

## ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES

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### ~~16.9 PLANNED UNIT DEVELOPMENTS AND SMALL PLANNED UNIT DEVELOPMENTS~~

#### ~~A. Purpose~~

~~Planned unit developments are included in this Code as a special type of development. The planned unit development technique is intended to encourage and allow more creative and flexible development of land than is possible under base district zoning regulations. Planned unit development is a special approval granted under the provisions of this Section. Planned unit developments are of two types: a planned unit development (PUD), which shall be a minimum of five acres, and a small planned unit development (SPUD), which may be less than five acres in area and is planned all in one stage. The purpose of the planned unit development (PUD) and small planned unit development (SPUD) process is:~~

- ~~1. To protect and provide for the public health, safety, and general welfare of the City.~~
- ~~2. To guide the future development of the City in accordance with the Master Plan.~~
- ~~3. To accommodate innovation by modifying regulations to better accomplish the City's development goals.~~
- ~~4. To mitigate developmental impacts, especially those related to the environment, traffic, public services and facilities, and adjacent and area land uses.~~
- ~~5. To protect and enhance the aesthetic and visual quality of development.~~

#### ~~B. Planned Unit Development Regulations~~

##### ~~1. District Regulations~~

~~Every planned unit development shall comply with all the regulations established in this Code for the district in which the planned unit development is located, except as provided for in this section.~~

##### ~~2. Designation~~

~~The boundary of each planned unit development will be identified on the Zoning Map and designated with the letters "PUD" or "SPUD" followed by a unique number referencing the adopting ordinance and regulations.~~

##### ~~3. Minimum Size~~

~~a. A planned unit development (PUD) shall be a minimum of five acres.~~

~~b. A small planned unit development (SPUD) may be less than five acres in area and all development is planned in one stage. In the case of a SPUD, approval of the preliminary site plan is considered the final site plan and may be approved as such. No separate final site plan~~

submittal is required. However, if the preliminary site plan is approved subject to conditions, then the preliminary site plan shall be revised and resubmitted to the Executive Director for verification of compliance before it is used to issue building permits. With the exception of a separate final site plan submittal, a SPUD shall follow all regulations and procedures of this section.

#### **4. ~~Permitted Areas of Regulation~~**

~~A planned unit development (PUD) or a small planned unit development (SPUD) may be used to:~~

- ~~a. Define and condition uses allowed within the underlying districts, including expanding or restricting uses permitted by right or by special use permit, including alcoholic beverage uses. Planned unit development zoning may specify the location of land uses and define standards, including the hours of operation and performance impacts of land uses.~~
- ~~b. Specify development standards and actions required to protect the environment and to preserve natural features and vegetation within the district.~~
- ~~c. Define the development standards pertaining to the building dimensional and setback standards, the number of buildings, the density, the design and exterior appearance of buildings, the standards for lot size and width, the location, extent, and design for open space, landscape, screening and buffers, the permitted appurtenances, signs, and amenities. A planned unit development (PUD) or a small planned unit development (SPUD) may modify, delete, or add to standards of the underlying district. The standards may be more or less restrictive than those in the underlying district.~~
- ~~d. Specify the location and design of streets, drives, parking, and pedestrian and bikeway connections. The planned unit development (PUD) or a small planned unit development (SPUD) may be used to modify subdivision standards related to design of public and private facilities, but only where a specific finding is made by the Metropolitan Planning Commission that the alternative standard does not negatively impact public health, safety, and welfare, does not impair traffic movement, and does not result in a higher maintenance cost.~~
- ~~e. Specify the timing, sequencing, and phasing of development, including coordinating the type, location, and intensity of development permitted with the construction and availability of public facilities and services.~~
- ~~f. Provide for construction of public improvements and facilities on site or within public servitudes and rights-of-way abutting the site as required to serve and benefit development within the district or as may be required to mitigate impacts resulting from development on other properties and uses outside the district. Subdivision standards pertaining to the design, performance, and cost participation for public improvements may be amended by a planned unit development (PUD) or a small planned unit development (SPUD).~~

