



Staff Report

Rezoning

Case #: Z-2020-09-00083

Attachments:

Staff Report, Site Photos, Survey, Dover, Khol Memo, Master Plan Information & Figure 4.12, Flight Paths, Land Use near Airports, FAA Land Use Compatibility, Information Sheet, Application, Zoning Map, Aerial Map

Public Hearing: Monday, November 16, 2020

Request:

Z-2020-09-00083 Rezoning request by Round Table Investments, LLC to rezone 41.75 acres from RS-8 to I-L located at 2100 Industrial Park Rd.

Site Information:

Location (Address): 2100 Industrial Park Rd

Council District: City Council District 1

Existing Zoning: RS-8

Future Land Use: Industrial

Existing Land Use: Undeveloped

Site Description:

Property located on SE Corner of Industrial Park Rd and Vinyard Rd.
There are several live oak trees on this site

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Undeveloped/Outside City Limits
South	Undeveloped/Outside City Limits
West	Single Family/Airport/RS-4 & S-1
East	Rural single family/Outside City Limits

Additional Information:

Annexation: 8/18/1998 Zoned as defaulted zoning as R-8
Currently Zoned RS-8 with 41.75 Acres would allow for 227 residential lots
Master plan and land use near airport. Dover, Khol Memo explains land use near Hammond airport. Figure 4.12 shows Industrial Park Rd as Commercial Street.
Flight paths around Hammond Airport directly over Industrial Park Rd.
FAA & APA Airport Land Use Compatibility
FAA Aviation Safety and Noise Abatement Act 1979, FAA Land Use Compatibility and Airports, FAA Noise and Compatible Land Uses

APPLICATION FOR REZONING, CONDITIONAL USE, OR INITIAL ZONING

CITY OF HAMMOND

219 E. ROBERT ST, HAMMOND, LA 70401 / PHONE: (985) 277-5649 – FAX: (985) 277-5638

FILING DATE: / /

PERMIT# 2-2020-09-00083

The next Zoning Commission Meeting will be held on Oct. 1, 2020, at 5:00pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to the Planning Department according to the deadline schedule.

This Application for: ☐ REZONING ☐ CONDITIONAL USE: ☐ EXPANDED –OR– ☐ RESTRICTED
☐ INITIAL ZONING/ANNEXATION

REZONING FEE: ☐ Single Lot \$120.00 ☐ Block or Area \$250.00 (Fees are not refundable based on decisions)
 Fifty percent (50%) of fee is refundable if application is withdrawn before first newspaper notice is filed.

PARCEL# <u>1190008</u>	
SITE ADDRESS: <u>Vineyard Road</u> <small>STREET # & STREET NAME</small>	
Legal Description or Survey <u>41.75 acres in Sec 9-14 T6S88E</u>	
PROPERTY OWNER NAME: <u>Bound Table Investments LLC</u> <small>First Name MI Last Name</small>	
Owner Address: <u>P.O. Box 127, Hammond, LA 70404</u> <small>Street Name/Street Number City State Zip</small>	
Telephone: <u>(985) 345-1818</u> or Cell #: ()	

PLEASE READ AND SIGN BELOW

APPLICANT NAME: <u>Frank</u> <u>Cal</u> <small>First Name MI Last Name</small>	
COMPANY NAME: <u>Bound Table Investments</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Other	
Applicant Mailing Address: <u>P.O. Box 127, Hammond, LA 70404</u> <small>Street Name/Street Number City State Zip</small>	
Applicant Telephone: <u>(985) 345-1818</u> or Cell #: ()	

PERMIT INFO-ADDITIONAL INFO	
PRESENT ZONING: MX-N MX-C MX-CBD C-N C-H C-R I-H <u>I-L</u> RS-3 RS-5 RM-2 <u>RS-8</u> RS-11 RM-3 RP RS-11.A S-1 S-2 SC	
REQUESTED ZONING: MX-N MX-C MX-CBD C-N C-H C-R I-H <u>I-L</u> RS-3 RS-5 RM-2 RS-8 RS-11 RM-3 RP RS-11.A S-1 S-2 SC	
REASON FOR REZONING: <u>Development</u>	
SPOT ZONING NOTE: 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. <u>Spot zoning is discouraged in Hammond</u>	

I/We being the legal owner(s) request zoning of my property from a _____ District to a _____ District. I/We fully understand and agree to abide by the zoning restrictions for a _____ District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

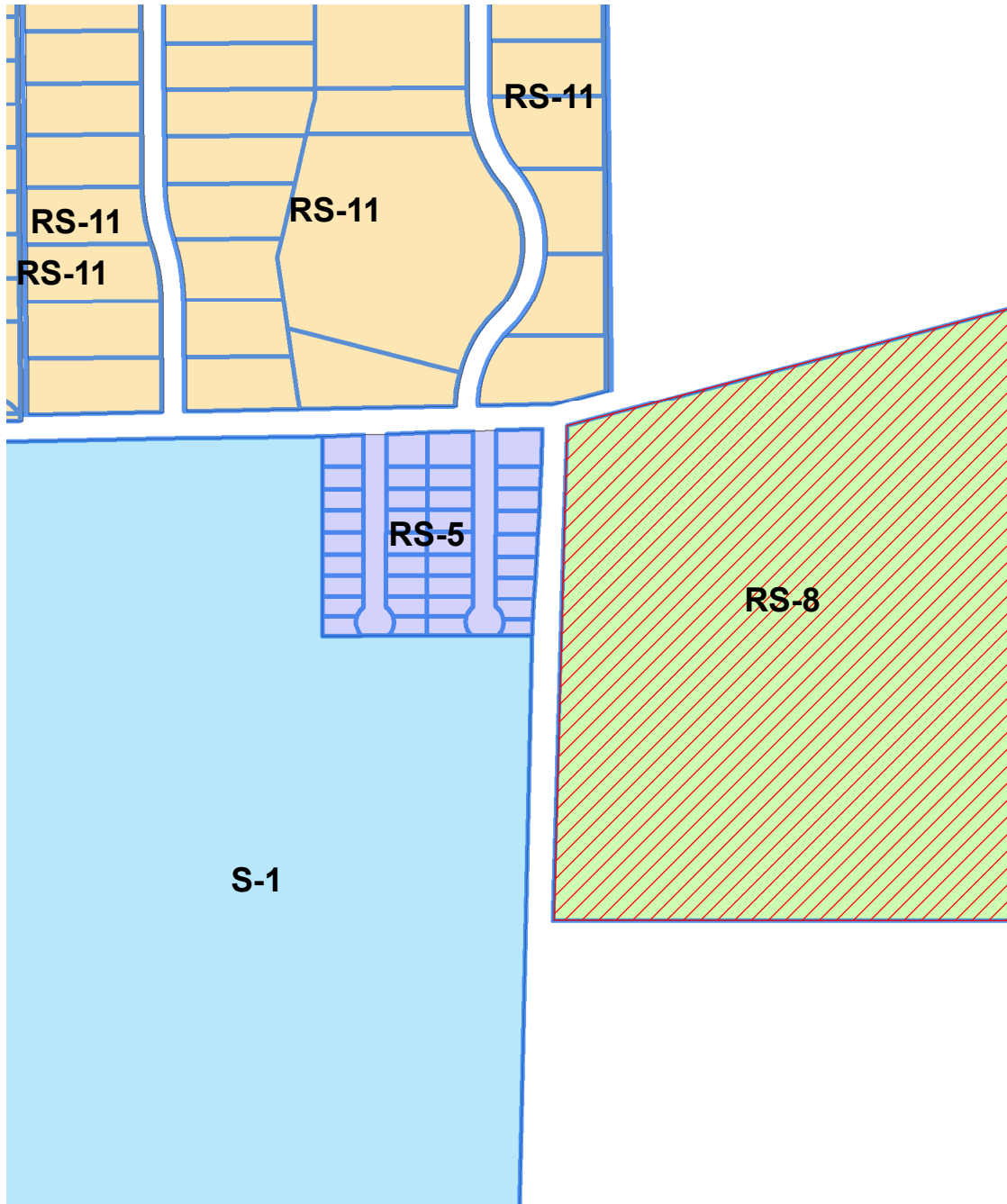
If there is more than one owner or a corporation is the owner of the property, each owner or authorized agent of the corporation must sign. If conditional zoning, submit in writing an explanation for this request on separate sheet. If you are applying for an area or block zoning furnish a map of area or block and a petition signed by at least 50% of the property owners in the area (including their addresses).

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, ALL FEES PAID, AND ALL REQUIRED DOCUMENTS RECEIVED BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND ZONING COMMISSION.

X _____ APPLICANT SIGNATURE	_____ DATE
X _____ OWNER(S) SIGNATURE	_____ DATE
X _____ CITY PLANNER	_____ DATE


***** FOR OFFICIAL USE *****

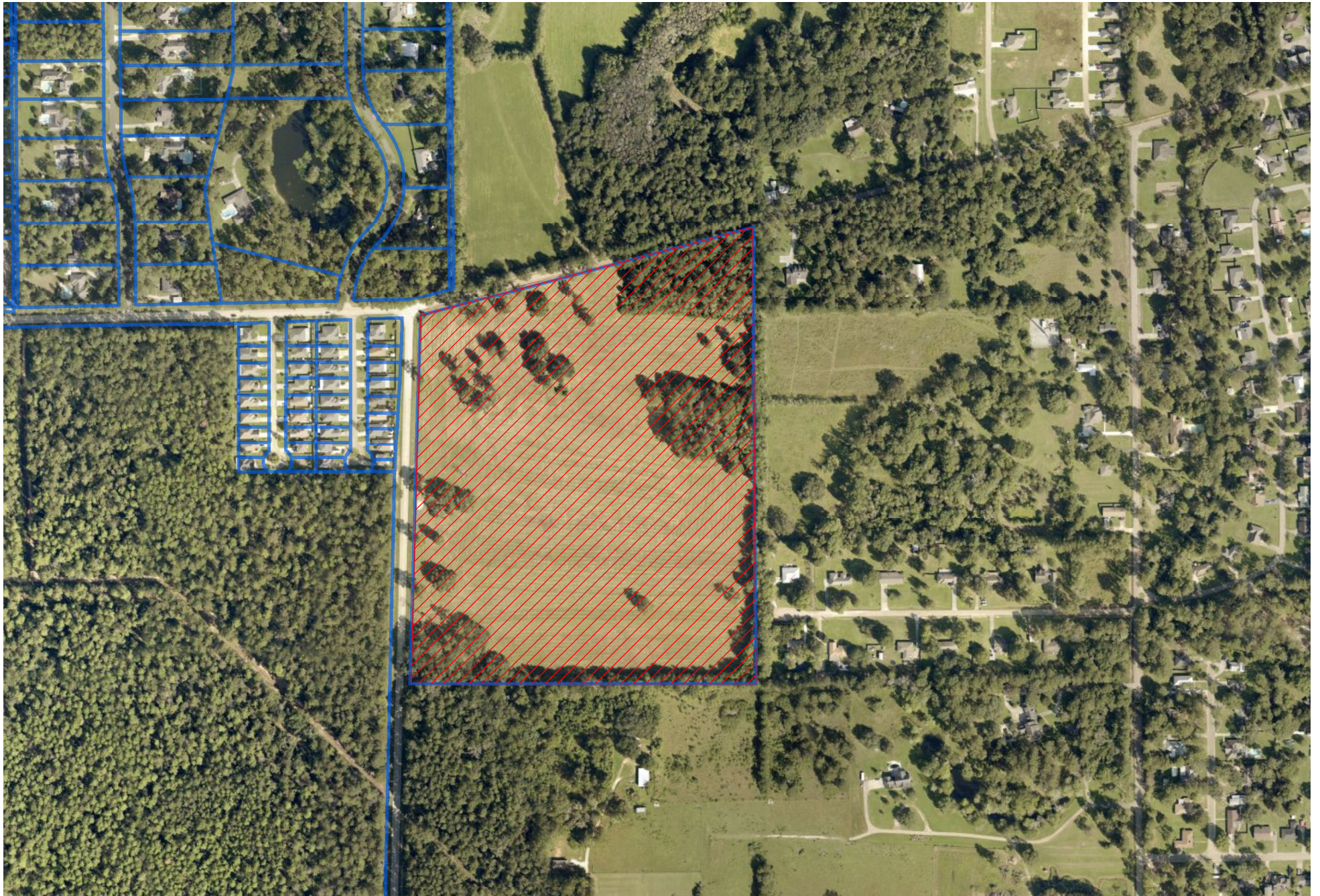
AMOUNT PAID \$ _____ CHECK# _____ CASH ☐ DATE PAID / /



Rezoning
Z-2020-09-00083
2100 Industrial Park Rd


Legend

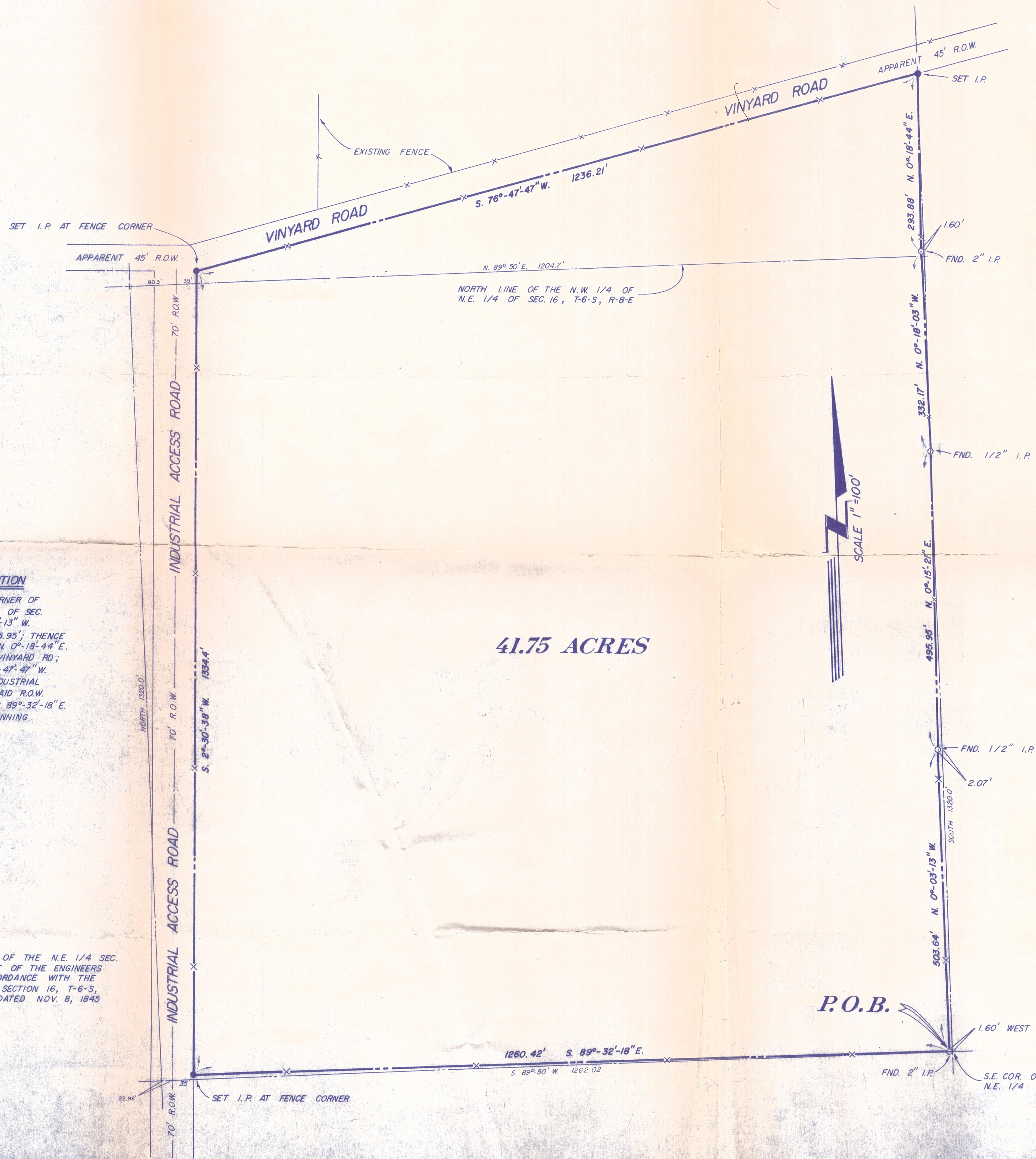
 Case Parcel



Rezoning
Z-2020-09-00083
2100 Industrial Park Rd

Legend

 Case Parcel



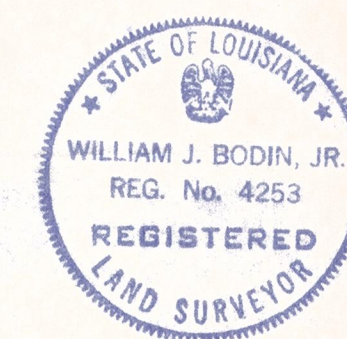
MEETS AND BOUNDS DESCRIPTION

BEGINNING 1.6' WEST OF THE S.E. CORNER OF THE N.W. 1/4 OF THE N.E. 1/4 OF SEC. 16, T-6-S, R-8-E, PROCEED N. 0° 03' 13\" W. 503.64'; THENCE N. 0° 15' 21\" E. 495.95'; THENCE N. 0° 18' 03\" W. 332.17'; THENCE N. 0° 18' 44\" E. 293.88' TO THE SOUTH R.O.W. OF VINYARD RD; THENCE ALONG SAID R.O.W. S. 76° 47' 47\" W. 1236.21' TO THE EAST R.O.W. OF INDUSTRIAL ACCESS ROAD; THENCE ALONG SAID R.O.W. S. 2° 30' 38\" W. 1334.4'; THENCE S. 89° 32' 18\" E. 1260.42' TO THE POINT OF BEGINNING CONTAINING 41.75 ACRES

NOTE:
THE BOUNDRIES OF THE N.W. 1/4 OF THE N.E. 1/4 SEC. AS SHOWN REPRESENTS, TO THE BEST OF THE ENGINEERS KNOWLEDGE, THE LOCATION IN ACCORDANCE WITH THE ORIGINAL GOVERNMENT SURVEY OF SECTION 16, T-6-S, R-8-E GREENSBURG DISTRICT LA. DATED NOV. 8, 1845

41.75 ACRES

DECEMBER 9, 1980
A PLAN OF A SURVEY OF A PORTION OF THE SOUTH 1/2 OF S.W. 1/4 OF S.E. 1/4 OF SECTION 9, T-6-S, R-8-E, AND THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 16, T-6-S, R-8-E, CONTAINING 41.75 ACRES LOCATED AS SHOWN IN TANGIPAHOA PARISH, LOUISIANA.



