

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE SPECIAL CALL PUBLIC HEARING
UNIFIED DEVELOPMENT CODE
OCTOBER 18, 2016**

A special call public hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish was held on Tuesday, October 18, 2016 at 6:00 p.m. at Government Plaza Chamber, 505 Travis Street, Shreveport, Caddo Parish, LA. The purpose of this special meeting was to hear final remarks, address concerns raised at the previous public hearing, & to vote on the Unified Development Code (UDC) & Zoning Map.

Members Present

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

Staff Present

Mark Sweeney, Executive Director
Alan Clarke, Zoning Administrator
Diane Tullos, Office Administrator
Lauren Witt, Planner 1
Stephen Jean, Deputy Director
Ebony Mapp, Planner 3
Adam Bailey, Special Projects Planner

Members Absent

Others Present

Rick John, MPC Attorney
Tom McIntyre, Planner 1
Arista Strungiss, CAMIROS

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

The meeting was called to order & the procedure in hearing the application on today's agenda was explained. Speakers should speak clearly into the microphone & give their name & mailing address for further reference.

Today's special call public hearing is to receive final comments, to address comments made at the previous public hearing, & to consider amendments regarding the final draft of the UDC & the Zoning Map. 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.

A motion was made by MR. ANDREWS, seconded by MRS. SMITH to approve the minutes of the September 29, 2016 special call public hearing as submitted.

The motion was adopted by the following 9-0 vote: Ayes: Messrs. COLVIN, REMEDIES, YOUNG, ANDREWS, JACKSON, Dr. PENNYWELL, & Mses. SMITH, COOPER, & DESMARTEAU. Nays: None. Absent: None.

► **CHAIRMAN YOUNG** welcomed our citizens & opened the hearing by explaining the process by which he would call speakers.

The Unified Development Code (UDC) will be the new "rule book" for land development & building within our City & Parish. It will combine zoning & subdivision regulations from both the City & the Parish, into one easy-to-read code. The new UDC will encourage economic development. We anticipate adoption by the City Council & Parish Commission by the end of this year, with implementation beginning on April 1, 2017.

► **BACKGROUND - UDC CHRONOLOGY**

May 15, 2015	First draft of the UDC was released to the public
June 2015	Stakeholder meetings began
August 2015	2 public forums were held
December 2015	Second draft of the UDC & the Zoning Map were released to the public
June-September 2016	Public outreach efforts & stakeholder meetings continuing with one-on-one's with elected officials
September 2016	Third & final draft of the UDC & the Zoning Map were released to the public
September 29, 2016	Public hearing held to gather final comments by the public
October 18, 2016	Final public hearing to respond to earlier concerns & for Board to vote

► **Public Hearing on the Proposed Unified Development Code (UDC) & Zoning Map**

● STAFF PRESENTATION ON PUBLIC COMMENTS RECEIVED AT THE SEPTEMBER 29, 2016 PUBLIC HEARING

Mr. Sweeney addressed the following concerns that were raised at the last public hearing, & presented staff's proposed resolutions:

Salvage yards; Neighborhood providing appropriate zoning access to I-49 Corridor; Temporary outdoor storage containers; Recycle buildings by encouraging infill development & redevelopment of older structures; 3-car garage orientation; Outdoor sales & display; Required off-street vehicle & bicycle parking spaces; Design of off-street loading spaces; Electronic message signs; Landscape & tree preservation; Plant selection (use of botanical names of plants); Selection & installation of plant materials; Tree preservation & protection; Tree replacement plan; Cemeteries & mausoleums "uses"; New Zoning Map being too hard to read; Use & placement of pre-built structures on property.

● ADDITIONAL COMMENTS & QUESTIONS FROM THE PUBLIC

Mrs. Liz Swaine, Director of Downtown Development Authority (416 Cotton Street, Shreveport, LA 71101)

- Things change – 5 years ago we had never heard of a Little Free Library or food truck courts. How will we affect changes to the Code as necessary?
- The (downtown) Central Business District has made a decision to renovate former businesses into residences; how will the new UDC impact that process?
- She asked that consideration be given to making the conversion process as easy as possible (i.e., permitting, inspections, etc.)
- In response to a question by **MR. REMEDIES**, she replied that she would love to have more **maintained** landscaping downtown. Typically, there is no maintenance because there is no irrigation system/plan to maintain the plantings. The parking lot landscaping issue would have to be dealt with on a case-by-case basis as far as removing parking spaces to add landscaping.

