

ARTICLE 20. ANNEXATION STANDARDS

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20.1 PURPOSE

The purpose of this Article is to establish a procedure and criteria for annexation of unincorporated Caddo Parish territory to the City of Shreveport, specifically to:

- A. Protect the public health, safety, and welfare by establishing standards for annexation of land into the City.
- B. To manage the fiscal impacts of annexation.
- C. Preserve, protect, and enhance the character of residential neighborhoods.
- D. Strengthen the City's economic resources.
- E. Ensure that annexed land is adequately served by essential public facilities and services, including water facilities, wastewater facilities, drainage facilities, and transportation facilities.

20.2 COMPLIANCE WITH STATUTES

The provisions of La. R.S. 33:171 et seq., as amended, shall be complied with in all annexation proceedings.

20.3 PROCESS

A. Initiation

The City of Shreveport may initiate an annexation or an annexation may be requested by a property owner(s). When an annexation is requested, an annexation application must be filed with the Executive Director on forms maintained by the Office of the MPC. Once it is determined that the application is complete, the Executive Director will forward the application accordingly for consideration. Annexations of less than five (5) acres shall be handled administratively by the Executive Director. Annexations of five (5) acres or more shall be forwarded to the Metropolitan Planning Commission.

B. Action by the Executive Director

- 1. The Executive Director shall consider a proposed annexation of less than five (5) acres.
- 2. The Executive Director must evaluate the application based upon the evidence presented in the application, pursuant to the approval standards of this Article and shall recommend approval, recommend approval with conditions, or recommend denial of the annexation.
- 3. The Executive Director must forward his or her recommendation to the City Council.

C. Action by Metropolitan Planning Commission

- 1. The Metropolitan Planning Commission shall consider a proposed annexation at a public hearing for annexations of five (5) acres or more.
- 2. Following the close of the public hearing, the Metropolitan Planning Commission must forward its recommendation to the City Council.

2. The Metropolitan Planning Commission must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this Article and recommend approval, **recommend** approval with conditions, or **recommend** denial of the annexation.

D. Action by the City's Engineering Department

Once a petition attached to an application for annexation has been recommended by the Metropolitan Planning Commission, the City's Engineering Department shall prepare an annexation ordinance for presentation to the City Council.

1. When property proposed for annexation contains either registered voters or resident property owners, the Office of the MPC shall cause a notice of the filing for annexation of said property to be published in the official journal of the City. This notice shall be published not less than 30 days before the petition is filed with the tax assessor and registrar of voters pursuant to subsection (5) of this subsection. The notice shall indicate that any addition or withdrawal of signatures to the petition shall be in writing and filed with the Office of the MPC within 30 days of publication of the notice in the official journal.
2. When notice of an annexation is required to be given pursuant to subsection (1) above, any additions or withdrawals of signatures to the petitions shall be in writing and filed with the Office of the MPC within 30 days of the first day of publication of the notice in the official journal of the City. The Office of the MPC shall make a notation next to any name on the petition which has been withdrawn.
3. When a property proposed to be annexed does not contain any registered voters or resident property owners, the requirements of subsections (1) and (2) above shall not apply.
4. If the City's Engineering Department determines that the statutory requirements have been met, the City Engineer, or his or her designee, shall file a map and description of the property and a copy of the petition containing, if applicable, notations of any withdrawals, with the tax assessor for certification and shall file the map, petition, and property description with the registrar of voters. The City Engineer, or his or her designee, shall request that the tax assessor and registrar of voters determine whether the petitions meet the applicable requirements for annexation pursuant to the laws of the state.
5. After annexation documents have been filed with the tax assessor and the registrar of voters, no additions or withdrawals of signatures shall be accepted, either by the City Engineer or the Office of the MPC.

E. Action by City Council

Upon receipt of the Metropolitan Planning Commission recommendation and the City's Engineering Department's annexation petition, map(s), description of the area and documents, including any additions or withdrawals of signatures which were filed timely, the City Council will act on the application. The City Council must take action by ordinance in the form of approval or denial of the annexation.

20.4 ANNEXATION STANDARDS

All annexations must meet the following standards:

- A. The proposed annexation is in compliance with state law.
- B. The proposed annexation and parcel configuration must be consistent with the Master Plan. This includes evaluation of whether the area is identified by the Master Plan as desired or intended for annexation.
- C. The parcels proposed for annexation must be contiguous to parcels located in the City.
- D. The annexation reflects any annexation or service extension policy of the City.