#### **5. ~~Public Benefits and Amenities~~**

~~The underlying district requirements apply unless an exception is granted as part of the approval as described in item 4 above. To be granted such exceptions, the applicant shall demonstrate a substantial benefit to the City. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:~~

- ~~a. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and public transit facilities.~~
- ~~b. Preservation of existing environmental features.~~
- ~~c. Preservation of historic structures and features.~~
- ~~d. Open space and recreational amenities including, but not limited to, swimming pools, tennis courts, hiking and jogging trails and fitness courses, playgrounds, skate parks, and similar recreational features, dog parks, natural water features and conservation areas.~~
- ~~e. Multi-use trails, nature trails, boardwalks, overlooks, landscaped areas with native plantings, which may incorporate water features, such as a detention pond.~~

- ~~f.—Reduction of impervious surface throughout the development, including techniques such as low impact development, and the increased use of pervious paving materials.~~
- ~~g.—Enhanced building design above that required by the Code and/or the use of green building and sustainable development techniques, including Leadership in Energy and Environmental Design (LEED) or LEED-equivalent certification of structures.~~
- ~~h.—Adaptive reuse of existing buildings.~~
- ~~i.—Provision of public car and/or bike share facilities.~~
- ~~j.—A senior housing set aside of a minimum of 20%.~~
- ~~k.—Affordable housing set asides within a mixed income development of a minimum of 20%.~~

### **C.—Process**

~~Approval of a planned unit development (PUD) or a small planned unit development (SPUD) includes a pre-application meeting, optional concept plan, preliminary site plan approval, and final site plan approval, but only in the case of a planned unit development (PUD).~~

#### **1.—Pre-Application Meeting with Executive Director**

~~For both a planned unit development (PUD) and a small planned unit development (SPUD), prior to formal submittal of an application, the applicant is required to schedule a pre-application meeting with the Executive Director.~~

- ~~a.—At a pre-application meeting, the applicant shall provide information as to the location of the proposed planned unit development, the proposed uses, proposed public and private improvements, including the proposed public benefits and amenities, anticipated exceptions to this Code, and any other information necessary to explain the planned unit development.~~
- ~~b.—The purpose of such pre-application meeting is to make advice and assistance available to the applicant before preparation of required preliminary site plan, so that the applicant may determine whether the proposed planned unit development is in compliance with the provisions of this Code and other applicable regulations, and whether the proposed planned unit development will be in conformity with the adopted land use policies.~~
- ~~c.—The pre-application meeting does not require formal application, fee, or filing of a planned unit development application. Any opinions or advice provided are in no way binding with respect to any official action that may be taken on the subsequent formal application.~~

#### **2.—Neighborhood Participation Plan**

~~Some applications for both a planned unit development (PUD) and a small planned unit development (SPUD) may be required to include a Neighborhood Participation Plan (NPP) report. If required, the application for a planned unit development (PUD) or a small planned unit development (SPUD) will not be deemed complete until all mandatory NPP documents are submitted to MPC staff. All requirements for the NPP program are described in Section 15.4 (Neighborhood Participation Plan).~~

#### **3.—Optional Concept Plan presented to the Metropolitan Planning Commission**

~~For both a planned unit development (PUD) and a small planned unit development (SPUD), before submitting a formal application for a planned unit development, the applicant may present a concept plan before the Metropolitan Planning Commission.~~

- ~~a.—Before submitting a formal application, the applicant may present a concept plan before the Metropolitan Planning Commission for the purpose of obtaining information and guidance prior to entering into binding commitments or incurring substantial expense. This step is optional. At minimum, the concept plan shall consist of the following:~~

- ~~i. A map or maps in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed within the planned unit development, the location of all adjacent streets and public utilities, and schematic drawings showing the size, character and disposition of buildings on the site.~~
  - ~~ii. A written statement containing a general explanation of the planned unit development, including a statement of the present ownership of all the land within said development and the expected schedule of construction.~~
- ~~b. The Metropolitan Planning Commission will review the concept plan, and provide such information and guidance as it deems appropriate. Any opinions or advice provided by the Metropolitan Planning Commission is in no way binding with respect to any official action the Metropolitan Planning Commission or City Council may take on the subsequent formal application. The review of the concept plan is not a public hearing.~~

