

ORDINANCE NO. 182 OF 2023

AN ORDINANCE TO AMEND ARTICLE 4 OF THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, ESTABLISHING A WAIVER OF THE SETBACK REQUIREMENTS WITHIN THE URBAN CORRIDOR ZONING DISTRICT, WITH ALL PROVISIONS INCLUDED THEREIN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: BOUCHER

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 December 6, 2023, these *code text amendments* were submitted to the Shreveport 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 November 1, 2023, 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 October 13, 2023; 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. Amend "Dimensional Standards" in ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.3. COMMERCIAL DISTRICTS, SUBSECTION 4.3.C in the Shreveport UDC to read as follows.

ARTICLE 4. - ZONING DISTRICT REGULATIONS

4.3 COMMERCIAL DISTRICTS

C. Dimensional Standards

3. Certain standards within the C-UC District are applied as follows:

- a. Maximum lot area is only applicable to new lots created through subdivision or any other manner after the effective date of this Code.

- b. Any residential structures existing in the district as of the effective date of this Code that exceed the required build-to zones are deemed conforming with the limitation that the setback may not be further increased in excess of the required build-to zone. When the lot is redeveloped and the principal structure is torn down, new development must conform to the requirements of the district.
- c. A waiver of setback requirements within the C-UC District may be considered to increase the district's build-to-zone provided the increase is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage. The waiver shall not, in the opinion of the Executive Director, have an adverse effect on the neighborhood or general welfare of the area.

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 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

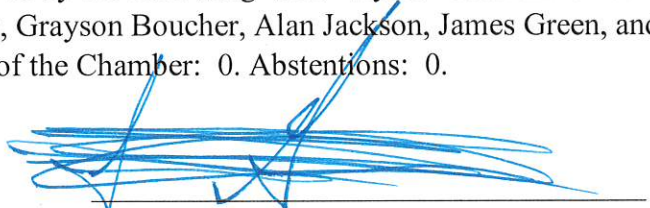
ORDINANCE NO. 182 OF 2023

December 21, 2023

Read by title and as read motion by Councilwoman Bowman seconded by Councilman Brooks for introduction

January 9, 2024

Having passed first reading on December 21, 2023 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Boucher seconded by Councilman Taliaferro for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, Gary Brooks, Jim Taliaferro, Grayson Boucher, Alan Jackson, James Green, and Ursula Bowman. 7. Nays: 0. Absent: 0. Out of the Chamber: 0. Abstentions: 0.



James Green, Chairman

Approved:



Tom Arceneaux, Mayor

Approved by the City Council JAN 09 2024

Approved by the Mayor JAN 18 2024

And Effective on JAN 26 2024

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



LaTonya Bogan, Chief Deputy Clerk of Council

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

TITLE	DATE	ORIGINATING DEPARTMENT
An ordinance to amend Article 4 of the City of Shreveport, Louisiana, Unified Development Code, establishing a waiver of the setback requirements within the Urban Corridor Zoning District, with all provisions included therein, and to otherwise provide with respect thereto.	December 21, 2023	Shreveport Caddo Metropolitan Planning Commission ("MPC")
		COUNCIL DISTRICT
		City-wide
		SPONSOR

PURPOSE

To amend the code text in the Shreveport Unified Development Code.

OVERVIEW

- This is an MPC Executive Director initiated code text amendment to better ensure sound, stable, and desirable development within the City.
- In 2017, the UDC introduced the Urban Corridor Zoning District, or C-UC. It was intended to offer flexibility by attempting to create a mix of commercial, office, and residential spaces.
- Typically, zoning districts have required setbacks—the distance between the property line and the building where no structure can be placed. The C-UC, however, has a build-to-zone—the area where the building must be located.
- The C-UC has a build-to-zone of 0’ - 20’ (meaning that the building is required locate within the first 20’ of the property).
- If an applicant does not (or cannot) adhere to the build-to-zone requirement, a variance must be sought before the ZBA.
- Since 2017, of the received applications within the C-UC, many applicants have struggled to meet the build-to-zone requirements, acknowledging they either (a) create safety hazards or (b) incur increased construction costs.
- This proposed amendment would allow for ‘setback waiver’ for lots within the C-UC.
- Said waiver would be approved administratively by the Executive Director.
- The setback waiver, if approved by the Executive Director, would eliminate the build-to-zone, and allow the setback to be increased to no greater than the front or side setbacks of adjacent lots on the same street frontage.
- The waiver shall not, in the opinion of the Executive Director, have an adverse effect on the neighborhood or general welfare of the area.

