards to be used on existing power poles will conform to a "period" design chosen by the Downtown Development District design committee and the City Building Department. Electric (secondary feeds) service lines and cable TV lines to homes and businesses will be run underground unless such lines are in the rear or side of a property within the Economic Development Overlay District.

D. Coordinated Landscaping -- Coordinated street landscape design is required for new construction projects or for renovation projects as per Article 9 of the Hammond Development Code.

E. Façade and Building Design – Non-maintenance exterior building improvements and refurbishing, along with new construction, must be "in character' with the exterior design and style used in historic neighborhood buildings (those built over 50 years previously) within the block affected for all areas east of Mooney Avenue.

(1) New or renovated buildings, along with expansions, if not already located on a concrete slab, will be constructed on raised twelve inch footings to math similar buildings in the Thomas/Morris Economic Development Overlay District, if such structures are located east of Mooney Ave. in the Overlay District.

(2) Existing metal building facades will be replaced with brick, stucco, or wood facades when building permits are requested for such facilities.

(3) Open front porches will be retained where existing or removed, and added with new construction.

(4) Demolition of existing historic homes and business structures (those originally built before 1950) will be prohibited unless pre-approved by the City Zoning Commission. If demolition is permitted, new construction will be designed to be in character with the historic nature of the Thomas/Morris Economic Development Overlay District east of Mooney Ave.

(5) Before any demolition is approved, a written inspection and demolition report must be prepared by the Building Department and presented to the Zoning Commission for review before making their decision on demolition

F. Street and Site Stormwater Management Improvements – When a building permit is issued for substantial renovation of a property or for new construction within the Thomas/Morris Economic Development Overlay District, Article 10 and Article 12 of the UDC shall apply.

G. Building Setbacks and Parking – Minimum building set-back distances for properties east of Mooney Avenue and located on East Morris/East Thomas Streets and West Morris/West Thomas Streets shall conform to the existing building setbacks in the applicable block. Front yard building setbacks of 15 feet may be permitted when parking will be provided on the side or rear of the primary building. No parking of vehicles will take place within the front yard green areas and such yards shall include appropriate barriers that would prohibit the parking of vehicles in green or landscaped areas. The City will encourage parking I to be on the sides or rear of buildings and no parking shall be permitted to allow backing of vehicles directly onto a public street. All other areas within the Overlay District shall follow the required front building setbacks, parking, and yard requirements of the City's Development Code. Access driveways into the street will be limited to no more than one per property or two for properties exceeding 100 feet of public road frontage.

8.2.8 Minimum Standards and Investments Required for City Approval of Restoration Tax Abatement Program

In order for the City of Hammond to approve (via City Council approval) an owner's application for Restoration Tax benefits within the Thomas/Morris Economic Overlay District, an owner must be able to document the following:

A. That the owner/applicant will provide the minimum improvements required by this ordinance when upgrading their property and requesting incentives;
B. That, within a two year period, the owner-applicant plans to spend the minimum investment required for:
   (1) Owner occupied households - $25,000 minimum per one building permit
   (2) Commercial properties (including apartments) – 25% of the assessed value (Assessment for land and improvements, as determined by the Parish Tax Assessor)
      Note: The value of a leasee's improvements may be included by a commercial property owner who is applying for tax credits. The value of parking lot improvements and landscaping may also be counted toward a property owner's minimum investment.
C. The improvements shall include more than re-roofing, painting, or maintenance items in order to qualify for the tax credits;
D. In order to qualify for the tax credits provided, the applicant must have the credit approved by the State administering agency (Department of Economic Development), the City of Hammond, and any Parish governing authority of Parish taxes are affected.

8.3 Hyer-Cate Preservation Overlay District (-HC)

8.3.1 Purpose

This District's mission is to preserve and secure the single family residential character of the Historic Hyer-Cate neighborhood. The establishment of this District will foster a clearly defined community character, which strikes a balance between growth and preservation consistent with the historic nature valued by its residents.

The homes in this District have a number of diverse architectural styles. In order to continue to preserve the character and enhance the ambience of the District, individuals with plans for new homes under construction or exterior changes must attempt to maintain the visual compatibility with other homes within the District, particularly with those on the street and block in which the activity construction takes place.

A. Preserve and secure the single family residential character of the Historic Hyer-Cate neighborhood;
B. Foster the clearly defined community character by striking a balance between growth and preservation consistent with the valued historic nature of the neighborhood;
C. Reduce conflicts between new construction and development within the Hyer-Cate Preservation District;
D. Enhance property values within the Hyer-Cate Preservation District;
E. Encourage new construction and additions or other alterations to existing single family dwellings that reflect the distinct physical characteristics and are compatible with the bulk, scale and siting of existing development within the district.

8.3.2 Structure

The District shall be in the form of an overlay zone, in addition to and superseding the underlying zoning districts. Between this newly established overlay District the underlying zoning district, the more restrictive regulations shall prevail. Current zoning classifications and zoning restrictions in the District will remain in effect. Upon adoption of the newly created overlay, a rezoning request will require a two-thirds (2/3) super majority vote from Hammond's City Council in order for a rezoning request to be approved.

8.3.3 District Boundaries

The Hyer-Cate Preservation Overlay District is bounded on the north by West Dakota Street; bounded on the south by West Morris Street; bounded on the East by NW Railroad Avenue; and bounded on the West by a stream referred to as Arnold's Creek, including all residential properties within this area as per

attached detailed map to be reflected as an overlay district on the Official Zoning Map of the City of Hammond.

8.3.4 Incentive Tool to Be Used

The City of Hammond, aside from any penalties and fines outlined in the Development Code, may also use the following incentives or condition to encourage compliance with the Overlay District guidelines. The incentive must be recommended by the Building Department and approved by a majority vote of the City Council only when an existing structure is being restored for use as a single family home and complies with the rules of this Overlay District. Incentives are offered as a means of encouraging high quality design that is consistent with the district's single family residential and historic character.
Endorsement (by the City Council) of the State's Restoration Tax Abatement Program benefits, providing for a 5 to 10 year freeze of property values at the pre-renovation construction levels, and provided that the minimum guidelines are met. A minimum of $25,000 per project/and per building permit obtained must be spent of home restoration/renovation costs in order for this incentive to be used.

8.3.5 District Restrictions

At least forty five percent (45%) of the front yard, not including public right-of-way, shall be designated and maintained as green space.
No outdoor storage is permitted in front, side, or rear areas visible from the street, except in enclosed areas such as a garage. This includes storage in the following areas: front or side porches, carports and breezeways, or storage on a trailer. Boats on trailers will not be included in this prohibition. Storage of brush, fence posts, crates, vehicle tires, vehicle bodies or parts, scrap metal, bed mattress or springs, water heater or other household appliances, damages, stored or discarded furniture and other household goods or items, material recovered from demolition or other discarded objects three (3) feet or more in length shall not be allowed or permitted on the premises. Temporary storage of items that include trash, leaves, brush, and refuse, for not more than seven (7) days that are being discarded or removed from the premises, will not be in violation of this part.

Upon adoption of this Hyer-Cate Preservation Overlay District, open wire or chain-link fences shall be prohibited beyond the front building line of the principal dwelling on the site. Fences shall be permitted in front yard of structures within in the Overlay District if they are wood, metal (not chain-link or barbed wire), or masonry fences with a maximum height of four (4) feet.

8.3.6 Conflict

The more restrictive provisions of this section shall govern and take precedence over other provisions of any other ordinance or codes adopted by the City of Hammond, except that the health and safety regulations contained in the adopted Building and Fire Codes of the City of Hammond shall not be superseded.
No part of this Hyer-Cate Preservation Overlay District Ordinance is intended or to be construed to supersede the provisions of the Development Code of the City of Hammond as they pertain to the various building codes adopted for the government of construction in the City of Hammond.

8.3.7 Nonconforming Structures and Properties

Nonconformities shall meet the requirements of Article 5. Nonconformities of the City of Hammond Unified Development Code as well as the provisions of this Section herein.

8.3.8 Variances

Variances from the provisions of this Section shall follow the same rules and procedures outlined in the Hammond Development Code Article 2.

8.3.9 Enforcement and Review

See Article 2 of the Hammond Unified Development Code.

8.4 Iowa Addition Overlay District (-IA)

8.4.1 Purpose

This Iowa Addition Overlay District's mission is to preserve and secure the single family residential character of the Iowa Addition neighborhood and the quality of housing and site improvements. The purpose of this Iowa Addition Overlay District is to establish and enhance a clearly defined neighborhood character, which fosters health, safety and stability consistent with the neighborhood image valued by its residents. The City has adopted this Iowa Addition Overlay District to further its interest in maintaining public health safety, to promote general welfare, and to abate and eliminate public nuisances.
The homes in this District have a number of diverse architectural styles. This diversity in styles should continue consistent with the intended single family growth of the neighborhood and enhancements to neighborhood image, cleanliness, and safety. Existing homes in the Iowa Addition Overlay District must also comply with all building codes adopted by the City of Hammond.

8.4.2 Structure

The District shall be in the form of an overlay district, in addition to the superseding the underlying zoning districts. In the event of any conflict between this newly established Iowa Addition Overlay District and the underlying zoning district, the more restrictive regulations shall prevail. Current zoning classifications and zoning restrictions in the Iowa Addition Overlay District will remain in effect. Upon adoption of this newly classifications created Iowa Addition Overlay District, a rezoning request will require a two-thirds (2/3) super majority vote form the Hammond City Council in order for a rezoning request to be approved.

8.4.3 District Boundaries

The Iowa Addition Overlay District is generally bounded on the North by a line running adjacent to the 150 feet North of the E. Hanson Street's North Right Of Way line; on the South by Old Covington Highway; on the East by Range Road, and on the West by S. Cypress Street, as per attached boundary map dated August 4, 2005 (Exhibit A), and attached hereto. These boundaries shall be reflected as an Overlay District on the Official Zoning Map of the City of Hammond. Properties on the West side of S. Cypress Street facing the Overlay District and those properties on the south side of Old Covington Highway and facing the District will be included in the requirements and enforcement of this District's regulations.

8.4.4 Incentive Tools to Be Used

In addition to penalties and fines outlined in the City of Hammond Development Code, the City may also use the following incentive or condition to encourage compliance with the Iowa Addition Overlay District guidelines. The incentive must be recommended by the Building Department and approved by a majority vote of the City Council where an existing structure is being restored for a use as a single family home and complies with the rules of this Iowa Addition Overlay District. In addition, the property must be in compliance with the rules and restrictions of this Iowa Addition Overlay District.

A. Endorsement (by the City Council) of the State's (Department of Economic Development) Restoration Tax Abatement Program benefits, providing for a 5 to 10 year freeze of property values at the pre-renovation or pre-construction levels, and provided that the minimum guidelines are met. A minimum of $25,000 per project/and per building permit obtained must be spent of home restoration/renovation costs in order for this incentive to be used.

8.4.5 District Restrictions

A. New Placement and/or rezoning's/resubdivisions for the creation or placement of mobile homes, duplexes, or multi-family housing are prohibited. Those that are occupied and legal at the time this

ordinance is passed may remain in use and are considered grandfathered uses in accordance with Article 5. Nonconformities of Hammond's Development Code.

B. Creation of new lots of record within the overlay district shall have a minimum lot size of 6000 square feet with a minimum frontage of 60 feet wide.
C. The restrictions of this Iowa Addition Overlay District shall include those set forth in this Development Code except that on new structures designed for occupancy and those undergoing major renovation (costs exceeding 75% of the value of the structure) there shall be one front yard of at least 25 feet in depth and at least 45% of the front yard, not including public right of way that shall be designed and maintained as green space. Parking shall not be allowed within this designated green space.
D. All parking spaces for new structures designed for occupancy and those undergoing major renovation (costs exceeding 75% of the value of the structure) shall be paved with hard surfaced material (concrete, pervious concrete, asphalt, limestone, concrete block, and pavers) with the minimum required green space also provided and protected from parked vehicles.
E. **Trees** that are removed within the public right of way must be replaced by the person or organization removing them, with 2 trees of a similar type that are regulation Louisiana street trees that have at least a 2" caliper when planted. Such trees shall be replaced as near as possible or feasible to the site the removal took place. The City of Hammond Street Department will be consulted prior to the removal or replacement of trees in the public right of way to ensure compliance with this restriction.

8.4.6 Property Upkeep

Property owners (or other agents) who own properties and buildings that have building and safety/health code violations which represent a fire hazard, health and safety hazards, or that are a nuisance to adjacent residents or general public, will be notified by the City to correct such violation. Any violation which may result in an immediate or imminent threat to public health or safety shall be remedied immediately. Other violations shall be remedied within a six month time period from the date of notice form the City. All occupied properties must be tied in and serviced by publicly approved water and sewerage service.

8.4.7 Nonconforming Building and Properties

Nonconformities shall meet the requirements of Article 5. Nonconformities of the City of Hammond Unified Development Code, including any amendments and requirements of this Iowa Addition Overlay District.

8.4.8 Variances

All requests for variance from the rules, regulations, and restrictions of this District shall follow the same rules and procedures outlined in Article 2 of the City of Hammond Development Code.

8.4.9 Enforcement and Review

The enforcement and review outlined in Article 2 of the City of Hammond Development Code, including any amendments, shall govern violations of the rules, regulations, and restrictions of this Iowa Addition Overlay District.

8.4.10 Conflict

The more restrictive provisions of this Overlay District shall govern and take precedence over other provisions of any other ordinances or codes adopted by the City of Hammond, except that health and safety regulations contained in the adopted Building and Fire Codes of the City of Hammond shall control in the event of conflict.

8.5 Hammond Downtown Development District (-DDD)

The Hammond Downtown Development District is defined in LA R.S. 2740.15. Any improvements within the district must comply with LA R.S. 2740.15, The Hammond Downtown Development District Development Plan located in Appendix F of the UDC, or the Hammond Downtown Development District Design Guidelines located in Appendix F of the UDC.

Article 9. Landscaping, Recreation Facilities, and Open Space
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Article 9. Landscaping, Recreation Facilities, and Open Space.

9.1 Landscaping

9.1.1 Purpose

The purpose of this Chapter is to protect and enhance the community's environmental, economic and aesthetic resources consistent with the goals of the City thereby promoting the public health, safety and general welfare of the citizens and contributing to the quality of life by encouraging a superior level of design in development.

Further, the standards and requirements of this Chapter seek to promote the preservation, protection and enhancement of nature in the City, and nature's unique features with particular emphasis on the urban forest canopy, urban waterways and vegetative cover of the land. To that end, this chapter sets forth the following goals: to create site design that enhances the quality of development; to minimize site clearing thereby conserving existing vegetation, topography and hydrology; to conserve larger, contiguous green spaces thereby enhancing the sustainability of tree canopies and reducing the urban heat island effect; to maximize the use of each site's natural hydrology in stormwater management; and to integrate each site's existing vegetation with proposed landscaping and stormwater best management practices (BMPs).

9.1.2 Applicability of Landscape Requirements

The provisions of this Part shall apply to:

A. All new commercial, industrial, multi-family, religious, educational, institutional, public and semi-public land uses that are developed after (insert date).
B. Development that requires the issuance of a building permit for a building addition amounting to more than fifty percent of existing street facade.
C. Issuance of an occupancy permit for uses of buildings that change from residential to commercial.
D. Development of vehicular use areas (parking lots) or vehicular use area additions of five (5) parking spaces or more.
E. All new single family, residential subdivisions or developments, greater than five (5) lots, are subject to Section 9.1.3 - Land Clearing Requirements in addition to the provisions for Land

Clearing as set forth in Article 4 – Site Conditions. All other parts of this Chapter shall not apply to new single family residential subdivisions or development, less than ten (10) lots.

F. All development that is subject to the Site Plan Review provisions of Section 2.3.5.

9.1.3 Land Clearing Requirements

The Purpose of this Section is to further the goals of this Chapter, as stated in Section 9.1. To this end, the following requirements shall be met:
All activities related to disturbance shall require a Site Clearing Permit in accordance with requirements shown herein and the requirements shown in Article 4 – Site Conditions of the UDC. Prior to disturbance of any development or redevelopment of a lot or parcel of land, excluding individual existing residential lots of less than five (5) acres in a recognized subdivision, a Site Clearing Permit for such activity shall be obtained from the City of Hammond.

A. A Site Clearing Permit shall meet the requirements of Article 4 and the following.
B. Before obtaining a Site Clearing Permit the following must be prepared by a State Licensed Landscape Architect or Civil Engineer and submitted to the City of Hammond:
   (1) Current aerial photo and topographical map;
   (2) Existing hydrology;
   (3) Existing vegetation, specifically identifying and locating the following tree species with a DBH of ten (10) inches or greater:

Scientific Name	Common Name
Quercus alba	White Oak
Quercus falcata	Red Oak
Q. falcata var. *pagodifolia*	Cherrybark Oak
Quercus lyrata	Overcup Oak
Quercus michauxii	Cow Oak
Quercus nuttallii	Nutall Oak
Quercus phellos	Willow Oak
Quercus shumardii	Shumard Oak
Quercus virginiana	Live Oak
Taxodium ascendends	Pond Cypress
Taxodium distichum	Bald Cypress
Ulmus americana	American Elm
Ulmus alata	Winged Elm

   (4) Environmentally Sensitive Areas onsite;
   (5) A plan of conceptual intent for use after clearing, including the proposed site plan after clearing;
   (6) Limits of Construction (as defined by the Development Code) shall be drafted and shall only encompass the proposed areas of improvement;
   (7) Limits of Clearing (as defined by the Development Code);
   (8) Stormwater Pollution Prevention Plan (SWPPP) for clearing activities; and
   (9) Start and end date of clearing activities.
C. All clearing indicated on the plan should occur only within the Limits of Clearing. Additional area may be cleared for construction staging during the clearing, but this area may not exceed ten (10) percent of the total area being cleared.
D. Environmentally Sensitive Areas cannot be cleared unless the applicant can show there is no practicable alternative to the clearing of these areas on the site. A United States Corps of Engineers "404" Permit mitigates this requirement for federally recognized wetlands.

E. Prior to the commencement of clearing activities, the SWPPP must be complete. The SWPPP must be implemented throughout the clearing process until the site is stabilized.
F. All cleared areas shall have soil stabilization methods instituted within fourteen (14) days of clearing. If construction ceases for a period of fourteen (14) days or more, the land shall be stabilized by the fourteenth day.

9.1.4 Tree and Urban Forest Preservation Standards

A. Tree Credit Standard: Existing trees may be credited towards the landscape materials required by this Chapter.
   (1) In all applicable zoning districts, credit may be applied toward the tree planting requirements of this Chapter by the preservation of existing trees within Street Yard Planting Areas, Buffer Areas and other areas of the site left undisturbed by construction.
   (2) The owner is encouraged to preserve as many existing mature trees and shrubs as possible in the design and implementation of the landscape plan.
   (3) Trees preserved in the street planting area shall be credited towards street planting requirements, trees preserved in vehicular use areas be credited toward vehicular use area requirements and trees preserved in a buffer planting area shall be credited toward buffer area planting requirements.
   (4) Tree credit rate:
   Any Class "A" or Class "B" tree with a DBH of six (6) inches or greater that is preserved following the standards set forth in Section 9.1.4. B shall earn tree credits on DBH inch basis (measured at 4.5'), minimum DBH for credit is 6" DBH – only native species listed qualify for preservation credit points.
      (a) Class "A" Tree = 300 points based on minimum 6" DBH, 50 points additional per DBH inch > 6".
      (b) Class "B" Tree = 150 points based on minimum 6" DBH, 25 points additional per DBH > 6".
      (c) Tree Groves = 300 additional points for a minimum of five (5) Class "A" or "B" qualifying native trees in a preserved and protected contiguous land area that encompasses the critical root zone of all the grove trees and 300 points for every additional group of (5) qualifying native trees in that grove (see definition of critical root zone and tree grove).

      Note: No tree credits will be allowed for Chinese Tallow (*Triadica sebifera*), Black Willow (*Salix nigra*), Cottonwood (*Populus deltoides*), Camphor Tree (*Cinnamomum camphora*) and other trees with life spans of twenty (20) years or less.
   (5) It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. If a preserved tree dies within five years, it is the responsibility of the owner to replace that tree with the number of caliper inches credited on a Class matching basis within six months. The owner shall be responsible for maintaining all plant materials required by this Development Code in good living condition.
B. Tree Preservation Plan: In order to receive credit for preserved trees, the owner must include as part of the Landscape Plan submittal a Tree Preservation Plan which shall be approved by the City of Hammond.
   (1) The Tree Preservation Plan shall include the location, size and condition of each tree or grove to be preserved, along with an indication of proposed development features which may impact such trees, and any other pertinent information as required by the City of Hammond to evaluate existing and proposed conditions.
   (2) The Tree Preservation Plan shall include a detailed description of all methods to be used to ensure the survival of all trees scheduled for preservation credit, including information that may be required by the City of Hammond to interpret the intent and methodology proposed.
   (3) All tree preservation methodology shall conform to the standards of the Louisiana Department of Agriculture and Forestry, the Louisiana Horticulture Commission, and the International Society of Arboriculture.

C. Qualifying Native Trees: The following is a list of trees native to the City of Hammond. Their planting and preservation is strongly encouraged.

D. All live oaks measuring eight (8) inches in diameter breast high (dbh) or more within the city shall be protected as follows:

(1) Tree removal: A clearing permit shall first be obtained from the building official's office prior to cutting, clearing or removing live oak trees.

(2) City review: The applicant for the permit must state in writing that such activity will enhance the health, safety and welfare of the public, or otherwise benefit the public interest and that there are no other alternatives to removing the live oaks. The city building department, in concurrence with the city state-licensed arborist, is empowered to issue or deny the permit, within thirty (30) days of the date of the application, based upon review of the site and material submitted. The building department may adjust setbacks and parking requirements to facilitate the preservation of a live oak regulated by this section. The live oak tree will only be removed as a last resort when all other efforts to save the tree(s) by re-design of the building placement and site plan have failed. If a live oak tree is to be removed, replacement of the tree shall be according to the mitigation requirements as set forth below in Appendix I.

(3) Cause harm: It shall be unlawful for any person to intentionally cause permanent harm to live oak trees covered by this provision.

(4) Utility work: Exception to the live oak protection requirements is that trim work that shall be performed by utility companies within the provision as per Ordinance No. 2058 C.S. "Public Tree/Urban Forestry" and specifications as so prescribed.

(5) Live oak protection: During construction and clearing operations in connection with a building permit, all live oak trees scheduled for protection by this article shall be protected with a barrier fence extending to the outside edge of the tree drip line to protect the tree roots during construction. This barrier fence shall be maintained during construction.

(6) Tree mitigation requirements: Live oak trees eight (8) inches in diameter or greater measured dbh removed for any reason shall be mitigated according to Appendix I.

Scientific Name	Common Name
Class A Trees	
Acer rubrum	Red Maple
Catalpa bignonioides	Catalpa
Carya cordiformis	Bitternut Hickory
Carya illinoinensis	Pecan
Carya ovata	Shagbark Hickory
Carya tomentosa	Mockernut Hickory
Celtis laevigata	Sugarberry/Hackberry
Diospyros virginiana	Persimmon
Fagus grandifolia	American Beech
Fraxinus americana	White Ash
Fraxinus pennsylvanica	Green Ash
Juniperus virginiana	Eastern Red Cedar
Juglans nigra	Black Walnut
Liriodendron tulipifera	Tulip Tree
Magnolia grandiflora	Southern Magnolia
Nyssa sylvatica	Swamp Tupelo/Black Gum
Pinus taeda	Loblolly Pine
Platanus occidentalis	Sycamore
Quercus alba	White Oak
Quercus falcata	Red Oak
Q. falcata var. *pagodifolia*	Cherrybark Oak
Quercus lyrata	Overcup Oak

Quercus michauxii	Cow Oak
Quercus nuttallii	NutallOak
Quercus phellos	Willow Oak
Quercus shumardii	Shumard Oak
Quercus virginiana	Live Oak
Taxodium acendens	Pond Cypress
Taxodium distichum	Bald Cypress
Tilia spp. americana/caroliniana, floridana	Linden
Ulmus americana	American Elm
Ulmus alata	Winged Elm
Class B Trees	
Carpinus caroliniana	Ironwood
Cercis canadensis	Eastern Redbud
Chionanthus virginicus	White Fringe Tree
Cornus florida	Flowering Dogwood
Crataegus marshallii	Parsley Hawthorn
Crataegus opaca	Mayhaw
Halesia diptera	Silverbell
Magnolia virginiana	Sweetbay Magnolia
Ostrya virginiana	American Hop Hornbeam
Persea borbonia	Red Bay
Robinia pseudoacacia	Black Locust
Sassafras albidum	Sassafras
Class C Trees	
Aesculus pavia	Red Buckeye
Amelanchier arborea	Serviceberry
Asimina triloba	Paw Paw
Cornus drummondii	Roughleaf Dogwood
Cyrilla racemiflora	Titi
Ilex cassine	Dahoon Holly
Ilex opaca	American Holly
Ilex vomitoria	Yaupon
Morella cerifera	Waxmyrtle
Prunus mexicana	Mexican Plum
Rhamnus caroliniana	Carolina Buckthorn
Rhus copallina	Shining Sumac
Vaccinium arboreum	Sparkleberry

A. Protection of Trees during Site Development and Construction. In general, the area beneath the canopy of a tree shall be designated as a Tree Protection Zone and shall be kept safe from harmful impact.

(1) Contractor, Etc.; Duties Relating to Trees and the Placing of Materials; Indemnity Bond: In the erection of any building or structure, the builder, contractor or owner thereof shall place such tree guards or barriers around all the nearby trees belonging to the City as shall be effectual prevent injury to them, and shall not place building materials or trash upon neutral grounds without the permission of the City; contractors and others doing work on neutral grounds, either for excavation or other projects for which permission has been granted by the City shall give bond to the Director of Public Works to guarantee the payment of all costs for repairing any settlement or other damage or deterioration that shall take place in the neutral grounds as a result of the project undertaken by them.

(2) Trees designated on the Tree Protection Plan as Protected Trees must be completely enclosed by a fence as approved by the City of Hammond's arborist. Tree fence location must be as described on the Tree Protection Plan.
(3) Failure to install tree protection fencing at the appropriate time will result in the loss of tree protection credits and will require that the job be stopped until a revised Landscape Plan is approved. Tree protection fencing must remain in place until all construction has been completed or final occupancy permit has been issued, whichever is latest.
(4) Any violation of a tree protection zone will subject the owner to the loss of tree preservation credits and will require the suspension of all work until a revised Landscape Plan is approved for the project.
(5) Tree protection zones shall explicitly follow the terms and conditions of the approved Tree Preservation Plan for that project or site. Any variation must receive the prior approval of the City of Hammond.
(6) Additional tree protection measures may be ordered by the City of Hammond if site conditions warrant them.

9.1.5 Landscape Standards

A. Technical requirements for the design, installation and maintenance of plant material shall be as follows:

(1) Landscape Requirement Calculations shall be shown on the landscape plan pursuant to Section 9.1.6. Landscape Requirements shall be established using the following formula:

Developed Site Area
+ Street Yard Planting Area
+ Vehicular Use Area
+ Buffer yards screen (as required)
= Total Landscape Requirement

(2) Point System: The point system determines landscape requirements by first calculating the number of required points for the development. Landscape improvements are assigned point values and the point values are then summed. The landscape requirements will be met if the cumulative number of points provided by the landscape improvements are equal to or exceed the required number of points. Credit points are based on tree class and caliper inches (measured just above the flare of the trunk, about 6"). The specific point system requirements are as follows:
The required number of points shall be satisfied by landscape improvements listed below:

Landscape Improvement	Points
Class "A" Tree	100 based on min 2" caliper, 50 additional points per caliper inch over 2"
Class "B" Tree	50 based on min 2" caliper, 25 additional points per caliper inch over 2"
Class "C" Tree	25 based on min 2" caliper, 12 additional points per caliper inch over 2"
Shrubs	10
Groundcover	5 per 100 square feet

(3) Developed Site Area: Two hundred (200) points per five thousand (5,000) square feet or fraction thereof is required.
(4) Street Yard Planting Area: Street yard planting area is the unpaved area of land located between all property lines that border a street right-of-way and any building or vehicular use area designated for the preservation and placement of plant materials. The street yard planting area

must be a minimum of ten (10) feet in width. One hundred (100) points per six hundred (600) square feet or fraction thereof is required.

(a) The street yard planting area may contain earth berms, masonry walls, pedestrian walkways, site furniture, signage, site lighting, irrigation systems, fountains, drainage facilities including micro-detention/ retention basins, detention/retention ponds and any other appropriate landscape features as approved by the City Arborist.

(b) No site construction will be allowed within the street yard planting area. No parking lot will be allowed within the street yard planting area.

(c) Lots with frontage on more than one street shall calculate the street planting requirements along the entire street frontage of both streets.

(5) Buffer Yard Screening (Incompatible Land Use): The buffer yards maintain an appropriate relationship between adjacent developments by clarifying the delineation between properties and creating attractive and effective buffers between uses.

Where the parking lot of a non-residential use or district abuts a residential district, a buffer yard of ten (10) feet must be provided along the interior side lot line and/or rear lot line.

The buffer yard must be landscaped as follows:

(a) A screen fence or wall a minimum of six (6) feet in height is required. Screen fences must be solid wood or simulated wood or masonry. Chain-link fences are prohibited.

(b) A single hedge row planted with one (1) shrub every thirty-six (36) inches on center, spaced linearly. The shrubs must measure a minimum of twenty-four (24) inches at planting and a minimum of thirty-six (36) inches in height at maturity.

(c) One (1) shade tree for every twenty-five (25) linear feet of the adjacent property line.

(d) The reminder of the area must be planted with turf or groundcover.

(6) Sight Triangle Area: No planting or ground cover in sight triangle areas shall exceed twelve (12) inches in height at maturity. The design and layout of sight triangles shall be as described in Appendix C

(7) Vehicular Use Area: Vehicular use areas shall be required to have a minimum of ten (10) percent of the total vehicular use area landscaped with trees, shrubs and ground cover other than turf grass. A minimum of fifty (50) percent of the vehicular use area planting requirements shall be planted within the interior of the vehicular use area. The landscaping shall be installed accordingly:

(a) For vehicular use areas of one to twenty five (25) parking spaces, one hundred (100) points for every fifteen (15) parking spaces or fraction thereof.

(b) For vehicular use areas of twenty five (25) to one hundred (100) parking spaces, one hundred (100) points for every twelve (12) parking spaces or fraction thereof.

(c) For vehicular use areas of over one hundred (100) parking spaces, one hundred (100) points for every ten (10) parking spaces or fraction thereof.

(d) Any parking island, peninsula, or planting space internal to a vehicular use area must have a minimum width of five (5) feet of non-paved area if it is to contain a tree or trees.

(e) Interior islands, peninsulas, or green space provided around a tree (or trees) for which preservation credits are to be given shall provide a non- paved area no nearer than three (3) feet from the critical root zone of the tree(s).

(f) Underground utilities, drain lines, and the like which are placed beneath vehicular use area planting spaces shall be installed as near to the edge of the planting space as possible, within the outer one-third of the available width of the planter, so as not to interfere with tree installation.

(g) All vehicular use area planting spaces shall be protected from vehicular access by wheel stops or curbs of a minimum six (6) inch height (curb gaps for drainage are allowed).

(h) Underground electric conduit, underground drain lines, communications cables, irrigation lines and the like shall be installed within underground utility chases located within the first one third (1/3) of the width of the available planting space along the edge within medians, neutral grounds, peninsulas, divider islands and interior islands. Offsets into the center of such spaces will be allowed if design dictates placement of light standards and other fixtures within the center of the space.

(i) Utility areas, mechanical equipment or designated loading spaces shall be located at the side or rear of buildings. When feasible, service areas should be designed to be part of the primary building and should not detract from the aesthetic appeal of the development. All dumpsters, exposed storage areas, machinery, service areas, truck loading areas, utility buildings, air conditioning units and other similar structures shall be screened from view from neighboring properties and streets with a solid fence or a six (6) foot wall.
If the utility area is separate from the building it serves, it must be enclosed by a six (6) foot solid fence constructed with approved materials. The fence shall be maintained in a structurally sound manner, in good appearance, replaced when necessary, and kept free of refuse and debris. Dumpsters may not be located within Building Setback areas.
All roof equipment must be screened from public view so as not to be visible from any public street.

(j) Planting within the two (2) feet of unpaved parking bay for Green Parking spaces shall be of a variety that does not exceed eight (8) inches above the level of the paved parking area at maturity.

(8) Technical requirements for the maintenance of plant materials and landscape areas shall be as follows:

(a) The owner or his agent shall be responsible for the maintenance, repair and replacement of all landscape materials as may be required by this Chapter.

(b) Landscape maintenance specifications require that all landscaping shall be maintained in a sound manner and in accordance with accepted maintenance procedures as established by the Louisiana Nursery and Landscape Association.

(c) All plant materials and planted areas shall be tended and maintained in a healthy growing condition; replaced when necessary and kept free of refuse and debris.

(9) A minimum of fifty (50) percent of total planting requirements (excluding buffer yards) shall be in contiguous green spaces that serve as vegetated stormwater BMPs.

B. A landscape plan shall be prepared pursuant to Section 9.1.6 of this chapter.

(1) All landscaping shall be installed in a sound manner and in accordance with accepted standards of the *Louisiana Nurseryman's Manual for the Environmental Horticulture Industry*, latest edition, as published by The Louisiana Nursery and Landscape Association.

(2) Plant material shall be true to name, variety and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition. The use of native plant species is encouraged.

(3) All single trunk trees shall have a minimum two (2) inch caliper immediately after planting. Single trunk trees must measure a minimum of eight (8) feet tall immediately after planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

(4) Multi-trunk trees shall have main stems with a minimum one (1) inch caliper per trunk immediately after planting. All multi-trunk trees shall have a minimum of three (3) main stems. The multi-trunk tree must measure eight (8) feet tall immediately after planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

(5) Tree Standards: Trees selected for planting shall meet the minimum requirements provided in the *American Standard for Nursery Stock (ANSI Z60.1)*, Latest Edition as published by The America Nursery and Landscape Association.

(6) Shrub Quality Standards: Shrubs selected for planting shall meet the minimum requirements provided in the *American Standard for Nursery Stock (ANSI Z60.1)*, Latest Edition as published by The America Nursery and Landscape Association. Shrubs size shall be a minimum three (3) gallon well-rooted container stock.

(7) Ground Cover and Vines Quality Standards: Ground cover (other than turf grass) shall be minimum of four (4) inch well-rooted container stock spaced no more than eight (8) inches on center. Well-rooted two-and-one-half (2 1/2) inch container stock may be substituted and spaced six (6) inches on center. Vines and ground cover plants should show a number of vigorous woody runners or a well-developed crown.

(8) Irrigation and watering standard: Hose bibs shall be placed within two hundred (200) feet of all planting beds or a permanent in-ground irrigation system shall be provided.
(9) A minimum of two hundred (200) square feet for each Class "A" tree or one hundred (100) square feet for each Class "B" tree of non-paved area is required for each tree where it is planted. Non-Paved Area refers to an area of ground used for planting, and which is not covered with paving materials that are impervious or which inhibit the free movement of moisture and air into and out of the soil. Such areas may be partially covered with acceptable porous paving materials if prior approval has been obtained from the City.

9.1.6 Landscape Plan Requirements

A. All building permit applications covered by this chapter shall be accompanied by a landscape plan. In addition to meeting Louisiana Horticulture Law requirements, building permit applications on commercial, multi family, institutional and industrial lot of more than fifteen thousand (15,000) square feet shall have a landscape plan prepared by a Louisiana Licensed Landscape Architect. The landscape plan shall meet the standards set forth in Sub-Section 9.1.5.B of this Chapter and shall bear the Landscape Architect's seal and signature. All landscape plans shall contain a statement, signed and dated by the preparer certifying that the plan was prepared in accordance with Louisiana Horticulture Law and the provisions and specifications of this Chapter.
B. Standards, as specified in Section 9.1.5 (Landscape Standards), shall apply to the design, installation and maintenance of all landscaping required.
C. The landscape plan shall include such criteria that are required by the City to determine compliance with this code. These criteria shall include, but are not limited to:
   (1) Show all buildings, walkways, vehicular use areas, utility areas, retention/detention areas, sight triangles, and miscellaneous site structures.
   (2) Show all on- and off-site utilities, servitudes, rights-of-way, or easements. Show proposed routing of utility service to proposed buildings.
   (3) Show all current land use of all adjacent property.
   (4) Show all protected trees and their trunk sizes using DBH (Diameter measured at Breast Height – four and one-half (4 ½) feet). Show actual canopy spread of all protected trees or groupings of trees.
   (5) Show layout of all plant materials, sizes, and specifications.
   (6) Show all other proposed site development amenities.
   (7) Show all existing and proposed paved surfaces, curbs, steps, grade changes.
   (8) Show topography, existing natural features, and drainage information.
   (9) Provide complete plant schedule of materials to be planted on the site.
   (10) Show Stormwater BMPs as designed by the licensed professional.
   (11) Provide irrigation or watering system plans if applicable.
   (12) All landscape plans shall include a summary tabulation of all landscape requirements.
   (13) All landscape plans shall bear the official seal and signature of the landscape architect responsible for their preparation.
D. Landscape Plan Submission and Approval: Two sets of Landscape plans containing the information needed to evaluate the landscaping of projects that fall under this Chapter, and as contained in paragraphs B & C above, shall be submitted to the City. All plans reviewed will be returned to the designer marked "approved," or "approved as noted," or "denied." Rejected plans may be returned to the City for re- evaluation once noted corrections are made. A copy of the approved plan will be archived in order to use at a later date to ensure that the plan was implemented as permitted and maintained as required.
E. Certification: The Landscape Architect shall submit, prior to issuance of an Occupancy Permit, a sealed letter of concurrence certifying that the project has been implemented in accordance with the approved plans signed and sealed by the Landscape Architect. Any as-built changes made during construction and approved by the Landscape Architect must be noted in digital or conventional drawings delivered to the City with the written letter of certification. This certification does not make the Landscape Architect responsible for the success of the project, responsible for required

maintenance, or responsible for the long-term survivability of the living materials used in the project.

9.1.7 Alternative Compliance

A. The Landscape Standards contained in Section 9.1.5 are intended to encourage development which is economically viable, aesthetically pleasing and environmentally sensitive. The standards are not intended to be so specific as to inhibit creative development. Project conditions associated with individual sites may justify approval of alternative methods of compliance with the Landscape Standards. Conditions may arise where normal compliance is impractical or impossible, or a design proposal offers superior results, or where maximum achievement of the City's objectives can only be obtained through alternative compliance. Such conditions are contained within the Landscape Standards.

B. Requests for alternative compliance will be accepted for any permit application to which the requirements of this Chapter of the Development Code apply, when one or more of the following conditions are met:

(1) Topography, soil, vegetation, drainage or other site conditions are such that full compliance is impractical.
(2) Improved environmental quality would result from the alternative compliance of the provisions of this Chapter of the Unified Development Code.
(3) Spatial limitations, unusually shaped pieces of land, unusual servitude requirements or prevailing practices in the surrounding neighborhood may justify alternative compliance for in-fill sites.
(4) Change on an existing site where requirements of this Chapter of the Development Code are not spatially possible. Public safety considerations make alternative compliance necessary.
(5) Existing lots in approved multi-family, commercial and industrial subdivisions that were in existence on (insert date here).
(6) The proposed design exceeds the minimum standards set forth in this Article.

C. A request for alternative compliance shall be submitted to the City at the time the Landscape Plan is submitted. The City shall not reduce requirements of Chapter 9.1 by more than fifty (50) percent. The decision of the City Arborist will be final, unless the applicant appeals per Section 9.1.9.

D. Request for alternative compliance shall be accompanied by sufficient written explanation and Landscape plan drawings prepared pursuant to Section 9.1.6 to allow appropriate valuation and decision by the City.

9.1.8 Permits and Inspection Requirements

The following tree preservation requirements shall be followed if a preliminary plat is approved by the Planning Commission for a proposed commercial, office, industrial, institutional or multi-family residential development. Following the issuance of a building permit, trees not designated for tree preservation on an approved landscape plan may be removed. This requirement is not applicable to street right of way, public and private streets, utilities, drainage, sewerage and mitigation areas necessary for the construction of the aforementioned infrastructure as shown on approved construction plans or site plans.

A. Tree Removal, Tree Relocation or Tree Pruning: Diseased Trees or Shrubs and Other Plants: Authority of the City; Owner's Duty: The City shall have the authority to require that property owners treat or allow the City to treat trees or shrubs suffering from transmittable diseases of infestation of pests. If the disease or pests warrant(s) drastic action to curb the spread to healthy trees or shrubs, on the advice of the City Department of Public Works, the property owner shall cut and destroy the trees or shrubs or else allow the City to do so, charging the actual cost involved to the property owner.

B. Documentation with permit application: A Landscape Plan shall be submitted along with the building plans when applying for a building permit. The Landscape Plan shall be approved by the City prior to issuance of the building permit.

C. Certificate of Occupancy:

(1) Prior to issuance of the Certificate of Occupancy by the building permit office, the owner or developer of projects on lots of greater than fifteen thousand (15,000) square feet shall have a Louisiana Licensed Landscape Architect certify with signature and seal in an affidavit that the landscape has been installed in accordance with the City approved plans and specifications.

(2) An extension for installation may be granted by the City Arborist for up to ninety (90) days for good cause shown. Upon completion of the installation, certification by a Louisiana Licensed Landscape Architect is required, with signature and seal in an affidavit that the landscape has been installed in accordance with the City approved plans and specifications. Additional extensions may be granted by the Planning Commission.

Should the landscaping not be installed within the extension period, the City may exercise its right to revoke the Certificate of Occupancy.

D. Permit Required to Remove, Cut, Plant, Trees and Shrubs on Public Property

(1) No person, including public utilities, shall remove any tree or shrub growing within dedicated street area of public right-of-way or other public property, without a permit from the City. Such permit may be conditioned so as to protect the public using the street area. Except in the case of public utilities, such permit may be conditioned on the furnishing of a bond or other adequate financial assurance for the payment of damages incurred as a result of permit violation. Approval by the City shall be given when it is found that the particular tree should be removed or is unsafe because of growth which cannot be corrected by proper trimming, because of damage caused by the elements, or because of age, disease or other debilitating cause, because of insecure root system which might cause the tree to fall, because of existing or potential interference with street use, because of root interference with subsurface sewer or utility facilities which reasonable root pruning may not correct, because of any other conditions which he finds whereby such removal will be in the public interest. However, approval of a tree removal by the City may be conditioned on replacement with a new tree or shrub of approved variety if it is found that such replacement is necessary to maintain an ornamental tree system on the street, block, park or other public property.

(2) Tree and Shrub Planting, Pruning and Other Maintenance. Unless authorized by the City, it shall be unlawful to cut, trim, spray, remove, treat or plant any tree, shrub, hedge, or other plant upon a public right-of-way or other public property within the city.

(a) The City may grant special area permits or permits based on yearly plans to public utilities serving the City area and which engage in the pruning of trees or shrubs as necessary to the protection of the utility lines; provided, however, that in the case of an emergency, such pruning may be allowed without a permit, provided that it shall be done in accordance with the rules of good arboricultural practice as set forth in the publication "Standards for Pruning Shade Trees," National Arborist Association, Inc. and "American National Standards for Tree Care Operations, Safety Requirements for Tree Pruning; Trimming, Repairing and Removal" (ANSI 2133.1) by the American National Standards Institute, as amended and currently in effect at the time of such work. The yearly plans must be submitted thirty (30) days prior to the commencement of any work. The City may require, as a condition to obtain a permit, except in the case of public utilities, the furnishing of a bond or other adequate financial assurance for payment of damages incurred as a result of permit violation.

(b) In the case of an emergency, such pruning or digging measures that are necessary to restore power or to abate the imminent endangerment to human life are authorized. A report of any such emergency work, if it involved pruning or digging within the root system

of a tree or shrub, must be filed with the City within fifteen (15) calendar days following such work. Any emergency work must be subsequently brought up to appropriate standards to the extent possible under the direction of the City. Such remedial work shall be commenced as soon as possible.

(3) If no action is taken by the City within twenty (20) working days of the submission of the permit request, the permit will automatically be issued. All denials of permit requests by the City shall be accompanied by written reasons for the permit denial.

(4) Notwithstanding the above, said permit need not be obtained by a public utility in connection with providing a service line or drop in the provision of utility service provided at the request of any of its customers.

9.1.9 Enforcement and Appeals

A. The City Building Official shall enforce the requirements set forth in this Chapter and also shall be responsible for performing necessary inspections to determine if the required landscaping has been installed according to the approved Landscape Plan.

B. The City shall review each Landscape Plan and within twenty (20) working days from receipt of such plan either approve it or issue to the applicant a written denial.

C. Any applicant whose Landscape Plan is rejected in whole or in part by the City may appeal to the Board of Adjustments within thirty (30) days of written notice of rejection. The appeal must be in writing and fully state the reason or reasons for appeal. A copy of the Landscape Plan, as submitted to the City, must also accompany the written appeal.

D. A decision of the Planning and Zoning Commission to modify or reverse a decision of the Building Official or City Arborist shall be in writing and shall set forth the reasons therefore. The decision shall also specify the conditions upon which the modification is made.

E. An adverse decision of the Planning and Zoning Commission may be appealed to the City Council.

9.1.10 Administrative Guidelines

A. The City Arborist shall prepare administrative guidelines to this Chapter consisting of rules, regulations, procedures, and landscape drawing requirements for the administration and enforcement of this Chapter.

B. The City of Hammond through the Inspection Division of the Building Department shall be authorized to collect a fifty (50) dollar application fee to cover processing charges which shall be included in the total building permit fees as required for the implementation of this Development Code.

9.1.11 Landscape and Trees on Public Property

A. No landscape materials shall be planted in any City right-of-way without the permission of the City. Such permission shall be subject to a review of any proposed planting for potential hazards to public safety. Landscape plans shall be prepared and presented to the City for approval.

B. Trees, shrubs, flowers, statues, buildings; prohibited acts related thereto, exceptions:

(1) Except as hereinafter provided, no person except a public utility with a valid permit shall cut, prune, injure or remove any living tree on or in a public right- of-way, neutral ground, public park, public place, sidewalk, or other public property; or cut or disturb or interfere in any way with the roots of any tree on public property; or spray with any chemical insecticides or other oils or whitewash any tree on public property; or place any wire, rope, sign, poster, barricade, or other fixture on a tree or tree guard on public property; or injure, misuse or remove any device placed to protect any such tree; or place any sign, stationary or mobile, streamer, poster, bill or other advertisement anywhere on the public right-of-way, neutral grounds, parks, public places, traffic sight triangles and sidewalks.

(2) No person shall pluck any cultivated flower or fruit, or break, cut down, trample upon, defile or abuse any shrub, flower, flower bed, turf, ornament, statue, building, fence, bridge, structure or other property within any public right-of- way, park or park approach, neutral ground or within any other area under the control of the City.

C. Regulations pertaining to care and maintenance of trees, plants and shrubs on public property.

(1) No person shall pile building material or other material, around any tree, plant or shrub in a street in any manner that will in any way injure such tree, plant or shrub.

(2) Construction near public trees: Wherever any and all types of construction activity being performed within or in close proximity to public rights-of-way and servitudes comes within six (6) feet of a publicly owned tree, the following items will apply:

(a) For trees measuring twelve (12) inches in diameter or less, soil excavation work or root cutting shall not occur closer than three (3) feet from the outer bark of the tree. For multi-stemmed trees, the measurement shall be taken at the narrowest point within the first two (2) feet above the ground surface.

(b) For trees measuring greater than twelve (12) inches in diameter, soil excavation work or root cutting shall not occur closer than the distance measured by the circumference of the tree, or a maximum distance of six (6) feet, whichever is less.

(c) Soil excavation work is permitted closer than the distance parameters established under the above two categories, provided all excavation of soil is accomplished by hand shovel or auger, and no roots greater than two inches in diameter are severed.

(d) If there is an inability to perform the requirements established under the aforementioned three situations, a representative from the City Arborist shall be called to the tree site to make an inspection and recommendation pertaining to the need to remove the tree. Unless other provisions are specified, trees removed by the city will be removed and replaced at cost to the contractor or department authorizing the construction. The replacement tree(s) will be in accordance with the Department's replacement policy.

(e) In the event removal of the tree is required by private and public utilities, contractors and others under life threatening or related emergency situations, removal of the tree(s) is authorized without written authorization, providing proper follow-up written documentation and replacement of the tree is provided to the City as soon as possible.

(f) For new construction involving non-City projects, the initiating agency shall replace each tree removed as determined by the Department's replacement policy. The term new construction is defined as a facility that does not presently exist in the same public property area as the proposed construction. Any tree removed that is determined by the City Arborist to be dead or dying will not be considered as lost value.

(3) No person shall dump, pour or spill any oil, salt or salt water or other deleterious matter upon any tree or tree space in any street, or keep or maintain upon any street, any receptacle from which oil or salt water leaks or drips, or pour oil or salt water onto any parking or concrete gutter so as to injure any tree on any public property.

(4) No person shall use the neutral grounds, parks, sidewalks or public places to dump clipping, tree trimmings, rocks or refuse of any nature

(5) No person shall place advertising matter, posters or political placards on trees or in public properties. In addition, no bench, shelter or similar structure placed for the convenience of bus passengers and the general public shall be placed in the public right-of-way, unless first approved by the City, in order to assure that sight distance and safety will not be impaired.

(6) No tree or shrub shall be planted in any servitude or easement without the written permission of the user agency or agencies.

D. Damage to Trees, Shrubs, Ground Cover, Flowers and Related Items; Notice to Public Officials; Repair and Replacement of Damage; Failure to Repair or Replace

(1) Any person who shall injure, damage or destroy any tree, shrub, vine, hedge, or other plant situated upon the public right-of-way of any street, alley, sidewalk, park or other public property

within the city or parish shall promptly notify the City of such fact and shall, within such reasonable time as specified by the City, repair or replace the same to the satisfaction of the City.

(2) Should the person fail or refuse to repair or replace the damaged or destroyed trees or plants within such reasonable time, the City shall do or cause to be done the necessary repairing or replacement, and the cost of this work shall be recovered from the person responsible for the damage or destruction by a proper action of law. In any such action, "The Guide for Establishing Values of Trees and Other Plants," published by the Council of Trees and Landscape Appraisers, current edition, shall form the basis for establishing any monetary damages due for damage or destruction to the tree. In addition, the City may recover for any other damage or losses to which it is entitled by law.

(3) Police Report of Damage to Trees, Shrubs, Flowers; Collection of Damages; City Authorized to Sue for Damages: A copy of a police report of damage to trees, shrubbery, flowers, and other property under the care of the City shall be sent promptly to the office of the City Building Official. The City Building Official is empowered to claim and collect damages from any unauthorized person who damages or removes trees, flowers, shrubbery and other property under the care of the City and the City shall sue for such damages when necessary.

9.1.12 Violations and Penalties

Any person, violating this Article shall be punished as provided in Section 2.4.3 hereof.

9.1.13 Part Supplementary to Other Ordinances

A. This Chapter shall be supplemental and in addition to any other ordinances or regulations designed to protect the public property and right-of ways or designed to protect, improve or beautify same.

B. Nothing contained herein shall be construed to impede or interfere with a public utility's right and obligation to provide timely service to the public.

9.1.14 Definitions:

Agricultural Activities are farming, including plowing, tillage, cropping, seeding, cultivating, harvesting, for the production of food or fiber products; aquaculture; silviculture; viticulture; animal and poultry husbandry.

Commercial Timber Harvesting is the cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery but not the construction or creation of roads. Timber harvesting does not include the clearing of land for construction.

Critical Root Zone is defined as a one (1) foot of radius from the trunk of a tree for every one (1) inch of trunk diameter at breast height.

Current Aerial Photography is any aerial photograph taken within one (1) year of the date submitted.

DBH - Diameter at Breast Height is the caliper measurement taken approximately four and one half (4 ½) feet high on the trunk of a tree.

Developed Site Area is the area of a lot that is disturbed for the purpose of developing structures, parking facilities, loading or storage areas, paved access to off-street parking or loading areas or other areas paved with an all-weather material, or landscaped areas.

Disturbance is any activity related to movement or removal of soil, addition or import of soil, and/or the removal of trees, vegetation or brush from the land, not including the regular mowing of open

grassy areas. This does not refer to the incidental movement of small amounts of land cover or soil for maintenance or operation of a residence or commercial business.

Environmentally Sensitive Area is a specific geographic area in need of special protection as defined by Federal, State or Local government

Historic, Ancient or Unique Tree refers to a particular tree or group of trees which has historical or horticulture value because of its unique relationship to the history of the region, state, nation, or world. Refer to City Resolution 37341, adopted October 23, 1996.

Homeowners Association means a nonprofit corporation, unincorporated association, or other legal entity which is created pursuant to a declaration, whose members consists primarily of lot owners, and which is created to manage or regulate, or both, the residential planned community.

Horticulture Law refers to Title 3, Louisiana Horticulture Commission Horticulture Law, Sections 3801 through 3816; Title 7, Agriculture and Animals Part XXIX. Horticulture Commission, Chapter 1, Horticulture.

Limits of Clearing are the specified boundaries of area to be cleared on a site that includes the Limits of Construction and the staging area, which shall not exceed ten (10) percent of the total area of the Limits of Construction.

Limits of Construction are the specified boundaries of the area of a site within which all structures, driveways, parking, nonnative landscaping, water surfaces, decks, walks, improved recreational facilities and utilities, and other related activities, including but not restricted to clearing of land, earthmoving, blasting and landscaping, will be contained.

Median refers to a landscaped strip of land dividing a thoroughfare, boulevard or street into lanes according to direction of travel; or neutral ground within a circle drive of a cul de sac, or neutral ground separating a turn-out lane from the main street.

Neutral Ground is the ground separating a turn-out lane from the main street.

Native Species means certain plant species naturally occurring in south Louisiana and along the Gulf Coast.

Qualifying Native Trees see Section 18.4.C.

Site Specific Plant Material refers to the use of the best adapted plant species to minimize supplemental irrigation, fertilization and necessary pest control.

Street Yard Planting Area is the unpaved area of land located between all property lines that border a street right-of-way and any building or vehicular use area designated for the preservation and placement of plant materials.

Soil Stabilization are those measures that protect soil from the erosive forces of raindrop impact and flowing water, including but not limited to vegetative establishment, mulching, and the early application of gravel base on areas to be paved.

Tree, Class "A" is any self-supporting woody plant of a species that normally grows to an overall height of at least fifty (50) feet, usually with one (1) main stem or trunk and many branches.

Tree, Class "B" is any self-supporting woody plant of a species that normally grows to an overall height of at least twenty-five (25) feet, with either one main stem or trunk with many branches, or several stems or trunks.

Tree, Class "C" is any self- supporting woody plant of a species that normally grows to an overall height of at least fifteen (15) feet, with either one main stem or trunk with many branches, or several stems or trunks.

Tree Grove shall mean an existing stand of at least five (5) Class "A" or "B" qualifying native trees in a preserved and protected contiguous land area that encompasses the critical root zone of all the grove trees_with their understory vegetative cover intact with drainage conditions unchanged and general slope and grades unaltered.

Wetlands are areas that are periodically or permanently inundated by surface or ground water and support vegetation adapted for life in saturated soil. Wetlands include swamps, marshes, bogs and similar areas. These areas may or may not be U.S. Army Corps of Engineers jurisdictional wetlands.

9.2 Open Space and Recreation Facilities

9.2.1 Purposes

The creation and preservation of adequate open space and recreation facilities is a primary goal of the City of Hammond. To accomplish this goal, the regulations set forth herein attempt to provide for, and foster the creation of, adequate and convenient open space for the various Zoning Districts, as well as provide a comprehensive listing detailing what types of activities are allowed in each.

9.2.2 Parks, playgrounds, schools sites, etc.

A. For parks and playgrounds, one percent (1%) of the total acreage should be provided for each one hundred (100) lots in the proposed subdivision or each four hundred (400) units in a multi-dwelling development with the location to be mutually agreed upon by the developer and Parks Commission and the Planning Commission. This should be adjacent to or combined with the school site whenever possible.