#### **4. Preliminary Site Plan**

~~For both a planned unit development (PUD) and a small planned unit development (SPUD), applications shall submit a preliminary site plan in accordance with the following and shall contain all submittal requirements outlined in this section.~~

##### **a. Action by Metropolitan Planning Commission**

- ~~i. After receipt of a complete application, including a summary, staff comments, and a recommendation from the Executive Director of the MPC, the Director of Water and Sewerage, and the City Engineer regarding the application and proposed planned unit development, the Metropolitan Planning Commission shall consider the preliminary site plan at a public hearing in accordance with Section 15.3 (Public Hearing). Notice for the public hearing shall be in accordance with Section 15.2 (Notice).~~
- ~~ii. The Metropolitan Planning Commission shall evaluate the preliminary site plan based upon the evidence presented at the public hearing, pursuant to the approval standards of this section and shall recommend any of the following actions: recommendation of approval, recommendation of approval with conditions, or recommendation of denial of the preliminary site plan.~~
- ~~iii. Within 60 days of the date a recommendation is rendered, the Metropolitan Planning Commission shall forward its recommendation to the City Council.~~

##### **b. Action by City Council**

- ~~i. The City Council shall take action on the preliminary site plan for properties within the boundaries of the City of Shreveport in one of the following ways: approve, approve with conditions, or deny.
  - ~~(1) The City Council shall act on the preliminary site plan within 90 days of receipt of the Metropolitan Planning Commission recommendation unless the City Council grants additional consideration time before the 90-day period has expired. The City Council shall take action in the form of approval, approval with conditions, or denial.~~
  - ~~(2) If the City Council does not act upon the preliminary site plan within 90 days of receipt of the Metropolitan Planning Commission recommendation, the preliminary plan is deemed denied unless the City Council grants additional consideration time before the 90-day period has expired.~~~~

##### **c. Approval Standards for Preliminary Site Plan**

~~The recommendation of the Metropolitan Planning Commission and decision of the City Council shall make findings to support the following standards for both planned unit developments (PUD) and small planned unit developments (SPUD):~~

- ~~i. Compliance with the Master Plan and adopted land use and design studies.~~
  - ~~ii. Compliance with this Code and other applicable development regulations, and previously approved valid plans for the property.~~
  - ~~iii. Impact on the site's natural resources and effect on adjacent area, property, and land use.~~
  - ~~iv. Safety and efficiency of vehicular, bicycle, and pedestrian circulation, traffic control, and congestion mitigation.~~
  - ~~v. Safety and convenience of off-street parking and loading facilities.~~
  - ~~vi. Access for firefighting and emergency equipment to buildings.~~
  - ~~vii. Use of landscape and screening to shield lights, noise, movement, or activities from adjacent properties, and to complement the design and location of buildings and parking.~~
- d. ~~Effect of Approval of Preliminary Site Plan~~**

- ~~i. For a planned unit development (PUD), following approval of the preliminary site plan, the applicant will prepare and file a final site plan that includes all or a portion of the area included in the preliminary site plan.~~
- ~~ii. For a small planned unit development (SPUD), approval of the preliminary site plan is considered approval of the final site plan. A copy of the preliminary site plan shall be registered in the official case record and is binding upon the applicants, their heirs, successors, and assigns. The approved site plan limits and controls the issuance and validity of permits and certificates, and restricts and limits the use and operation of all land and structures within the area designated in the site plan to all conditions and limitations specified in the approval. Except as provided for in this section, the Metropolitan Planning Commission staff shall review building permits and approve zoning certificates for buildings or structures in accordance with the approved site plan and with all other applicable ordinances and regulations.~~