CERTIFIED CORRECT

Wm. J. Bodin, Jr.
BODIN & WEBB, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS

37.16 Ac.	ORIG. 40 Ac.
4.59 Ac.	TRIANGLE
4.75 Ac.	TOTAL ACRES
4.75 Ac.	REMAINING
3.51 Ac.	LOST
45.26 Ac.	TOTAL OF 44.5± Ac.

ACRES LOST	
1.07 Ac.	1/2 INDUSTRIAL ACCESS R.O.W.
1.56 Ac.	WEST OF INDUSTRIAL ROAD &
0.20 Ac.	SOUTH OF PROPERTY
0.04 Ac.	EAST OF PROPERTY
2.87 Ac.	SUBTOTAL 40 Ac.
0.64 Ac.	1/2 VINYARD ROAD R.O.W.
3.91 Ac.	TOTAL AC. LOST

BODIN AND WEBB, INC.
CONSULTING ENGINEERS
HAMMOND, LOUISIANA

DESIGNED	DATE
DRAWN J.P.B.	DEC. 9, 1980
CHECKED	SCALE
APPROVED	1"=100'

BOUNDRY SURVEY

PROJECT NO.
SHEET NO.

Commission Council

Ordinance No. 346, C. S.

An ordinance, in pursuance of the authority granted by Title 33, Sections 4721-4729, Louisiana Revised Statutes, to promote the health, safety, convenience and welfare of the inhabitants of the City of Hammond, parish of Tangipahoa, State of Louisiana, by dividing the city into districts and regulating therein the uses of land and the construction of buildings: to encourage the most appropriate use of land in the city: to define and explain certain terms used in this ordinance: to provide for an inspector to administer and enforce the terms and requirements thereof, and a board of adjustment to hear all appeals: to provide for the enforcement of rules, regulations and restrictions herein set up: to provide penalties for violation of this ordinance: and to repeal all ordinances in conflict or inconsistent herewith.

Be it ordained by the Commission Council of the City of Hammond in regular session assembled that:

ARTICLE I—ESTABLISHMENT OF DISTRICTS

Section 1. DISTRICTS—For the purpose of this Ordinance, the City of Hammond is divided into eight (8) districts, designated as follows:

- R-11—Residential.
- R-5—Residential.
- R-4—Residential.
- S-5—Suburban.
- B—Business.
- C—Commercial.
- L—Light Industrial.
- H—Heavy Industrial.

SECTION 2. BOUNDARIES—

The boundaries of these districts are hereby established as shown on the City of Hammond Zoning District Map dated June 1, 1960 which is on file in the office of the City Secretary. The map and all explanatory matter thereon are hereby made a part of this Ordinance as if the notations, references, and other matters set forth by said map were all fully described herein.

Unless otherwise indicated, the district boundary lines are lot lines, the center lines of streets, alleys, or such lines extended, or are the corporate limit lines. Other lines within blocks are rear or side lot lines, or such lines extended, or are property lines of large tracts.

ARTICLE II—DEFINITIONS

Section 3. Accessory Use, Block, Dance Hall, Dwelling Unit, Garage Apartment, Lot, Lot of Record, Main Building, Parking Space, Trailer and Yards—For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

ACCESSORY USE—(a) Structures and uses (such as private garages and sheds) customarily incidental to and on the same lot with a permitted use.

(b) Customary home occupations (such as dressmaking or tailoring, or office of a physician or other professional person) incidental to a permitted use; provided such occupations are conducted in the main building and by persons resident in said building, and provided further that persons conducting such occupations may employ not more than two assistants or employees.

(c) A garage or parking space for not more than three automobiles plus one automobile for each family in excess of three; provided that, except on a farm, storage of only one commercial automobile shall be permitted.

(d) The sale of produce raised only on the premises.

(e) The taking of lodgers and tourists.

(f) Advertising signs pertaining only to the lease, sale or use of a lot or building on which placed and not exceeding a total area of twelve square feet; provided that on a lot occupied by a dwelling, the total area of all signs shall not be more than two square feet for each dwelling unit. All other signs are prohibited.

BLOCK—A tract of land bounded by dedicated streets; which has been subdivided for building development.

DANCE HALL—A cafe, restaurant or other place where dancing is done to music provided by record player or orchestra.

DWELLING UNIT—One or more rooms providing complete living facilities for one family, or one person, including equipment for cooking, and space for living, sleeping and eating.

GARAGE APARTMENT—A living unit for not more than one family erected above a garage.

LOT—A parcel of land occupied by, or which may hereafter be occupied by, a building and its accessory buildings, together with such open spaces and parking spaces as are required under this Ordinance, and having its principal frontage on an officially approved street or place.

LOT OF RECORD—A lot which is part of a subdivision, the map of which has been recorded in the office of the Clerk of Court of Tangipahoa Parish; or a parcel of land which became legally established and defined by deed or Act of Sale on or before the date of adoption of this Ordinance.

MAIN BUILDING—A building in which is conducted the main or principal use of the lot on which said building is located.

PARKING SPACE—One automobile parking space shall be an area not less than eight feet by twenty 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.

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 or reasonably may be, equipped with wheels or other devices for transporting the vehicle from place to place, whether by motive power or other means.

YARD—An open space at existing ground level between a body of a building and the adjoining lot lines.

YARD, FRONT—A yard extending across the front of a lot or plot between the side yards and being the minimum distance between the street line and the body of the building or any projection thereof other than steps and cornices.

YARD SIDE—A yard between the body of the building and the side line of the lot and being the minimum distance between a side lot line and the side of the building or any projections other than steps and cornices.

ARTICLE III—

GENERAL PROVISIONS

Section 4. ZONING AFFECTS EVERY BUILDING AND USE—

No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, and as set forth in the "Zoning Schedule," Section 8 of this Ordinance, except as hereinafter provided.

Section 5. NON-CONFORMING USES:

(a) Any building existing at the time of enactment or subsequent amendment of this Ordinance, but not in conformity with its provisions, may be continued with the following limitations. Any building which does not conform with this Ordinance MAY NOT BE:

(1) Changed to another non-conforming use, except where the change is to a non-conforming use substantially the same or of a more restricted classification than that which existed prior to the effective date of this Ordinance;

(2) Re-established after discontinuance for six months;

(3) Extended except in conformity to this ordinance; or

(4) Rebuilt after damage exceeding two-thirds of its fair sales value immediately prior to damage.

(b) Any building which does not conform to this Ordinance may be maintained in its existing use providing such annual maintenance cost does not exceed one-tenth of its fair sales value at that time.

(c) Any use, not enclosed within the confines of a building (such as junk yard, signs and bill boards), existing at the time of enactment or subsequent amendment of this Ordinance, but not in conformity with its provisions, may be continued not longer than six months from and after the enactment of this Ordinance; provided, however, that such uses shall not be considered non-conforming so long as they are enclosed and screened from view by walls and/or fences and/or planting of not less than 6 feet in height, in a manner prescribed by the building inspector.

Section 6. ONLY ONE MAIN BUILDING ON A LOT—Every building hereafter erected shall be located on a lot of record and in no case shall there be more than one main building on one lot; provided that more than one main institutional, public, business or commercial or manufacturing building may be located upon a lot or tract in any district where such uses are permitted; and provided further that garage apartments, where permitted, may be built on the same lot with the main residential building.

Section 7. OFF-STREET AUTOMOBILE PARKING—Off-street automobile storage or standing space shall be provided on any lot or plot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to street or alley and shall be deemed to be required open

Ord # 346
dated 1960

Amended by adding to: Ord # 377, C.S.

Amended by adding to: Ord # 1357

Amended by adding to: Ord # 413

VR

space associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner. Except where required in connection with dwellings, such parking space shall be surfaced with a minimum of four inches of gravel, shell or similar all-weather surface, and such access shall be similarly surfaced. Building and land uses shall be provided with such off-street automobile storage or standing space as follows:

- a. 1. DWELLINGS, INCLUDING ONE, TWO, THREE AND MULTIPLE FAMILY DWELLINGS AND GARAGE APARTMENTS—One parking space for each dwelling unit.
- 2. TOURIST HOMES, MOTELS AND HOTELS—One parking space for each sleeping room.
- 3. THEATERS, AUDITORIUMS OR OTHER PLACES OF PUBLIC ASSEMBLY—One parking space for each 16 seats.
- 4. OFFICES, CLINICS, PUBLIC BUILDING AND SIMILAR

PLACES OF BUSINESS—One parking space for each 500 square feet of floor space.

5. GENERAL BUSINESS, STORES OR SHOPS FOR SERVICES AND TRADE AND MORTUARIES—One parking space for each 500 square feet of sales and service area.

6. WAREHOUSES & OTHER

COMMERCIAL AND INDUSTRIAL USES AND PUBLIC UTILITY BUILDING — One parking space for each five working people, based on peak employment; and adequate space for loading and unloading vehicles.

b. Provided, however, that wherever such parking space abuts on a Residential District, it shall be screened from the abutting Residence District by walls or by fences or by other screening not less than four feet in height, in a manner acceptable to the Building Inspector.

c. Where such parking space cannot be reasonably provided

on the same lot or plot with the principal use, the City Council may permit such space to be located on other off-street property by issuing a special permit as provided for in Article V, Section 11 of this Ordinance.

Article IV
Annexed Ord.
No. 41305
Book 4, p. 142
MULT-HOUSING

653-B/H Reed & Hwy 51
Zoned "C"
1974

ARTICLE IV—SCHEDULE OF DISTRICT REGULATIONS

Section 8.—ZONING SCHEDULE: Within the eight (8) districts established by this Ordinance the following regulations shall apply

Districts As Shown On Zoning District Map	Uses Permitted	Uses Permissible By Special Permit Of City Council	Uses Prohibited	Minimum Yards			Minimum Lot Size	
				Front Depth	Rear Depth	Side Depth	Area Sq. Ft.	Width in Ft.
R-11 Residential	Dwelling; garage apartment; school offering general education course; garden; growing of crops, a municipal recreational use; church; accessory use.	Cemetery; golf club; hospital; institution; state, federal or government use; public utility; private club, not conducted for profit; provided all structures for such uses are located 25 feet from any property lines; municipal use.	All uses not specifically permitted herein.	For all buildings 25 ft. See Art. V Sec. 12	5 ft.	5 ft.	11,250 Per dwelling unit	75
R-5 Residential	Uses permitted in an R-11 Residential District	Uses permissible by special permit in an R-11 Residential District; philanthropic use; lodge hall.	All uses not specifically permitted herein	25 ft.	5 ft.	5 ft.	5,000 For garage apts. plus single family more than one in same building: 2,000 sq. ft. per dwelling unit	50
R-4 Residential	Uses permitted in an R-5 Residential District; nursery. The expansion of existing B business uses by not more than 25% in area.	Uses permissible by special permit by an R-5 Residential District	All not specifically permitted herein.	For all buildings 25 ft.	5 ft.	5 ft.	4,000 For garage apts. and single family dwellings and for each family more than one in the same building. 1500 sq. ft. per dwelling unit	40

S-5 Suburban	Uses permitted in an R-5 Residential District; farming including the usual farm buildings and structures, truck gardening, nursery, greenhouse; the sale of farm or truck garden products which are produced only on the premises; mineral extraction; signs not exceeding twelve (12) sq. ft. in area and so located as not to cause a traffic hazard.	Uses permissible by special permit in an R-11 Residential District	All uses not specifically permitted herein.	For all buildings 25 ft. 5 ft. 5 ft. See Art. V, Sec. 12	5,000 50 For garage apts. plus single family dwellings and for each family more than one in same building: 2,000 per dwelling unit
"B" Business	Any use permitted or permissible by special permit in an R-4 Residential District; theater, office, restaurant, bar, car sales, motels and tourist courts, grocery and drug stores, filling station, barber or beauty shop, laundrette and similar retail business or service which is established for the convenience of neighboring residents, and telephone exchange.	Mortuary, Trailers	All uses not specifically permitted herein.	For Dwellings: Same as R-4 Residential Districts	For Dwellings: Same as R-4 Residential Districts. See Sec. 9(a)
"C" Commercial	Any use permitted or permissible by special permit in a "B" Business District; place of amusement; auto repair shop; warehouse; any retail, wholesale or repair service or business not specifically restricted or prohibited; transportation terminal; contractors storage yard; pipe yard; lumber yard; light manufacturing uses as listed in Sec. 9(b) below; the expansion of existing L Light Industrial uses by not more than 25% in area.	Additional manufacturing, not specifically prohibited, incidental to a retail business where articles are sold at retail on the premises; Trailers.	Uses listed in Sec. 9(c). Any other use detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise or vibration.	For Dwellings: Same as R-4 Residence Dist.	For Dwellings: Same as R-4 Residence Dist. See Sec. 9(a)
"L" Light Industrial	Any use permitted in a "C" Commercial District and not specifically prohibited herein; vegetable packing plant; the manufacture of concrete and brick products, furniture and similar wood products, mattresses, manufacturing of light metal frames, blacksmith shops, storage of petroleum and similar products, the expansion of existing residential uses by not more than 25% in area; junk yard provided it is fenced or screened from view in a manner approved by the building inspector and provided there is no burning.	Trailers	Dwellings; church; school offering general education course; library. Any use prohibited in a "C" Commercial District and not specifically permitted herein.	None	None
"H" Heavy Industrial	All uses not specifically prohibited; caretakers' quarters; the expansion of existing residential uses by not more than 25%.	None	Dwelling; church; school, offering general education course; library; lamp black manufacturing; paper mill.	None	None

Section 9. SPECIAL NOTATIONS:

a. Within a "B" BUSINESS DISTRICT and a "C" COMMERCIAL DISTRICT the following adjustment of minimum lot size requirements for dwellings may be made:

Wherever a "B" Business or "C" Commercial District abuts on another district in which dwellings are required to have a larger lot size than is required in the R-4 Residential District, then the larger lot size shall apply for the entire block in which the abutment occurs.

b. Within a "C" COMMERCIAL DISTRICT the following light manufacturing uses are permitted:

Manufacture of soft drink beverages, candy, clothing, ice cream, ice, jewelry, bakery, bottling plant, canning and preserving of foods, carpentry shop, creamery, printing.

c. Within a "C" COMMERCIAL DISTRICT the following uses are prohibited:

The manufacture of brick and clay products, furniture and similar wood products, light metal frames, mattresses, upholstery, asphalt, cement, creosote, explosives, fat, fertilizer, fireworks, flour, linoleum, matches, oil-cloth, plaster of Paris; the manufacture or refining of chemical products such as ammonia, bleaching powder, chlorine, hydrochloric acid, lime, nitric acid, picric acid, plastic, pyroxylin, rubber, tar, turpentine, varnish, sulphuric or sulphurous acid; junkyard, unless it is fenced or screened and there is no burning; the storage of petroleum and other inflammable liquids above the

ground in excess of 100,000 gallons; hot rolling mill; incinerator; grist mill; cotton oil mill.

d. Within any RESIDENTIAL DISTRICT and within any SUBURBAN DISTRICT the City Council may authorize a special permit, as provided in Section II, for any use permitted in a "B" Business District; provided, however, that the City Council shall first receive the written consent of the owners and occupants of seventy-five percent (75%) of the property within a radius of three hundred (300) feet of the block in which such place of business is to be located, as such block now or hereafter appears on the official map of the City of Hammond.

Section 9 - d
Amended
Ord 435 Book 4
p. 168

ARTICLE V—MODIFICATIONS AND EXCEPTIONS

Section 10. TRANSITION USES—Wherever the side of any lot of record in a Residential or Suburban District abuts on a "B" Business, "C" Commercial, "L" Light Industrial or "H" Heavy Industrial District, or wherever any lot of record in a Residential District is located directly across the street from a "B" Business, "C" Commercial, "L" Light Industrial or "H" Heavy Industrial District, said lot of record may be used for the office of a physician, lawyer, engineer, architect, real estate broker, insurance agent, or similar business; provided that a floor area of not more than 1,800 square feet in a building may be so used, provided further that such office building shall leave side and rear yards as provided for the district in which it is located; and provided further that such office use shall be accom-

panied by off-street automobile parking as required in Section 7. The yard requirements of this Section, however, shall not prevent a building existing on a lot of record at the time of passage of this Ordinance from being used for such an office.