- E. The annexation will not adversely affect the planned development pace of growth or redevelopment in other areas of the City as indicated in the Master Plan.
- F. The proposed annexation supports the planned capital improvement policy such that public transportation and utility services are in place or planned to be in place to accommodate the development pace of the land under consideration.
- G. Public services and utilities must be provided to the satisfaction of the City Engineer:
 - 1. Improvements must be constructed and accepted prior to issuance of building permits or sewer connections.
 - 2. All streets must meet City street standards, including right-of-way and access standards of Article 12, unless otherwise exempted by the City Engineer.
 - 3. The lots must be connected to the City's sanitary sewer system or able to be connected to the City's sewer to the satisfaction of the City Engineer.
 - 4. The City taxpayer is not burdened with paying for additional services for newly annexed lands as demonstrated in a fiscal impact analysis.
- H. The annexation yields a fiscal benefit to the City.
- I. The proposed land use and related densities or intensities of development reflect the Master Plan.
- J. All lots to be annexed must meet the minimum lot size of this Code. Single developed properties that meet all other annexation policies, with the exception of minimum lot size requirements, may be considered for annexation.

20.5 CLOSURE AND ABANDONMENT

A. Initiation

- 1. [The City of Shreveport/Caddo Parish] or any abutting property owner seeking the consent of the [Shreveport City Council/Caddo Parish Commission] to abandon, vacate or close any public right-of-way or easement (or portion thereof), including, but not limited to streets, avenues, alleys, drainage rights-of-way or easements, or other municipal or public easement within [the City of Shreveport/Caddo Parish], shall file a written application with the Office of the MPC requesting that public right-of-way or easement (or portion thereof) be abandoned, vacated and closed. Such public right-of-way or easement (or portion thereof) sought to be abandoned, vacated and closed shall be defined in the application. All persons owning any property abutting such public right-of-way or easement (or portion thereof), shall join in such application. Such application, must be filed with the Executive Director on forms maintained by the Office of the MPC, and shall include the following information that may be in the form of attachments to the application:
 - a. A statement by the applicant(s) of the reason for the request.
 - b. A boundary survey drawing with legal description, prepared by a registered professional land surveyor, duly registered in the State of Louisiana, showing the public right-of-way or easement (or portion thereof) sought to be abandoned, vacated and closed. Drawn to a scale of not less than one inch equals 50 feet, the drawing shall include the area, both in square footage and in acreage of the public right-of-way or easement (or portion thereof) sought to be abandoned. The Executive Director, or his or her designee, may waive this requirement when, in his or her sole determination, a recorded plat contains sufficient evidence to determine the legal description and area of property to be abandoned, vacated and closed.
- 2. Once it is determined that the application is complete, the Executive Director will forward the application to the Metropolitan Planning Commission for recommendation.

B. Petition to Accompany Application

1. The application shall be accompanied by a petition signed by 66.666 percent of the property owners of the area to be affected by the request indicating their desire that the [city/parish] undertake the action requested in the application.
2. Any additions or withdrawals of signatures to the petition shall be in writing and filed with the department of public works within 15 days of the receipt of the application, petition and other documentation required by this section. The director of public works or his designee shall make a notation next to any name on the petition which has been withdrawn.

C. Action by the Executive Director

1. Upon the receipt of all documentation required by this section, the Executive Director, or his designee, shall forward copies of the application to and request comments and recommendations from the city attorney, department of public works, engineering department, fire, police, water and sewer and any other [city/parish] department or public utility company that would be affected by the approval of the request. In making such recommendations, each department and/or office shall give due consideration to: the present use or nonuse of the public right-of-way or easement (or portion thereof) sought to be closed; traffic and drainage patterns in the area; proximity of other public right-of-way or easements (or portions thereof); major and minor thoroughfares in the area; the city's master plans; the effect of the proposed abandonment on access by fire and other emergency vehicles, and other city service vehicles, to adjacent properties; the location of existing city water and sewer lines and storm water facilities and future extensions thereto which may be impacted by the abandonment, vacating or closing of such public right-of-way or easement (or portion thereof).
2. The Executive Director must evaluate the application based upon the evidence presented in the application, pursuant to the approval standards of this Article and shall recommend approval, recommend approval with conditions, or recommend denial of the annexation.
3. The Executive Director must forward his or her recommendation to the Metropolitan Planning Commission.

D. Action by Metropolitan Planning Commission

1. The Metropolitan Planning Commission shall consider the proposed closure and abandonment at a public hearing.
2. The Metropolitan Planning Commission must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this Code and recommend approval, recommend approval with conditions, or recommend denial of the closure and abandonment.
3. Following the close of the public hearing, the Metropolitan Planning Commission must forward its recommendation to the [City Council/Parish Commission].

E. Action by [City Council/Parish Commission]

Upon receipt of the Metropolitan Planning Commission recommendation, the [City Council/Parish Commission] will act on the application. The [City Council/Parish Commission] must take action in the form of approval, approval with conditions, or denial of the request to abandon, vacate and close the public right-of-way or easement (or portion thereof) described in the application filed under this Article.