

ORDINANCE NO. 69 OF 2023

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF ADDING PROVISIONS TO ALLOW FOR THE EXTENSION OF A SPECIAL EXCEPTION USE APPROVAL, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: TABATHA TAYLOR

WHEREAS, the City desires to make every effort to notify the public and to encourage public participation and input on these proposed *code text amendments* to the Shreveport Unified Development Code; and

WHEREAS, on May 3, 2023, the first draft proposals of these *code text amendments* were submitted to the Shreveport-Caddo Metropolitan Planning Commission (MPC), at its regular public board meeting, for informal review and discussion; and

WHEREAS, on June 7, 2023, these *code text amendments* were submitted to the Shreveport-Caddo MPC, at its regular board meeting, for review and recommendation in accordance with [La. R.S. 33:140.27](#); and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.27](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on June 7, 2023, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.35](#), at least ten (10) days' Notice of the time and place of the Public Hearing was published, at the request of the Shreveport-Caddo MPC staff, in *The Shreveport Times* (a newspaper of general circulation in the municipality) and said Notice was published on May 23, 2023; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in a due, legal and regular session convened, that the following amendments to the City of Shreveport, Louisiana, Unified Development Code ("Shreveport UDC") are hereby authorized as follows:

1. Amend provision "2. Expiration" in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.6. SPECIAL EXCEPTION USE in the Shreveport UDC.

16.2 SPECIAL EXCEPTION USE

I. Term and Expiration of Special Exception Use

2. Expiration

A special exception use approval expires if any one of the following events or circumstances occurs.

- a. When an approved special exception use is changed to or replaced by another use.
- b. For new construction or additions or enlargements to an existing structure, the special exception use approval expires within 180 days of the date of approval if a building permit has not been issued.
- c. For special exception uses within existing structures or on lots where no structure is planned, the special exception use approval expires within 180 days of the date of approval if the licenses or permits required for the operation or maintenance of the use have not been obtained.
- d. A 90-day extension of any special exception use approval may be granted by the Executive Director provided that a written request is received in the Office of the MPC prior to the expiration of the original approval period. The Executive Director is authorized to grant a maximum of two 90-day extensions to the original approval.

BE IT FURTHER ORDAINED that the Mayor of the City of Shreveport, or his/her designee, and the Executive Director of the Shreveport-Caddo Metropolitan Planning Commission, or his/her designee, shall be and is hereby authorized to do any and all things and to sign any and all documents in a form acceptable to the City Attorney, or his/her designee, necessary to effectuate the purposes set forth herein.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances, resolutions or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of Shreveport City Charter Section 4.23.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office

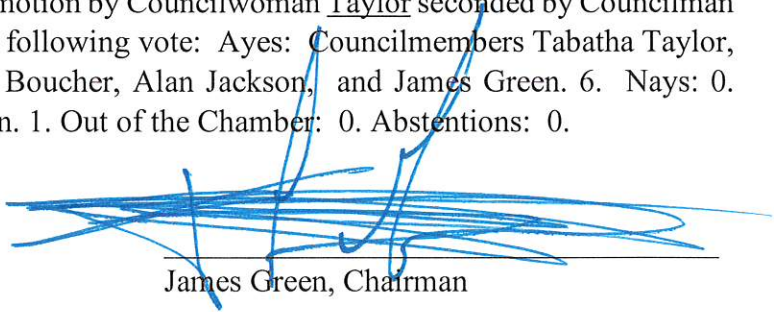
ORDINANCE NO. 69 OF 2023

June 27, 2023

Read by title and as read motion by Councilwoman Taylor seconded by Councilman Jackson for Introduction

July 11, 2023

Having passed first reading on June 27, 2023 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilwoman Taylor seconded by Councilman Boucher for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, Gary Brooks, Jim Taliaferro, Grayson Boucher, Alan Jackson, and James Green. 6. Nays: 0. Absent: Councilwoman Ursula Bowman. 1. Out of the Chamber: 0. Abstentions: 0.