Section 11. SPECIAL PERMITS—The Commission Council of the City of Hammond reserves unto itself the right and authority to issue special permits in the special cases designated in Section 7(c), in Section 8, Zoning Schedule and in Section 9(d). Such special permits, however, shall be issued only after hearing and prior referral to the Planning Commission for reports regarding the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utility facilities and other matters pertaining to the general welfare. Said Planning Commission shall recommend to the City Council appropriate conditions and safeguards in each case, whenever said commission shall deem conditions and safeguards necessary to promote the public health, safety, convenience and welfare, including that public health, safety, convenience and welfare which may be promoted by maintaining the character of a neighborhood, by encouraging the most appropriate use of land and by conserving property value. Such appropriate conditions and safeguards may include provisions for off-street parking, for front, side and rear yards, for the screening of parking areas by fences and planting, and other measures. The failure of the Planning Commission to report within thirty days from and after

the date of official referral to said Commission by the City Council shall be deemed approval of such special permit by the Planning Commission. In granting special permits, the City Council shall give due consideration to such effect of such building, and shall stipulate such appropriate conditions and safeguards, using the same criteria as set forth in this section to govern the recommendations of the Planning Commission.

Section 12. LOT OF RECORD

—The minimum lot size requirements of Section 8 (Zoning Schedule) notwithstanding, a single family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a Residence, Suburban, "B" Business or "C" Commercial District which became legally established and defined by deed or Act of Sale before the passage of this Ordinance, provided that the side yard of no dwelling shall be less than five feet.

Section 13. FRONT, SIDE AND REAR YARDS:

(a) Other FRONT YARD requirements notwithstanding, the front of no building need be set back more than the average setbacks of the buildings within 100 feet on either side.

(b) No part of a building shall be nearer than 3 feet to the side and rear property lines. This restriction shall include all porches, carports or sheds. The columns supporting carports or porches shall determine the body of the house.

(c) On lots occupied by dwellings, not more than 40 percent of the REAR YARD of the main

building may be occupied by one-story buildings of accessory use, and garage apartments where permitted.

Section 14.—GROUP HOUSING PROJECTS—In the case of a housing project consisting of a group of two or more buildings to be constructed on a plot of ground of at least 3 acres not subdivided into the customary streets and lots which will not be so subdivided or where the existing or contemplated street and lot layout make it impracticable to apply the requirements of this Ordinance to the individual buildings in such housing projects, the application of such requirements to such housing project shall be made by the City Council after recommendation by the Planning Commission, and shall be made in a manner that will be in harmony with the character of the neighborhood, will insure a density of land use no higher and a standard of open space at least as high as required by this Ordinance in the district in which the proposed project is to be located. In no case shall the City Council authorize a project without prior approval of the Planning Commission. Prior to such approval, the Planning Commission shall hold a public hearing with due advertisement as required by state law for an amendment to the ordinance and the City Council shall similarly hold a public hearing before authorizing such a project.

ARTICLE VI—ENFORCEMENT

Section 15. BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY—This Ordinance shall be enforced by an Inspector appointed by the City Council of the City of Hammond, La. No land or structure shall be changed in use and no structure shall be erected, altered, or moved until the Inspector has issued a Building Permit certifying that the plans and intended use of land, buildings, and structures are in conformity with this Ordinance. No land or structure hereafter erected, moved, or altered in its use shall be used until the Inspector shall have issued

a CERTIFICATE OF OCCUPANCY stating that such land or structure is found to be in conformity with the provisions of this Ordinance. Applications for permits under the provisions of this section shall be accompanied by a plat drawn to scale showing actual dimensions of the lot to be built on; the size, shape, and location of the building to be erected; the estimated cost thereof; and such other information as may be required by the Inspector insuring proper enforcement of this Ordinance.

Section 16. PENALTIES—Any person, corporation, partnership, or association of persons violating any provisions of this Ordinance shall be guilty of misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than twenty-five dollars or be confined for not more than thirty days in jail for each offense. In case any building or structure is erected, constructed, reconstructed, altered, or repaired in violation of this Ordinance or in violation of the plat showing the proposed lot and building to be erected thereon, the Building Inspector, acting for and on behalf of the City of Hammond in addition to any other remedies, may institute appropriate action or proceedings in the name of the City of Hammond to prevent and prohibit such unlawful erection, construction, reconstruction, alteration or repairs. Each day such violation continues shall constitute a separate offense.

ARTICLE VII—APPEALS

Section 17. BOARD OF ADJUSTMENT:

(a) There shall be a Board of Adjustment, the membership, terms of office, and rights and duties of which shall be as provided in Title 33, Section 4727 of the Louisiana Revised Statutes. The Board shall adopt rules in accordance with the provisions of this section. Meetings of the Board shall be held at the call of the Chairman and at such other times as the board may determine. All meetings shall be open to the public and preceded by due advertisement.

(b) The Board shall hear and decide: (1) appeals from alleged error in the Building Inspector's decision, (2) appeals for variance where exceptional and peculiar hardship would be caused by enforcement of the regulations in this Ordinance and where such variance would not substantially derogate from the intent of this Ordinance but not otherwise.

(c) The Board shall not be authorized to grant variances in the use of land or to take any other action, the result of which would constitute a change in the district boundaries. The Board shall always act with due consideration to promoting the public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property value, shall permit no building or use detrimental to a neighborhood, and may prescribe appropriate conditions and safeguards in each case. Such appropriate conditions and safeguards may include, among other things, provisions for the screening of parking areas by walls, fences and planting and other such measures.

Amended by
Ord. #293

ARTICLE VIII—AMENDMENT

Section 18. AMENDMENT — The City Council may, from time to time, on its own motion or on petition, after public notice and hearing, amend the districts and the regulations established therefor in accordance with the provisions of Louisiana Revised Statutes 33:4725. Every proposed

amendment, however, shall be first referred to the Planning Commission for report, and any amendment that has failed to receive the approval of the Planning Commission shall not be passed by the City Council except by the affirmative vote of two-thirds of the Legislative Body of the municipality.

Section 19. ENLARGEMENT OF CITY LIMITS—All territory which may hereafter be added to the City of Hammond shall automatically be classed as lying and being in the S 5 Suburban District until such classification shall have been changed by an amendment as provided by law: Provided, however, that any land bearing a "B" Business, "C" Commercial or "H" Heavy Industrial classification in the parish shall, upon being added to the City of Hammond, bear a similar classification until changed by an amendment as provided by law.

ARTICLE IX—VALIDITY, SHORT TITLE, EFFECTIVE DATE, AND REPEAL OF CONFLICTING ORDINANCES

Section 20. VALIDITY—Should any section or provision of this Ordinance be declared as invalid by a court of competent jurisdiction, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid, this Council hereby declaring that they would have passed those parts of this Ordinance which are valid, and omitted any parts which may be unconstitutional or otherwise invalid if they had known that such parts were invalid at the time of the adoption of this Ordinance.

Section 21. SHORT TITLE — This Ordinance may be cited and otherwise referred to as the "Hammond Zoning Ordinance of 1960."

Section 22. EFFECTIVE DATE —This Ordinance shall take effect and be in force as provided by law.

Section 23. REPEAL OF CONFLICTING ORDINANCES — All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this Ordinance are hereby repealed.

Adopted by the Commission Council this 1st day of June, 1960.

s/ JAMES A. STIRE,
Mayor

s/ VESTA C. ROWND,
Secretary

Pub.: June 23, 1960.

Vesta C. Rownd

James A. Stire
MAYOR

HAMMOND MASTERPLAN

Property surrounding Hammond Airport

A VISION FOR THE CITY OF HAMMOND

"The City of Hammond's vision is to continue its role as an expanding regional hub economic, transportation, higher, education and cultural activity while growing in a sustainable manner that respect our history, enhances our quality of life and creates a stronger, more complete community for all residents while maintaining our City's character and appeal."

1. Chapter 2: Land Use

Control Growth Around the Airport: The expansion of residential development around airport should be limited to avoid conflicts. Development around the airport should be carefully considered to provide for useful and compatible land uses that will create a diversified and more stable economy for Hammond.

2. Chapter 4: Transportation & Infrastructure

Creation of a new arterial loop roadway connection West University Ave to Airport Rd is a major recommendation to connect the distribution/warehousing and business park east of Hammond Airport to the highway system and to reduce truck traffic on downtown roads.

- Objective 4.8- Increase the capacity of Hammond Northshore Regional Airport to serve as an economic and transportation center through continued economic development partnerships and protection of approach zones from incompatible residential encroachment
 - Policy 4.8.1 – Identify land adjacent to the airport facilities that present opportunities for expansion and complimentary commercial and industrial development.
 - Policy 4.8.3 – Develop a coordinated land use, infrastructure, financing and airport facilities plan to increase airport related economic activity.

3. Chapter 5: Housing

In addition to the existing steady growth of the City, the impact of Hurricane Katrina has created a spike in population in Hammond. With I-12 now being perceived as the safe line for development, companies and governmental agencies are moving their services north of the interstate, including the military moving operations to the Hammond Airport. From 2000 to 2014, the rate of growth in the City of Hammond is expected to accelerate as people shift from southern parts of the State north to the I-12 corridor.

Community Concerns: Limit Residential Development around the Airport. The Hammond Airport in the eastern part of Hammond is an asset to the city, but surrounding land uses should be considered in terms of their compatibility with the airport's potential to grow. Ideally, new development around the airport should benefit and enhance the Airport and its functions. Additional residential development could cause conflict if residents complain of noise and other impact from the airport.

- Objective 5.9 – Limit expansion of residential around the airport.
 - Policy 5.9.1 – Consider adopting an airport overlay zone or aviation easements to prevent the need for buy-outs of properties as the airport increases in size and capacity.

Memorandum

Date: October 26, 2020

To: City of Hammond, Louisiana

From: Jason King, AICP. Principal of Dover, Kohl & Partners

Subject: Hammond Comprehensive Plan Interpretation Related to the Property at the Southeast Corner of Vineyard Road and Industrial Park Road

City of Hammond,

We were asked to comment on the Comprehensive Plan's intent regarding a property at the southeast corner of Vineyard Road and Industrial Park Road. My understanding is that an applicant is proposing a medical distribution center for the site.

I am a Principal at Dover, Kohl & Partners and helped co-author the *Comprehensive Plan for Hammond* which was adopted by the City in 2011. The intention of the plan was to help communicate the City's vision to grow in a sustainable manner that respects the City's history, enhances the quality of life of residents, and creates a stronger, more complete community while maintaining the City's small town charm.

I have watched the City Council Special Meeting on October 19, 2020 and read the accompanying Staff Report. I understand that this is complex and contentious issue. Admittedly, it has been a long time since the plan was written. I defer to the City's judgement on this matter entirely. **However, I recommend that the site be considered for a zoning change to allow an industrial use.**

Analysis

Reviewing the Comprehensive Plan, we find the following sections especially pertinent, and in favor of **residential** development instead of industrial:

- Page 1.3 states "Encourage sustainable design that enhances and expands the existing community character and identifies Hammond as a special place."
- Figure 2.4, The Sector Map: The property is located within the area labeled "Tier 2- Development and Redevelopment Areas." Tier 2 is defined: "New Development and Redevelopment areas should be planned for future growth

which includes suburban retrofit, new neighborhoods on existing infrastructure and new neighborhoods requiring new infrastructure.”

- Figure 2.11, Future Land Use Map: The property is located on land identified as “Low Density Residential.”
- Figure 3.10, Plan Areas Map: The Comprehensive Plan does not clearly make a specific proposal for this site unlike the many areas which were the subject of detailed illustrative master plans and renderings.

Reviewing the Comprehensive Plan, we find the following sections especially pertinent, and in favor of **industrial** development:

- Page 1.3 states “Identify and foster opportunities for expanded cooperation with the Parish, including intergovernmental and annexation agreements, to manage growth, promote economic development, create gateways that impart a positive image of the city, and form a rational city pattern.”
- Page 2.2 describes the sentiment of many community members that “Development around the airport should be carefully considered to provide for useful and compatible land uses that will create a diversified and more stable economy for Hammond.”
- Figure 2.10, Special Districts: The property is located adjacent to the “S-2: District (Hammond Airport).
- Policy 4.8.1 states “Identify land adjacent to the airport facilities that present opportunities for expansion and complimentary commercial and industrial development.”
- Policy 4.8.2 states “Coordinate with Tangipahoa Parish to protect airport operations from land use encroachment that reduces the functionality and safety of long-term airport operations.”
- Figure 4.12, Proposed Street Atlas: The street atlas identifies Industrial Park Road as a “Commercial Street” and not “Residential.”
- Page 5.6 states “Limit Residential Development Around the Airport”

Conclusion:

Locally undesirable land uses need to be fairly and logically distributed. These uses range from the dramatic, like power plants and landfills, to the relatively mundane, like medical supply distribution centers. Most people agree that these facilities are necessary, but most people want them sited in someone else’s neighborhood. Most

people agree that these development projects provide valued local jobs and contribute to local property taxes, but they want them placed far from where they live. For this reason, unwanted neighbors typically locate where they encounter the least political resistance.

Objective regional criteria needs to be considered when siting undesirable land uses including existing land use patterns and transportation patterns. The site is located adjacent to the Hammond North Shore Regional Airport. The site is located on Industrial Park Road. Industrial growth should be located next to major facilities on roads designated for industrial uses. Louisiana and Tangipahoa Parish have identified and marketed this area for industrial uses because development of this kind is optimally located in locations like the southeast corner of Vineyard Road and Industrial Park Road. Although a rezoning is required rezonings are to be expected when specific conditions can be met. This is not an ecologically fragile area. This is not a site in the center of a historic district. There are many places in the City of Hammond that would be unsuitable for this project. This site is not one of them.

In the case of a distribution center, the concern over drainage problems, traffic problems, and quality of life problems is valid. These concerns must be mitigated through design. Flooding, traffic, light pollution, noise pollution, and other negative externalities can largely be handled through water retention facilities, setbacks, landscape buffers, and upgrades to the street network.

While we sympathize with the neighbors who are concerned about this project and while we absolutely support their efforts to represent their own best interest it would appear that this project, if properly designed, is unlikely to affect their health or lead to a reduction in home values. This project would not be so damaging to the lives of the people who live around it as to outweigh the value to the tens of thousands of people who live in the region. Facilities that are essential to the region and the state, must, ultimately, be located somewhere.

Thank you for your time.

HAMMOND MASTERPLAN

Property surrounding Hammond Airport

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FIGURE 4.12:
PROPOSED STREET
ATLAS