9.2.3 Subdivision Open Space Requirements

A. Planned Development (PD) Open Space Requirements

(1) Purpose - Preserve the natural amenities of the land by encouraging scenic and open areas, create a method for the permanent preservation of common open space, natural vegetation, topographic and geologic features, and environmentally appropriate features for the continued use and enjoyment of the residents of the development. Provide for more usable and suitably located recreation facilities, schools, and other public and private facilities.

(2) Common Open Space Requirements:

(a) The amount of common open space required is based on the total acreage of the PD as found in the first chart in Section 9.2.3 D below.

(b) Green open space such as parks and other greenbelt areas which are readily accessible must account for at least fifty (50) percent of the common open space.

(c) Ponds and lakes including storm water wet detention basins may be included as part of the common open space requirement provided a minimum of twenty (20) percent of the abutting shoreline or three hundred (300) feet of frontage, whichever is greater, is made accessible for the common Use of the development.

(d) Storm water dry detention basins must be at least one (1) acre in size, but may not exceed twenty-five (25) percent of the common open space.

(e) Hard space surface areas such as recreational courts and pedestrian plazas may account for up to twenty-five (25) percent of the common open space.

(f) Street trees located within designated landscape common areas or landscape servitudes and located within a street right-of-way may not exceed twenty-five (25) percent of the common open space.

(g) Golf courses may account for up to fifty (50) percent of the common open space.
(h) Natural wetlands should not exceed fifty (50) percent of common open space.
Land areas proposed for common open space must be integrated within the entire development. Green common open space within vehicle use areas or any noncontiguous green area of less than one thousand (1,000) square feet may not be included Common Open Space. No reduction of the minimum Common Open Space requirements shall be permitted.

(3) Additional Common Open Space Requirements. The following may be included in the calculation of common open space:
(a) Servitudes with existing below ground utilities and/or facilities with a width of not less than thirty (30) feet;
(b) Electrical transmission line Servitudes with a width of not less than thirty (30) feet;
(c) Dedicated recreational areas on school sites, excluding the area devoted to buildings;
(d) Any existing building or buildings that have historical or cultural significance; however, the enclosed building area may not be included in the common open space requirement; and
(e) Common open spaces for use by the general public, if agreed to by the appropriate governmental authority, in each case in an amount to be determined by the Planning Commission.

(4) Common Open Space shall not include:
(a) Required yards which are not accessible for the common Use of the Development; parking areas; drives; utility with above ground improvements or road Easements/Servitudes; or paved lakes, ponds, bayous, streams, or creeks;
(b) Structures (unless a part of the open space such as gazebos);
(c) Drainage ditches or canals; and
(d) Areas reserved for the exclusive use and benefit of an individual tenant or owner.

(5) Common open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the Planned Development through covenant, deed restriction, open space servitude, or similar legal instrument; or, if agreed to by governmental agency, the open space may be conveyed to a governmental agency for the use of the general public.

(6) In the event land shown on a Final Development Plan as Common Open Space is dedicated to the City, the City Council may, but shall not be required to, accept the open space provided: such land is accessible to the residents of the City; there is no cost of acquisition other than the costs incidental to the transfer of ownership; and the City agrees to and has access to maintain such lands.

B. Common Open Space Size Requirement Chart

Total Common Open Space Required	
Size of Site / Type of Development	Minimum Total Open Space Required (% of Site)
Planned Unit Development (PD) 20 Acres or less	10%
Planned Unit Development (PD) 20 to 50 Acres	15%
Planned Development (PD) 50 to 100 Acres	18%
Planned Development (PD) 100+ Acres	20%

Size Requirements for Elements of Required Open Space	
Green Space	At least 50%
Ponds and Lakes	A minimum of 20% of abutting shoreline or 300 feet of frontage whichever is greater and made open to the public.
Dry Detention Basins (Retention areas)	At least 1 acre; up to 25%
Hard Space Surface (pedestrian plazas and recreational courts)	Up to 25% of Common Open Space
Common Landscape Areas/ Landscape Servitudes	Up to 25%
Golf Courses	Up to 50%
Natural Wetlands	Up to 50%

Article 10. Streets, Sidewalks, and Railroads 10.1 General Requirements 10.1.1 Applicability 10.1.2 General Provisions 10.1.3 Maintenance of Required Improvements 10.2 Streets and Alleys 10.2.1 Street Classification 10.2.2 Street Geometric Design Standards 10.2.3 Street and Alley Rights-of-Way 10.2.4 Traffic Impact 10.2.5 Layout of New Streets 10.2.6 Street Pavement Standards 10.2.7 Sidewalk and Bicycle Path Improvement Standards	10.3 Private Streets 10.3.1 General 10.3.2 Access 10.3.3 Front Setbacks and Lot Widths 10.3.4 Maintenance 10.3.5 Conversion of Public Street to Private Street 10.4 Neighborhood Access 10.4.1 Open Access 10.4.2 Connections 10.4.3 Street Stubs 10.5 Subdivision and Street Names/Street Signs 10.6 Railroad Crossings

Article 10. Streets, Sidewalks, and Railroads

10.1 General Requirements

10.1.1 Applicability

A. Conformance to the standards of this Chapter shall be in accordance with Chapter 1.3, Applicability.
B. The street standards located in Appendix B illustrate acceptable configurations for public streets.
C. The City Engineer may adjust the street configurations as necessary for specific conditions.

10.1.2 General Provisions

A. Purpose

New streets within the City of Hammond are intended to balance the needs of all types of traffic—auto, bicycle, and pedestrian— and to maximize mobility and convenience for all City residents. Design shall take into account auto, bicycle, and pedestrian modes of transportation. While all streets in conjunction with the streetscape will appropriately balance pedestrian and automobile needs, their character will vary by specific location. Some streets will carry a large volume of both automobile and pedestrian traffic and provide a more intense experience while others will provide more intimately scaled street-space. Streets shall be dedicated and improved in accordance with this development code. The Major Street Plan shall be a guide for the dedication of right-of-way.

B. Regulatory Requirements

The development standards provided herein shall be considered to be the minimum requirements for the installation of improvements in association with the development of land and the installation of all public improvements in the City of Hammond. In addition all improvements shall comply with the following laws, rules and regulations or shall be subject to disapproval:

(1) All applicable statutory provisions;
(2) All applicable provisions of these comprehensive land use regulations and all other applicable laws and codes of the City of Hammond;
(3) Any rules of the health department and/or appropriate state agencies, with such rules providing minimum standards to be met by all subdivision plats;

(4) The requirements of the Louisiana Department of Transportation and Development when so noted and if the subdivision or any lot contained therein abuts a state highway or connecting street;
(5) All applicable standards and regulations adopted by the city; and
(6) The current adopted rules of procedure of the planning commission available in the office of the city planner.

C. Clear Sight Triangle

At the intersection of a driveway and a street and on all corner lots (the intersection of two streets), a clear sight triangle must be established as set forth in Appendix C.

10.1.3 Maintenance of Required Improvements

The responsibility for maintenance of all required improvements under this Article shall remain with the owner, their successors, heirs, assignees or any consenting grantee. All improvements required under this Article shall be maintained in good surface and structural condition and in compliance with any building or electrical code to ensure continued compliance with the provisions of this Article.

10.2 Streets and Alleys

10.2.1 Street Classification

The following definitions apply to the street classification system adopted in the City of Hammond Major Street Plan and required in conjunction with new subdivisions. Local streets have the sole function of providing access to abutting properties. Local streets have an average daily traffic volume less than five thousand (5,000) vehicles per day. Collector streets provide access to abutting properties but also serve to connect local streets with arterial streets. Collector streets have an average daily traffic volume of between five thousand (5,000) and ten thousand (10,000) vehicles per day. Minor arterial streets are major streets in the city's street network that serve traffic moving into, out of and around the city, carrying volumes of traffic between ten thousand (10,000) and twenty five thousand (25,000) vehicles per day. Major arterial streets are major streets in the city's street network that serve traffic moving into, out of and around the city, carrying volumes of traffic between twenty five thousand (25,000) and fifty thousand (50,000) vehicles per day. The Proposed Major Street Standards Table ES-1 located in the City of Hammond Major Street Plan forms a part of this section.

10.2.2 Street Geometric Design Standards

A. Improvements which are required to be installed by the subdivider shall be designed by a civil engineer registered in the State of Louisiana and shall conform to the minimum design standards contained in these regulations and other regulations of the parish and state. All subdivision proposals shall be consistent with the need to minimize flood damage.

B. General Street Design Criteria for Hammond Roads - The following table titled, “City of Hammond Urban Design Standards for Roadways and Streets,” shall be used on City of Hammond routes for each of the roadway classifications. Any exceptions to these design standards or when criteria is not specified in this table shall be developed with approval of the City Engineer and in accordance with the latest edition of the AASHTO design manual titled, “A Policy on Geometric Design of Highways and Streets.”

CITY OF HAMMOND			
URBAN DESIGN STANDARDS FOR ROADWAYS AND STREETS			
Item	**Arterial**	**Collector**	**Local**
Design Speed (mph)	40-45	40-45	30
Level of Service	C	C	N/A
Number of Lanes	2 (min) 4 (typ)	2-4	2
Width of Travel Lanes (ft)	11-12	11-12	11-12
Width of Median (ft) Raised TWLTL*	 6-30 11-14	 6-30 11-14	 N/A
Width of Sidewalk (ft) Offset from curb Adjacent to Curb	 5 6	 5 6	 5 6
Fore Slope	3:1 Max	3:1 Max	3:1 Max
Back Slope	3:1 Max	3:1 Max	2:1 Max
Pavement Cross Slope (%)	2.5	2.5	2.5
Stopping Sight Distance (ft) 40 mph 45 mph	 305 360	 305 360	300
Maximum Superelevation (%)	4	4	4
Minimum Radius With Normal Crown 40 mph 45 mph	 790 1080	 790 1080	343
Minimum Radius With 2.5% S.E. 40 mph 45 mph	 576 771	 576 771	267
Minimum Radius With Full S.E. 40 mph 45 mph	 533 711	 533 711	250
Maximum Grade 40 mph 45 mph	 7 6	 9 8	9
Minimum Vertical Clearance (ft)	16	15	15
Minimum Horizontal Clearance (ft) From Back of Curb	 6 (min) 15 (des)	 4 (min) 15 (des)	 1 (min) 6 (des)

TWTL*=Two Way Left Turn Lane

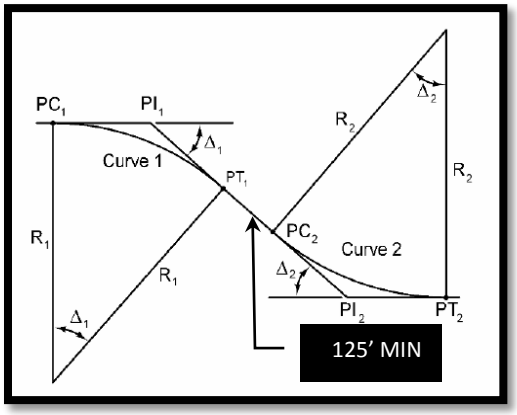
C. Curb and gutter are required on all streets unless otherwise waived and shall include a subsurface drainage system designed to the specifications of the City of Hammond and in accordance with Article 12 of these regulations. Curb shall be either Barrier or Mountable type and designed and constructed in accordance with the latest LA DOTD Standard details and specifications for Concrete Curb.

D. Curb and Gutter requirement may be waived on streets where there are estate size lots of 1 acre minimum and 150 feet frontage minimum. This waiver requires approval of the planning commission and the city council. Size and type of culverts used shall be approved by the City Engineer.

E. Bridges shall be designed in accordance with the latest LA DOTD Bridge Design standards and shall be constructed with minimum 6' sidewalks located on both sides of every bridge. The width of bridges for curbed facilities with sidewalks shall be the same as the curb to curb width of the roadway. Bridges of primary benefit to the applicant and for service of his/her subdivision shall be constructed at the full expense of the applicant. Sharing of expenses for bridges of benefit to the applicant and the City shall be agreed upon by both parties.

F. Minimum radii for selected design speed shall be in accordance with the table "City of Hammond Urban Design Standards for Roadways and Streets" Shown in Sub-Section 10.2.2B. A reverse curve is two adjacent,

or nearly so, circular curves with deflections in opposite directions. When reverse curves are utilized there shall be a minimum 125' tangent located between each curve.



When developing left or right turn lanes a straight line taper may be used. The taper rate for turn lanes shall be between 8:1 and 15:1 for design speeds of 30 mph and 50 mph, respectively. It is preferred that the transitions in number of lanes should be accomplished using reverse curves appropriate for the design speed of the roadway. Required lane width transitions for roadways will be calculated based upon the following formula:

$$L = \frac{(w)(s)^2}{60} \quad \text{for design speeds} < 45 \text{ mph}$$

Where L = Taper length (ft), w = width of widening (ft), and s = design speed (mph).

G. Vertical alignment shall be based on symmetric parabolic vertical curves based on stopping sight distances between roadway grade changes. The minimum length of vertical curve is equal to three (3) times the design speed. For curbed roadways the curve length should not provide a K value that exceeds 167 in order to provide proper roadway drainage.

H. Superelevation, if required, of the roadway should be accomplished using the design guidelines in the latest edition of the LA DOTD Road Design Manual governing superelevation of roadways.

I. The minimum road grade for local streets should be the greater of 1.0 feet above the 50-year flood elevation or record inundation elevation. Unless otherwise approved by the Director Public Works, the centerline of all Collector or Arterial streets shall be constructed at or above the FIRM Base Flood Elevation or record inundation whichever is greater.

J. Maximum grade through intersections shall be four percent. The maximum grade shall extend a minimum of 50 feet each direction from the centerline of the intersecting streets or to the end of radii, whichever is the longer distance.

10.2.3 Street and alley rights-of-way

A. Major Street and major road rights-of-way shall conform to the widths designated on the Major Street Plan as adopted by the Planning Commission and on all subsequent amendments and additions thereto.

B. Minimum right-of-ways for streets and alleys shall be as shown for street cross sections illustrated in Appendix B.

C. Alleys shall be paved and part of a private street development as described in Chapter 10.3.. Dead-end alleys may not be allowed unless approved by the City Engineer.

D. Adequate right of way at subdivision entrances shall be dedicated as described in Chapter 10.4..

E. Reserve Strips. The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street, without first receiving unanimous approval from the Planning Commission members.

10.2.4 Traffic Impact

A. Any proposed development that may require access to State Highways or developments within one quarter mile of a State Highway that may affect traffic on a State Highway must adhere to the State of Louisiana Traffic Impact Policy for New Access Requests on State and US Highways. The developer must submit to the city all correspondence pertaining to any meetings between Developers representatives and DOTD district representatives. The traffic impact must be determined before the Preliminary Plat is accepted.

B. The developer must submit a traffic impact statement prior to the submittal of the preliminary plat from a licensed Louisiana Civil Engineer to the planning commission stating if the development will generate more than 100 peak hour trips. The traffic impact statement should have a trip generation based on the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual. When a development generates traffic above this threshold then a traffic study may be required in order for the city to determine whether provisions shall be made for the construction, extension, or widening of public streets or drives where justified by the anticipated traffic generation and circulation. The City engineer in conjunction with the city planner will determine whether or not a Traffic Impact Study is required. When a Traffic Impact Study is required it should meet the Traffic Impact Study (minimum requirements) of the latest State of Louisiana Traffic Impact Policy for New Access Requests on State and US Highways.

10.2.5 Layout of New Streets

The arrangement of new streets in new subdivisions and in new site or tract developments shall make provision for the continuation of the existing streets in adjoining areas (or the proper projection where adjoining land is not subdivided) in so far as it may be deemed necessary by the Planning Commission for public requirements. The street and alley arrangements must also be such to cause no hardship to owners of adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at intervals of approximately one-half mile or less and offset streets avoided. Street jogs with centerline offsets of less than 125 feet shall be prohibited. Street offsets shall be approved by the City Engineer. In cases where the subdivision includes or adjoins an existing street of less width than the minimum widths established, herein, and the City Engineer determines that the subdivision creates a need for additional right-of-way, the Planning Commission may require the dedication of sufficient right-of-way width to conform to the standards set forth in Section 10.2.3. Local streets should be laid out so as to discourage use by through traffic.

A. Street Intersections

(1) Street intersections shall be laid out so as to intersect as nearly as possible at right angles and no intersection shall be at an angle of less than 60 degrees.

(2) Not more than two (2) streets shall intersect at any one (1) point unless specifically approved by the planning commission.

(3) Minimum curb radius at the intersections of two streets shall not be less than 25 feet and property lines shall be chamfered at corner lots maintaining at a minimum the same distance between the right-of-way line and the back of curb.

(4) Where any street intersection involves existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall remove such vegetation.

B. Blocks and Cul-de-sacs

(1) Improvements

(a) Before installing any public improvements, the applicant shall file complete construction plans covering all required improvements, utility easement location and such other plans and documents as may be required by the City Planner. The applicant shall enter into a contract with the City of Hammond, approved as to form and legality by City of Hammond Attorney, to make, install and complete or guarantee all required improvements and dedicate all required easements.

(b) Prior to issuance of any building permit, the applicant shall either have installed improvements specified in this code as shown on approved construction drawings or guarantee the installation of improvements specified under this subdivision code by a bond with surety accepted by the City of Hammond.

(c) All improvements and construction required under this code shall conform to all standards and specifications of the City of Hammond pertaining to the construction of any facilities regulated by Hammond design standards.

(d) No public services or utilities may be extended or furnished to any development until the applicant has either installed the improvements specified in this code as shown on approved construction drawings or guaranteed the installation of improvements specified under this subdivision code.

(e) All requirements shall be designed and installed so as to provide for a system of utilities, Stormwater and streets and to create continuity of improvements between adjacent properties. Required pedestrian, vehicle, water and wastewater improvements shall be extended to and through to the edges of the proposed subdivision.

C. Easements and Dedication

All dedications of property to the City of Hammond for public purposes shall be made in fee title except that, at the City of Hammond's discretion, the grant of an easement may be taken for the following purposes: recreational easements, conservation easements, emergency access easements, or public utility easements. All dedications in fee grants or easements shall be free of liens and encumbrances except for those that the City of Hammond, in its discretion, determines would not conflict with the intended ownership and use.

D. Blocks and Cul-de-sacs

(1) Block and Cul-de-sac Standards

(a) The following table establishes the maximum block perimeter and cul-de-sac length by Zoning District for compete blocks, partial blocks and cul-de-sacs.

BLOCK AND CUL-DE-SACS	Block Perimeter (max)	Cul-de-Sac Length (max)
Residential		
RS-11	3,000'	350'
RS-8	3,000'	350'
RS-5	3,000'	350'
RS-3	2,400'	350'
RM-3	3,000'	350'
RM-2	2,400'	350'
Commercial		
C-1	2,600'	not allowed
C-2	2,600'	not allowed
Mixed Use		
MX-CBD	1,800'	not allowed
MX-B1	2,400'	not allowed
MX-B2	2,400'	not allowed
Special		
I-L Light Industrial		
I-H Heavy Industrial	5,000'	
I-Instituational		
R-P Residential Preservation		
S-C School Church		

(b) The maximum block perimeter may be extended by 10 percent, if the block includes a pedestrian passage that connects two streets provided that the passage is a minimum of 10 feet wide and accessible at all times to the general public.

(c) At the request of the applicant, the maximum block perimeter in the MX-CBD District may be extended up to a maximum of 3,000 feet to allow for structured parking.

E. Block and Cul-de-sac Measurements

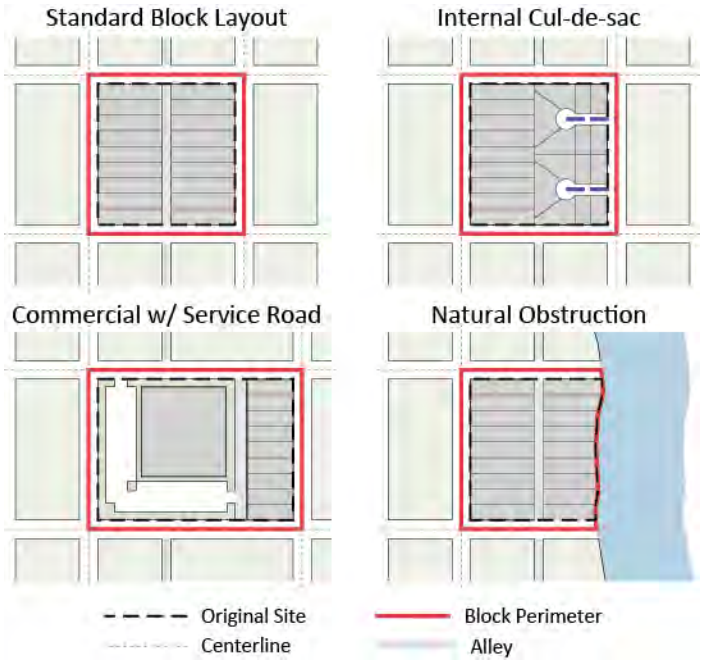
(1) Generally

(a) The City Planner may approve exemptions to the maximum block perimeter in the event that slopes in excess of 25 percent; freeways; waterways, railroad lines; preexisting development; conservation areas; open space and easements are determined to make the block perimeter maximum unfeasible
(b) A block may be broken by a civic building or open lot, provided the lot is at least 50 feet wide and provides pedestrian access through the lot.

(2) Complete Blocks

(a) A block is bounded by either a publicly-dedicated street, a private drive, or a private street that meets the requirements for a publicly-dedicated street.

(b) A block perimeter is measured along the center line of intersecting streets that encompass the block.



F. Partial Blocks

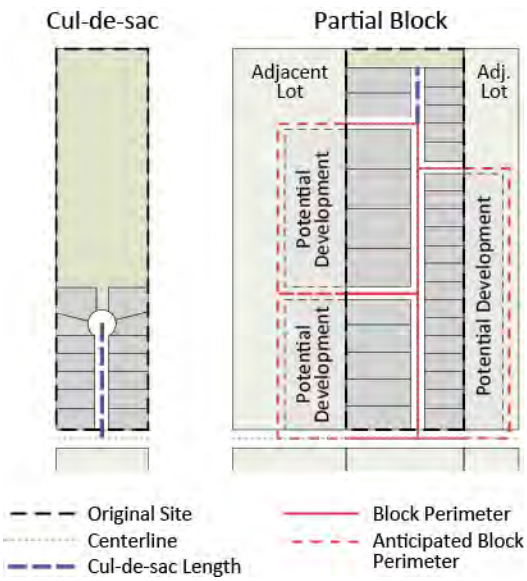
If the scale of a proposed subdivision does not generate the need for a complete block then street stubs may be required at certain locations to allow for future connections.

(1) Narrow site Subdivision

(a) As an alternative to a cul-de-sac, a subdivider may provide a street stub to serve future development.

(b) The street stub shall be located so that future development may connect to the street stubs in such a way as to form a block equal to or less than the maximum block perimeter allowed under Sub-Paragraph 10.2.5 D(1).

(c) The depth assumed for the potential development area shall be equal or greater than the partial block depth proposed in the subdivision.

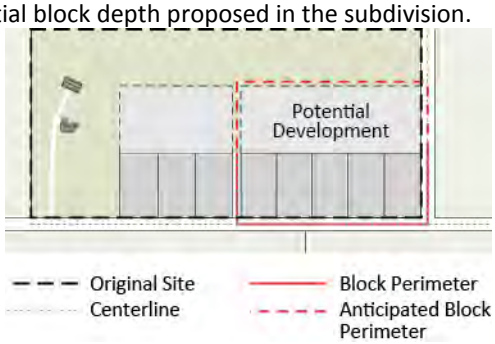


(2) Wide Site Subdivision

(a) As an alternative to a cul-de-sac a subdivider may choose to provide a street stub to serve future development

(b) The street stub shall be located so that future development may connect to the street stub in such a way as to from a block equal to or less than the maximum block perimeter allowed under Sub-Paragraph 10.2.5 D(1).

(c) The depth assumed for the potential development area shall be equal to or greater than the partial block depth proposed in the subdivision.



G. Cul-de-sacs

(1) All cul-de-sacs shall meet the standards prescribed in Appendix C.

(2) Cul-de-sac length is measured along the center line of the cul-de-sac from the center of the intersection to the center of the turnaround.

(3) A cul-de-sac shall terminate a permanent turn-around with curb treatment consistent with the street design.

(4) The applicant shall provide for perpetual maintenance of any unpaved landscaped island through a property owners association or other acceptable organization.

(5) The following alternatives to cul-de-sacs may be approved by the Planning Commission at the time of subdivision

(a) Eyebrow

An eyebrow is a rounded expansion of a street beyond the normal curb line. An eyebrow must have a landscaped island and is only allowed in residential subdivisions.

(b) Loop Lane

A loop lane is a two way street, no portion of which may be more than the maximum allowable cul-de-sac length from the abutting street right-of-way. The interior landscaped area must at least have an average width of 75 feet.

H. Dead-end streets shall be prohibited except for short stubs to permit extension. Temporary turnarounds shall be required where the street stub exceeds 250 feet in length. The applicant shall provide a sign or stenciled notice at the stub declaring that the particular street will connect with future development.

(1) Turning circles at the end of dead-end streets shall be open spaces preferably circular and designed as shown in Appendix C drawings. Any other non-standard designs will be considered and may be approved on a case-by-case basis by the City Planner and the Director of Public Works.

(2) T-turnarounds and L-turnarounds shall be discouraged on streets longer than 500 feet. All T-turnarounds and L-turnarounds shall have signage to prohibit parking within the turnaround area. The minimum pavement size of a "T-turnaround", "L-turnaround" is twenty (20) feet by eighty (80) feet and unless otherwise approved by the City Planner and the Director of Public Works, the required right-of-way is thirty-five (35) feet by ninety (90) feet. All other street turn radii must be approved by the City Planner and the Director of Public Works.

10.2.6 Street Pavement Standards

For the purpose of determining minimum street improvement requirements the City of Hammond is divided into the following areas:

A. **Residential Subdivisions.** All roadway widths shall be as illustrated in Appendix B. All streets constructed in residential areas shall be designed to the following specifications and with complete curbing, guttering, and storm drainage:

(1) A soil boring report will be commissioned by the developer and provided to the city engineer and the planning commission at no charge. The report will be prepared by a licensed professional geotechnical engineer in the state of Louisiana and will provide boring logs and the specifications for the cross sectional design of street pavement and required base and subgrade preparation. Streets located in residential areas will be designed and constructed in accordance with the findings of the soil boring report, but will not be less than the minimum design criteria stated in Paragraphs 10.2.6A(2) or 10.2.6A(4). ;

(2) Concrete Pavement and Base Requirements: Concrete Pavement for Local, Collector and Arterial streets within residential subdivisions shall be a minimum thickness of six (6) inches.

(a) All pavement to be placed on a compacted base course with a minimum thickness of six (6) inches. The base course shall be compacted to a minimum of ninety five (95) percent of maximum density. Materials approved for use as base course are listed as Class II Base Course in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the base course may be increased depending on soil conditions and the results of the soil boring report.

(b) A subgrade layer of a minimum twelve (12) inches of thickness shall be provided and compacted to at least ninety (90) percent of maximum density. A Subgrade layer when provided shall meet the specifications for Subgrade Layer shown in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the subgrade layer may be increased depending on soil conditions and the results of the soil boring report.

(c) All concrete pavements shall have contraction, expansion and construction joints located in accordance with the latest requirements of the Portland Cement Association.

(d) The Portland Cement concrete shall have a twenty-eight-day minimum compressive strength of four thousand (4,000) psi. Portland Cement Concrete Pavement mixes shall conform to the requirements of the latest edition of the Louisiana Standard Specifications for Roads and Bridges.

(3) Asphalt Paving. The developer may utilize road construction of asphaltic concrete material when keeping in character with existing asphalt streets in the surrounding area. The developer's engineer must design the street based upon the results of the soil boring report. At a minimum, the street design must conform to the Louisiana Department of Transportation and Development Guidelines as defined in the then latest edition of "Louisiana Standard Specifications for Roads and Bridges." The design must be reviewed and approved by the city engineer. Streets located in residential areas will be designed and constructed in accordance with the findings of the soil boring report, but will not be less than the minimum design criteria stated in Paragraph 10.2.6A(4). ;

(4) Asphalt Pavement and Base Requirements. Asphaltic Concrete Pavement for Local, Collector and Arterial streets within residential areas shall be a minimum thickness of three (3) inches.

(a) All asphaltic pavement to be placed on a compacted base course with a minimum thickness of ten (10) inches. The base course shall be compacted to a minimum of ninety five (95) percent of maximum density. Materials approved for use as base course are listed as Class II Base Course in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the base course may be increased depending on soil conditions and the results of the soil boring report.

(b) A subgrade layer of a minimum twelve (12) inches of thickness shall be provided and compacted to at least ninety (90) percent of maximum density. A Subgrade layer when provided shall meet the specifications for Subgrade Layer shown in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the subgrade layer may be increased depending on soil conditions and the results of the soil boring report.

(c) Asphaltic pavement used for Wearing and Binder course application shall be Type 3 Mixture type with a grade of PG 70-22m at a minimum. Asphaltic pavement used for Base course application shall be Type 5 Mixture type with a grade of PG 64-22 at a minimum. Asphaltic Pavement materials and placement shall be in accordance with the 2000 edition of the Louisiana Standard Specifications for Roads and Bridges.

B. **Commercial and Industrial Subdivisions.** All roadway widths shall be as illustrated in Appendix B. All streets constructed in commercial and industrial areas shall be designed to the following specifications and with complete curbing, guttering, and storm drainage:

(1) A soil boring report will be commissioned by the developer and provided to the city engineer and the planning commission at no charge. The report will be prepared by a licensed professional geotechnical engineer in the state of Louisiana and will provide boring logs and the specifications for

the cross sectional design of street pavement and required base and subgrade preparation. Streets located in commercial and industrial areas will be designed and constructed in accordance with the findings of the soil boring report, but will not be less than the minimum design criteria stated in Paragraphs 10.2.6B(2) or 10.2.6B(3). ;

(2) Concrete Pavement and Base Requirements: Concrete Pavement for Local and collector streets within commercial and industrial areas shall be a minimum thickness of seven (7) inches. Concrete Pavement for arterial streets within commercial and industrial areas shall be a minimum thickness of eight (8) inches.

(a) All pavement to be placed on a compacted base course with a minimum thickness of six (6) inches. The base course shall be compacted to a minimum of ninety five (95) percent of maximum density. Materials approved for use as base course are listed as Class II Base Course in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the base course may be increased depending on soil conditions and the results of the soil boring report.

(b) A subgrade layer of a minimum twelve (12) inches of thickness shall be provided and compacted to at least ninety (90) percent of maximum density. A Subgrade layer when provided shall meet the specifications for Subgrade Layer shown in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the subgrade layer may be increased depending on soil conditions and the results of the soil boring report.

(c) All concrete pavements shall have contraction, expansion and construction joints located in accordance with the latest requirements of the Portland Cement Association.

(d) The Portland Cement concrete shall have a twenty-eight-day minimum compressive strength of four thousand (4,000) psi. Portland Cement Concrete Pavement mixes shall conform to the requirements of the latest edition of the Louisiana Standard Specifications for Roads and Bridges.

(3) Asphalt Paving. The developer may utilize road construction of asphaltic concrete material when keeping in character with existing asphalt streets in the surrounding area. The developer's engineer must design the street based upon the results of the soil boring report. At a minimum, the street design must conform to the Louisiana Department of Transportation and Development Guidelines as defined in the then latest edition of "Louisiana Standard Specifications for Roads and Bridges." The design must be reviewed and approved by the city engineer. Streets located in residential areas will be designed and constructed in accordance with the findings of the soil boring report, but will not be less than the minimum design criteria stated in Paragraph 10.2.6B(4). ;

(4) Asphalt Pavement and Base Requirements. Asphaltic Concrete Pavement for Local, Collector and Arterial streets within commercial and industrial areas shall be a minimum thickness of four (4) inches.

(a) All asphaltic pavement to be placed on a compacted base course with a minimum thickness of ten (10) inches. The base course shall be compacted to a minimum of ninety five (95) percent of maximum density. Materials approved for use as base course are listed as Class II Base Course in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the base course may be increased depending on soil conditions and the results of the soil boring report.

(b) A subgrade layer of a minimum twelve (12) inches of thickness shall be provided and compacted to at least ninety (90) percent of maximum density. A Subgrade layer when provided shall meet the specifications for Subgrade Layer shown in the latest edition of the Louisiana Standard Specifications for Roads and Bridges. The cross sectional requirement for the subgrade layer may be increased depending on soil conditions and the results of the soil boring report.

(c) Asphaltic pavement used for Wearing and Binder course application shall be Type 3 Mixture type with a grade of PG 70-22m at a minimum. Asphaltic pavement used for Base course application shall be Type 5 Mixture type with a grade of PG 64-22 at a minimum. Asphaltic Pavement materials and placement shall be in accordance with the 2000 edition of the Louisiana Standard Specifications for Roads and Bridges.

10.2.7 Sidewalk and Bicycle Path Improvement Standards

Sidewalks may be required to be constructed in conjunction with the issuance of building permits for new construction or substantial improvements in front of lots in all new residential subdivisions of ten (10) lots or more, in all new commercial subdivisions, and in front of lots in existing subdivisions where segments of existing sidewalks currently exist or where required sidewalks were previously approved by the planning commission to be constructed in conjunction with building permits. Plans for the installation of sidewalks meeting the minimum standards of this section shall be required to be submitted to the building inspector, approved by the city engineer and included in the permit fee. The building inspector or designee shall inspect the installation of sidewalks for adherence to code. In previously approved subdivisions where the planning commission waived the requirement for the installation of sidewalks entirely, no sidewalks shall be required to be installed in conjunction with building permits.

A. Four (4) inch thick Portland cement concrete sidewalks may be required along both sides of all public and private subdivision streets.
B. An alternative surface may be selected and approved by the planning commission in conjunction with the approval of the subdivision in which the sidewalks are to be located for new subdivisions, however, in existing subdivisions or development areas where the planning commission has not previously waived the requirement for concrete sidewalks, concrete sidewalks shall be required.
C. Standard concrete sidewalks shall be feet (5) feet wide, and shall be placed within the street right-of-way, a minimum of four (4) feet from the edge of the pavement or street curb. Placement of sidewalks shall also conform to street cross sections illustrated in Appendix B. Portland cement concrete for sidewalks shall attain three thousand (3,000) psi compressive strength within twenty-eight (28) days of placement.
D. The requirements for concrete surfacing may be waived by the planning commission in locations where sidewalks coincide with or are linked with a linear park system or where a different surface material is selected by the developer and approved by the city engineer or public works director and the planning commission.
E. Sidewalks should be designed to not impede the intended flow of surface drainage to catch basins and ditches. When a sidewalk is designed to be raised 2 inches or more above adjacent ground level then drainage cuts should be provided at least every 50 feet and sized to provide positive drainage to the outlet.
F. All construction of sidewalks and bicycle paths shall be in compliance with current construction codes, such as the fire and building codes. All sidewalks shall be constructed in accordance with the latest edition of the ADA Accessibility Guidelines.
G. Bicycle paths and other bicycle facilities constructed in the City of Hammond shall be constructed in accordance with the latest edition of "Guide for the Development of Bicycle Facilities" prepared and published by the American Association of State Highway and Transportation Officials.

10.3 Private Streets

Private streets may be allowed in a residential subdivision subject to meeting the requirements of this development code and the conditions set forth below.

10.3.1 General

A. Private streets shall be the principal access between a public street and platted lots that do not about a public street. Such private streets are not dedicated to the public and shall not be publicly maintained. The term ―private street‖ may include both the pavement and areas of streets, alleys or service roads within a development.
B. The private streets shall be owned and maintained by a property owners association organized and upon approval of the Planning Commission, may be transferred to a land conservancy or land trust. Any such conveyance must adequately guarantee the protection and maintenance of the private streets in accordance with the provisions of this Chapter.

C. All private streets except those noted in Sub-Section 10.3.1D shall be constructed to equal or exceed the base materials, compaction, and final surfacing standards for public streets and must be certified as such by the developers licensed Civil Engineer. If curb, gutter, and sidewalk are not provided, drainage swales adjacent to the roadway shall be required.
D. Private Streets for Subdivisions with five (5) lots or less shall be a minimum of thirty (30) feet wide and constructed with a minimum of six (6) inch thick concrete or asphalt, and the street surface shall be at least twenty-two (22) feet wide by fifty (50) feet from the edge of the Public Street. The remaining portion of the Private Street may be constructed of gravel, crushed limestone, or equivalent four (4) inches thick as approved by the Director of Public Works and shall be at least twenty-two (22) feet wide within the thirty (30) foot servitude. No more than five (5) lots can be created on Private Streets constructed of gravel, crushed limestone, or equivalent. Any Private Street must have a turn-around provided in accordance with the requirements of Sub-Section 10.2.5H which shall be approved by the Director of Public Works and a street name approved by the Planning Commission. Waivers shall not be granted from paving the first fifty (50) feet of the Private Street when connecting to a Public Street. Private Streets for subdivisions with more than five (5) lots must meet the street construction standards in Appendix B.
E. At the entrance to any subdivision development with private improvements, a sign shall be placed stating the limits of public maintenance within the development. Verbiage shall be approved by the City Planner.

10.3.2 Access

A. A private street shall be labeled as such on the final plat.
B. Private streets shall be reserved for use by owners and residents served by such private streets and all governmental entities providing services and regulatory enforcement, as well as private service entities. Access to subdivisions containing private streets may be controlled by 24-hour security guard or a self-activated gate at the entrance. The gate shall be made accessible to fire, emergency medical, and police services at all times. It is the developer's responsibility to ensure 24 hour a day access is coordinated with these agencies.
C. Private streets shall setback any gates a minimum of 60 feet from the public edge of road to allow safe queuing of vehicles awaiting entry.

10.3.3 Front Setbacks and Lot Widths

All private streets shall be treated as public street rights-of-way for purposes of determining required front setbacks and lot widths.

10.3.4 Maintenance

The final plat shall be conditioned as follows:

A. Require perpetual maintenance of private streets by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets; and
B. State that the City of Hammond has absolutely no obligation or intention to ever accept such streets as public right-of-way**.**

10.3.5 Conversion of Public Street to Private Street

A. Approval of a right-of-way revocation in accordance with Section 2.3.6 shall be required for the conversion of a public street to a private street.
B. The applicant shall provide proof that the applicant and/or the applicable owners association has and will maintain general liability insurance covering bodily injury, property damage and personal and advertising injury, on an occurrence form to cover any loss or damage that may occur related to the use of the street or private improvement that occurs subsequent to the revocation, with the City added as an additional insured. The policy limits will not be less than $1,000,000 per occurrence.
C. If more than one lot, a property owners association shall maintain the streets and other improvements granted to the association. If no formal community association exists in the subdivision, one shall be created.

D. Street maintenance shall include keeping the street driving surface in a good state of repair. Curbs, gutters, sidewalks and street trees shall be maintained so as to not present a safety hazard.
E. Unless otherwise required by the Planning Commission, stormwater systems, surface and underground, that collect runoff primarily from the area shall become private.
F. Facilities, such as streetlights and underground utilities, shall be considered separately and the facility shall remain public if it can be shown it is in the best public interest for the facility to remain public.

10.4 Neighborhood Access

10.4.1 Open Access

Developments shall provide roadways that remain permanently open to the public and provide community-wide access as part of an overall connected street network.

A. **Subdivision Access.** Streets that provide ingress and egress to a subdivision shall:
   (1) Be connected to existing public streets at locations that will not:
      (a) Create sight distance problems on the existing streets; or
      (b) Interfere with the safe operation of existing intersections.
   (2) When connected to Collector or Arterial streets, have the connecting intersections designed so as to minimize interruption of the flow of traffic on those Collector or Arterial streets. At a minimum:
      (a) The dimensions of the street right-of-way at the point of connection shall be a minimum of 80 feet in width by 140 feet in depth.
      (b) Deceleration lanes and other traffic control improvements shall be provided on the Collector or Arterial streets if warranted to ensure safe traffic operations due to the impact of the proposed development on the street.
      (c) If the subdivision includes more than 60 lots, a minimum of two exit lanes shall be installed on the connecting subdivision street to minimize the delay of vehicles entering the Collector or Arterial street.
   (3) Gatehouses or architectural features that highlight the entrance are permitted in the median of a subdivision entranceway that meets the specifications of this Section.

10.4.2 Connections

Applicants for the subdivision of land shall be required to provide sufficient external access points to the existing or future roadway network as follows; however, in the event of any conflict between the provisions of this section and Section 10.2.5, the provisions of Section 10.2.5 shall control.

A. Lots shall not derive access exclusively from an arterial street (where feasible). No subdivision shall be approved unless the area to be subdivided shall have access onto and access from an existing public street. Wherever the area to be subdivided is to utilize existing road frontage, such road frontage shall be suitably improved if the subdivision development is deemed to have a significant and major impact on the existing roadway.
B. Any residential subdivision of greater than 30 units shall include at least two access points. The second access may consist of a street stub.
C. Any residential subdivision of greater than 60 units shall include at least two access points. Street stub shall not be considered part of the two access points.
D. Residential subdivisions of 100 or more units shall provide at least three separate access points.
E. A hardship waiver of these standards may be granted by the Planning Commission during approval of the preliminary subdivision plat only in extreme cases where limited frontage, natural features (slope, topography, bodies of water), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service delivery.
F. Use and Beautification of Medians. Medians that are part of a dedicated public right-of-way may not be utilized for any purpose other than by the City or a public utility. However, a subdivider or other entity may beautify a median with landscaping with the approval of the City Engineer or Planning and Zoning Commission, provided that:
   (1) It does not interfere with existing or proposed public utilities;

(2) It conforms to the sight distance requirements of Paragraph 10.1.2C and Appendix C; and
(3) The applicant has submitted documentation with regard to the entity that will have permanent responsibility for maintenance of and liability for such improvements.
(4) The City Engineer or Planning and Zoning Commission may refer the application to the City Council.

10.4.3 Street Stubs

A. Street stubs into adjacent properties may be required to ensure adequate circulation. Existing street stubs, contiguous to the subject property, shall be connected to the proposed street system.
B. When connections to anticipated or proposed surrounding streets are required under Section 10.4.2, the right-of-way shall be extended and the street developed to the property line of the subdivided property at the point where the connection to the anticipated or proposed street is expected.
C. The City Engineer may require a temporary turnaround at the end of any street stub when such turnarounds appear necessary to accommodate emergency or service vehicles. No temporary street stub shall be permitted in excess of 500 feet.
D. A hardship waiver of the requirements for street stubs may be granted by the Planning Commission during approval of the preliminary subdivision plat only in extreme cases where limited frontage, natural features (slope, topography, bodies of water), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service delivery.
E. With the exception of street stubs to permit future street network extension, dead-end streets are prohibited.
F. Dead-end alleys must be approved by the City Engineer.

10.5 Subdivision and Street Names/Street Signs

Proposed subdivision and street names shall be shown on the preliminary plat and shall be subject to the approval of the Planning Commission. Names which duplicate or closely approximate the name of any other street or subdivision shall not be approved by the Planning Commission. Street name signs and stop signs shall be erected by the subdivider according to City of Hammond standards.

10.6 Railroad Crossings

A. Public street crossings and any other public crossing of any railroad system must be approved by the Louisiana Department of Transportation and Development as well as the railroad company.
B. Private street crossings and any other private crossing of any railroad system must be approved by the railroad company.
C. The City of Hammond reserves the authority to deny railroad crossings or require stricter safety measures in order to better protect the public.
D. No railroad-highway grade crossing will be constructed unless construction plans are approved by the City Engineer.

Article 11. Utilities
11.1 In General
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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 (including second units on a single family residential property, 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, unless the utilities are 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).

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) 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) Subdivisions having between six (6) 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 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 resubdivsion 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.

11.3.3 Minimum Size

When installing sewer mains, due consideration shall be given to the area's zoning and its growth potential. No public sewer main shall be less than eight (8) inches in diameter, except that service laterals no longer than 300 feet may be 6 inches in diameter (measured from the main to the property line).

11.3.4 Maximum Size

The diameter of sewers proposed shall not exceed the diameter of the existing or proposed receiving sewer, whichever is applicable.

11.3.5 Minimum Slopes

The minimum slopes for sewer lines shall be based on the latest Louisiana Title 51 Public Health Sanitary Code and shall provide for velocities of 2.0 fps (or may be 1.5 fps in level or when matching existing receiving sewers) and generally shall be as follows:

A. Sewer sizes (in inches) per 100 linear feet:

08" = 0.4 ft.
10" = .28 ft.
12" = .22 ft.
15" = .18 ft.
18" = .16 ft.
24" = .12 ft.

11.3.6 Manholes and Clean-Outs

Manholes shall be installed in the end of each sewer line, at changes in alignment or grade, at sewer intersections and shall be no more than 400 feet apart in distance. Clean-outs may be used in place of manholes at the ends of 6 inch service laterals. Manhole and clean-out locations shall be indicated on plat map and be in accordance with state plumbing code requirements. Any service lateral over 100 feet in length shall have a clean-out plug.

11.3.7 Cover

No less than four (4) feet of cover shall be provided over the top of sewer pipe in street and alley right-of-way and three (3) feet in all other areas. The above may be modified by the Planning Commission upon recommendation and approval of the review engineer and the Health Department.

11.3.8 Sewer and Water Separation

When lines must be on the same side of the street, water and sewer lines shall be at least six feet apart in horizontal distance. Less than 6 feet can be approved only when the water main is at least two feet above the sewer. When water and sewer mains cross each other the water main shall be of ductile iron for a distance of 9 feet on either side of the sewer.

11.3.9 Sewer Collection System Materials

A. Pipe: P.V.C. (SDR 35) Gasketed joints
B. Fittings: P.V.C., Gasketed joints.
C. Force mains: P.V.C. Class 160 for 4" and larger and sch. 40 for under 4".
D. Manholes: 4' inside diameter, precast concrete or mortared brick w/1/2" coating inside and out. Proper inverts shall be constructed to at least 50% of pipe diameter. Covers to be cast iron with minimum 22" diameter opening.
E. Cleanouts: Same material and size as lines with metal casting top with threaded brass cap. A 24": sq. by 45" thick concrete pad will be placed at top if not in paved area.

11.3.10 Design Criteria

A. General: Flow rates and design shall be in accordance with Louisiana Administrative Code, Title 51, Public Health Sanitary Code.
B. Pipe Slopes: As per Louisiana Department of Health and Hospitals Office of Public Health guidelines. (Usually 2.0 fps but as follows in appropriate circumstances.)

8" s.s. = 0.40% STD (0.3% to as low as 0.25% minimum)
10" s.s. = 0.28% STD (0.22% minimum)
12" s.s. = 0.22% STD (0.18% minimum)

15" s.s. and larger: maintain minimum 2.0 fps

C. Manhole Spacing: 400 ft. and at every change in direction or slope.
D. Pump or Lift Stations:
    (1) Types: 300 gpm or more preferably factory built underground with separate wet well. 100 to 300 gpm: submersible, self priming factory underground or wet well mounted self priming centrifugals.
    (2) Number of Pumps: Two (2), each capable of 10%, more or less, greater capacity than peak design flow of development. Preferably 1170 RPM or less, not over 1750 RPM
    Example: 175 gpm peak design flow, install 2 - 190 to 200 gpm pumps.
    (3) Controls: Automatic with pumps alternating each cycle and with both pumps capable of running at same time.
E. Treatment: City treatment facilities. Special permission must be granted by City for separate treatment facilities for unusual circumstances.
F. Garbage Disposal: Garbage disposal facilities shall be designed so as to be hidden from public view and so as not to be a nuisance or health hazard.

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 fiberglass street light standards shall be approximately 25-30 feet in length and shall be furnished with pole cap, anchor base bottom, and designed for mounting on concrete base with anchor bolts. If mounted on utility company pole, service head shall be at least the height determined by the local utility company. 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. Standard wattage shall be 175 watt metal halide or 150 watt high pressure sodium and shall be 120 or 240 volt. Bulbs shall be encased in an approved deflector head to direct light downward.
D. All wiring shall be of 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 a service entrance conduit fitting a 30 ampere weatherproof fuse switch/junction box of suitable size to connect service wires with underground feeder wires. Service equipment shall be properly grounded.
H. **SPACING OF STANDARDS**. There shall be one standard installed at each intersection, and spacing of standards shall not exceed 150 feet and shall not be less than 100 feet. Standards shall be at property lines between lots where feasible.
I. All lighting shall be shielded so as to direct light downward only. Lighting shall comply with Airport Ordinance 820.

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

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.

B. Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Tangipahoa Parish, Louisiana and Incorporated Areas," effective July 22, 2010, with accompanying Flood Insurance Rate Maps (FIRM) effective July 22, 2010, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

C. Establishment of development permit.

A floodplain development permit shall be required to ensure conformance with the provisions of this chapter.

D. Compliance.

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations.

E. Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

(1) Considered as minimum requirements;

(2) Liberally construed in favor of the City of Hammond; and

(3) Deemed neither to limit nor repeal any other powers granted under State statutes.

G. Warning and disclaimer or liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

H. Severability.

If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter

I. Penalties for noncompliance.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars ($500.00) or imprisoned for not more than six (6) months, or both, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Hammond from taking such other lawful action as is necessary to prevent or remedy any violation. (Appendix H)

12.1.3 Administration

A. Designation of the floodplain administrator.

The city building official or the designee of the building official is hereby appointed the floodplain administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 CFR (Emergency Management and Assistance—National Flood Insurance Program Regulations) pertaining to floodplain management.

B. Duties and responsibilities of the floodplain administrator.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this chapter.

(2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this chapter.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the state coordinating agency which is the department of transportation and development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Sub-Section 12.1.3C, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of Section 12.1.4 of this chapter.

(9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1—30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1—30, AE, AH, on the

community's FIRM which increases the water surface elevation of the base flood by more than one (1) foot, provided that the community first completes all of the provisions required by 44 CFR Chapter 1, Section 65.12.

C. Permit procedures.

(1) Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Paragraph 12.1.4 B(2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Sub-Section 12.1.3 B.

(2) Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

D. Variance procedures.

(1) The appeal board, as appointed by the mayor of the City of Hammond, shall hear and render judgment on requests for variances from the requirements of this chapter.

(2) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.

(3) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

(4) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this chapter.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, providing the relevant factors in Paragraph 12.1.3 C(2) have been fully considered. As the lot size increases beyond the one-half (½) acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter (Sub-Section 12.1.1 C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

  (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

  (b) Variances shall only be issued upon:

    (1) Showing a good and sufficient cause;

    (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

    (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(11) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(12) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the

criteria outlined in Paragraph 12.1.3 D(10) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

12.1.4 Provisions for Flood Hazard Reduction

A. General standards.

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

B. Specific standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Sub-Section 12.1.2 B, (ii) Paragraph 12.1.3 B(8)), or (iii) Paragraph 12.1.4 C(3), the following provisions are required:

(1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in Paragraph 12.1.3 C(1) is satisfied.

(2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood elevation or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation the structure is watertight with walls substantially

impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two (2) openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than one (1) foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured homes.

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1—30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the bottom of the longitudinal structural I-beam of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1—30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

(1) The bottom of the longitudinal structural I-beam of the manufactured home is at or above the base flood elevation; or

(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height

above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(3) *Recreational vehicles.* Require that recreational vehicles placed on sites within Zones A1—30, AH, and AE on the community's FIRM either (i) be on the site for fewer than one hundred eighty (180) consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Paragraph 12.4.1.3 C(1), and the elevation and anchoring requirements for "manufactured homes" in subsection Paragraph 12.1.4 B(4). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

C. Standards for subdivision proposals

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Sub-Sections 12.1.1 B, 12.1.1 C, and 12.1.1 D of this chapter.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet floodplain development permit requirements of Sub-Section 12.1.3 (C) and the provisions of Section 12.1.4 of this chapter.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Sub-Section 12.1.2 B or Paragraph 12.1.3 B(8) of this chapter.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

D. Standards for areas of shallow flooding (AO/AH zones)

Located within the areas of special flood hazard established in Sub-Section 12.1.2 B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).

(2) All new construction and substantial improvements of non-residential structures;

(a) Have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or

(b) Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the base flood elevation in an AH Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(c) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in Sub-Section 12.1.3 C are satisfied.

(d) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

E. Floodways

Floodways—located within areas of special flood hazard established in Sub-Section 12.1.2 B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 12.1.4 of this chapter.

(3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulation, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by 44 CFR Chapter 1, Section 65.12.

12.2 Stormwater Management

A. GENERAL PROVISIONS

(1) General Design Requirements: The regulations contained in these standards will apply to all projects which are to be submitted for consideration to the City of Hammond for the development of land in the City of Hammond such as residential subdivisions, commercial development, industrial development, institutional and recreational areas. These standards cannot be expected to provide for all possible situations. They are intended to provide minimum design criteria, but not be substituted for the competent work of a Louisiana registered professional civil engineer. These standards are also not intended to place unreasonable limitations on any innovative or creative effort, which could result in better quality facilities, cost savings, or both. Any proposed departure from the standards will be considered if it is demonstrated that the approach will produce a compensating or comparable result, to the benefit of both the City and the system user.

(2) The objective is a citywide storm water management system that will:

(a) Be consistent with all other city codes and adopted master plans and policies,

(b) Be of adequate design to manage all volumes of water generated upstream and on site to an approved point of discharge,

(c) Prevent the capacity of downstream channels and storm drainage facilities from being exceeded,
(d) Prevent the uncontrolled discharge of storm water onto adjoining public or private property,
(e) Maintain or reduce the maximum stage elevations of the original undeveloped drainage basin,
(f) Be constructed of materials that will have sufficient strength to support external loads that may be imposed and to minimize corrosion.
(g) Maximize efficient use of the natural drainage system including bayous, canals and wetlands,
(h) Be designed in a manner that allows economical ongoing maintenance and ease of access,
(i) Be designed using materials that ensure a specified design life; and
(j) Maintain the highest feasible level of water quality.

B. INTERPRETATION AND COMPATIBILITY WITH OTHER REGULATIONS
In the interpretation and application of this chapter, all provisions shall be:
(1) Considered as minimum requirements for the promotion of the public health, safety and general welfare.
(2) Liberally construed in favor of the City of Hammond Government.
(3) Not intended to repeal, abrogate or impair any existing federal, local or state law. Further, where these provisions and any other law, ordinance or regulation conflicts or overlaps, whichever imposes the more stringent restrictions or imposes higher protection standards for human health or the environment shall control.

12.2.1 Drainage Impact Study

In order to comply with Federal and State regulations for urban storm water, a Drainage Impact Study (DIS) will be required for all development and redevelopment projects that require demolition or complete removal of existing structures or impervious surfaces at a site and replacement with new development. Maintenance activities such as top-layer grinding and repavement are not considered redevelopment. Interior remodeling projects are also not considered to be redevelopment. Utility trenches in streets are not considered redevelopment unless more than fifty (50) percent of the street width is removed and re-paved. Two (2) copies of the required Drainage Impact Study of the proposed development and surrounding affected areas must be submitted to the City of Hammond. The development will not be approved until the Drainage Impact Study has been reviewed and approved by the City of Hammond.

A. **Exemptions:** The following development activities shall be exempted from the requirements of preparing a Drainage Impact Study, but must comply with the DIS prepared for the subdivision:
(1) Residential lots of less than one-half (0.5) acres within subdivisions approved on or before <u>the date this UDC is adopted by the City Council</u>.
(2) All lots in duly authorized subdivisions created with a DIS.
(3) Development in which the area of impervious surface does not exceed twenty (20) percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings, driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc. must be clearly identified.
(4) Additions or modifications to existing developments which result in no more than a ten (10) percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.

B. **Waivers**: Developers may request that the Planning Commission approve a waiver of the Drainage Impact Study. If such a request is granted, the Planning Commission will provide written approval. A copy of the waiver authorization shall be forwarded to the City Planner, and no detailed Drainage Impact Study shall be

required for the development. A waiver must be requested in writing and contain sufficient information regarding the specific details of the proposed development. A waiver shall be considered for approval provided:

(1) The proposed development results in no more than a ten (10) percent increase in the ten (10) year pre-development peak discharge at the point of discharge from the development site.
(2) The site is located within existing developed areas, which are served by a network of public storm drainage facilities, which were designed to accommodate runoff from the development site.

Notwithstanding the above, a waiver may be granted provided sufficient information can be submitted indicating that the runoff from the proposed development is consistent with and discharges to a previously approved development or is a part of an approved larger plan of development, both having adequate drainage facilities.