James Green, Chairman

Approved:



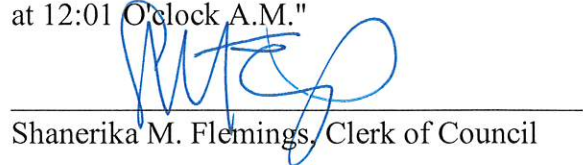
Tom Arceneaux, Mayor

Approved by the City Council JUL 11 2023

Approved by the Mayor JUL 13 2023

And Effective on JUL 21 2023

at 12:01 O'clock A.M."



Shanerika M. Flemings, Clerk of Council

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

TITLE	DATE	ORIGINATING DEPARTMENT
An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, for the purpose of adding provisions to allow for the extension of a special exception use approval, and to otherwise provide with respect thereto.	June 27, 2023	Shreveport Caddo Metropolitan Planning Commission ("MPC")
		COUNCIL DISTRICT City-wide
		SPONSOR

PURPOSE

To amend the code text in the Shreveport Unified Development Code.

BACKGROUND INFORMATION

The Shreveport Unified Development Code ("Shreveport UDC" or "UDC") undergoes regular review by MPC staff in an attempt to better ensure sound, stable, and desirable development within the City. Periodically, revisions are required. Sometimes those revisions reflect the changing nature of business in our community, and sometimes they are to correct "errors" in the Code.

MPC Case #23-3-CTAC recommends one (1) text amendment that is intended to be more user-friendly for the citizens of the City. The amendment adds language giving the Executive Director a 90-day extension of any special exception use approval provided that a written request is received in the Office of the MPC prior to the expiration of the original approval period. The Executive Director is authorized to grant a maximum of two 90-day extensions to the original approval.

TIMETABLE

MPC Introduction:	May 3, 2023
MPC Legal Notice Published:	May 23, 2023
MPC Review & Recommendation:	June 7, 2023
Introduction to City Council:	June 27, 2023
Final Passage by City Council:	July 11, 2023

ATTACHMENTS

Exhibit "A"	Amendment Summary
Exhibit "B"	MPC Staff Report for 23-3-CTAC

SPECIAL PROCEDURAL REQUIREMENTS

MPC Recommendation. Pursuant to La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, no amendment shall become effective unless it be first submitted to and approved (recommendation) by the MPC. The MPC reviewed these amendments and provided a favorable recommendation on June 7, 2023. Therefore, the City Council may render its decision to approve the amendments by a simple majority vote. See La. R.S. 33:140.27 and 33:140.35, as amended, and Shreveport UDC 16.1 (D)(3)(b).

Notice and Public Hearing at MPC. In accordance with the intent of La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting on June 7, 2023, before voting on the proposed amendments. At least ten (10) days' notice of the time and place of the Public Hearing was published on May 23, 2023, in *The Shreveport Times* (a newspaper of general circulation in the municipality).

FINANCES

\$0

SOURCE OF FUNDS

NA

ALTERNATIVES

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

RECOMMENDATION

It is recommended that the City Council adopt the ordinance.

FACT SHEET PREPARED BY: Adam Bailey, Community Planning and Design Manager

SHREVEPORT UDC CODE TEXT AMENDMENT SUMMARY: 23-3-CTAC

— Storage Facility - Residential and Special Exception Use Extension Provisions—

The Shreveport Unified Development Code ("Shreveport UDC" or "UDC") undergoes regular review by MPC staff in an attempt to better ensure sound, stable and desirable development within the City of Shreveport. Periodically, revisions are required. Sometimes those revisions reflect the changing nature of business in the community, and sometimes they are to correct "errors" in the Code.

MPC Case #23-3-CTAC recommends one (1) text amendment that is intended to be more user-friendly. Amendments #1 outlines how the Executive Director can extend the approval of a Special Exception Use.

AMENDMENT 1. Amends provisions for the expiration for a Special Exception Use in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.6. SPECIAL EXCEPTION USE.