TIMETABLE

MPC Review & Recommendation:	December 6, 2023
Introduction to City Council:	December 21, 2023
Final Passage by City Council:	January 9, 2023

ATTACHMENTS

Exhibit “A”	Amendment Summary
Exhibit “B”	Amendment Details
Exhibit “C”	MPC Staff Report for 23-10-CTAC

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 December 6, 2023. 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 December 6, 2023, 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 19, 2023, 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



Office of the MPC

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318-673-6440 | fax 318-673-6112

SHREVEPORT UDC CODE TEXT AMENDMENT SUMMARY: 23-10-CTAC

—Waiver of Setback Requirements within the C-UC District—

The Shreveport Unified Development Code ("Shreveport UDC" or "UDC") undergoes regular review by MPC staff in an attempt to better ensure sound, stable and desirable development within the City of Shreveport. Periodically, revisions are required. Sometimes those revisions reflect the changing nature of business in the community, and sometimes they are to correct "errors" in the Code.

REQUEST: MPC Case #23-10-CTAC recommends one (1) text amendments that will revise Articles 4 of the Shreveport UDC.

SUMMARY:

- This is an MPC Executive Director initiated code text amendment to better ensure sound, stable, and desirable development within the City.
- In 2017, the UDC introduced the Urban Corridor Zoning District, or C-UC. It was intended to offer flexibility by attempting to create a mix of commercial, office, and residential spaces.
- Typically, zoning districts have required setbacks—the distance between the property line and the building where no structure can be placed. The C-UC, however, has a build-to-zone—the area where the building must be located.
- The C-UC has a build-to-zone of 0'- 20' (meaning that the building is required to be located within the first 20' of the property).
- If an applicant does not (or cannot) adhere to the build-to-zone requirement, a variance must be sought before the ZBA.
- Since 2017, of the received applications within the C-UC, many applicants have struggled to meet the build-to-zone requirements, acknowledging they either (a) create safety hazards or (b) incur increased construction costs.
- This proposed amendment would allow for 'setback waiver' for lots within the C-UC.
- Said waiver would be approved administratively by the Executive Director.
- The setback waiver, if approved by the Executive Director, would eliminate the build-to-zone, and allow the setback to be increased to no greater than the front or side setbacks of adjacent lots on the same street frontage.
- The waiver shall not, in the opinion of the Executive Director, have an adverse effect on the neighborhood or general welfare of the area.

MASTER PLAN

CONSISTENCY:

MPC staff certifies that the proposed UDC amendments are consistent with the Shreveport-Caddo 2030 Great Expectations Master Plan:

- Ensuring equitable health and safety outcomes for all,
- Ensuring regulatory processes are responsive, efficient, and customer friendly, and
- Revising regulations for best practices and enforcement.

RECOMMENDATION: MPC Staff concludes that the recommendation to APPROVE these code text amendments is warranted.

RECOMMENDED UDC CODE TEXT AMENDMENTS. 23-10-CTAC.

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 various housekeeping and corrective changes due to oversight, contradictions, or missing items.

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

1. Amend "Dimensional Standards" in ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.3. COMMERCIAL DISTRICTS, SUBSECTION 4.3.C in the Shreveport UDC to read as follows.

ARTICLE 4. - ZONING DISTRICT REGULATIONS

* * * * *

4.3 COMMERCIAL DISTRICTS

* * * * *

C. Dimensional Standards

* * * * *

3. Certain standards within the C-UC District are applied as follows:

- a. Maximum lot area is only applicable to new lots created through subdivision or any other manner after the effective date of this Code.
- b. Any residential structures existing in the district as of the effective date of this Code that exceed the required build-to zones are deemed conforming with the limitation that the setback may not be further increased in excess of the required build-to zone. When the lot is redeveloped and the principal structure is torn down, new development must conform to the requirements of the district.
- c. A waiver of setback requirements within the C-UC District may be considered to increase the district's build-to-zone provided the increase is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage. The waiver shall not, in the opinion of the Executive Director, have an adverse effect on the neighborhood or general welfare of the area.

STAFF REPORT – CITY OF SHREVEPORT

DECEMBER 6, 2023
AGENDA ITEM NUMBER: XX
MPC Staff Member: Adam Bailey
City Council District: All Districts

CASE NUMBER: 23-10-CTAC: City of Shreveport Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: **Code Text (Ordinance) Amendments to the Shreveport UDC**

DESCRIPTION: Proposed amendments to the Shreveport Unified Development Code (UDC) related to the creation of a waiver of setback requirements within the C-UC zoning district.