Mr. Tom Arceneaux, Attorney (536 Jordan, Shreveport, LA 71101)

- He had some suggestions to make but urged the Board to not delay their vote on the UDC. He questioned filing dates & whether an application would be considered under the UDC immediately after the governing body approves it.

(Ms. Arista Strungiss of CAMIROS Consulting Firm (1703 W Catalpa, Chicago, IL) said an application filed in March (pre-UDC) would be considered under the UDC if it is a legally adopted document by April because it would then be the Code in effect.)

- Zoning changes currently go before the governing body for a final decision. Under the UDC, would the Special Use cases then have to go before the governing body? If so, then perhaps staff should give consideration to having those bodies hear cases only on appeal.

Dr. Phillip A. Rozeman (510 Longleaf Road, Shreveport, LA 71106)

- He was co-chair of the MPC's Community Advisory Committee & learned that everyone seems to want the best for our City/Parish. We need to: 1) Grow smarter, 2) Celebrate our uniqueness, 3) Invest in people, & 4) Invest in place. These were all critical points raised during the Master Plan meetings.
- People want to cut through all of the red tape & beauracracy. They want a 1-stop shop & people who exhibit an attitude of helpfulness. All customers need to be served fairly & equally.
- He hopes that the UDC covers the things his committee found were most important during the Master Plan review: Accountability, Consistency, & Transparency.

Mrs. Alma Perkins Scheffler (3242 Bert Kouns, Shreveport, LA 71118)

- She has horses on her property & finds the requirement that enclosures be located 50' from any lot line on her 5-acre tract unreasonable.
- She is "puzzled" as to why we would require her to register her horses with Animal Control. She maintains their shots & tests & said horses are pretty expensive. They have a great investment in their fences & don't have to worry about their horses escaping. What will all of these new requirements cost her?
- Will the governing bodies still "have oversight" of the MPC?
- Do we really need new laws (UDC) when all we need to do is enforce the ones we already have?

Mr. John Settle, Attorney (33 Tealwood, Shreveport, LA 71104)

- He expressed disappointment that today's presentation with the proposed amendments was not in print format with copies provided to the public. He came to the meeting early anticipating time to review the material today but it wasn't provided.
- Several points were raised at the last public hearing that have not been addressed. However, he conceded that they may have been addressed in the amendments – which he hasn't seen yet.
- As an attorney, he sees a real problem with Zoning Board of Appeals (ZBA) cases having their appeals go to court. This is ineffective, time consuming, & expensive.
- The matrix provided is NOT easy to understand.
- Section 1.4A may not be in compliance with the law.

Mr. Joe Johnson (10166 Harts Island Road, Shreveport, LA 71115)

- On behalf of the citizens of SE Shreveport who live near The Port, he asked that the Zoning Map be changed for the area on the west side of LA Hwy 1, south of Leonard Road, back to its original R-A, Residence-Agriculture District. The property owner's have rights too. They moved outside the City limits decades ago, now the homeowner's find themselves fighting against requests for both Light Industrial & Heavy Industrial uses near their homes. They want neither allowed without citizen input.
(NOTE: Later in the meeting a motion will be adopted to change the Zoning Map back to R-A for the property west of Hwy 1 & south of Leonard Road.)

Mr. John Hubbard, AEP SWEPCO (9406 Stonebriar Circle, Shreveport, LA 71115)

- He appreciates staff working with them on multiple issues; they are comfortable with the compromises reached.