***Explanation:** The amendment adds language giving the Executive Director a 90-day extension of any special exception use approval provided that a written request is received in the Office of the MPC prior to the expiration of the original approval period. The Executive Director is authorized to grant a maximum of two 90-day extensions to the original approval.*

STAFF REPORT - CITY OF SHREVEPORT

JUNE 7, 2023

AGENDA ITEM NUMBER: 11

MPC Staff Member: Adam Bailey

City Council District: All Districts

CASE NUMBER: 23-3-CTAC
APPLICANT: Shreveport Metropolitan Planning Commission of Caddo Parish
REQUEST: Code Text (Ordinance) Amendments to the Shreveport UDC regarding Special Exception Use approval extensions.

DESCRIPTION: The Shreveport Unified Development Code (UDC) was implemented in 2017, and serves as the official land use and development regulatory ordinance for the City of Shreveport. Periodically, the UDC undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to reflect the changing nature of business in our community. Some changes are always necessary in order to make adjustments for unintended limitations placed on certain industries, while others address innovations and unforeseen industry shifts.

MPC Case #23-3-CTAC recommends one (1) code text amendment that is intended to be more user-friendly. This includes housekeeping and corrective changes and will affect the following article, or portions thereof: *Article 16. – Zoning Application Approval Processes*; amending the provisions regarding the expiration limits of a special exception use approval (Amendment #1), with all the necessary provisions included therein.

NOTIFICATION: Notifications of the MPC Public Hearing were either published pursuant to the following:

Shreveport Unified Development Code

- Pursuant to the Shreveport Unified Development Code, Table 15-2 states that a published notification—printed in a newspaper of general circulation within the City of Shreveport—is the only required notification for a code text amendment. Said notice must be published no less than 14 days and no more than 30 days in advance of the scheduled hearing date.
- For the June 7, 2023 Metropolitan Planning Commission meeting, a legal ad was published in the official City journal, *The Shreveport Times*, on May 23, 2023.

Mailed Notifications

- Mailed notifications for applications for a code text amendments are not required.

STAFF ANALYSIS: This amendment uses similar language from Chapter 106, and will give the Executive Director a 90-day extension of any special exception use approval—provided that a written request is received in the Office of the MPC prior to the expiration of the original approval period. The Executive Director is authorized to grant a maximum of two 90-day extensions to the original approval.

STAFF REPORT – CITY OF SHREVEPORT

**PROPOSED UDC CODE
TEXT AMENDMENT(S):**

Staff is proposing amending the following UDC Articles at this time:

- Amend Article 6. – Use Standards
- Amend Article 16. – Zoning Application Approval Processes

Amendment 1. Amends provisions for the expiration for a Special Exception Use in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES.

ATTACHMENTS: See Exhibit “A” for a quick one-page summary of these amendments.
See Exhibit “B” for memorandum detailing these amendments in full.

APPROVAL STANDARDS: The purpose of Section 16.1.E.1 is to provide a uniform means for amending the text of the Unified Development Code whenever the public necessity, convenience, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so. In determining whether to recommend approval or denial of the proposed text amendment, the MPC shall weigh the relevance to which the proposed amendment:

- Promotes the public health, safety, and welfare.**
The proposed text amendments promotes the public health, safety, and welfare.
- Promotes the Master Plan and any adopted land use policies.**
The proposed text amendments are consistent with the Master Plan.
- Promotes intent of this Code.**
These amendments will simplify current practices, thus promoting the intent of the Code.
- Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**
The proposed amendments reflect changes in policy.
- The extent to which the proposed amendment creates nonconformities.**
These amendments help alleviate nonconformities, not create them.

**STAFF
RECOMMENDATION:**

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to APPROVE these code text amendments is warranted. If approved by the Metropolitan Planning Commission, Article 16 of the Shreveport UDC would be amended, as described within. A majority vote of the MPC members present and voting is required to recommend approval to the Shreveport City Council.

Alternatively, based on information provided at the public hearing, the MPC may:

- Deny the proposed code text amendment;
- Deny specific provisions and/or amendments, and approve any subsequent amendments and/or provisions; or
- Modify specific language in the proposed amendment and approve, as modified.



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STAFF REPORT - CITY OF SHREVEPORT

PUBLIC ASSESSMENT: There was no support or opposition.

**MPC
RECOMMENDATION:** The board voted unanimously to recommend the application for approval.