**MASTER PLAN
CONSISTENCY:**

These changes are consistent with the following provisions of the Shreveport-Caddo 2030 Great Expectations Master Plan:

- Ensuring equitable health and safety outcomes for all,
- Ensuring regulatory processes are responsive, efficient, and customer friendly, and
- Revising regulations for best practices and enforcement.

**NOTIFICATION/
COMMUNITY OUTREACH:**

Notifications of the MPC public hearing were published pursuant to the following:

- Notice of the November MPC public hearing was provided through legal advertisement in *The Shreveport Times* on November 21, 2023. No comments have been received to date. Mailed notifications for applications for a code text amendment are not required.
- Following the MPC public hearing on December 5, the Shreveport City Council will review the proposals at a December 21, 2023, and January 9, 2024, public hearing. Note, these dates are subject to change.

STAFF ANALYSIS:

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 accommodate changed or the changing nature of business in our community.

This is an Executive Director initiated zoning text amendment to Article 4, Section 4.3.C.3, of the zoning code. This subsection addresses certain standards within the C-UC (Commercial Urban Core) Zoning District.

The purpose of this text amendment is to allow for a waiver of the front and corner side setback requirements for corner lots when the build-to requirement may have an adverse effect on the development of the area. In many cases, due to the "slow" rate of new construction in the area, the required build-to-line is often a hinderance—and a variance is often sought. The Executive Director gave staff direction after Case 23-126-C was approved; however, meeting the build-to-zone requirements was not feasible for the development.

STAFF REPORT – CITY OF SHREVEPORT

Research into how other jurisdictions indicated that a waiver of setback requirements was a feasible option to consider, as long as such a waiver—at the judgement of the Executive Director—would have no adverse effect on the neighborhood or general welfare of the area.

PROPOSED UDC CODE TEXT AMENDMENT(S):

Staff is proposing the following amendments to the Shreveport UDC at this time. See Exhibit “B” for a detailed list of changes with [added language](#) and [strikeouts](#).

Amendment 1. Amend dimensional standard requirements for commercial districts in **Article 4. Zoning District Regulations, Subsection 4.3.C.3.**

ATTACHMENTS: See Exhibit “A” for a one-page summary of proposed amendments.
See Exhibit “B” for detailed list of changes with redlines and strikeouts.

APPROVAL STANDARDS: The purpose of Section 16.1.E.1 is to provide a uniform means for amending the text of the UDC 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 promote 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 simplify 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.**
The proposed amendments reflect changes in policy.
- 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 the facts of record, MPC Staff concludes that the recommendation to **APPROVE** these code text amendments is warranted. If approved by City Council, **Article 4** 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:

STAFF REPORT – CITY OF SHREVEPORT

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

PUBLIC ASSESSMENT: No one spoke in support or opposition.

MPC BOARD RECOMMENDATION: The Board voted unanimously to recommend this application for approval.

draft

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE PUBLIC HEARING DECEMBER 6, 2023**

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish was held on Wednesday, December 6, 2023 at 3:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The members met in the MPC Conference room prior to the hearing for case manager presentations.

Members Present

Bill Robertson, Chair
Winzer Andrews
Toni Thibeaux
Chris Elberson
Rachel Jackson
Fred Moss, IV
Harold Sater

Staff Present

Alan Clarke, Executive Director
Stephen Jean, Deputy Director
Kamrin Hooks, Executive Assistant/Planner 1
Emily Trant, Planner II
Tanner Yeldell, City Attorney's Office
PeiYao Lin, Community Planner 1
Christian Terrell, Planner 1
Adam Bailey, Community Planning & Design Manager

Members Absent

Rose Wilson McCulloch
Gabriel Balderas

The hearing was opened with prayer by **MR. SATER**. The Pledge of Allegiance was led by **MR. ELBERSON**

The meeting was called to order & the procedure for hearing the applications on today's agenda was explained. Speakers should speak clearly into the microphone & give their name & mailing address for further reference. Comments on any item not on the agenda will be limited to 3 minutes at the end of the public hearing. Any written comments that were submitted may be viewed in the public record files.

All decisions rendered by the Metropolitan Planning Commission are subject to appeal to the appropriate governing body, the City Council. Appeals must be filed within 10 days from the date a decision is rendered by the Metropolitan Planning Commission.