**5. ~~Final Site Plan for Planned Unit Development (PUD)~~**

- ~~a. Following approval of the preliminary site plan for a planned unit development (PUD), the applicant will prepare and file a final site plan for the Executive Director that includes all or a portion of the area included in the preliminary site plan.~~
- ~~b. If in compliance with the approved preliminary site plan, the Executive Director will approve the final site plan for use in the issuance of building permits.~~
- ~~c. If the final site plan reflects significant change from the preliminary site plan, the Executive Director will forward the final site plan to the Metropolitan Planning Commission for further consideration in accord with procedures established for preliminary site plan review.~~
- ~~d. Upon approval of the final site plan, a copy of such plan shall be registered in the official case record and is binding upon the applicants, their heirs, successors, and assigns. The approved final site plan limits and controls the issuance and validity of permits and certificates, and restricts and limits the use and operation of all land and structures within the area designated in the final site plan to all conditions and limitations specified in the approval. Except as provided for in this section, the Zoning Administrator shall approve building permits or zoning certificates for buildings or structures in accordance with the approved final site plan and with all other applicable ordinances and regulations.~~

**D. ~~Preliminary and Final Site Plan Submittal Requirements~~**

- ~~1. An application shall contain the name and address of the applicant, and the names and addresses of all persons with ownership or any legal entity that owns or controls the property 5% or more. All applications shall include the signed concurrence of the owners of the property for which approval is being sought.~~

- ~~2.—An application shall be accompanied by a site plan that shall include both maps and a written statement, and shall show enough detail of the area surrounding the proposed development to demonstrate the compatibility of the planned unit development to adjoining uses, both existing and proposed. The application shall include the following information on one or more dimensioned, engineer-scaled drawings of no less than 24"x 36" in size. Ten complete sets of drawings shall be submitted, however the Executive Director reserves the right to request additional sets as part of the submittal. The drawing shall include existing and proposed site conditions and improvements:~~
- ~~a.—Site boundaries and dimensions, existing and proposed lot lines, site coverage and square footage, and approximate distance to the nearest cross street.~~
  - ~~b.—Location map, north arrow, scale and title block.~~
  - ~~c.—The existing topography at two-foot contour intervals.~~
  - ~~d.—Drainage within the project and surrounding area including inlets, culverts, and other drainage structures onsite and immediately adjacent to the site.~~
  - ~~e.—Existing and proposed land use and existing zoning.~~
  - ~~f.—Natural features including tree masses, floodplains, drainage ways and creeks or bayous.~~
  - ~~g.—Existing and proposed development on adjacent properties.~~
  - ~~h.—Public streets and private drives with pavement widths, rights-of-way, turning lanes, median openings, curb cuts, driveways, and sidewalks with dimensions, radii, and surface type.~~
  - ~~i.—Parking areas and structures including the number and layout of standard spaces, handicap spaces, the location of ramps, crosswalks, and loading areas with typical dimensions and surface types.~~
  - ~~j.—Landscaping and open space areas with dimensions and total square footage (separate landscape plan required).~~
  - ~~k.—Areas proposed to be dedicated, or reserved for parks, parkways, easements, playgrounds, school sites, public and semipublic uses, and common areas.~~
  - ~~l.—Building locations and footprints, including dimensions, size, coverage, height, building lines and setbacks, and use.~~
  - ~~m.—Location and type of signs.~~
  - ~~n.—Elevation and perspective drawings of proposed structures and improvements including proposed signs. The drawings need not be the result of final architectural decisions.~~
  - ~~o.—Screening walls, fences, living screens, retaining walls, headlight screens, dumpster screening, and service area screens, including height and type of construction and/or planting specification.~~
  - ~~p.—Water and sanitary sewer mains and service lines with sizes, valves, fire hydrants, manholes, and other structures on site or immediately adjacent to the site specified.~~
  - ~~q.—Water and sewer connections, meter locations, sizes, and meter and/or detector check valve vaults indicated.~~
  - ~~r.—A development schedule indicating:
    - ~~i.—The proposed stages of development.~~
    - ~~ii.—The anticipated beginning and completion dates of each stage.~~
    - ~~iii.—The area and location of common space that will be provided at each stage.~~~~

- ~~s. Agreements, provisions, and/or covenants that govern the use, maintenance and continued protection of the planned unit development and of its common areas. In any development including townhouses, condominiums, or similar ownership of units, the proposed homeowners association agreement shall be included and shall provide for a continuing maintenance for all common spaces.~~

