

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE SPECIAL CALL PUBLIC HEARING
FEBRUARY 8, 2017**

A Special Call Public Hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish to consider amendments to the Unified Development Code & Zoning Map was held on Wednesday, February 8, 2017, at 3:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The members met for lunch prior to the public hearing.

Members Present

Theron Jackson, Chair
Nancy Cooper, Vice Chair
Winzer Andrews, Secretary
Dale Colvin
Ronnie Remedies
Alan Young
Dr. Phillip Pennywell, Jr.

Staff Present

Mark Sweeney, Executive Director
Holly Phillips, Administrative Assistant
Diane Tullos, Office Administrator
Ebony Mapp, Planner 3
Stephen Jean, Deputy Director
Adam Bailey, Special Projects Planner

Members Absent

Lea Desmarteau
Bessie Smith

Others Present

Rick John, MPC Attorney

The hearing was opened with prayer by **MR. ANDREWS**. The Pledge of Allegiance was led by **MR. YOUNG**.

The public hearing was called to order & the procedure for today's meeting was explained. Speakers were asked to speak clearly into the microphone & give their name & mailing address for further reference.

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

This Special Call Public Hearing is to consider amendments to the Unified Development Code & Zoning Map as approved for recommendation to the City Council & the Caddo Parish Commission at the MPC's October 18, 2016 public hearing.

Mr. Sweeney summarized the 36 proposed amendments to the Unified Development Code (UDC) Final Draft 3.0 & Zoning Map as follows:

- 1) Amend the definition of "Accessory Structure" in Sect 2.3 Definition of General Terms for clarity
- 2) Amend the definition of "Dwelling – Accessory Dwelling Unit" in Sect 2.3 Definition of General Terms for clarity
- 3) Amend Table 4-1: Residential Districts Dimensional Standards to correct verbiage - **FURTHER AMENDED IN FINAL VOTE**
- 4) Amend the Use Matrix by amending language that reflects today's market trends & demand for services
- 5) Revise the definition of "Bar" in Sect 5.3 Use Definitions to be consistent with changes being made to Chapter 10 of the Code of Ordinances
- 6) Revise the definition of "Restaurant" in Sect 5.3 Use Definitions to be consistent with changes being made to Chapter 10 of the Code of Ordinances
- 7) Revise the definition of "Self-Storage Facility" in Sect 5.3 Use Definitions to reflect today's market trends & demand for services
- 8) Add new definition for "Self-Storage: Climate Controlled" to Sect 5.3 Use Definitions to reflect today's market trend of in-fill development for self-storage
- 9) Revise Sect 6.1.D.1 Bar to include Parish Code requirements
- 10) Revise Sect 6.1.AA Restaurant to include Parish Code requirements
- 11) Revise Sect 6.1.BB.1 Retail Sales of Alcohol to include Parish Code requirements

- 12) Add new descriptions for “Self-Storage: Climate Controlled” to Sect 6.1 E Principal Use Standards to define the standards for self-storage
- 13) Remove language in Sect 7.2.A.1 Exterior Lighting by removing the requirement of townhome developments lighting plans
- 14) Amend language in Sect 7.3.N.2.b Detached Garages to clarify when a detached garage can contain kitchen/sleeping area
- 15) Amend Table 8.1 Off Street Vehicle & Bicycle Parking Requirements by adding parking requirements accordingly
- 16) Amend language for “Off-Premise Signs, Temporary” Sect 9.4 Prohibited Signs to provide clarity
- 17) Remove language in Sect 10.1.A.1 Landscape Plan Approval to address City Council Member’s concerns
- 18) Replace in its entirety Sect 10.6 Tree Preservation & Protection regarding tree preservation requirements
- 19) Revise Table 10-2: Required Shade Tree Planting to correct tree requirements for on-site tree & parkway planting - **FURTHER AMENDED IN FINAL VOTE**
- 20) Add language to Sect 10.9.B.1.a Landscape Along Street Rights of Way to clarify which parking lots require landscaping
- 21) Add language to Sect 10.9.C Interior Parking Lot Landscaping to clarify interior parking lot requirements
- 22) Add language to Sect 10.11.A Planned Unit Development Landscaping Requirements to clarify that landscape buffer requirements are for non-residential uses only
- 23) Add language to Sect 12.1.D.3.b Block Design regarding lengths of cul-de-sacs or dead end streets
- 24) Amend Figure 12-1 Minor Street: Neighborhood Yield Street to allow greater flexibility
- 25) Amend language in Sect 13.2.B Water by deleting unnecessary language for clarity
- 26) Amend language in Sect 14.2.B Metropolitan Planning Commission to reduce the time for implementation of special uses & to eliminate the need to forward to the governing bodies except upon appeal
- 27) Amend language in Sect 14.3.C City Council to eliminate the need to forward to the governing bodies except upon appeal
- 28) Amend language in Sect 14.4.C Parish Commission to eliminate the need to forward to the governing bodies except upon appeal
- 29) Amend language in Sect 14.8 Historic Preservation Commission to clarify that this is regulated under Chapter 36, Code of Ordinances
- 30) Revise Table 15-1: Summary of Application Actions reflecting the change in the appeals process for special uses
- 31) Amend language in Sect 16.3.D Process clarifying the appeals process & timeline for special uses
- 32) Amend language in Sect 16.3.F.3 Major Modifications clarifying the appeals process for special uses
- 33) Amend language in Sect 16.3.H Appeals clarifying the appeals process
- 34) Amend language in Sect 17.4 Preliminary Plat clarifying the appeals process for special uses
- 35) Amend language in Sect 17.5.D.4 Final Plat clarifying the appeals process for special uses
- 36) Amend the Zoning Map in response to feedback from property owners & research undertaken by staff