A motion was made by MS. JACKSON, seconded by MR. SATER, to amend the agenda to elect officers under New Business.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. ANDREWS, ELBERSON, MOSS, ROBERTSON, & SATER and, Meses. JACKSON & THIBEAUX Nays: NONE. Absent: Messrs. BALDERAS, & Meses. WILSON MCCULLOCH

A motion was made by MR. ANDREWS, seconded by MR. MOSS, to approve the minutes of the November 1, 2023 public hearing as submitted.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. ANDREWS, ELBERSON, MOSS, ROBERTSON, & SATER and, Meses. JACKSON & THIBEAUX Nays: NONE. Absent: Messrs. BALDERAS, & Meses. WILSON MCCULLOCH

PUBLIC HEARING

CASE NO. 23-10-CTAC CODE TEXT AMENDMENT

Applicant: METROPOLITAN PLANNING COMMISSION
Request: Code Text (Ordinance) Amendments to the Shreveport UDC related to the creation of a waiver of setback requirements within the C-UC zoning district.

Representative &/or support: None.

draft

Opposition: None.

RIBERTSON stated that his neighborhood association, Broadmoor, worked with the city years ago to implement an overlay district between Kings Hwy and Southfield Road. He stated that while the area is residential it is slowly being commercialized as it is close to Youree drive. ROBERTSON stated that the overlay seems to have frozen the corridor in place, he asked if that has been obliterated by the adoption of the Unified development Code. BAILEY stated that this amendment only addresses lots within the C-UC (Urban Corridor Zoning District).

JEAN explained to the Board that Southern Hills, Fairfield, Byrd neighborhood and Stoner Avenue are C-UC zoning.

ELBEROSN stated that this amendment is incredibly beneficial.

CLARKE stated that this amendment will stop punishing the citizens for having C-UC zoning where it is inappropriate and open opportunities for new development.

A motion was made by MR. ELBERSON, seconded by MR. ANDREWS to recommend this application for approval.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. ANDREWS, ELBERSON, MOSS, ROBERTSON, & SATER and, Mses. JACKSON & THIBEAUX Nays: NONE. Absent: Messrs. BALDERAS, & Mses. WILSON MCCULLOCH

END OF PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

JACKSON informed the Board that ANDREWS was nominated for Chairman, ELBERSON for Vice-Chairman and JACKSON as the secretary.

A motion was made by MS. JACKSON, seconded by MR. MOSS to approve the slate of officers.

The motion was adopted by the following 7-0 vote: Ayes: Messrs. ANDREWS, ELBERSON, MOSS, ROBERTSON, & SATER and, Mses. JACKSON & THIBEAUX Nays: NONE. Absent: Messrs. BALDERAS, & Mses. WILSON MCCULLOCH

CLARKE informed the Board that from November 1,2023 to December 6,2023, there have been 23 certificates of occupancies. From January 1,2023 to December 6,2023 there have been 454 certificates of occupancies. Home-based business certificate of occupancies from November 1,2023 to December 6,2023 has been 9 and from January 1,2023 to December 6,2023 there has been 302. Complaints about Zoning Violation complaints from November 1, 2023, to December 6,2023 has been 68 and from January 1,2023 to December 6,2023 there has been 461 complaints.

OTHER MATTERS TO BE REVIEWED BY THE COMMISSION

CHAIR/BOARD MEMBER'S COMMENTS

ADJOURN 4:30 p.m.

Bill Robertson, Chair

Rose Wilson, McCulloch, Secretary

CC3825

NOTICE TO THE PUBLIC

Control #23188

Notice is hereby given that the Shreveport Metropolitan Planning Commission of Caddo Parish, LA, will hold a public hearing on Wednesday, December 6, 2023 at 3:00 p.m. in the **Government Plaza Chamber, 1st Floor, 505 Travis Street, Shreveport, LA,** for the purpose of considering the following subdivision applications &/or amendments to the City of Shreveport and Caddo Parish Unified Development Codes & the official Zoning Map for the Shreveport Metropolitan Planning Area of Caddo Parish, LA.

CASE NO. 23-10-CTAC: UDC Code Text Amendments. In accordance with Shreveport Unified Development Code (UDC), Article 16, Section 16.1, an application has been submitted by the staff of the Shreveport Metropolitan Planning Commission of Caddo Parish to consider public comments and testimony regarding a proposed code text amendment to the Shreveport UDC to amend the following articles, or portions thereof: Article 4. – Zoning District Regulations, relative to establishing a waiver of the setback requirements within the C-UC (Commercial Urban Core) zoning district, with all provisions included therein.

Alan Clarke, Executive Director
Metropolitan Planning Commission
The Shreveport Times