#### **E. ~~Modifications to Approved Site Plans~~**

- ~~1. The Executive Director may approve minor amendments to the site plan, an approved preliminary site plan for a small planned unit development (SPUD) and an approved final site plan for a planned unit development (PUD), provided the amendment conforms to the following standards:~~
  - ~~a. The amendment does not increase the density of the development by no more than 10% in the total number of residential units.~~
  - ~~b. The amendment does not substantially alter the arrangement of buildings, increase the number or size of buildings (limited to no more than a 10% increase in the total gross floor area in square feet), or change the use of building space designated on the original plan.~~
  - ~~c. The amendment does not substantially alter the configuration of streets or lots.~~
  - ~~d. The amendment does not increase the height of buildings by more than six feet.~~
  - ~~e. The amendment does not substantially alter vehicular circulation or placement of parking areas.~~
  - ~~f. The amendment does not significantly reduce or lessen the effectiveness of open space, landscape buffers, and edges.~~
  - ~~g. The amendment does not conflict with other regulations specified within the ordinance establishing the PUD.~~
- ~~2. All other requested modifications to a final site plan require submittal as a new preliminary site plan for review and approval.~~

#### **F. ~~Expiration and Failure to Begin Development~~**

##### **1. ~~Planned Unit Development (PUD) Approved Preliminary and Final Site Plan~~**

- ~~a. The approval of a preliminary site plan for a planned unit development (PUD) is effective for a period of three years from the date of approval by the City Council, at the end of which time the applicant shall have submitted and received approval of a final site plan. The Executive Director after reviewing the current conditions of the site and verified that there is no significant change in the development or traffic patterns in the area, may extend the approval period for up to an additional three years. If a final site plan is not approved within three years, or within the time extended by the Executive Director, the preliminary site plan approval is null and void. If the final site plan approval is only for a portion of the property, the approval of the preliminary site plan for the remaining property is null and void if a phasing plan with extended timelines was not approved as part of the preliminary site plan application. The applicant is required to submit a new preliminary site plan for review and approval subject to the existing regulations.~~
- ~~b. The approval of the final site plan is effective for a period of three years. The Executive Director after reviewing the current conditions of the site and verified that there is no significant change in the development or traffic patterns in the area, may extend the approval period for up to an additional three years. If engineering plans and building permits are not approved and permitted construction activities have not commenced within three years, or within the time extended by the Executive Director, the final site plan approval is null and void. If engineering plans and permits have been approved only for a portion of the property and permitted construction activities has commenced, the final site plan for the remaining property is null and void if a phasing plan with extended timelines was not approved as part of the preliminary site plan application. The applicant is required to submit a new preliminary site plan for review and approval subject to the existing regulations.~~

##### **2. ~~Small Planned Unit Development (SPUD) Approved Preliminary Site Plan~~**

~~The approval of a preliminary site plan for a small planned unit development (SPUD) is effective for a period of two years from the date of approval by the City Council. If engineering plans and building permits are not approved and permitted construction activities have not commenced within two years, the preliminary site plan approval for the small planned unit development (SPUD) is null and void. The applicant is required to submit a new preliminary site plan for review and approval subject to the existing regulations.~~

**G.—Appeals**

~~Within 30 days after the date of the decision, the applicant or any aggrieved party may appeal a City Council decision on both a planned unit development (PUD) and a small planned unit development (SPUD) to Cade Parish Civil District Court.~~

## 16.9 PLANNED UNIT DEVELOPMENTS

### A. Purpose

A planned unit development (PUD) shall be classified as a special development type that is subject to the provisions of this section. A PUD may be used to permit new or innovative concepts in land utilization, master-planned communities or mixed-use developments that other zoning districts do not easily accommodate. A PUD also provides site-specific compatibility standards. While greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are established to ensure against misuse of increased flexibility. Planned unit developments are appropriate in areas where the Comprehensive Plan reflects either the specific uses proposed in the planned unit development or where the Comprehensive Plan reflects mixed use as a land use category.