*Conceptual street atlas
based on Louisiana Land
Use Toolkit designations*

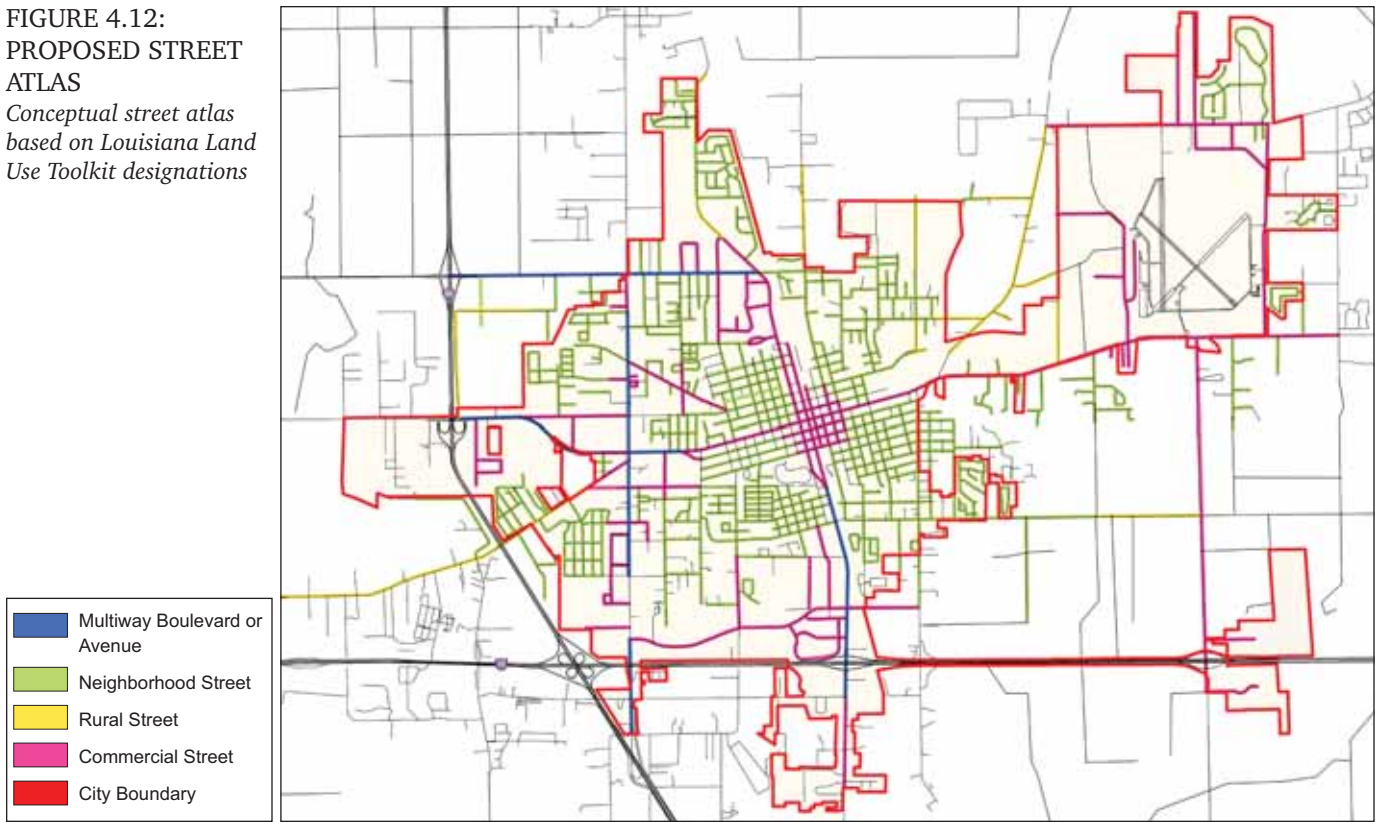
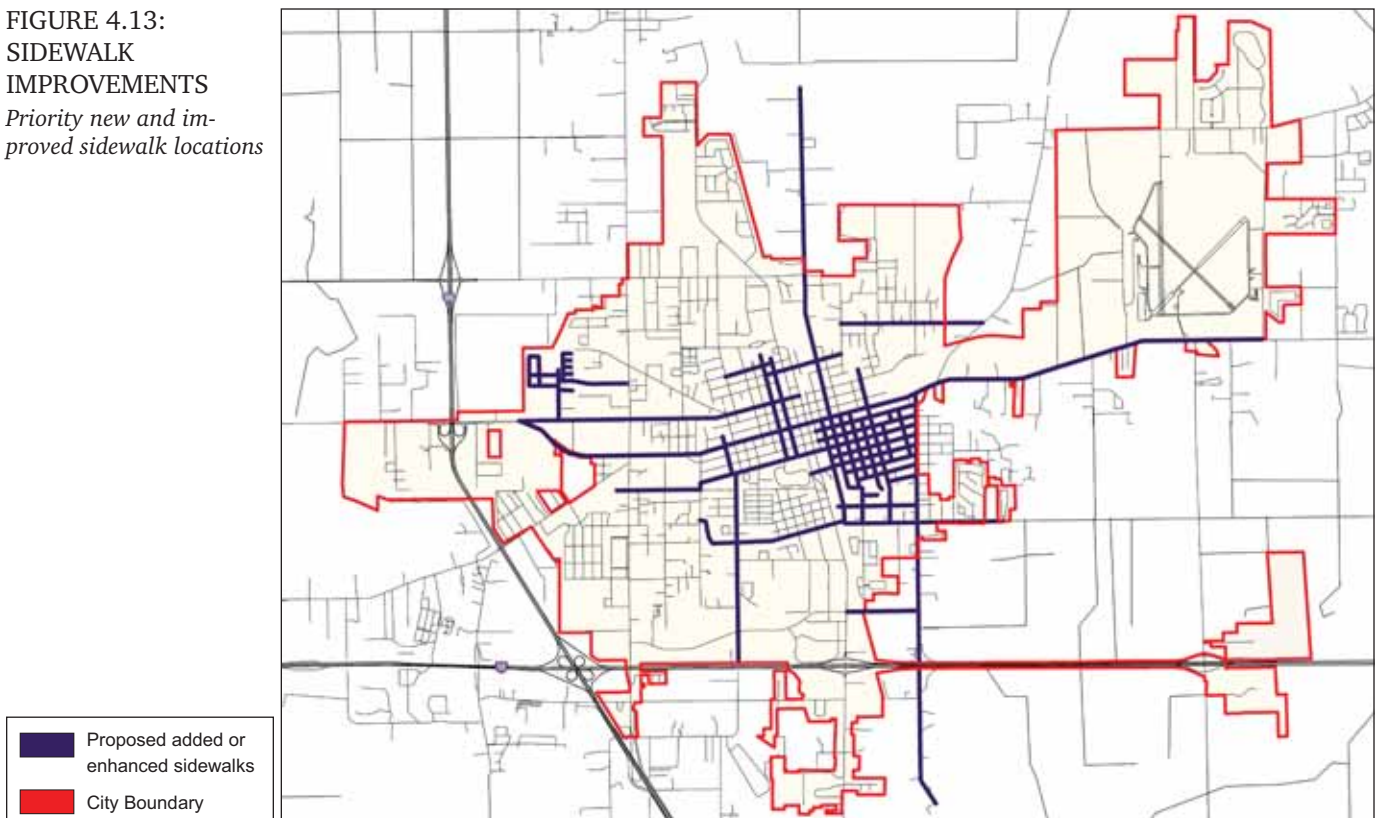
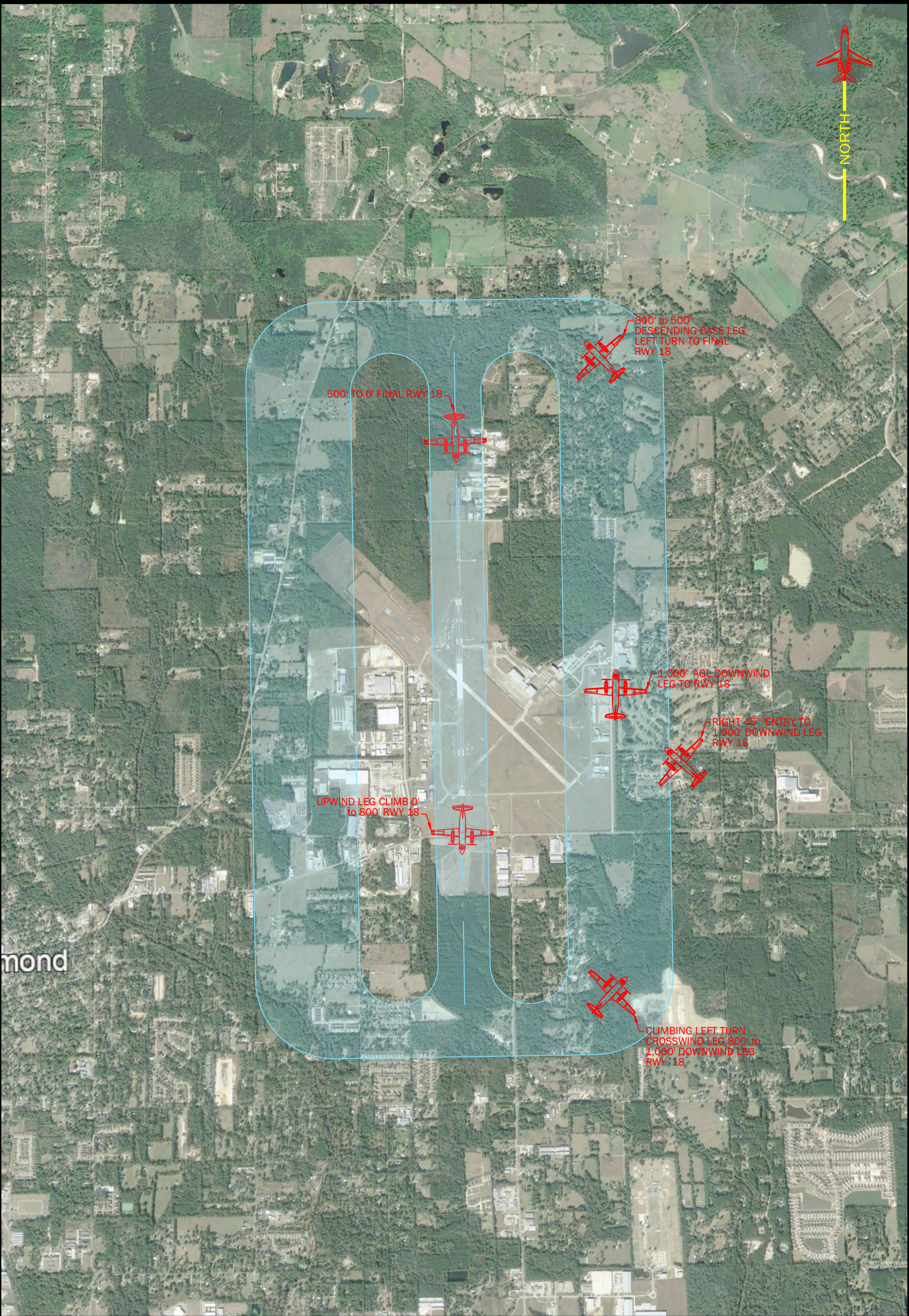
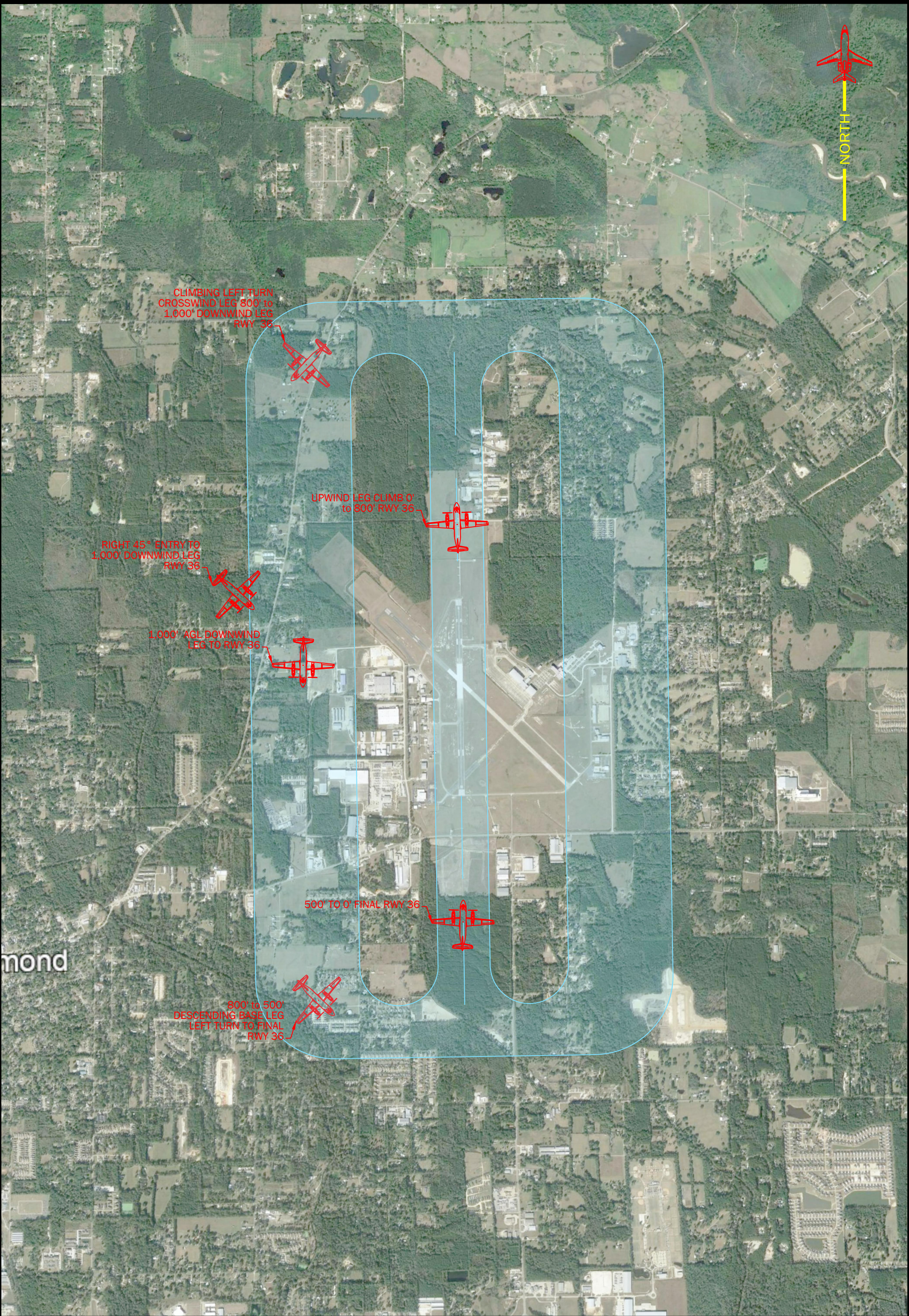


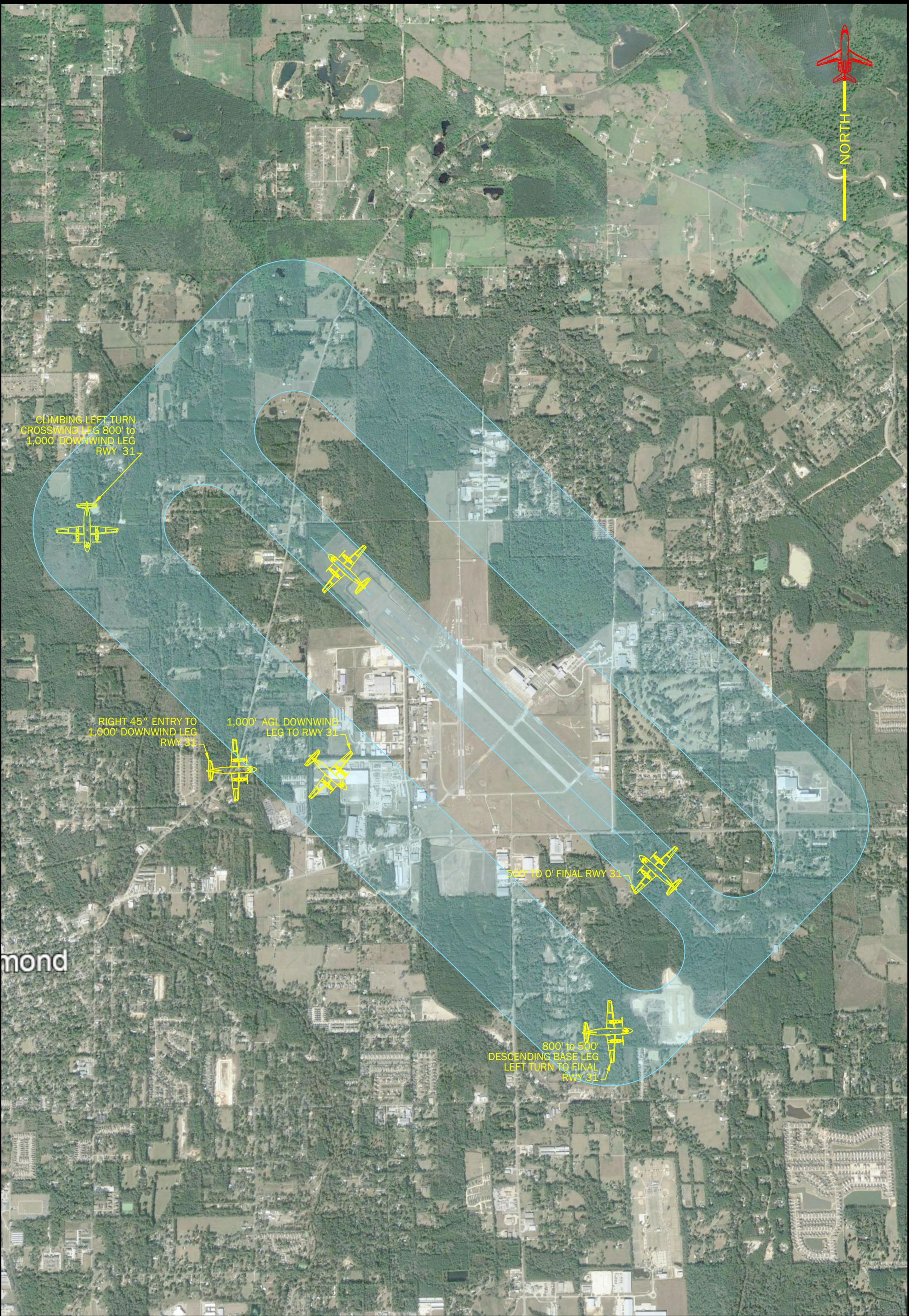
FIGURE 4.13:
SIDEWALK
IMPROVEMENTS

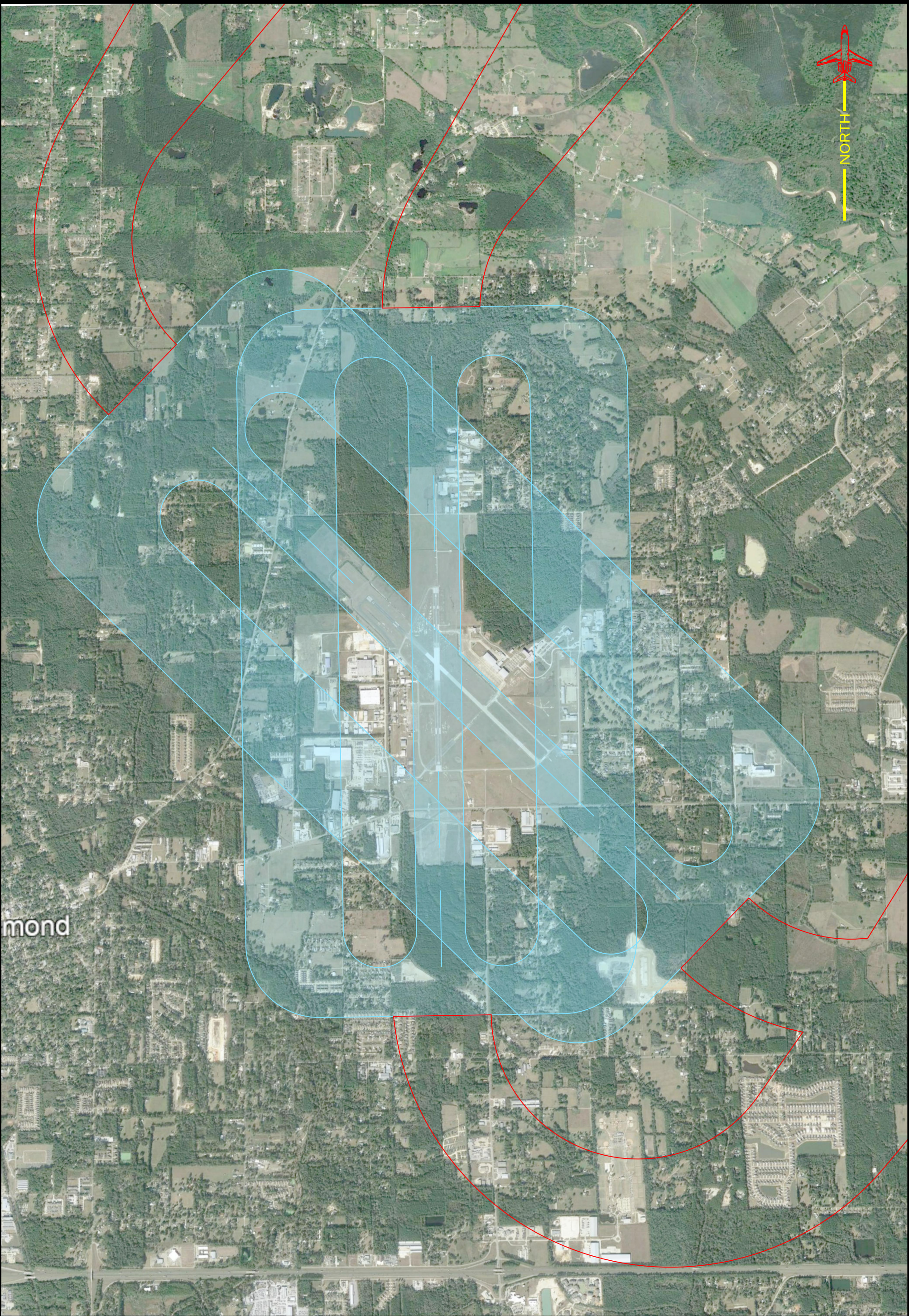
*Priority new and im-
proved sidewalk locations*













