

ORDINANCE NO. 178 OF 2021

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, RELATIVE TO GARAGES SALES AND THEIR APPROVAL PROCESS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: JAMES GREEN

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 September 1, 2021, 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 October 6, 2021, 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 October 6, 2021, 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 Shreveport Times* (a newspaper of general circulation in the parish) and said Notice was published on September 20, 2021; 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. Amend "Temporary Seasonal Sales" in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.F in the City of Shreveport UDC by adding the new temporary use "8. Garage, Yard or Estate Sales" to read as follows:

F. Temporary Seasonal Sales

* * * * *

8. Garage, Yard or Estate Sales

Any event entitled, but not limited to "garage," "estate," "lawn," "yard," "porch," "patio," or "rummage" sale may be conducted in any residential zoning district by obtaining a permit, subject to the following conditions:

- a. Sales shall be conducted under supervision of the occupant of the residence or property owner.
- b. Sales events shall be limited to 3 per year, with a maximum of 3 days per event.

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.

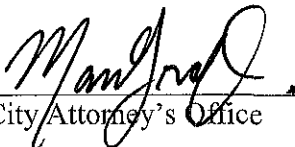
BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications and to this end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

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. 178 OF 2021

October 26, 2021

Read by title and as read motion by Councilman Green seconded by Councilwoman Fuller for Introduction

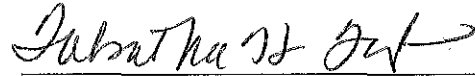
November 9, 2021

Having passed first reading on October 26, 2021 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Nickelson seconded by Councilwoman Taylor for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, and James Green. 5. Nays: Councilman James Flurry. 1. Absent: Councilman Jerry Bowman, Jr. 1. Out of the Chamber: 0. Abstentions: 0.

Approved:



Adrian Perkins, Mayor



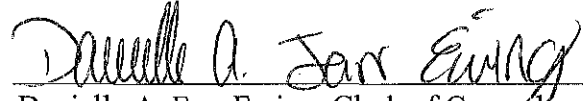
James Flurry, Chairman by
Tabatha Taylor, Vice Chair

Approved by the City Council NOV 09 2021

Approved by the Mayor NOV 13 2021

And Effective on NOV 21 2021

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



Danielle A. Farr Ewing, Clerk of Council

FACT SHEET**CITY OF SHREVEPORT, LOUISIANA****TITLE**

An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, relative to garages sales and their approval process, and to otherwise provide with respect thereto.

DATE

October 26, 2021

ORIGINATING DEPARTMENT

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 City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development. Periodically, revisions are required to correct errors in the text or to accommodate changed or the changing nature of business in our community. These proposed amendments are aimed at updating the permitting process and use standards for garage sales. These amendments will affect the following articles, or portions thereof: Article 6. Use Standards, by updating the temporary use standards regarding garage sales, with all their provisions included therein.

TIMETABLE

MPC Introduction:	September 1, 2021
MPC Review & Recommendation:	October 6, 2021
Introduction to City Council:	October 26, 2021
Final Passage by City Council:	November 9, 2021

ATTACHMENTS

Exhibit "A"	Memo outlining all amendments
Exhibit "B"	MPC Staff Report

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 October 6, 2021. 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 October 6, 2021, before voting on the proposed amendments. At least ten (10) days' notice of the time and place of the Public Hearing was published on September 20, 2021 in *The Shreveport Times* (a newspaper of general circulation in the parish).

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, MPC
Community Planning and Design Manager

Office of the MPC

505 Travis Street | Suite 440 | Shreveport, LA 71101 phone
318-673-6440 | fax 318-673-6112

RECOMMENDED UDC AMENDMENTS. October 6, 2021

The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development. Periodically, revisions are required to correct errors in the text or to accommodate changed or the changing nature of business in our community. These proposed amendments are aimed at updating the permitting process and use standards for garage sales. These amendments will affect the following articles, or portions thereof: Article 6. Use Standards, by updating the temporary use standards regarding garage sales, with all their provisions included therein.

Staff is requesting the Shreveport UDC be amended as follows: ~~strikeout~~ indicates deleted text, underline indicates added text].

1. Amend "Temporary Seasonal Sales" in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.F in the City of Shreveport UDC by adding the new temporary use "8. Garage, Yard or Estate Sales."

F. Temporary Seasonal Sales

* * * * *

8. Garage, Yard or Estate Sales

Any event entitled, but not limited to "garage," "estate," "lawn," "yard," "porch," "patio," or "rummage" sale may be conducted in any residential zoning district by obtaining a permit, subject to the following conditions:

- a. Sales shall be conducted under supervision of the occupant of the residence or property owner.
- b. Sales events shall be limited to 3 per year, with a maximum of 3 days per event.

Explanation: Currently, there is no language that (1) requires a permit be obtained for garage sales; and (2) defines any use standards for such temporary use. This amendment does both—using similar language from the old zoning Code (Chapter 106).

STAFF REPORT – CITY OF SHREVEPORT

OCTOBER 6, 2021

AGENDA ITEM NUMBER: 18
MPC Staff Member: Adam Bailey
City Council District: All Districts
Parish Commission District: All Districts

CASE NUMBER: 21-165-C: City of Shreveport UDC Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: Code Text (Ordinance) Amendments to the Shreveport UDC

DESCRIPTION: The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development. Periodically, revisions are required to correct errors in the text or to accommodate changed or the changing nature of business in our community. These proposed amendments are aimed at updating the permitting process and use standards for garage sales. These amendments will affect the following articles, or portions thereof: Article 6. Use Standards, by updating the temporary use standards regarding garage sales, with all their provisions included therein.

BACKGROUND: The Shreveport Unified Development Code (UDC) was implemented in May of 2017. The purpose of the UDC was to update, consolidate, and reformat the former, and extremely outdated, subdivision and zoning regulations. It was acknowledged that upon adoption that additional corrections and policy amendments to these regulations would be forthcoming in the future.

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

Staff is proposing the following UDC Articles at this time:

- Amend Article 6.2 Temporary Use Standards, adding 'Garage Sales' under 'Seasonal Sales'.

Amendment 1.

Amend "Temporary Seasonal Sales" in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.F the City of Shreveport UDC by adding the new temporary use "8. Garage, Yard or Estate Sales." *Currently, there is no language that (1) requires a permit be obtained for garage sales; and (2) defines any use standards for such temporary use. This amendment does both—using similar language from the old zoning Code (Chapter 106).*

See Attachments:

- Exhibit "A" for memorandum describing these amendments in full detail.

STAFF REPORT – CITY OF SHREVEPORT

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:

- a. **Promotes the public health, safety, and welfare.**
The proposed text amendments promotes the public health, safety, and welfare.
- b. **Promotes the Master Plan and any adopted land use policies.**
The proposed text amendments are consistent with the Master Plan.
- c. **Promotes intent of this Code.**
These amendments will clarify current practices, thus promoting the intent of the Code.
- d. **Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**
Staff finds the proposed amendment would improve compatibility among uses and would assist in ensuring efficient development within the City.
- e. **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** the code text amendments is warranted. If approved by City Council, Article 6 of the Shreveport UDC would be amended, as described within. A majority vote of the MPC Board members present and voting is required to recommend approval to the City Council.

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

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

PUBLIC ASSESSMENT: There was no opposition present.

**MPC BOARD
RECOMMENDATION:**

The Board voted 6-2 to recommend this application for approval.

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FINANCES

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PUBLIC ASSESSMENT: There was no opposition present.

MPC BOARD

RECOMMENDATION: The Board voted 6-2 to recommend this application for approval.