

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

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| <u>TITLE</u> An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, relative to special exception uses, and to otherwise provide with respect thereto. | <u>DATE</u> December 8, 2020 | <u>ORIGINATING DEPARTMENT</u> Shreveport Caddo Metropolitan Planning Commission (“MPC”) <u>COUNCIL DISTRICT</u> City-wide <u>SPONSOR</u> |
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PURPOSE
To amend the code text in the Shreveport Unified Development Code.

BACKGROUND INFORMATION
The Shreveport UDC serves as the official land use and development regulatory ordinance and includes the official zoning map for the City of Shreveport.

These proposed amendments are intended to update, consolidate, and reformat the former subdivision and zoning regulations regarding a new Special Exception Use process. The following Articles, or portions thereof were amended: Article 2, “Definitions and Rules of Measurement,” including amendments redefining *Aggrieved Party* and adding new *SEU* abbreviation for special exception use process; Article 5, “Uses,” including amendments explaining the new Special Exception Use process and identifying this process in the Use Matrix; Article 6, “Use Standards” including amendments approving Manufactured Homes by the Zoning Board of Appeals as a SEU; Article 7, “On-Site Development Standards” including amendments outlining the Special Exception Use Permit procedures and appeals process; Article 15, “Application Procedures” including amendments outlining the Special Exception Use Permit procedures and appeals process and amends existing language to include the Special Exception Use. Article 16, “Zoning Application Approval Processes” including amendments outlining the new Administrative Special Use Permit procedures and appeals process.

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| <u>TIMETABLE</u> | <u>ATTACHMENTS</u> |
| MPC Introduction: November 4, 2020 | Exhibit “A” MPC Memo |
| MPC Review & Recommendation: December 2, 2020 | Exhibit “B” Use Matrix |
| Introduction to City Council: December 8, 2020 | Exhibit “C” Table 15-1 |
| Final Passage by City Council: January 12, 2021 | Exhibit “D” Article 16, Section 16.4 with Figure 16-6 |

SPECIAL PROCEDURAL REQUIREMENTS
MPC Recommendation. Pursuant to [La. R.S. 33:140.30](#), 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 December 2, 2020. Therefore, the City Council may render its decision to approve the amendments by a simple majority vote. See La. R.S. [33:140.30](#) and [Shreveport UDC](#) 16.1 (D)(3)(b).

Notice and Public Hearing at MPC. In accordance with the intent of [La. R.S. 33:140.30](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting on December 2, 2020, before voting on the proposed amendments. At least ten (10) days’ notice of the time and place of the Public Hearing was published on November 15, 2020 in *The Inquisitor* (a newspaper of general circulation in the parish).

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| <u>FINANCES</u> \$0 | <u>SOURCE OF FUNDS</u> NA |
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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, MPC
Community Planning and Design Manager

ORDINANCE NO. _____ OF 2020

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, RELATIVE TO SPECIAL EXCEPTION USES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER:

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 November 4, 2020, 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 December 2, 2020, 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. 33:140.30](#); and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.30](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on December 2, 2020, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

WHEREAS, at least 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 Inquisitor* (a newspaper of general circulation in the parish) and said Notice was published on November 13, 2020; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in 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. Add new abbreviation “SEU” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.2 GENERAL ABBREVIATIONS as “H” in the Shreveport UDC. All subsequent abbreviations will be re-alphabetized accordingly:

The following abbreviations are used within this Code:

* * *

H. “SEU” is an abbreviation for “special exception use.”

* * *

2. Amend the following definitions in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC to now read as follows:

* * *

Aggrieved Party. In the context of an appeal of a decision, an aggrieved party is any person(s) or entity(s) who are able to demonstrate that their property will be injured by a decision regarding a text (code) or map amendment (zoning change), administrative special use permit or special use permit, variance, special exception use, administrative exception, planned unit development, sign permit, zoning interpretation, temporary use permit, zoning appeal, or subdivision preliminary or final plat.

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3. Amend ARTICLE 5. USES, SECTION 5.2 USE MATRIX in the Shreveport UDC to now read as follows:

5.2 USE MATRIX

Table 5-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. “P” indicates that the use is permitted by right in the district. “S” indicates that the use is a special use in the district and requires special use approval. “A” indicates that the use is an administrative special use in the district and requires administrative approval from the Executive Director. “E” indicates that the use is a special exception use in the district and requires administrative approval from the Zoning Board of Appeals. If a cell is blank, the use is not allowed in the district. In the case of temporary uses, a P indicates the temporary use is allowed in the district and may require approval of a temporary use permit. For accessory uses, see Article 7.

