

ORDINANCE NO. 157 OF 2022

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF ADDING SPECIAL EXCEPTION USE APPROVAL STANDARDS FOR SHORT-TERM RENTAL PROPERTIES, WITH ALL THEIR PROVISIONS INCLUDED THEREIN, 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 July 6, 2022, 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 August 3, 2022, 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 August 3, 2022, 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 July 19, 2022; and

WHEREAS, on August 23, 2022, these *code text amendments* were remanded by the City Council to the Shreveport-Caddo MPC, 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 October 5, 2022, 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 September 20, 2022; 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. Repeal and Replace “3” and “4” of ARTICLE 23. SHORT-TERM RENTAL PROPERTY, SECTION 23.5 PERMIT TYPES AND USE STANDARDS, Subsection 23.5.B in the Shreveport UDC to now read as follows.

23.5 PERMIT TYPES AND USE STANDARD

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B. Short-Term Rental, 'Type B'

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3. Administrative Approval.

- a. A Short-Term Rental Permit 'Type B-1' may be approved administratively by the Zoning Administrator if the total number of allowable overnight guests of the proposed short-term rental does not exceed ten (10) adults, nor does the proposed short-term rental property require special exception use approval due to distancing requirements.
- b. **Distance Requirements.** No more than three (3) approved 'Type B' short-term rental permits shall be located within a 500 foot radius of an approved short-term rental permit, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same user is located, without the approval of a special exception use by the Zoning Board of Appeals.

4. Special Exception Use Approval

A Short-Term Rental Permit 'Type B-2' may only be allowed as a special exception use, and requires review and approval by the Zoning Board of Appeals per the requirements of Section 16.6 when:

- a. **Number of Overnight Guests.** The host of a short-term rental property requests the total number of allowable overnight guests to exceed ten (10) adults. Distance Requirements.
- b. **Discretion of the Executive Director.** At any time during the review process for a Short-Term Rental 'Type-B' Permit, the Executive Director may determine that administrative approval is not appropriate and that special exception use approval shall be required if the proposal will not be compatible with the adjacent and surrounding properties or if the applicant fails to meet the any standards for the permit as described herein.
- c. **Exceptions.** Only 'Type B' permit applications have STR distance requirements. No Short-Term Rental Permit 'Type A' application is subject to distance requirement under this Code, nor will any approved Short-Term Rental Permit 'Type A' property trigger any distance requirements for a proposed Short-Term Rental Permit 'Type B' application.
- d. **Exemptions.** Short-Term Rental Permit 'Type A' and 'Type B-1' applications located within the D-1 Zoning District are exempt from any distance requirements for short-term rentals. However, any proposed short-term rental property located within any zoning district which requests the total number of allowable overnight guests to exceed ten (10) adults shall require special exception use approval.
- e. **Special Exception Use Approval Standards of Short-Term Rentals.** The Zoning Board of Appeals or, on appeal, the City Council must consider the following approval standards for short-term rentals.
 - i. **Health and Safety.** Whether the design, location, and operating plans must be such that the public health, safety and/or welfare is protected.
 - ii. **Land Use.** Whether the proposed special exception use is compatible with the general land use of adjacent properties and other property within 300 feet.
 - iii. **Neighborhood Impact.** Whether the proposed short-term rental will adversely affect the neighborhood character.

- iv. **Parking.** Whether the proposed special exception use is in compliance with the required parking standards for the designated land use (i.e., with there be sufficient parking to accompany a short-term rental).
- v. **Contact Information.** Whether the applicant or authorized agent has provided information sufficient to verify a qualified person will be available to be contacted about use of the short-term rental during and after business hours.
- vi. **Notice to Neighbors.** Has the licensee or authorized agent either mailed, or otherwise distributed by hand, a flier to neighbors within a 500-foot radius of the short-term rental property address outlining the proposed use and owner or representative contact information.

* * * * *

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

RECOMMENDED UDC CODE TEXT AMENDMENTS. 22-8-CTA.

The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. Periodically, revisions are required to reflect the changing nature of business in our community. These proposed amendments will be intended to be more user-friendly, concerning Short-term Rental within the City.

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

1. Repeal and Replace "3" and "4" of ARTICLE 23. SHORT-TERM RENTAL PROPERTY, SECTION 23.5 PERMIT TYPES AND USE STANDARDS. Subsection 23.5.B in the Shreveport UDC to now read as follows.

23.6 PERMIT TYPES AND USE STANDARD

B. Short-Term Rental, 'Type B'

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3. Administrative Approval.

- a. A Short-Term Rental Permit 'Type B-1' may be approved administratively by the Zoning Administrator if the total number of allowable overnight guests of the proposed short-term rental does not exceed ten (10) adults, nor does the proposed short-term rental property require special exception use approval due to distancing requirements.
- b. Distance Requirements. No more than three (3) approved 'Type B' short-term rental permits shall be located within a 500 foot radius of an approved short-term rental permit, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same user is located, without the approval of a special exception use by the Zoning Board of Appeals.