Mr. Mack Smalley, Jr (2902 Exposition, Shreveport, LA 71109)

- Was very supportive of the UDC & Zoning Map

Mr. Fred White, Commercial Construction & Development Co (722 N Ashley Ridge Loop, Shreveport, LA 71106)

- He is concerned with some of the new requirements. It appears costs will be increased for site plan approval & development now that more requirements have to be met. Many of the items listed in the UDC are permitting issues. This causes a big problem for the small business owners.
- Some of the permitting & engineering issues should be dealt with later in the process. Oftentimes a project is deemed not economically viable & doesn't happen. With heavy expenditures at the beginning of the process, it will cause a hardship.
- There has been very little major development happen in Shreveport over the past 10 years. Saddling business owners with additional expenses will not encourage development.
- He suggested some of these changes to Mr. Sweeney months ago but they were rejected.
- He asked that an Advisory Group be assembled which would include 5-10 architects, engineers, developers, etc., to discuss some of the problems they deal with every day in the construction/development business.

MR. REMEDIES assured him that the Board is hearing these comments. CAMIROS Consulting Firm just provided a template. Staff is working hard to tailor the UDC to our needs. We're trying to protect the builders economically. Changes will be made to this document as necessary.

Mr. Joe Partain, Architect (722 N Ashley Ridge Loop, Shreveport, LA 71106)

- He often does work for developers & real estate brokers & a lot of the new requirements are being dealt with so early in the process that it causes a hardship. Several things are not necessary that early in the process.
- To specifically say that certain building materials are ok & others are not is arbitrary. EIFS is excluded & it is one of the materials commonly used. How do we make this fair?
- A lot of the requirements are becoming issues for an architectural review committee.
- In the course of doing a site plan, he might find that the required ADA parking spaces should be relocated to a different area. Since it is being considered earlier in the process, how can that happen?
- The shorter process is a huge plus.

Roy Burrell, Former State Representative (2613 Lakeway Drive, Shreveport, LA 71109)

- His interests lie in redevelopment. He has tried to make redevelopment of the inner-core area as easy as possible to encourage redevelopment.
- After adoption of the UDC, will there be a more difficult zoning process? Undue hardship on applicants? Perhaps a different rezoning process? Will it become more costly for our businesses or residents?

(Mr. Sweeney explained that our zoning process will remain much the same except that all of our cases will be forwarded to the governing bodies. There is no proposed increase in the fee structure.)

- Responding to a question by **MR. REMEDIES** regarding relaxed vs higher development standards to encourage inner-city growth, Mr. Burrell said that he doesn't feel we need additional restrictions. A more relaxed attitude to development – as long as the neighborhood has a say in it – is ok for encouraging development. However, he did not say that he wouldn't support higher development standards. His goal is to encourage development.

Mr. Matthew Linn, Parish Commission District 4 (627 Rutherford, Shreveport, LA 71104)

- Thanked the Board, staff, citizens, & volunteers for all of the hard work that has gone into making this 4 year process productive.
- His concern is that the applicant will spend money on steps 1, 2, & 3, then realize at step 4 that they need to withdraw the application for whatever reason.
- There is room for improvement of the UDC; it still has to receive approval by the governing bodies & they will have amendments that they will send back to the MPC for inclusion in the document. This is a "live, working document" that will be amended as necessary.

Ms. Vanessa Boyd (421 Boulevard Street, Shreveport, LA 71104)

- Are there still minimum building requirements regarding square footage for lot size in residential districts: (Yes. The new regulations define it better.)
- Are there any districts that allow for smaller, more affordable homes to be built on smaller lots? (Yes, there is a provision in the UDC called Urban Core zoning. This allows smaller lots for smaller homes.)

Mr. Mike Middleton, Parish Commission District 8 (517 Wayne Drive, Shreveport, LA 71105)

- Mr. Johnson spoke earlier about the problem of industrial districts around his neighborhood on Harts Island Road (which The Port abuts). While we encourage jobs & growth, we don't want The Port to expand causing hardship for this neighborhood. We ask that the Zoning Map be changed to show the area located west of LA Hwy 1 & south of Leonard Road as Residence-Agriculture to protect this neighborhood from industrial uses.

(Mr. Sweeney explained that this is a *proposed* Zoning Map & the zoning for some areas near growth corridors were anticipated when listing them on the map. It can be changed back to R-A on the Zoning Map.)