### B. Objectives

The objectives of the planned unit development (PUD) process are:

1. To encourage unified projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet is consistent with all applicable plans including but not limited to the Master Plan, Thoroughfare Plan and the intent of this Code.
2. Allow the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protect the community's natural resources by avoiding development on and destruction of sensitive environmental areas.
3. Promote economical and efficient use of land and reduce infrastructure cost through unified development.
4. To provide amenities and enhancements that will sustain the quality of life and property values within the development as well as the properties surrounding the proposed PUD.
5. Assure compatibility between proposed land uses within and around the PUD through appropriate development controls.
6. Where appropriate, provide community facilities, open space and recreational areas.
7. To provide a maximum choice of business and living environments by allowing for a variety of housing, building types and imaginative architectural design.
8. To provide an opportunity for a mix of complementary uses otherwise not permitted within the standard zoning classifications.
9. To develop land in an orderly, coordinated and comprehensive manner that is consistent with accepted land planning, landscape architecture practices and engineering principles.

### C. Qualifying Conditions

At a minimum, all proposed PUDs shall meet the following qualifying conditions, as applicable, to be considered for approval:

1. **District Regulations.** Every planned unit development shall comply with all the regulations established in this Code for the underlying district in which the planned unit development is located, except as provided for in this section. A planned unit development (PUD) may be used to:
  - a. Define and condition uses allowed within the underlying districts, including expanding or restricting uses permitted by-right or by special use permit, including alcoholic beverage uses. Planned unit development zoning may specify the location of land uses and define standards, including the hours of operation and performance impacts of land uses.
  - b. Specify development standards and actions required to protect the environment and to preserve natural features and vegetation within the district.



- a. Preservation of significant natural features.
- b. Preservation of historic structures and features.
- c. A complementary mix of land uses or housing types, such as:
  - i. Senior housing set-aside of a minimum of 20%.
  - ii. Affordable housing set-asides within a mixed-income development of a minimum of 20%.
- d. Preservation of common open space beyond the minimum required.
- e. Connectivity of preserved open space with open space, greenways, or public trails on abutting properties.
- f. Open space and recreational amenities including, but not limited to, swimming pools, tennis courts, hiking and jogging trails and fitness courses, playgrounds, skate parks, and similar recreational features, dog parks, natural water features and conservation areas.
- g. Multi-use trails, nature trails, boardwalks, overlooks, landscaped areas with native plantings, which may incorporate water features, such as a detention pond.
- h. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and public transit facilities.
- i. Coordinated redevelopment of multiple lots or parcels.
- j. Removal or adaptive reuse and renovation of existing buildings, sites, or contamination clean-up.
- k. Reduction of impervious surface throughout the development, including techniques such as low impact development, and the increased use of pervious paving materials.
- l. Enhanced building design above that required by the Code and/or the use of green building and sustainable development techniques, including Leadership in Energy and Environmental Design (LEED) or LEED-equivalent certification of structures.
- m. Appropriate development controls that ensure compatibility between proposed uses and neighboring properties that include all of the following:
  - i. An increased landscaping amount of at least two (2) times the minimum requirements, and shall include at least one or more of the following required landscaping areas:
    - 1. Landscape areas that abut the street right-of-way.
    - 2. Landscape buffer yards, and
    - 3. Interior parking lot landscaping.
  - ii. The addition of supplemental screening, such as fencing or berming.
  - iii. The placement of uses or site features that may be potentially disturbing to neighboring properties to alternate locations within the site in order to substantially lessen the impact of such uses or site features and may include:
    - 1. Dumpsters or other trash collection facilities,
    - 2. Loading and delivery areas,
    - 3. Large truck pathways and maneuvering areas, or

4. Other features of uses that generate higher volumes of vehicular traffic, noise, or particulate that may produce irritating fumes or smells.
- iv. Elimination of non-conforming site elements that are not required to be removed but are voluntarily removed by the applicant.

#### **D. Procedures, Forms and Standards**

The Executive Director shall establish procedures, forms and standards with regard to the content, format and information constituting any PUD application. The Executive Director may amend and update the application materials from time-to-time, as necessary.

#### **E. Approval Process**

Approval of a planned unit development (PUD) includes a pre-application meeting, possible neighborhood participation plan meeting, preliminary site plan approval, and final site plan approval.