LAND USE NEAR AIRPORTS

Reference Information:

Memorandum by Dover, Khol & Partners

FAA Land Use Compatibility and Airports

FAA Noise and Compatible Land Uses

FAA & APA Partnering for Airport Land Use Compatibility

FAA Aviation Safety and Noise Abatement Act 1979

Hammond Airport Flight Path Maps

LA RS 33:109.1 – Relationship between local master plans and the plans of the state and other political subdivision

Whenever a parish or municipal planning commission has adopted a master plan, state agencies and departments shall consider such adopted master plan before undertaking any activity or action which would affect the adopted elements of the master plan.

Comprehensive Master Plan was adopted in 2011. This plan is a guidance for the Commission and City Council to use when evaluation development proposals and considering the rezoning or annexation of land.

Chapter 2: Land Use

Control Growth Around the Airport: The expansion of residential development around airport should be limited to avoid conflicts. Development around the airport should be carefully considered to provide for useful and compatible land uses that will create a diversified and more stable economy for Hammond.

Chapter 4: Transportation & Infrastructure

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Chapter 5: Housing

Objective 5.9 – Limit expansion of residential around the airport.

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FEDERAL AVIATION ADMINISTRATION

Decisions on zoning should consider the impacts that aviation brings to communities.

Federal Policies on Airport Noise - Aviation Noise Abatement Policy

-Aviation Noise Abatement Policy states that state & local governments, local elected officials, and airport proprietors are responsible in the abatement of aircraft noise. The primary legal obligation to address the airport noise problem always has been and remains a local responsibility.

- Federal Government reduces noise exposure by controlling the source of noise, so must local government by assuring compatible land uses in areas surrounding the airport.

-Planning & Acting in coordination, each of these parties should move toward the goal of confining aircraft noise exposure levels.

-Action Plans should include a program to ensure maximum land use compatibility with airport operations by encouraging local governments to adopt and enforce zoning or other land use controls.

-State and Local governments are directly and uniquely responsible for ensuring that land use planning, zoning, and land development activities in areas surrounding airports are consistent with the objective of ensuring land use that is compatible with present and projected aircraft noise exposure in the area.

Legal Responsibilities of State and Local Governments

-There remains a critical role for local authorities in protecting their citizens from unwanted aircraft noise, principally through their powers of land use control. Control of land use around airports to insure that only compatible development may occur in noise-impacted areas is a key tool in limited the number of citizens exposed to noise impacts, and it remains exclusively in the control of state and local governments.

-Local Governments have a legal authority to impose appropriate land use controls through zoning.

Federal Response

-The Supreme Court concluded that airport owners are liable for aircraft noise damages. Without effective land use planning, the implementation of land use plans and zoning, this could increase the owners liability including purchasing of land.

Partnering for Airport Land-Use Compatibility

2014 APA National Conference

**Georgia World Congress Center
Atlanta, GA**

Presented by:

Rick Etter and Danielle J. Rinsler, AICP
FAA Office of Airports, Airport Planning and
Environmental Division, Washington, DC

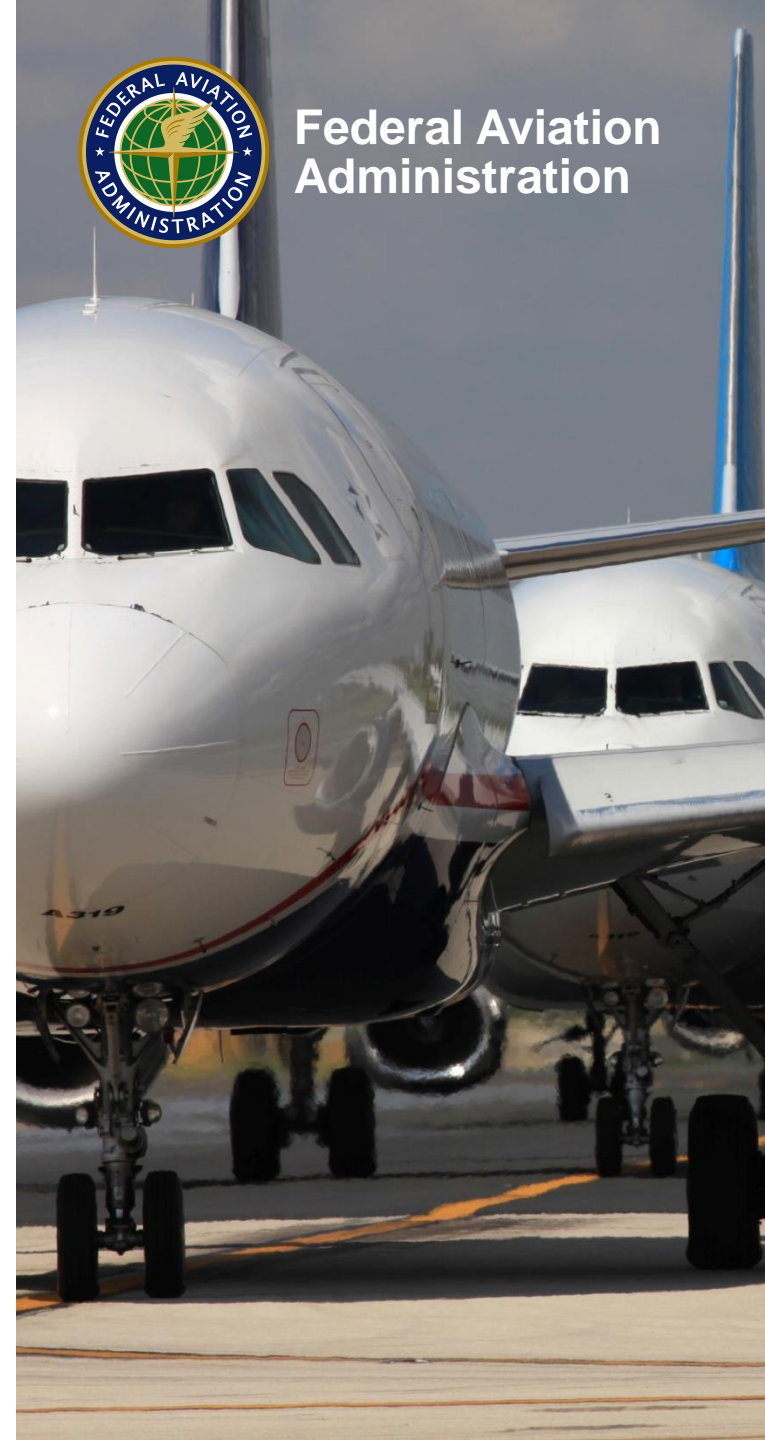
Jacqueline Sweatt-Essick
FAA Southern Regional Airports Division,
College Park, Georgia

Stephanie A.D. Ward, AICP
Mead & Hunt, Inc., Lansing, Michigan

April 26, 2014



**Federal Aviation
Administration**



Agenda

- **Introductions**
- **Land Use Basics**
- **FAA Role**
- **FAA Advisory Circular “Airport Land Use Compatibility Planning”**
 - Consequences of Incompatible Development on Airports and Communities
 - Stakeholders
 - Airport and Local Land Use Planning Coordination
 - FAA Regulations and Guidance
 - Tools and Techniques

Agenda (continued)

- **FAA Funding for State/Local Airport Compatible Land Use Plans**
 - Section 160 of Vision 100 (PL 108-176)
 - Section 153 of the FAA Modernization and Reform Act of 2012 (PL 112-95)
- **Stakeholder Outreach and Continuing APA Input**
- **Schedule for the Advisory Circular**
- **Questions and Answers**

Land Use Basics

What is considered “compatible”?

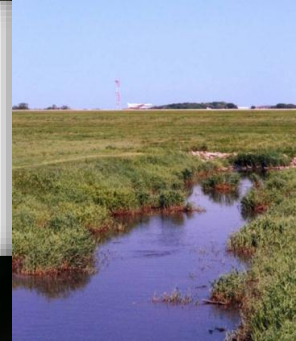
- **Airport compatible land use:**
 - Complies with location, height, and activity restrictions
 - Provides for safe aircraft movement and airport operations
 - Preserves public health, safety, and welfare for people located in proximity of airport



Land Use Basics

What are the areas of concern?

- **5 common concerns:**
 - Noise
 - Concentrations of people
 - Wildlife attractants
 - Tall structures
 - Visual obstructions



Community and Airport Perspectives

How do they differ?

■ Example: Industrial land use

What a community sees:

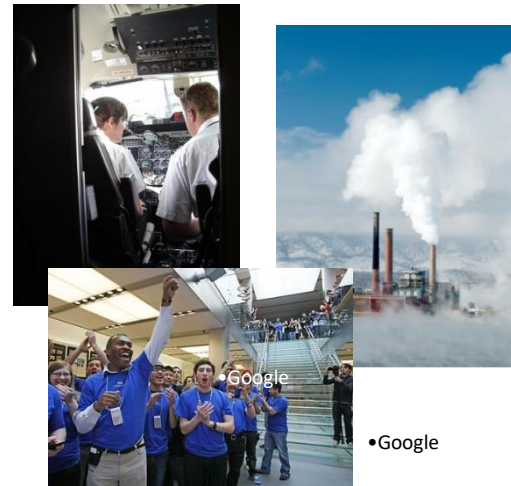
- Jobs
- Property & income taxes
- Economic impact



•Google

What the airport sees:

- Visual obstructions
- Hazards to flight
- Concentrations of people



•Google

A Difference in Perspectives

Regardless of the variables...maintaining compatibility near airports is important!



US Airways Airbus A320 (flight 1549) struck a flock of migrating Canada geese at 3,100 feet above ground level following departure from LaGuardia Airport; power was lost in both engines.



•Washington Post – May 31, 2013

HERNDON, Va. -- Two people were taken to a hospital after a two-seat, single engine Cessna crashed into the living room of a third-story apartment...The plane crashed through the roof of the apartment building in Herndon after it had electrical problems and its engine cut off, and came to rest on the living room floor... - Huffington Post

Who is the FAA Office of Airports?

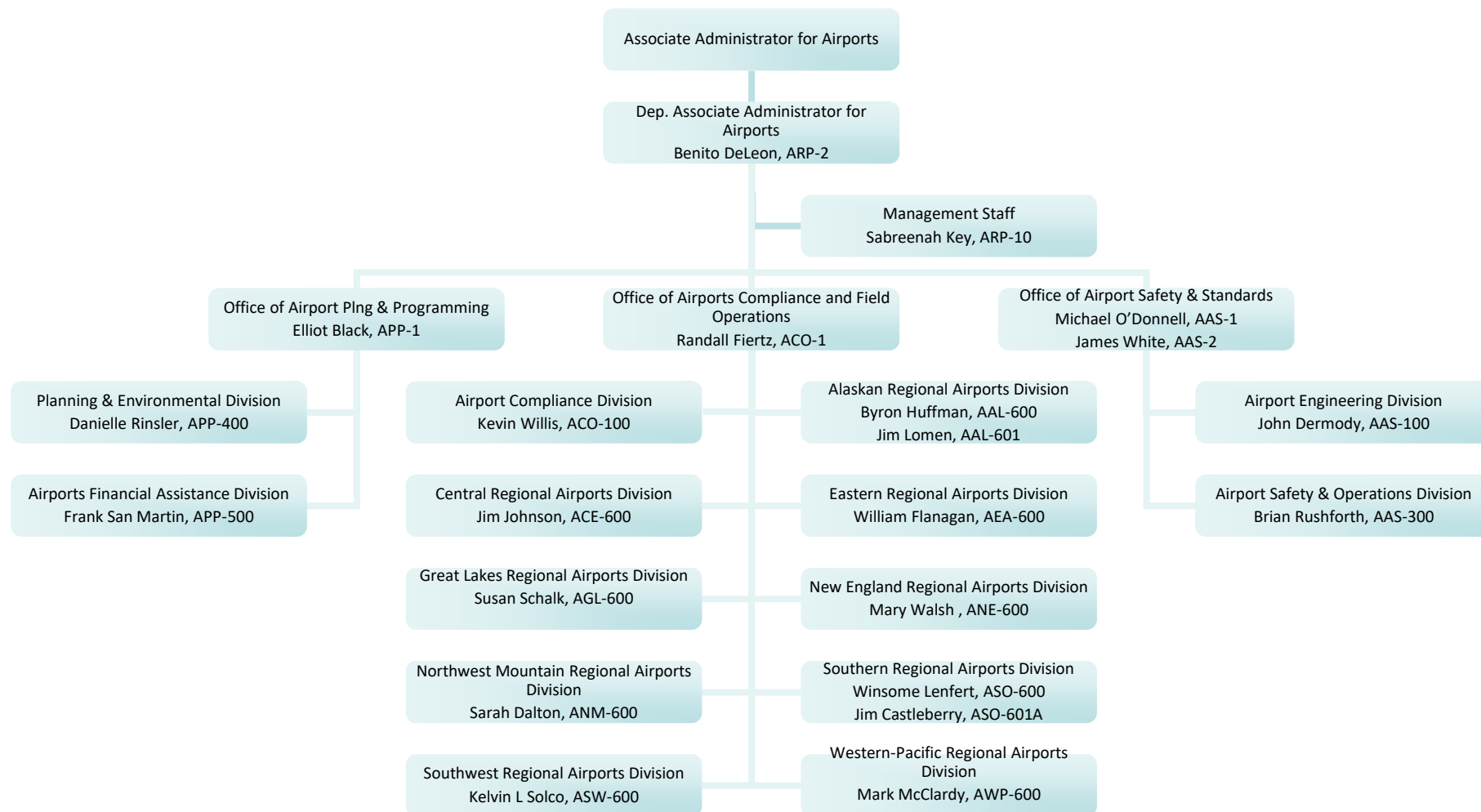
The Airports organization comprises roughly 500 personnel working across the country in—

- 3 Headquarters Offices
- 9 Regional Division Offices
- 21 Airport District/Development Offices

Contact:

https://www.faa.gov/airports/news_information/contact_info/regional/

FAA Office of Airports – Organization Chart




Office of Airports Key Stakeholders

- **Airport owners and operators**
- **Traveling public**
- **Airlines and other aviation system users**
- **Neighboring and impacted communities**
- **State aeronautical agencies**
- **Elected and appointed officials (Federal, state and local)**
- **Other units within the FAA (e.g., Air Traffic Organization, Runway Safety Office, Flight Standards, Flight Procedures, Policy Office)**
- **Other Federal agencies (e.g., FHWA, TSA, USFWS, EPA, Corps of Engineers, etc.)**
- **Federal oversight units (GAO, OIG, OMB)**

Need for Improved FAA Guidance

- **Enhance coordination and consistency between airport master plans and comprehensive land use and general plans**
- **Identify compatible development opportunities and preserve long term operational capability of the airport.**
- **Airports and airspace are often located within and influence multiple jurisdictions**
- **Federal government has limited authority for land use regulation**

Which brings us to the FAA's Advisory Circular Update

 US Department of Transportation Federal Aviation Administration			Advisory Circular		
Subject: A MODEL ZONING ORDINANCE TO LIMIT HEIGHT OF OBJECTS AROUND AIRPORTS			Date: 12/14/87 Initiated by: AAS-100	AC No: 150/5190-4A Change:	

1. PURPOSE.

a. This advisory circular provides a model zoning ordinance to be used as a guide to control the height of objects around airports.

b. This advisory circular has been editorially updated for reprint/stock purposes only. There were no changes made to the content of the advisory circular except to update the format and renumber the document to AC 150/5190-4A.