COMMENTS & QUESTIONS FROM THE PUBLIC

Mr. Matt Jenkins, Home Builders Association President (2038 East 70th Street, Shreveport, LA)

- The HBA has concerns about the building coverage limitations in residential zones. He presented calculations to illustrate the limitations builders will face by having to conform to the strict requirements – the heated square footage of a house permitted would be impractical for the lots. Their concern is that the maximum building coverages are too restrictive & would render some lots “not sellable.” The biggest concern is in the R-1-5 & the R-1-7 residential districts.

- Builders are aware that they could file for Planned Unit Development (PUD) or Small Planned Unit Development (SPUD) approval but they would “have to give up something” to receive the PUD/SPUD designation. Various percentages of building coverage were discussed.
- They requested an increase in the amount of building coverage permitted in the residential zones to give the builders flexibility
- Another concern of the HBA is the required shade tree planting. Planting trees in the parkway (the area between the sidewalk & the street – in the R/W) is impractical because if trees are planted during the development phase as currently proposed, they will be damaged during the construction phase & could likely die & have to be replaced. It would make more sense to plant them after the development phase. Also, as these trees grow, their root systems damage sidewalks & water & sewer lines, which then becomes an added expense to the City. When the City digs up a mature tree to address these damages, the tree’s root system will be compromised & it will eventually die. They advocate that no trees be planted in the parkway.

During Mr. Jenkins’ comments, his 3 minute time period expired. A motion was made by MR. YOUNG, seconded by MR. REMEDIES to extend his comment time limit.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

Mr. John Settle (33 Tealwood, Shreveport, LA)

- His concern is that a Zoning Board of Appeals decision has to be appealed through the court system instead of going to one of the governing bodies for a final ruling. This places a burden on the public because it is both costly & time consuming.
- The Home Builders Association is very much aware of what we need to make things common sense & business/user friendly. The Board needs to seriously consider their comments.
- The Bossier MPC Director is very easy to work with & very flexible – that’s why houses are being built in Bossier.

Mr. Tom Arceneaux (536 Jordan, Shreveport, LA)

- Staff has really looked at different ways to compromise on concerns stated by stakeholders. Regarding an earlier statement made during public comments, Mr. Arceneaux said there are a lot of demographic factors that affect white-flight to Bossier City. He has personally worked with both MPC Director’s & their staffs & has found them to be flexible & easy to work with.
- His main concern was a time lapse that has been created between the adoption & implementation of the UDC. He has a client who will be adversely impacted by this time lapse. It’s no one’s fault – it is inevitable when implementing new procedures as important as this UDC document - that there will be some negative impact to those who fall into this lapse. Staff has considered several different scenarios to handle his client’s problem but none have seemed to address all of the concerns. He feels like his client is in the minority with this problem & asked that we try to work out an amendment that will cover their concerns of this “dead time” during the lapse between approval & implementation. If the UDC were in place today, there would be no issue – the problem is the lag time between property acquisition & development.
- Verbiage that may address this issue could be an amendment which has been submitted & accepted prior to the effective date of this Code which states something along the lines of “an application is governed by the Code that is in place at the time it is submitted.”