##### **1. Pre-Application Meeting with Executive Director**

Prior to formal submittal of any PUD application, the applicant is required to schedule a pre-application meeting with the Executive Director.

- a. At a pre-application meeting, the applicant shall provide information as to the location of the proposed PUD, the proposed uses, proposed public and private improvements, including the proposed public benefits and amenities, anticipated exceptions to this Code, and any other information necessary to explain the planned unit development.
- b. The purpose of such pre-application meeting is to make advice and assistance available to the applicant before preparation of required preliminary site plan, so that the applicant may determine whether the PUD follows the provisions of this Code and other applicable regulations, and whether the proposed planned unit development will be in conformity with the adopted land use policies.
- c. The pre-application meeting does not require a formal application, fee, or filing of a planned unit development application. Any opinions or advice provided are in no way binding with respect to any official action that may be taken on the subsequent formal application.

##### **2. Neighborhood Participation Plan**

Some PUD applications may be required to include a Neighborhood Participation Plan (NPP) report. If required, the PUD application will not be deemed complete until all mandatory NPP documents are submitted to MPC staff. All requirements for the NPP program are described in Section 15.4 (Neighborhood Participation Plan).

##### **3. Preliminary Site Plan**

All PUD applications shall submit a preliminary site plan in accordance with the following and shall contain all submittal requirements outlined in this subsection.

###### **a. Action by Metropolitan Planning Commission**

- i. After receipt of a complete application, including a summary, staff comments, and a recommendation from the Executive Director of the MPC, the Metropolitan Planning Commission shall consider the preliminary site plan at a public hearing in accordance with Section 15.3 (Public Hearing). Notice for the public hearing shall be in accordance with Section 15.2 (Notice).
- ii. The Metropolitan Planning Commission shall evaluate the preliminary site plan based upon the evidence presented at the public hearing, pursuant to the approval standards of this section and shall recommend any of the following actions: recommendation of approval, recommendation of approval with conditions, or recommendation of denial of the preliminary site plan.

iii. Within 60 days of the date a recommendation is rendered, the Metropolitan Planning Commission shall forward its recommendation to the City Council.

**b. Action by City Council**

The City Council shall take action on the preliminary site plan for properties within the boundaries of the City of Shreveport in one of the following ways: approve, approve with conditions, or deny.

i. The City Council shall act on the preliminary site plan within 90 days of receipt of the Metropolitan Planning Commission recommendation unless the City Council grants additional consideration time before the 90 day period has expired. The City Council shall take action in the form of approval, approval with conditions, or denial.

ii. If the City Council does not act upon the preliminary site plan within 90 days of receipt of the Metropolitan Planning Commission recommendation, the preliminary plan is deemed denied unless the City Council grants additional consideration time before the 90 day period has expired.

**c. Approval Standards for Preliminary Site Plan**

The recommendation of the Metropolitan Planning Commission and decision of the City Council shall make findings to support the following standards for all PUD:

i. Compliance with the Master Plan and adopted land use and design studies.

ii. Compliance with this Code and other applicable development regulations, and previously approved valid plans for the property.

iii. Impact on the site's natural resources and effect on adjacent area, property, and land use.

iv. Safety and efficiency of vehicular, bicycle, and pedestrian circulation, traffic control, and congestion mitigation.

v. Safety and convenience of off-street parking and loading facilities.

vi. Access for firefighting and emergency equipment to buildings.

vii. Use of landscape and screening to shield lights, noise, movement, or activities from adjacent properties, and to complement the design and location of buildings and parking.

**d. Effect of Approval of Preliminary Site Plan**

i. For a planned unit development (PUD), following approval of the preliminary site plan, the applicant will prepare and file a final site plan that includes all or a portion of the area included in the preliminary site plan.

ii. A copy of the preliminary site plan shall be registered in the official case record and is binding upon the applicants, their heirs, successors, and assigns. The approved site plan limits and controls the issuance and validity of permits and certificates, and restricts and limits the use and operation of all land and structures within the area designated in the site plan to all conditions and limitations specified in the approval. Except as provided for in this section, the MPC staff shall review building permits and approve zoning certificates for buildings or structures in accordance with the approved site plan and with all other applicable ordinances and regulations.