2. CANCELLATION. AC 150/5190-4, A Model Zoning Ordinance to Limit Height of Objects Around Airports, dated August 23, 1977.

3. FOCUS.

a. Aviation safety requires a minimum clear space (or buffer) between operating aircraft and other objects. When these other objects are structures (such as buildings), the buffer may be achieved by limiting aircraft operations, by limiting the location and height of these objects, or, by a combination of these factors. This advisory circular concerns itself with developing zoning ordinances to control the height of objects, based on the obstruction surfaces described in Subpart C of Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace, current edition. It should be recognized, however, that not all obstructions (objects whose height exceeds an obstruction surface) are a hazard to air navigation.

b. The Federal Aviation Administration (FAA) conducts aeronautical studies on obstructions which examine their effect on such factors as: aircraft operational capabilities; electronic and procedural requirements; and, airport hazard standards. If an aeronautical study shows that an obstruction, when evaluated against these factors, has no substantial adverse effect upon the safe and efficient use of navigable airspace, then the obstruction is considered not to be a hazard to air navigation. Advisory Circular 150/5300-4, Utility Airports--Air Access to National Transportation, current edition, presents additional discussion on hazards to air navigation.

c. Airport zoning ordinances developed for height limitations do not in themselves ensure compatible land use surrounding the airport. Land use zoning, incorporating height limiting criteria, is an appropriate means for achieving this objective. Advisory Circular 150/5050-6, Airport-Land Use Compatibility Planning, current edition, presents generalized guidance for compatible land use planning in the vicinity of airports.

FAA Airport Land Use Compatibility Planning Guidance Objectives

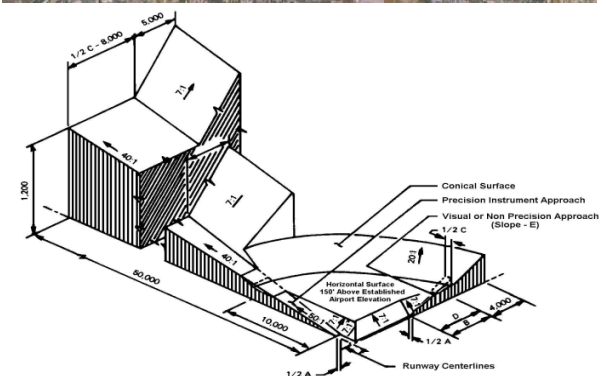
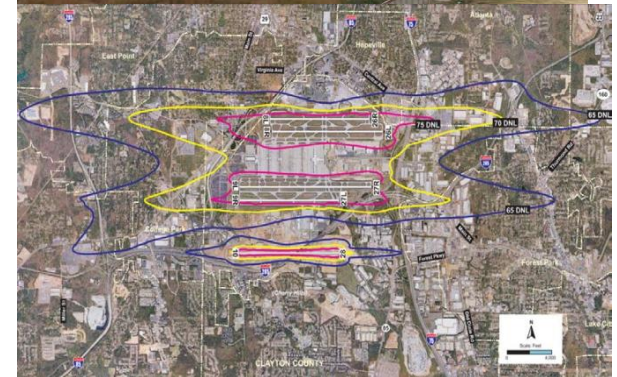
- **Encourage compatible land uses around airports**
- **Facilitate coordination between entities developing airport master plans and local land use or general plans.**
- **Educate airport planners about local land use planning**
- **Inform local land use planners about airport planning**

Advisory Circular Outline

- **Chapter 1** – Introduction
- **Chapter 2 – Land Use Compatibility Concerns**
- **Chapter 3** – Roles and Responsibilities of Stakeholders
- **Chapter 4** – Airport and Local Land Use Planning Coordination
- **Chapter 5** – Federal Land Use Regulations and Guidance
- **Chapter 6** – Tools and Techniques for Land Use Compatibility

Common Areas of Concern

- Noise Sensitive Land Uses
- Concentrations of People
- Obstructions to Airspace
 - Tall Structures
 - Visual Obstructions
- Wildlife Attractants



Noise Sensitive Land Uses

- **Normally concerned with speech interference indoors.**
- **Federal Standard of Significance**
 - DNL 65 dB
 - Based on Annoyance
- **Noise sensitive land uses include:**
 - Schools
 - Churches
 - Residences
 - Natural Areas Managed for Quiet



Schools



Residential subdivision

Source: Mead & Hunt

Concentrations of People Near Airports

- Concern regarding concentrations of people in close proximity to airports, and especially within runway protection zones (RPZs) and noise sensitive areas
- Land uses include:
 - Residential development
 - Hospitals
 - Schools
 - Recreational/special uses
 - Parking and other transportation facilities



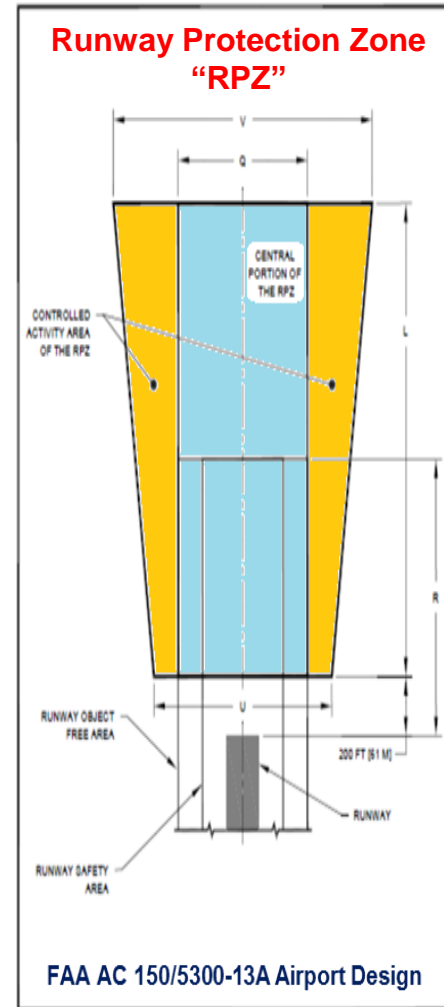
Residential



Recreational



Places of Assembly



Source: Mead & Hunt

Birmingham Example



Recent UPS A-300 Crash in Birmingham, AL



Tall Structures

- **Concern regarding obstructions to flight, including penetrations of FAR Part 77 and other airspace surfaces**
- **Land uses include:**
 - Cell towers
 - Power lines
 - Vegetation
 - Wind turbines
 - Buildings (high-rises)
 - Transportation Structures (elevated roadways, rail facilities)



Cell towers and trees (or towers that look like trees)



Wind turbines



Power lines

Source: Mead & Hunt

Visual Obstructions

- **Concern regarding:**

- Smoke/steam
- Dust
- Glare
- Light emissions

- **Land uses include:**

- Industrial
- Water bodies
- Solar facilities



Glint or glare – solar panels

Source: FAA



Dust – gravel extraction



Light emissions



Steam emissions – industrial

Solar Glare Hazard Analysis Tool (SGHAT) at:

www.sandia.gov/glare

Source: Mead & Hunt

Wildlife Attractants

- **Concern regarding hazards to aircraft**
- **Land uses include:**
 - Municipal solid waste facilities/landfills
 - Sewage treatment facilities
 - Farmland
 - Water bodies including retention ponds
 - Recreational



Land Fills



Wetlands



Recreational uses



Farmland



Ponds

Source: Mead & Hunt

Airport Wildlife Challenges

Population growth



Airport Wildlife Challenges

Increasing wildlife population



Federal Aviation
Administration

Airport Wildlife Challenges

Wildlife rapidly habituate to aviation safety harassment/frightening techniques



Wildlife Strikes



April 26, 2014

Partnering for Airport Land-Use
Compatibility

25

Engine Ingestion of Wildlife



April 26, 2014

Partnering for Airport Land-Use
Compatibility



**Federal Aviation
Administration**

26

Consequences of Non-Compatible Uses

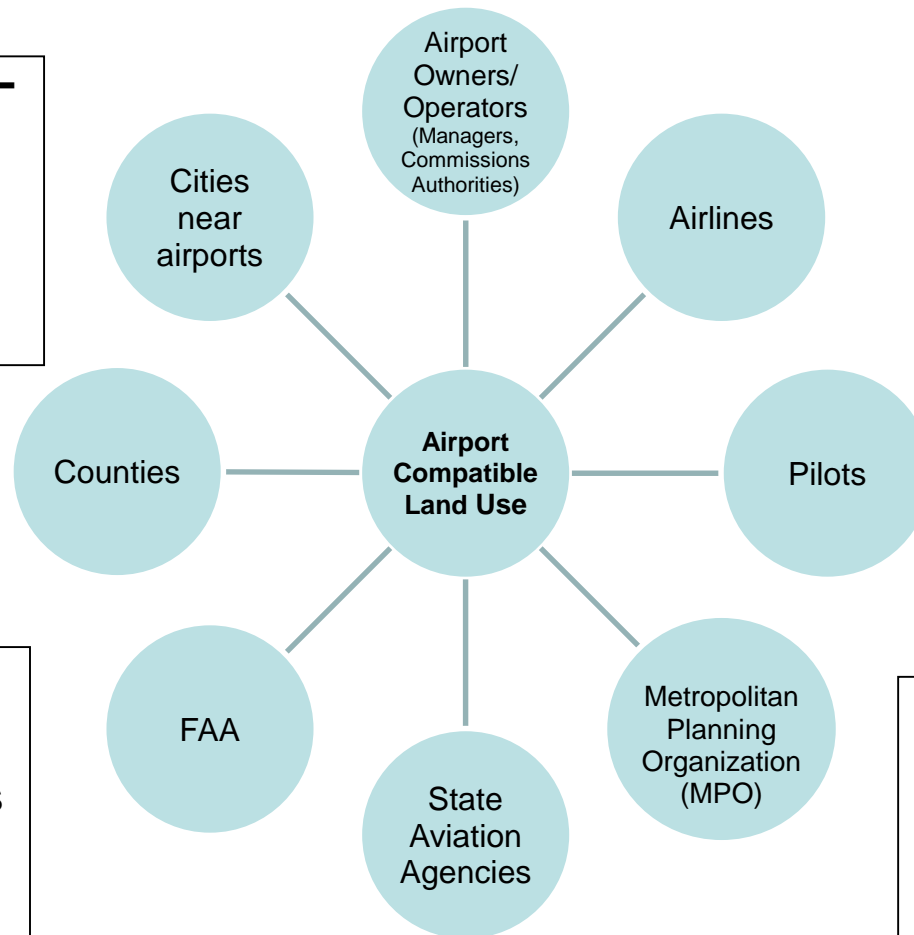
- **Consequences to the aviation system and users:**
 - Impacts to airport viability and air service, including constraining the airport's operations and limiting future airport development
 - Impacts to runway approach and departure surfaces
 - Increased safety risk due to obstructions or wildlife hazards
- **Consequences to people living near airports:**
 - Exposure to aircraft noise and emissions, and safety concerns
- **Consequences to local and regional jurisdictions:**
 - Unrealized local/regional economic development due to airport growth constraints
- **Economic consequences (airport and community):**
 - Potential for litigation (and associated costs)
 - Lost revenue and development opportunities

Advisory Circular Outline

- **Chapter 1** – Introduction
- **Chapter 2** – Land Use Compatibility Concerns
- **Chapter 3 – Roles and Responsibilities of Stakeholders**
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- **Chapter 6** – Tools and Techniques for Land Use Compatibility

Numerous Planning Partners

Local jurisdictions –
Implement and enforce land use decisions through comprehensive planning and zoning ordinances.



FAA –
Reviews air space, develops standards and guidelines, funds projects with grant assurances, makes recommendations

State –
Technical assistance, may authorize zoning, develops standards and guidelines

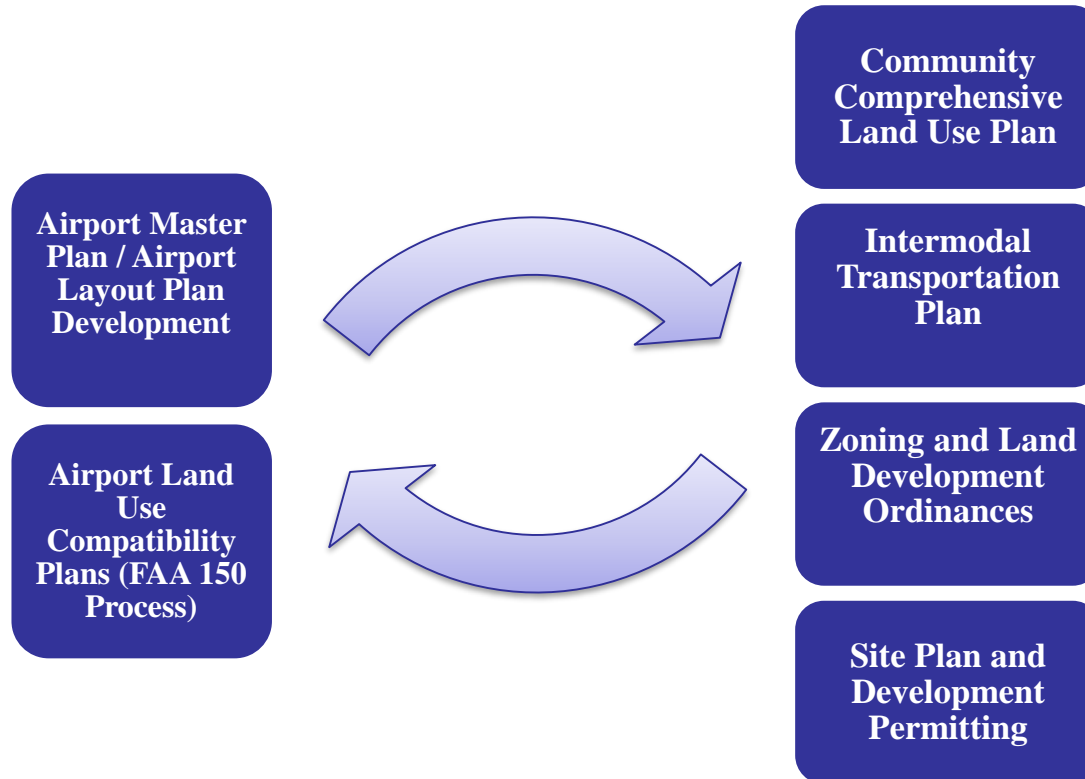
Advisory Circular Outline

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Airport and Local Planning Coordination

Airport Planning

Local Planning



Advisory Circular Outline

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FAA Regulatory / Guidance References

Code of Federal Regulations

14 CFR Part 77 SAFE, EFFICIENT USE, AND PRESERVATION OF THE NAVIGABLE AIRSPACE

14 CFR Part 150 Airport Noise Compatibility Planning

14 CFR Part 139.337 Wildlife Hazards

40 CFR Part 258.10, Municipal Solid Waste Landfills, Location Restrictions, Airport Safety

<http://www.ecfr.gov/cgi-bin/ECFR?SID=4f29c1a8529ec46bb53bd2bd7e3948a5&page=browse>

FAA Advisory Circulars (AC)

AC 150/5190-4A A Model Zoning Ordinance to Limit Height of Objects Around Airports

AC 150/5020-1 Noise Control and Compatibility Planning for Airports

AC 150/5070 Airport System Planning Process

AC 150/5100-17 Land Acquisition and Relocation Assistance for AIP Assisted Airport Projects

AC 150/5200-33 Hazardous Wildlife Attractants on or near Airports

AC 150/5200-34 Construction or Establishment of Landfills near Public Airports

AC 150/5300-13A Airport Design

AC 70/7460-2K Proposed Construction or Alteration of Objects that May Affect the Navigable Airspace

http://www.faa.gov/airports/resources/advisory_circulars/

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Tools and Techniques

- **Airport Land Use Compatibility Plans**
- **Airport Noise Compatibility Plans**
- **Zoning / Permitting Ordinance Development**
 - Overlay Zoning
- **Natural Features – Inventory and Mitigation**
- **Real Property Acquisition and Disclosure**
- **Dedications, Deed Restrictions**

Noise Compatibility Program (14 CFR Part 150)

- **Acquisition For Redevelopment**

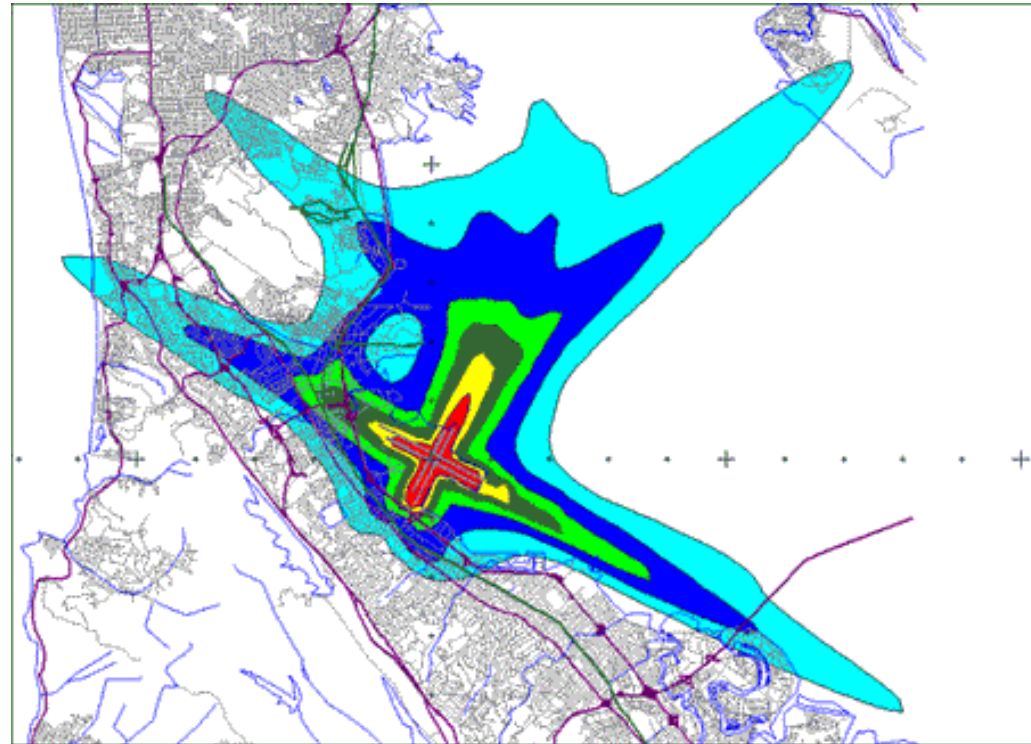
- **Building Codes**

- To ensure interior noise levels of 45 dB or less for noise sensitive structures.