4. Special Exception Use Approval

A Short-Term Rental Permit 'Type B-2' may only be allowed as a special exception use, and requires review and approval by the Zoning Board of Appeals per the requirements of Section 16.6 when:

- a. **Number of Overnight Guests.** The host of a short-term rental property requests the total number of allowable overnight guests to exceed ten (10) adults.
- b. **Distance Requirements.** Except in the D-1 district, approved short-term rental properties must be located no closer than 500 feet from any other existing short-term rental property, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same user is located. If any short-term rental property wishes to locate closer than the 500-foot minimum distance from any legally existing short-term rental property, a special exception use approval is required.
- b. **Discretion of the Executive Director.** At any time during the review process for a Short-Term Rental 'Type-B' Permit, the Executive Director may determine that administrative approval is not appropriate and that special exception use approval shall be required if the proposal will not be compatible with the adjacent and surrounding properties or if the applicant fails to meet the any standards for the permit as described herein.
- c. **Exceptions.** Only 'Type B' permit applications have STR distance requirements. No Short-Term Rental Permit 'Type A' application is subject to distance requirement under this Code, nor will any approved Short-Term Rental Permit 'Type A' property trigger any distance requirements for a proposed Short-Term Rental Permit 'Type B' application.
- d. **Exemptions.** Short-Term Rental Permit 'Type A' and 'Type B-1' applications located within the D-1 Zoning District are exempt from any distance requirements for short-term rentals. However, any proposed short-term rental property located within any zoning district which requests the total number of allowable overnight guests to exceed ten (10) adults shall require special exception use approval.
- e. **Special Exception Use Approval Standards of Short-Term Rentals.** The Zoning Board of Appeals or, on appeal, the City Council must consider the following approval standards for short-term rentals.

- i. Health and Safety. Whether the public health, safety and/or welfare
- ii. Land Use. Whether the proposed special exception use is compatible with the general land use of adjacent properties and other property within 300 feet.
- iii. Neighborhood Impact. Whether the proposed short-term rental will adversely affect the neighborhood character.
- iv. Parking. Whether the proposed special exception use is in compliance with the required parking standards for the designated land use (i.e., with there be sufficient parking to accompany a short-term rental).
- v. Contact Information. Whether the applicant or authorized agent has provided information sufficient to verify a qualified person will be available to be contacted about use of the short-term rental during and after business hours.
- vi. Notice to Neighbors. Has the licensee or authorized agent either mailed, or otherwise distributed by hand, a flier to neighbors within a 500-foot radius of the short-term rental property address outlining the proposed use and owner or representative contact information.

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Explanation: Currently, if a new STR application is proposed, and any approved STR is operating within 500 feet of the proposed STR, whether Type A or Type B, that prior to the approval of the proposed STR application a Special Exception Use is required by the ZBA. This amendments aims at simplifying the approval process.

- **Administrative Approval.** This language adds that distance requirements may trigger the need for special exception use approval.
- **Distance Requirements.** No more than three (3) approved 'Type B' Short-Term Rental Permits shall be located within a 500 foot radius of each other without the approval of a special exception use by the Zoning Board of Appeals. Simply put, if a new applicant applied for STR 'Type-B' permit, and there were already 3 existing STR permits within 500 feet, this proposed application would require Special Exception use approval before it was approved.
- **Discretion of the Executive Director.** At any time during the review process, the Executive Director may determine that administrative approval is not appropriate and that special exception use approval shall be required.
- **Exceptions.** Only 'Type B' permit applications have STR distance requirements. No Short-Term Rental Permit 'Type A' application would be subject to distance requirement under this Code, nor will any approved Short-Term Rental Permit 'Type A' property trigger any distance requirements for a proposed Short-Term Rental Permit 'Type B' application.
- **Exemptions.** Short-Term Rental Permit 'Type A' and 'Type B-1' applications located within the D-1 Zoning District are exempt from any distance requirements for short-term rentals. However, any proposed short-term rental property located within any zoning district which requests the total number of allowable overnight guests to exceed ten (10) adults shall require special exception use approval.
- **Special Exception Use Approval Standards of Short-Term Rentals.** Currently, the only 'approval standards' for Special Exception Use are found in Section 16.6 of this Code, and do not address the special use of Short-Term Rentals. These standards quantify those needs by specifically looking at health and safety, land use, neighborhood impact, parking conditions, how to contact the host if there are problems and, finally, whether the neighbors were properly notified that a STR application was applied for and that a letter and/or flier was distributed to neighbors within a 500-foot radius of the short-term rental property address containing the operating license number and owner or representative contact information.

ORDINANCE NO. 157 OF 2022

October 11, 2022

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

October 25, 2022

Having passed first reading on October 11, 2022 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 Fuller to postpone until the next regular meeting. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, Alan Jackson, James Green, and Jerry Bowman, Jr. 7. Nays: 0. Absent: 0. Out of the Chamber: 0. Abstentions: 0.