C. Drainage Impact Study Requirements

The Drainage Impact Study shall comply with the following minimum requirements:

(1) Development Location and Description:
  (a) Location: Describe location of subject property; locate by Township and Range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block page number, and provide a vicinity map.
  (b) Description: Describe the predominant existing land use and future land use in project watershed (Comprehensive Land Use Plan, Land Use Data, aerial photos, etc.); describe the proposed development, soil types, vegetative cover, watershed slopes; provide an estimate of percent of impervious area for pre and post development conditions; and provide photos of existing channels, ditches, natural drains, and drainage structures.
(2) Watershed Map: Delineate drainage boundaries; indicate the acreage; and show slope of basins, and peak ten (10) year runoff rate at entry and exit points of the development. The watershed map should indicate the location of existing channels, ditches, natural drains, proposed major drainage structures, channel realignments, and cross section locations. The latest U.S.G.S. seven and one-half (7½) minute quadrangle map or better at scale of one inch equals five hundred feet (1:500) or less may be used as the base for the watershed map.
(3) Hydrologic Design:
  (a) The Drainage Impact Study shall indicate existing condition peak ten (10) year flow rates at the development entry and exit points.
  (b) The Drainage Impact Study shall indicate future condition peak ten (10) year flow rates at the development entry and exit points.
  (c) If ponds are used in design for routing of flows, the ten (10) year storm event shall be used in design. The effects of a 100-year storm on the pond should be provided.
(4) Hydraulic Capacities:
  (a) On site capacity: Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type, size, and capacity of any proposed outfall facilities as defined above.
  (b) Off-site capacity: Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development to the first public outfall as identified on the City of Hammond Drainage Map. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities. Where the proposed development is located an extended distance from an indexed stream, the study may be terminated at a point where the total area

drained exceeds the project area by five (5) times for single family residential developments and ten (10) times for all other developments.

(5) Special Site Conditions: Special conditions, which may exist at the proposed development site, should be clearly identified including but not limited to such items as:
   (a) Special Flood Hazard Areas (Firm Zones A and AE)
   (b) Regulatory Floodway
   (c) Fill placement location and mitigation requirements
   (d) Potential wetland sites
   (e) Churches
   (f) Schools
   (g) Cemeteries
   (h) Landfills and Hazardous Waste Sites
   (i) Parks

(6) Drainage Impact Study Conclusions and Recommendations: Drainage Impact Study should clearly identify the results and conclusions of the study and provide recommendations of any required action(s) so that surrounding properties experience no adverse impact.

12.2.2 General design and construction standards of storm drainage

A. Drainage Impact Study (DIS). As stated in Section 12.2.1 ,the developer shall prepare and submit to the City of Hammond a Drainage Impact Study that recommends specific on-site drainage improvements to provide adequate capacity for a ten (10) year storm event. With the submittal of any construction plans to the City of Hammond that include drainage related work, a Drainage Calculations Report (DCR) shall be submitted verifying the hydraulic routing of the drainage network shown on the final construction plans. A DIS is required to be signed, sealed, and dated by a Louisiana Licensed Civil Engineer before submittal to the city.

B. The minimum information shown in a Drainage Calculations Report (DCR) shall be: All calculations contributing to the design of the proposed hydraulic structures (i.e., how the tailwater or stage elevation was determined, the discharge calculations and the sizing of any structures, etc.) are to be included in the report. Hydraulic calculations showing flows and capacities of open ditches, culverts, or cross drains are to be included in the report. Storm drain system hydraulic routing shall include at a minimum all information shown in Figure 8-B.6-1(c), Summary Spreadsheet of Pipe Selection, shown in the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended. The designer should ensure that the numbers and values shown on the corresponding plans match the calculations submitted. A DCR is required to be signed, sealed, and dated by a Louisiana Licensed Civil Engineer before submittal to the city.

C. The minimum design of the interior drainage systems of the subdivision or site or tract proposed for development shall be based on a ten-year storm frequency. The selection of runoff coefficients shall be based on the anticipated nature of future development in the area, and shall be subject to the approval of the city engineer or public works director. Stormwater BMP's may be required by the city to be installed in accordance with Sub-Paragraph 9.1.5 A(9).

D. Hydrologic design methods approved for use in the City of Hammond shall be as follows:

   (1) For development less than 300 acres the Rational Method shall be used in accordance with the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended.

   (2) For development between 300 and 2,000 acres the SCS Method shall be used in accordance with the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended. The TR-55 method shall be used for Time of Concentration calculations.

(3) For development greater than 2,000 acres the USGS Method shall be used in accordance with the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended.

E. Site drainage and grading shall be addressed on the submitted plans and shall meet the following minimum standards:

(1) Preservation of drainage patterns in the drainage basin in which a subdivision is located will be required. For additional requirements see Paragraph 4.1B.

(2) For any site requiring a drainage impact study the post-developed peak runoff rate for the ten year design storm must not exceed the pre-developed peak runoff rate for a ten year design storm. Discharges not meeting this requirement will not be permitted by the planning commission unless the developer/subdivider, on a case by case basis, can establish to the satisfaction of the planning commission that the existing downstream drainage is adequate to handle the anticipated flow resulting from the proposed development of the property. Alternatively, the developer/subdivider may propose to undertake such work or improvements, at no cost to the city, to make the downstream drainage system adequate to handle the anticipated flow resulting from the development of the property. The planning commission may deny any such proposal to improve downstream drainage if the commission determines that the nature or extent of the proposed work or improvements would detrimentally alter the character or condition of any downstream drainage ways. The planning commission shall not approve any proposal to improve manmade drainage ways until the proposal is first reviewed by the public works director and the planning commission is thereafter advised by the public works director, in writing, that he has no objection to the proposal. Absent such approval by the planning commission, the developer/subdivider shall be required to retain the increase in storm drainage runoff on the site of the development utilizing detention ponds or other innovative methods until this water can be released at a storm drainage runoff rate which does not exceed the storm drainage runoff from the site prior to development.

(3) The design of drainage systems for the interior portions of subdivisions or site or tract development and for the watershed areas surrounding the subdivision or site or tract development shall be in accordance with the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended. The design of the interior drainage systems of the subdivision or site or tract development shall be based on a ten-year storm frequency. The selection of runoff coefficients shall be based on the anticipated nature of future development in the area and shall be subject to the approval of the city engineer or public works director.

(4) In subdivisions with curb and gutter streets, the intervals for installation of curb drainage inlets shall be determined in accordance with the requirements of the *Louisiana Department of Transportation and Development Hydraulics Manual* published in 2011, or as amended. Where these inlets connect to storm sewers, a catch basin shall be installed with the inlet. Storm drain inlets will be placed so that surface water is not carried across intersections or crosswalks. When calculations indicate that curb capacities are exceeded at a point, no further allowance

shall be made for flow beyond that point and a basin shall be used to intercept flow at that point. Drainage plans submitted with the drainage report will show surface water drainage patterns for each and every lot and block and all design specifications for land development.

(5) 10-year Hydraulic Grade Line (HGL) shall be below existing or proposed gutter elevation for streets.

F. Detention Basin.

(1) Whenever a "Detention Basin" is utilized by the developer to minimize downstream flooding, the design shall address, at a MINIMUM, the following:

(a) Detention basin shall be designed to detain flows so as not to increase in downstream runoff for a ten (10) year pre-development storm.

(b) Detention basin shall be checked for the ten (10) and one hundred (100) year frequency to assure that adequate capacity is provided in the basin and at the outlet to prevent flooding of upstream and downstream developments as well as structures on the development site.

(c) Adequate land must be reserved for maintenance of detention pond.

(d) Detention Basins may be wet (lakes or ponds) or dry.

(i) Wet detention basins shorelines and control structures shall be privately owned and maintained. The basin must have minimum side slopes of three (3) to one (1) and must have a minimum fifteen (15) feet wide access along the entire perimeter for maintenance. Both the construction plans and final plat for development shall include a note which states that the proposed detention basin, shoreline and control structure shall be "privately owned and maintained". Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the review engineer approves variations.

(ii) Dry detention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three (3) to one (1) and must have a minimum fifteen (15) feet wide access along the entire perimeter for maintenance. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the Review Engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.

G. Open drainage ditch construction and design.

(1) Drainage ditches shall be designed, whenever possible, with sloping earthen banks and earthen bottoms. Drainage ditches shall also be designed with shoulders of not less than four (4) feet in width. When it is determined by the planning commission upon the recommendation of the city engineer or public works director that a concrete-lined channel is required such concrete-lined channel shall have side slopes of a grade that is no steeper than one and one-half (1.5) to one (1) and shall be lined with reinforced concrete. The bottom shall be six (6) inches thick, sides at least four (4) inches thick, and a five-foot collar on each side shall be at least four (4) inches thick. Construction details for footings, joints, etc., shall be in accordance with standards provided by the city engineer or public works director.

(2) When a proposed open ditch, whether lined or unlined, must discharge into a major unlined canal, the developer shall be required to enclose the ditch, under the access strip of the major

canal, in a metal pipe or concrete culvert. The pipe or culvert shall extend at least four (4) feet into the canal beyond the side slope, and shall discharge into a concrete flume that extends a minimum of five (5) feet into the bottom of the canal. Flume shall be constructed immediately after the pipe or conduit is installed.

H. Drainage easement criteria for open or closed drainage systems.

The following servitude criteria shall be required for each ditch, canal, storm drainage collection line, and storm sewer placed outside of public right of way:

(1) Minimum easement width—Fifteen (15) feet.
(2) There will be a minimum of eight (8) feet from the top of the bank to the servitude line on one (1) side of the easement for all canals with a top width of fifteen (15) feet or less.
(3) Canals with top width of greater than fifteen (15) feet but less than thirty-five (35) feet shall have a minimum of ten (10) feet on each side measured from the top of the bank to the servitude line.
(4) Canals with a top width of thirty-five (35) feet or greater will have a minimum of twenty-five (25) feet on both sides measured from the top of the bank to the servitude line.

I. Construction permit required

No person shall construct a drainage ditch or canal having a width of more than three (3) feet or a depth of more than three (3) feet within the-city, without first having obtained a permit therefore as provided in this article.

J. Application for construction permit; engineer's report and fee.

(1) Any person desiring to construct a ditch more than three (3) feet wide or more than three (3) feet deep shall submit to the city engineer a plat showing the proposed location of said drainage ditch, together with the width and length thereof, and the manner in which said ditch is to be connected with existing drainage.
(2) Such applicant shall deposit twenty dollars ($20.00) with the city to cover the cost of the engineer's report.
(3) The city engineer shall thereafter prepare a report on such proposed ditch or canal, which shall include his recommendations in the matter.

K. Approval of construction proposal by mayor and city council.

A proposal submitted pursuant to this article shall, after the engineer's report, be submitted to the mayor and city council for approval or disapproval, as to whether a permit as required by this article shall be granted

L. Obstruction of drains, ditches, etc.

No person shall impede, obstruct, or disrupt the passage or overflow of surface runoff from any gutter, pipe, or drain, or in any manner dam the same. Any improvements or construction within or around

drainage passages must be undertaken with an approved permit obtained through the mayor, or his designated representative.

M. Categories.

(1) *Private residences.* If requested by a resident, and subject to payment of all associated fees, the city shall install up to twenty (20) linear feet (LF) of driveway pipe, for any one (1) private residential lot at the request of the lot owner, provided that no such installation will be undertaken by the city for any person in the business of building or remodeling residences or commercial structures, or who holds himself out to be a contractor or builder, unless such request is made in connection with said person's own private place of abode. If more than thirty (30) LF of pipe is to be installed, the pipe must be installed by a competent contractor, or by some qualified party other than the city, after the owner obtains a permit from the city.

(2) *All others.* The city will install no subsurface pipe for applicants other than private residential lot owners.

N. Procedures.

All applicants must fill out and submit a permit request (on the attached form) with the mayor (or his designated representative) and pay the permit fee prior to commencement of the work.

The permit fee shall generally be equal [to] ten dollars ($10.00) plus the pipe costs, plus pipe labor costs (at one dollar ($1.00) per LF of pipe to be installed), which exact amount shall be determined by the mayor (or his designated representative).

In the event that the applicant chooses to purchase the pipe from a pipe supply vendor, the pipe shall conform to the specifications for drainage culverts herein defined, and the "pipe cost" shall be deleted from the permit fee total, after installation has been approved by the mayor (or his designated representative).

In the event that the applicant chooses [to] install in excess of twenty (20) LF of pipe, the excess length shall be purchased and installed by a competent contractor, to conform with these specifications. No pipe shall be installed in excess of eighty (80) LF without one (1) twenty-four-inch-square cast iron grate inlet, and thirty-six-inch-square concrete catch basin box, spaced at a maximum of eighty (80) feet apart.

The permit request is not set out herein but is available in the office of the council clerk.

O. Materials specifications and construction standards for public/private streets and right of way.

In consideration of the acceptance of the improvements by the city and the assumption of the responsibility for maintaining the dedicated streets constructed therein, the owners of the subdivision shall cause to be designed and constructed, at no expense to the city, the drainage and storm sewer improvements according to the specifications set forth in this Paragraph. Material and construction specifications for all subsurface drainage projects shall be in compliance with the requirements of all American Society for Testing and Materials (ASTM) and Louisiana Department of Transportation and Development Highway Construction Standards or as amended in this Paragraph.

(1) Exposed Pipe(s). Generally, all pipe with exposed ends shall be one (1) of the following materials:

(a) Reinforced concrete pipe (RCP)

(b) Bituminous coated corrugated steel pipe (BCCSP)

(c) Polymer coated corrugated steel pipe (PCCSP)

(d) Fiber bonded bituminous coated corrugated steel pipe (FBBCCSP)

The city shall stock common diameters of BCCSP of the proper gauge thickness. The "pipe cost" as charged in the permit fee shall be calculated using the actual pipe cost to the city plus ten (10) per cent to cover the city's costs for freight, shipping, advertising, warehousing, and administrative costs.

(2) Concealed pipe(s) (subsurface pipe(s) without exposed ends) may be one (1) of the below nine (9) types, which include reinforced concrete, corrugated metal (steel or aluminum), as well as ribbed or corrugated PVC and polyethylene pipe, to conform with DOTD Engineering Directives and Standards manual (EDSM) No. II.2.1.1 dated July 20, 1992:

(a) Reinforced concrete pipe (RCP)

(b) Corrugated aluminum pipe (CAP)

(c) Corrugated metal pipe (CMP)

(d) Bituminous coated corrugated steel pipe (BCCSP)

(e) Polymer coated corrugated steel pipe (PCCSP)

(f) Fiber bonded bituminous coated corrugated steel pipe (FBBCCSP)

(g) Ribbed polyvinyl chloride culvert pipe (RPCCP)

(h) Ribbed polyethylene culvert pipe (RPECP)

(i) Corrugated polyethylene culvert pipe (CPECP)

All pipe joints shall be "Type 2" or "Type 3" joints per DOTD EDSM II.2.1.1.

(3) Catch basins.

(a) General—Catch basins shall be brick, cast-in-place concrete, pre-cast concrete, or a combination thereof.

(b) Brick—Brick shall conform to the requirements of, and shall be sampled and tested in accordance with ASTM Standard Specifications for sewer brick, serial designation C-32-50, Grade MA or concrete brick measuring 4" × 4" × 8" suitable for use in catch basins or manholes and meeting ASTM Standard Specifications C-139-39. Brick boxes shall be plastered with a coat of cement mortar not less than one-half (½) inch thick. Bricks shall be moistened before application of the plaster. After inspection of the completed structure by the building official and when directed, the excavated areas which are not occupied by the completed structure shall be refilled to the required elevation with suitable material which shall be placed in layers of not more than six (6) inches in depth, and each layer thoroughly compacted by hand or mechanical tamping. If the backfill material is too dry to compact satisfactorily, it shall be wetted with water to obtain suitable compaction.

(c) Grate inlets—Grate inlets shall be minimum 24"×24" gray iron castings, spaced no greater than eighty (80) feet apart, and shall meet the requirements of Class No. 30 of the ASTM Standard Specifications for gray iron castings, Serial Designation A-48, supplemented by the following:

The casting shall be true to pattern in form and dimensions, free from pouring faults, sponginess, cracks, blow holes, and other defects in position affecting their strength and value for the service intended. Castings shall be boldly filleted at angles and arises shall be sharp and perfect. Surfaces of the castings shall be free from burnt on sand and shall be reasonably smooth. Runners, risers, fins, and other cast-on pieces shall be removed. Surfaces shall be machined where indicated or where otherwise necessary to secure flat true surfaces. All covers, gratings, and other castings fitting frames shall fit properly and seat uniformly and solidly. Approved castings shall be equal to the following, as manufactured by Vulcan Foundry:

(1) Type I—Vulcan V-4302-1
(2) Type II—Vulcan V-4311-1 (formerly SSI N.O. 1)
(3) Type III—Vulcan V-4410-1 (f. VFG 24×30—N.O. S&WB D-3264)
(4) Type IV—Vulcan V-5763 (f. VFG 24×30)
(5) Type V—Vulcan V-5766 (f. VFG 24×36)
(6) Type VI—Vulcan V-4862 galv. (f. RCB-3 Mod.—28¼×40 galv.)
(7) Type VII—Vulcan V-5826-1 (f. Vulcan VRFG 24×24)
(8) Type VIII—Vulcan V-5726 (f. VFG 24×24)
(9) Type IX—Vulcan V-5752 (f. VFG 18×24)
(10) Type X—Vulcan V-5736 (f. VFG 36×36)

12.3 Water Quality Requirements

12.3.1 General Provisions

A. **Purpose.** The purpose and objectives of this division are as follows:
   (1) To maintain and improve the quality of surface water and groundwater within the City of Hammond;
   (2) To prevent the discharge of contaminated stormwater runoff from industrial, commercial, residential, and construction sites into the municipal separate storm sewer system (MS4) and natural waters affected by the City of Hammond;
   (3) To promote public awareness of the hazards involved in the improper discharge of hazardous substances, petroleum products, household hazardous waste, industrial waste, sediment from construction sites, pesticides, herbicides, fertilizers, and other contaminants into the storm sewers and natural waters of the city;
   (4) To encourage the recycling of used motor oil and safe disposal of other hazardous consumer products;
   (5) To facilitate compliance with state and federal standards and permits by owners and operators of industrial and construction sites within the city and
   (6) To enable the city to comply with all federal and state laws and regulations applicable to stormwater discharge.

B. **Administration.** Except as otherwise provided herein, the city building official shall administer, implement, and enforce the provisions of this division. Any powers granted to or duties imposed upon the city building official shall be carried out by that person and may be delegated by the city building official to other city personnel.

12.3.2 User Requirements

A. General provisions.

(1) No person shall introduce or cause to be introduced into the municipal separate storm sewer system (MS4) any discharge that is not composed entirely of stormwater.

(2) It is an affirmative defense to any enforcement action for violation of subsection (a) of this section that the discharge was composed entirely of one or more of the following categories of discharges:

(a) A discharge authorized by, and in full compliance with, an NPDES permit (other than the NPDES permit for discharges from the MS4);

(b) A discharge or flow resulting from the fire fighting by the fire department;

(c) A discharge or flow of fire protection water that does not contain oil or hazardous substances or materials;

(d) Agricultural water runoff;

(e) A discharge or flow from water line flushing, but not including a discharge from water line disinfection by superchlorination or other means unless it contains no harmful quantities of chlorine or any other chemical used in the line disinfection;

(f) A discharge or flow from lawn watering, landscape irrigation, or other irrigation water;

(g) A discharge of flow from a diverted stream flow or natural spring;

(h) A discharge or flow from uncontaminated pumped ground water or rising groundwater;

(i) Uncontaminated groundwater infiltration (as defined as 40 CFR 35.2005(2) to the MS4);

(j) Uncontaminated discharge or flow from a foundation drain, crawl space pump, or footing drain;

(k) A discharge or flow from air conditioning condensation that is not mixed with water from a cooling tower, emissions scrubber, emission filter, or any other source of pollutant;

(l) A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;

(m) A discharge or flow from individual residential car washing;

(n) A discharge or flow from riparian habitat or wetland;

(o) A discharge or flow from water used in street washing that is not contaminated with any soap, detergent, solvent, emulsifier, dispersant, or any other harmful cleaning substance; or

(p) Stormwater runoff from a roof that is not contaminated by any runoff or discharge from an emissions scrubber or filter or any other source of pollutant.

(3) It is an affirmative defense to any enforcement action for violation of subsection (a) of this section that the discharge was composed entirely of one or more of the following categories of discharges: No affirmative defense shall be available under subsection (b) of this section if the discharger or flow in questions has been determined by the stormwater committee to be a source of a pollutant or pollutants to the waters of the United States or to the MS4, written notice of such determination has been provided to the discharger, and the discharge has occurred more than ten (10) days beyond such notice. The correctness of the stormwater committee's determination that a discharge is a source of a pollutant may be reviewed in any administrative or judicial enforcement proceeding.

B. Specific prohibitions and requirements.

(1) The specific prohibitions and requirements in this section are not inclusive of all the discharges prohibited by the general prohibition in paragraph 12.3.2 A(2).

(2) No person shall introduce or cause to be introduced into the MS4 any discharge that causes or contributes to causing the city to violate a water quality standard, the city's NPDES permit, or any state-issued discharge permit for discharges from its MS4.

(3) No person shall dump, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, or otherwise introduce or cause, allow, or permit to be introduced any of the following substances into the MS4:

(a) Any used motor oil, antifreeze, or any other motor vehicle fluid;

(b) Any industrial waste;

(c) Any hazardous waste, including hazardous household waste;

(d) Any domestic sewage or septic tank waste, grease trap waste, or grit trap waste;

(e) Any garbage, rubbish, or yard waste;

(f) Any wastewater from a commercial carwash facility; from any vehicle washing, cleaning, or maintenance at any new or used automobile or other vehicle dealership, rental agency, body shop, repair shop, or maintenance facility; or from any washing, cleaning, or maintenance of any business or commercial or public service vehicle, including a truck, bus, or heavy equipment, by a business or public entity;

(g) Any wastewater from the washing, cleaning, de-icing, or other maintenance of aircraft;

(h) Any wastewater from commercial floor, rug, or carpet cleaning;

(i) Any effluent from a cooling tower, condenser, compressor, emission scrubber, emission filter, or the blowdown from a boiler;

(j) Any runoff or wash down from any animal pen, kennel, or fowl or livestock containment area;

(k) Any discharge from water line disinfection by superchlorination or other means if it contains any harmful quantity of chlorine or any other chemical used in line disinfection;

(l) Any fire protection water containing oil or hazardous substances or materials;

(m) Any water from a water curtain in a spray room used for painting vehicles or equipment;

(n) Any contaminated runoff from a vehicle wrecking;

(o) Any substance or material that will damage, block, or clog the MS4;

(p) Any release from a petroleum storage tank (PST), or any leachate or runoff from soil contamination by leaking PST, or any discharge of pumped, confined, or treated wastewater from the remediation of such PST release, unless the discharge satisfies all of the following criteria:

(1) Compliance with all state and federal standards and requirements;

(2) No discharge containing harmful quantity of any pollutant; and

(3) No discharge containing more than fifty (50) parts per billion of benzene, five hundred (500) parts per billion combined total quantities of benzene, toluene, ethylbenzene, and xylene, (BTEX); or fifteen (15) mg/l of total petroleum hydrocarbons (TPH).

(4) The following non-storm water sources may be discharged from the MS4 provided that they have been determined by the city not to be substantial sources of pollutants to the MS4. The operator must utilize best management practices to limit discharge of the following non-storm water sources:

(5) Any waste water from a commercial mobile power washer or from the washing or other cleaning of a building exterior that contains any harmful quantity of soap, detergent, degreaser, solvent, or other harmful cleaning substance;

(6) Any wastewater from the wash down or other cleaning of pavement that contains any harmful quantity of soap, detergent, solvent, degreaser, emulsifier, dispersant, or any other cleaning substance; or any wastewater from the wash down or other cleaning of any pavement where any spill, leak, or other release or oil, motor fuel, or other petroleum or hazardous substance has occurred, unless all harmful quantities of such released material have been previously removed; and

(7) Any ready-mixed concrete, mortar, ceramic, or asphalt base material or hydro mulch material, or material from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying, such material.

(4) No person shall introduce or cause to be introduced into the MS4 any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation, or other construction activities in excess of what could be retained on site or captured by employing sediment and erosion control measures to the maximum extent practicable.

(5) No person shall connect a line conveying sanitary sewage, domestic, or industrial, to the MS4, or allow such a connection to continue.

(6) No person shall cause or allow any pavement washwater from a commercial facility to be discharged into a MS4 unless such wastewater has passed through a proper functioning and maintained grease, oil, and sand interceptor before discharging into the MS4.

C. Used oil regulation.

No person shall:

(1) Discharge used oil into the MS4 or a sewer drainage system, surface water, groundwater, or water course;

(2) Knowingly mix or commingle used oil with solid waste that is to be disposed in a landfill or knowingly dispose of used oil on land or in a landfill;

(3) Apply used oil to a road or land for solid suppression, weed abatement, or other similar use that introduces used oil into the environment.

D. Swimming pool regulation.

Requirements for two (2) types of discharges:

(1) *Filter backwashing:*

(a) Backwash water may be disposed of and filters may be rinsed on the pool/spa owner's property. This should be done in an area that will absorb the water.

(b) Water from backwashing a pool or spa containing chlorine <1 mg/l, total suspended solids <45 mg/l, pH in the range of 7 to 8, no harmful quantities of muriatic acid or other chemical used in the treatment or disinfection of the water, free of color, algae, and other contaminants may be discharged off the owner's property to the MS4.

(c) The following restrictions apply to backwash water discharge activities;

(1) Discharges may not be drained onto a neighbor's property or across a sidewalk.

(2) Discharge water may not cause erosion or transport sediment.

(3) Discharges may not be drained into unpaved alleys.

(4) Discharges may not cause an accumulation of water along the curbline gutter of a paved street.

(5) Backwash water discharge unable to meet the restrictions outlined above must be discharged to the sanitary sewer system with approval from the wastewater superintendent and the city plumbing inspector.

(2) *Swimming pool/spa draining;*

(a) Water from draining a pool or spa containing chlorine <1mg/l, total suspended solids <45mg/l, pH in the range of 7 to 8, no harmful quantities of muriatic acid or other chemical used in the treatment or disinfection of the water, free of color, algae, and other contaminants may be discharged off the owner's property to the MS4.

(b) The following restrictions apply to swimming pool and spa discharge activities:

(1) Discharges may not be drained onto a neighbor's property or across a sidewalk.

(2) Discharge water may not cause erosion or transport sediment.

(3) Discharges may not be drained into unpaved alleys.

(4) Discharges may not cause an accumulation of water along the curb-line gutter of a paved street.

(5) Swimming pool or spa water discharge unable to meet the restrictions outlined above must be discharged to the sanitary sewer system in the event there is no subsurface drainage available. To discharge to the sanitary sewer, prior approval from the wastewater superintendent must be obtained.

E. **Discharge from dumpster area.** All new construction of commercial facilities requiring suitable cleaning and supplies such as high pressure pumps, hot water, steam, and detergents necessary for the effective cleaning of equipment and receptacles of solid waste collection must meet the following requirements:

(1) Liquid waste generated by the cleaning operations cannot be discharged into the MS4 without a valid NPDES permit;

(2) Liquid waste generated by cleaning operations not meeting criteria in subsection (a) above must be discharged to the sanitary sewer. Stormwater runoff must be prevented from entering the sanitary sewer by means approved by the City of Hammond; and

(3) Discharge entering the sanitary sewer must meet local discharge limits found in city ordinances. Discharges unable to meet these discharge limits must be pretreated on site to reduce pollutant concentration prior to discharging to the sanitary sewer.

12.3.3 Stormwater Discharges from Construction Activities

A. **General Requirements.**

The operator shall certify all state requirements have been met by signing a certification statement as part of the grading application and/or building permit application. Refer to current specific NPDES permit for site applicability and NOI requirements:

(1) All operators of construction sites shall use best management practices to control and reduce the discharge, to the MS4 and to waters of the United States, of sediment, silt, earth, soil, and other material associated with the clearing, grading, excavation, and other construction activities to the maximum extent practicable. Such best management practices may include, but not be limited to, the following measures:

(a) Ensuring that existing vegetation is preserved where feasible and that disturbed portions of the site are stabilized as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures;

(b) Use of structural practices to divert flows from exposed soils, stored flows, or otherwise limit runoff and the discharge of pollutants from the site to the extent feasible;

(c) Minimization of the tracking of sediments off-site by vehicles, the generation of dust, and the escape of other windblown waste from the site;

(d) Prevention of the discharge of building materials, including cement, lime, concrete, and mortar, to the MS4 or waters of the United States;

(e) Providing general good housekeeping measures to prevent and contain spills of paints, solvent, fuel, septic water, and other hazardous chemicals and pollutants associated with construction, and to assure proper cleaning and disposal of any such spills in compliance with state, federal, and local requirement;

(f) Implementation of proper waste disposal and waste management techniques, including covering waste materials and minimizing ground contact with hazardous chemicals and trash;

(g) Timely maintenance of vegetation, erosion and sediment control measures, and other best management practices in good and effective operating condition; and

(h) Installation of structural measures during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soil to the degree attainable. Such installed structural measures may include, but not be limited to, the following: stormwater detention structures (including wet ponds); flow attenuation by use of open vegetative swales and natural depressions; other velocity dissipation devices, infiltration of runoff on site; and sequential systems which combine several practices. Operators of construction sites are only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site and are not responsible for maintenance after stormwater discharges associated with construction activity have terminated.

(2) Personnel (provided by the operator of the construction site) shall inspect disturbed areas of any construction site (meeting criteria of current NPDES permit) that have not been finally stabilized, areas used for storage of material that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site in accordance with the current NPDES permit. All erosion and sediment control measures and other identified best management practices shall be observed in order to ensure that they are operating correctly and are effective in preventing significant impacts to receiving waters and the MS4. Based on the results of the inspections, best management practices shall be revised as appropriate and as soon as is practicable.

(3) The city may require any plans and specifications that are prepared for the construction of site improvements to illustrate and describe the best management practices required by subsection (1) (a) above that will be implemented at the construction site. The city may deny approval of any building permit, site development plan, or any other city approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the management practices described in the plans or observed upon the site inspection by the city are determined not to control and reduce the discharge of sediment, silt, earth, soil, and other material associated with clearing, grading, excavation, and other construction activities to the maximum extent practicable.

(4) Any owner of a site of construction activity, whether or not he/she is an operator, is jointly and severally responsible for compliance with the requirements in this section.

(5) Any contractor or subcontractor on a site of construction activity, who is not an owner or operator, but who is responsible under his/her contract or subcontract for implementing best management practice control measures, is jointly and severally responsible for any willful or negligent failure on his/her part to adequately implement that control measure if such failure causes or contributes to causing the city to violate a water quality standard, the city's NPDES permit, or any state-issued discharge permit for discharges from its MS4.

(6) Based on the results of the inspections required by subsection (2), the site description and/or the pollution prevention measures shall be revised as appropriate, but in no case later than seven (7) calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the SWPPP within seven (7) calendar days following the inspection.

(7) Upon final stabilization of the construction site, the owner or the duly authorized representative thereof shall submit written certification to the city that the site has been finally stabilized. The city may withhold an occupancy or use permit for any premises constructed on the site until certification of final stabilization has been filed and the city has determined, following any appropriate inspection, that final stabilization has, in fact, occurred and that any required permanent structural controls have been completed.

B. Site applicability.

Construction activity, including clearing, grading, and excavation activities, that result in the disturbance of one (1) or more acres of total land area shall comply with the requirements of this division.

12.3.4 Grading Permit

A. Purpose.

The purpose of this section is to regulate grading property within the incorporated area of the City of Hammond to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen material generated on or caused by surface runoff on or across the permit area; and to ensure that the intended use of a graded site is consistent with applicable city ordinances.

B. Exemptions.

The following described activities shall not require a grading permit in order to perform clearing, excavation, or related earthwork:

(1) If building permit is obtained, no grading permit is required;

(2) Utility or public works improvements do not require a grading permit;

(3) Excavation in connection with a building, swimming pool, retaining wall, or other structure authorized by a valid building permit;

(4) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;

(5) Septic repair and/or alteration;

(6) Cemetery graves;

(7) Temporary stockpiling or storing of materials provided that such operations do not affect adjacent properties and all drainage and erosion control requirements;

(8) Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations leaving the stump and root mat intact, and cultivated sod operation;

(9) Minor landscaping and sprinkler installation.

C. Permitting procedures.

(1) Unless otherwise stated, no person(s) shall perform any clearing, excavation, or earthwork within the city without first having obtained a grading permit or building permit from the building department.

(2) The grading permit is applicable, but is not limited, to the following activities:

(a) Excavating, cutting, filling, grading, draining, or paving lots, parcels, or other areas;

(b) Altering, rerouting, deepening, widening, obstructing, or changing in any way an existing drainage system or feature;

(c) Development for: residential, commercial, institutional, industrial, utility, or other activities;

(d) Commencing any other development or excavation which may: significantly increase or decrease the rate and/or quantity of surface water runoff; degrade the quality of water; or adversely affect any sinkhole, water course, or water body.

D. **Responsibility not waived.**

The grading permit exceptions listed in Sub-Section 12.3.4 B do not relieve the owner, developer, contractor, or other legal representative of the responsibility of installing and properly maintaining the proper erosion/ sedimentation control measures or other liability resulting from such activities.

E. Site plan and/or conceptual grading plan requirements.

(1) An approved site sketch is required to obtain a grading permit. The site sketch shall contain in addition to such basic information as owner name and address, date and parcel number the following:

(a) The actual shape, location, and dimension of the lot to be built upon;

(b) The shape, size, and location of all existing and proposed buildings or other structures;

(c) The location and approximate dimension of all points of access to a public street or road;

(d) The location of all driveways and entrances; and

(e) Locations of areas subject to flooding, if applicable.

(2) An approved site plan is required to obtain a grading permit. The site plan shall contain, as a minimum, the following items or information, as applicable:

(a) Total land area;

(b) Existing and proposed topography of existing land and impervious areas shown;

(c) Elevations of all existing and proposed streets, alleys, utilities, sanitary and storm water sewers, and existing buildings and structures;

(d) All existing and proposed impervious area;

(e) Natural or artificial watercourses;

(f) Limits of floodplains, if applicable;

(g) All existing and proposed slopes, terraces, or retaining walls;

(h) All existing and proposed stormwater drainage structures or features;

(i) All stormwater structures/features immediately upstream and downstream of the site;

(j) Erosion and siltation controls plans;

(k) Drainage calculations when required; and

(l) Drainage easement when required.

F. Plan submittal, review, and approval process for grading permits.

(1) If site, drainage, grading, and erosion plans for the purpose of obtaining a grading permit are required, they shall be submitted to the building department. They are to be submitted not less than ten (10) days prior to the intended date to begin site alterations. The issuance of all other permits is based upon approval of submitted plans.

(2) The grading permit is valid for a period of one (1) year from the date of issue. Extensions will be considered based on circumstances.

G. Grading permit fees.

(1) The fee for the grading permit is intended to assist the City of Hammond in recovering some of the expenses associated with the permitting process. These costs consist primarily of administration, inspection, and enforcement activities and shall be approved and set by the city council.

(2) The fee schedule for grading permits is as follows:
Application fees will be the minimum required as per formal application requirements in Section 2.3.1 of this Code.

H. Erosion and sedimentation control.

Developers and/or property owners shall use appropriate erosion and sedimentation control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to an acceptable minimum and does not cross to an adjoining property, right-of-way, or stream.

12.3.5 Compliance Monitoring

A. Right of entry: inspection and sampling.

The city shall have the right to enter the premises of any person discharging stormwater to municipal separate storm sewer system (MS4), or to waters of the United States, to determine if the discharger is complying with all requirements of this division and with state or federal discharge permits, limitations, or requirements. Dischargers shall allow the city ready access to all parts of the premises for the purposes of inspection, sampling, record examination and copying, and for the performance of any additional duties. Dischargers shall make available to the city, upon request, any SWPPPs, modifications thereto, self-inspection reports, monitoring records, compliance evaluations, notices of intent, and any other records, reports, and other documents related to compliance with this division and with any state or federal discharge permit.

(1) Where a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, city personnel will be permitted to enter without delay for the purpose of performing his/her responsibilities.

(2) The city shall have the right to set up on the discharger's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the discharger's operation.

(3) The city may require any discharger to the MS4 or waters of the United States to conduct specified sampling, testing, analysis, and other monitoring of its stormwater discharges necessary to meet the requirements of the city's stormwater permit and may specify the frequency and parameters of any such required monitoring. This requirement by the city may be appealed following the administrative appeal process described in Sub-Section 12.3.6 E.

(4) The city may require the discharger to install monitoring equipment as necessary at the discharger's expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the discharger at the written or verbal request of the city and shall not be replaced. The costs of clearing such access shall be borne by the discharger.

(6) Unreasonable delays in allowing the city access to the discharger's premises shall be a violation of this division.

12.3.6 Penalties and Enforcement

A. Notice of noncompliance.

(1) The city building official or his designee shall deliver to the owner, contractor, and/or representative of any premises, or to any person responsible for an illicit connection, prohibited discharge, maintenance of a threatened discharge, failure to implement BMPs in accordance with this division, or any other violation of this division a notice of noncompliance.

(2) The notice of noncompliance shall be delivered in accordance with Sub-Section 12.3.6 C. The notice of noncompliance shall identify the provision of this division which has been violated. The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any cost incurred by the city.

(3) The notice of noncompliance shall identify a compliance date that must be met.

(4) Nothing within the enforcement or other provisions of this Unified Development Code shall be interpreted to limit the City’s enforcement remedies and procedures afforded by LA R.S. 33:4754.

B. Cease and desist orders.

The city building official may issue a cease and desist order. A cease and desist order shall be delivered in accordance with Sub-Section 12.3.6 C and may be delivered simultaneously with the notice of noncompliance as set forth in Sub-Section 12.3.6 A. A cease and desist order may direct the owner, contactor, and/or representative responsible for any violation of this division to take any of the following actions:

(1) Immediately discontinue any prohibited discharge to the city's stormwater conveyance system.

(2) Immediately discontinue any other violation of this division.

(3) Clean up the area affected by the violation.

(4) The city building official may direct by a cease and desist order that any person immediately cease any activity which may lead to a violation of receiving water limitations.

(5) The city building official may terminate the building permit for the site.

C. Delivery of notice.

Any notice of noncompliance, cease and desist order, or other enforcement order pursuant to the requirements of this division shall be subject to the following requirements:

(1) The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the city in correcting the violation.
(2) The notice shall state that the recipient has a right to appeal the matter as set forth in Sub-Section 12.3.6 E.
(3) Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. mail postage prepaid for first class delivery.

D. Penalties.

Any person violating any provision of this division shall be punished by a fine imposed by the city building official for each offense. An offense shall be interpreted as including all violations cited during an inspection. The person cited shall be given the seven-calendar-day grace period, then the penalty phase for noncompliance shall commence. The following penalty schedule shall apply:

Any person, violating this Article shall be punished as provided in Section 2.4.3 hereof.

E. Administration appeals.

(1) *Initiating an appeal.* Any person wishing to appeal the decision of the city building official shall provide a notice of intent to appeal with the city building official within ten (10) business days of receipt of the penalty notification. The city building official shall make an informal attempt to resolve the dispute. If the dispute is not resolved within ten (10) business days from the date of the notice of intent to appeal, such person may file a petition for appeal of the decision of the city building official with the city director of administration within ten (10) business days of the decision by the city building official. The following information shall be contained in the petition:
    (a) The name, address, and telephone number of the petitioner, and the name of the owner and/or customer if the appeal is being filed by an interested party other than the owner and/or customer;
    (b) The property address and a contact person if different from the petitioner;
    (c) The decision, enforcement action, or other action being appealed with copies of all notices received from the city and decisions being appealed;
    (d) An indication of the petitioner's status as an interested party;

(e) A statement giving specific reason why the petitioner believes the decision of the city building official is incorrect or does not comply with the rules and regulations found in this division; and

(f) All documents, drawings, plans, or other material petitioner believes supports the appeal.

(2) *Hearing.* The city council may itself conduct the hearing and take the evidence, or may designate any of its members, or employee of the city, or any other person to:

(a) Issue in the name of the city council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

(b) Take the evidence; and

(c) Transmit a report of the evidence and hearings, including transcripts and other evidence, together with recommendations to the city council for action thereof.

At any hearing held pursuant to this article, testimony must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

After the city council has reviewed the evidence, it may issue an order to the person responsible for the violation, following a specified time period, that corrective action be completed, and/or penalties be paid. Further orders and directives as are necessary and appropriate may be issued. A party or person aggrieved by the city council decision shall have the right of judicial review of such decision.

12.3.7 Citizen Participation

A. Citizen reports of violations.

(1) All citizens are encouraged to report to the city any spills, releases, illicit connections, other instances of anyone discharging pollutants into the MS4 or waters of the United States, and any other violation of this division of which they become aware.

(2) Calls received by the first call system will be referred to the city building official. All citizen reports received by telephone, in writing, and in person will be kept on file for a period of three (3) years. When necessary, complaints will be referred to the Department of Environmental Equality, Department of Health and Hospitals, or other appropriate local, state, or federal agency.

12.3.8 Miscellaneous Provisions

A. **Charges and fees.** The city may adopt reasonable fees for reimbursement of costs of constructing, operating, and maintaining the city's MS4, and for reimbursement of costs of implementing its stormwater management program as required by EPA or the state, and the cost of implementing this division, which costs may include, but not limited to, the following:

(1) Fees for monitoring, inspection, and surveillance procedures including the cost of collecting and analyzing discharges and reviewing monitoring reports submitted by dischargers;

(2) Fees for spills and release reports and responding to spills and releases of oil, hazardous and extremely hazardous substances, and other pollutants;

(3) Fees for the discharges of stormwater into the city's separate storm sewer system.

Article 13. Signs 13.1 General Sign Provisions 13.1.1 Purpose 13.1.2 Permit 13.1.3 Regulatory Limitations 13.1.4 Hammond Logo Use 13.1.5 Prohibited Signs 13.1.6 Coordinated Signage Required 13.1.7 Abandoned, Unsafe, or Damaged Signs 13.1.8 Sign Requirements by Zoning District 13.1.9 Off-premise signs	13.1.10 Temporary signs 13.1.11 Signs for which a permit is not required 13.1.12 Non-conforming signs; schedule of removal 13.2 Administration, Review, and Fees 13.2.1 Building official as administrator 13.2.2 Application and fee for sign permit 13.2.3 Appeals/board of adjustments 13.2.4 Enforcement and fines 13.2.5 Maintenance of sign and adjacent areas 13.2.6 Validity and separability

Article 13. Signs

13.1 General Sign Provisions

13.1.1 Purpose

A. The purpose of these regulations is to provide uniform, comprehensive sign standards which promote a positive city image reflecting order, harmony and pride and thereby strengthening the economic stability of Hammond's business, cultural and residential areas. These regulations are necessary to insure the public's safety by eliminating unsafe, confusing and distracting signs that may be a hazard to motorists or pedestrians. In addition, a positive visual environment has traditionally been a part of Hammond's small town attraction and these regulations will help to continue and supplement that tradition. For these purposes, it is declared that the regulation of signs within the corporate limits of Hammond is necessary and in the public interest. Objectives to be pursued in applying specific standards are as follows:

(1) To protect the residential nature of residential neighborhoods;

(2) To protect the motoring public from damage or injury to themselves or others caused by excessive sign distractions or obstructions;

(3) To protect and enhance property values throughout the city by promoting a positive city image;

(4) To assure that all signs in terms of size, height, location, and coloring are properly related to the adjacent land use character, and zoning district;

(5) To restrict lighting from signs from causing a nuisance to residential areas;

(6)To identify individual businesses, residential, and public uses without creating unsightliness, confusion, and visual obscurity of adjacent businesses;

(7)To assure that signs are properly located, built and anchored in a manner that does not add to or cause a public safety hazard brought about by high winds, electrical hazards and lack of visibility on or near public thoroughfares;

(8)To enhance Hammond's traditional small town character and charm.

13.1.2 Permit

A. In order to further coordination between city codes, signage information will be indicated on building permit applications when such information is available. If signage information is not yet available, a building permit may be issued contingent upon receiving signage information.

B. If signage information becomes available after a building permit is already issued, such information will be turned in to the building official for approval before erecting such signs.

13.1.3 Regulatory Limitations

A. This article does not, in general, change the texture, color, or material of signs. Though such items are controlled in the Hammond Historic District, these items are not controlled in the remaining parts of the city unless they have a direct impact on traffic safety.

B. Size of signs (square footage) is generally not restricted except for off-premise signs and signs in residential districts and Mixed Use districts (MX-N, MX-C).

C. Except for signs located in the Historic District, signs attached to buildings (roof, projecting, marquee signs, etc.) and on windows are not restricted as to size and number.

D. The height of signs, location of signs on the property, number of on and off premise signs, illumination and safety of signage is controlled.

E. Public signs: In order to set an example for others to follow, and to help eliminate traffic confusion and clutter, public informational and directional signs shall be thoughtfully and carefully located on the right-of-way. In order to reduce the great number of these signs, coordination and consolidation must be considered by public bodies. Where feasible public signs located at intersections will be consolidated onto one (1) or two (2) signs.

13.1.4 Hammond Logo Use

A special logo representative of Hammond has been designed by the Hammond Chamber of Commerce. Businesses replacing or erecting new signs are asked to incorporate the use of this logo in their sign design whenever feasible. This use of this logo is being promoted to help further Hammond's image and show of unity.

13.1.5 Prohibited Signs

The following signs are prohibited in all zones:

A. Signs which by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with traffic control signs or signals, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal or device.

B. Signs employing confusing motion; which employ motion in such a manner as to obstruct or interfere with a driver's view of approaching, merging or intersecting traffic, or a traffic signal, device or sign.

C. Signs with flashing, blinking, or traveling lights, regardless of wattage, which are located within twenty (20) feet from the edge of the street pavement. Signs or devices which utilize intense flashing lights, spotlights, floodlights or any type of light which may impair vision, cause excessive glare, or otherwise interfere with any driver's operation of a motor vehicle will be prohibited in any location.

D. Signs which bear the words "Stop," "Go Slow," "Caution," "Danger," or similar words which may be confused with traffic signs.

E. Signs which contain certain words, statements, or pictures which would be considered obscene, indecent, or immoral by local community standards.

F. Any signs or supports, other than those signs and supports required by governmental authority, or for which special permission has been obtained from the city, which are located on or across public right-of-way (including public parks and property) or that may impair visibility at intersections.

G. Signs which are considered unsafe or abandoned.

H. Balloons and gas filled objects which are of an unusual nature or size (in which case special permission to use such objects shall be obtained from the building official).

I. All off-premise signs, except those equally permitted by the city prior to the date of this subsection (Date). (See Section 13.1.9.)

J. Billboards and off-premise signs not meeting the requirements of Section 13.1.9.

K. Signs which do not comply with the sign restrictions applicable to the zoning district in which such signs are located.

L. Signs not meeting the city's building or electrical codes.

M. Any mobile signs or temporarily allowed portable sign located within ten (10) feet of public right-of-way or within ten (10) feet of the edge of the street pavement, whichever is greater. (See Sub-Section 13.1.5C above.)

N. Snipe signs.

O. Portable, skid-mounted and trailer signs, except those allowed as temporary signs.

P. Rooftop signs which are directly above or on top of the roof or parapet of a building.

Q. Signs over any utility easement.

R. Pole or freestanding signs that exceed the number (per property or building) allowed by this article. There shall be only one freestanding sign per building or per business center, but such sign may be in sections and may have the name of each occupant in a business center, office complex, etc. There may be one such sign per street frontage adjoining the business or property concerned. Franchised operations representing more than one franchise may have two (2) freestanding signs per street frontage. In addition to the freestanding sign (pole sign) each individual business may install a sign flat against the wall of their business or such attached sign may project out from their building. In the case of a projecting sign an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. (There is no limit on window signs.)

S. Search lights.

T. No sign shall be placed within the sight triangles for driveways and streets defined in Appendix C nor shall signs be erected in the public right of way.

13.1.6 Coordinated Signage Required

A. Neighborhood business centers, shopping centers and commercial, industrial or office structures which have single or multiple ownership or tenants shall coordinate their signage. A multiple use identification sign is required. A multiple use identification sign is defined as a sign stating the name of the group or development and the major tenants.

B. Public agencies, including the City of Hammond, will also coordinate public signs of like purpose and location onto one sign.

13.1.7 Abandoned, Unsafe, or Damaged Signs

A. All unsafe or damaged signs shall be removed or repaired within twenty (20) days of receiving written notice from the building official. Such notice shall be by certified mail.

B. All abandoned signs and their supports shall be removed within ninety (90) days of receiving written notice from the building official.

C. All political campaign signs on private property shall be considered abandoned if they have not been removed within twenty (20) days after an election. The city shall have authority to remove such signs without written notice to the sign owners if such signs are not removed within the twenty-day period. Such signs are not allowed on public property. An exception to this rule shall be when political campaign signs are using leased signage space and/or have contracted for a particular rental period.

D. If no remedial action is taken to repair or remove signs in the appropriate time frame stated above, then the city shall remove such signs and charge the costs of removal of the sign to the property owner and such documented city costs shall be paid by the owner. The building official or his representative shall have the authority to issue tickets to the sign owner in such cases. (See Section 13.2.4)

13.1.8 Sign requirements by zoning district.

A. Residential zones (RS-11, RS-8, RM-2, RS-5, RM-3, RS-11.A):

(1) Permissible signs in residential districts shall be limited to:

(a) Signs relating to a permissible home occupation. These signs shall be non-illuminated and non-flashing and no larger than two (2) square feet in area, five (5) feet maximum height;

(b) Public signs relating to traffic, safety and informational purposes;

(c) Subdivision identification signs;

(d) Sign accessory to a permissible commercial establishment, provided that these signs are not illuminated or flashing, do not pose a nuisance to residential structures, and are no larger than ten (10) square feet in area; these may be apartment identification signs;

(e) Temporary signs of no more than ten (1) square feet in area relating to the sale or lease of property, garage, yard sales, elections, or construction, and located on the property affected (not on public right-of-way);

(f) Churches, public and semi-public buildings, hospitals and institutions may have bulletin board signs and identification signs of no more than ten (10) square feet in area. These signs may not be flashing but may be illuminated if light is focused directly onto sign or if sign is dimly lit.

(g) All other signage shall be restricted.

(2) Sign height in these districts shall be limited to ten (10) feet except as otherwise noted, measured from ground level at the sign base.

B. Mixed Use Neighborhood and Mixed Use Commercial districts (MX-N and MX-C):

(1) All signage specified in Sub-Section 13.1.8A above shall be permissible. Other types of signage shall be allowed in the restricted business districts except for the following:

(a) Restrictions specified in Sections 13.1.5 and 13.1.6.

(b) Off-premise signs, including billboards;

(c) Flashing signs, regardless of location on the lot;

(d) Portable, trailer signs;

(e) Mobile signs;

(f) Temporary signs;

(g) Freestanding or pole signs other than one per commercial building (per street frontage).

(2) Height in these districts shall be limited to fifteen (15) feet, measured from ground level at the sign base. Residential uses in the MX-N and MX-C district shall abide by height restrictions specified in subsection Sub-Section 13.1.8A.

C. Commercial business district (MX-CBD):

(1) Signage shall be allowed in the MX-CBD District subject to the following provisions and restrictions:

(a) Restrictions specified in Sections 13.1.5 and 13.1.6

(b) Off-premise signs, flashing signs, portable, trailer signs, and billboards are prohibited;

(c) Pole signs shall only be allowed in MX-CBD zones which are outside of the Hammond Historic District and which are not adjoining the Hammond Historic District, and in such cases, there may be no more than one pole sign per commercial building. Height shall be limited to fifteen (15) feet;

(d) Signage in any part of the Hammond Historic District, or adjoining the district, shall be in compliance with the rules, regulations, and signage guidelines adopted by the historical district commissioners. When such regulations or guidelines conflict with the regulations of this article, the historical district's regulations and guidelines shall prevail. All such signage must be approved by the historic district board before being installed.

D. Commercial business district (C-N, C-H); industrial districts (I-L, I-H):

(1) Signage shall be allowed in the C-N, C-H, I-L and I-H districts subject to the following provisions and restrictions:

(a) Restrictions specified in Sections 13.1.5 and 13.1.6

(b) Off-premise signs and billboards are allowed in these districts subject to the provisions of Section 13.1.9

(c) Permissible mobile signs are limited to one per business, must be no higher than four (4) feet and must be set back at least ten (10) feet from the public right-of-way.

(d) Permissible temporary signs shall be set back at least ten (10) feet from the public right-of-way.

(e) No more than one freestanding (pole) sign per commercial building per street frontage. (See Section 13.1.6)

(2) Sign height may extend to sixty-five (65) feet if all of the following conditions are met:

(a) The site is commercially zoned and is within one thousand five hundred (1,500) feet of an interstate right-of-way; and

(b) The site is located on an interstate access road or a state-designated highway; and

(c) The signage proposed is limited to on-premise advertising of food, lodging or fuel; and

(d) The signage meets all other applicable city requirements and restrictions, including limitations on number of freestanding signs per business.

(e) All newly constructed and legally permitted freestanding signage built or installed on private property after the date of this amendment shall be designed as monument signage meeting the definitions of Appendix A - Definitions and the criteria outlined herein.

(1) This subsection (e) shall only apply to freestanding signage, not installed or painted signage on a building in compliance with the city's sign ordinance and building codes, and located along Fagan Drive and West Minnesota Park Road from Highway 51 Business (west side) to S. Morrison Blvd. (Highway 51 By-Pass) east side. Properties and buildings that must comply with this section are those that have access and/or frontage along Fagan Drive or West Minnesota Park Road. On corner properties located facing two public streets, compliance shall only be required for signage along Fagan Drive and West Minnesota Park Rd.

(2) Monument signs not exceeding seven (7) feet in height (measured from the top of its base or foundation to the highest point of the sign) shall be required in place of pole or freestanding signs when signage permits are requested from the city as per this subsection. In addition, the sign base, foundation, or berm may be allowed up to three (3) feet in height if landscaping around this sign is installed and maintained by the owner. A city approved sign permit must first be obtained before any signage construction can take place.

(3) Existing and legally non-conforming freestanding or pole signs may continue to be used until a new business on the property applies to change or re-construct the non-conforming sign with a new sign or sign face. At that time, the new signage will be built in accordance with the requirements outlined herein.

E. Hammond Historic District:

For sign requirements of this district see Section 8.1.18 and Appendix E.

F. Thomas/Morris Street Overlay and Economic Development District (OED District)

For sign requirements of this district see Section 8.2.7.

13.1.9 Off-premise signs

A. Off-premise signs (which includes billboards) shall be allowed only in the C-N, C-H and industrial zoning districts.

B. The maximum area (each face) of any off-premise sign within the City of Hammond shall be three hundred (300) square feet and shall have a maximum height of forty-five (45) feet.

C. All lighting on off-premises signs shall be shielded so as not to produce excessive light or glare onto adjacent residential property or onto the street.

D. Off-premises signs shall be setback at least as far back as the minimum setback of contiguous structures. When contiguous lots are not developed, the minimum setback shall be at least twenty (20) feet from the public right-of-way.

E. No two (2) off-premise signs shall be located within five hundred (500) linear feet, measured along or on the same side of any street or road frontage, of any other off-premise sign (exception—See (f) below). When measured at street intersections, five hundred (500) feet shall be measured radially of any other off-premise sign.

F. Persons who own property or business within the C-N, C-H, or industrial zones may use this property to advertise other property or businesses which they own but which are in a different location. Such off-

premise signs shall be limited to forty (40) square feet in area (per sign face) and do not need to meet the spacing requirements of subsection (e) above.

G. "Piggybacking" (signs on top of one another) of signs will not be allowed.

13.1.10 Temporary signs

A. Temporary signs are those that generally are not allowed by this article but which may be displayed for periods of no more than fourteen (14) consecutive days upon receiving written prior approval from the building official. Temporary signs may be approved for periods of up to fourteen (14) consecutive days, two (2) times per calendar year, for any one business. No one business then may display temporary signs for more than twenty-eight (28) days per calendar year.

B. Temporary signs that may be approved shall be limited to:

(1) Banner signs that announce special events relating to public purposes, charity, non-profit entities, or tourism. Such signs approved by the building official may be erected across public streets that are no more than two (2) lanes wide.

