

ORDINANCE NO. 115 OF 2023

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF CLARIFYING AND UPDATING VARIOUS CODE PROVISIONS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: TABATHA TAYLOR

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 August 2, 2023, 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 September 6, 2023, 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 September 6, 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 August 25, 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 "Relation to Private Agreements" in ARTICLE 1. TITLE, PURPOSE, AND APPLICABILITY, SECTION 1.3. APPLICABILITY in the Shreveport UDC.

1.3 APPLICABILITY

D. Relation to Private Agreements

This Code is not intended to abrogate, annul, or otherwise interfere with any private agreement, easement, covenant, restriction, or other private legal relationship. The Zoning Administrator is responsible for enforcing this Code; it does not enforce private agreements, easements, covenants, or restrictions except those specifically required for the administration and enforcement of this Code.

2. Add new definitions “Shoreline” and “Waterfront Lot” in ARTICLE 2, DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC. These new definitions will need to be alphabetized accordingly.

2.3 DEFINITION OF GENERAL TERMS

* * * * *

Shoreline. The mean high-water line.

* * * * *

Waterfront Lot. A lot bounded on at least one side by water and located on the perimeter of a permanently established body of water of such as a lake, river or bayou.

* * * * *

3. Amend use standard “Drive-Through Facility” in ARTICLE 6, USES, SECTION 6.1, PRINCIPAL USE STANDARDS in the Shreveport UDC.

4.6 SPECIAL PURPOSE DISTRICTS

* * * * *

F. CLO Cross Lake Overlay Zoning District

* * * * *

5. Accessory Structures

- a. An accessory structure on a waterfront lot may be located in the front yard.
- b. The front yard of a waterfront lot is the yard that faces the shoreline. If more than one yard faces the shoreline, the rear yard is the one that provides access to a road and the front yard is determined accordingly.

4. Amend development standard “Luminaire with Cut Off Standards” in ARTICLE 7, ON-SITE DEVELOPMENT STANDARDS, SECTION 7.2 EXTERIOR LIGHTING in the Shreveport UDC.

7.2 EXTERIOR LIGHTING

* * * * *

C. Luminaire with Cut Off Standards

- 1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
- 2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 25 feet. Any luminaire greater than 25 feet in total height requires a variance.
- 3. A cut off luminaire must be designed to completely shield the light source from an observer three and one-half feet above the ground at any point along an abutting lot line.

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

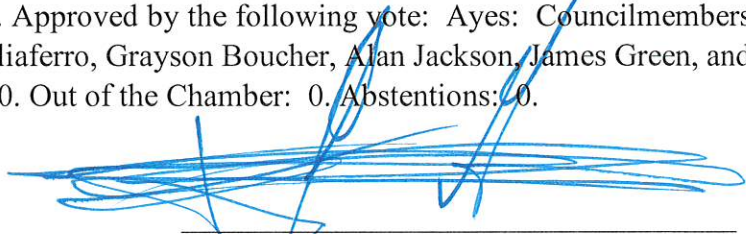
ORDINANCE NO. 115 OF 2023

September 26, 2023

Read by title and as read motion by Councilman Boucher seconded by Councilwoman Taylor for introduction

October 10, 2023

Having passed first reading on September 26, 2023 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilwoman Taylor seconded by Councilwoman Bowman 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 SEP 10 2023

Approved by the Mayor OCT 16 2023

And Effective on OCT 24 2023

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 various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, for the purpose of clarifying and updating various code provisions, and to otherwise provide with respect thereto.	September 26, 2023	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

MPC Case #23-7-CTAC recommends four (4) text amendments that will affect the following articles of the Shreveport UDC: *Article 1. – Title, Purpose, and Applicability; Article 2. – Definitions and Rules of Measurement; Article 4. – Zoning District Regulations; and Article 7. – On-Site Development Standards;* with all provisions included therein.

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.

TIMETABLE

MPC Introduction:	August 2, 2023
MPC Review & Recommendation:	September 6, 2023
Introduction to City Council:	September 26, 2023
Final Passage by City Council:	October 10, 2023

ATTACHMENTS

Exhibit "A"	Summary of Proposed Amendments
Exhibit "B"	Detailed Amendment Memo
Exhibit "C"	MPC Staff Report for 23-7-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 September 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 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 September 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 August 25, 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

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

SHREVEPORT UDC CODE TEXT AMENDMENT SUMMARY: 23-7-CTAC

— General Clean-Ups—

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.

MPC Case #23-7-CTAC recommends four (4) text amendments that are intended to be more user-friendly.

REQUEST: To revise Article 1, Article 2, Article 4 and Article 7 of the Shreveport UDC.

**MASTER PLAN
CONSISTENCY:**

Staff certifies that the proposed UDC amendments 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.