**4. Final Site Plan for Planned Unit Development (PUD)**

**a. Following approval of the preliminary site plan for a planned unit development (PUD), the applicant will prepare and file a final site plan for the Executive Director that includes all or a portion of the area included in the preliminary site plan.**

- b. If in compliance with the approved preliminary site plan, the Executive Director will approve the final site plan for use in the issuance of building permits.
- c. If the final site plan reflects significant change from the preliminary site plan, the Executive Director will forward the final site plan to the Metropolitan Planning Commission for further consideration in accord with procedures established for preliminary site plan review.
- d. Upon approval of the final site plan, a copy of such plan shall be registered in the official case record and is binding upon the applicants, their heirs, successors, and assigns. The approved final site plan limits and controls the issuance and validity of permits and certificates, and restricts and limits the use and operation of all land and structures within the area designated in the final site plan to all conditions and limitations specified in the approval. Except as provided for in this section, the Zoning Administrator shall approve building permits or zoning certificates for buildings or structures in accordance with the approved final site plan and with all other applicable ordinances and regulations.

#### **F. Binding Nature of Approved Site Plans**

Any approved site plan, whether preliminary or final, along with any conditions made at the time of approval shall be binding upon the applicant or any successors in interest in the planned unit development. Deviations from any approved site plan not in accordance with Subsection 16.9.F below shall constitute a violation of this Code.

#### **G. Modifications to Approved Site Plans**

- 1. The Executive Director may approve minor amendments to the final site plan provided the amendment conforms to the following standards:
  - a. The amendment does not increase the density of the development by no more than 10% in the total number of residential units.
  - b. The amendment does not substantially alter the arrangement of buildings, increase the number or size of buildings (limited to no more than a 10% increase in the total gross floor area in square feet), or change the use of building space designated within the original plan.
  - c. The amendment does not substantially alter the configuration of streets or lots.
  - d. The amendment does not substantially alter vehicular circulation or placement of parking areas.
  - e. The amendment does not significantly reduce or lessen the effectiveness of open space, landscape buffers, and edges.
  - f. The amendment does not conflict with other regulations specified within the ordinance establishing the PUD.
- 2. All other requested modifications to a final site plan require submittal as a new preliminary site plan for review and approval, and shall follow the review procedures as identified in this section.

#### **H. Expiration and Failure to Begin Development**

- 1. The approval of a preliminary site plan for a planned unit development (PUD) is effective for a period of three years from the date of approval by the City Council, at the end of which time the applicant shall have submitted and received approval of a final site plan. The Executive Director, after reviewing the current conditions of the site and verifying that there is no significant change in the development or traffic patterns in the area, may extend the approval period for up to an additional three years. If a final site plan is not approved within three years of the original approval of the preliminary site plan, or within the time extended by the Executive Director, the preliminary site plan approval is null and void. If the final site plan approval is only for a portion of the property, the approval of the preliminary site plan for the remaining property is null and void if a phasing plan with extended timelines was not approved as part of the preliminary site plan application. Any further action shall require a new application and approval.

2. The approval of the final site plan is effective for a period of three years. The Executive Director, after reviewing the current conditions of the site and verifying that there is no significant change in the development or traffic patterns in the area, may extend the approval period for up to an additional three years. If engineering plans and building permits are not approved and permitted construction activities have not commenced within three years, or within the time extended by the Executive Director, the final site plan approval is null and void. If engineering plans and permits have been approved only for a portion of the property and permitted construction activities has commenced, the final site plan for the remaining property is null and void if a phasing plan with extended timelines was not approved as part of the preliminary site plan application. Any further action shall require a new application and approval subject to the existing regulations.

**I. Appeals**

- A. Within 30 days after the date of the decision, the applicant or any aggrieved party may appeal a City Council decision on a planned unit development (PUD) application to Caddo Parish Civil District Court.
- B. Within 30 days after the date of the decision for any administrative action taken on a conditional zoning district application, the applicant or any aggrieved party may appeal an Executive Director's decision to the Zoning Board of Appeals.