(2) Portable or trailer signs that display grand openings or "special events."

(3) Signs painted or built onto vehicles to be parked as advertising.

C. It should be noted that this article allows many types of temporary signs that do not need approval from the building official. An example would be a business that announces a special sale with a temporary sign on their building or on an approved pole or mobile sign. Such signs do not need prior approval. Real estate, contractor signs, and political campaign signs are also examples of temporary signs that do not need prior written approval from the city when installed according to the guidelines of this article.

D. Political campaign signs are all considered temporary and must be removed within twenty (20) days after an election. These signs are not allowed on public right-of-way, public buildings, public parks, utility poles, or on public trees and may at any time be removed from the public property by the city. Before signs are installed prior to an election each candidate which seeks to install signs within Hammond's corporate limits will post a two hundred fifty dollar ($250.00) bond with the zoning clerk at City Hall. Such bond will be held by the city in escrow and returned to the candidate within five (5) working days after the election if the candidate removes his own campaign signs within twenty (20) days.

13.1.11 Signs for which a permit is not required

A. Sign permits and approval from the building official's office is not required for the following types of signs:

(1) Public signs relating to traffic, warning, or informational purposes.

(2) Indoor signs or window signs (inside or out).

(3) On-premise signs attached to any commercial or industrial building where such buildings are not located within the Hammond Historical District or in residentially zoned districts, and are not prohibited or rooftop signs.

(4) Political campaign signs that are on privately owned property and are within size limitations allowed in that district.

(5) Real estate sale signs, temporary construction signs, garage and yard sale signs on private property and within size limitations allowed.

(6) Flags of any governmental entity that are set back from the right-of-way at least twenty (20) feet. (Must be permitted if used for commercial promotion.)

(7) Fuel pump pricing signs that are attached to an approved pole sign, on gas pumps, or attached to overhead canopy structures.

(8) Menu boards for drive-thru food establishments.

(9) Private traffic direction signs located off of the public right-of-way and not exceeding five (5) square feet in area per sign. (e.g. "exit", "entrance" signs.)

(10) Non-illuminated home occupation signs not exceeding two (2) square feet in area.

B. Although sign permits are not required for all signs, all restrictions and guidelines of this article must be followed as to appropriate sign locations, height, size, etc. The building official may still require signs that do not require a permit be removed or altered if they do not meet the requirements of this article.

C. If anyone is unsure of the need for a sign permit, the building official's office should be called before installing the sign.

13.1.12 Non-conforming signs; schedule of removal

A. In order for this article to have its intended effect of improving safety and reducing clutter, certain types of nonconforming signs will be removed over a period of time as provided below:

(1) Signs which have been erected in violation of a previously existing ordinance shall not, by virtue of the adoption of this ordinance, become legally nonconforming. Such signs shall immediately be removed by the owner or be brought into conformance with this article.

(2) Signs which have been abandoned, are considered unsafe, or are illegally located on public property shall immediately be removed or repaired by the owner and brought into conformance with this article.

(3) Mobile, portable, skid-mounted and trailer (vehicle) signs shall immediately be brought into conformance with this article in relation to their location on the property. Blinking and flashing signs and those with traveling lights that are considered mobile or portable must be setback twenty (20) feet from the right-of-way or from the edge of street pavement, whichever is greater. All portable and mobile signs not using flashing or blinking lights must be set back ten (10) feet from the right-of-way or edge of street pavement, whichever is greater.

(4) All portable, skid-mounted, mobile and trailer signs which are used on a rental basis must be removed or brought into compliance immediately at the end of the contracted rental period. Renewal of the rental contract for portable signs will not be allowed since these signs will become nonconforming in accordance with this article.

(5) Signs which become nonconforming and do not meet the provisions of this article because of height or size shall be allowed to remain and therefore become legally nonconforming.

(6) All other on or off-premise signs not conforming to the provisions of this article must be brought into conformance or removed within the limits of the time schedule indicated below.

	Conformance schedule	
Original value of sign	*Wood Frame Signs*	*Metal/Brick Frame*
Less than $2,000	24 months	24 months
$2,000—$6,000	30 months	48 months
More than $6,000	36 months	72 months

(7) No legally nonconforming sign may be enlarged or altered to increase it nonconformity with this article.

B. City staff or their representatives must log all nonconforming signs and determine what schedule must be followed in having such signs removed or altered to conform with this article. After inventory and logging of all signs which are nonconforming, the owners or responsible parties for such signs shall be notified by the city of the time schedule applicable for such signs to be brought into conformance with this article.

13.2 Administration, review and fees.

13.2.1 Building official as administrator.

The office of the building official shall be responsible for the proper administration, interpretation and enforcement of this article.

13.2.2 Application and fee for sign permit.

A. An application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or by his authorized agent, or by a sign contractor. (See Section 13.1.11 for signs not requiring permits.)

B. Application shall be made on the forms designated by the building official at any time before a sign is erected or placed. A proper log and record of fees collected shall be kept by the building official's office.

C. A sign application form and a sign permit must be completed and obtained for each sign for which approval is sought. For the purposes of this article, one freestanding pole or monument sign within several businesses listed on it shall constitute only one sign. The building official shall inspect each sign for which a permit is obtained.

D. Sign permit fees shall be as follows:
Application fees will be the minimum required as per formal application requirements in Section 2.3.1 of this Code.
E. Civic and charitable organizations shall be exempt from the above fees for use of approved temporary signs when such signs are used in pursuit of a civil or charitable purpose.

F. Any sign that is to be rebuilt or relocated due to "Acts of God" or other types of damage beyond the control of the owner, must receive sign permits before such sign is rebuilt or relocated. This is done so that the building official can indicate the conforming status of the sign before it is rebuilt or relocated. When such "Acts of God" have caused a conforming or legally nonconforming sign to be rebuilt or relocated, sign permit fees shall not be collected.

13.2.3 Appeals/board of adjustments.

A. Any city official, public or private organization, or person may appeal a decision of the building official if such appeal is based upon the building official's proper administration and/or interpretation of this article.

B. Such appeal shall first be directed to the building official for reconsideration. Further appeals may be brought to the board of adjustments, which may override, by majority vote, an improper decision or interpretation of the building official.

C. The three (3) person board of adjustments shall be appointed by the mayor, through recommendations from the city council, and may be a different board from the zoning board of adjustments. Members of the board of adjustments may be compensated a reasonable stipend for each board meeting at which they are in attendance.

D. Terms of board members: The city council shall establish staggered initial terms for the members of the board of adjustments. Thereafter, all terms of membership shall be for six (6) years.

E. Removal of board members: The mayor may remove a member of the board of adjustments for poor meeting attendance, neglect of duty, malfeasance or inefficiency in office.

13.2.4 Enforcement and fines.

A. Signs newly erected or placed in an improper manner or location must have the infraction corrected, or the sign removed, within forty-eight (48) hours of receiving certified written notice from the building official's office. No notice is required before the city removes signs from public right-of-way.

B. Any person, violating this Article shall be punished as provided in Section 2.4.3 hereof.

C. If not corrected by the owner, the building official's office, or its chosen representative, may correct such infraction or remove a sign at the expense of the sign owner. Documented expenses in correcting a sign infraction will be sent to the owner for reimbursement to the city. Such expenses that are not paid within thirty (30) days by the owner will be filed as a lien against the real property upon which such costs were incurred and said cost will be collected in the same manner as city property taxes.

13.2.5 Maintenance of sign and adjacent areas.

All signs and the premises surrounding them shall be kept free and clear of safety and health hazards, rubbish, high weeds and grass.

13.2.6 Validity and separability.

Should any section or provisions of this article be declared unconstitutional or invalid, such decisions shall not affect the validity of this article as a whole or any part thereof other than the part so declared unconstitutional or invalid. It shall be understood that where similar provisions are covered in other ordinances, the more restrictive provisions shall prevail unless agreed upon by the city council.

Article 14. Parking	14.2.3 Alternative Parking Provisions
14.1 General	14.2.4 Shared Parking Provisions
14.1.1 Applicability	14.2.5 Valet Parking
14.1.2 Purpose	14.2.5 Violations
14.1.3 Review and Approval	14.3 Design and Maintenance
14.2 Parking Requirements	14.3.1 Minimum Parking and Loading Dimensions
14.2.1 Location	14.3.2 Design Standards
14.2.2 Parking Ratio	

Article 14. Parking

14.1 General

No use shall provide less than the minimum number of parking spaces required under this Chapter. The use of any property is conditional upon the unqualified continuance and availability of the parking as required by this development code. Required parking may be for fee or at the discretion of the property owner or occupier.

14.1.1 Applicability

A. All applicable uses and developments must provide parking (including parking for the disabled) and loading facilities in accordance with this Chapter.
B. No certificate of occupancy shall be issued until these parking requirements have been met.
C. Existing buildings not complying with off-street parking or loading requirements may be remodeled, repaired, and structurally altered but any enlargement must provide the parking spaces as required by the enlargement.

14.1.2 Purpose

A. The following regulations require off-street parking and loading facilities in proportion to the need created by each use. The regulations further establish standards for the functional design of such facilities.
B. These regulations are intended to provide for accommodation of vehicles in a functionally and aesthetically satisfactory manner to reduce congestion on city streets to minimize external effects on adjacent land uses and minimize adverse impacts to the environment.

14.1.3 Review and Approval

A. For any off-street parking facilities as required by this Unified Development Code, a layout plan drawn to a standard engineer's scale (one (1) inch equals twenty (20), forty (40), or fifty (50) feet) showing entrances, exits, servitudes, right-of-ways, curb lines, street centerlines, parking stalls, access aisles, maneuvering areas, loading spaces, and connecting driveways shall be submitted to the Building Official for review.

14.2 Parking Requirements

A. Required parking spaces shall not be used for the storage or sale of merchandise, vehicle storage, vehicles for sale, or vehicle repair. Non-required spaces proposed for these uses shall be designated on a site plan.
B. Industrial sites located in designated industrial/business parks that are zoned I-H or I-L Industrial are not required to pave truck parking areas, aisle or maneuvering areas that are located behind the primary business building on the site. However, the required visitor and staff trucking parking in the front or side of a building must still be paved in accordance with City standards.
C. Parking of abandoned, or non-operating vehicles, shall not be kept in the front or side yards for more than the temporary period allowed in the City's abandoned vehicle ordinance, or 30 days, whichever is more.

14.2.1 Location

Parking spaces must be located as set forth below.

A. Single-Family Detached, Single-Family Attached, Large Homes
   (1) Only designated driveways that meet the requirements of Sub-Section 14.3.2 G may be used for parking.
   (2) Required parking spaces shall be located on the same lot, not including on-street parking and shall be setback a minimum of 10 feet from the existing curb or edge of roadway. No parking lot or vehicular use area shall interfere with a clear sight triangle as established as in Sub-Section 14.3.2 E.
B. Townhouse, Apartment, Nonresidential Uses, Civic Uses
   (1) All parking areas must observe requirements in Paragraph 14.2.1A (1) and Paragraph 14.2.1A (2). No parking lot or vehicular use area shall interfere with a clear sight triangle as established as in Sub-Section 14.3.2 E.
   (2) All off-street parking shall be arranged so that no vehicle is forced onto any public street to gain access from one parking aisle to another parking aisle. All off-street parking facilities shall be arranged so that no vehicle is forced to back onto any public street.
   (3) Required parking spaces must be located on the same site or on off-site land within 300 feet of the building, structure or use served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot); provided that such off-site parking complies with the following requirements.
      (a) Additional distance may be allowed in accordance with an approved alternative parking plan (see Sub-Section 14.2.3 A).
      (b) Such off-site parking spaces are located within a district which would permit the use to which such parking is accessory.
C. Central Business District Parking Requirements
   (1) Off-street parking as required in this section, shall not be required in those portions of the downtown Central Business District zoned MX-CBD. Available on-street and public parking mall shall be used as parking.
   (2) Portions of the Central Business District zoned other than MX-CBD may be exempt from off-street parking requirements upon proof that adequate legal public on street parking is available adjacent to or near the property being considered.

14.2.2 Parking Ratios

A. Calculation of Parking Ratios
   (1) Developments containing more than one use shall provide parking spaces in an amount equal to the total of the requirements for all uses. A shared parking reduction may be allowed in accordance with an approved alternative parking plan (see Sub-Section 14.2.3 A).
   (2) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number. When parking spaces are computed on the basis of the number of employees or students, the maximum number present at any one time shall govern.
   (3) The parking space requirements for a use not specifically listed in the table below shall be the same as for the listed use deemed most similar to the proposed use by the City Planner.
   (4) In stadiums, sports arenas, places of worship, and other places of public assembly where occupants utilize benches, pews, or other similar seating arrangements, each 24 lineal inches of such seating facilities count as one seat.
   (5) Unless otherwise indicated in Table 1 parking requirements are based on square footage of floor area. Floor Area means the square feet of floor space within the outside line of walls and includes the total of all space on all floors of a building. It does not include porches, garages, or space in a basement or cellar.
B. Minimum Parking Ratios
   Off-street parking spaces shall be provided for all uses listed in the amounts specified below in Table 14.2.2 C. All accessory uses shall have the same parking ratio as their principal uses, unless indicated

otherwise in this Sub-Section. Where in the opinion of the applicant, a listed ratio requires too much or too little parking, the applicant may provide an alternative parking plan with data submitted in support of higher or lower ratios (see Section 14.2.3 A). No minimum off-street parking spaces are required in the CBD District as stated in Section 14.2.1 C.

TABLE 14.2.2 B OFF-STREET PARKING REQUIREMENTS SF= Square Feet FA = Floor Area	
USE	**PARKING REQUIREMENT**
RESIDENTIAL	
Single Family	2.0 spaces per unit
Two Family (Duplex)	2.0 spaces per unit
Multi Family (1 bedroom)	1.25 spaces per unit
Multi Family (2 bedrooms)	2.5 spaces per unit
Multi Family (3 bedrooms)	3.5 spaces per unit
Multi Family (4 bedrooms)	4.0 spaces per unit + 10 % additional spaces
Dormitories & lodging houses (which includes rooming/boarding houses)	1.0 space per bedroom
Group homes, halfway homes, & special homes	1.0 space for each 3 beds
Fraternity & sorority houses	1.0 space/5 active members
Mobile Home Parks	2.0 spaces per unit
COMMERCIAL	
Office	1.0 per 300 SF FA
Hotels - Motels	1.0 space per bedroom
Apartment Hotels	1.5 spaces per bedroom
Medical Clinics	1.0 per 250 SF FA
Retail Sales and Service	1.0 per 250 SF FA
Furniture sales	1.0 per 500 SF of Office and Display Area
Personal services, including barber shops, hair studios/beauty salons, body piercing and adornment, massage therapy, and similar type services	1.0 per 150 SF FA
Restaurants	1.0 per 75 SF Dining Area
Drive-ins (Fast Food Establishments)	1.0 per 75 SF FA
Commercial recreational facilities (other than below)	1.0 per 100 SF FA
Bowling alleys	8.0 spaces per lane
Driving ranges	1.0 space per tee plus 2.0 spaces
New car sales	1.0 space per 300 SF of offices and customer service FA
Used car sales	1.0 per 1,500 SF of lot

Vehicle or Service stations	4.0 spaces plus 2.0 per lube rack or bay service
Car washing	1.0 space per 200 SF FA
Theater, cinema	1.0 space per 3.0 seats
Lounge or bar	1.0 space per 35 SF FA
Self-service gas stations (no service of vehicles and *without convenience food store*)	2.0 spaces
INDUSTRIAL	
All Uses	1.0 space per each two employees or combined two largest shifts + 1 space for each company vehicle domiciled at the facility + 15.0% of total employment to accommodate visitors.
INSTITUTIONAL	
Churches	2.0 spaces per 4.0 individual seats or per 50 SF in main assembly room.
Auditorium	1.0 space per 4.0 seats or per 34 SF FA
Elementary Schools	2.0 space per classroom + 1 space per 250 SF FA
Middle Schools	4.0 space per classroom + 1 space per 250 SF FA
High Schools	15.0 spaces per classroom + 1 space per 250 SF FA
Nursing homes	1.0 space per 2 beds
Funeral parlors	1.0 space per 100 SF FA
Stadiums and arenas	1.0 space per 4 seats
Transportation terminals	1.0 space per 100 SF of waiting area
Clubs and lodges	1.0 space per 100 SF FA
Welfare and employment	1.0 space per 100 SF FA

C. Other Uses

For all other uses not listed in Table 14.2.2 B when the City Planner deems it necessary, parking requirements will be determined by the City Planner based on accepted Institute of Traffic Engineering (ITE) standards.

D. Parking Credits and Reductions

The following parking reductions apply to the required parking ratios for a specific use.

Factor	**Applicable Use**	**Criteria**	**Parking Adjustment**
Transit	All uses	Use is located within a 660-foot walking distance of a public transit stop.	10% Reduction
Pedestrian Access	Nonresidential	Use is located where residents of all residential and mixed use areas within 1,320 feet of the subject property can walk to and from the nonresidential use using a continuous sidewalk system (ignoring intervening streets).	5% Reduction, non designated frontage 10% Reduction, designated frontage

Public Parking Facilities	Nonresidential	Use is located within 660-foot walking distance of a parking facility that is available for use by the public without charge (either directly or through a validation program in which the subject use participates).	10% Reduction
On-Street Parking	Residential Nonresidential	Use is located along one or more public street frontages where public parking is permitted. Where streets have been signed ―No Parking‖ by the City or parish, no credit for on-street parking is available.	One legal on-street parking space may be substituted for every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property seeking the parking reduction. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting owner in front of whose property is 50% or more of the space is located.
Bicycle Parking	All uses	Use provides at least five dedicated bicycle parking spaces with bicycle parking hardware within 200 feet of a functioning entrance. Bicycle parking facilities must be high-quality, inverted ―U‖- type construction. Alternative high-quality bicycle parking facilities may be approved by the City Planner if they can be shown to provide adequate theft protection and security and support the bicycle at two points of contact to prevent damage to the bicycle wheels and frame.	Reduction of one parking space for every five bicycle parking spaces for a maximum reduction of five parking spaces.

14.2.3 Alternative Parking Provisions

A. General

(1) Unless an alternative parking plan is approved at the time of site plan approval, the parking ratios of Section 14.2.2 B apply.

(2) The requirements of Section 14.2.2 B may be modified where applicant-submitted parking data, prepared and sealed by a registered engineer in the State of Louisiana with transportation expertise, illustrates that required parking ratios do not accurately apply to a specific development.

(3) The data submitted for an alternative parking plan must include, at a minimum, the size and type of the proposed development, the mix of uses, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads of all uses.

(4) All parking areas and driveways located within any servitude except those that provide access to a site shall be approved by the City Planner and the user agency having jurisdiction over such servitude.

14.2.4 Shared Parking Provisions

A. General

(1) Joint use of up to 100% of required off-street parking spaces may be permitted for two or more uses located in the same or different buildings, provided that the parking spaces are on the same lot or within 660 feet of the building, structure or use to be served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot);.

(2) The City Planner may approve a shared parking plan when uses are located near one another and have different peak parking demands, or other characteristics that would enable them to share parking areas without resulting in significantly higher on-street parking in surrounding areas or unauthorized use of other parking facilities. Shared parking arrangements are subject to the requirements of this section.

B. Application

In cases where the uses for which the shared parking is requested are located on lots under different ownership, the persons involved will file a joint written application with the City Planner setting forth the following information:

(1) The names, addresses, and telephone numbers of the applicants.

(2) The ownership and location of the off-street parking spaces proposed to be jointly used.

(3) The uses which will jointly use the required off-street parking spaces, the hours of operation of each such use, the number of required parking spaces per the this development code for each such use, and the number of parking spaces proposed to be jointly used.

(4) Applicants wishing to use shared parking as a means of reducing the total number of required spaces must submit a shared parking analysis using the latest edition of Urban Land Institute's Shared Parking. The study must address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.

(5) Any other information required by the City Planner.

C. Off-Site Parking Provisions

Required off-street parking spaces may be permitted by the City Planner on a separate site from the site on which the principal use is located if the off-site parking complies with the all of following standards:

(1) Off-site parking spaces are located within 660 feet from the primary entrance of the use served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building, structure served by such parking lot).

(2) Off-site parking may not be used to satisfy the required parking ratios for residential uses (except for guest parking), as well as convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.

D. Criteria for Review

In reviewing an application, the following factors shall be considered:

(1) Characteristics of each use and projected peak parking demand, including hours of operation.

(2) Potential reduction in vehicle movements afforded by multi-purpose use of spaces by employees, customers or residents.

(3) Potential improvements in access, design, open space preservation and circulation afforded.

E. Agreements

An alternative parking plan shall be enforced through written agreement among all owners of record providing that the land comprising the parking area shall never be disposed of except in conjunction with the sale of the building which the parking area serves so long as the facilities are required; and such agreement shall bind his or her heirs, successors, and assigns. An attested copy of the agreement between the owners of record shall be submitted to the City Planner, approved by the City Attorney and filed with the Register of Deeds. Any applicable easements or joint access corridors which affect the shared parking plan shall be recorded on a final plat and in any restrictive covenant and shall be referenced on the site plan.

F. Amendment or Termination

The approved alternative parking plan agreement may be amended or terminated through site plan submission to the City Planner through:

(1) A petition filed by the owners whose properties include at least 75% of the square footage included in the alternative parking plan prior to amendment or termination; and

(2) Submission of evidence that each use has made alternative provisions to satisfy its off-street parking requirements.

14.2.4 Valet Parking

Valet parking may be permitted as a means of satisfying otherwise applicable parking requirements where all of the following standards have been met:

A. Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or the tenant's affidavit agreeing to provide such services;

B. An equivalent number of valet spaces are available to replace the number required on-site parking spaces. Such valet spaces do not require individual striping, and may take into account the tandem or mass parking of vehicles.

C. The design of the valet parking shall not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

14.2.5 Violations

Violations of an approved alternative parking plan constitute a violation of this development code and shall be subject to all applicable enforcement and penalty provisions. Any person, violating this Article shall be punished as provided in Section 2.4.3 hereof.

14.3 Design and Maintenance

No permits shall be issued for any parking facility until the plans and specifications including required landscaping, screening, materials, and drainage have been submitted for review and are in compliance with the requirements of this code as determined by the City Planner. These plans and specifications shall include proper drainage, surface materials, curbing, and screening as required clearly marked and dimensioned with handicap and other special use spaces designated. All entrances, exits, and aisles shall be dimensioned with the traffic movements indicated in accordance with the requirements of the Manual on Uniform Traffic Control Devices.

14.3.1 Minimum Parking and Loading Dimensions

A. Parking Space Defined

A standard parking space is an area sufficient in size to store one automobile (not less than nine (9) feet wide and twenty (20) feet long) which is connected to a public street or alley by an aisle and/or driveway designated in such a manner that (except for single-family dwellings) adequate maneuvering areas are provided and backing onto or off the street right-of-way will be prohibited. Dimensions for minimum parking standards can be found in Appendix C - Parking, Streets, and Roadways. In all uses, 40% of the required spaces may be sized to the compact car. These spaces shall not be less than 16 ft. in length and 8 ft. in width and aisle or maneuvering area shall be the same as standard parking.

B. Accessible Parking

Regulations and dimensions for Handicapped Parking Spaces have been taken from the ADA - Americans with Disabilities Act (Public Law 101-136). This act prohibits discrimination on the basis of disability in places of public accommodations and commercial facilities.

The required number of accessible spaces is:

Total Parking Spaces in Lot	Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1,000

(1) Location: Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building or buildings with multiple entrances, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility.

(2) Dimensions: Accessible parking spaces shall be at least ninety-six (96) inches wide. Parking access aisles shall be part of an accessible route to the building or facility entrance; two accessible parking spaces may share a common access aisle. Parking spaces and access aisles shall be level with surface slopes not exceeding one to fifty (1:50) / two (2) percent in all directions. Access aisles adjacent to accessible spaces shall be sixty (60) inches wide minimum. One (1) in every eight (8) handicapped/accessible spaces but not less than one (1) shall be served by an access aisle ninety-five (95) inches wide minimum and shall be designated "van accessible". All such spaces may be grouped on one (1) level of a parking structure. See Appendix C – Parking, Streets, and Roadways.

(3) Signage: Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility. Such signs shall be located so a vehicle parked in that space cannot obscure them. Van accessible spaces shall have an additional sign "Van Accessible" mounted below the symbol of accessibility. Such signs shall be located so a vehicle parked in the space cannot obscure them. See Appendix C.

(4) Passenger Loading Zones: Passenger loading zones shall provide an access aisle at least sixty (60) inches wide and sixty (20) feet long adjacent and parallel to the vehicle pull-up space with complying curb ramp.

(5) Vertical Clearance: Minimum vertical clearance of one hundred fourteen (114) inches at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s) shall be provided. Van parking spaces shall provide minimum vertical clearance of ninety-eight (98) inches at the parking space and along at least one (1) vehicle access route to such spaces from site entrance(s) and exit(s).

C. Freight Loading Space

(1) Every commercial or industrial building with a floor area of five thousand (5,000) square feet or above shall have one (1) off-street freight loading space for each fifteen thousand (15,000) square feet or fraction thereof per tenant or owner.

(2) A freight loading space shall be a minimum of fourteen (14) feet wide, sixty (60) feet deep, and have a vertical clearance of at least fourteen (14) feet.

(3) Freight Maneuvering Space for loading is the unobstructed area needed for a truck to back in a single movement on site into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the right-of-way line of the access street. Where such space is located in such a manner that a truck must back directly into the loading space, a maneuvering space of fifty (50) feet shall be provided.

D. School Bus Loading

When a school is provided school bus transportation; off-street loading and unloading facilities shall be provided. Backing onto or off public streets will not be allowed. A twelve (12) foot by thirty-five (35) foot with a minimum vertical clearance of fourteen (14) foot school bus loading/unloading space shall be provided for each bus, based on the maximum number of buses expected to be loading or unloading simultaneously.

14.3.2 Design Standards

A. Surfacing Required

All off-street parking spaces, aisles, new/used car lots and connecting driveways shall be surfaced with a permanent dust-free paving, cement, or asphalt (gravel is not dust-free). The Building Official may waive the paved parking for church related parking if he determines that the non-paved parking will not cause a safety hazard, drainage or other problems in the neighborhood.

(1) Exception:

None.

(2) Excess Parking

For developments providing parking in excess of the number required by Sub-Section 14.2.2 B, the following conditions apply:

(a) Excess parking created that is less than an additional ten (10) percent or fifty (50) spaces (whichever is less) than the requirements set forth in UDC may use any of the approved surface types listed in this chapter for the additional spaces;

(b) For excess parking created that is equal to or greater than an additional ten (10) percent or fifty (50) spaces (whichever is less) than the requirements set forth in Sub-Section 14.2.2 B, all excess spaces must be Hard Pervious surface types.

B. Parking Restrictions

(a) Parking of abandoned, or non-operating vehicles, shall not be kept in front or side yards for more than a temporary period as may be allowed in the City's abandoned vehicle ordinance, or 30 days, whichever is more.

(b) Parking of vehicles in front and side lawns shall not be permitted in residential areas of the City. No more than 45% of a required front yard may be used for paved area and parking in single family residential districts. Parking spaces and the parking of vehicles shall only be within the designated parking spaces or in driveways, with no more than one vehicle per parking space.

C. Markings

When six or more off-street parking spaces are required by this development code, all parking spaces within the parking area must be marked and maintained with paint or other suitable pavement marking material so as to be distinguishable. When any part of an off-street parking area is redesigned, those pavement markings that no longer apply must be completely removed.

D. Parking Encroachment

Parking must be located so that no vehicle when parked will have any portion of such vehicle overhanging or encroaching on pedestrian or vehicular travel paths. If necessary, wheel stops or barriers may be required in order to enforce this provision.

E. Corner Clearance

(1) No parking spaces will be permitted on corner lots within the Sight Distance Triangles defined in Appendix C – Parking, Streets, and Roadways.

(2) No parking spaces may be permitted closer to the roadway edge or curb than ten (10) feet.

(3) A request for waiver of the sight distance triangle restriction for parking spaces can be made to the planning and zoning commission for the following:

(a) Corner lots on intersecting one-way streets.

(b) Commercial or multifamily driveways with more than fifteen (15) feet from back of curb or edge or roadway to the right-of way line and widening of the public street is not anticipated by implementation of the Major Street Plan and the Comprehensive Master Plan.

The application for waiver must be reviewed and given a favorable recommendation by the planning commission staff and the city engineer before it can be approved.

F. Access Management

(1) On lots having a frontage of fifty (50) feet or less, only one (1) combined entrance-exit shall be permitted.

(2) On lots having a frontage in excess of (50) feet, there shall be no more than one (1) combined entrance-exit for every fifty (50) feet of frontage.

(3) On property having frontage on state maintained roadways, access and driveway design must be approved by the LA DOTD prior to acceptance of construction plans. One (1) copy of any required DOTD Access permit must be submitted to the City with the Construction Plans and Specifications.

G. Driveways

All entrance-exits (driveways) on streets and roadways in the City of Hammond shall follow minimum design criteria as found in Appendix C - Parking, Streets, and Roadways. All driveway aprons shall be paved in accordance with surface materials designated in Sub-Section 14.3.2A from the roadway edge to the right of way line. Driveways shall be a maximum of 22 feet wide in residential districts.

H. Lighting

All lot exterior lighting fixtures (attached or free standing) shall be deflected, shaded, and focused away from any adjacent properties and shall not be a nuisance to such adjacent properties. Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed three-tenths foot-candle, measured vertically and horizontally on adjacent properties.

I. Bicycle Parking Guidelines

Bicycle parking spaces shall be provided for all proposed uses providing (50) fifty or more vehicular off-street parking spaces with the exception of single family, two-family residential, and temporary or seasonal uses.

(1) Developments must provide bicycle parking spaces and/or racks. Multi-Family Residential ratio is one (1) space per ten (10) units with no maximum. Bicycle spaces must be distributed evenly throughout development for easy access.

The required number of bicycle parking spaces is:

Total Vehicular Spaces Provided	Minimum Number of Bicycle Parking
50-75	2
76-100	4
101-200	5
201-300	6
301-400	7
401-500	8
501-600	10
601-700	12
701-800	14
801-900	16
901-1000+/-	18

(2) Location and design of Bicycle Parking Facilities.

(a) Bicycle spaces shall be racks or lockers anchored to pavement or secured so that they cannot be easily removed.

(b) A bike rack shall provide ability for one wheel and the frame of bicycle to be secured with only a user-supplied lock without removing a wheel.

(c) Bicycle parking spaces shall be sufficiently separated from damage by motor vehicles. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features. The parking spaces shall be easily accessible from the main entrance.

(d) Bicycle spaces shall be two (2) foot wide by six (6) foot long. Racks must not be placed close enough to a wall or other obstruction so as to make maneuvering around rack difficult. An aisle or other space shall be provided for bicycles to enter and leave the facility. There must be a minimum of four (4) feet space between racks. One (1)U-shaped Rack will count as two (2) spaces.

(3) A bike rack detail and location must be included on the site plan.

(4) Bicycle parking facilities must be high-quality, inverted U‖- type construction.

APPENDIX A

Definitions

Abandoned Sign - A sign which is dilapidated beyond repair of one in which the business or event identified by the sign is no longer operating.

Abandoned Vehicle(s) - Any motor vehicle or mobile home as defined herein, which:

1. Has remained for a period of more than seventy-two (72) hours on public property illegally;
2. Lacks vital component parts or is in an inoperable condition such that it has no substantial potential further use consistent with its usual functions, except for vehicles kept in an enclosed garage or storage building;
3. Has remained for a period of more than sixty (60) days on private property without the consent of the person in control of such property. Even with consent, such vehicles and non-operating vehicles, shall not be kept in front or side yards;
4. Is voluntarily surrendered by its owner to and accepted by the City of Hammond or the City Police Department; or
5. Comes into the possession of the city or its police department by seizure, confiscation or other means hereinafter provided.

Abandoning a Vehicle - Any act which renders a thing an "abandoned vehicle" as defined herein.

Abandons - To completely forsake and desert an animal previously under the custody or possession of a person without making reasonable arrangements for its proper care, sustenance, and shelter.

Abutting - The property directly touches another piece of property.

Accessory Building and Use - Subordinate building or a portion of the primary building, the use of which is incidental to that of the main building or land not used for a place of habitation, or a living room, kitchen, dining room, parlor, bedroom or library. An accessory use is one which is incidental to the primary use of the premises.

Accessory Dwelling Unit - A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.

Accessory Use or Structure - A use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Activity Center - Activity center is a term that refers to concentrated areas of housing and employment such as downtowns, town centers, or edge cities.

Addition - Any act or process which changes one (1) or more of the exterior architectural features of a structure by adding to, joining with or increasing the size or capacity of the structure.

Adequate Public Facilities - Adequate public facilities include existing municipal services, including water, sewer, roads, and schools that are available to serve a development without the addition of new public facilities.

Adjacent – see Abutting.

Administrator - The person or office designated by the mayor and charged with certain tasks including but not limited to interpreting the provisions of this Zoning Ordinance, and other duties prescribed under this Zoning Ordinance.

Adult Dance Hall - Any dance hall whose permissible patrons or admittees are eighteen (18) years of age or older.

Adult Day Care - A facility, operated for profit or not, in which care basic services are provided through its ownership or management for part of a day to three or more persons who are 18 years of age or older, not related to the owner or operator by blood or marriage, and who require such services.

Adult Entertainment - Any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, that has as a principal or predominant theme, emphasis, or portion of such performance, any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal service offered customers.

Adult Material/Pornographic Material - Shall consist of:

1. Movies, films, motion pictures, video tapes, video discs, slides, photographs, or any other medium of visual representation or live performances, exhibitions or presentations; or
2. Books, papers, pamphlets, magazines, periodicals or publications; and which are characterized by an emphasis upon the depiction or description of any of the conduct or activities set forth and described in the provisions of Louisiana Revised Statutes Title 14, Chapter 1, Part VI, Sub-part C, and in that portion thereof designated as sub-paragraphs (2)(b) and (3) of paragraph A of Section 106 [La. R. S. 14:106 A(2)(b), (3)], or as such provisions may hereafter be amended, re-enacted or re-designated from time to time, and shall also consist of any instruments, devices or paraphernalia described in La. R. S. 26:90(F).

Adult Uses/Pornographic Uses - Establishments in which the gross receipts from providing entertainment, goods, and/or services defined as Adult Material/Pornographic Material herein or in combination therewith including, but not limited to, those from sales, rental fees, admission fees, tips, gratuities, and/or other revenues collected, constitutes at least five (5) percent of total gross revenues. Adult Uses/Pornographic Uses exceeding five (5%) percent of total gross revenues may be permitted within the C-4A Commercial District, upon zoning approval by the City Council. Failure of a person conclusively to establish the percentage of gross revenues from adult uses/pornographic uses when not zoned C-4A shall be grounds to deny, revoke, prohibit, and/or enjoin the adult use/pornographic use.

Advertising Display Area - The Advertising display surface area (copy area) encompassed within any regular geometric figure which would enclose all parts of the sign. The structural supports for a sign, whether they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area.

Affordable/Workforce Housing - Housing that is available at rate that a household at or below the median income level can afford the unit by paying no more than thirty (30%) percent of its annual income on housing. Families who pay more than thirty (30%) percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care.

Agency - Any department, agency, commission or board created by or established in the plan of government for the city, or by ordinance of the city, or under jurisdiction of the city council by virtue of said plan of government, ordinances of the city, or the Constitution and general laws of the state. Specifically excluded are the judges of the city court, the marshal and officials of these offices.

Agricultural Stormwater Runoff - Any stormwater runoff from cultivated crops, pastures, and other nonpoint source agricultural activities, but not discharges from concentrated animal feeding operations

as defined in 40 CFR Section 122.3 or discharges from concentrated aquatic animal production facilities as defined in 40 CFR Section 122.24.

Air Conditioning System or Systems - One (1) or more units for the cooling, heating, or dehumidification, or combination thereof, of space for occupancy of any nature.

Aircraft - Any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

Airport - Airport shall mean the Hammond Municipal Airport.

Airport Elevation - The highest point of an airport's usable landing area measured in feet from mean sea level.

Airport Hazard - Any structure built by man or object of natural growth located on or in the vicinity of a public airport, of such a type that it endangers the lives and property of users of the airport and of occupants of land in its vicinity, and also, if of the obstruction type, in effect, reduces the size of the area available for landing, take-off, and maneuvering of aircraft thus tending to destroy or impair the utility of the airport or landing field and the public health, public safety, or general welfare.

Alcoholic Beverages - Any fluid or solid capable of being converted into fluid, suitable for human consumption and having an alcoholic content of more than one-half of one (.5%) percent alcohol by volume, including, but not limited to, malt, vinous, spirituous, alcoholic or intoxicating liquors, beer, porter, ale, stout, fruit juices, cider or wine, and alcohol.

Alley - A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on the street. Shall not be less than twenty (20) feet in width.

Alluvial Fan Flooding - Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Ambient Noise Level or Levels - The sound level or noise in the environment and/or background which exists at a point of measurement in the absence of the sound or noise emission of interest complained of being measured.

Amendment - A change in this Zoning Ordinance, and includes changes to the Official Zoning Map.

Animal Boarding - The use of land for boarding, selling, training or breeding cats or dogs for compensation, or the keeping of more than twelve (12) dogs or cats in combination for any purpose.

Animal Shelter - A structure that is owned, operated or maintained by a public body, established humane society or other private or nonprofit organization used for the care of lost, abandoned or neglected pets.

Annexation - A change in existing community boundaries resulting from the incorporation of additional land.

Annual Bond Principal and Interest Payments - All of those funds that are paid to retire bonded indebtedness and the interest on those bonds that are the liabilities of the Water and Sewer Department.

Anything of Value - Must be given the broadest possible construction, including any conceivable thing of the slightest value, movable or immovable, corporeal or incorporeal, public or private and including transportation, telephone and telegraph services or any other service available for hire. It must be construed in the broad popular sense of the phrase, not necessarily as synonymous with the transitional legal term "property." In all cases involving shoplifting the term "value" is the actual retail price of the property at the time of the offense.

Apartment or Apartment Unit - One (1) of two (2) or more self-contained dwelling units under a common roof. Will be billed as a commercial customer if they are served by a common master meter.

Apartment Building - A building type that accommodates multiple units and may be managed as either a rental property in which units are not owned by residents or as a condominium, where each unit is privately held.

Apartment House - A building that contains multiple family dwellings that have been converted from single family houses, containing two (2) or more rental units under a common roof, or a building designed as such and to have similar character as a single-family detached house.

Apex - A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Apiary - The assembly of one (1) or more colonies of bees at a single location.

Applicant - The owner of land proposed to be subdivided or developed, or his representative. Consent shall be required from the legal owner of the premises.

Appointed Official - Any person, whether compensated or not, who is appointed by the city council or by the mayor, excluding service on any board or commission.

Approach, Transitional, Horizontal, and Conical Zones - Any structure built by man or object of natural growth located on or in the vicinity of a public airport, of such a type that it endangers the lives and property of users of the airport and of occupants of land in its vicinity, and also, if of the obstruction type, in effect, reduces the size of the area available for landing, take-off, and maneuvering of aircraft thus tending to destroy or impair the utility of the airport or landing field and the public health, public safety, or general welfare.

Approved - Means that the control authority accepts as satisfactory, based upon the data available, or that there is not an objection with the proposal submitted, it is not the authority's responsibility to certify that such approval will actually demonstrate compliance with existing or future regulations since it is the sole responsibility of the person requiring approval to demonstrate compliance with this division or other applicable regulations.

Appurtenances - Architectural features that are added onto the main structure.

Appurtenant Structure - A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

Aquifer - A water-bearing geologic formation sometimes confined between clay layers and sometimes on the surface. Aquifers are typically the source of ground water for drinking and irrigation.

Arcade - A covered pedestrian way within or along the side of a building at the ground floor level.

Arch - A structure that spans a space while supporting weight through compression.

Area of Future Conditions Flood Hazard - The land area that would be inundated by the one (1%) percent annual chance (one hundred-year) flood based on future conditions hydrology.

Area of Shallow Flooding - A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a one (1%) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard - The land in the floodplain within a community subject to a one (1%) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the firm, Zone A usually is refined into zones A, AO, AH, A1—30, AE, A99, AR, AR/A1—30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1—30, VE or V.

Arterial Street - Any street carrying more than ten-thousand (10,000) vehicles per day.

Assisted Living Facility - Any group housing and services program for two (2) or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one (1) meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one (1) or more licensed home care or hospice agencies.

Assumed Retirement Benefit - The benefit by which the employer shall determine his contribution to the trust on behalf of each participant. Such assumed retirement benefit will provide an assumed annual annuity for such participant, payable from his normal retirement date until attainment of age sixty-five (65), equal to thirty-eight (38%) percent of such participant's monthly compensation, less one-thirtieth (1/30) for each year of continuous service with the Hammond, Louisiana Fire Department as an employee less than thirty (30). Such assumed retirement benefit shall be increased by accumulated dividends and excess investment earnings or reduced by any investment loss. Pre-retirement shall be based on an interest assumption of five (5%) percent and post-retirement based on an interest assumption of five (5%) percent.

Attached Accessory Apartment - An attached apartment unit that is accessory to the primary living unit or main structure on the lot and which must share a common unpierced wall from the ground to the bottom of the common roof and must share a common roof with the primary living unit or main structure on the lot. Such accessory unit may be no larger than one half (½) the size of the primary living unit on the lot and must have independent exterior access to the unit. (9/21/04)

Attached House - A building type containing two (2) principal dwelling units on a single lot with private yards on all four (4) sides. Each unit has its own external entrance. Unit can be located on separate floors, side-to-side, or back-to-back.

Attic - The interior part of a building contained within its roof structure above the ceiling of the top story.

Audit Period - Standard fiscal year of operation. This is normally from July 1 of one (1) year until June 30 of the following year, but may be changed upon recommendation of the independent auditor and approval by the council and the state legislative auditor.

Authorized Private Receptacle - A litter storage and collection receptacle constructed in accordance with the following:

1. For garbage. Garbage containers shall be made of metal or plastic, equipped with suitable handles and tight-fitting covers, and shall be watertight, but not to include plastic bags not in a container.
    a. Capacity: Garbage containers shall have a capacity of not more than ninety-six (96) gallons.
    b. Sanitation: Garbage containers shall be of a type approved by the city health officer or city official designated to such responsibility and shall be kept in a clean, neat and sanitary condition at all times.
2. For ashes. Ash containers shall be made of metal and have a capacity of not more than fifteen (15) gallons.
3. For rubbish. Rubbish containers shall be of a kind suitable for collection purposes, and shall be of such weight that they can be handled by one (1) man.

Placement: Garbage/Recycle containers must be placed immediately adjacent to (not less than one nor more than five feet from traveled surface of) streets. No container shall be placed on the street or sidewalk or in any ditch along the street, nor shall any container be allowed to remain for an unreasonable time, either before or after being emptied, in the collection area.

Awning - An architectural projection roofed with flexible material supported entirely from an exterior wall of a building.

Back Washing - The rinsing and/or cleaning of cartridge or sand filters.

Balcony - An unenclosed habitable structure cantilevered from a façade or building elevation.

Banner Sign - Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution shall not be considered banners for the purpose of this article.

Bar - A structure or part of a structure used primarily for the consumption, sale or dispensing of liquor or alcoholic beverages by the drink. A new bar or lounge location must be within a C-4 zone.

Base Flood - Flood having a one (1%) percent chance of being equaled or exceeded in any given year.

Base Flood Elevation - The elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1—A30, AR, V1—V30, or VE that indicates the water surface elevation resulting from the flood that has a one (1%) percent chance of equaling or exceeding that level in any given year—also called the base flood.

Basement - Any area of the building having its floor subgrade (below ground level) on all sides.

Beacon Light - Any light with one or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.

Bed & Breakfast Inn (Lodging-Transient) - A dwelling unit having no more than one (1) culinary facility where no more than six (6) guest rooms for short-term lodging and at least one (1) meal per day are provided for compensation and where the operator of the inn is a resident on the premises.

Bed & Breakfast Residence (Lodging-Transient) - An owner-occupied dwelling unit having no more than one (1) culinary facility and no more than two (2) guest rooms where short-term lodging where breakfast is provided for compensation by the owner/operator of the residence.

Beekeeper - A person who owns or has charge of one (1) or more colonies of bees.

Beekeeping Equipment - Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

Bench Signs - A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Best Management Practices (BMP) - Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United

States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff.

Beverages of High Alcoholic Content - Alcoholic beverages containing more than six (6%) percent alcohol by volume.

Beverages of Low Alcoholic Content - Alcoholic beverages containing not more than six (6%) percent alcohol by volume.

Bicycle - A vehicle with two (2) tandem wheels, with solid or pneumatic tires, having a steering bar or wheel, a saddle seat, and propelled by human power.

Billboards - Any structure or portion thereof consisting of outdoor advertising signs which advertise, promote, or otherwise disseminate information and which are considered off premise, or not related to the business use on the particular lot on which the billboard is placed.

Bingo or Keno Session - Those games of chance played for prizes with cards bearing numbers or other designations, five (5) or more in one line, the holder thereof covering the number or other designations as objects similarly numbered or designated are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangements of numbers or other designations on such card. Bingo or keno sessions shall mean a period of time not to exceed three (3) hours.

Biodiversity - The variety of living things; it includes the variety of living organisms and the communities and ecosystems in which they occur.

Blight - Physical and economic conditions within an area that cause a reduction of or lack of proper utilization of that area. A blighted area is one that has deteriorated or has been arrested in its development by physical, economic, or social forces.

Block - A track of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, or boundary lines of municipalities.

Block Face - The aggregate of all the building facades on one (1) side of a block.

Block Rezoning - A rezoning request that includes more than two (2) lots of record, other than those eligible for administrative rezoning.

Board - The Board of Adjustments.

Board of Appeal - A board consisting of five (5) members, two (2) to be appointed by the city and three (3) to be appointed by the parish police jury, for the purpose of hearing appeals from decisions of the Hammond Airport Zoning Board.

Board or Commission Member - Any person appointed by the city council or by the mayor to serve on any board or commission.

Boarding Home - A for-profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to four (4) or more persons unrelated to the owner/operator, may also provide any personal care or service beyond food, shelter, and laundry.

Bona Fide Private Club - Any association or organization having the traditional attributes of self-government, which include, but are not limited to; an organizational plan, duly elected officers, regularly scheduled meetings, a plan or purpose of exclusiveness on some basis other than race, color, religion, national origin, ancestry, age, sex, or physical condition.

Bond - Any form of security including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Governing Body. All bonds shall be approved by the Governing Body representatives wherever a bond is required by these regulations.

Bond reserve payments - All of those required payments made into funds that are required to be held in reserve to insure payment of the particular bond issues.

Breakaway Wall - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Brownfields - Sites that are underutilized or not in active use, on land that is either contaminated or perceived as contaminated.

Buffer - A specified area of land containing landscaping, open space, fences or walls located parallel to and within the outer perimeter of a lot and extending to the lot line. A buffer is used to physically separate or screen one (1) use or property from another so as to visually shield or block noise, lights and other nuisances.

Building - Any temporary or permanent structure built for habitation by or use of persons, or animals, and for the storage or use of material.

Building and Zoning Inspector - The person designated by the local government to enforce the Zoning Ordinance. If no other person is appointed to administer these regulations the Building and Zoning Inspector shall administer these regulations.

Building Coverage - means the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

Building Drain - That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building Footprint - Any structure built for the support, shelter, housing or enclosure of persons, animals or property of any kind, including appurtenances to buildings such as chimneys, stairs, and elevated stoops, porches, terraces and decks.

Building Frontage - The side of a building which faces the street.

Building Line - The line which is the required minimum distance from the lot line at the street right of way line or any other lot line that establishes the buildable area within which the principal structure must be erected or placed.

Building Line Set-Back - The distance between the building line and the street line in a lot, tract or parcel of land.

Building Official - The building official or his representative.

Building Sewer - The extension from the building drain to the public sewer or other place of disposal (also called lateral and house connection).

Building Site - Any lot or parcel of land upon which an industrial building or buildings and appurtenant structures may be erected in conformance with the requirements of this article.

Build-To Line - A build-to line identifies the precise horizontal distance from a street right-of-way that the building shall be built to, in order to create a uniform line of buildings along the street.

Built Environment - The urban environment consisting of buildings, roads, fixtures, parks, and all other improvements that form the physical character of a city.

Burglary Alarm System - An alarm system signaling an entry or attempted entry into the area protected by said system.

Business - Any business, trade, profession, occupation, vocation, or calling.

Business Building - Any structure, whether public or private, regardless of the type of material used in its construction, located within the boundaries of the city that is adapted to the occupancy for transaction of business, whether vacant or occupied, for the rendering of professional services, for the display, sale or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, rooming houses, beer parlors, office buildings, public buildings, stores, markets, restaurants, grain elevators and abattoirs, warehouse, workshops, and factories.

Calculation Period - The annual operating expenses shall be calculated based on the standard fiscal year of operation. This is normally from July 1 of one (1) year until June 30 the following year, but may be changed upon recommendation the designated independent auditor and approval by the council.

Caliper/Diameter DBH - Diameter of tree, breast height, measured four and one-half (4.5') feet from ground level.

Caliper - The diameter of plant material, measured at six (6") inches above grade.

Capital Improvements - Those improvements to the sewer and water system that are approved by the council as part of the annual budget adoption procedure and are part of the normal five (5) year capital outlay budget. This also includes those items that are purchased or constructed due to unforeseen circumstances or emergencies and were done with the knowledge and consent of the council.

Cellar Dirt - Construction site waste materials such as natural rock and soil overburden.

Certificate - Document (Certificate of Occupancy or Occupancy Permit) showing that a structure, its use, and all permits and occupancy guidelines have been complied with according to City regulations and the Zoning Ordinance. Will be used for residential and commercial occupancy.

Certificate of Appropriateness - A certificate from the Historic Preservation Commission authorizing plans for alterations, construction, removal or demolition of a landmark or site within a designated historic district.

Changeable Copy Sign - A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign. This shall also include the changing of copy on billboards.

Charitable Organizations - Any bona fide veterans, charitable educational, religious, fraternal organization, civic or service club which is domiciled in Hammond, Louisiana; or those whose altruistic purpose is to benefit, in some way, members of the human race.

Chief of Police - The chief of police of the city or his authorized representative or the chief of fire or his authorized representative.

Church - A building or structure, or groups of buildings or structures, which are primarily intended and/or used for the conducting of organized religious services and accessory uses, on a non-profit basis, associated therewith. Accessory church uses, including but not limited to, schools, day care, meeting and event facilities, and parking lots. Any other accessory use must be approved by the Zoning Commission before construction begins.

City Building Official - The person appointed by the mayor to the position of city building official, or his/her duly authorized representative.

City Council - The commissioners elected by districts of the City of Hammond, Louisiana.

City Engineer - The person appointed by the mayor to the position of city engineer, or his/her duly authorized representative.

City or the City - Where used in isolation from any other term defined herein, means the City of Hammond, the mayor, and/or any other agent, officer, and/or employee of the City of Hammond who may, from time to time, be designated to administer or enforce the provisions of this article.

Civic Building - A building specifically for a public use.

Civic Space - An outdoor area dedicated to public activities. Civic spaces may be parks, plazas, playgrounds, or civic building sites.

Civic use- include the performance of utility, educational, recreational, cultural, protective, governmental, and other uses which are strongly vested with public
or social importance.

Clear Sight Distance - The length of street visible to a driver at an intersection or driveway required to make a safe turning movement onto the street, as per Louisiana Department of Transportation and Development standards.

Collection Agency - A person who collects accounts, notes and securities of another from a debtor or person owing the account, note or security and charges therefore a fee either on a set money basis or on a contingent basis, attorneys-at-law excepted.

Collector - The tax collector for the City of Hammond, and/or his duly authorized agents.

Collector Roads - A road intended to move traffic from local roads to secondary arterials. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties face on it.

College or University Facilities - The use of land for an educational facility which offers a course of study associated with the issuance of a degree, including but not limited to, classroom and lab facilities, research services, housing facilities, parking facilities and recreational amenities.

Colony or Hive - An aggregate of bees consisting principally of workers, but having, when perfect, one (1) queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

Column - A freestanding vertical structural element that supports beams and arches.

Combined Sewer - A sewer receiving both surface run-off and sewage.

Commencement of Construction - The disturbance of soils associated with clearing, grading, excavating activities, or other construction activities.

Commercial - Pertaining to any business, trade, industry, or other activity engaged in for profit.

Commercial Handbill - Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

1. Which advertises for sale any merchandise, produce, commodity or thing; or
2. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
3. Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this state, or under any ordinance of this city; or
4. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

Commission - The Planning and Zoning Commission.

Common Lot Line - A lot line shared between two (2) private lots, which does not abut public or private right-of-way.

Community Character - The positive man-made and natural features that make Hammond distinctive and contribute to its high quality of life.

Compact Development - Development that optimizes its use of land.

Compensation - A participant's annual basic nondeferred remuneration paid to him by the employer exclusive of any extraordinary remuneration including overtime pay or bonuses.

Complete Community - A community whose mix of housing offers many types of homes affordable to people with a wide range of income in multiple stages of their lives.

Compliance Officer - The person appointed by the mayor to the position of compliance officer, or his/her duly authorized representative. The compliance officer is the city building official or his/her duly authorized representative.

Composite Sample - A sample consisting of a minimum of three (3) grab samples of effluent collected at regular intervals over a normal operating day which may be combined proportional to flow, or a sample continuously collected proportional to flow over a normal operating day.

Compressor Horsepower, (one) - The equivalent of one (1) ton of refrigeration which, for the purposes of this section, is the heat required to melt ice at the rate of one (1) ton in twenty-four (24) hours.

Computation of Time - The day on which such notice is given or such act is done shall be counted in computing the time, but the day on which such proceeding is to be had shall not be counted.

Conditional Use - A land use that alternately restricts or expands the permissible usages then available under the current zoning classification. Nothing herein shall be construed to prohibit the Council from referring a Conditional Use to the Zoning Commission for consideration. If a rezoning and an expanded conditional use are applied for simultaneously and/or are considered at the same meeting, each shall be noticed, advertised and voted upon separately.

> **Restricted Conditional Use** – A conditional use, which restricts permissible 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. Limitations and restrictions not otherwise specified in

this Ordinance shall be construed as a Restricted Conditional Use. A Restricted Conditional Use may be imposed without prior notice to the public, and shall bind any current and future owners thereto.

Expanded Conditional Use - A conditional use, which expands permissible usages, must originate with the Zoning Commission and must comply with all procedural requirements and limitations of a rezoning. An Expanded Conditional Use is a personal right and expires upon a change in ownership of the property from the person or persons originally granted the conditional use. 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. In deliberating on any application for an expanded conditional use, the 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.

Condominium - A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis and characterized by common areas and facilities and an association of owners organized for the purpose of maintaining, administering and operating the common areas and facilities. The property is identified in a master deed and recorded on a plat with the local jurisdiction. The common elements usually include the land underneath and surrounding the building, certain improvements on the land, and such items as plumbing, wiring, and major utility systems, the interior areas between walls, the public interior spaces, exterior walls, streets and recreational facilities.

Condominium, Residential - The use of a site for a building or group of buildings forming a series of attached dwelling units constructed with common or abutting walls and located on a commonly owned site, where the units are owned individually and the land (including the land under the unit), structure(s), common areas and facilities are owned by all the unit owners on a proportional, undivided basis.

Conservation Areas - Environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character.

Conservation Easements - Conservation easements are voluntary, legally binding agreements for landowners that limit parcels of land or pieces of property to certain uses. Land under conservation easements remains privately owned. Most easements are permanent.

Construction - Any site preparation, assembly, erection, substantial repair, alteration, or similar repair, alteration, or similar action, including demolition, for or of public or private rights-of-way, structures, utilities or similar property.

Construction Plan - The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

Construction Sign - Any sign giving the name or names of principal contractors, architects, owners, and/or lending institutions responsible for construction on the site where the sign is placed together with other information included thereon.

Contaminated - Pertaining to containing a harmful quantity of any substance.

Contamination - Pertaining to the presence of or entry into a public water supply system, the MS4, waters of the state, or waters of the United States of any substance which may be deleterious to the public health and/or quality of the water.

Contiguous - Shall mean "touching" or "in contact".