- **Sound Insulation**

- **Sound Barriers**

- **Operational Measures**



Source: Mead & Hunt

Compatible Land Use Planning - State/Local Governments Grants

Section 160 of Vision 100 Century of Aviation (PL 108-176)

Section 153 of the FAA Modernization and Reform Act of 2012 (PL 112-95)

FAA grants **to state and local governments** to develop compatible land use plans for the communities around large and medium hub airports that are **not** covered by active Part 150 program (either no program or 10-year old program). Grant Funding Authority Extended to September 2015.

Chicago O'Hare International Airport

Des Plaines, IL

Harwood Heights, IL

Wood Dale, IL

San Francisco International Airport

San Mateo County, CA

Ontario International Airport

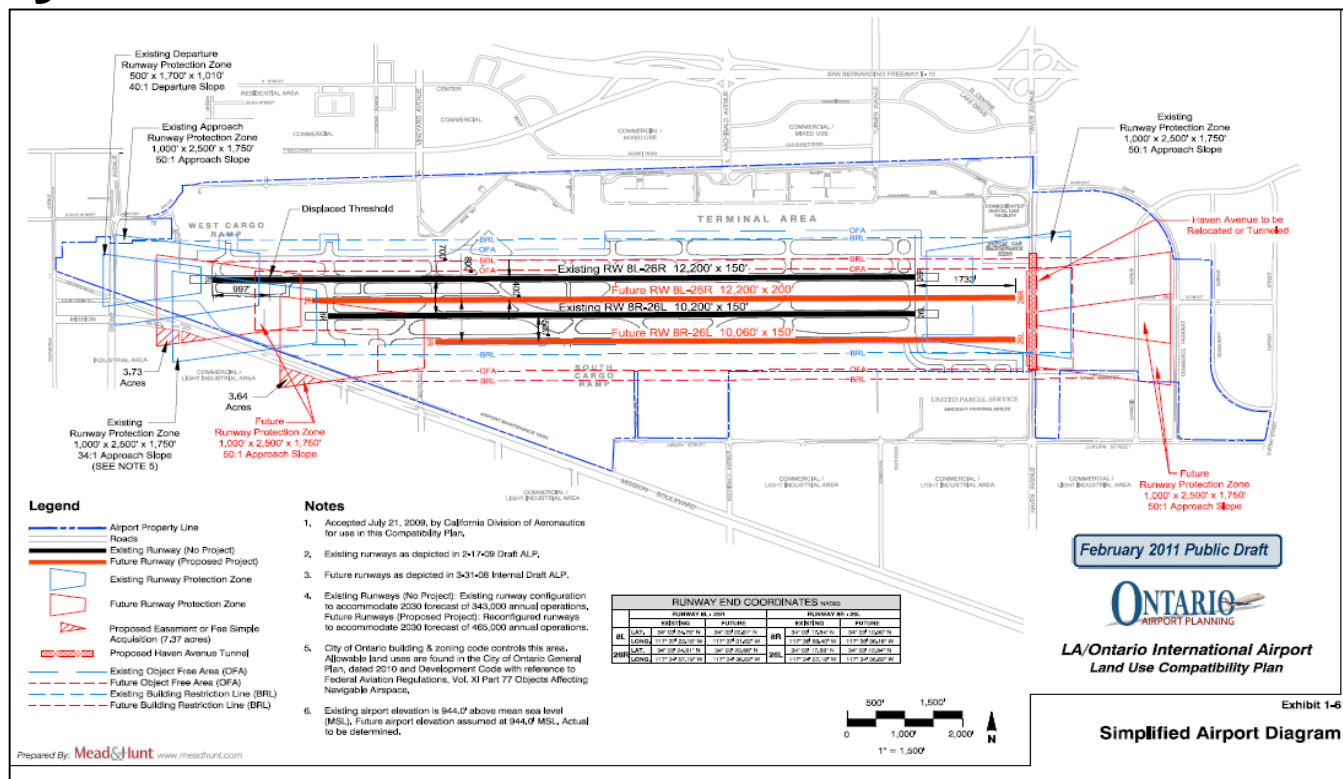
City of Ontario, CA

FAA Program Guidance Letter 05-05 (updated 2012) details AIP Grant requirements.

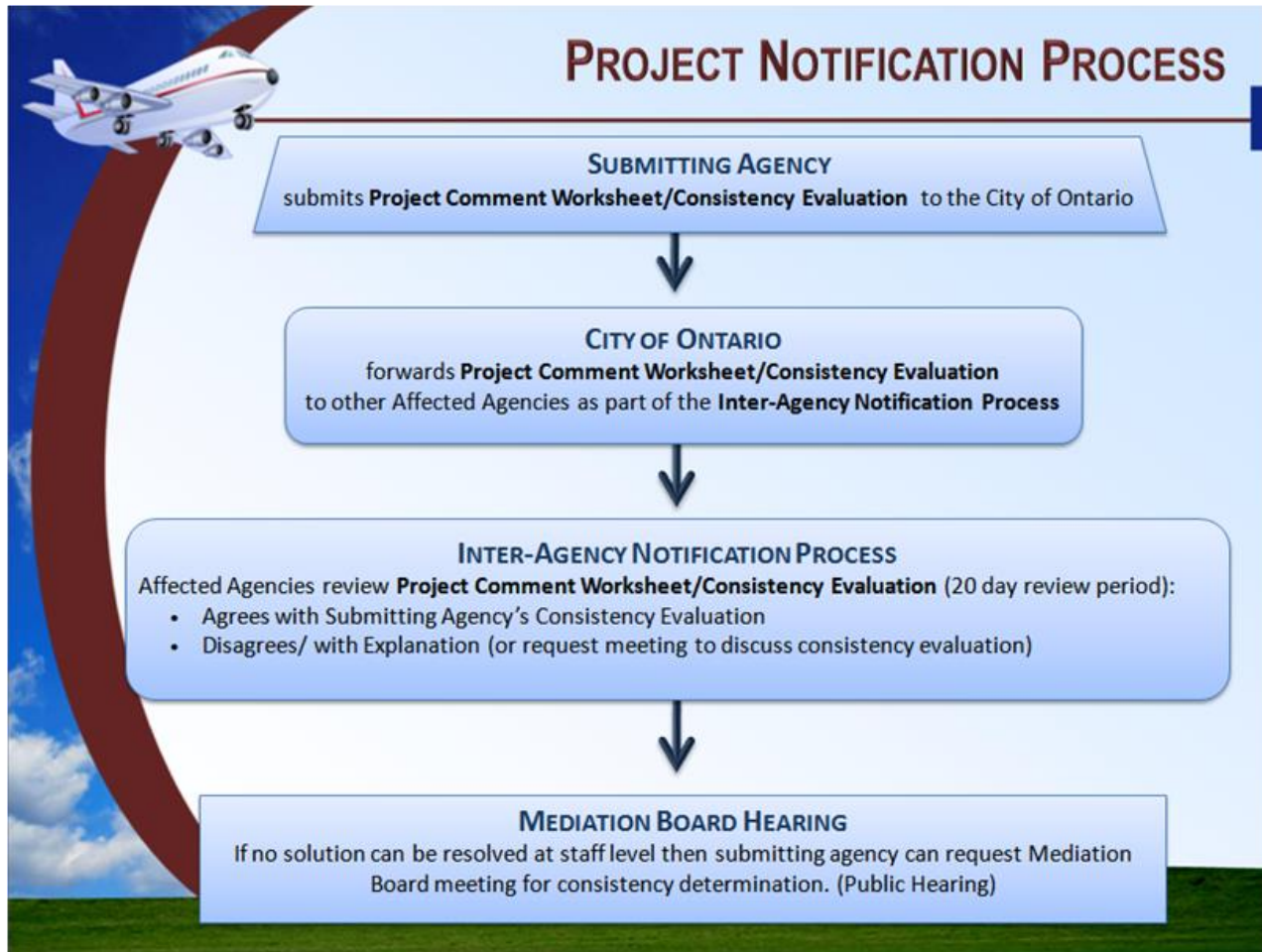
http://www.faa.gov/airports/aip/guidance_letters/media/PGL_05-05.pdf

Coordinated Airport Land Use Compatibility Planning

City of Ontario: Ontario International Airport



Project Notification Process



Source: City of Ontario

Notification Process

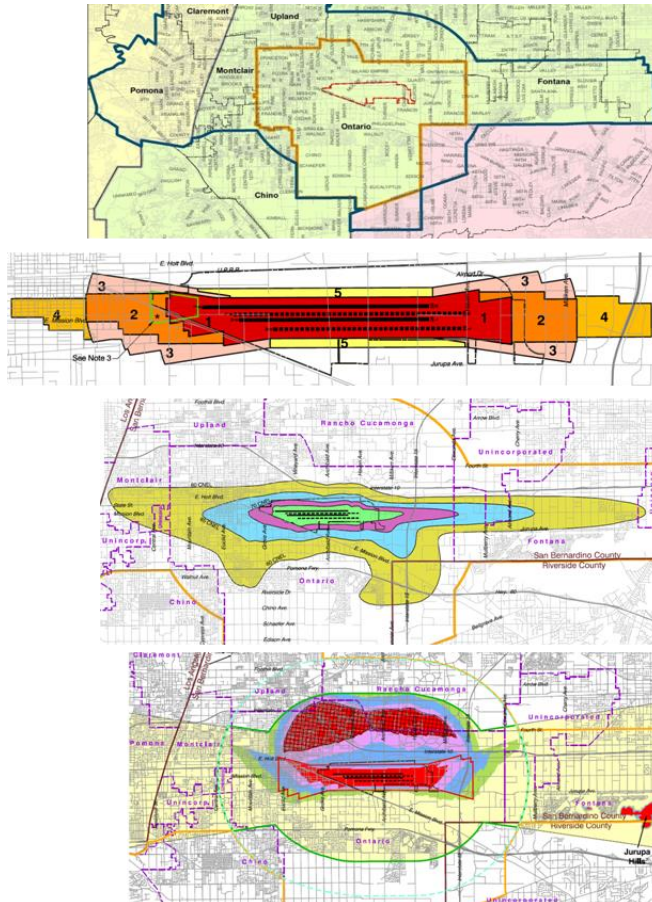


Table 2-1

Major Land Use Actions subject to the ONT Inter-Agency Notification Process

The following types of Major Land Use Actions are subject to the ONT Inter-Agency Notification Process if located anywhere within the Airport Influence Area (*Applies to all Affected Jurisdictions*):

- Expansion or creation of the sphere of influence of a city or district (e.g., annexation or incorporation)
- General Plan, Specific Plan or Zoning Amendments
- Major capital improvements (e.g., water, sewer, roads) that would promote urban development in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan.
- Any proposal for acquisition of a new site or expansion of an existing site by a special district, school district, or community college district.
- Any proposal for construction or alteration of a structure (including antennae) taller than 200 feet above the ground.

The following types of Major Land Use Actions are subject to the ONT Inter-Agency Notification Process only if they are located within a safety zone (*Applies solely to the City of Ontario*):

- Any proposed land use within Safety Zone 1 that is not an aviation-related use.
- Public agency acquisition of sites intended for institutional uses including hospitals, schools, jails or prisons.
- Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval (e.g., a building permit) is required.
- Proposed development of airport property if such development is not an aviation-related use or has not previously been included in an airport master plan or community general plan reviewed under the Alternative Process.

The following types of Major Land Use Actions are subject to the ONT Inter-Agency Notification Process only if they are located within a noise impact zone of 65+ dB CNEL (*Applies to the City of Ontario, City of Fontana and unincorporated areas of San Bernardino County*):

- Residential development, including land divisions, consisting of five or more dwelling units or individual parcels.
- Any nonresidential use having outdoor dining or gathering functions.
- Public agency acquisition of sites intended for institutional uses including hospitals, schools, jails or prisons.

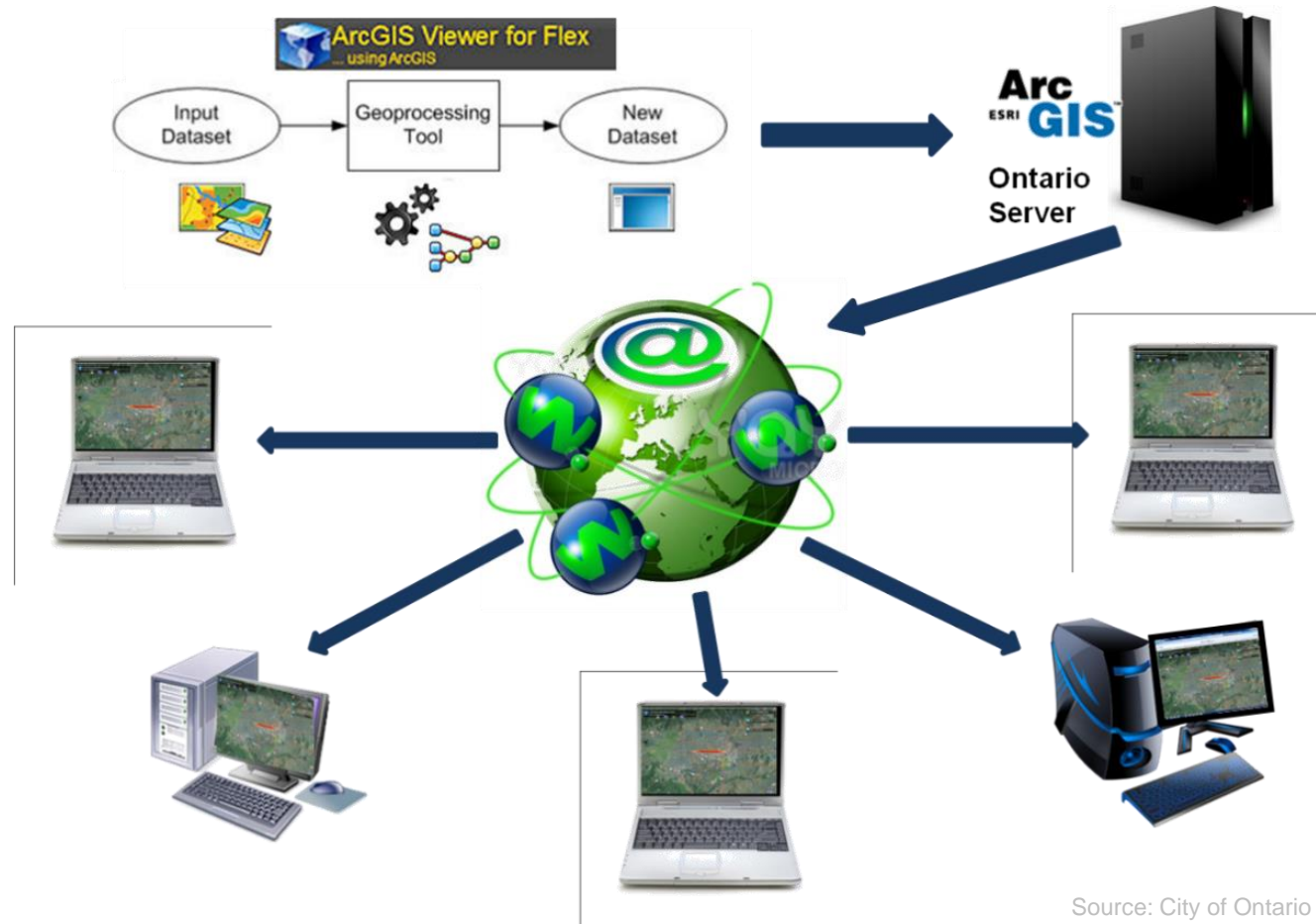
The following types of Major Land Use Actions are subject to the ONT Inter-Agency Notification Process only if they are located within an airspace protection zone (*Applies to all Affected Jurisdictions*):

- Any proposed object (including buildings, antennas, and other structures) having a height that requires review by the Federal Aviation Administration in accordance with Federal Aviation Regulations Part 77, Subpart B.
- Any proposed object (including buildings, antennas, and other structures) that would penetrate the allowable height as defined by Map 2-4 or conflict with the Airspace Protection policies.
- Any project having the potential to create electrical or visual hazards to aircraft in flight, including:
 - Electrical interference with radio communications or navigational signals.
 - Lighting which could be mistaken for airport lighting.
 - Glare in the eyes of pilots of aircraft using the airport.
 - Impaired visibility near the airport.
- Any project (e.g., water treatment facilities, waste transfer or disposal facilities, parks with open water areas), plan (e.g., Habitat Conservation Plan) or proposal to acquire sites intended for lakes, ponds, wetlands, or sewer treatment ponds which would have the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of an airport.