November 7, 2022

Having passed first reading on October 11, 2022 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Nickelson seconded by Councilman Boucher to postpone until the next regular meeting. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, Alan Jackson, James Green, and Jerry Bowman, Jr. 7. Nays: 0. Absent: 0. Out of the Chamber: 0. Abstentions: 0.

November 18, 2022

Read by title and amendment read as follows:

AMENDMENT NO. 1 TO ORDINANCE NO. 157 OF 2022

INSTRUCTIONS: Delete and remove from the files the Fact Sheet, Ordinance (and Exhibits) with the above title and substitute the attached revised Fact Sheet, Ordinance and Exhibits.

EXPLANATION OF THE AMENDMENT: This amendment packet replaces the entire Ordinance with Exhibits (but the title of the ordinance remains the same)


Fact Sheet and Ordinance No. 157: • Amendment No.1 language added to Fact Sheet

- ‘Distance Requirements’ moved from 23.5.B(4)(b) to 23.5.B(3)(b) Exhibit “A”
- ‘Distance Requirements’ language moved from 23.5.B(4)(b) to 23.5.B(3)(b)

ORDINANCE NO. 157 of 2022 CONT'D

As read motion by Councilman Nickelson seconded by Councilman Boucher to adopt Amendment No. 1 to Ordinance No. 157 of 2022. Motion approved by the following vote: Ayes: Councilmembers LeVette Fuller, John Nickelson, Grayson Boucher, James Green, and Jerry Bowman, Jr. 5. Nays: Councilwoman Tabatha Taylor, 1. Absent: Councilman Alan Jackson, 1. Out of the Chamber: 0. Abstentions: 0.

Motion by Councilman Boucher seconded by Councilman Nickelson to adopt Ordinance No. 157 of 2022 as amended. Motion approved by the following vote: Ayes: Councilmembers LeVette Fuller, John Nickelson, Grayson Boucher, James Green, and Jerry Bowman, Jr. 5. Nays: Councilwoman Tabatha Taylor, 1. Absent: Councilmember Alan Jackson, 1. Out of the Chamber: 0. Abstentions: 0.



James Green, Chairman

Approved: 

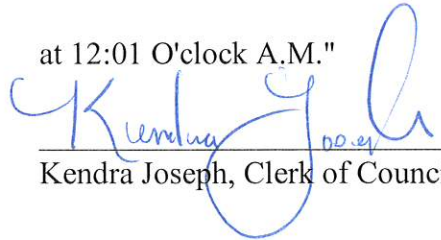
Adrian Perkins, Mayor

Approved by the City Council NOV 18 2022

Approved by the Mayor NOV 29 2022

And Effective on DEC 07 2022

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



Kendra Joseph, Clerk of Council

AMENDMENT NO. 1 TO ORDINANCE NO. 157 OF 2022

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

TITLE

An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, for the purpose of adding special exception use approval standards for short-term rental properties, with all their provisions included therein, and to otherwise provide with respect thereto.

DATE

October 11, 2022

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

In response to an emergence of the rental of dwelling units on a short-term basis, the increase in websites facilitating short-term rentals, and concerns from citizens regarding the impacts they have on the character of existing neighborhoods, MPC staff studied the existing regulations to address the issue on whether or not a special exception use was required and, if so, what should the distance requirements be, if any. Staff has made several presentations in an effort to share information and receive guidance from on how they envision these buffer restrictions should be enacted. Based on research, staff guidance and public input, MPC staff has drafted the attached amendment for review.

TIMETABLE

MPC Introduction:	July 6, 2022
MPC Review & Recommendation:	August 3, 2022
Introduction to City Council:	August 9, 2022
Final Passage by City Council:	August 23, 2022
Remanded by City Council:	August 23, 2022
MPC Review & Recommendation:	October 5, 2022
Re-Introduction to City Council:	October 11, 2022
Final Passage by City Council:	October 25, 2022

ATTACHMENTS

Exhibit “A”	MPC Memo
Exhibit “B”	MPC Staff Report

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 October 5, 2022. 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 La. R.S. 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 October 5, 2022, 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, 2022 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

AMENDMENT NO. 1 TO ORDINANCE NO. 157 OF 2022

ORDINANCE NO. 157 OF 2022

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF ADDING SPECIAL EXCEPTION USE APPROVAL STANDARDS FOR SHORT-TERM RENTAL PROPERTIES, WITH ALL THEIR PROVISIONS INCLUDED THEREIN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

INSTRUCTIONS:

Delete and remove from the files the Fact Sheet, Ordinance (and Exhibits) with the above title and substitute the attached revised Fact Sheet, Ordinance and Exhibits.

EXPLANATION OF THE AMENDMENT:

This amendment packet replaces the entire Ordinance with Exhibits (but the title of the ordinance remains the same).

Fact Sheet and Ordinance No. 157:

- *Amendment No.1 language added to Fact Sheet*
- *'Distance Requirements' moved from 23.5.B(4)(b) to 23.5.B(3)(b)*

Exhibit "A"

- *'Distance Requirements' language moved from 23.5.B(4)(b) to 23.5.B(3)(b)*