Contingency Amount - The amount of money determined by generally accepted governmental accounting principles that to be held aside and used only for unforeseen emergency needs, not to exceed ten (10%) percent of total operating expenses.

Contractor or Builder - A person, firm, partnership, corporation, association, or other organization, or a combination of them, which undertakes to or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation, or other structure, project, development or to do any part thereof, including the erection of scaffolding or other structure or works in connection therewith and includes subcontractors and specialty contractors. As such, the word "contractor" shall include oil field service well servicing, maintenance, and construction when conducted as a single company unit. General oil well servicing shall include welding, pipe coating, pipe inspection, wireline service, automation, workover, logging, analysis, seismograph, installing and servicing equipment, packing platform work, perforating and completion.

Contractor's Gross Receipts - For the purpose of computing the license fee provided for in Louisiana Revised Statute 47:355, a contractor's gross receipts are determined the same for all contracts, whether or not they have lump sum contract or a cost-plus contract are based on the actual whereas, the gross receipts for a cost-plus contract are based on the actual cost of the contract to the owner including the amount added thereto as a fee.

Control Authority or Authority - The mayor of Hammond or any duly authorized or designated representative of the mayor's.

Control Manhole - A manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer.

Control Point - A point of access to a course of discharge between the point of origination of the discharge and the point at which the discharge mixes with other discharges in the public sewer.

Conviction - An adjudication of guilt pursuant to Louisiana Code of Criminal Procedure Art. 934, or the equivalent provisions of any federal statute, state statute or ordinance of any political subdivision of this state, and includes a verdict of quality [guilty], and finding of guilty and an acceptance of a plea of guilty.

Conviction or Convicted - The finding of guilt for a violation of a municipal or parish ordinance or state or federal law, adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of

guilty or nolo contendere or the forfeiture of a bond or bail when charged with a violation of a municipal or parish ordinance or state or federal law.

Comprehensive Plan - Any legally adopted part or element of the overall plan for development as provided by the legislature of Louisiana.

Conner Lot - A lot which abuts two (2) or more streets at their intersection, or upon a curved street, provided that the two (2) sides of the lot intersect to form an interior angle of not more than one hundred and thirty five (135°) degrees.

Corporate Counsel – The attorney for the city.

Cosmetic Cleaning - Pertaining to cleaning done for cosmetic purposes. It does not include industrial cleaning, cleaning associated with manufacturing activities, hazardous or toxic waste cleaning, or any cleaning otherwise regulated under federal, state, or local laws.

Cottage - Any fixed building or structure or part thereof located in a trailer park used by a single family as living or sleeping quarters.

Council - The Hammond City Council.

Critical Feature - An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Cruel - Every act or failure to act whereby unjustifiable physical pain or suffering is caused or permitted.

Cul-de-sac - A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Customer - A duly authorized and registered account of the sewer and water department that receives services and is billed for said services in the regular billing cycle.

Dance Hall - A café, restaurant or other place where dancing is provided for, whether or not it occurs, with live or electronically produced or transmitted music.

Dangerous Weapon - Any gas, liquid or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm.

Day Care Center - A private for-profit or non-profit business, whether licensed by the State or not, to provide daytime care of children or adults, excluding overnight care and public or private primary and/or secondary educational facility.

Dealer in Bicycles - Any person engaged in the sale of bicycles at retail or wholesale.

Decibel (dB) - A unit for measuring the volume of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (twenty (20) micronewtons per square meter).

Demolition - Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Demolition by Neglect - Allowing a building to fall into such a state of disrepair that it becomes necessary or desirable to demolish it.

Density - The average number of people, families, or housing units on one (1) unit of land, such as dwelling units per acre.

Density Bonus - Allows developers to build in specified areas at densities that are higher than normally allowed to incentivize developers to comply with specific actions the City encourages.

Department of Environmental Quality (DEQ) - The Louisiana Department of Environmental Quality.

Department of Health and Hospitals (DHH) - The Louisiana Department of Health and Hospitals.

Design Standards - Design standards or guidelines serve to control the City's appearance, through a series of standards that govern site planning policies, densities, building heights, traffic, street design and lighting.

Detached House - A building type that accommodates a single family residence.

Developer - The owner or owner's representative of land proposed to be subdivided or developed.

Development - Any manmade change to improved and unimproved real estate, including but not limited to construction or alteration of buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Development Rights - Rights assigned to a property that gives property owners the ability to develop land in ways that comply with local land use regulation.

Development Site - A parcel or parcels of land used for development.

Dwelling Unit - One (1) or more rooms providing complete living facilities for one family, or one (1) person, including equipment for cooking, and space for living, sleeping and eating.

Director of Planning and Development - The person appointed by the mayor to the position of director of planning and development, or his/her duly authorized representative.

Director of Public Works - The person appointed by the mayor to the position of director of public works, or his/her duly authorized representative.

Director of Utilities - The person appointed by the mayor to the position of director of utilities, or his/her duly authorized representative.

Directory Sign - A sign on which the names and locations of occupants or the use of building is given. This shall include office buildings and church directories.

Discharge - Any addition or introduction of any pollutant, stormwater, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

Discharger - Any person who causes, allows, permits, or is otherwise responsible for, a discharge, including, without limitation, any operator of a construction site or industrial facility.

Display - Erect, paint, repaint, place, replace, hand, rehand, repair, maintain, paint directly upon a building or other structure, inlay, embed in, or otherwise exhibit in public view.

District - Refers to one of the zoning districts established in this Ordinance.

Domestic Sewage - Human excrement, gray water (from home clothes washing, bathing, showers, dishwashing, and food preparation), other wastewater from household drains, and waterborne waste normally discharged from the sanitary conveniences of dwellings, office buildings, industrial sites, and institutions, that is free from industrial waste.

Dormitory - Dormitory means a common structure(s) containing a common living area(s) and bathrooms and occupied by more than ten (10) persons, excluding hotels, boarding houses, fraternity and sorority houses and located on property owned or leased by a college or university for housing students thereof.

Drip line - A vertical line extending from the outermost portion of a tree canopy to the ground.

Driver - Any person who physically drives an ambulance.

Drive-through, Drive-in - An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

Duplex - A residential dwelling structure located on a single lot containing two (2) rental dwelling units separated from each other by an unpierced wall extending from the ground to the bottom of the common roof. Each duplex unit shall be approximately the same size and must include paved parking and driveways and separated entrances with no common entry doors.

Dwelling - Dwelling means a building used entirely for residential purposes and shall be construed to include trailers and/or mobile units. A single-family dwelling is a building, not of a temporary nature and not designed to be moved along a highway, that contains only one (1) living unit; a two-family (2) dwelling is a building that contains only two (2) living units (duplex); and a multi-family dwelling shall be considered one in which contains three (3) or more living units.

Dwelling Attached - A one-family (1) dwelling attached to two (2) or more one-family dwellings by common vertical walls.

Dwelling Unit - A building, or portion thereof, providing complete and permanent living facilities for one (1) household.

Dwelling, Patio Home - A one-family dwelling on a small separate lot with open space setbacks or yards on three (3) sides only.

Dwelling, Townhouse - A one-family (1) dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more fire resistant walls.

Easement - Common law term for servitude, i.e., written authorization by a property owner for the use by another, of any designated part of his property, in which the property owner retains title to property.

Ecosystem - The species and natural communities of a specific location interacting with one another and with the physical environment.

Egress - A grant of property rights by the owner to, or for use by, the public, a corporation, or another person or entity to use as an exit from a specific parcel of land.

Elected Official - Any person, whether compensated or not, who is:

1. Elected as provided for under the plan of government, including, but not limited to, the mayor and members of the city council.
2. Specifically excluded are the judges of the city court and the officials of these offices whose electorate lies outside or extends beyond the boundaries of the city.

Elevated Building - For insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Emergency - Any occurrence or set of circumstances involving actual or imminent physical trauma or property-damage which demands immediate action.

Emergency Work - Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Employee - Any person, whether compensated or not, who is:

1. An administrative officer or official of any agency of the city who is not filling an elective office;
2. A member of the classified or unclassified service of the city;
3. A member of the fire or police department of the city;
4. An employee of any board or commission created or appointed by the city council; or
5. Engaged in the service of the city on an annual contractual basis, as a consultant or in the performance of a service.

Fire Department Employee - An individual who has completed his apprenticeship or training period with the Hammond, Louisiana Fire Department and whose customary employment with said fire department is for more than twenty (20) hours per week for more than five (5) months per calendar year.

Employer – The city.

Encroachment - Any structural building element permissible within the required setback.

Energy Efficiency - Using less energy to achieve the same outcome. For example, better insulation would enable a home to stay warm utilizing less energy.

Entertainment - Entertainment shall include live vocalists, musicians, disc jockeys (whether speaking or not), comedians, karaoke, performers (paid or otherwise, including contestants) and the like, provided at a bar, restaurant, nightclub or other similar commercial establishment also providing food or beverages. Entertainment shall not include "Adult Entertainment."

Environmental Protection Agency (EPA) - The United States Environmental Protection Agency, the regional office thereof, any federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.

Environmentally Sensitive Area - a specific geographic area in need of special protection because of the significance of its landscape, flora, fauna, habitat, history or environment as defined by Federal, State or Local government; or encompasses part or all of an area in a migratory bird flyway, wildlife corridor, habitat for one or more Threatened or Endangered plant or animal species, significant mature tree stands, wetland areas, or vegetated edges of coulees, bayous, rivers, or other water bodies

Erect - To build, construct, attach, hang, place, suspend, install, or affix and shall also include the painting of wall signs.

Erected - Built, constructed, reconstructed, moved upon, or any physical operation in the premises required for building. Evacuation, fill drainage, demolition of an existing structure, and the like shall be considered part of erection.

Escrow - A deposit of cash with the local government in lieu of an amount required and still in force on a completion or maintenance bond. Such escrow funds shall be deposited by the Building and Zoning Inspector in a separate account.

Excursion - Any variation from the limits imposed by the state DEQ discharge permit for the City of Hammond.

Existing Construction - For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or Subdivision - For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Expansion to an existing Manufactured Home Park or Subdivision - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Expression Line - A horizontal line, expressed by a material change or by a continuous projection, typically not less than two (2”) inches nor more than one (1’) foot deep.

Extension - An increase in the amount of existing floor area within an existing building.

Extremely Hazardous Substance - Any substance listed in the appendices to 40 CFR Part 355, Emergency Planning and Notification.

FAA - Federal Aviation Administration.

Façade - The exterior wall of a building that is set along a frontage line.

Facility - Any building, structure, hall, house, apartment, church or other place where people may gather.

Family - An individual or two (2) or more persons related by blood, marriage or adoption, living together as a single housekeeping unit, or a group of not more than four (4) persons, some but not all of whom are related by blood, marriage, or adoption living together as a single house-keeping unit, but not including sororities, fraternities, or group care facilities for the physically or mentally disabled, or other similar organizations. No more than two (2) persons may be unrelated by blood, marriage, or adoption within a family.

Fast Food Restaurant - An establishment where drive-up food service is available without necessarily having to leave the vehicle and where food and/or beverage is sold for consumption on or off of the premises.

Fence - An artificially constructed barrier of any material or combination of material erected to enclose or screen areas of land. Solid hedges or shrubs planted so as to form a barrier and serving the same purpose as an erected fence shall also be defined as a fence under these provisions. The height of the fence shall be the greater of each measurement taken from the ground on each side of the fence to the top of the fence.

Filling Station - Buildings, structures the premises used primarily for dispensing of vehicle fuel or oil. (Also gas station.)

Final Plat - The map or plan or record of a subdivision showing dimensions of lots, ROW's, easements, servitudes, etc. and any accompanying material as described in these regulations.

Final Stabilization - Stabilization of least seventy (70%) percent of the project site.

Fire Protection Water - Any water, and any substance or materials contained therein, used by any person other than the fire department to control or extinguish a fire.

Fixed Location - For the purpose of this article, a "fixed location" means any permanent structure which is used to provide goods or services to consumers.

Flag - Any fabric or other material containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other entity designed to be flown from a flagpole or similar device.

Flood Elevation Study - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM) - An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) - See "Flood Elevation Study".

Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Plain - The land adjacent to a water body such as a stream, river, lake or ocean that experiences occasional flooding.

Flood Proofing - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection System - Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain - Any normally dry land area that is susceptible to being inundated by waters of the one (1%) percent annual chance flood, that is, the one hundred (100) year flood.

Floodplain Management Regulations - Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway - Area of inundation where flood waters are carried as defined by and shown on maps provided by the Federal Emergency Management Agency (FEMA), Flood Insurance Administration.

Flood Area - The floor space, expressed in square feet, within the outside line of walls and includes the total of all space on all floors of a building, excluding garages, carports, porches or floor in a basement, attic, or cellar.

Foreseeable - That which ordinarily would be anticipated by a human being of average reasonable intelligence and perception.

Fraternity and Sorority House - A dwelling maintained exclusively for fraternity or sorority members and their visitors and affiliated with an academic or professional college, university, or other institution of higher learning.

Freestanding - Standing independent of anything else.

Frontage - The distance for which property abuts one (1) side of a street, road, highway or other public way measured along the dividing line between the public way and the private property.

Functionally Dependent Use - A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Gallery - A private frontage typically used in retail applications where the façade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk, with no enclosed habitable space above.

Gallons Sold - The total number of gallons of water sold to customers of record and whose consumption was metered and recorded.

Garage or Accessory Apartment - A living unit for not more than one (1) family that is accessory to the primary/main building on the lot. The garage apartment may be erected above a garage if the garage is a separate and Accessory Building or may be located in a fully attached garage that is considered accessory to the main building. In some cases in this Ordinance, an accessory unit is requires to be attached to the primary house.

Garbage - All organic refuse, accumulation of animal, fruit or vegetable matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, fruits or vegetable, and is also defined as organic waste matters, both animal and vegetable matter from house, kitchen, restaurants, hotels, hospitals, and like establishments which is prepared for collection and disposal as provided herein. The term "garbage" comprises chiefly waste food and does not include liquids that may be drained into the sewer.

General Terms - The word 'person' includes a firm, association, organization, partnership, trust, company, or corporation as well as individual. The present tense includes the future. The singular includes the plural and the plural, the singular. The word 'shall' is mandatory; the word 'may' is permissive. The words 'uses' or 'occupied' include the words 'intend,' 'designed.' Or 'arranged' to be used or occupied.

Goal - Charts a course of action based on the community vision.

Governing Body - The body of the local government having the power to adopt ordinances.

Governmental Authority - The licensed attorney designated by the governing body to furnish legal assistance for the administration of these regulations.

Governmental or Municipal Engineer - The local public works person and/or local civil engineers chosen by the Planning Commission, on a rotating basis, to review subdivision work at the site and compare that work with the proposals indicated on the approved final plan. The review engineer will recommend to the Planning Commission and City Council if dedication of the subdivision infrastructure should be accepted and if the work conformed to these Subdivision Regulations. (Also called Inspector Engineer.) The review engineer cannot also be the project engineer.

Grab Sample - An individual sample of effluent collected in less than fifteen (15) minutes.

Grade - The slope of the road, street, or other public way, specified in percentage (%) terms.

Grading Permit - Permit to commence grading or other land disturbance activity prior to obtaining a building permit.

Graphic Information Systems (GIS) - A technology that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information.

Green - A civic space type for unstructured recreation spatially defined by landscaping rather than building frontages.

Green Building - "Green" building and sustainable design refers to the class of construction/design that involves energy-efficient practices, environmentally friendly materials, and practices that reduce negative impacts on the environment. Typical features of green building and sustainable design include energy conservation, water conservation, adaptive building reuse, and recycling of construction waste.

Green Space - Land and/or water area with its surface open to the sky, consciously acquired or publicly regulated to serve conservation and urban shaping function in addition to providing recreational opportunities.

Greenfields - Greenfields refer to vacant, previously undeveloped land.

Greenhouse Gas - Gases which contribute to the greenhouse effect. The gases may be caused by natural processes or from human activities such as the burning of fossil fuels. Greenhouse gases include carbon dioxide, methane, nitrous oxide, and ozone.

Greenway - A linear vegetated open space for recreation and pedestrian and bicycle transportation. Greenways can be used to create connected networks of open space that include parks and natural areas.

Groundwater - All water below the surface of the land. It is water found in the pore spaces of bedrock or soil, and it reaches the land surface through springs or it can be pumped using wells.

Group Care Facilities - The use of a site to provide living accommodations in facilities authorized, certified, or licensed by the State to provide room, board and personal care in a facility with one (1) communal kitchen/dining facility for more than six (6) individuals not defined as a family who are unable to care for themselves due to physical disability, mental disorder or for dependent or neglected children. Typical uses include nursing homes, alcohol and drug rehabilitation facilities and intermediate care facilities. A "group home" will be similar to this definition but will include six (6) or less unrelated individuals living as a single housekeeping organization, and group care/group homes must have full-time supervisory residents or staff.

Group Living - An interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to a group of persons who are not a "family" as that term is defined in this ordinance, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

a. Facilities that negotiate sleeping arrangements on a daily basis;
b. Dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single family, duplex, or multifamily uses, as the case may be); or
c. Any other use specifically defined in this ordinance.

Growth Sector - Areas where new growth should be directed. Typically along the intersections of major or minor arterial roads which could eventually host potential transit routes.

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. 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. In addition to the above, the following guidelines shall apply to the approval of a guest house:

a. A Guest House is not an “accessory building” and shall not be regulated as such.
b. 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.
c. A Guest House shall be built in conjunction with a primary residential structure under construction or after, but not before the primary residential structure.
d. 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; except a detached accessory dwelling may be located within the rear yard setback, but no closer than 5’ to the rear lot line.
e. A Guest House shall be on the same electrical meter, water meter and/or gas meter as the primary residential structure on the premises with no separate utility connections allowed.
f. 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.
g. 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.
h. 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.

Habitat - Living environment of a species, that provides whatever that species needs for its survival, such as nutrients, water and living space.

Hammond Airport Height Restriction Board - A board consisting of five (5) members, two (2) to be appointed by the city and three (3) to be appointed by the parish police jury, for the purpose of hearing appeals from decisions of the Hammond Airport Zoning Board.

Hammond Historical District - Beginning at the corner of West Morris and South Spruce Streets in the City of Hammond and thence running northerly along Spruce Street to its intersection with West Charles Street and thence easterly along West Charles Street to North Magnolia Street; thence northerly along North Magnolia Street to West Robert Street; thence easterly along Robert Street to North Cypress Street; thence southerly along North Cypress to East Charles Street; thence easterly to North Cherry Street; thence southerly to East Morris Street, thence westerly along East Morris Street to South Magnolia Street; thence southerly along South Magnolia Street to West Hanson Street; thence westerly along West Hanson to South Spruce Street; thence northerly along Spruce Street to the said point beginning at the corner of West Morris and South Spruce Streets. The historical district above designated shall include all building sites or lots and all structures, houses or other buildings facing any of the streets on the perimeter of the area.

Handle - To sell, use, distribute, store, consume or to otherwise handle.

Hazardous Household Waste (HHW) - Any waste generated in a household by a consumer which, except for the exclusion provided in 40 CFR Part 261.4(b) (1), would be classified as a hazardous waste under 40 CFR Part 302.

Hazardous Substance - Any substance listed in Table 302.4 of 40 CFR 302.

Hazardous Waste - Any substance identified or listed as a hazardous waste by EPA pursuant to 40 CFR Part 261.

Health Department and Health Officer - The agency and/or person designated by the State to administer the health regulations of the local governing authority.

Heat Island - An unnaturally high temperature micro-climate resulting from radiation from unshaded impervious surfaces.

Heavy Manufacturing - Manufacturing or processing of materials that generally create nuisances such as objectionable odors, vibration or noise, fumes, dirt, etc.

Height - On buildings height shall be measured as the vertical distance from average level of the finished surface of the ground to either:

1. The highest point on a flat roof
2. The deck line of a mansard roof, or
3. The highest roof height for gable, hip or gambrel roofs.

Highest Adjacent Grade - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Highway, Limited Access - A freeway, or expressway, providing a trafficway for through traffic, in respect to which owners or occupants of abutting property on lands and other persons have no legal right to access to or from the same, except at such points and in such a manner as may be determined by the public authority having jurisdiction over such trafficway.

Historic Structure - Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
    a. By an approved state program as determined by the Secretary of the Interior or;
    b. Directly by the Secretary of the Interior in states without approved programs.

Home Occupation - An accessory use actively carried on only by a resident member of the family occupying the dwelling from which the activity is carried out and not generating nuisance to neighbors or additional traffic. 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. Home occupations are further defined by the following conditions:

1. Only one (1) non-illuminated sign no larger than two (2) square feet in area shall be used on the premises.
2. Nothing shall be done to make the building appear in any way as anything other than a dwelling.
3. No retail sales shall be conducted upon the premises.
4. No one shall be employed from outside of the resident family.
5. Mechanical equipment used shall be only that normally used in, or found in, a single family dwelling.

Honeybee - All life stages of the common domestic honey bee, *Apis mellifera* species

Hotel or Motel - A facility with separate bedroom units for temporary use and not including living units.

Household - One (1) or more persons occupying a single dwelling unit. No such household shall contain more than four (4) members not related by law, blood, adoption, marriage, or judicial order for foster care.

Housing Element - An assessment of current and projected housing needs for all economic segments of the community. It sets forth local housing policies and programs to implement those policies.

Illuminated Sign - Any sign illuminated in any manner by an artificial light source.

Illustrative Plan - A scaled plan showing proposed uses and structures for parcels of land. An illustrative plan could also show the location of lot lines, the layout of buildings, open space, parking areas and landscape features.

Impact Fees - Costs imposed on new development to fund public facility improvements required by new development and ease fiscal burdens on localities.

Impervious Surfaces - Any material approved by the Building Official that substantially reduces or prevents the infiltration of storm water into the ground.

Improvements - Industrial building or buildings, outbuildings appurtenant thereto, parking areas, loading areas, fences, masonry walls, hedges, lawns, mass plantings and new structures of any type or kind located above ground.

Impulsive Sound - Sound of short duration, usually less than one (1) second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms. Impulsive sound also includes "peak noise," as that term is defined in ANSI SI.4-1983, or any successor thereto.

Independent Auditor - An outside auditing firm retained by the council to perform the annual city audit.

Industrial User (IU) - Any person, including but not limited to, any individual firm, partnership, corporation, association, municipality or any other legal entity, who discharges or desires to discharge industrial wastes to the wastewater facilities of the city.

Industrial Waste - Any waterborne liquid or solid substance that results from any process of industry, manufacturing, production, trade, or business.

Industrial Waste Charge - The charge made on those persons who discharge industrial wastes into the city's sewage system.

Infill Development - Infill projects use vacant or underutilized land in previously developed areas for buildings, parking, and other uses.

Infrastructure - Water and sewer lines, roads, urban transit lines, street trees, schools and other public facilities needed to support developed areas.

Inorganic Contaminants - Naturally-occurring or result from urban stormwater runoff, industrial, or domestic wastewater discharges, oil and gas production, mining, or farming, such as salts and metals.

Institution - A non-profit establishment for public use or public benefit.

Insurer - Any insurance company authorized to do and doing business in the state designated as the insurer by the trustees.

Integral Sign - Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building.

Itinerant Vendor - A person or persons as well as their agents, and employees, who engage in the temporary or transient business in this city, of selling or offering for sale any goods or merchandise, including photographs and portraits, or exhibiting the same for sale or exhibiting the same for the purpose of taking orders for the sale thereof; and who for the purpose of carrying on such business or conducting such exhibits thereof, either hire, rent, lease or occupy any room or space in any building, structure, or other enclosure in the city, in, through, or from which any goods, or merchandise may be sold, offered for sale, exhibited for sale, or exhibited for the purpose of taking orders for the sale thereof. Outdoor itinerant vendors shall only be permitted along parade routes from two (2) hours prior to until one (1) hour following an officially permitted parade and as otherwise allowed in section 23-23 herein. No person shall otherwise be permitted to sell merchandise outdoors or on the sidewalks or streets of the city or on any other public property.

Joint Authority - All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

Junk Yard - Refers to outdoor premises that are used to collect and store used, broken, or salvageable items of various materials.

Juvenile Dance Hall - Any dance hall whose permissible patrons or admittees are seventeen (17) years of age or younger.

Knowingly - With actual knowledge of a specific fact or facts, or which reasonable inquiry a reasonable person should have known a specific fact or facts.

Land Use - The manner in which a parcel of land is used or occupied.

Lane - See “Alley”.

Levee - A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System - A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Level of Service (LOS) - A qualitative measure describing operational conditions within a traffic stream in terms of speed and travel time, freedom to maneuver and traffic interruptions.

License, Pilot - A certificate issued by The DOTD Aviation Division attesting the successful completion of a written examination and demonstration of safe pilotage.

License Plate - A metal plate or tag, including a number tag, issued by the chief of police bearing the license number or tag number

Licensee - Any person who procures from the city clerk a license.

Light Manufacturing - Manufacturing or processing of materials that generally do not create nuisances.

Liner Building - A building with habitable space specifically designed to mask a parking lot or a parking garage from public spaces or street frontages.

Lintel - A horizontal beam that supports the weight of the wall above a window or door.

Liquor - All distilled or rectified alcoholic spirits, including, but not limited to, brandy, whiskey, rum, gin, vodka, tequila, and/or all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liqueurs, cordials, and similar compounds.

Litter - Garbage, refuse, and rubbish as defined in this section and all other waste material which, if thrown or deposited as prohibited in this article, tends to create a danger to public health, safety and welfare.

Livestock - One (1) or more domesticated animals raised to produce commodities such as food or fiber. For the purposes of this zoning code livestock does not include the raising of hens for non-commercial purposes.

Live-work Unity - A building type that provides flexible space at the street level for retail or office, with a complete living unit above. The ground floor should be designed to accommodate changes in use. This type of structure may have a single owner or may be managed as a condominium, with the lower and upper units owned separately.

Living Unit - See “Dwelling Unit”.

Loading Space - Space within the primary building or on the same lot having a minimum dimension of twelve (12) feet by thirty-five (35) feet and providing for the loading or unloading of materials from trucks.

Local Road - A road intended to provide access to other roads from individual properties and to provide right-of-way beneath it for sewer, water, and storm drainage pipes.

Location - Any lot, premises, building, structure, wall, or any place whatsoever upon which a sign is located.

Lodge (transient), Hotel/Motel - A facility offering transient lodging accommodations on a daily rate to the general public with or without providing additional services, such as restaurants, meeting rooms, and recreational facilities available to guests of the facility or the general public. Typical uses include hotels, motels, and transient boarding houses.

Lodge, Fraternal Order or Club - A hall or meeting place of a local branch or the members composing such a branch of a fraternal order or society, such as the Lions, Masons, Knights of Columbus, Moose, American Legion, or other similar organization. Serving food is permitted, and the sale of alcoholic beverages is subject to approval by the City Council and to all applicable federal, state and City regulations.

Lodging House - A dwelling consisting of not more than one (1) living unit occupied by not more than twenty (20) persons not related by blood, marriage, or adoption. This term includes rooming house, tourist home, and nursing home.

Lot - 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.

Lot Depth - The distance between front and rear lot lines. If opposite sides of said lot are not parallel, the depth shall be deemed to be the mean distance between the front and rear lines.

Lot Double Frontage (or "through") - A lot which fronts on two (2) parallel streets, or which fronts upon two (2) streets that do not intersect along the boundaries of the lot. Must contain the City required front yards on both sides.

Lot Frontage - The property line adjacent to the frontage street.

Lot Improvement - See “Improvements”.

Lot Line - The boundary that legally and geometrically demarcates a lot.

Lot Line, Front - The line separating the lot from the street or road. The front lot line of a corner lot shall be the line of at least dimension.

Lot Line, Rear - The opposite and generally parallel to the front line. The rear lot line of triangular or irregularly shaped lot shall for the purpose of the regulation be a line not less than ten (10) feet long lying wholly within the lot, parallel to and the greatest distance from the front lot line.

Lot Line, Side - Any lot line not a front or rear lot line.

Lot of Record - A lot which is either a part of a subdivision, the map of which has been recorded, or a parcel of land which is legally established and defined by Deed or Act of Sale. Each new lot of record shall be approved by the City’s Planning Commission and recorded in the Clerk of Court’s office.

Lot Width - The horizontal distance between the side lines of a lot measured at right angles to the depth along a straight line parallel to the front lot line at the minimum required front setback line.

Lot, Corner - A lot abutting upon two (2) or more streets at their intersection.

Lot, Interior - A lot which is not a corner lot.

Lowest Floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Main Building - A building in which is conducted the main or principal use of the lot on which said building is located.

Main Street Building - A building type that is mixed-use in nature and features shop fronts along the sidewalk at the ground level, with office or residential spaces in the upper floors.

Main/Primary Building - The building occupied by the primary use on the lot. The use of the lot which defines the most important use of the lot.

Maintenance Bond - A surety bond filed by the developer with the Commission securing to the City the satisfactory performance of the subdivision improvements for a period of one(1) year from the date of such bond.

Major Utility - Any utility on a property for the purpose of serving multiple properties.

Maneuvering Space - The unobstructed area needed for a truck to back, in a single movement, directly from the street into a loading space, the depth of which is measured perpendicular to and from the front of the loading space to the curb side of the most remote lane in the access street.

Manufactured Home - A factory-built structure constructed after June 15, 1976 and under the authority of 42 U.S.C. § 5403 on an integral chassis and designed for residential occupancy when connected to the required utilities. For the purposes of this zoning code, a manufactured home is a single-family home.

Manufactured Home Park or Subdivision - A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Modular Building - A structure transportable in one (1) or more sections, which is designed for use only with a permanent slab/foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the City's adopted building codes, and which is approved by the State Fire Marshall.

Marginal Access Road (Frontage Road) - A minor street which is parallel to and adjacent to major streets and which serves to provide access from those abutting properties to major streets, serves as protection from through traffic, and serves to improve traffic control by limiting the number of access points to and from the major street.

Marquee - A permanently installed architectural projection whose sides are vertical. Marquees are intended for the display of signs and are supported entirely from an exterior wall of a building.

Marquee Sign - Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Master Plan or Comprehensive Plan - A comprehensive long-range plan or combination of plans intended to guide the growth and development of the City and that includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.

Maximum Contaminant Level (MCL) - The highest level of a contaminant that is allowed in drinking water. MCL's are set as close to the MCLG's as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG) - The level of contamination in drinking water below which there is no known or expected risk to human health. MCLG's allow for a margin of safety.

Mean Sea Level - For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Microbial Contaminants - Such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Milligrams per Liter (mg/l) - The same as parts per million and is a weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

Minor Subdivision - Any subdivision fronting onto an existing street, not involving any new street or road, or the extension or creation of municipal facilities, and not in conflict with any provisions or portions of the Comprehensive Plan, Official Map, or Zoning Ordinance.

Minor Utility – Any utility on a property for the purpose of serving a single property.

Mitigation - Process or projects replacing or reacting to adverse impacts, such as to resources, wetlands or habitat.

Mixed-Use Development - Mixed-use development refers to development that includes a mixture of complementary land uses. The most common mix of land uses include housing, retail, office, commercial services, and civic uses.

Mobile Commercial Cosmetic Cleaning - Any power washing, steam cleaning, and other mobile cosmetic cleaning operation, of vehicles and/or exterior surfaces, engaged in for commercial purposes.

Mobile Home - A factory-built home on an integral chassis that is:

1. Built before June 15, 1976, and
2. Not built to a uniform construction code. A mobile home is designed to be transported for installation or assembly at the building site.

Mobile Home Park - Three or more residential Mobile Homes located on the same lot of record planned or improved for Mobile Home placement.

Mobile Sign - A sign, such as an A-frame which moveable by a person without aid of a motor vehicle or other mechanical equipment.

Month – A calendar month.

Monthly Compensation - Annual compensation divided by twelve (12).

Monument Sign - A freestanding sign.

1. The sign area of which is constructed or connected directly on or to a sign support consisting of a concrete slab base or foundation of similar type of construction; or
2. Which is of monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground. Provided, however, that no sign the base, foundation or support of which consists in whole or in part of above ground poles, piers, piling or similar types of supports exceeding eighteen (18") inches in height measured above the ground shall constitute a monument sign.

Motor Vehicle - Any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, go-carts, amphibious craft on land, dune buggies, or racing vehicles, but not including motorcycles.

Motor Vehicle Fuel - Any vehicle crankcase oil, antifreeze, transmission fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in a motor vehicle.

Motorboat - Any vessel which operates on water and which is propelled by a motor, including but not limited to boats, barges, amphibious craft, water ski towing devices and hover craft.

Motorcycle - An unenclosed motor vehicle having a saddle for the use of the operator and two (2) or three (3) wheels in contact with the ground, including but not limited to motor scooters and minibikes, and an unenclosed motor vehicle having a saddle for the use of the operator and four (4) wheels in contact with the ground which is commonly referred to as a "four-wheeler" or alternatively as an "all-terrain vehicle."

Muffler or Sound-dissipative Device - A device for abating the sound of escaping gases of an internal-combustion engine.

Multi-Family Development - A development of three (3) or more contiguous two-family (2) or duplex dwelling sites or a single site with multi-family dwellings.

Multi-Family Dwelling or Multiple Dwelling – See “Dwelling”.

Multiple Use Identification Sign - A sign stating the name of the group or development and the major tenants.

Municipal Landfill or Landfill - An area of land or an excavation in which municipal solid waste is placed for permanent disposal, and which is not a land treatment facility, a surface impoundment, an injection well, or a pile.

Municipal Separate Storm Sewer System (MS4) - The system of conveyances, gutters, ditches, manmade channels, or storm drains owned and operated by the city and designated or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

Municipal Solid Waste - Solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

Municipality – The City of Hammond, Louisiana.

Natural Outlet - Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

New Construction - For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Newspaper - Any newspaper of general circulation as defined by general law, any newspaper duly entered with the post office of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year, and sold to the public.

Noise - Any sound which unreasonably annoys or unreasonable disturbs humans and/or which causes and/or tends to cause an adverse psychological or physiological effect on humans.

Noise Disturbance - Any sound which:

1. Endangers or injures the safety or health of humans or animals; or
2. Annoys or disturbs a reasonable person of normal sensitivities; or
3. Endangers or injures personal or real property.

Noncommercial Handbill - Any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

Non-conforming Sign - Any sign which does not conform to the regulations of this Article.

Non-conforming Use (legal) - A use of a structure or the structure itself that is lawfully occupied or situated at the time this Ordinance became law, but not does not conform to the current regulations of the district in which it is situated.

Nonconformities - Uses, sites, signs or other structures which were legally established, but because of the application of this code, or changes to the code, are no longer in compliance.

Nonpoint Source Pollution (NPS) - Any source of any discharge of a pollutant that is not a "point source".

Nonresidential Subdivision - A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivisions shall comply with the applicable provisions of these regulations.

Nontechnical and Technical Words - Words and phrases shall be construed according to the common and accepted usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Normal Domestic Wastewater - Wastewater, excluding industrial wastewater, discharged by a person into sanitary sewers and in which the average concentration of total suspended solids is not more than two hundred fifty (250) milligrams per liter and BOD is not more than two hundred fifty (250) milligrams per liter.

Notice of Intent (NOI) - The notice of intent that is required by either the industrial general permit or the construction general permit.

Notice of Termination (NOT) - The notice of termination that is required by either the industrial general permit or the construction general permit.

NPDES general permit for stormwater discharges associated with industrial activity or industrial general permit - The Industrial General Permit issued by EPA on August 27, 1992 and published in Volume 57 of the Federal Register at page 41304 on September 9, 1992, and any subsequent modifications or amendments thereto.

NPDES general permit for stormwater discharges from construction sites or construction general permit - The construction general permit issued by EPA on August 27, 1992, and published in Volume 57 of the Federal Register at page 41217 on September 9, 1992, and any subsequent modifications or amendments thereto.

NPDES Permit - A permit issued by EPA (or by the state under authority delegated pursuant to 33 USC 1342 (b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Nuisance - Causing harm, injury, danger or annoyance.

Number - A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.

Oath - An affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

Objective - A sub-goal that specifically expresses how to achieve a goal. It may identify a short-term, measurable step within a designated period of time that is moving toward achieving a long-term goal.

Office - A room or group of rooms used for conducting the day-to-day affairs of a business, profession, service, industry or government.

Officers, Boards, Commissions - Whenever reference is made to officers, boards or commissions by title only, such as "mayor," "councilmen," "planning commission," etc., said references shall be read as though followed by the words "of the City of Hammond, Louisiana."

Official Map(s) - The map(s) established by the governing body pursuant to law showing the streets, highways, and parks, and drainage systems and set-back lines theretofore laid out, adopted and established by law, and any amendments or additions thereto resulting from the approval of subdivision plats by the Planning Commission and the subsequent filing of such approved plats.

Off-Premise Outdoor Advertising – See “Billboard”.

Off-Site - Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

Oil - Any kind of oil in any form, including, but not limited to, petroleum, fuel oil, and pressure, sludge, oil refuse, and oil mixed with waste.

On-Premise Sign - Any sign that disseminated information that directly relates to the use of the property on which it is located and is not a separate and distinct use.

Open Space - An area unobstructed by buildings from the ground upward, except for walks, paths, landscaping or other site features in public, common or other private ownership. Yards of individual lots occupied by dwellings shall not constitute open space.

Opening - Any opening in the foundation, side or walls of any business building, including roof, chimney eaves, grills, windows, sidewalk grates and sidewalk elevators, through which a rat may pass.

Operate Aircraft - Takeoff and/or landing, and/or any act calculated or intended in furtherance thereof.

Operate - The word "operate" or any form of tense thereof shall mean and refer to the use, putting into action or causing to function of a vehicle, bicycle, machinery, or other equipment.

Operator - The person or persons who, either individually or taken together, meet the following two (2) criteria:

1. They have operational control over the facility specifications (including the ability to make modifications in specifications); and
2. They have the day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

Or, and - "Or" may be read "and," and "and" may be read "or," if the sense requires it.

Ordinance - Any legislation action, however denominated, of a local government which has the force of law including any amendment or repeal of any ordinance.

Organic Chemical Contaminants - Includes synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

Overlay Districts - Districts in which additional regulatory standards are superimposed on existing zoning.

Overload - The imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity.

Owner - Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in land sought to be subdivided or developed under these regulations.

Owner, Animals - Any person, firm, corporation, organization or department possessing or harboring or having the care or custody of an animal.

Owner of Record - The person, corporation, or other legal entity listed as owner on the records of the Parish Recorder of Deeds.

Owner or Manager - Any person who has the control, direction, maintenance or supervision of a trailer park, apartment house, or other multiple family dwelling facility, whether as owner or otherwise. Executors, administrators, guardians, receivers or trustees may be also regarded as owners.

Parade - Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in this municipality.

Parade Permit - A permit as required by city ordinance.

Parapet - That portion of a building wall that rises above the roof line.

Parish - The words "the parish" or "this parish" shall mean the Parish of Tangipahoa, Louisiana.

Park - A park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

Parking Lot - A paved area which is used for the temporary parking of motor vehicles but is not a required off-street parking facility.

Parking Space - One automobile parking space shall be an area not less than eight (8) feet by twenty (20) feet and the access to the parking space from a public street or alley shall be provided in addition to the space necessary for the parking.

Parking Space, Off Street - A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

Parking Structure - A building containing two (2) or more stories of parking above natural grade.

Participant - Each employee who satisfies the requirements of section 14-54 and who is not over the age of fifty (50) on his initial entry date.

Participant's Account - A separate account maintained for each participant by the trustee to which all contributions by the employer on behalf of such participant shall be made and invested by the trustee in accordance with the terms of this trust.

Participate - In connection with a transaction involving the city government, to take part in any city action or proceedings personally as an employee, official, or board or commission member, through approval, disapproval, decision, recommendation, the giving of advice, investigation, or the failure to act or perform a duty.

Patio Home - A single family residence on lots with no side yard setbacks.

Perimeter Street - Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

Permit (Industrial Wastewater Discharge) - A permit to discharge industrial wastewater to the sanitary sewer as issued by the control authority.

Permit Discharge Limits - The discharge parameters set by the State Department of Environmental Quality to the City of Hammond.

Permitted Use - Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Permittee or Licensee - A natural or juridical person or persons granted a particular permit (license) under this code

Person - Any person, firm, partnership, association, company, or organization of any kind as defined in Louisiana Civil Code Art 24.

Pervious Parking Surface - Parking surface which is engineered to allow the infiltration of water, air and nutrients to the subsurface soil and root systems of adjacent plant material which lie directly under the ground. Loose gravel is not a pervious parking surface.

Petroleum Product - A petroleum product that is obtained from distilling and processing crude oil, and that is capable of being used as a fuel for the propulsion of a motor vehicle or aircraft, including motor gasoline, gasohol, other alcohol blended fuels, aviation gasoline, kerosene, distillate fuel oil, and #1 and #2 diesel.

Petroleum Storage Tank (PST) - Any one or combination of above ground or underwater storage tanks that contain petroleum products and any connecting underground pipes.

pH - The reciprocal of the logarithm (base 10) of the hydrogen ion concentration expressed in grams per liter.

Picocuries Per Liter (pCi/L) - A measure of the radioactivity in water.

Plan(s) – Subdivision or Development - The subdivision plan with plat or development plan showing all improvements proposed.

Planned District of PUD - A Planned District is a form of development usually characterized by a unified site of not less than ten (10) acres designated by a mixing of different types of dwellings and uses. It permits the planning of a project and the calculation of densities over the entire development rather than on a lot by lot basis.

Planning Commission or "Commission" or Planning and Zoning Commission - The Planning Commission of the City of Hammond which also acts as the Zoning Commission and the Board of Adjustments.

Plat, Preliminary Plat –

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.

Plot Plan - Specifically refers to that part of the subdivision plan which must be filed with the plat in the Clerk of Court's Office. Shows parcel of property with improvements (in one or several pages of drawings) but not specifications for construction ("layout sheets" but not to include construction plans).

Point Source - Any discernible, confined, and discrete conveyances, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which

pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Point Source Pollution - Pollution that can be identified as coming from a specific source and thus can be controlled through the issuing of permits.

Point-of-Sale Sign - Any sign which carries only the name of the firm, major enterprise, or products offered for sale on the premises, or a combination of these things.

Pole Sign - Any sign which is supported by a vertical structure(s) in or upon the ground and independent of support from any building, guy wire, fence, vehicle, or object.

Police department - Police department of the city.

Policy - Implementation actions and the principles that form the basis for city regulations and procedures to accomplish established goals and objectives.

Political Sign - Signs used to promote a particular candidate, political position or activity to the general public.

Pollutant - Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes discharged into water. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated pasture land or farm land.

Pollution - The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness of public enjoyment of the water for any lawful or reasonable purpose.

Porch - A roofed area, attached at the first floor level to the front of a building, open except for railings and support columns. Porches may be multi-story.

Pornographic Material – See “Adult Material”.

Pornographic Uses – See “Adult Uses”.

Portable Building - A transportable Accessory Building other than a mobile building with axles and with or without a permanent foundation. Must be inspected by the City before moved or placed in operation and not used for occupancy.

Portable Sign - A sign which may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a "mobile sign" in that it may be equipped for transportation by motor vehicle or other mechanical means. Trailer signs and skid-mounted signs are considered to be portable signs.

Pound - A site for the storage of motor vehicles or mobile homes impounded by the city.

Precision Instrument Runway - A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an FAA-approved airport layout plan; any other FAA planning document, or military service's military airport planning document.

Preliminary Plat – See “Plat”.

Premises - All business buildings, outhouses, sheds, barns, garages, docks, wharves, piers, grain elevators and abattoirs, whether public or private, and any and all other structures used in connection with the operation of any business building as herein defined.

Primary Arterial - A road intended to move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the governmental unit; and/or as a route for traffic between communities and large areas.

Primary Runway Surface - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

Primary/Main Building or Structure - The building occupied by the primary use on the lot. The use of the lot which defines the most important use of the lot.

Private Premises - Any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.

Private Street - A privately owned and maintained thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane or court, built to public street standards and generally providing the primary means of ingress and egress from the property abutting along its length to the public street network.

Private Subdivision - A subdivision with the following features:

1. Limited access to the general public
2. A watchman, guard, or lockable gates at the primary entrance(s) to the subdivision.
3. Written covenants or deeds which state that streets, water, drainage and sewerage improvements will be maintained by a responsible property owner or other private or non-profit organization other than a public body.

Projecting Sign - Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

Properly Shredded Garbage - The wastes from the preparation, cooking, and dispensing food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½") inch (1.27 centimeters) in any direction.

Property - Public and private property, real and personal, movable and immovable, and corporeal and incorporeal property.

Property Line - An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one (1) person from that owned by another person, but not including intrabuilding real property divisions.

Public Accommodation, Resort, or Amusement - Any place or means of transportation which is open to, accepts or solicits the patronage of the general public or offers goods or services to the general public.

Public Improvement - Any drainage ditch, roadway, parkway, sidewalk, pedestrainway, tree, lawn, off-street parking area, lot improvements, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established. All such improvements shall be properly bonded.

Public Officer, Public Office, Public Employee, or Position of Public Authority - Any executive ministerial, administration, judicial or legislative officer, office employee or position of authority respectively, of the State of Louisiana, or any parish, municipality, district, or other political subdivision thereof, or of any agency, board, commission, department or institution of said state, parish, municipality, district or other political subdivision.

Public Place - Any and all streets, sidewalks, boulevards, alleys, rights of way or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

Public Space - Any real property or structures thereon which are owned and/or controlled by a governmental entity.

Public Streets - The public highways, roads and streets in the city whether owned and/or maintained by the city or the state, and shall also include the rights-of-way neutral grounds adjoining said highways, roads and streets.

Quality of Life - Those aspects of the economic, social and physical environment that make a community a desirable place in which to live or do business. Quality of life factors include those such as climate and natural features, access to schools, housing, employment opportunities, medical facilities, cultural and recreational amenities, civic art and public services.

Radioactive Contaminants - which can be naturally-occurring or be the result of oil and gas production and mining activities

Rat Harborage/Stoppage - Any inexpensive form of ratproofing designed to prevent the ingress of rats into business buildings. It is essentially the closing or protecting of all openings in exterior walls and foundations or the grates in a sidewalk of business buildings with ratproof materials installed in such a manner as to prevent rats from gaining entrance.

Real Estate Sign - Any sign which is used to offer for sale, lease, or rent the property upon which the sign is placed.

Receiving Property - The property from which the sound is measured, and includes public property and public rights-of-way.

Recharge - Water that infiltrates into the ground, usually from above, that replenishes groundwater reserves, provides soil moisture, and affords evapotranspiration.

Recognized Subdivision- Subdivision that has gone through the formal process set forth by the City of Hammond's Code of Ordinances or in existence at the time of annexation

Recreational Vehicle - A vehicle intended for temporary living quarters in a recognized recreational setting and not for occupancy within the City of Hammond.

Refuse - All putrescible and non-putrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, refrigerators, iceboxes or other machinery and solid market and industrial wastes.

Registered Landscape Architect (RLA)/Professional Landscape Architect - A person who has been duly licensed and registered by the state board of registration for professional engineers to engage in the practice of engineering in the State of Louisiana.

Registered Professional Engineer (RPE) - A person who has been duly licensed and registered by the state board of registration for professional engineers to engage in the practice of engineering in the State of Louisiana.

Regulatory Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Release - Any spill, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the municipal separate storm sewer system (MS4) or the waters of the United States.

Renewable Energy - Generation of power from naturally replenished resources such as sunlight, wind, and tides. Renewable energy technologies include solar power, wind power, hydroelectric power, geothermal, and biomass.

Rental Agency - Any person engaged in the business of offering for rental and renting bicycles for hire by the public.

Reportable Quantity (RQ) - For any "hazardous substance," the quantity established and listed in Table 302; for any "extremely hazardous substances," the quantity established in 40 CFR Part 302; for any "extremely hazardous substance," the quantity established in 40 CFR Part 355 and listed in Appendix A thereto.

Residential - Location where people reside on a permanent basis. Apartment complex will be considered commercial if using a master meter.

Restaurant - An establishment:

1. 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.
2. Must serve food on all days of operation.
3. Must file a copy of the applicant's menu together with the application, both new and renewal.
4. Must furnish an affidavit from the local health department showing compliance with all applicable health and sanitary requirements with new application.
5. Must gross a minimum of sixty (60%) percent of their monthly revenue from the sale of food, food items and non-alcoholic beverages.
6. Must maintain separate sales figures for alcoholic beverages.
7. Must 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.
8. Must 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.
9. City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants. The Building Department will determine where bars and lounges are allowed in accordance with the applicable zoning classification. 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.

Resubdivision - A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or as it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Retail Trade - Establishments engaged in selling gods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Right-of-Way (ROW) - A strip of land occupied or intended to be occupied by a street, railroad, path, electric line, water main, sanitary sewer or any other special use. Right-of-ways are dedicated for particular uses by property owners, who then lose their title to the dedicated property.

Riparian - Vegetated ecosystems along a water body through which energy, materials, and water pass. Riparian areas characteristically have a high water table and are subject to periodic flooding.

Roof Line - The juncture of the roof and the perimeter wall of the structure.

Roof Sign - Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure. Some types of roof signs are not allowed in Hammond.

Rooming House - Any building or portion thereof which contains guest rooms which are designed or intended to be let or hired out for occupancy and which contains living units rather than only bedrooms, as in hotels and motels.

Rowhouse - A building type with three or more attached units consolidated into a single structure. Each unit shares a common side wall or a common floor or ceiling. Units may be stacked vertically; however, no more than one (1) unit is permitted above another unit. Each ground floor unit has its own external street-facing entrance.

Rubbish - Nonputrescible solid waste, excluding ashes, which consist of:

1. Combustible waste materials, including paper, rags, cartons, wood, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and

2. Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (1,600 to 1,800 degrees Fahrenheit).

Runoff - The water that flows off the surface of the land, rooftops, or any land cover surface, ultimately into streams and water bodies, without being absorbed into the soil.

Runway - A defined area on an airport prepared for landing and take-off of aircraft along its length.

Sale or Lease - Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or transfer, of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, intestate succession, or other written instrument.

Sanitary Sewer or Sewer - The system of pipes, conduits, and other conveyances, which carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to the city sewage treatment plant (and to which stormwater, surface water, and groundwater are not intentionally admitted).

School, Elementary - Any school licensed by the State and which meets the State requirements for elementary education.

School, Secondary (includes high school) - Any school licensed by the State and which is authorized to award diplomas for secondary education, but not including vo-technical schools.

Scrap or Junk Dealer - A business which deals in scrap or junk and which has been approved by the city as a purchaser of junked or abandoned motor vehicles and/or mobile homes, including salvage operations.

Screening – Either:

1. A strip, densely planted (or having equivalent natural growth) with shrubs or trees of a type that will form a year round dense screen; or

2. An opaque wall or barrier or uniformly painted fence.

Secondary Arterial - A road intended to collect and distribute traffic in a manner similar to primary arterials, except such as community commercial areas, primary and secondary education plants, hospitals, major recreational areas, churches, and offices, and/or designated to carry traffic from collector streets to the system of primary arterials.

Separate Location - As used in Louisiana Revised Statute 47:346 a separate location exists unless similar or associated type of business is operated as a unit under a single roof or on the same contiguous tract of land.

Septic Tank Waste - Any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service Line, City Maintenance Responsibility - The segment of sewer service line or lateral from the property line cleanout to the sewer main line. If no recognized cleanout exists at or within two (2) feet of the property line/street right-of-way, the city assumes no service line maintenance responsibility.

Service Line, Customer Maintenance Responsibility - The segment of sewer service line or lateral from the customer structure(s) to the sewer main. If a recognized cleanout exists on the service line at or within two feet (2) of the property line/street right-of-way, the customer assumes service line maintenance responsibility from the customer structure(s) to the property line cleanout; the city assumes line maintenance responsibility from the property line cleanout to the sewer main line.

Service Station - Any retail establishment engaged in the business of selling fuel for motor vehicles that is dispensed from stationary storage tanks.

Setback - The minimum distance away from a property line that a building may be placed or constructed and within no structures may be built or placed. Walkways and driveways may be located within setback areas.

Sewage or Sanitary Sewage - The domestic sewage and/or industrial waste that is discharged into the city sanitary sewer system and passes through the sanitary sewer system to the city sewage treatment plant for treatment.

Sewage Treatment Plant - Any arrangement of devices and structures used for treating sewage.

Sewage Works - All facilities for collecting, pumping, treating, and disposing of sewage.

Sewer - A pipe or conduit for carrying sewage.

Sewer Treatment User Fee - The fee shall be calculated at two (2) times the cost of water production. The sewer treatment fee shall not apply to water that is metered separately and does not enter the sewer treatment system.

Shall, is mandatory; *may,* is permissive.

Shall - Always mandatory and not merely directory.

Shopfront - A private frontage, typically for retail use with substantial glazing and an awning, where the façade is aligned close to the frontage line with the building entrance at the level of the sidewalk.

Shopping Center - A group of establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access.

Sign - Any symbol, device, image, poster, flag, banner, billboard, design or directional sign used for advertising purposes, whether painted upon, attached to, erected on, or otherwise maintained on any premises, containing any words, letters or parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to

designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which is visible from any public street and is used to attract attention.

Sign Face - The part of a sign including any border and trim, facing traffic moving in one (1) direction, and built on one structure. For the purpose of this Ordinance, a sign face may include not more than one (1) panel to a face.

Sign Height - The vertical distance from the adjacent street grade or upper surface of the street curb to the highest point of either the sign or sign structure. Elevated roadways shall not be used to measure height.

Sign Owner - The person receiving the benefit from the sign and/or the property owner.

Signature or Subscription - *Signature* or *subscription* includes a mark when the person cannot write.

Significant Industrial User (SIU) - Any industrial user who is connected to the city's domestic wastewater collection system and meets at least one (1) of the following criteria:

1. Discharges fifty thousand (50,000) gallons per day or more of wastewater.
2. Discharges BOD at concentrations greater than two hundred (200) mg/l and/or total suspended solids at concentrations greater than two hundred (200) mg/l and/or COD at a concentration greater than four hundred (400) mg/l.
3. Is an industrial category regulated by National Pretreatment Standards (Categorical Pretreatment Standards) as promulgated by the United States Environmental Protection Agency.
4. Is deemed by the control authority to be a significant discharge source that alone or combined with other sources may cause pass through, interference, sludge contamination, or biological toxicity in the wastewater treatment plant, or may cause the wastewater treatment plant to violate its national pollutant discharge elimination system permit.

Single Family - An individual or two (2) persons, married or not married, with or without children, and living together as a single housekeeping unit. Any others living with them must be blood related, legally adopted, or in the legal custody of the residents. This single-family definition will be used only for single-family structures within single-family zoned districts within the City of Hammond. In single-family districts, there will be no sub-letting of bedrooms or portions of the housing unit by owners or tenants.

Single-Family Dwelling - A building containing one (1) dwelling unit. See “Dwelling Unit”.

Single-Family House - A building type containing one (1) principal dwelling unit located on a single lot with private yards on all four (4) sides.

Site - The land or water area where any facility or activity is physically located or conducted including adjacent land used in connection with the facility or activity.

Skid Mounted Sign - (Also same as portable sign, trailer sign.) A skid mounted (or trailer mounted) sign, with or without wheels, for use with or without changeable lettering.

Slug - Any discharge of water, wastewater or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Snipe Sign - A sign, other than a real estate sign, garage sale sign or political sign displayed in conformity with the provisions of this Ordinance, which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or to other like objects.

Snowball Stand - A building or establishment that serves non-alcoholic crushed or shaved ice with or without flavorings. Snowball stands established as accessory uses in residential areas shall have no customer seating and shall be no more than two hundred (200) square feet in area. Commercial areas must meet all health and zoning rules. Snowball stands shall be operated only after having first received City and Health Department approvals.

Solid Waste - Any garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from community and institutional activities.

Special Flood Hazard Area - See “Area of Special Flood Hazard”.

Spot Zoning - Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect or furthering the comprehensive zoning plan. Spot zoning is discouraged in Hammond.

Sprawl - Development patterns where rural land is converted to urban/suburban uses more quickly than needed to house new residents and support new businesses that result in higher than necessary infrastructure or transportation costs.

Standard Methods - The examination and analytical procedures set forth in the latest edition, at the time of analysis of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Start of Construction - (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State – State of Louisiana.

Station - The base of operations for housing ambulances.

Storefront – See “Shopfront”.