STAFF ANALYSIS:

These amendments:

- Repeal and replace address language concerning the UDC's relation to private agreements,
- Address accessory structures on waterfront property with new definitions for *Shoreline* and *Waterfront Lot*,
- Add new standards that establish the front yard of a waterfront lot is the yard that faces the shoreline in the Cross Lake Overlay District, and
- Amend language for exterior lighting luminaire standards. Existing language states that a luminaire greater than 25 feet in total height requires special use approval. Proposed language would instead require a variance.

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

RECOMMENDED UDC CODE TEXT AMENDMENTS. 23-7-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 and processed as either general amendments suggested or reviewed by the MPC staff, or amendments that include those that are legally necessary, incorporate previously approved ordinances or determinations, or are emergency amendments. 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 "Relation to Private Agreements" in ARTICLE 1. TITLE, PURPOSE, AND APPLICABILITY, SECTION 1.3. APPLICABILITY in the Shreveport UDC.

1.3 APPLICABILITY

* * * * *

D. Relation to Private Agreements

~~This Code does not nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement or covenant, this Code controls. Those charged with administration and enforcement of this Code do not enforce any private agreement.~~

This Code is not intended to abrogate, annul, or otherwise interfere with any private agreement, easement, covenant, restriction, or other private legal relationship. The Zoning Administrator is responsible for enforcing this Code; it does not enforce private agreements, easements, covenants, or restrictions except those specifically required for the administration and enforcement of this Code.

2. Add new definitions "Shoreline" and "Waterfront Lot" in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC. These new definitions will need to be alphabetized accordingly.

2.3 DEFINITION OF GENERAL TERMS

* * * * *

Shoreline. The mean high-water line.

* * * * *

Waterfront Lot. A lot bounded on at least one side by water and located on the perimeter of a permanently established body of water of such as a lake, river or bayou.

* * * * *

3. Add new standards titled "5. Accessory Structures" to ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.6. SPECIAL PURPOSE DISTRICT, SUBSECTION 4.6.F CLO CROSS LAKE OVERLAY ZONING DISTRICT in the Shreveport UDC.

4.6 SPECIAL PURPOSE DISTRICTS

* * * * *

F. CLO Cross Lake Overlay Zoning District

* * * * *

5. Accessory Structures

- a. An accessory structure on a waterfront lot may be located in the front yard.
- b. The front yard of a waterfront lot is the yard that faces the shoreline. If more than one yard faces the shoreline, the rear yard is the one that provides access to a road and the front yard is determined accordingly.

4. Amend development standard "Luminaire with Cut Off Standards" in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.2 EXTERIOR LIGHTING in the Shreveport UDC.

7.2 EXTERIOR LIGHTING

* * * * *

C. Luminaire with Cut Off Standards

1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 25 feet. Any luminaire greater than 25 feet in total height requires ~~special-use approval~~ a variance.
3. A cut off luminaire must be designed to completely shield the light source from an observer three and one-half feet above the ground at any point along an abutting lot line.

STAFF REPORT – CITY OF SHREVEPORT

SEPTEMBER 6, 2023

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

CASE NUMBER: 23-7-CTAC: City of Shreveport Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: Code Text (Ordinance) Amendments to the Shreveport UDC

DESCRIPTION: These proposed code text amendments address various items including, but not limited to, amending the following articles of the Shreveport UDC: *Article 1. – Title, Purpose, and Applicability; Article 2. – Definitions and Rules of Measurement; Article 4. – Zoning District Regulations; and Article 7. – On-Site Development Standards;* with all provisions included therein.

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

- Ensuring regulatory processes are responsive, efficient, and customer friendly,
- Making the UDC more 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:

- Proposed language was provided to the City Attorney's Office on August 22, 2023, for review and comment.
- Notice of the September MPC public hearing was provided through legal advertisement in *The Shreveport Times* on August 25, 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 September 6, the Shreveport City Council will review the proposals at a September 27, 2023, and October 10, 2023, public hearing.

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 correct errors in the text or to accommodate changed or the changing nature of business in our community.

STAFF REPORT – CITY OF SHREVEPORT

**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 redlines and strikeouts.**

- Amendment 1.** Repeal and replace address language concerning the UDC’s relation to private agreements in **Article 1. – Title, Purpose, and Applicability.**
- Amendment 2.** Add new definitions for *Shoreline* and *Waterfront Lot* in **Article 2. Definitions and Rules of Measurement.**
- Amendment 3.** Add new standard *Accessory Structures* to the Cross Lake Overlay District in **Article 4. – Zoning Districts.**
- Amendment 4.** Amend exterior lighting luminaire standards in **Article 7. – On-Site Development Standards.**

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 1, Article 2, Article 4, and Article 7** 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.

STAFF REPORT – CITY OF SHREVEPORT

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

- 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 support or opposition were present.

MPC BOARD RECOMMENDATION: The Board voted 6-3 to recommend this application or approval.