4. Amend Table 5-1 in Article 5. USES, Section 5.2 USE MATRIX in the Shreveport UDC with the following updates:

Update the following uses below to the new special exceptions use in the certain zoning districts. See attached “Exhibit B” for specific zoning districts.

- Dwelling – Manufactured Home (E)
- Transient Vacation Rental (E)

[Note (1): See Exhibit “B” for revised Table 5-1]

5. Amend “Dwelling – Manufactured Home” in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS, Subsection 6.1.O in the Shreveport UDC. A new provision will be added as “1” to now read as follows. All subsequent will be re-numbered accordingly.

1. Manufactured homes shall only operate in allowable zoning districts as indicated on the Use Matrix in Article 5 of this Code. Any zoning district identified as a special exception use, or “E,” will location and site plan approval by the Zoning Board of Appeals in accordance with the provisions of Article 16.5 (Special Exception Use).

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6. Amend “Home-Based Business” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3 ACCESSORY STRUCTURES AND USES, Subsection 7.3.O.10 in the Shreveport UDC to now read as follows:

* * *

10. Barber or beauty shops are limited to one operator with one assistant, one styling chair, and one shampoo bowl. Scheduling for barber and beauty shops is limited to one appointment at a time only. All barber or beauty shops, operating as a homebased business within a residential zoning district, require a special exception use approved by the Zoning Board of Appeals.

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7. Add new subsection “Stay of Enforcement Proceedings” in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, as subsection “F” in the Shreveport UDC. Re-alphabetize all subsequent subsection accordingly.

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F. Stay of Enforcement Proceedings

Any application submittal that remedies an existing violation, as determined by the Zoning Administrator, shall stay all enforcement proceedings unless the Zoning Administrator certifies that, by reason of the facts stated as a part of the violation, a stay would in his or her opinion cause imminent peril to life or property. When such determination is made, enforcement proceedings shall not be stayed except by a restraining order granted, after due notice, to the Zoning Administrator, by the Zoning Board of Appeals or a court of proper jurisdiction.

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8. Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F in the Shreveport UDC to now read as follows:

| TABLE 15-1: SUMMARY OF APPLICATION ACTIONS | | | | | | | | |
|--|----------------------|--|--------------------|--|-------------------------------|--------------|-----------------------------------|---------------------------------------|
| APPLICATIONS | ADMINISTRATORS | | | | | | | |
| | Zoning Administrator | Historic Preservation Commission (HPC) | Executive Director | Metropolitan Planning Commission (MPC) | Zoning Board of Appeals (ZBA) | City Council | Caddo Parish Civil District Court | Unified Development Code Source Cited |
| *** | *** | *** | *** | *** | *** | *** | *** | *** |
| Zoning Board of Appeals (ZBA) | | | | | | | | |
| Variance to Zoning | | | RR | | PH & D | | A | Section 16.5 |
| Special Exception Use | | | RR | | PH & D | A | | Section 16.6 |
| Appeal to Staff Administrative Decisions | | | | | R & D | | A | Section 16.15 |
| *** | *** | *** | *** | *** | *** | *** | *** | *** |

[Note (3): See Exhibit “C” for complete TABLE 15-1: SUMMARY OF APPLICATION ACTIONS]

9. Amend and add a new row to Table 15-2 in ARTICLE 15. APPLICATION PROCEDURES titled “Required Notice” in the Shreveport UDC to now read as follows:

| TABLE 15-2: REQUIRED NOTICE | | | |
|--|-------------|--------|--------|
| Application | Notice Type | | |
| | Published | Mailed | Posted |
| Code Text Amendment | • | | |
| Zoning Map Amendment | • | • | • |
| Zoning Map Amendment: More Than 10 Parcels | • | | |
| Special Use Permit | • | • | • |
| Administrative Special Use Permit | • | | • |
| Variance to Zoning | • | • | • |
| Special Exception Use | • | • | • |
| Planned Unit Developments (PUD & SPUD) – Preliminary Site Plan | • | • | • |
| Appeal to Staff Administrative Decisions | • | | |
| Subdivision Application (Major) – Preliminary Plat | • | | |
| Annexation | • | | |
| Closure and Abandonment | • | | |

10. Add new section “Special Exception Use” to ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, as SECTION “16.6” in the Shreveport UDC. All subsequent sections shall be renumbered accordingly.

[Note (4): See Exhibit “D” for new Article 16.6 SPECIAL EXCEPTION USE]

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