Storm Drain, Storm Sewer - A sewer which conveys storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Stormwater - Stormwater runoff, snow melt runoff, surface runoff and drainage

Stormwater Discharge associated with Industrial activity - The discharge from any conveyances which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at or directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one (1) of the categories of facilities listed in 40 CFR 122.26 (b) (14), and which is not excluded from EPA's definition of the same term.

Stormwater Management - The process of slowing the flow of and filtering runoff from rain and storms so it does not harm the environment or human health.

Stormwater Pollution Prevention Plan (SWPP) - A plan required by either the construction general permit or the industrial general permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

Story - A floor of a structure where fifty (50%) percent or more of the floor area of the enclosed space is greater than seven and a half (7 ½) feet in clear height; measured from the finished floor to the finished ceiling.

Street - A public thoroughfare, including pavement, and right-of-way. Where title of land extends to the center of a street, easement or right-of-way shall be considered as the side lines of a street. The term street shall include avenue, drive, circle, lane, place, and road, as they are generally understood.

Street Right-of-Way - That area dedicated to public use between front property lines and measured at right angles to the centerline of the street. Such width shall be not less than fifty (50) feet, and may be increased if in the discretion of the Planning Commission the future needs of the community will be better served.

Street Tree - Trees planted or growing on land lying within public rights-of-way.

Streets - Roadways or passageways for the use of motor vehicles or pedestrians in the corporate limits of the city, including streets, roads, avenues, boulevards, roadways, lanes, thoroughfares, overpasses, bridges, ramps, viaducts, alleys, ways, shoulders, medians, neutral grounds, bike paths, sidewalks, rights-of-way, walkways, and other public highways in the city.

Streetscape - The space between the buildings on either side of a street that defines its character. The elements of a streetscape include: building frontage/façade; landscaping (trees, yards, bushes, plantings, etc.); sidewalks; street paving; street furniture (benches, kiosks, trash receptacles, fountains, etc.); signs; awnings; and street lighting.

Structural Change - Any change or repair in the supporting members of a building, structure, roof or exterior walls which would expand the building in height, width or bulk.

Structure - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including buildings, fences, gazebos, signs, radio and television antennae (including supporting towers), swimming pools, satellite dishes, solar panels and wind generation equipment.

Student Count - The sum of the number of students registered at a particular public or private educational institution for the nine (9) month school year divided by twelve (12) for the previous audit year. This count shall be recalculated and changed once a year in September. (Rate differs for SLU)

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 (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.

Subdivision Agent - Any person who represents, or acts for or on the behalf of, a subdivider or developer, in selling, leasing or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision, except an attorney at law whose representation of another person consists solely of rendering legal services.

Substantial Damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50%) percent of the market value of the structure before the damage occurred.

Substantial Improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Superintendent - The superintendent of water and sewage works of the City of Hammond, or his authorized deputy, agent, or representative.

Sustainable Development - Development with the goal of preserving environmental quality, natural resources and livability for present and future generations. Sustainable initiatives work to ensure efficient use of resources.

Source Water Assessment Plan (SWAP) - A requirement of the 1996 amendments to the federal Safe Drinking Water Act that an assessment and protection plan be developed for each surface water source used for drinking water.

Sweet Shop - A building or establishment in which prepared and prepackaged snacks are sold to customers for consumption off the premises. No food or drinks may be prepared for sale on the premises. Sweet shops established as accessory uses in residential areas shall have no customer seating and shall be no more than two hundred (200) square feet in area. Sweet shops shall be operated only after having first received City and Health Department approvals.

Temporary - Any such business transacted or conducted in the city for which definite arrangements have not been made for the hire, rental or lease of premises for at least six (6) months in or upon which such business is to be operated or conducted.

Temporary Improvement - Improvements built and maintained by a subdivider or developer during construction of the subdivision and prior to release of the performance bond.

Temporary Sign - A sign which disseminates information but is approved by the Building Official for a fourteen (14) day period only, after which the sign must be removed.

Temporary Structure - A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. Temporary buildings or structures are not allowed in Hammond, except where approved as a variance, residential Mobile Home, or construction site building.

Thoroughfare - A way for use by vehicular, bicycle, and pedestrian traffic that provides access to lots and open spaces, and that incorporates vehicular lanes and the public frontage.

Tower - A building element that is taller than it is wide and is built in locations that take advantage of their height such as at building entrances and at terminated vistas. Towers can stand alone or be part of a larger structure.

Townhouse – See “Rowhouse”.

Townhouse Condominium - A Townhouse for sale by individual units, providing common open spaces in lieu of individual family yards.

Tract - A contiguous parcel of land under common ownership.

Trailer - Any vehicle covered or uncovered, used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings or which is, has been reasonably may be, equipped with wheels or other devices for transporting the vehicles from place to place, whether by motive power or other means.

Trailer Coach - Any vehicle which is being used as sleeping or living quarters, which is or may be mounted on wheels, and which is or may be propelled either by its own power or by another power-driven vehicle to which it is or can be attached. The term "trailer coach" shall also cover and include a trailer car, automobile trailer and house trailer.

Trailer Park, Trailer Camp, or Mobile Home Park - A parcel of land under single ownership which has been planned or improved for the placement of more than two (2) Mobile Homes and not designed in accordance with the Zoning District regulations in which it is located. Such uses are non-conforming and not allowed in Hammond.

Trailer Sign - Any sign mounted on a vehicle normally used as a trailer and used as advertising or for promotional purposes. This sign is portable and may be approved for temporary use only.

Transferable Development Rights (TDR) - A system that assigns development rights to parcels of land and gives landowners the option of using those rights to develop or to sell their land. TDRs are used to promote conservation and protection of land by giving landowners the right to transfer the development rights of one parcel to another parcel. By selling development rights, a landowner gives up the right to develop his/her property, but the buyer could use the rights to develop another piece of land at a greater intensity than would otherwise be permitted.

Transit-Oriented Development (TOD) - The development of housing, commercial space, services, and job opportunities in close proximity to public transportation. Reduces dependency on cars and time spent in traffic, which protects the environment and can ease traffic congestion, as well as increasing opportunity by linking residents to jobs and services.

Trap - A device designed to skim, settle or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.

Treatment Technique (TT) - A treatment technique is a required process intended to reduce the level of contaminant in drinking water.

Tree - Any object of natural growth.

Uncontaminated - Not containing a harmful quantity of any substance.

Understory - The unfinished space between the lowest finish floor of a building and natural grade.

Undeveloped Property - Any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school, or governmental facilities or other structures or improvements intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

Unit - A single family dwelling, portable buildings, an individual apartment, a separate business entity.

Unpolluted Wastewater - Water containing:

1. No free or emulsified grease or oil;
2. No acids or alkalis;
3. No phenols or other substances producing taste or odor in the receiving waters;
4. No toxic or poisonous substances in suspension, colloidal state or solution;
5. No noxious or otherwise obnoxious or odorous gases;
6. Not more than ten (10) milligrams per liter each of suspended solids and BOD; and
7. Color not exceeding fifty (50) units as measured by the platinum-cobalt method of determination as specified in "Standard Methods."

Urban Design - The aspect of architecture, landscape architecture, and city planning that deals with the design of urban structures and spaces.

Urban Forester - A person trained in urban forestry by the Louisiana Forestry Department, or equivalent. The urban forester shall have the authority and jurisdiction as granted in the Tree Ordinance to regulate the planting, maintenance and removal of trees on streets and other publicly owned property to insure or preserve the aesthetics of such public areas.

Urban Street - A thoroughfare appropriate for use in medium- to high-intensity, mixed-use areas, and typically contains on-street parking, street trees in tree wells, and wide sidewalks.

Useable Wall Area - The exterior wall or surface area of a building or structure that excludes doors and windows.

Utility - Any publicly, privately, or cooperatively owned line, facility or system for producing, transmitting, distributing, or collecting communications, power, electricity, heat, gas, water, sewage, storm drainage, oil products, or other similar services and commodities.

Vacate - To place and leave a motor vehicle unattended for an unreasonable period of time.

Variance - A device which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape or condition of the property, compliance would result in an undue hardship upon the owner, as distinguished from a mere inconvenience or monetary expense. A variance shall not be used to specifically grant or limit uses of property.

Vehicle - Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Violation (Floodplain)- The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

VMT - VMT refers to vehicle miles traveled and is a standard measure of transportation activity.

Wall Sign - Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall or building and which displays only one (1) advertising surface.

Waste - Rejected, unutilized or superfluous substances in liquid, gaseous or solid form resulting from domestic, agricultural or industrial activities.

Wastewater - A combination of the water-carried waste from residences, business buildings, institutions and industrial establishments, together with any ground, surface and storm waters that may be present.

Wastewater Facilities - All facilities for collection, pumping, treating and disposing of wastewater and industrial wastes.

Wastewater Service Charge - The charge on all users of the public sewer system whose wastes do not exceed in strength the concentration values established as representative of normal wastewater.

Wastewater Treatment Plant - Any city owned facilities, devices and structures used for receiving, processing and treating wastewater, industrial waste and sludges from the sanitary sewers.

Water Conservation Device - A cooling tower, spray pond, evaporative condenser or other equipment by which water is cooled, recirculated, thereby limiting the use of water from city mains to the amount lost through evaporation.

Water in the State (or water) - Any groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

Water Only Meter - Meter which is installed for the consumption of water that is not discharged into the sewer system. (Example: lawn sprinkler system)

Water Quality Standard - The designation of a body or segment of surface water in the state for desirable uses and the narrative and numerical deemed by the state.

Water Regulated Device - A regulating valve or other device, the purpose of which is to limit the maximum use of water to a predetermined rate.

Water Surface Elevation - The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Watercourse - A natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

Waters of the United States - All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow tide; all interstate waters, including interstate wetlands; all other waters by which the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce; all impoundments of waters otherwise defined as waters of the United States under this definition; all wetlands adjacent to waters identified in this definition; and any waters within the federal definition of "Waters of the United States: at 40 CFR 122.2; but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirement of the federal Clean Water Act.

Watershed - The geographic area which drains into a specific body of water. A watershed may contain several sub-watersheds.

Week - The word "week" shall be construed to mean seven (7) days.

Weighted Sound Level - The sound pressure level in decibels as measured on a sound level meter using the A-weighing network. The level so read is designated dB(A) or dBA.

Wetland - An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Window Sign - Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

Yard - A required open space unoccupied and unobstructed by any structure or portion of a structure from six (6”) inches and above the general ground level of the graded lot upward, provided, however, that fences and walls may be permitted in any yard subject to the height limitations as indicated herein. (See also *Front, Rear* and *Side Yard* definitions.)

Yard Waste - Leaves, grass clippings, yard and garden debris, and brush that result from landscaping maintenance and land-clearing operations.

Yard, Front - An open space extending across the front of the lot between the side lot lines, and being the required minimum horizontal distance between the street right of way and the nearest part of the principle building, including covered or uncovered porches. On corner lots, the front yard shall be provided facing the street upon which the lot has its lesser dimensions, except in certain cases delineated in the Zoning Districts. In the case of a double frontage lot or through lot, the front yard shall be on both streets.

Yard, Rear - A required open space extending across the rear of a lot between the side lot lines, and being the required minimum horizontal distance between the rear lot line and the nearest part of the principle building, including covered porches or raised decks exceeding three (3) feet in height from grade, but excluding any area located within the street side yard of a corner lot. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side - A required yard extending the depth of a lot from the front yard to the rear yard between the side lot line and a building. In the case of corner lots and interior lots, the side yards shall in all cases be at the opposite ends from one another.

Year - The word "year" shall mean a calendar year.

Zero-lot-line - The location of a building on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line. May include common walls.

Zone - A specifically delineated area or district in a municipality within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

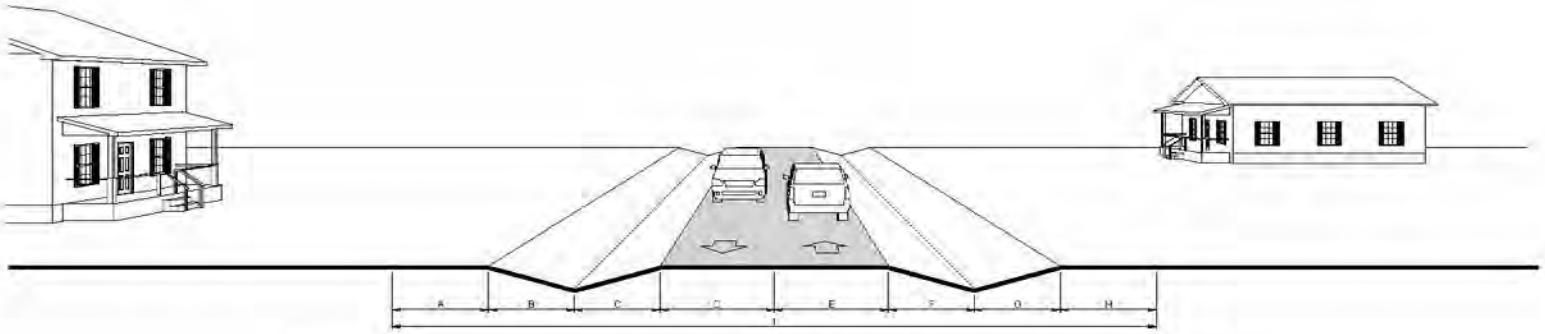
Zoning - Classification of land in a community into different areas and districts. Zoning is a legislative process that regulates building dimensions, density, design, placement and use within each district.

Zoning District - A defined geographic area within which land development is subject to a specific zoning category as per the UDC.

Zoning Map - The map or maps, which are part of the zoning ordinance, and delineate the boundaries of zoning districts.

APPENDIX B

Street Cross Sections



A	B	C	D	E	F	G	H	I
UTILITY SERVITUDE (MINIMUM)	FORE SLOPE (MAXIMUM)	BACK SLOPE (MAXIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	FORE SLOPE (MAXIMUM)	BACK SLOPE (MAXIMUM)	UTILITY SERVITUDE (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
15'	9.5'	9.5'	11'	11'	9.5'	9.5'	15'	60'

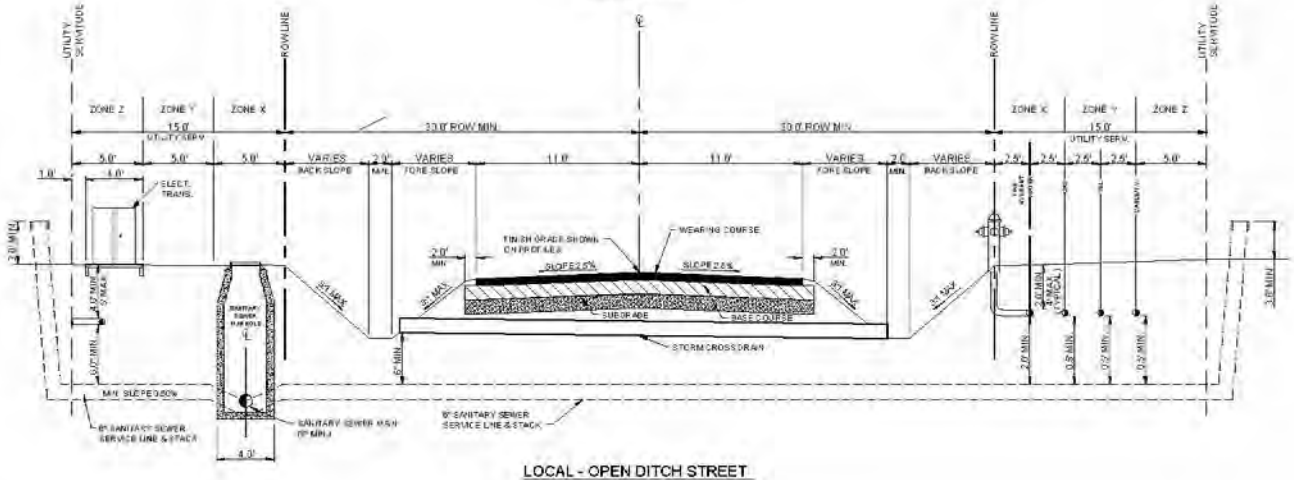
LOCAL - OPEN DITCH STREET
(MAJOR STREET PLAN)

N.T.S.

*OPEN DITCHES NOT ALLOWED IN NEW CONSTRUCTION FOR STREETS. CATCH BASIN AND CURB AND GUTTER DESIGN WILL BE REQUIRED ON EACH NEW STREET.

EXCEPTION: ESTATE SIZE LOTS OF 1 ACRE MINIMUM AND 150 FEET FRONTAGE MINIMUM MAY HAVE OPEN DITCHES IF APPROVED BY THE PLANNING COMMISSION AND CITY COUNCIL AND PROVIDED THAT SIZE AND PLACEMENT OF CULVERTS BE APPROVED AND INSPECTED BY THE CITY STREET DEPARTMENT. CONCRETE ONLY - NO ASPHALT.

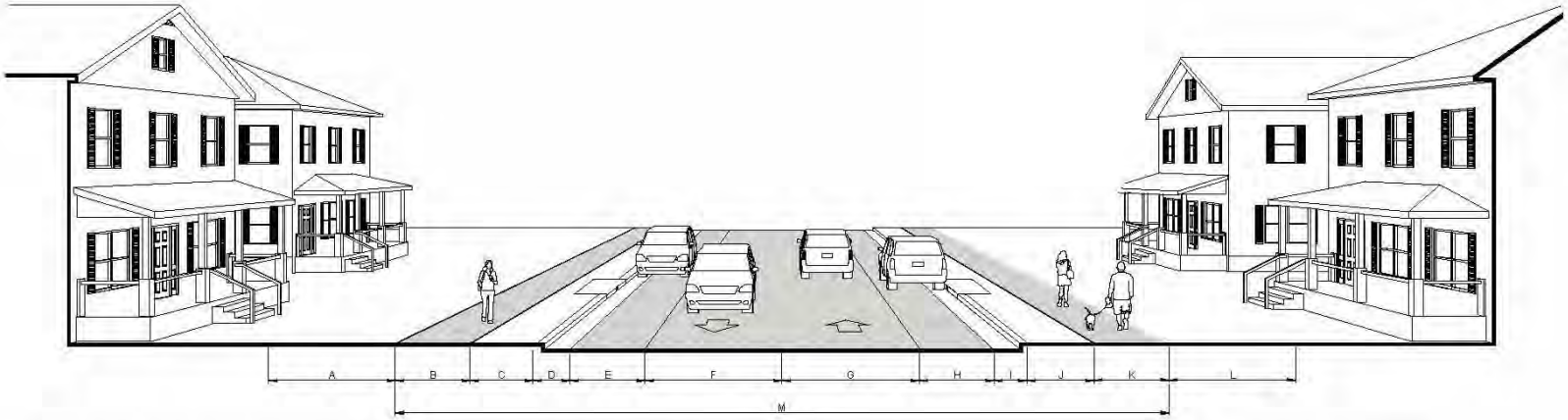
WHERE USED: *
TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE 1,000 VPD OR LESS.
DESIGN SPEED: 25 MPH
SPEED LIMIT: 25 MPH
ACCESS: UNLIMITED



NOTES:
1. ZONE X - FOR WATER, GAS AND SEWER
2. ZONE Y - FOR TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT SEPARATION BETWEEN OTHER ZONES AND UTILITIES

LOCAL - OPEN DITCH STREET
(MAJOR STREET PLAN)

N.T.S.
(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)

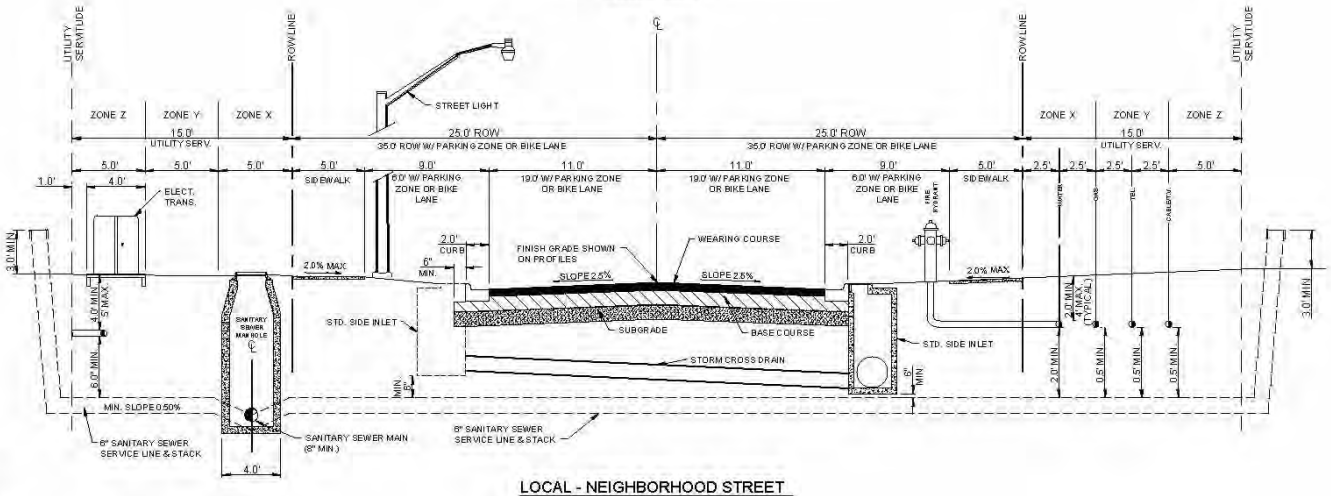


A	B	C	D	E	F	G	H	I	J	K	L	M
UTILITY SERVITUDE (MINIMUM)	SIDEWALK (MINIMUM)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE OR BIKE LANE (OPTIONAL)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	PARKING ZONE OR BIKE LANE (OPTIONAL)	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	SIDEWALK (MINIMUM)	UTILITY SERVITUDE (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
15'	5'	7.0' 4.0' W/ BIKE LANE OR PARKING ZONE	2'	8'	11'	11'	8'	2'	7.0' 4.0' W/ BIKE LANE OR PARKING ZONE	5'	15'	50' 60' W/ BIKE LANE OR PARKING ZONE

LOCAL - NEIGHBORHOOD STREET
(MAJOR STREET PLAN)

N.T.S.

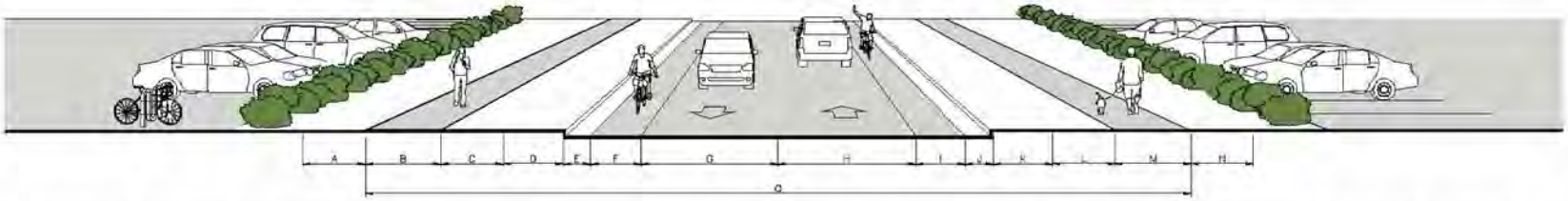
WHERE USED: IN RESIDENTIAL AREAS
TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE 1,000 TO 2,500 VPD.
DESIGN SPEED: 30 MPH
SPEED LIMIT: 25 MPH
ACCESS: UNLIMITED



NOTES:
1. ZONE X - FOR WATER, GAS AND SEWER
2. ZONE Y - FOR TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT SEPARATION BETWEEN OTHER ZONES AND UTILITIES.

LOCAL - NEIGHBORHOOD STREET
(MAJOR STREET PLAN)

N.T.S.
(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)

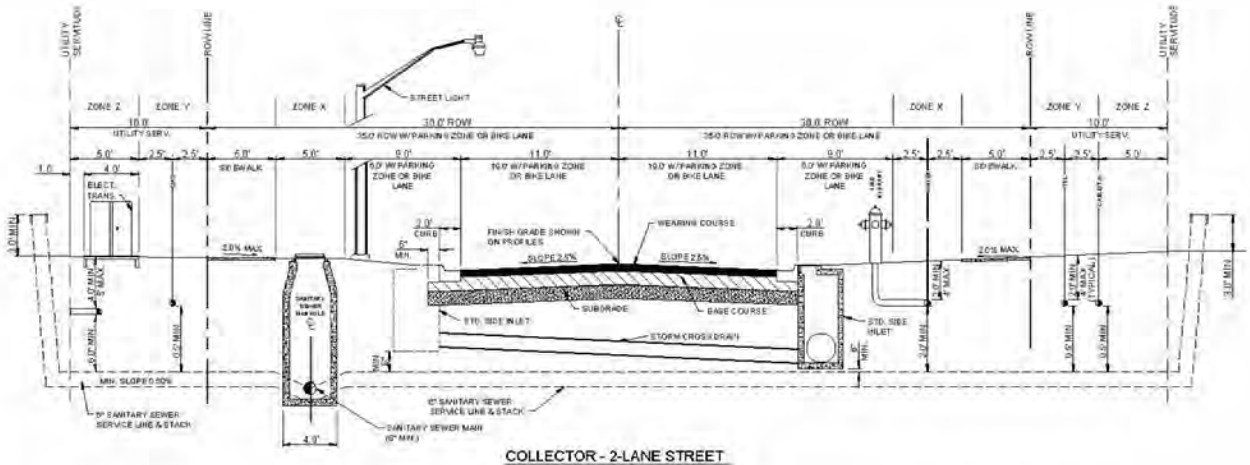


A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
UTILITY SERVITUDE (MINIMUM)	SIDEWALK (MINIMUM)	INFRASTRUCTURE ZONE	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE OR BIKE LANE (OPTIONAL)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	PARKING ZONE OR BIKE LANE (OPTIONAL)	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	INFRASTRUCTURE ZONE	SIDEWALK (MINIMUM)	UTILITY SERVITUDE (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
10'	5'	5'	7.0' 4.0' W/ BIKE LANE OR PARKING ZONE	2'	E	11'	11'	8'	2'	7.0' 4.0' W/ BIKE LANE OR PARKING ZONE	5'	5'	10'	60' 70' W/ BIKE LANE OR PARKING ZONE

COLLECTOR - 2-LANE STREET
(MAJOR STREET PLAN)

N.T.S.

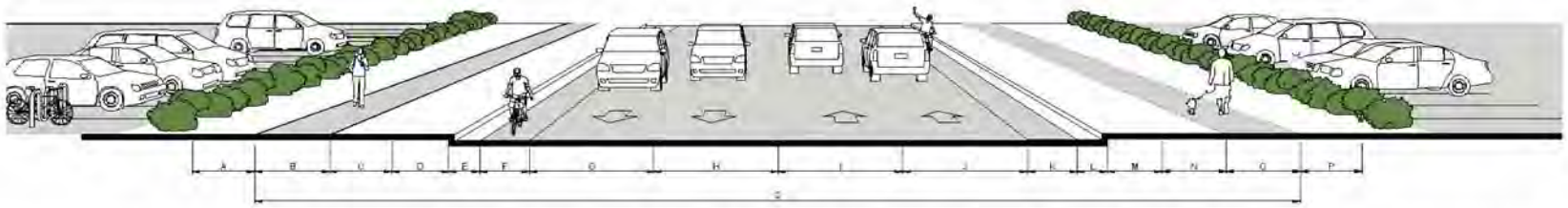
WHERE USED: AS DESIGNATED BY THE CITY OR WHEN A COLLECTOR STREET IS SHOWN ON THE MAJOR STREET PLAN
TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE 5,000 TO 18,000 VPD.
DESIGN SPEED: 45 MPH
SPEED LIMIT: 30-45 MPH
ACCESS: ACCESS WILL BE LIMITED WITH POINTS OF ACCESS APPROVED BY THE CITY.



NOTES:
1. ZONE X - FOR WATER AND SEWER
2. ZONE Y - FOR GAS, TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT SEPARATION BETWEEN OTHER ZONES AND UTILITIES.

COLLECTOR - 2-LANE STREET
(MAJOR STREET PLAN)

N.T.S.
(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)



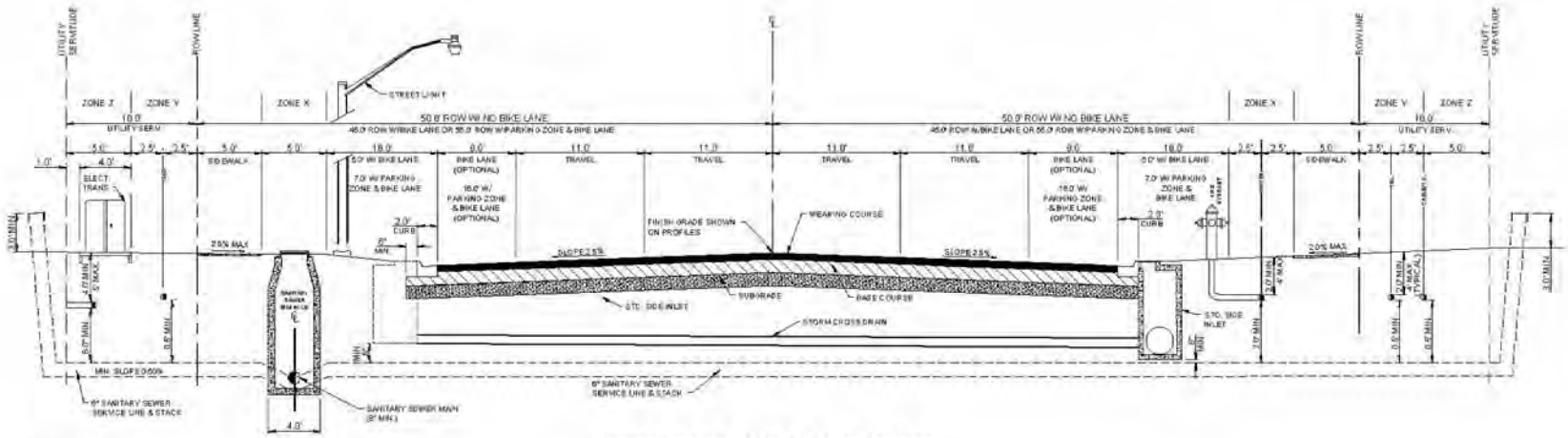
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
UTILITY SERV	SIDEWALK (MINIMUM)	INFRASTRUCTURE ZONE	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE OR BIKE LANE (OPTIONAL)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	PARKING ZONE OR BIKE LANE (OPTIONAL)	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	INFRASTRUCTURE ZONE	SIDEWALK (MINIMUM)	UTILITY SERV	RIGHT-OF-WAY (MINIMUM)
10'	5'	5'	19.0' 5.0' W/ BIKE LANE OR PARKING ZONE	2'	8' - 16'	11'	11'	11'	11'	8' - 16'	2'	19.0' 5.0' W/ BIKE LANE OR PARKING ZONE	5'	5'	10'	100' 90' W/ BIKE LANE OR PARKING ZONE

MINOR ARTERIAL - 4-LANE OR 2-LANE STREET
(MAJOR STREET PLAN)

N.T.S.

WHERE USED: AS DESIGNATED BY THE CITY OR WHEN A MINOR ARTERIAL STREET IS SHOWN ON THE MAJOR STREET PLAN
TRAFFIC VOLUME (2-LANE): ANTICIPATED TRAFFIC VOLUME SHOULD BE 10,000 TO 15,000 VPD.*
TRAFFIC VOLUME (4-LANE): ANTICIPATED TRAFFIC VOLUME SHOULD BE 15,000 TO 25,000 VPD.*
DESIGN SPEED: 45 MPH
SPEED LIMIT: 30-45 MPH
ACCESS: ACCESS WILL BE LIMITED WITH POINTS OF ACCESS APPROVED BY THE CITY

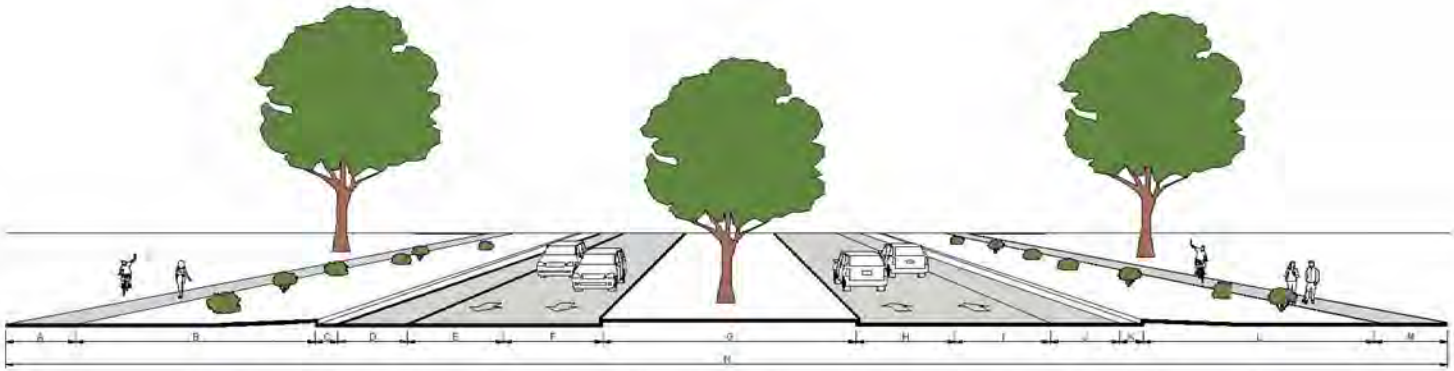
*MINOR ARTERIAL ROADWAYS BUILT IN A 2-LANE CONFIGURATION SHOULD HAVE A MINIMUM 22' WIDE MEDIAN WITH CURBING PROVIDED TO ALLOW ADEQUATE SPACE FOR FUTURE WIDENING OF THE ROADWAY.



NOTES:
1. ZONE X - FOR WATER AND SEWER
2. ZONE Y - FOR GAS, TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT SEPARATION BETWEEN OTHER ZONES AND UTILITIES

MINOR ARTERIAL - 4-LANE OR 2-LANE STREET
(MAJOR STREET PLAN)

N.T.S.
(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)

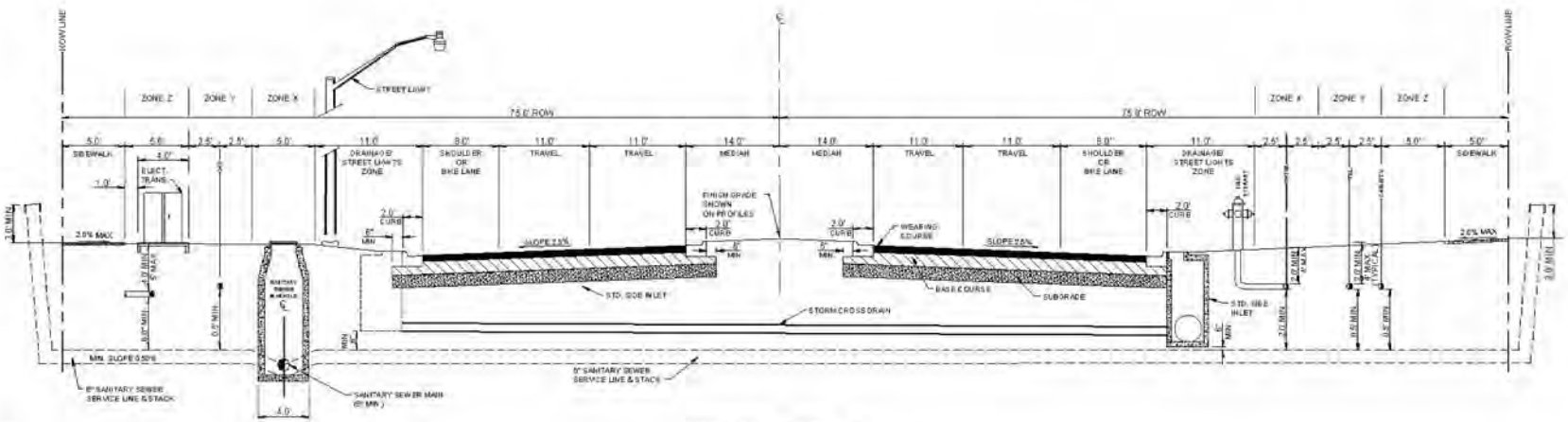


A	B	C	D	E	F	G	H	I	J	K	L	M	N
SIDEWALK (MINIMUM)	DRAINAGE/ UTILITY ZONE	CURB AND GUTTER (REQUIRED)	SHOULDER OR BIKE LANE	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	MEDIAN	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	SHOULDER OR BIKE LANE	CURB AND GUTTER (REQUIRED)	DRAINAGE/ UTILITY ZONE	SIDEWALK (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
5'	24	2'	8'	11'	11'	28'	11'	11'	8'	2'	24'	5'	150'

MAJOR ARTERIAL STREET
(MAJOR STREET PLAN)

N.T.S.

WHERE USED: AS DESIGNATED BY THE CITY OR WHEN A MAJOR ARTERIAL STREET IS SHOWN ON THE MAJOR STREET PLAN
TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE 15,000 TO 35,000 VPD.
DESIGN SPEED: 45 MPH
SPEED LIMIT: 35-45 MPH
ACCESS: ACCESS WILL BE LIMITED WITH POINTS OF ACCESS APPROVED BY THE CITY ON CITY ROUTES.

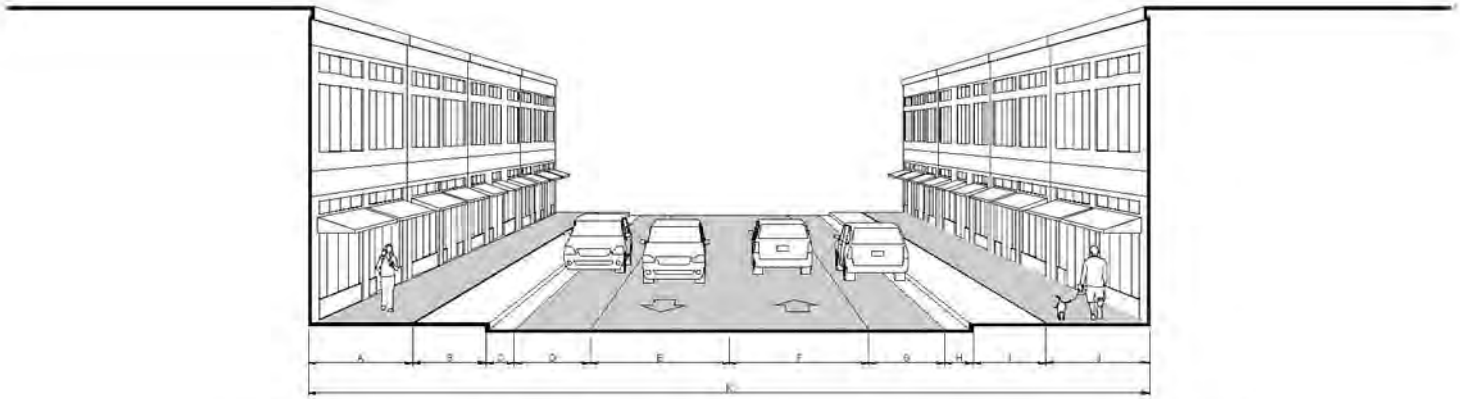


NOTES:
1. ZONE X - FOR WATER AND SEWER
2. ZONE Y - FOR GAS, TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT SEPARATION BETWEEN OTHER ZONES AND UTILITIES.

MAJOR ARTERIAL STREET
(MAJOR STREET PLAN)

N.T.S.

(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)



A	B	C	D	E	F	G	H	I	J	K
SIDEWALK (MINIMUM)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	PARKING ZONE	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	SIDEWALK (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
10'	6.5'	2'	8'	11'	11'	8'	2'	6.5'	10'	75'

MAIN STREET - PARALLEL PARKING

N.T.S.

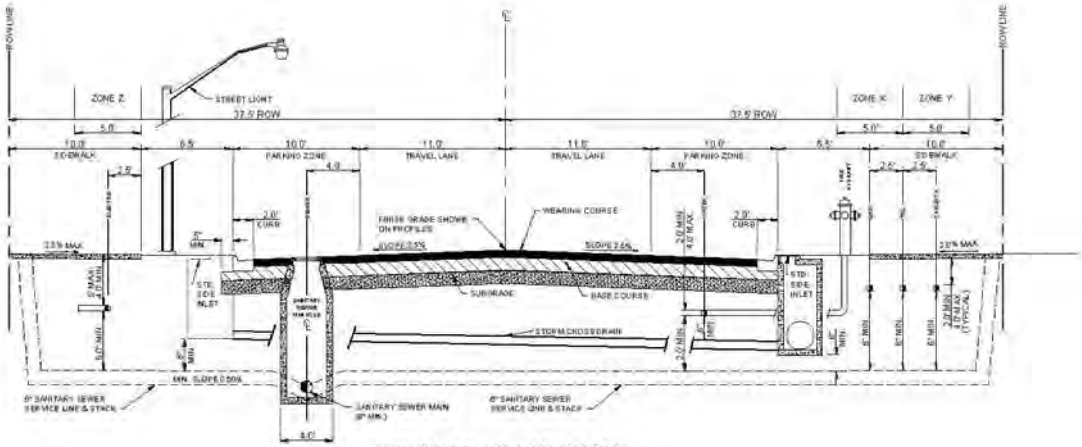
WHERE USED: THE MAIN STREET - PARALLEL PARKING, IS A MINOR CONNECTOR STREET WITH DESIGNATED ON-STREET PARALLEL PARKING. IT IS INTENDED FOR USE WHERE THE PREDOMINANT CHARACTER IS ONE OF MIXED USE BUILDING TYPES BUILT CLOSE TO THE STREET IN A TRADITIONAL MAIN STREET PATTERN. THE MAIN STREET - PARALLEL PARKING, IS ONLY ALLOWED WITHIN THE COMMERCIAL AND MIXED USE CONTEXTS.

TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE LESS THAN 2,500VPD

DESIGN SPEED: 25 MPH

SPEED LIMIT: 20-25 MPH

ACCESS: UNLIMITED.

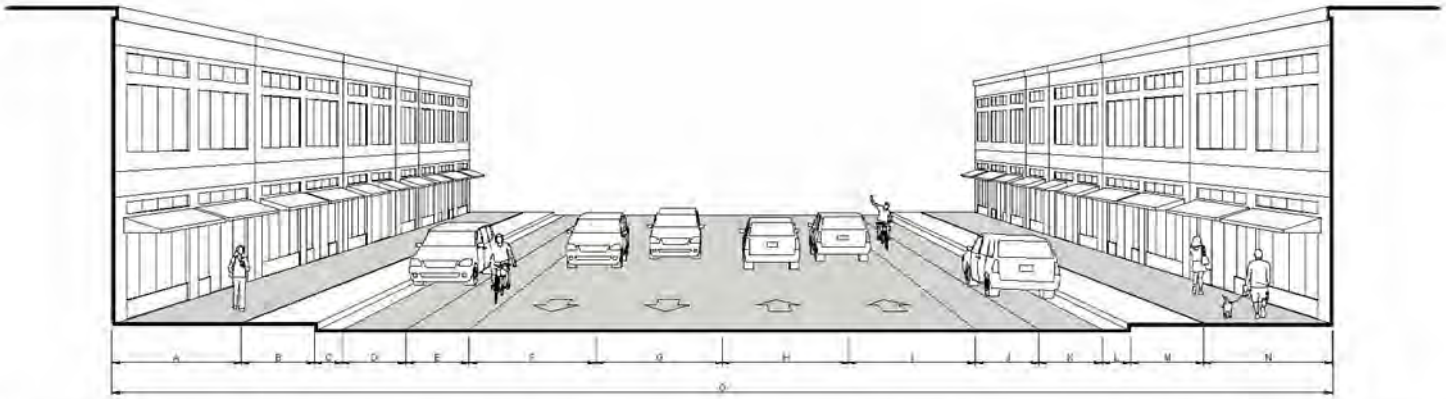


NOTES:
1. ZONE X - FOR GAS
2. ZONE Y - FOR TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT HORIZONTAL SEPARATION BETWEEN OTHER UTILITIES

MAIN STREET - PARALLEL PARKING

N.T.S.

(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)

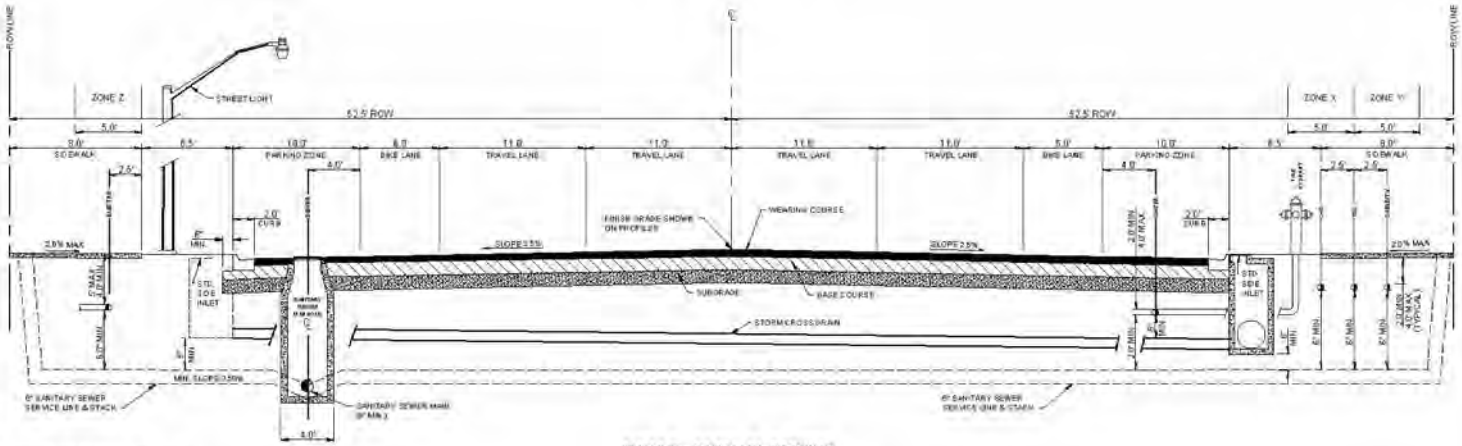


A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
SIDEWALK (MINIMUM)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE	BIKE LANE	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	BIKE LANE	PARKING ZONE	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	SIDEWALK (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
6'	6.5'	2'	8'	6'	11'	11'	11'	11'	6'	8'	2'	6.5'	6'	106'

AVENUE - PARALLEL PARKING

N.T.S.

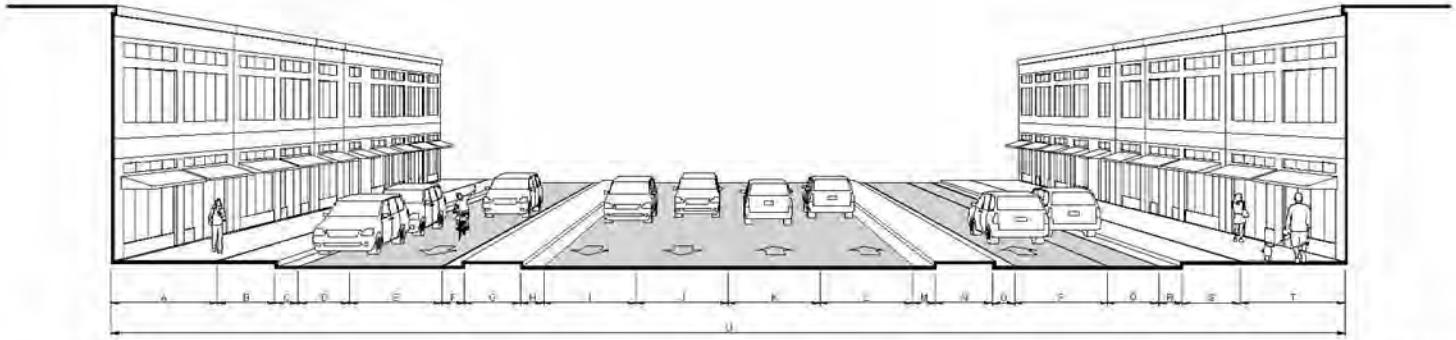
WHERE USED: THE AVENUE-PARALLEL PARKING IS A MAJOR CONNECTOR STREET WITH DESIGNATED ON-STREET PARALLEL PARKING. IT IS INTENDED FOR USE WHERE THE PREDOMINANT CHARACTER IS ONE OF MIXED USE AND RESIDENTIAL BUILDING TYPES BUILT CLOSE TO THE STREET. THE AVENUE-PARALLEL PARKING IS ONLY ALLOWED WITHIN THE COMMERCIAL OR MIXED USE CONTEXTS.
TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE LESS THAN 10,000VPD
DESIGN SPEED: 25 MPH
SPEED LIMIT: 20-25 MPH
ACCESS: UNLIMITED.



NOTES:
1. ZONE X - FOR GAS
2. ZONE Y - FOR TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAIN FEED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT HORIZONTAL SEPARATION BETWEEN OTHER UTILITIES.

AVENUE - PARALLEL PARKING

N.T.S.
(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)



A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
SIDEWALK (MINIMUM)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	PARKING ZONE	ACCESS LANE (MINIMUM)	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	TRAVEL LANE (MINIMUM)	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	CURB AND GUTTER (REQUIRED)	ACCESS LANE (MINIMUM)	PARKING ZONE	CURB AND GUTTER (REQUIRED)	DRAINAGE/ STREET LIGHTS	SIDEWALK (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
9.5'	6'	2'	8'	16'	2'	6'	2'	11'	11'	11'	11'	2'	6'	2'	16'	8'	2'	6'	9.5'	135'

MULTI-WAY BOULEVARD - PARALLEL PARKING

N.T.S.

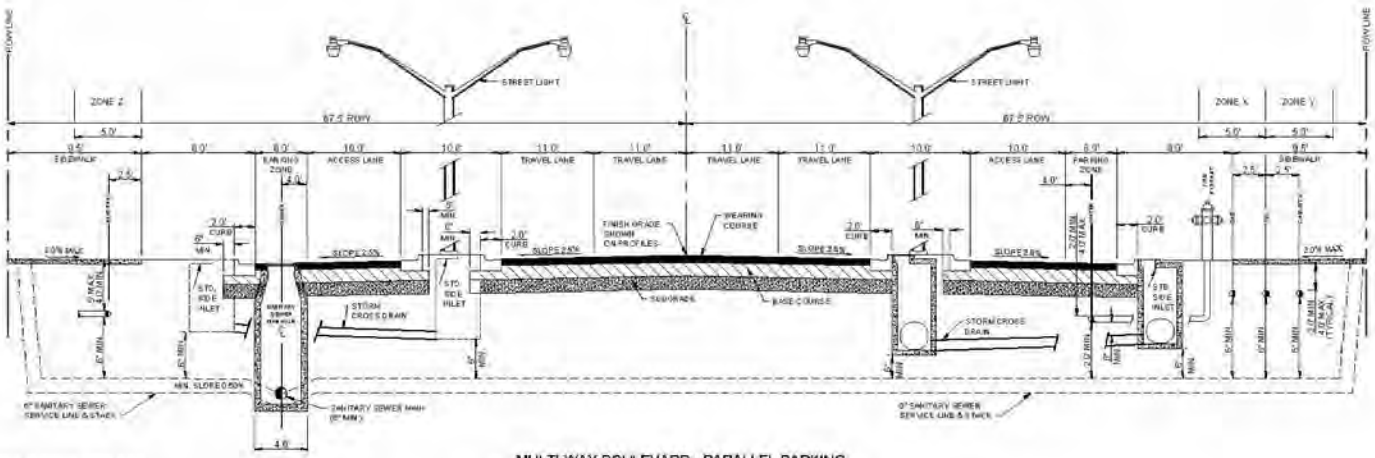
WHERE USED: THE MULTI-WAY BOULEVARD-PARALLEL PARKING IS A MAJOR CONNECTOR STREET WITH DESIGNATED ON-STREET PARALLEL PARKING ON A FRONTAGE ROAD. IT IS INTENDED FOR USE WHERE THE PREDOMINANT CHARACTER IS ONE OF MIXED USE BUILDING TYPES BUILT CLOSE TO THE STREET. THE MULTI-WAY BOULEVARD-PARALLEL PARKING IS ONLY ALLOWED WITHIN THE MIXED USE CONTEXT.

TRAFFIC VOLUME: ANTICIPATED TRAFFIC VOLUME SHOULD BE 15,000VPD TO 35,000 VPD

DESIGN SPEED: 50 MPH

SPEED LIMIT (INNER 4 LANES): 30-45 MPH SPEED LIMIT (ACCESS LANES): 10-25 MPH

ACCESS: ACCESS WILL BE LIMITED WITH POINTS OF ACCESS APPROVED BY THE CITY.

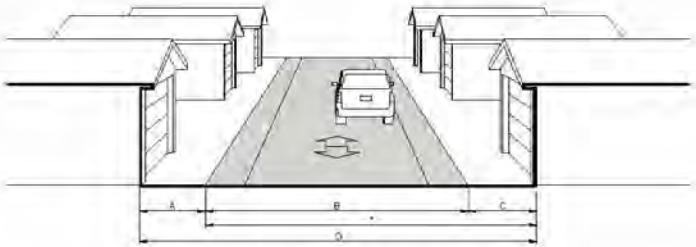


NOTES:
1. ZONE X - FOR GAS
2. ZONE Y - FOR TELECOMMUNICATIONS (I.E. TELEPHONE, CABLE, ETC.)
3. ZONE Z - FOR ELECTRIC (MAINTAINED - ONE SIDE ONLY)
4. ALL UTILITIES MUST MAINTAIN 1 FOOT HORIZONTAL SEPARATION BETWEEN OTHER UTILITIES

MULTI-WAY BOULEVARD - PARALLEL PARKING

N.T.S.

(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)



A	B	C	D
DRAINAGE/ STREET LIGHTS (MINIMUM)	TRAVEL LANE (MINIMUM)	DRAINAGE/ STREET LIGHTS (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
4'	20'	4'	28'

RESIDENTIAL ALLEY

N.T.S.

WHERE USED: THE RESIDENTIAL ALLEY IS A RIGHT-OF-WAY DESIGNED TO PROVIDE ACCESS TO THE SIDE OR REAR OF RESIDENTIAL BUILDING TYPES WHOSE PRINCIPAL FRONTAGE IS ON A STREET. THE RESIDENTIAL ALLEY IS ONLY ALLOWED IN THE LOW DENSITY RESIDENTIAL AND HIGH DENSITY RESIDENTIAL CONTEXTS.

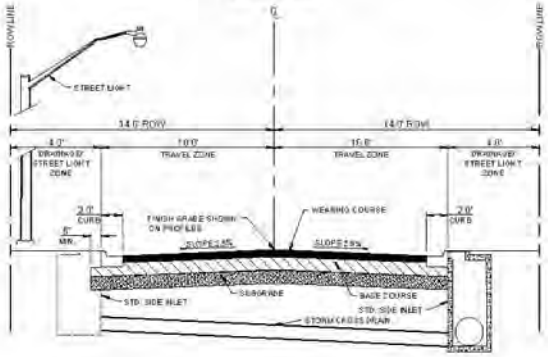
TRAFFIC VOLUME: NOT INTENDED TO ACCOMMODATE THROUGH TRAFFIC.

DESIGN SPEED: N/A

SPEED LIMIT: N/A

ACCESS: UNLIMITED

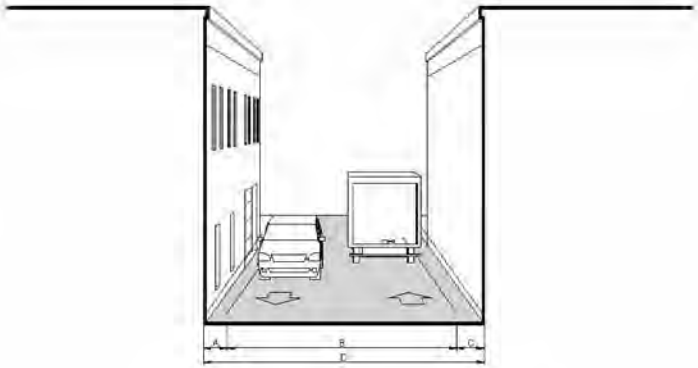
*24' MINIMUM CLEAR SPACE REQUIRED FOR BACKUP



RESIDENTIAL ALLEY

N.T.S.