During Mr. Arceneaux’s comments, his 3 minute time period expired. A motion was made by MR. YOUNG, seconded by MRS. COOPER to extend his comment time limit.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

Mr. Jeff Everson, City Council District B Representative (1053 Boulevard, Shreveport, LA)

- He also appreciates the way staff has addressed concerns raised by stakeholders.
- The amendment regarding the requirement of a Landscape Architect or Civil Engineer drawing landscape plans was suggested by the City Council – however, if it doesn’t get approved, he doesn’t feel that it is a “deal breaker” for the City Council.
- The amendment regarding landscaping for the downtown parking lots has been an on-going concern. He supports this amendment because the smaller parking lots that don’t front a R/W are very different from the larger, flat parking lots that are so visible to the public.
- The amendment proposed to the Historic Preservation Commission (HPC) language is very favorable. The way the HPC legislation is worded in the amendment is comparable to the way other cities in our state handle the requirements. This matter should not be covered under the UDC. All historic preservation regulations are regulated in Chapter 36 of the Code of Ordinances.
- The City Council supports the Parish Commission’s request to hear appeals on subdivision &/or final plat decisions.
- There was concern about the way special use appeals were handled because they were initially decided at the MPC level, & then went to the governing body. This caused people to consider the MPC as an interim decision maker. When the applicant presented their case to the governing body, their information was oftentimes changed to suit the deciding body.
- Mr. Everson said he has no problem with the HBA’s recommendation for larger lot coverage.

During Mr. Everson’s comments, his 3 minute time period expired. A motion was made by MR. COLVIN, seconded by DR. PENNYWELL to extend his comment time limit.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

CHAIR / BOARD MEMBERS' COMMENTS

- ▶ The Board Member's each stated their concerns, asked many questions, & thoroughly discussed the proposed amendments & the proposed solutions offered by stakeholders prior to voting.

Attorney Rick John gave the Board guidelines on stating the motion & making additional amendments.

The 1st Motion Voted On:

A motion was made by MR. YOUNG, seconded by MR. REMEDIES to further amend Amendment #3 regarding RESIDENTIAL DISTRICTS DIMENSIONAL STANDARDS by increasing the maximum building coverage in the R-1-5 District to 55%, and increasing the maximum building coverage in the R-1-7 District to 50%.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

The 2nd Motion Voted On:

A motion was made by MR. REMEDIES, seconded by MR. YOUNG to accept Mr. Arceneaux's proposal to address the time lapse between our current ordinance & the anticipated adoption of the UDC to allow him to proceed with his application. Reference was made to the following amendment that Mr. Arceneaux proposed in writing to the Board: "If the Commission &/or the appropriate governing body has approved a zoning change or use approval for a location after February 1, 2017, & such use in the location in question is not permitted under this Code or would require a special use permit under this Code, then later use of the property under such location consistent with such approval shall be deemed a nonconforming use, regardless whether such use was being made on the effective date of the Code, so long as such use commences no later than four years after the effective date of this Code."

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

The 3rd Motion Voted On:

A motion was made by MR. REMEDIES, seconded by MR. YOUNG to further amend Amendment #19 regarding LANDSCAPE ALONG STREET RIGHTS OF WAY by not allowing trees to be planted in the R/W or in any place that could potentially cause damage to water, sewer, or utility systems. The planting of trees is further limited to the first 10' of the front yard on each lot. The requirement for trees to be planted every 50' is removed from the ordinance in the residential districts.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

The Final Motion Voted On:

A motion was made by MR. ANDREWS, seconded by MR. COLVIN to approve the remaining amendments as presented.

The motion was adopted by the following vote: Ayes: Messrs. YOUNG, REMEDIES, COLVIN, ANDREWS, JACKSON, Dr. PENNYWELL, & Mrs. COOPER. Nays: None. Absent: Mses. SMITH & DESMARTEAU.

MISCELLANEOUS COMMENTS BY CHAIRMAN JACKSON

MR. JACKSON clarified some remarks he had previously made at our February 1st public hearing regarding the placement of items on the agenda. We anticipate a committee meeting soon to review our Rules of Order & By-Laws for consistency & clarity.

ADJOURN 5:35 p.m.

Theron Jackson, Chair

Winzer Andrews, Secretary