Source: City of Ontario

City of Ontario GIS Tool Framework

- All agencies have access to tool
- Hosted and maintained by the City of Ontario
- Web-based application/no software needed by end users



Source: City of Ontario

GIS Tool Benefits

- **Ensures consistent application of the compatibility criteria by all jurisdictions**
- **Expedites compatibility reviews**
- **Preliminary consistency determination**
- **Identifies areas of concern for complex projects**
- **Uniform report generated**

Coordinated Airport Land Use Compatibility Planning

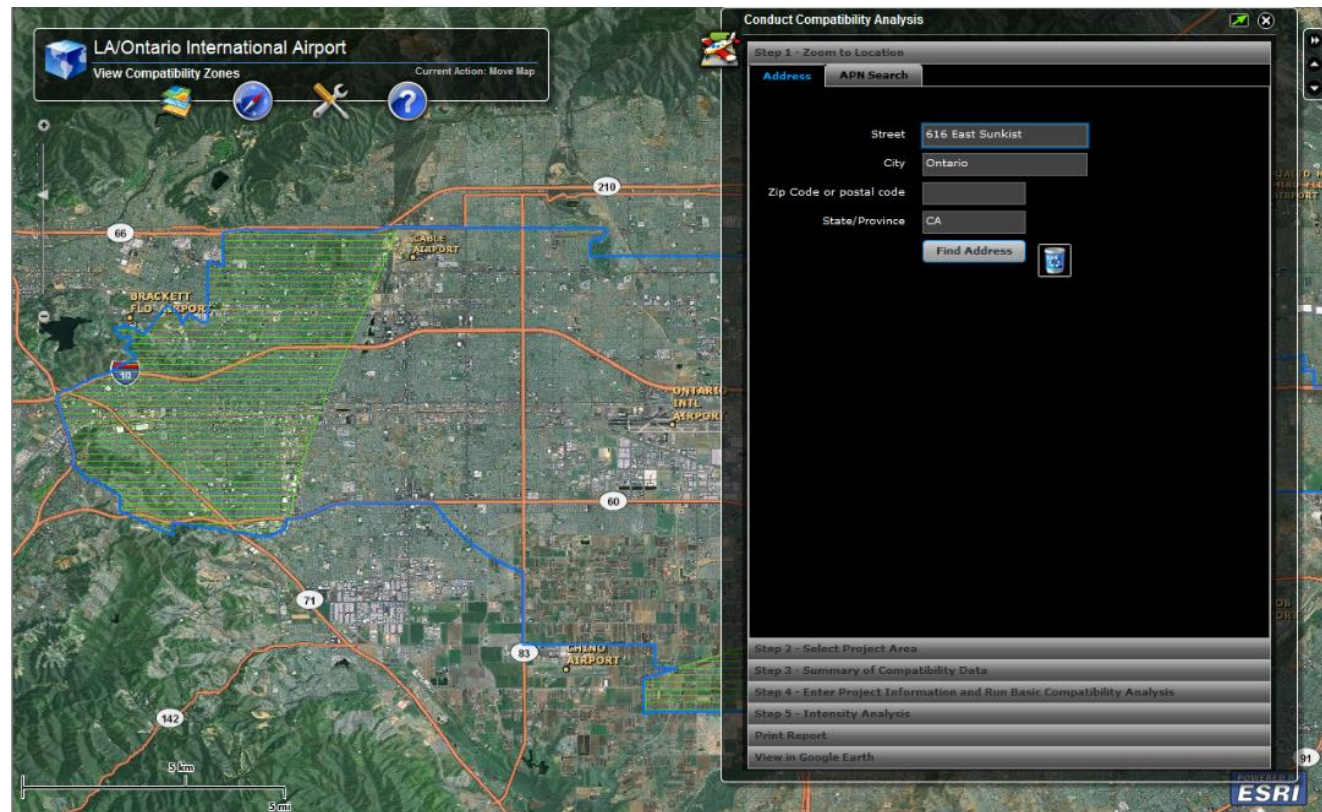
- **GIS Tool**



<http://www.ontarioplan.org/index.cfm/28345/33706>

Coordinated Airport Land Use Compatibility Planning

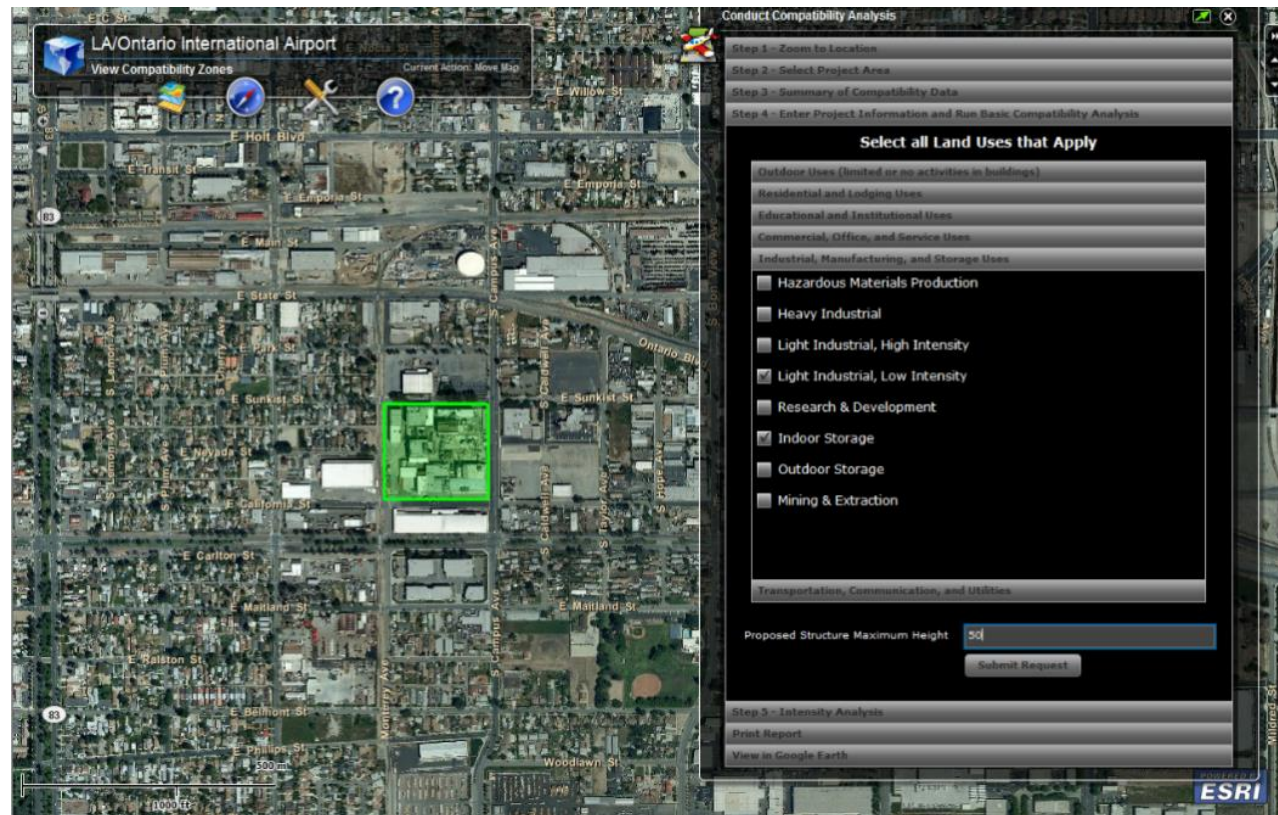
- Enter address for property to be analyzed



<http://www.ontarioplan.org/index.cfm/28345/33706>

Coordinated Airport Land Use Compatibility Planning

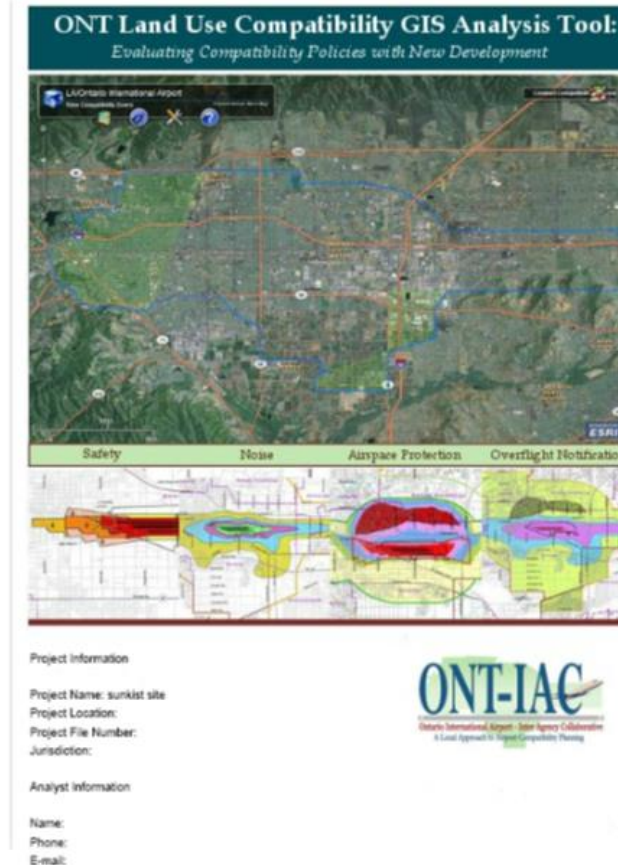
- Identify proposed uses for the site
- Enter maximum height for proposed structure



<http://www.ontarioplan.org/index.cfm/28345/33706>

Coordinated Airport Land Use Compatibility Planning

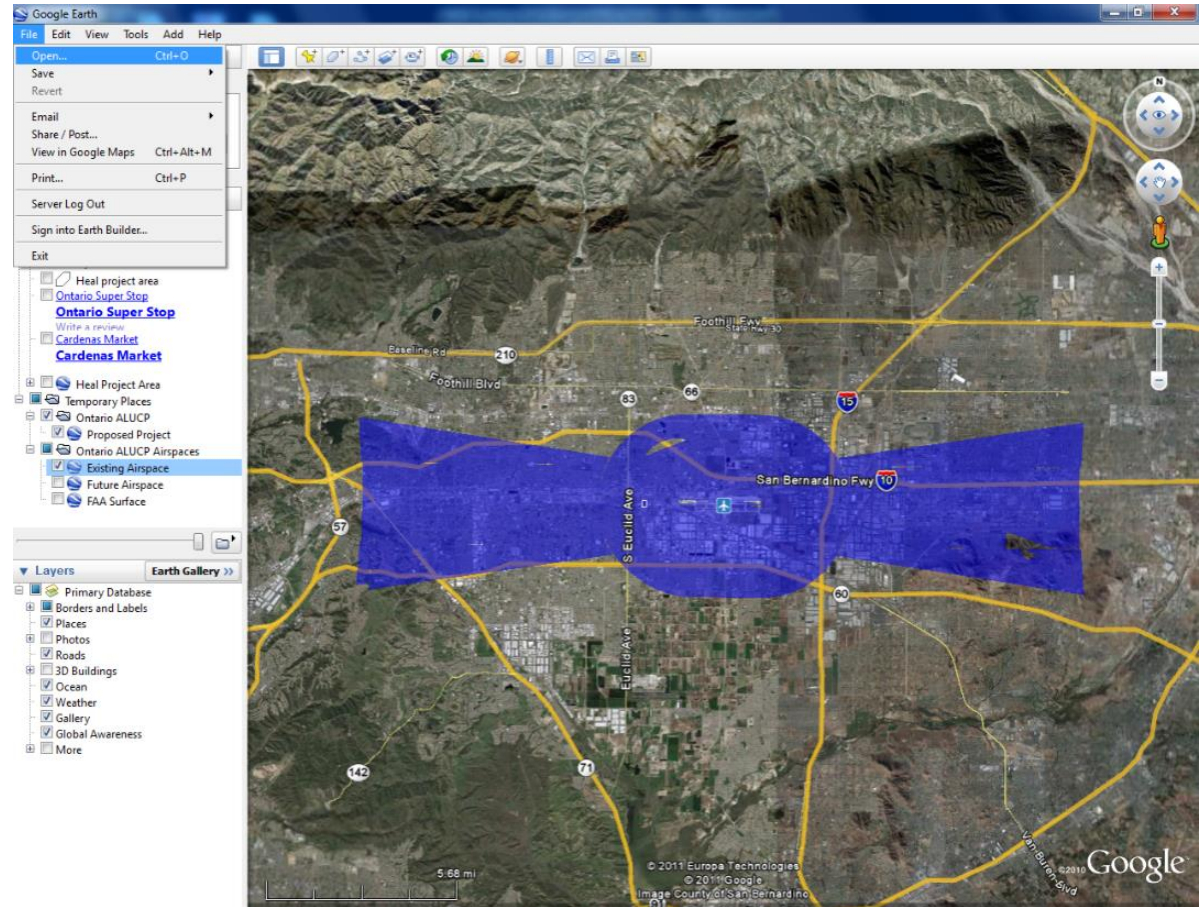
- Report generated for each respective area screened



Source: City of Ontario

Coordinated Airport Land Use Compatibility Planning

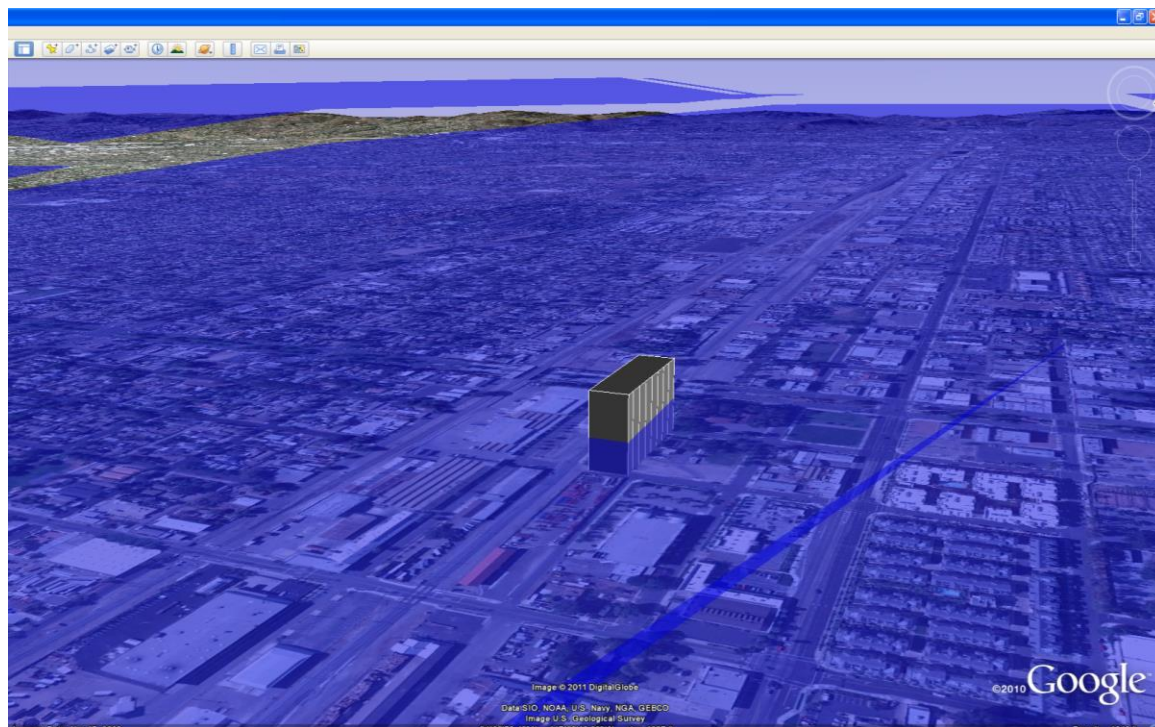
- **View output (exported as .kmz) in Google Earth**
- **Review proposed development with airspace overlay**



<http://www.ontarioplan.org/index.cfm/28345/33706>

Coordinated Airport Land Use Compatibility Planning

- Review whether object protrudes through imaginary surfaces
- Utilize results to inform planning



<http://www.ontarioplan.org/index.cfm/28345/33706>

Ongoing Coordination and Input

- **Aviation/Airport stakeholders, including:**
 - National Association of State Aviation Officials (NASAO)
 - American Association of Airport Executives (AAAE)
 - Airports Council International – North America (ACI-NA)
 - Airports Consultant Council (ACC)
 - Aircraft Owners and Pilots Association (AOPA)
- **American Planning Association**

Advisory Circular Completion Schedule

- **Complete Preliminary Draft AC – April 2014**
- **Industry Review / Comment – June 2014**
- **Final Review Draft Complete – End of CY 2014**
- **Publication – Early 2015**
- **Outreach and Education – Ongoing**

Questions?

Where to Get More Information:

<https://www.faa.gov/airports/environmental/>

APA Conference DEEP DIVE Session:

Airports and Community Compatibility

Tuesday, April 29th – 2:30 - 5:15 PM

Location: GWCC-C211/C212/C213

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