(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)



A	B	C	D
DRAINAGE/ STREET LIGHTS (MINIMUM)	TRAVEL LANE (MINIMUM)	DRAINAGE/ STREET LIGHTS (MINIMUM)	RIGHT-OF-WAY (MINIMUM)
4'	20'	4'	28'

COMMERCIAL ALLEY

N.T.S.

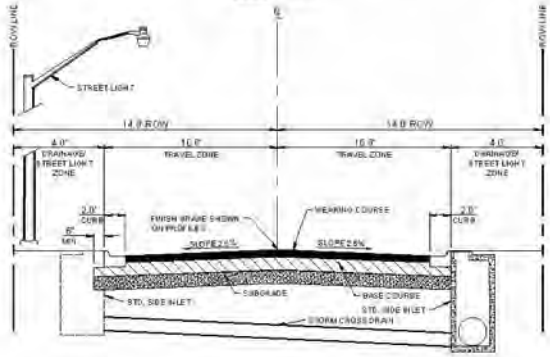
WHERE USED: THE COMMERCIAL ALLEY IS A RIGHT-OF-WAY DESIGNED TO PROVIDE ACCESS TO THE SIDE OR REAR OF BUSINESS, COMMERCIAL, MIXED USE BUILDING TYPES WHOSE PRINCIPAL FRONTAGE IS ON A STREET. THE COMMERCIAL ALLEY IS ONLY ALLOWED IN THE BUSINESS, COMMERCIAL, AND MIXED USE CONTEXTS.

TRAFFIC VOLUME: NOT INTENDED TO ACCOMMODATE THROUGH TRAFFIC.

DESIGN SPEED: N/A

SPEED LIMIT: N/A

ACCESS: UNLIMITED



COMMERCIAL ALLEY

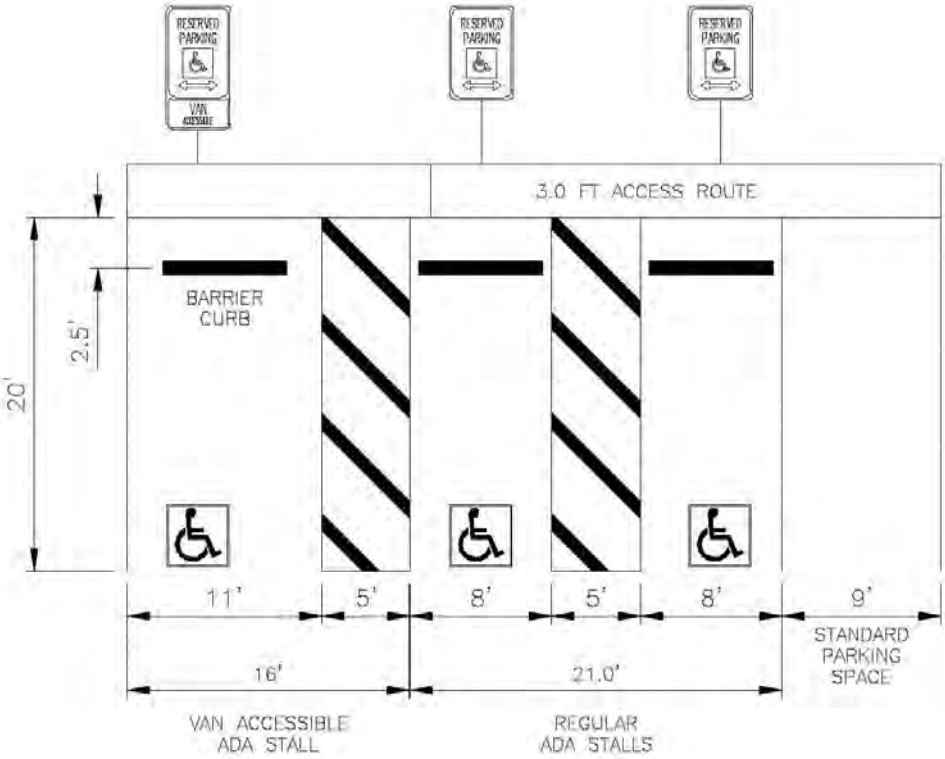
N.T.S.

(SHOWING SPACE ALLOCATION OF PROPOSED UTILITY SERVICES)

APPENDIX C

Parking, Streets, and Roadways

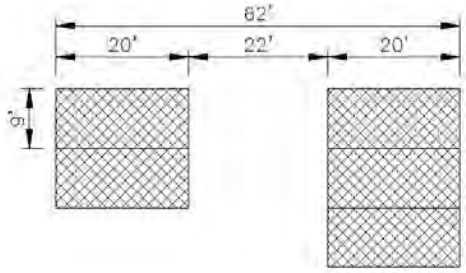
MINIMUM DESIGN CRITERIA FOR PARKING, STREETS AND ROADWAYS



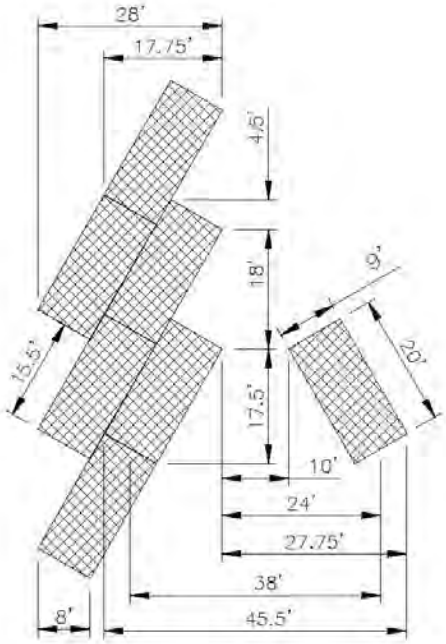
NOTE:
ADA STALL STRIPING IS BLUE (8 INCH LINES ON 4 FT. CENTERS)
ALL STALLS MUST HAVE ADA SYMBOL PAVEMENT MARKING. (30 INCHES X 36 INCHES MINIMUM)
ALL ADA SIGNS AND SYMBOLS ARE WHITE ON A BLUE BACKGROUND.
NO PROVISION OF THESE CRITERIA SHALL OVERRIDE ADA DESIGN STANDARD REQUIREMENTS.

STANDARD PARKING REQUIREMENTS

9'x20' PARKING STALLS
(MINIMUM PARKING STALL DIMENSIONS)



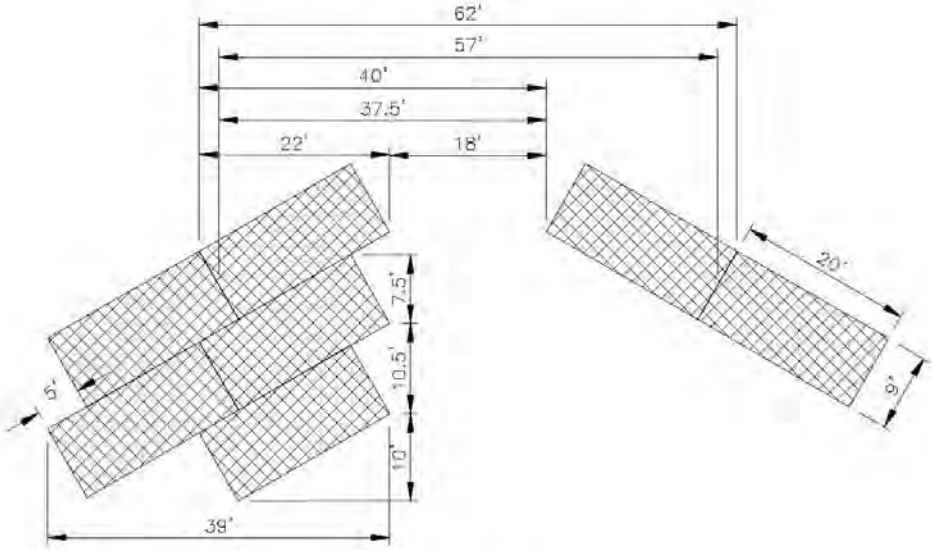
90° PARKING



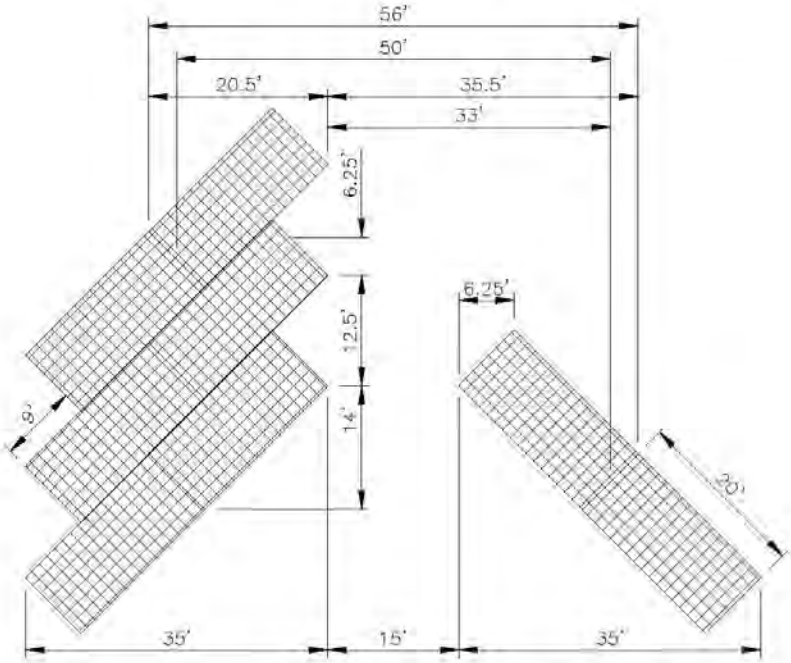
30° PARKING

STANDARD PARKING REQUIREMENTS

9'x20' PARKING STALLS
(MINIMUM PARKING STALL DIMENSIONS)



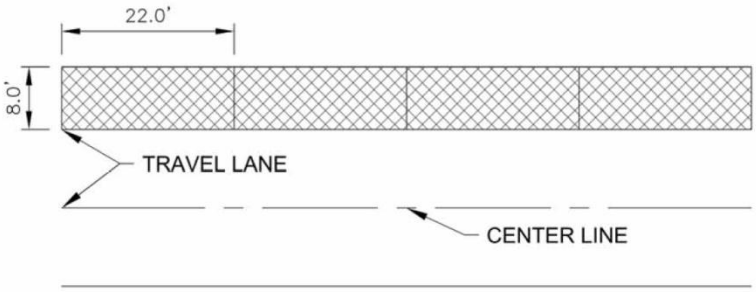
60° PARKING



45° PARKING

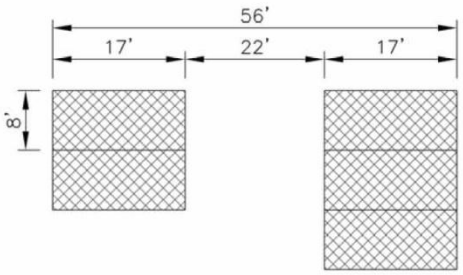
STANDARD PARKING REQUIREMENTS

8'x22' PARALLEL PARKING STALLS
(MINIMUM PARKING STALL DIMENSIONS)

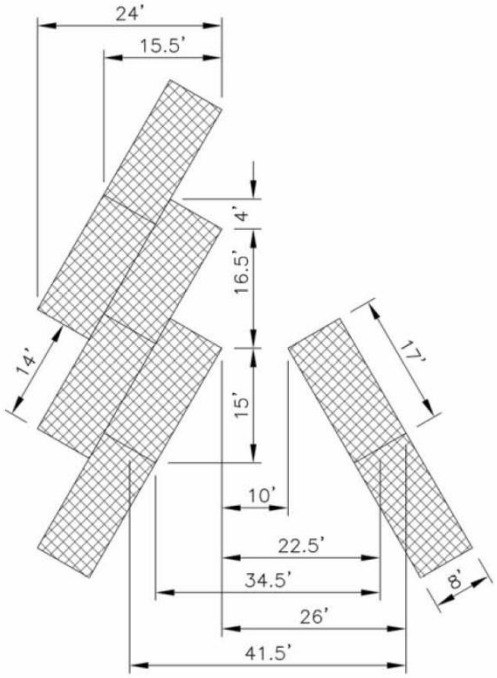


COMPACT PARKING REQUIREMENTS

8'x17' PARKING STALLS
(MINIMUM PARKING STALL DIMENSIONS)



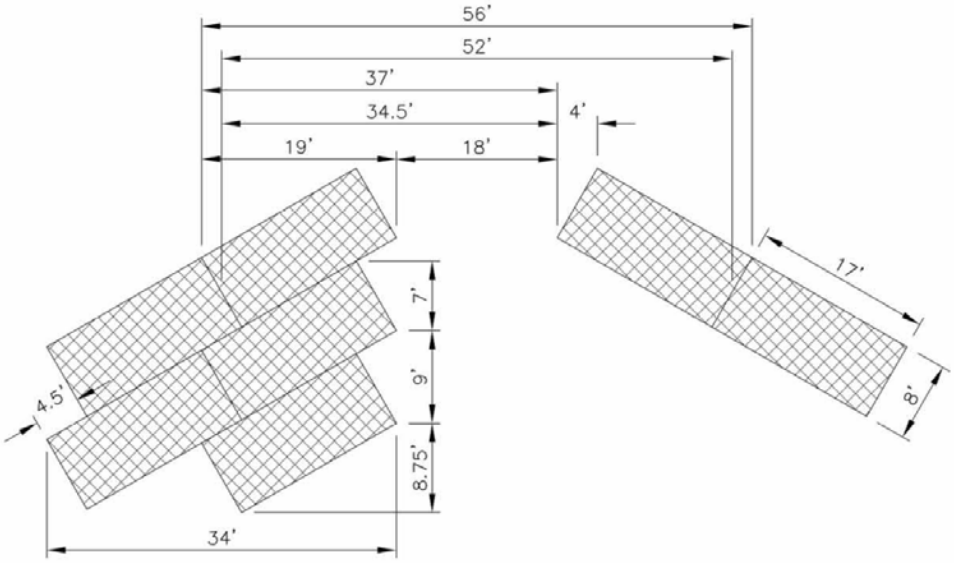
90° PARKING



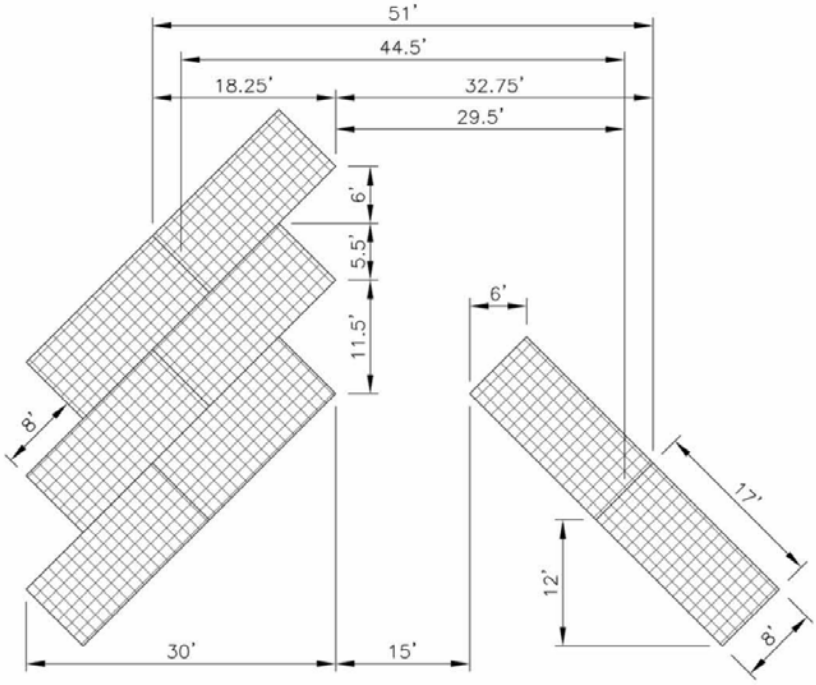
30° PARKING

COMPACT PARKING REQUIREMENTS

8'x17' PARKING STALLS
(MINIMUM PARKING STALL DIMENSIONS)



60° PARKING



45° PARKING

Sight Triangles (Vision Triangle or Sight Distance Triangle)

No parking spaces will be permitted on corner lots within the sight distance triangles defined below:

Sight triangle (vision triangle or sight distance triangle) means the triangle area formed by a diagonal line connecting two (2) points located on intersecting street right-of-way lines (or a right-of-way line and the curb or edge of a driveway). The sight triangle may consist of one or two (2) different configurations. Intersections of streets may consist of a combination of the various geometric designs given in figures 2A and 2B:

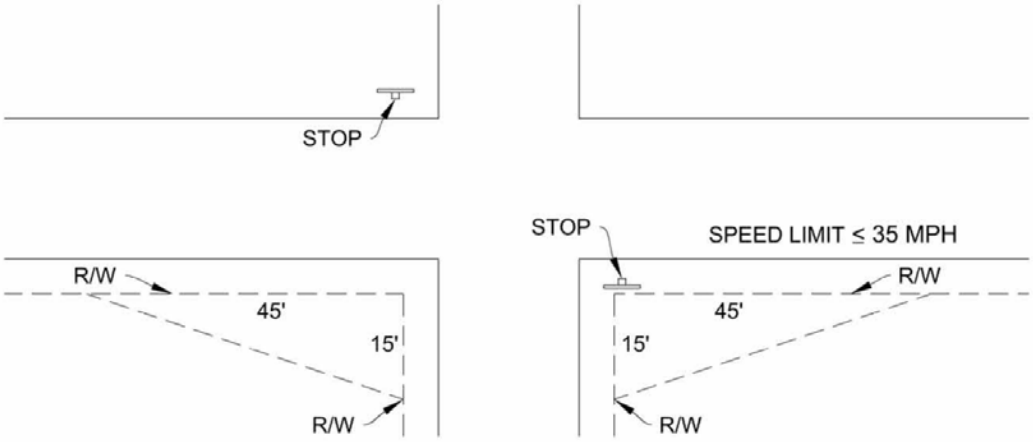
(a) At intersections with streets having a speed limit that is less than or equal to thirty five (35) mph, a sight triangle of fifteen (15) feet by fourty-five (45) feet is required with the longer dimension parallel to the street with the speed limit that is equal to or less than thirty five (35) mph. (see Figure 2A Top Figure)

(b) At intersections with streets having speed limits that are greater than or equal to forty (40) miles per hour (mph), a sight triangle of fifteen (15) feet by sixty (60) feet is required with the longer dimension parallel to the street with the speed limit that is greater than or equal to forty (40) mph. (see Figure 2A Bottom Figure)

(c) At intersections where there is an all way stop condition, a sight triangle of thirty (30) feet by thirty (30) feet is required. (see Figure 2B)

FIGURE 2A.
TWO WAY STOP CONDITION

SPEED LIMIT ≤ 35 MPH CONDITION



SPEED LIMIT ≥ 40 MPH CONDITION

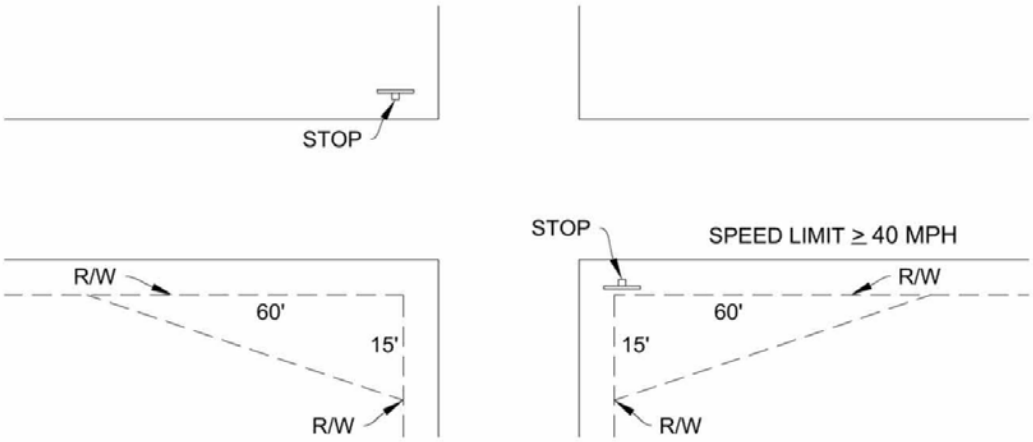
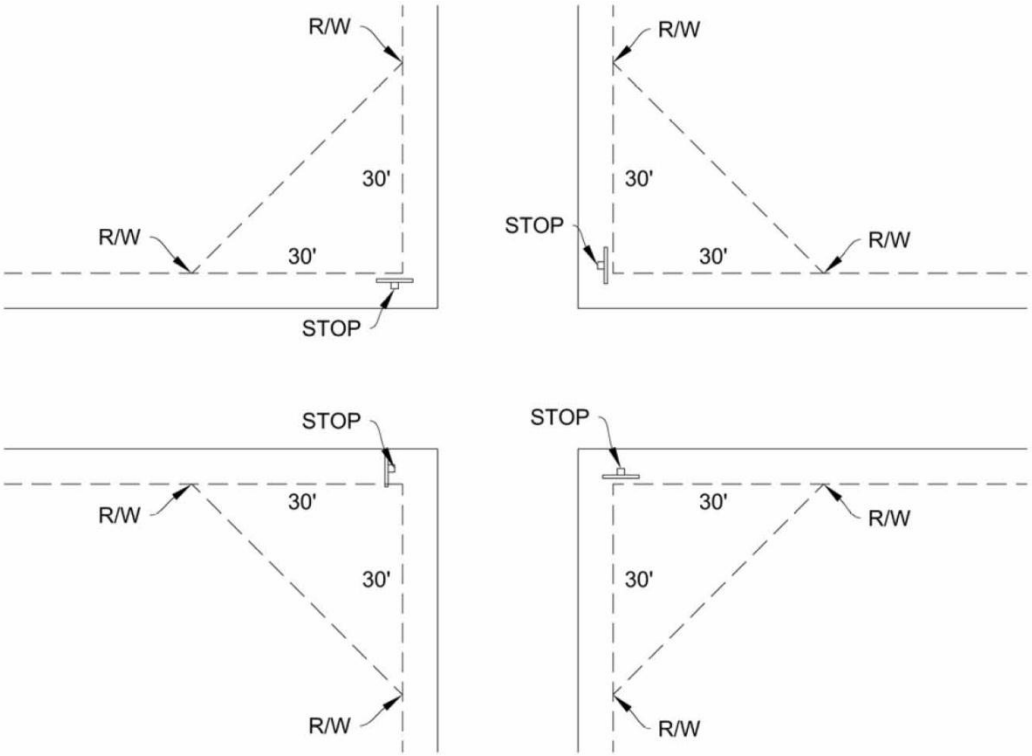


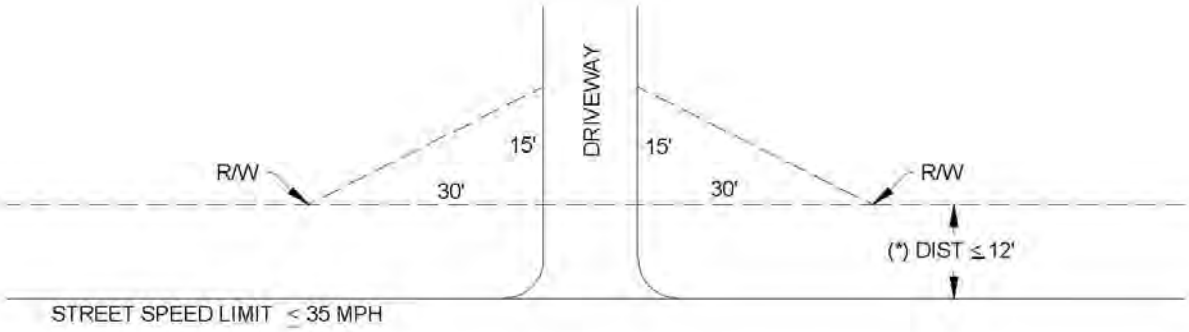
FIGURE 2B
ALL WAY STOP CONDITION



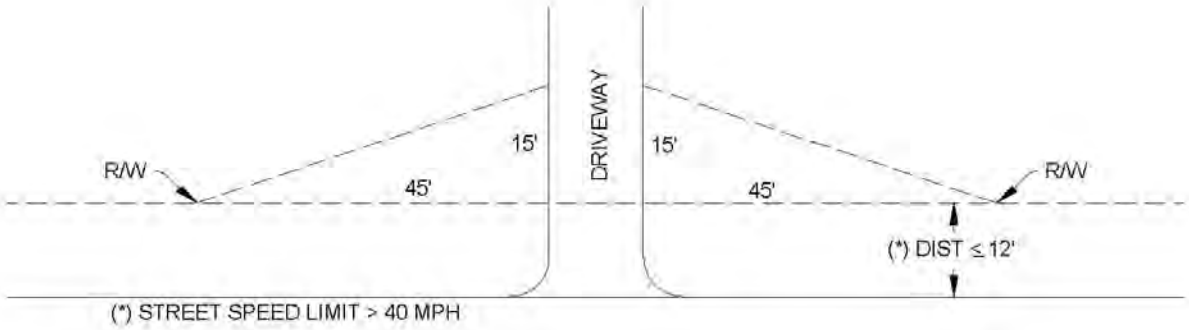
(d) No parking spaces will be permitted adjacent to commercial or multifamily driveways within the site distance triangle defined below:

For driveways existing commercial or multifamily businesses or developments a sight triangle of fifteen (15) feet by thirty (30) feet shall be required with the longer dimension running parallel to the public street. (see Figures Below)

MINIMUM DESIGN REQUIREMENTS FOR DRIVEWAYS

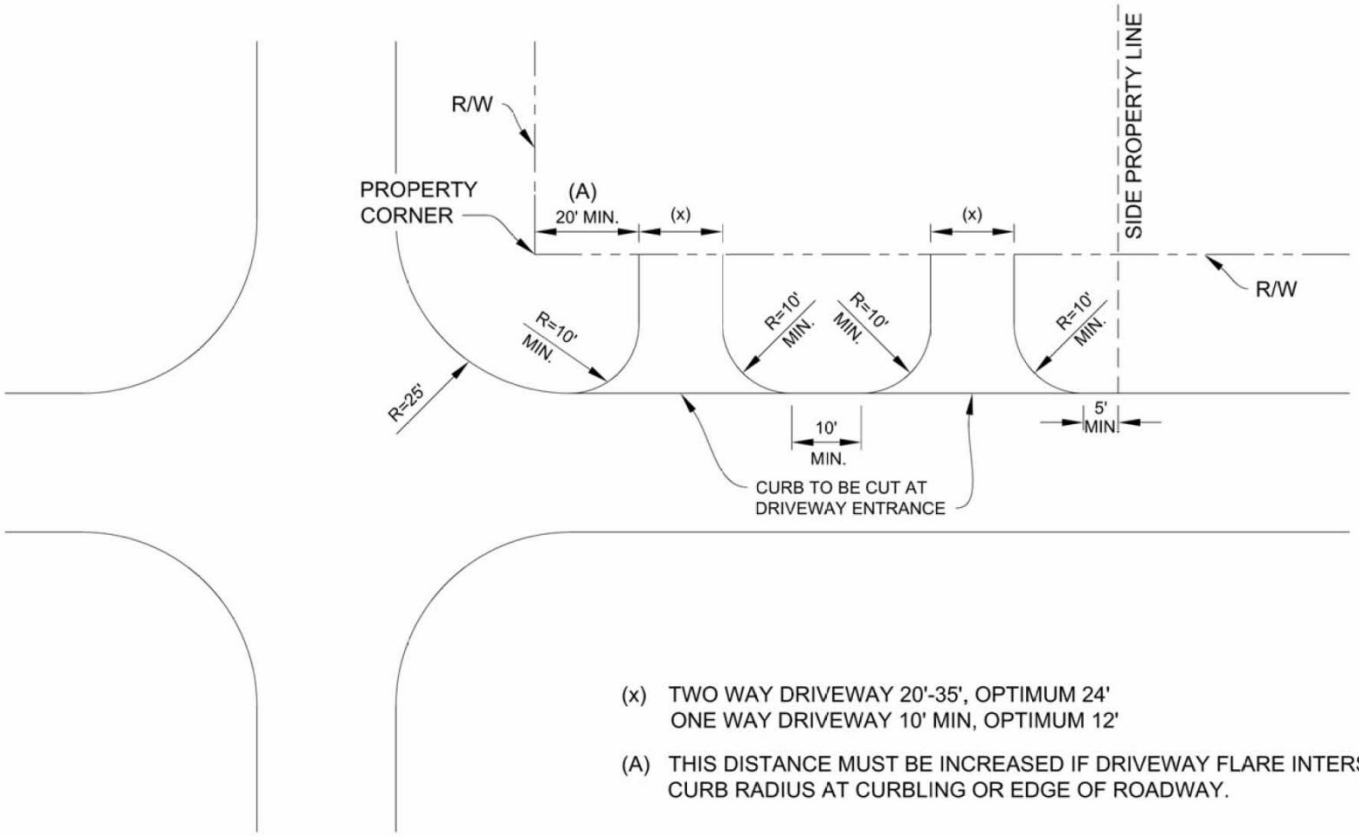


(*) IF THIS DISTANCE IS GREATER THAN 12FT AND WIDENING OF STREET IS NOT CONTEMPLATED OR POSSIBLE AS PART OF THE MAJOR STREET PLAN OR COMP. PLAN A WAIVER OF THE SIGHT DISTANCE TRIANGLE REQUIREMENT CAN BE REQUESTED.



(*) IF THIS DISTANCE IS GREATER THAN 12FT AND WIDENING OF STREET IS NOT CONTEMPLATED OR POSSIBLE AS PART OF THE MAJOR STREET PLAN OR COMP. PLAN A WAIVER OF THE SIGHT DISTANCE TRIANGLE REQUIREMENT CAN BE REQUESTED.

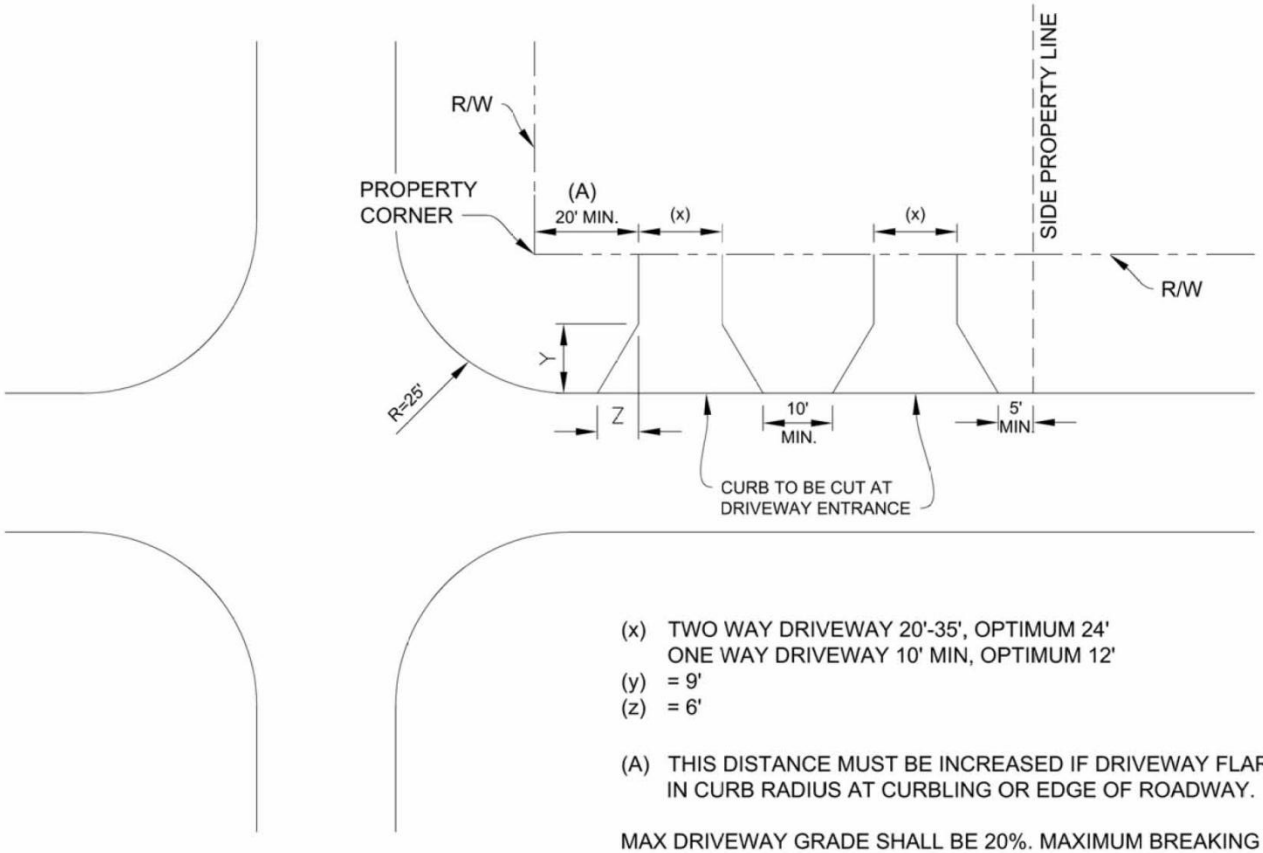
MINIMUM DESIGN REQUIREMENTS FOR DRIVEWAYS



(x) TWO WAY DRIVEWAY 20'-35', OPTIMUM 24'
ONE WAY DRIVEWAY 10' MIN, OPTIMUM 12'

(A) THIS DISTANCE MUST BE INCREASED IF DRIVEWAY FLARE INTERSECTS IN CURB RADIUS AT CURBLING OR EDGE OF ROADWAY.

MINIMUM DESIGN REQUIREMENTS FOR DRIVEWAYS



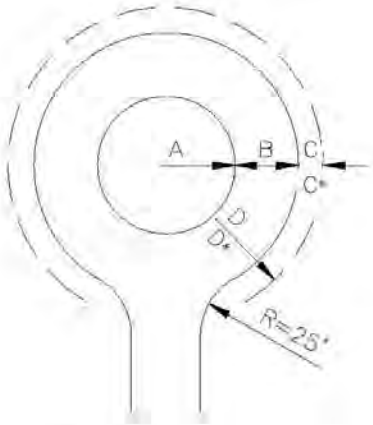
(x) TWO WAY DRIVEWAY 20'-35', OPTIMUM 24'
ONE WAY DRIVEWAY 10' MIN, OPTIMUM 12'
(y) = 9'
(z) = 6'

(A) THIS DISTANCE MUST BE INCREASED IF DRIVEWAY FLARE INTERSECTS IN CURB RADIUS AT CURBLING OR EDGE OF ROADWAY.

MAX DRIVEWAY GRADE SHALL BE 20%. MAXIMUM BREAKING GRADE SHALL BE 10% AT NOT LESS THAN 10' INTERVALS

SYMMETRICAL CUL-DE-SAC

A = 26' F.O.C.
B = 24' F.O.C. TO F.O.C.
C = 13' F.O.C. (WITH UTILITES)
C* = 9.5' F.O.C. (W/O UTILITES)
D = 63' (WITH UTILITES)
D* = 59.5' (W/O UTILITES)

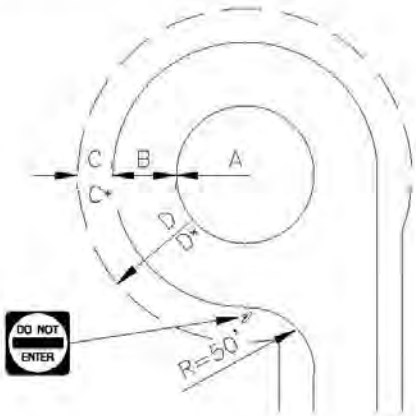


DESIGN "A"

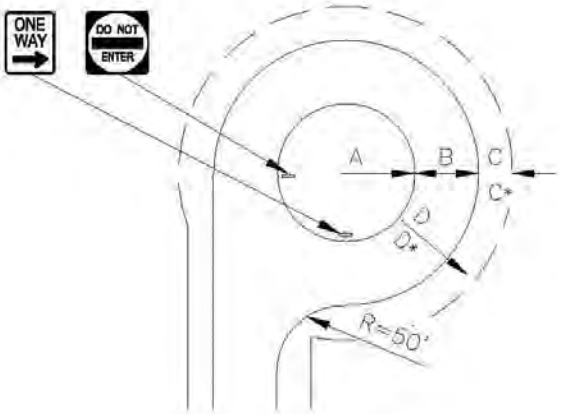
ASYMMETRICAL CUL-DE-SAC

DESIGN "B" ENCOURAGES WRONG WAY MOVEMENT AROND CIRCLE
AND REQUIRES THE SPECIAL SIGNING AS SHOWN

A = 26' F.O.C.
B = 24' F.O.C. TO F.O.C.
C = 13' F.O.C. (WITH UTILITES)
C* = 9.5' F.O.C. (W/O UTILITES)
D = 63' (WITH UTILITES)
D* = 59.5' (W/O UTILITES)



DESIGN "B"



DESIGN "C"

APPENDIX D

Subdivision Procedures, Plat Checklists, and Plat Notes

SUBDIVISION APPROVAL PROCEDURE
AND LAND DEVELOPMENT

GENERAL NOTES

The deadline for submittal of an application for preliminary or final review shall be 30 days before the first Thursday of any month (which is the date of the Planning Commission meeting).

All Planning Commission, Zoning Commission, and Board of Adjustments meetings are held at 312 East Charles in the City Council Chambers at 5:00 p.m. the First Thursday of each month.

All information and documents can be secured from the Secretary for the Zoning Board at 219 E. Robert St. Phone # (985)277-5649, Monday - Friday 8:00 a.m. to 4:00 p.m.

The procedure for review and approval of a subdivision or land development consists of three (3) separate phases. These phases are more generally outlined as follows:

PHASE I
Ongoing process before plats, construction plans, restrictions (if any), and specifications are drawn.

STEP #1
Informal meeting with the City Planner and other committees to discuss submittal of preliminary information concerning plans, specifications, plats, Procedures "A" or "B", annexation, zoning or variance before any detailed plans are drawn. NOTE: "A" and "B" refer to bond submittal.

STEP #2
We recommend before any preliminary plans are drawn a plat sheet is submitted containing all the information listed on the attached check list for plats. This plat would then be reviewed by the various city departments and returned with comments. The requirements for said plat are listed in paragraph 3.2.1 B (2).

PHASE II
APPLICATION FOR PRELIMINARY REVIEW AND PRELIMINARY HEARING BY THE PLANNING AND ZONING BOARD

STEP #1
Thirty days before first Thursday of any month, the owner/developer shall submit completed application and pay fees for preliminary hearing. In addition, the names and addresses of all adjacent property owners (adjacent means next to or directly across the street) shall be furnished on the application or on a separate sheet.

STEP #2
Thirty (30) days before first Thursday of any month (preliminary hearing) submit 6 bound copies of the preliminary required plats with plans and specifications for construction as defined in Article 3 of the Unified Development Code and 10 additional copies of any plats containing the information required by the attached checklist for plats. Items (1) and certification block Item (2) and Item (5) shall be completed and signed when the plat sheets are submitted to the Planning Commission for reviews. All other certification blocks shall be left blank.
Within 3 days after receipt of completed preliminary information, plans and specifications will be sent by the Building Department to the review engineer, Street and Sewer & Water Departments, the City Planner and the Planning Commission Chairman. Review Engineer, Street and Sewer Department and City Planner shall be sent a letter of review with recommendations to Board Secretary fifteen (15) days before the next meeting.

The Planning Secretary shall send immediately a copy of the letters of review to the design engineer and the developer. Preliminary plans submitted at the Planning Commission meeting should reflect any information asked for in the review letter.

At least 5 days before the Zoning Commission's regular meeting, the Secretary will advertise one time in the local newspaper and send to the applicant by certified mail, notice of time, place and date of the public meeting. The secretary will also notify the adjacent property owners by regular mail of the time, place and date of the public hearing.

STEP #3
(Planning Commission Preliminary Review and Public Hearing)
A representative of the design engineer, review engineer, and owner shall be present at the Commission meeting. The Zoning Secretary shall send a letter to the design engineer and the developer of approval of preliminary plats and construction Plans and specifications, disapproval or tentative approval, with any conditions, which shall be incorporated into the final plans.

PHASE III
FINAL APPROVAL

STEP #1
(Prior to Final Approval by Planning Commission)
Application for final approval is submitted including all plats and plans. Also submit the required review fees for final approval. Design engineer shall submit six (6) sets of plats and construction plans and specifications with all corrected data and information for final approval and ten (10) copies of final plat sheets. In addition submit one mylar sheet each of any plats containing the information required by the attached checklist for Plats. Also submit six (6) copies of any regulations or restrictions governing the use of this property. Post performance bond if procedure "A" is used.

STEP #2
(Final Approval by the Commission and Council Under Procedure "A" with Bond)
Planning Commission, after final review, either grants or denies final approval. If approved, this shall be noted on the plat as the official submittal data and a performance bond (in a form acceptable to City Attorney) shall be posted (before any work is started or permits issued) by the developer with the City Attorney in full amount of the construction cost. The Chairman of the Planning Commission shall sign the plat sheet in the certification block for his signature.

A summary letter of Planning Commission approval or denial is sent to the Council. If Council approves, the Council President signs the certification block on the plat accepting the final plats and construction plans and specifications as approved by the Planning and Zoning Commission. If Council wants to override the P.C. recommendations, they may either ask for further review by the Planning Committee, incorporating the Council's comments, or may vote at their Council meeting to finalize the review process. The final plat containing the signature for planning commission approval and the signatures for acceptance of the Planning Commission and Council President approval of final plans shall be recorded (this is not acceptance of dedication).

Construction can begin.
Lots can be sold.
Building Permits can be issued.

When all roads, easements, rights-of-way, parks and required utilities are approved and complete, a maintenance bond posted, and approved by City Council action, the Council President shall sign the certification block on the plat containing the offer of dedication and post the necessary maintenance bond.

The certification block Item 6 on the plat for acceptance of dedicated property shall be signed by all parties. The City Attorney shall record the completed plat as the final plat and shall record maintenance bond. The performance bond is cancelled by the City Attorney.

STEP #3
(Final Approval by the Planning Commission and Council under Procedure "B" [without bond])
Planning Commission, after final review, either grants or denies approval. If approved, this shall be noted on the plat as the official submittal date. The Chairman of the Planning Commission shall sign the plat sheet in the certification block for his signature.
A letter of Planning Commission approval or denial is sent to the council. If council approves the Council President signs the certification block on the plat accepting the plats and construction plans and specifications only as approved by the Planning and Zoning Commission.

Construction can begin.
Building permits can be issued to the owner/developer **only**.
Lots **cannot** be sold or transferred.

When all roads, easements, parks and required utilities are completed and approved by the Review Engineer, the owner/developer shall sign the certification block on the plat containing the offer of dedication and post the necessary maintenance bond.
The certification block on the plat for acceptance or dedicated property shall be signed by all parties. The City Attorney shall record the completed plat as the final plat and shall record the maintenance bond.

Lots can be sold and building permits can be issued.

NOTES:
(1) A denial has fifteen (15) days to appeal.
(2) All improvements shall be completed within twelve (12) months from the official submittal date and any performance bond shall be in force during the entire 12 months.
(3) Application for annexation, zoning, variance or subdivision review are separate applications.
(4) If the subdivision submittal is considered "minor" as defined in Article 2, preliminary and final plans can be approved at one Planning Commission meeting. No City Council approval is needed.

PLAT INFORMATION

GENERAL:

Items 1 through 6 shall be placed on all plats in the order and form shown below when submitted for preliminary and final review. After the final plat is corrected, furnish a mylar copy for use by the City.

Item

NOTE: Definition (Plans) - The numbered construction documents, specifications, plats, and restrictions.

ITEM #1:

Name of Subdivision or Development:_____

Name of Property Owner:_____

Name of Developer:_____

Address of Developer:_____

Legal Description of Property:_____

_____

_____

ITEM #2 - DESIGN ENGINEER'S CERTIFICATION & SEAL

I hereby certify this legal description is true and correct and the plat is in accordance with the provisions of the Louisiana Revised Statutes governing same.

_____

Name (Print)

_____

Signature Date

ITEM #3 - PLANNING COMMISSION CERTIFICATION

1) Procedure "A" with bond - Procedure "B" without bond.

2) Preliminary approved _____.

Date

3) Final approval _____ : the index of plan sheets

Official Submittal Date

numbered ___thru _____and other plans are hereby approved and by reference shall be part of the recorded plats.

4) Signature of final plans _____ _____

Commission Chairman Date

5) Proof of performance bond;

Date submitted & approved _____

ITEM #4 - SIGNATURES OF ACCEPTANCE OF PLANNING COMMISSION APPROVED FINAL PLAT

Owner/Developer _____ Date _____

Design Engineer _____ Date _____

Review Engineer _____ Date _____

City Planner _____ Date _____

Bond Acceptance _____ Date _____

City Attorney

City Council President _____ Date _____

Not Acceptance of Dedications

ITEM #5 - OFFER OF DEDICATION BY OWNER/DEVELOPER

I hereby offer for dedication to the City of Hammond use of roads, easements, servitudes, right-of-ways, parks and required utilities as shown on this plat and plans by reference as approved on _____(Date) by the Hammond Planning Commission and Designated as _____(Name of Subdivision).

Owner/Developer: _____ Date: _____

Signature

ITEM #6 - ACCEPTANCE OF CITY OF OFFER TO DEDICATE

The City of Hammond hereby accepts the dedication or roads, easements, servitudes, right-of-way, parks, and required utilities in _____(Name of Subdivision). This acceptance is subject to the City's final acceptance of construction and posting of the required one year maintenance bond by the owner/developer.

Streets & Lighting _____ Date _____

Water _____ Date _____

Sewer _____ Date _____

Drainage _____ Date _____

City Planner_____ Date _____

Council President _____ Date _____

Recording Information:

Recordation _____

Recorded By: _____ Date _____

Preliminary Plat
Check List

The following information is required on all preliminary plats unless otherwise noted in bold. The Plan submitted for approval shall be prepared by one or more persons in the following professions: Architecture, Landscape Architecture, Land Planning, or Civil Engineering. (Should place stamp and seal on the appropriate drawings)

_____ 1. Title subdivision place on lower center/ lower right corner of plat

_____ 2. Legal Description including Section, Township, and Range

_____ 3. Property ID#s for each lot

_____ 4. Name of owner/subdivider/developer

_____ 5. Engineer's Name

_____ 6. Boundaries of Subdivision

_____ 7. Street names and rights-of-way widths of roads adjoining the project

_____ 8. Major Street Plan area required for a proposed major street

_____ 9. Zoning District classification and boundaries

_____ 10. Section and Township Lines

_____ 11. Abutting Property Ownership: show ownership on plat of all abutting properties

_____ 12. Abutting Lots or Tracts: show lot number or tract name on all abutting properties or unsubdivided land

_____ 13. Abutting Subdivision(s): show abutting subdivision name(s) and filing(s) of abutting subdivision(s)

_____ 14. Lots show proposed lot or tract numbers and all dimensions

_____ 15. Servitudes: show proposed servitudes and dimensions

_____ 16. Right-of-way: show proposed right-of-way, dimensions of streets and radii of turning circles

_____ 17. Sidewalks: show sidewalk servitudes (where applicable)

_____

_____ 18. Bridges and Culverts: show existing bridges and culverts within the proposed development area

_____ 19. Sewerage Disposal Statement for proposed development

_____ 20. Contours **(Not required for Exchange of Property/ Combination of Lots Applications)**

_____ 21. Drainage: show existing and proposed drainage ditches / canals / streams and right-of-way

_____ 22. Utilities: show existing and proposed utilities such as water, gas electric, etc.

_____ 23. North Arrow, Scale and Date

_____ 24. Vicinity Map with north arrow and scale

_____ 25. Dedication Notes: For Public Use (e.g. streets, rights-of-way, utilities, sewer, etc.) For Private Use (e.g. common area, ponds, recreation, etc.) Private Streets must state, "The City of Hammond is not responsible for the maintenance and or upkeep of private streets."

_____ 26. Existing Buildings: show location and *address* of existing buildings

_____ 27. Special Use Areas: show proposed location of: parks, playgrounds, church, school sites, etc.

_____ 28. <u>General Notes</u>
Zoning District:
Acreage:
Inundation Level:
Streets: Type: i.e. Local Neighborhood Street (Appendix B)
Land Use:
Electric Company:
School District:
Gas Company:
Nearest 100 Yr. Flood Elevation:
FEMA Flood Zones:
Water District:
Sewer District:
Fire District:
Design Water Surface at Outfall(s):
FIRM Base Flood Elevation:
(Bold items are only required when there are 6 lots or more)

_____ 29. Waiver(s): State requested waiver(s) on the preliminary plat showing section and paragraph of the Unified Development Code

_____ 30. Drainage Impact Study (If Required): provide three (3) copies submitted to the Planning Commission. **(All Public Hearing Cases)**

_____ 31. Traffic Impact Statement (If Required): Applicant must have a statement from a Louisiana licensed civil engineer confirming that the Traffic Impact requirement as stated in Section 10.2.4 has been completed prior to being heard at the Planning Commission Meeting. Failure to have the statement prior to the Meeting will result in the items deferral/denial. **(All Public Hearing Cases)**

_____ 32. Fee: a non-refundable processing fee is required for all preliminary plat applications.

_____ 33. Engineer's / Surveyor's Certification, Signature & Seal must be shown on all preliminary plats submitted for Planning Commission Staff Review and Approval.

_____ 34. Application Form must be completed and signed

_____ 35. Minimum Lot Requirements all subdivided lots must meet the minimum lot requirements established by the Unified Development Code

_____ 36. Street Improvements: no lots may be subdivided or subdivided on private streets or roads or on unimproved rights-of-way unless such Streets are first improved to Unified Development Code standards

_____ 37. Private Street: the width of the private street and its name must be indicated on the plat as well as the type of construction. Show typical sample cross section of Private Street

_____ 38. Label proposed subdivision and street names: Label all streets, alleys, ways, right-of-ways, and private streets, together with their widths and names. Show typical sample cross section of Street(s).

_____ 39. Flood Elevation Data the FEMA Flood Zone and the FIRM Base Elevation; where the area subdivided lies at or below record inundation level or the FIRM Base Elevation, whichever is greater, that Area Shall be Shaded by an approved shading pattern

_____ 40. Sewer Lines and Wyes: All lots being created must have a sewer wye, the cost of which must be borne by the property owner or subdivider if no sewer wye exists

_____ 41. Parish Health Unit Approval if property is located outside the Public Wastewater Network and no sanitary sewer facilities are available; subdivision requires the Chief Sanitarian of the Parish Health Unit Certifies on the plat to be approved the method of sewage disposal. Note: The Health Unit will not sign a plat that has

been granted or is requesting a waiver. **(Not required for Exchange of Property/ Combination of Lots Applications)**

_____

_____ 42. Green open space provisions such as golf courses, parks, passive or scenic areas; community recreation or leisure time facilities such as benches and gazebos; and areas for such public or quasi-public institutional uses such as public facilities.

_____ 43. DOTD approval/non-objection: Where proposed development accesses a state highway or connecting street, approval is contingent upon LADOTD approval of access.

APPENDIX E

HAMMOND HISTORIC DISTRICT COMMISSION

DESIGN GUIDELINES AND RULES OF OPERATION

DESIGN GUIDELINES

HAMMOND HISTORICAL DISTRICT

SUMMARY AND RECOMMENDATIONS

I. THE BUILDINGS OF THE HISTORIC DISTRICT

Protection of the Historic District character necessitates a certain amount of knowledge pertaining to the design of historic buildings.

A. Storefronts and Facades

1. Treatment of Original Storefronts – Remaining original storefronts should not be altered, but rather repaired and preserved. Restoration of storefronts that have been altered is encouraged provided the restoration retains as much of the original detail and design as possible.

2. Treatment of Interim Design Storefronts – In cases where the overall design dates from an interim remodeling and this remodeling enhances the historical character of the Hammond Historic District, restoration should conform to the period of remodeling and not the date of construction.

3. Limited Renovations – In situations where financial considerations prevent a full scale restoration of a storefront that has already been remodeled, the design should be sympathetic to the character of adjacent buildings.

4. Modern Storefronts - A proposed storefront can be contemporary so long as it respects the lines and scale of surrounding buildings and storefronts.

5. Historic Precedent – Hammond is a Midwestern railroad town, and the imitation of historic styles that have no precedence in Hammond, such as the Colonial and French Quarter styles, should not be permitted.

6. Configuration and Proportions – Hammond storefronts dating from the turn of the century usually exhibited recessed entries. Today the remaining recessed entries add character to the downtown. By recessing an area in each building, a certain rhythm of solids (the buildings) to voids (their entries) is created, which adds interest to the street. These recessed entries should be preserved. Restoration of recessed entries is encouraged.

a. Façade Type A – The façade at storefront level is characterized by a center doorway, flanked by two (2obliquely placed display windows which form the funnel-like recessed area. Large display windows appear at either side of this entry area, and are positioned parallel to the street.

b. Façade Type B – This storefront type includes the same recessed entry configuration as Type A, but has an added doorway that leads to the second story.

c. Façade Type C – Also commonly seen on buildings which faced an intersection of two streets was the corner entry. In this case, the entry door was positioned at an oblique angle to the 90 degree angle of the intersection.

7. Materials – Traditional materials used were clear glass, brick, wood and decorated pressed iron and tin. It is encouraged that the use of these materials rather than materials developed after the date of construction be used in restoration or rehabilitation of a building. Use of aluminum or vinyl siding, smoked glass, mirrored glass, and wood shakes on storefronts or facades should not be permitted.

8. Facades – Facades finished in decorative metal are extremely difficult to replace and should be preserved if at all possible. Recent additions obscuring these facades should be removed taking care not to destroy what pressed metal may remain underneath.

B. Wall Openings : Windows and Doors

1. Treatment of Existing Features – All existing original sills, lintels, frames, sashes and glass of windows and transoms, and all original doors and door frames should be preserved. When they must be replaced, the replacements ideally should duplicate the original items in design and materials.

2. Material

a. Windows

1.) Glass – Glass should be clear unless documentary evidence indicates the original use of colored glass. Bronze or mirrored glass shall be prohibited as well as tinted film on glass. The only film allowed is clear ultra violet protective film or "low E" glass with clear film.

2.) Sash and Frame Materials - Natural materials are preferred, and it is encouraged that wood, the most common building material, be used.

3.) Decorative Features – All existing wood, brick, stone or metal lintels and any other window trim should be preserved and restored if possible.

b. Doors

1.) Glass – Most doors of this period featured large amounts of glass. This glass was usually clear, and clear glass should be used in restoration unless documentary evidence indicates original use of colored, translucent, or textured glass. Bronze or mirrored glass shall be prohibited as well as tinted film on glass. The only film allowed is clear ultra violet protective film or "low E" glass with clear film.

2.) Door and Frame Materials – Many doors were constructed of wood and glass. The preservation and new use of wooden doors and door frames is highly encouraged on these buildings. Aluminum storefronts are allowed when there is evidence that they are historically correct on a particular building. Aluminum must be an approved color. Bronze is not allowed on the existing historic buildings.

3.) Decorative Features – All existing decorative wood trim should be restored if at all possible.

3. Sizes and Proportions – The original proportions, sizes and numbers of plate glass and wall openings should be retained.

a. Windows

1.) Proportions, sizes and orientation - Roughly a 2:1 proportion existed among most second story windows, with typical sizes ranging from 2'X5' to 3'X6'. This typical 2:1 proportion, and the approximate size range, should be retained, as should the vertical orientation of the windows.

2.) Numbers of windows per story – Facades of the majority of Hammond buildings dating from the early 20th century are 25' in width. There normally appear 3 to 4 windows (of the size mentioned above) in each story of buildings this width. Double width buildings display 6 to 8 windows. This precedent should be retained.

3.) Design Motifs – Most existing original windows in Hammond display the typical rectangular double hung windows, with jack arch lintels. A design feature once very strong in Hammond was that of the arch used in several buildings that displayed touches of Italianate Revival design. Restoration of arched windows and lintels is strongly recommended. Use of multi-paned windows on commercial buildings was not a typical practice in the early 20th century and should be discouraged.

4.) Transoms – Transom windows were found immediately over the storefront on the majority of Hammond's buildings (See figure 4-9). Existing transoms should not be obscured from view outside the building. It is encouraged that transoms be restored.

b. Doors

1.) Placement and number – Double doors were often found in the center of the storefront, recessed from the front façade. They were askewed if there was a single door leading to the second story included in the storefront design. (See figure 4-11.)

2.) Design Motifs – The wooden doors often had a similar proportion of glass to wood that was seen in the storefront; there was considerably more glass in evidence than wood. Stained glass was used infrequently, although it was used and is appropriate for use today. Clear glass is preferred.

C. Awnings, Overhangs, and Exterior Window Protection

1. Awnings: The use of awnings is encouraged.

a. Scale – The awning should be in scale with the building. When placed over the storefront, the awning should not exceed the width of the building façade.

b. Placement – So as not to obscure design elements of the upper stories, the awnings should not extend over 1' above the top of the storefront, and should hang no lower than 7-1/2' over the sidewalk.

c. Materials – Fabric awnings are encouraged.

2. Flat Canopies - The use of flat, solid-material overhangs held by metal chain or bar supports, although of a later period, also has historical precedence. These overhangs were originally constructed of wood, which is the preferred material. Aluminum or some other material may be used if it is painted an appropriate color.

3. Window protection – Window protection by louvered shutters, modern metal awnings, and metal louvers is out of character with the historic district and should not be permitted. Cloth awnings are suggested for second story windows. Use of shatterproof, extra strength glass is suggested for storefront windows where vandalism is a problem.

4. Colors – Suggested color ranges are listed in Section H. Brighter colors may be used in awnings to accent the earth tones of the building.

D. Balconies and Galleries – Balconies and galleries have historic precedence, and their restoration is encouraged.

1. Galleries – Galleries were built with a slightly sloping roof extending from the top of the bottom story, and supported on the sidewalk by thin wooden posts. The roofing material was most often standing seam metal, and this is the preferred material for use today.

2. Balconies – Balconies were constructed at the upper story of the typical two story building. They were made of wood, often finely milled. Use of any other material is discouraged.

3. Combinations of galleries with a second story balcony – This combination was also common in Hammond, and this restoration is encouraged. Wood is the preferred material.

4. Colors – Suggested colors should follow the guide lines set forth in Section H, and would be considered trim work. Natural finish wood does not have historic precedence and is discouraged.

E. Brick

1. Treatment of Existing Brick – Brick is the dominant building material of Hammond, and fanciful cornices, corbelling and detailing that sets downtown Hammond part from modern areas. BRICK SHOULD BE PRESERVED and not defaced, covered over, or treated in such a manner that will accelerate its deterioration.

2. Cleaning Brick – Sandblasting techniques have been found to cause accelerated deterioration and should not be used under any circumstances on exterior brick. The booklet entitled *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* distributed by the Department of Interior gives alternatives on the cleaning of brick. Also check these web sites:

www.nps.gov/history/hps/tps/briefs/brief01.htm

www.nps.gov/history/hps/tps/briefs/brief02.htm

3. Painting Brick

a. Treatment of Unpainted Brick – Brick has a natural protective finish that allows buildings to withstand environmental effects for many years with a minimum amount of maintenance. The amount and cost of maintenance rises when a brick building is painted, as the paint must be renewed every five to ten years. For that reason, it is strongly recommended that any unpainted brick remain unpainted.

b. Treatment of Rear and Side Elevations – Often, only the facades of the downtown buildings were painted. Side and rear elevations may remain unpainted on buildings previously treated in this manner, including those buildings with facades painted over 50% of the façade surface.

c. Colors – Locally made brick was usually a medium to dark shade of red. For painting of brick, see section H.

4. Replacing Brick

a. Replacement Brick – Replacement brick should match the original brick in color, size, texture and coursing technique. The laying of the bricks should match that of the original bond.

b. Mortar - In replacing brick, the mortar between the joints should match the original mortar in color and size of joint.

c. Stucco Removal – Removal of stucco from brick facades is very difficult and often damages the brick surface in the process; such removal is discouraged. In such cases where removal of stucco or sandblasting has taken place, the surface should be treated with a clear liquid protective which must be reapplied every three to five years. New use of stucco over existing brick buildings is not permitted.

F. Cornices

1. Treatment of Existing Cornices – The majority of cornices seen in Hammond are built of brick in a simple pattern. These cornices, along with those of pressed metal and stucco, should be preserved, and if possible, restored to their original appearance.

2. Contemporary Design – When financial consideration preclude the replacement of lost cornice work, a contemporary cornice design may be developed which is sympathetic to the design of the original cornice, or the existing lines of the building.

3. Materials – Cornice work was done in brick, wood, plaster and pressed metal. Use of the original material is preferred. In some instances, duplication of the original cornice using contemporary materials is necessary, and is acceptable when the contemporary materials resemble the original materials.

4. Colors – Wood and metal cornices should be painted the original color if possible. The original color may be determined by taking paint samples of an area that has been scraped. Stone of unpainted concrete cornices should not be painted. Brick cornice work should be treated in the same manner as brick wall surfaces in regard to cleaning, repainting and painting.

5. Functional Appurtenances – Gutters, downspouts, and similar appurtenances should be inconspicuous.

G. Roofing

1. Treatment of Existing Roofs – The majority of Hammond's historic commercial buildings are rectangular with a very slightly sloped roof. Roofs retaining their original shape should be maintained, and where roof shapes have been altered, restoration to the original shape is encouraged.

2. Roof Shapes – Most roofs appear flat on commercial buildings in Hammond, with only enough slope to allow for proper drainage. Sharply sloping roofs should not be permitted. Roofs were traditionally obscured from view by the cornice work on buildings, a precedent that should be continued.

3. Materials and Color – Contemporary roofing materials are acceptable. Where roofing materials are visible, they should be dark in color.

4. Functional Appurtenances - All functional appurtenances located on the roof of a building should be screened so as to be non-visible from the street.

H. Color

1. Range

a. Earth Tones – Hammond is historically a city of earth tones, colors derived from the organic material of the brick in its buildings. Use of this color range, which includes all browns, beiges, terra cotta, brick red, lead white is encouraged for all painting done on the façade surface of the building. Muted greens and blues are acceptable. Trim work should follow this scheme as well, although trim work colors may be of a more intense value. Colors of darker value should be encouraged over whites and pastels.

b. When to paint – Any unpainted brick surfaces should remain unpainted.

I. Signs

1. Sign Definitions - Signs within the Hammond Historic District should appeal to pedestrians as well as automobiles in size, shape and illumination.

a. Primary Signs – This is the major sign on the building. The primary sign for a building should complement the lines of the building upon which it is placed. The major sign may also appear on a cloth awning. Large signs that project above the parapet, or roofline when no parapet is present, are prohibited.

1.) Size of Primary Signs –

For single-faced signs attached flat against the wall of the building there shall be allowed a MAXIMUM of one square foot of sign surface per linear foot of building frontage. However, each sign shall be considered according to the particular circumstances, and shall be placed so as not to obscure or obstruct any architectural features of the building.

For double-faced signs, suspended by brackets or arms perpendicularly from the wall of the building there shall be allowed a MAXIMUM of two square feet of sign surface per linear foot of building frontage. However, each sign shall be considered according to the particular circumstances. The area of such a double-faced sign shall be taken to mean the sum total of the areas of each face. The sign shall be placed so as not to obscure or obstruct any architectural feature of the building.

2.) Placement and Number of primary Signs on Buildings having entrances facing Two Streets - Storefront businesses in such situations may have two primary signs,

one on each exposed façade. Each sign should be placed on the surface of the building so as not to obstruct the view of any architectural feature of the building.

3.) Projection of Primary Signs – Any primary signs projecting out from the building should have a vertical clearance from the sidewalk of seven feet, and project from the face of the building by no more than five feet, however, each sign shall be considered according to the particular circumstances. The signs should not project above the parapet or roofline of the building when no parapet is present. They should be hung at least six inches from the face of the building. Hardware used in hanging signs should keep in character of the sign.

4.) Materials – The allowed materials for the primary signs are wood, metal, MDO plywood, plexi-glass, neon or a combination of the above. Each sign shall be considered according to the particular circumstances. NO BACKLIT SIGNS ARE ALLOWED. (A Backlit sign is defined here as a sign where light permeates through the face of it. This includes translucent awnings.)

5.) Signs, Painted Directly on Building Walls – Graphics may be painted directly on the wall surface if the wall is already painted. (Unpainted brick should not be painted.) The sign should be located so as to respect any architectural details of the wall surfaces.

6.) Signs on Awnings – Signs may be painted directly on each side of a canvas awning that is suspended from over the storefront (each sign should be no more than 2 square feet in size) or the sign may be painted across the front as long as size restrictions are honored.

b. Pedestrian signs – are signs under overhangs. Buildings that have overhangs may use as, a 2'X 3' sign suspended by chains from the bottom surface of the overhang. It should be mounted perpendicular to the street. Bottom of sign should hang no less than 7' from the sidewalk surface.

c. Business Signs – are signs used in buildings with 2 or more occupants where multiple listings of business names are necessary. Each sign should be uniform in size. These signs can be mounted in 1 of the 2 following ways, depending on the building, as determined by the Hammond Historic Commission.

1.) Signs on Posts – There is historical evidence to show that a type of sign appeared in front of commercial buildings which was three dimensional in character and pedestrian in scale, being not over 10' in height. These signs advertised the name of the establishment and a sampling of the products sold on the premises. It was sometimes topped off by a clock. If a building owner or merchant should choose to reconstruct one of these signs, he may use it as a secondary sign in place of other types available. Also, three dimensional signs such as barber poles are historically correct and are encouraged. Business signs mounted on posts must be no larger than 3' X 3'.

2.) Monument signs – Freestanding structure used to mount business signage. Each business sign displayed on this structure should be uniform in size. Each sign shall be considered according to the particular circumstances.

d. Decorative Vinyl – This type would be placed directly on the plate glass of the storefront, in vinyl. Simple lettering is recommended with a size of not over 12"at the highest point. 1 sign may be placed on each portion of glass.

e. Landmark Signs – There exists in the city signs that are of such age as to be regarded historic landmarks. As a result of passage of time and excellence in use of materials and design, some signs in Hammond have transcended the status of merely announcing the name of a business, to becoming widely known landmarks in their own right. Such "landmark" items, which include not only signs, but clocks, unusually shaped windows, rooflines, or other items displaying exceptional characteristics, add considerably to the individuality and character of the City of Hammond. For that reason, they merit special attention, and should be exempt from restrictions as to size, placement and materials. Examples of such signs include The Toggery Shop sign and the Café sign of the Tropic Café, both located on Thomas Street.

2. Overall Treatment – Individual building signage shall be placed under such restrictions as will allow for design unity in the overall district. Individual expression is encouraged, but will be made more effective and meaningful when the signs of the area complement each other and the design of the building to which they are attached.

a. Buildings with one occupant businesses and no Landmark signs – are allowed the following:

- 1 primary sign on the building
- 1 pedestrian sign
- 1 decorative vinyl store name on the door and windows
- 1 open/hours sign on the door in vinyl

b. Buildings with Landmark signs and having one or more Occupant Businesses – The building name serves as the primary signage. The other allowances for each business are as follows:

- 1 pedestrian sign at the entrance to each business
- 1 decorative vinyl store name on the door and windows
- 1 open/hours sign on the door in vinyl

c. Buildings with two or more occupants and no Landmark signs – are allowed the following:

- 1 business sign for each business, mounted from the same post or monument. Signs must be uniform in size. (See definition.)
- 1 pedestrian sign at the entrance to each business

- 1 decorative vinyl store name on the door and windows of each business
- 1 open/hours sign on the door in vinyl to each business

3. Lighting of Signs – Lighting of signs is encouraged, although backlit and flashing signs are prohibited. No movement of letters is allowed on signage. Lighting of signs should be subdued and indirect. If possible, the light source should be hidden from view, or designed so as to blend in with the lines of the building.

4. Colors – Color choices of signage are up to the discretion of the owner, within the color guidelines set forth in Section H. Brighter colors may be used as accents in signage. The number of colors used on a sign should be kept to a minimum for maximum effectiveness.

5. Temporary Signs – Temporary signs play an important part in contributing to the day-to-day vitality of a commercial area, and should be encouraged. Temporary signs must not cause any harm to the buildings where they are displayed.

a. Definition of "temporary" – Temporary signs should be displayed no longer than three months within a 12 month period.

b. Materials – The signs should be made of materials that reflect their temporary nature Paper or vinyl is the most common material and its use is encouraged over more substantial materials.

6. Sandwich Boards - showing specials are recommended and preferred. They can be a maximum of 2' wide on the face and 5' high.

7. Directional Signs for individual buildings - gives information such as "This Door Only" and store hours should be displayed in the confined area of the storefront. The graphics should be simple and bold to be most effective.

8. Street Signage – erected by the city or individual should be uniform in style and color. Graphics should be simple and bold. The signs should not obscure the view of surrounding buildings and views, and be no larger than 2 square feet in size. Only 1 sign per parking lot is allowed.

9. Signs for Second Story Businesses – The preferred method for advertising a second story business is to display the sign in vinyl on one window. If the windows are protected by cloth awnings, the sign may be placed directly on the front face of the awning, or two smaller signs may be painted on each side of the awning. A third alternative, not encouraged, but acceptable, is the placement of a painted sign directly under one window. The size of this sign should not exceed the width of the window frame in width, not exceed 2' in height. Second story signs should complement, and not compete with, signs displayed by first floor tenants.

10. Businesses no longer located in building – When a business relocates or closes for business, the building owner has 1 month to remove the existing signage.

J. Utility Systems – All functional appurtenances, such as window unit air conditioners and heaters, solar collecting devices, gutters, downspouts, plumbing and power lines should be located on the rear or other non-public sides of a building, or on the roof in surfaces not visible from adjacent public spaces. Central heating and air conditioning units, other energy devices or equipment vents not attached to the building should be located only in areas not visible from public spaces.

K. New Construction or Extensive Alteration of Existing Structures

1. Design of New Construction and Major Alterations of Existing Structures – Any alteration of existing structures should include the preservation of historic architectural features seen on the building. New construction, while hopefully creative and innovative in nature, should relate to these historical design elements, and follow certain patterns of design set forth by the existing historic buildings.
2. Setbacks – New construction should have the same setback from the street as adjacent buildings to maintain the continuity of the rows of buildings. Facades should face the streets.
3. Height and Width – New buildings should be constructed to within ten percent of the average height of the buildings with similar numbers of floors. No buildings over three stories in height should be permitted.
4. Shape – Traditionally, the brick commercial buildings are rectangular and flat-roofed.
5. Material - Brick is the preferred building material. Color, size, and texture of the brick should resemble that of brick used historically in Hammond. The use of metal or vinyl siding should be discouraged. Stucco is acceptable.

6. Façade Organization – New facades should be rectangular with proportions consistent to those of adjacent buildings. New construction should follow the same scheme of organization as older buildings.
   a. One-Story – Organized into three bands: storefront, solid wall space, and cornice.
   b. Two-story – Three or four bands: storefront, solid wall space (optional) second story and cornice.
   c. Three-story – Five to six bands: storefront, solid wall space, (optional) second story, solid wall space, third-story and cornice.
   d. Storefronts on New Buildings – should exhibit the characteristic recessed openings.
   e. Site of Buildings – Density is an important characteristic of the district, and should be maintained.

II. PUBLIC SPACES

A. Streets and Sidewalks – A goal inherent in recommendations for improvement of streets and sidewalks is the increased physical and psychological separation of the automobile and the pedestrian. The groups can function in greater harmony if there is a clear demarcation of boundaries between them.

1. Widths – Streets in the area should be made no wider than they presently are. Sidewalks, presently ten to twelve feet in width, might be enlarged in those areas where on-street parking is not allowed, to allow for the placement of trees and seating.

2. Elevation of Streets and Sidewalks – Even a minimal amount of difference in elevation between the sidewalk and the street can bring about an important visual and psychological separation. A sidewalk should be raised at least four inches above the elevation of the street.

3. Material – The preferred material for both sidewalks and streets is brick. There are increasingly effective simulated brick products on the market that might be economically feasible. It is suggested that the materials used in the sidewalks differ from those used in the streets, to increase the psychological separation between the two. Uniformity in the visual appearance of the sidewalks should be encouraged. An acceptable, although less preferred material, is exposed aggregate.

4. Street Accessories – Should match the existing accessories.

   a. Seating – Provisions should be made for placement of occasional seating, constructed in such a manner as to blend into the character of the historic district.

   b. Fencing – Any fencing should be of natural materials, either brick, painted wood or iron, and no more than 6' high. Material and design must be approved

   c. Street Lighting – Earliest lighting of streets was electric, with fixtures as shown that were suspended from existing poles. Ideally, any new street light to be introduced could be modeled off this design while using modern fixtures. In later years, pedestrian scaled fixtures were placed around the city. They were standard heavy scaled urban light posts of cast exposed aggregate concrete with glass fixtures on top. Remaining lights can be seen on the 100 block of South Oak Street in Hammond. Low voltage systems are recommended. Security lighting should be considered on an individual basis.

   d. Power Lines – Reduce proliferation of lines by putting lines underground or behind buildings. Consolidate lines wherever possible. Require, by law, that all new lines be placed underground if placement of all lines is economically feasible.

B. Parking Lots – All parking lots which face on Thomas Street should be screened through plantings of trees or shrubs. In situations where space is unavailable, natural material fencing may be used.

HAMMOND HISTORIC DISTRICT COMMISSION

RULES OF OPERATION

The Hammond Historic District Commission hereby adopts the following rules of Operation as authorized by UDC Section 8.1.5 relative to the commission's activities including but not limited to, conducting public meetings, receiving applications, and adoption of standards regarding plans and drawings, and terms of certificates of appropriateness.

1. MEETINGS

All meetings shall be conducted in accordance with laws of the State of Louisiana relative to meetings of public bodies and/or political subdivisions. A quorum must be present in order for the Commission to conduct business. A quorum consists of 4 of the 7 members of the Commission.

2. MEETING DATES

Regular meetings of the Historic District Commission shall be on the Third Wednesday of each month and will begin at 11:00 AM in the Council Chambers of Hammond City Hall unless otherwise noted on the official NOTICE that is posted and/or published announcing said meetings.

SPECIAL MEETINGS

Special meetings may be called by any member of the Commission. The commission member wishing to convene a Special Meeting shall inform the commission's administrative officer of their intention to convene a Special Meeting and the reasons for the Special Meeting. The administrative officer shall inform other members of the Commission of the date and time of the proposed meeting. The notification may be oral or written. All laws regarding public meetings shall be strictly adhered to.

3. MEETING AGENDAS

Agendas for Historic District Commission meetings shall be set by the presiding Chair, or in his or her absence, the most senior member of the Commission as determined by date of appointment to the Commission. Applications for Commission review and action shall be accepted by the Commission's Administrative Officer until 4:00pm the Thursday preceding the meeting.

AMENDMENT(S) TO THE AGENDA

Any agenda may be amended at the request of any Commission member with a UNANAMOUS vote of the members present as per LA R.S.42:7.

4. SUBMISSION OF PLANS AND SPECIFICATIONS FOR EXTERIOR CHANGES TO BUILDINGS OR OTHER PROPERTIES

All applications for Commission action regarding proposed changes to the exterior of the building(s) located in the Historic District that front on any public street or alley regarding any work, alteration, addition or construction that will alter the exterior of said structures including but not limited to buildings, outbuildings, party walls, courtyards, fences, awnings and windows, shall include the following:

1. Photographs of the existing property.
2. A full set of plans and specifications in so far as they relate to the proposed exterior appearance. Said plans shall include the floor plan or plan view; front view, side view, rear view if applicable, roof elevations, and details of significant proposed changes. Plans and specifications shall be of such clarity to show the nature of the materials and the work. Plans shall show all necessary dimensions. Plan views and elevations shall be drawn to a scale of no less than ¼" = 1'-0". Site plans, if required, shall be drawn to a scale of no less than 1/8" = 1'-0". Plans should include a fully detailed exterior wall cross section.
3. Material samples indicating texture, of proposed building materials. In the absence of material samples for specialized material the applicant may submit official manufacturer brochures which detail material specifications.
4. Color samples of the desired color(s) to be used on the project.
5. Samples of locally available common materials that will be used.
6. Manufacturer's drawings and specification sheet shall be provided for exterior doors and windows.
7. Where exterior doors and or windows are to be job or custom built, the drawings shall show construction details and shall be drawn to a scale of not less than ¾" = 1/-0".

8. Drawings, plans, specifications, and other documents submitted with the application shall be retained by the Historic District Commission.

All Applicants must appear before the Commission or have a representative appear before the Commission to present their application. Applications shall not be presented by commission staff.

5. NEW CONSTRUCTION

In addition to the above drawings, information and samples required at the time the application is submitted, if the application is for new construction or an addition to an existing structure, the applicant will also provide a site plan showing the location of the proposed building, outbuilding, party wall, courtyard, fence or other additions.

6. PAINTING APPLICATIONS

All applications for new painting, paint removal or otherwise concerning a CHANGE in the current color must be accompanied by color samples of the proposed new color(s). Applications are to include photos of the existing structure or scaled drawings of the areas to be painted detailing the proposed location of all colors that are to be applied.

7. TERM AND TIME LIMITATIONS

Every vote of approval, certificate of appropriateness/permit shall become invalid unless the work authorized by such permit is commenced within (90) days and completed within 180 days after its issuance, or if the work authorized by the permit is abandoned for a period of six (6) months after the work has commenced. An extension may be requested in writing to the Historic District Commission. The request shall include justification for the delay and if an extension is granted the extension shall not exceed 90 calendar days. If work is not completed within one year of issuance of a permit, the property will be inspected by the Building Official and if recommended, the owner will be notified that a violation of the Demolition by Neglect ordinance exists and the Commission shall take the appropriate steps to have the matter adjudicated. At the discretion of the Commission the term of the certificate/permit may be extended depending on the scope of the project.

A vote of approval by the Historic District Commission shall not replace the requirement of the acquisition of a Building Permit and does not invalidate, cancel, alter, or set aside any of the provisions of the technical codes, nor shall issuance of a certificate of appropriateness prohibit the Building Official from thereafter requiring a correction of errors in plans, construction, or violations of the appropriate building codes. All requirements as specified in the current adopted Building Code for the City of Hammond shall be followed.

8. PENDING VIOLATIONS AND ISSUANCE OF NEW PERMITS OR VOTES OF APPROVAL

A Notice of Approval for a project submitted by a property owner that has been previously notified, or is currently in receipt of notice of an existing violation(s) of Historic District Commission guidelines for the same or separate properties located in the Historic District shall not become valid until there is a full adjudication for those existing outstanding violations as of the date of the application. At the discretion of the Commission, permission to affect emergency repairs in order to correct a safety problem or prevent further deterioration may be granted. All emergency work must be accomplished in accordance with Historic District guidelines.

9. ISSUANCE OF WRITTEN NOTICE OF APPROVAL OR REJECTION

Within ten days of a Historic District Commission vote either approving or rejecting a valid application, the administrative officer of the Historic District Commission shall notify, in writing the applicant of the decision of the Commission. The Notice of Approval or Rejection shall be mailed to the address on the application. Applications that have been rejected or modified shall state the reasons for the rejection or modification.

10. NOTICE OF UNAUTHORIZED WORK OR ALTERATION OF EXTERIOR

If the Commission or a Commission member becomes aware of unauthorized work or alteration of a property, building, courtyard, fence, out wall, or other structure or edifice located in the Historic District, The Historic District Commission shall notify the building inspector to place a stop order on the project. The Commission will then set a meeting, regular or special, and shall notify the owner of record of the property where the unauthorized work or alteration has taken place, to attend said meeting in order to present the facts concerning the unauthorized initiation of work. If, in the opinion of a majority of Commission members present the circumstances justify the failure to obtain the proper approval, i.e., there was a significant safety problem, or the work was done to minimize damage to the structure, for example, the roof was torn off in a storm, the Commission may issue a delayed approval with the following restrictions:

1. All work must be in accordance with all Historic District guidelines and regulations.
2. The work must not have been strictly cosmetic in nature.

If it is determined by a majority of the Commissioners that the unauthorized work was not a safety or structural emergency the Commission will take the necessary legal steps to fine and/or prosecute as per LA R.S. 25:740 and Section 8.1.8 of the UDC.

11. FAILURE TO COMPLY WITH HISTORIC DISTRICT COMMISSION

Any property owner, contractor, sub-contractor, lessee, renter or other responsible party who is subject to the rules and regulations of the Historic District Commission and fails to comply with rulings of the Commission shall be cited as being in Violation of LA R.S. 25:740 and Section 8.1.8 of the UDC.

12. PUBLIC INPUT

The Commission hereby establishes the following rules for public input.

1. Any person may submit a request to be scheduled on the agenda of the Historic District Commission to be a speaker about any item not related to a specific application request.
2. The request must be in writing and must state the topic of the requesting speaker.
3. Copies of any related documents that will be distributed at the meeting are to be enclosed with the requests. A minimum of eight copies are to be provided at the time of the request.
4. The Commission shall set aside, as the last item(s) on the agenda, time for the requested public input.
5. The Chairman shall request that commission members remain during the Public Input Period.
6. Public input will be limited to five (5) minutes per speaker.
7. Each speaker will be required to state his/her name and mailing address for the record prior to the beginning of his/her talk.

13. RESUBMISSION OF APPLICATION FOR APPROPRIATENESS

If an application has been denied, the applicant can follow the procedures for appeals as outlined in Section 8.1.12 of the UDC or if the applicant feels that they have obtained additional information which could affect their application they are allowed to present this additional information to the commission at one the regularly scheduled meetings. The commission will then decide by vote if they feel this information warrants revisiting the original application. If the commission votes that there is enough information the application is then reopened and presented. If the commission votes that there is not enough information to revisit the original application then the rejection stands.

APPENDIX F

HAMMOND DOWNTOWN DEVELOPMENT DISTRICT

DEVELOPMENT PLAN AND DESIGN GUIDELINES

#2 West Thomas Street

Hammond, LA 70401

985-542-3471

985-974-2-65

Hammond Downtown Development District

Development Plan

LSA-RS 33:2740.15

Change from Should to Shall

Approved by Hammond

City Council, Tuesday, January 6, 2009

BACKGROUND

In December of 2002, the Hammond City Council (acting on the recommendation of the DDD Design Committee) placed a ninety-day moratorium on the construction of new buildings within the DDD so that guidelines might be created that preserve the historic and architectural integrity of the buildings which make this segment of the city such a unique asset to our community. It shall be noted that the following guidelines are the direct result of public input received during the updating of the DDD's master plan in November of 2002.

Having observed the deleterious consequences of unregulated development within our region, the Hammond DDD has determined that guidelines protecting the irreplaceable architectural narrative of our downtown must be established and enforced. Faced with forecasts of large demographic growth, both Hammond and Tangipahoa Parish are entrusted with the important duty of fostering development in such a way that it does not threaten the quality of life that is its very catalyst. In the specific context of the DDD, this custodial responsibility involves benignly guiding developers wishing to construct new buildings within its boundaries in the use of materials and design so that the integrity of our central district's architectural vernacular remains intact. It is, after all, in the subtle interaction of styles, materials, and set-backs that a closely clustered community establishes its identity and creates the possibility for a streetscape conducive to the felicitous, unorchestrated encounters inherent in a pedestrian-friendly and visually coherent milieu. It is this uncommon sense of place, this precious repository of creative energy and unpredictable happenstance that the DDD ultimately wishes to cultivate for its residents, workers, and visitors.

The purpose of architectural review is not to add an additional step to the permit process but, rather, to assist the designer within the design and documentation process. The review body, or its agent, shall be available to the designer to answer questions related to the design guidelines and the permit process. The review body shall not design the project (or any portion of the project) but shall assist the designer to abide by the spirit and letter of the architectural guidelines and to rule on circumstances which make total compliance impractical either due to site considerations or user design criteria.

It shall be stressed that the guidelines herein are not in and of themselves an ordinance but are supported and enforced by Ordinance No. …. adopted by the Hammond City Council on…. These guidelines are meant to be used as a set of general standards that direct and assist developers in their material and design choices. As stated by the city ordinance, plans cannot be put into effect until they are reviewed and approved by …. As ultimate authority for enforcing these guidelines

resides with municipal authorities, the Hammond City Council will be the final venue for resolving any disputes that may arise from their implementation or interpretation.

Outline of General Suggestions/Proposals

The Hammond DDD believes that those sections within its boundaries that are not zoned industrial and do not fall within the parameters of the Local Register Historic District (that is, are not under the purview of the Historic District Commission) shall also reflect the architectural integrity and quality of life that has come to distinguish the DDD; and

That the architectural and visual environment of the above-named areas shall be regulated in a manner consistent with its currently predominant characteristics which it is believed will, in turn, insure safe pedestrian and vehicular movement; and

That controls in the form of this set of guidelines will promote and improve the pedestrian safety and welfare within the district; and

That the design guidelines herein enumerated were developed through a series of public hearings and are a reflection of the styles and images established in accordance with the historic context of downtown Hammond;

It is now, therefore, recommended by the Hammond Downtown Development District that the Hammond City Council receive and act upon its findings and suggestions. Based upon its experience and input received from the public, the DDD believes and posits that:

1. All commercially zoned property not within the current borders of the Local Register Historic District, but within the DDD, be subject to design guidelines.
2. A process of architectural review be performed by a committee designated by the Downtown Development District Board of Directors or a similar body appointed by the City of Hammond.
    - **A.** As a result, **it is further recommended** that this body shall consist of five members, at least one of which shall be a licensed architect. Moreover, this body shall represent (to as large an extent as is feasible) a cross-section of those interests and backgrounds that characterize both the commercial and residential components of the DDD. This Design Review Committee shall meet at least monthly and may convene more frequently as dictated by either the urgency or quantity of its business. A quorum for said committee shall be constituted by three or more members.

3. The general public is of the opinion that the commercially zoned portions of the DDD create a sense of place for Hammond and for Tangipahoa Parish as a whole.
    - **A.** *At the public hearings, there was a strong expression of dismay and concern over certain new commercial developments that were adapting generic suburban and interstate "styles" which have little in common with downtown Hammond. Adding to the sense of public alarm was an appreciation of downtown Hammond's strong and distinctive architectural character.*

4. Downtown Hammond has a strong historic context which shall be protected and fostered. To this end, 9 architectural styles were identified which can be used to establish the design guidelines. The styles are as follows:

A. Queen Anne Revival: Plain or patterned roof shingles, corbelled chimneys and brickwork, vertical windows, detailed cornices. The use of historical detailing is not predetermined in this style; instead, details casually intermingle. The overall effect is one of studied busyness. Wall surfaces are of masonry and shingles clearly project and recess. Windows come in various sizes or shapes, often with small sections of leaded or colored glass (especially in the case of residences). Brick chimneys are prominent and sculptural in form. A commercial structure with a gabled roof form typically indicates Queen Anne elements. An excellent example of this style is offered by the Hammond Railroad Depot (30 N.W. Railroad

Avenue).

B. Art Deco: Low-relief geometrical designs, often with parallel straight lines, zigzags, chevrons, and stylized floral motifs. Stucco, smooth-faced stone, carrara glass, concrete foundations, and metal railings are common materials associated with this style. Roofs are flat. Art Deco is sometimes seen as the representative style of the 1930s. The name is taken from the exposition titled *Arts Decoratifs et Industriels Moderne*, held in Paris in 1925, to showcase innovative industrial design. The chief characteristic of Art Deco is its stylized decoration, which represents a conscious rejection of the historical precedents found in most earlier styles and, instead, is based on geometric and naturalistic forms. In its attempt to be of the "modern" age, the forms and detailing of its decoration express a machine-age aesthetic. Hammond's premier example of this style is found at Mannino's Family Practice Pharmacy (113 W. Charles Street).

C. International/Modern: Based on "modern" structural principles and materials: concrete, glass and steel. Bands of glass, which create horizontal feelings, are important design features. In the 1920s, Louis Sullivan first expressed the principle that function shall be the basis for design. What became known as the modern or international style took this as a philosophical base and posited that superfluous decoration shall be completely eliminated. Typical elements of the modern style are flat roofs with little or no overhang and flat, smooth cornices. Smooth wall

surfaces appear engineered with one material and little relief, and windows are typically flush so they appear to be a continuation of the exterior walls rather than an opening in them. Large expanses of wall are broken only by projecting and penetrating planes, such as balconies and entrances. The absence of decoration is inherent in the style. The most prominent example of this type in downtown Hammond is the building located at

113 N. Oak Street.

D. Mixed Jacobean and Renaissance Revival: Limestone mixed with brick load-bearing walls (in the case of the Columbia Theatre); elaborate cornices (sometimes in pressed metal); rusticated facades with occasional marble-like elements; windows crowned in elaborate cornices (marked, in some instances, by cartouches and, in others, by acanthus leaf detailing). Includes elegant, arched fenestration and occasional jack arches. As an early phase of English Renaissance architecture and decoration, the Jacobean style represents a transition between the Elizabethan and the pure Renaissance style. An irreverent hybrid by its very nature, Jacobean architecture employs a more consistent and unified application of formal design (both in plan and elevation) than did its Elizabethan predecessor. Much use is made of columns and pilasters, round-arch arcades and flat roofs with openwork parapets. These and other classical elements appeared in a free and fanciful vernacular rather with any true classical purity. Features of the Renaissance Revival style include distinct horizontal divisions (frequently separated by a belt or string course) with different window trim and/or surrounds from floor to floor, balustrades, formal design, projecting cornices, and rusticated ground level. An excellent example of this latter style is provided by the Old Guaranty Bank Building, now used to house the Paris-Parker Salon and Day Spa (located at 100 N. Cate Street).

E. Georgian Revival: Usually includes Palladian window motifs and ballustraded parapets. Elements are both formal and symmetrical. The style was largely influenced by the architecture of Palladio, a sixteenth-century Italian architect who derived and interpreted much of his detailing from classical Greek and Roman elements, including pediments, pilasters, and the familiar rounded Palladian window. Casement windows gave way to upward-sliding, single-hung or double-hung windows, with each sash divided into as many as twenty individual panes. The AmSouth Bank Building at 201 N.W. Railroad Avenue features important elements of this style.

F. Mission Revival/Spanish Colonial Revival: Stuccoed and plaster façades with Southwestern detailing, especially at cornice level; occasionally rounded edges; one story; glazed bricks (in gas stations); false tile roofs, scalloped parapets. This style was very popular for gas stations, park structures, and churches during the 1920s and 1930s when the new building material of stucco was fashionable. The Standard Oil Company built a chain of this style of gas stations across the U.S. Hammond has adapted this style at Johnny's Conoco, located at 209 W. Thomas Street.

G. Classical Revival: Large supporting columns (primarily Doric in the case of downtown Hammond), pedimented porticos, architraves, and entablatures. The classical revival style, more commonly referred to as Greek revival, is most readily distinguishable by two features: the pediment and freestanding Doric or Tuscan columns. Although the main structure can be white stucco, board siding, or red brick, the front elevation is typically enhanced with a white portico (porch) with full-width pediment and columns. The building is rectilinear and its interior spatial arrangement has height and width proportions and window arrangements that spring from the design needs of the temple form on which it is based. The oldest portion of the Hammond Post Office (i.e., the side facing N.W. Railroad) exhibits obvious elements of this style.

H. Commercial Arts and Crafts: While predominantly incorporated into residential architecture, this style manifests itself in the commercial sphere primarily in ornamentation and other details. Decorative strap work elements (so called because they are reminiscent of details commonly seen etched onto leather), fired tile work, overhanging roofs positioned at an angle, sash windows with decorative value added to glazing bars, geometrically patterned or laid brick work, and even glazed or textured bricks are all common features of those buildings identified as being characterized by the commercial arts and crafts style. The old Locascio Building, also known as the Cate Building, at 201 W. Thomas Street offers viewers an understated example of this style.

I. Post-Modern: Against the wholesale duplication of earlier historical

styles, postmodern architecture tends to select elements from earlier periods and to reinterpret them in a decorative, sometimes whimsical, fashion. Elements such as column capitals and broken pediments have been enlarged to such a degree as to provide a completely different relationship of scale. Another branch of the postmodern movement addresses the issue of contextualism, whereby new designs fit within the vocabulary of their surrounding context. Contextual design is especially important as a design principle for additions to historic buildings, taking features of the existing building or buildings and using them in a simpler, more contemporary way. The best example of this style in downtown Hammond is the Holly & Smith Building, located at 208 N. Cate Street.

J. *It shall be noted that this ordinance is not intended to enforce the*

slavish and potentially anachronistic mimicry of existing architectural styles. Instead, its purpose is to use the identified styles as a basis of providing historic context which, when used along with business design criteria, may evolve into additional architectural styles also unique to the Downtown Development District.

5. A crucial source of the DDD's success has been the pedestrian-friendly nature of its streets and avenues, which encourages social interaction in a safe and unhurried environment. Local and commuter traffic shall, therefore, be slowed by all necessary means, including the eschewal of the current design vocabulary used by national chains and franchises, which service large quantities of transient traffic and cater virtually exclusively to the automobile.

A. Along these lines, the public has shown its opposition to billboards that, by their very nature, cater to high-speed automobile traffic. Given the pedestrianized and visually historic nature of the DDD, the erection of billboards shall be strictly controlled and, indeed, city officials shall work with local billboard owners to remove as many of the existing ones as possible. Viewed from the standpoint of the public interest, there is no justification for design that caters to the creation of high-speed, high volume, transient corridors.

B. Trees, too, are a crucial feature of the DDD and shall never be damaged or removed unless there is a compelling reason rooted in the public interest to do so (i.e., safety, etc.). Trees shall never be sacrificed for commercial signage and all reasonable attempts shall be made to incorporate existing trees into parking lots.

6. The proximity of residential structures to commercial buildings both within and adjacent to the DDD demands respectful design standards.

A. *Enriched by the presence of many single-family residential homes, businesses within the DDD have been supported by a twenty-four-hour community that has provided a loyal customer base. The proximity of each to the other requires that commercial buildings adopt design criteria that do not deleteriously affect the property values of nearby homes.*

7. Energy conservation will be enhanced by buildings with exterior elements designed with respect for our environment. Developers shall, for example, consider such factors as a building's solar orientation, the use of natural lighting principles and the effect these will have on interior illumination, etc.

8. All vehicular traffic corridors shall be more pedestrian-friendly and integrate alternative modes of transportation such as sidewalks and bicycle paths.

9. The vast portion of the DDD has been historically developed and zoned "business", not industrial, and shall not reflect an industrial image.

A. *While the use of economical construction practices is encouraged, its more recent abuse with the almost total abandonment of design context has been detrimental to the community image. The public hearings firmly established that industrial character buildings did not conform to community values. The public expressed discomfort with industrial/warehouse metal siding (that is, buildings composed entirely of metal panels unbroken by fenestration and other unique and visually interesting façade elements), the lack of human scale and elements, and the exposure of services best screened from view.*

(Example of an unacceptable metal building)

(Example of an acceptable metal building)

10. The design guidelines shall complement existing municipal landscape, sign and lighting ordinances.

A. *Abuse of the existing ordinances by businesses that use bright colors and lighting to turn a building (or portion of a building) into a large sign aroused some of the strongest negative comments from the public.*

GUIDELINES

1. **Applicability of Guidelines.** The DDD design guidelines shall apply to any new building construction, exterior renovations and modifications which require a building permit and which are located within the boundaries of the Downtown Development District as outlined in its charter.

2. **Building design elements** shall be as follows:

   A. **Constituent Design Elements of a Building.** Buildings shall have substance. Design shall include base, intermediate and cap. Changes in materials shall have a clear line of demarcation either by offset, reveal, or border.

      1) *If the designer studies the historic architecture of Hammond, he/she will see that the classical influence gave buildings a defined starting and ending point. A lack of vertical termination, for instance, results in an overly industrial or "modern" style which is certainly a departure from the distinctive architecture of downtown Hammond. Clearly defined changes in material give the material more definition and make for a more interesting overall design.*

   B. **Entrances.** Each principal building shall have a clearly defined, inviting, highly visible customer entrance enhanced by distinguishing features such as canopies, awnings, galleries and porticos.

   C. **Sides and Backs of Buildings.** The sides and back of a building that are visible to the public shall maintain the same standard of design as the front façade, including:

      1) screening of utilities, equipment and building services (i.e., dumpsters, garbage receptacles, etc.)

      2) continuation of building design elements such as quality of materials, galleries, cornices and treatment of openings.

         a] *We expect our neighbors to treat all visible sides of their homes with respect and, therefore, see no reason why businesses shall not meet the same standards. The use of lesser standards of design on the sides and rear of buildings, especially those on street corners and adjacent to residences, exhibits disrespect for the community and our neighbors.*

   D. **Horizontal and Vertical Planes.** Disruption of horizontal planes with vertical elements is recommended. This may include significant interruption by change in plane, material, opening, or design element.

   E. **Structural Solidity.** Disciplined visible structural vocabulary shall be maintained. Arcades, galleries and roofs shall not appear to levitate in space, but shall have a visible means of support with columns and/or brackets. Rafter tails are encouraged on smaller overhangs.

F. Unifying Elements. Consistent design vocabulary for multiple structures on one property shall be employed. A unifying element such as material, color, or form shall be used for all structures. Style or design theme can also be used as a unifying element.

G. Buildings of an Industrial Appearance. No building of an industrial appearance shall be allowed, such as a pre-engineered metal building with metal siding devoid of historic context.

1) Pr*e-engineered structures may be used, provided that historic context is incorporated into the facades.* **(Refer also to p. 7, sect. 9)**

H. General Building Features. Smaller buildings shall reflect the design elements of historic styles and larger buildings shall be divided into smaller elements in order to incorporate historic design context.

I. Building Proportions. Buildings shall maintain classic proportions. For example, smaller columns shall be placed closer together for a more vertical proportion and, as a structure becomes more horizontal in scale, the supports (columns) shall have additional mass.

1) *Like most architecture based on classical standards, structural discipline and proportion are extremely important to building appearance. Most elements have a pure geometry, with rectangular shapes dominating.*

J. Awnings and Fascias.

1) No backlit awnings shall be allowed.

2) Fascias of buildings shall not exceed sixteen (16) inches in depth (including gutter), except for fascias used as a unifying design element for multi-tenant buildings and for placement of signage for multiple tenants.

a] *For the purpose of these guidelines, "fascia" is defined as the horizontal plane just below the roof or coping and above the wall or supports. The reason for the limitation in size has to do with the way some automobile service stations have used the fascia for their pump island canopy or building as a sign with bright, primary colors (frequently the same as the sign colors) and bands of light which have covered the shelter and made it into a sign of billboard proportions. While this motif works well at interstate exchanges, it is out of character in the context of the DDD. In order to limit design abuse and to bring the automobile shelter into compliance with our historic context, the fascia are removed as a primary design element. In order to accommodate the structure, the canopy designer shall be obliged to provide a surface for mounting a sign (if a sign on the canopy is desired) and to add a sloped or mansard roof, which will bring the building into compliance with the design guidelines. Backlighting of fascias and awnings has become another distracting design feature that is out of character with the DDD's architecture.*

K. Canopies.

1) Free (or semi-free) standing canopies shall be of similar style and materials as the principal structure.

a] *Even though the pump island canopy may be the largest structure on a property, it is still considered accessory to the convenience store.*

2) Unless site conditions preclude it, canopies shall be attached to and made an integral part of the main building.

3) Canopies shall have columns, beams and/or brackets of sufficient scale to give a visible means of support.

4) Clearance under canopies attached to building facades shall not exceed twelve (12) feet and under cantilevered overhangs shall not exceed eleven (11) feet.

5) Clearance under free-standing canopies shall not exceed sixteen (16) feet and under cantilevered overhangs shall not exceed fifteen (15) feet.

6) Task lighting shall be utilized to reduce light "spillage". Intense general lighting under canopies shall not be allowed.

L. Mansard Roofs.

1) Mansard roofs used in conjunction with canopies, covered walkways and entries shall have a roof-like slope not greater than 12:12 or less than 4:12.

2) *The mansard as a design element became popular with the "big box" in the sixties and seventies and, while the use of an inclined plane on the front of a larger structure is desirable to give human scale, the misuse of the mansard to the extent that it was little more than an out-of-vertical wall with roofing material finish proved to be unsuccessful in any design context. Therefore, if a mansard is to be used as a design feature, it shall emulate a roof rather than a wall.*

M. Building Colors. Any activity that involves changing color or refreshing color shall be reviewed by the Design Review Committee or a similar group.

1) Colors shall be reviewed for compliance with historic context.

2) Façade colors shall be subtle and of low reflectivity. The use of primary, high intensity or metallic color shall be prohibited outside of the sign face.

3) Accurate color drawings with a list of paint numbers and elevations of every building shall be required to be submitted and approved prior to any modification/application.

N. Light and Shadow. Shadow shall be considered a design element.

1) *This recommendation is included to remind design review that color and material are altered by the amount of light on a surface.*

3. **Materials.** Materials shall be reviewed for compliance with historic context. The following materials have historic context:
   - **A. Walls:** Brick, wood, and cement plaster (stucco).
   - **B. Roofing:** Slate/tile, rigid shingles with ridge tiles, wood shakes, and metal (Corrugated, v-crimp, and standing seam).
     - **1)** *How a material is used is as important as what material is used. Plastics and polymers have proven to be susceptible to high winds and, therefore, shall not be automatically approved. Concrete, concrete masonry units and terra cotta blocks may be used depending upon detail, color and texture. Fiberglass and asphalt shingles are acceptable as a roofing finish when they emulate more traditional finishes. It is recommended that if fiberglass or asphalt shingles are used," ridge" tiles be used to accentuate the ridges. English ridge tiles are preferred over Spanish tiles (except when architectural design would dictate otherwise).*

4. **Site Features.**
   - **A. Fences.** Fencing materials shall accord with and complement the materials of the adjoining building and shall be reviewed and approved by the Design Review Committee or a similar group.
   - **B. Sidewalks.**
     - **1)** Sidewalks of not less than four (4) feet in width shall be installed to connect sidewalks in public right of ways to the building entry.
       - **a]** *This recommendation is made to ensure alternative access. In the event that sidewalks or bicycle paths have not yet been installed, projects shall still provide walks to their proposed locations.*
     - **2)** Internal pedestrian walkways shall be distinguished from driving surfaces through the use of special materials or decorative elements.
   - **C. Parking Lots.** Newly constructed parking areas shall, wherever feasible, be placed at the rear of a building or concealed with appropriate landscaping or fencing.
   - **D. Mechanical and Service Equipment.** Mechanical equipment, electrical entries, dumpsters and equipment not used by the customer shall be screened from public view.
     - **1)** Screening may be by fence, landscaping or a building element.
       - **a]** *Whenever possible, vending machines, ice machines and restrooms shall be located in the main building. Air pumps, vacuums, water stations and the like shall be out of the main traffic flow and integrated into the landscape.*
   - **E. Positioning of Outdoor Display Items.** Automotive and marine items for sale or for display shall not impede pedestrian or vehicle flow or public parking. Moreover, these items shall not be displayed in such a way that they detract from the architectural elements of nearby buildings.
     - **1)** Areas used for storage of vehicles or watercraft shall be screened with opaque fencing and/or landscaping.

APPENDIX G

EXAMPLES OF GENERALLY ACCEPTED METAL BUILDINGS

Acceptable

BIL

NISSAN

NOT ACCEPTABLE

SALE

APPENDIX H

SCHEDULE OF FINES AND FEES

CITY OF HAMMOND

PERMIT & LICENSE FEES as of 7/15/2012

NOTE: Failure to receive a City approved building, sign, fence, land clearing and/or fill permit or other required permit before beginning a job will result in doubling of the appropriate permit fee collected by the City. In addition, the City may require removal of work begun, fines, and halting of work. Building permits must be displayed or available to City staff on a construction site.

CERTIFICATE OF OCCUPANCY

Residential (single-family & multi-family) and other non-commercial.....$20.00

Commercial $100.00

CHURCH .....$ .15 per sq. ft.

COMMERCIAL CONSTRUCTION-NEW* .....$ .15 per sq. ft.

COMMERCIAL PARKING & OVERLAYS.....$ 50.00 per lot, plus $.01 per sq. ft. (Minimum $50.00)

COMMERCIAL RENOVATION *

$0 - $10,000 .....$50.00

$10,000 and above.....$50.00 plus $5.00 per thousand above $10,000

***SCHOOLS, INSTITUTIONAL, DUPLEX, MULTI-FAMILY, & NON-PROFIT INCLUDED IN COMMERCIAL**

CONTRACTOR'S LICENSE:

New Contractor's License Fee (When not LA St licensed) $150.00

Renewal Fee $75.00

Delinquent License Fee .... $35.00 after March 1st

Revival Fee $50.00

(Note: Plus yearly renewal fee for license not renewed within the current year following the expiration of license. Any license not renewed for 2 consecutive years will require a new application.)

CONTRACTOR TEST ..... $25.00 each test

DEMOLITION:

Commercial $100.00

Residential $25.00

DRAINAGE PIPE/DRIVEWAY (culvert) $25.00

DUMPSTER:

Renewal $5.00

First Dumpster $20.00

Additional Dumpsters .... $5.00 each

Renewal $15.00

ELECTRICAL PERMIT (also see electrical schedule)

Residential Administrative Fee ..... $50.00 (*plus permit fee based on# of panels)
Commercial Administrative Fee ..... $100.00 (*plus permit fee based on# of panels)

FENCE

Residential .... $ 10.00

Commercial .... $ 50.00

LOT/LAND CLEARING PERMIT .... $ 25.00

MECHANICAL PERMIT

Residential Administrative Fee…….$50.00 (*plus permit fee based on a/c load)

Commercial Administrative Fee……..$100.00 (*plus permit fee based on a/c load)

MOBILE HOME.....$ .... .08 per sq. ft.

PLUMBING PERMIT (also see plumbing schedule):

Residential Administrative Fee .....$ 50.00 plus fee schedule

Commercial Administrative Fee .....$100.00 plus fee schedule

Fixture Fee.....$3.00 per fixture

Floor Drain.....$1.00 per drain

Sewer Impact Fee-Residential.....$65.00 per water closet

Sewer Impact Fee-Commercial .....$65.00 per water closet

Sewer Inspection Fee $25.00

PORTABLE BUILDING PERMIT (if approved) .....$100.00 not including mobile home

Residential portable storage sheds…….$25.00

RE-INSPECTION FEE .....$50.00 per inspection

RESIDENTIAL–SINGLE FAMILY–NEW CONSTRUCTION .....$ .08 per sq. ft.

RESIDENTIAL–MULTI-FAMILY–NEW CONSTRUCTION……$.15 per sq.ft.plus $50 plan review fee

RESIDENTIAL RENOVATION:

$0 - $10,000 .....$ 30.00

$10,000 and above……$30.00 plus $5.00 per thousand above $10,000

REZONING, CONDITIONAL ZONING & INITIAL ZONING:

Single Lot $120.00

Block or Area $250.00

SIDEWALK USE PERMIT $25.00

SIGNS:

Political Campaign Deposit (refundable) $250.00

Permanent.....$50.00

Temporary.....$25.00

SUBDIVISION APPROVAL & LAND DEVELOPMENT:

Preliminary Review (and in-house admin)……$50.00 (plus $2.00 for each lot or building)

Final Review……$250.00 (plus $3.00 for each lot or building)

SWIMMING POOL (in-ground only).....$25.00

WEEKEND INSPECTION (per inspection) $50.00

ZONING VARIANCE REQUEST.....$25.00

SUBDIVISION ORDINANCE BOOK.....$20.00

ZONING ORDINANCE BOOK (with signage and landscape rules).....$25.00

Building permits are not required for the following:

- *reroofing of single family homes when no structural change takes place*
- *interior and exterior painting of single family homes*
- *minor repairs of buildings, slabs, driveways, patios, sidewalks in which labor and material do not exceed $2000 and which no structural changes or additions take place*

Fines are as follows:

Fines for Violating any portion of the UDC per Sec. 2.4.3:.....$250.00 - $500.00 and/or imprisonment for not more than 30 days

Fines for Violating the Historic District per Section 8.1.8: .....$50.00 - $100.00 and/or imprisonment

.....$1000.00 for demolition without permission from Historic District

Fines for Violating Stormwater per section 12.1.2 I: .....Not more than $500.00

Not more than 6 months imprisonment

APPENDIX I

TREE MITIGATION

Tree mitigation requirements.

(a) *Tree mitigation requirements:* Where a violation section 9.1.4 occurs, tree mitigation requirements shall be complied with prior to the issuance of a building permit or other work order by the city to continue construction after a stop work order is issued.

(b) *Permit fine:* Failure to submit and receive city approval for a land-clearing permit before any clearing takes place will result in fine not to exceed twice the cost of the permit, in addition submittal of a mitigation plan and withholding any city building permits and water taps for that site (A mitigation plan must be submitted and approved first). Fines of up to five hundred dollars ($500.00) per tree violation for land clearing required by this article without a permit shall also be charged by the city and mitigation payments shall be made to the city approved mitigation fund along with a replanting plan submitted to the city. Violation letters or misdemeanor summons to the property owners, developers, or their representatives shall be issued by building department personnel or by law enforcement personnel. Personal delivery or certified mail may be used for delivery of violation notices and misdemeanor summons.

(c) *Stop work order:* If anyone is found to be in violation of sections 9-142 through 9-148 as stated above, the building department shall issue a stop work order for all work deemed to be in violation. The following mitigation items shall be required to be submitted to the building department prior to continuation of work.

(1) *Existing conditions plan:* Submittal of a detailed plan of the existing site indicating the location and size of the trees required to be preserved by this article that were on the site prior to commencement of operations.

(2) *Re-planting plan required:* Submittal of a detailed tree re-planting mitigation plan to the building department to include the following:

a. On site mitigation: For each caliper inch of tree cut in violation of this article or that dies as a result of improper filling there shall be replaced an equal number of caliper inches of trees of the same species to be re-planted in the area (or in another city approved area) of the violation. Trees shall be a minimum of two (2) inches caliper and twelve (12) feet tall immediately after planting.

B. Off site mitigation: If in the opinion of the city's licensed arborist (designated by the city) the city would be better served by planting a portion of the required mitigation trees off site, tree replacements may be planted by the permittee on other approved sites in the city. At a minimum, off site plantings shall equal the minimum number of trees and caliper inches required by Chapter 9 and item (2) a. above.

C .Payment in lieu of planting: If in the opinion of the city's licensed arborist the city would be better served by allowing the owner to place a mitigation payment in an amount equal to the replacement cost (as determined by the city using estimates from wholesale nurseries) of the trees required to remedy this violation in an account to be used for urban forestry

needs in the community according to an approved city urban forestry plan or planting plan. At a minimum, on-site plantings shall equal the minimum number of trees and caliper inches required by Chapter 9 and item (2)a. above. Credit shall be given to the number of caliper inches of trees planted on site.

d. Occupancy: If in the opinion of the building department and the city arborist it is determined that re-plantings should be delayed due to seasonal weather conditions and building occupancy is requested by the owner or tenant, plantings may be deferred to a more appropriate time of no more than ninety (90) days after the violation has occurred, based upon written assurance by the property owner(s) that the approved work will be completed and approvals given by the building official. The re-planting program must be completed in accordance with the approved replanting plan and within ninety (90) days of the date of the clearing violation.

(3) *Mitigation payment:* Submittal of a mitigation payment to the city approved non-profit or public mitigation fund to be used for approved tree planting and landscaping improvements along public streets, public parks, and public places within the city. The amount of the payment will be determined by the following:

a. The total number of trees including total caliper inches of trees required to be preserved by this article that were removed from the site.

b. Per caliper inch cost to replace trees not scheduled for planting on site or off site. Cost breakdown is to include the cost to purchase plants, transportation and installation costs. Plant materials costs estimates will be made from an average of three locally licensed nursery wholesale operation estimates. All estimates shall be approved by the city building department and city approved state licensed arborist.

(4) The building department and city's designated staff shall be responsible for monitoring, gathering documentation, and enforcement or this section.

a. The city shall have full power and authority over all trees, plants and shrubs planted or hereafter planted in the streets, parks, and public places within the corporate limits. The maintenance of such trees, plants and shrubs shall be subject to the provisions of this article.

b. Such power and authority shall in no way be used with intent to restrict franchised utility companies from carrying out the terms of their franchise agreements, [or] to pursue landscaping into areas in which it is not desired by the citizens of Hammond.