Mr. Bill Wiener, Architect (2 Longleaf Lane, Shreveport, LA 71106)

- Overall the UDC will improve things.
- For over 60 years, AEP SWEPCO has had their way & it's time they be treated equally with the rest of us. The tree compromises made to accommodate them is a senseless solution. Just plant certain indigenous native tree species in their power line areas & they will take care of themselves. The height of the trees to accommodate the power lines should not be determined by a number. The power lines should be underground anyway because they are unsightly. "Stop SWEPCO's bullying."

Mr. Johnny Williamson (312 Pierre Avenue OR PO Box 455, Shreveport, LA 71162)

- A lot of the districts will be changed according to the Zoning Map. He had previously asked that Pierre Avenue be zoned a commercial corridor to accommodate ingress/egress to I-49 – which is coming through this neighborhood (between Hearne Avenue & Line Avenue.)

(Mr. Sweeney said this corridor is a "patchwork of zonings." We need the property owners to tell us what they want in their area. He asked Mr. Williamson to come by the office & meet with staff regarding this matter.)

END OF PUBLIC COMMENTS

MRS. SMITH said Mr. Sweeney has said that we want to know what the people want in their community. She has made it clear what the Stoner Hill Neighborhood wants but their voices have not been heard. Her neighbors are not attending these meetings because "their voices are not being heard."

- STAFF RECOMMENDATION FOR AMENDMENTS TO THE UDC FINAL DRAFT & ZONING MAP

Mr. Sweeney went into detail regarding the proposed amended language for each of the following items:

- 1) Revise definition of "Tree Removal Plan"
- 2) Revise language regarding mobile homes skirting
- 3) Revise language regarding mobile homes dominant feature requirements
- 4) Replace all language concerning transparency of 25%
- 5) Replace language identifying limitations on specific building materials (Sec. 4.3.D.3)
- 6) Replace language identifying limitations on specific building materials (Sec. 4.4.D.2)
- 7) Replace language identifying limitations on specific building materials (Sec. 4.5.D.2)77
- 8) Delete entire section on Historic Preservation Commission Review & replace to more adequately define "permitted uses"
- 9) Replace language in Use Matrix to more adequately define "permitted uses"
- 10) Replace language in Gas Station section regarding repair of vehicles in rear yard
- 11) Replace language in Utilities to cover utility design standards
- 12) Replace Vehicle Repair/Service verbiage to allow repair in rear yard of establishment
- 13) Replace language in Temporary Outdoor Entertainment section
- 14) Add language to allow barbed wire in additional zoning districts
- 15) Add verbiage regarding finished side of fences
- 16) Add verbiage that includes shade covering systems
- 17) Replace word in Detached Garages section
- 18) Add language to cover existing dumpsters
- 19) Replace language under Provision of Additional Spaces & Parking Maximums
- 20) Replace language that trigger the age of exempted structures from parking requirements
- 21) Replace language under Billboard Size Limitations
- 22) Add language defining nonconforming billboards & legal nonconforming billboards
- 23) Add language allowing a licensed architect to submit landscape plans
- 24) Delete language regarding The Landscape Review Checklist

- 25) Delete language requiring a table for water requirements
- 26) Replace section with amendment regarding changes to an approved landscape plan
- 27) Remove language regarding the need for soil testing under Selection & Installation of Plant Materials
- 28) Add additional language regarding extension of Certificate of Occupancy due to unforeseen circumstances
- 29) Correct typo under Replacement of Trees section
- 30) Replace entire section of Tree Trimming & Pruning by Public Utility Companies with amended section
- 31) Replace section under Tree Preservation & Protection with amended language regarding tree cutting allowances
- 32) Replace language under Servitudes section
- 33) Delete language & correct typo under Suspension for Force Majeure or Acts of Public Enemy
- 34) Amend Uses & Zoning Districts on the Use Matrix
- 35) Amend the Zoning Map

- MPC BOARD DISCUSSION OF THE PROPOSED AMENDMENTS

Staff recommends that the Board approve the Unified Development Code & Zoning Map as amended with the items read.

MR. REMEDIES & MRS. SMITH expressed concern that this is a lot of information to consider & vote on today. We asked the public to come & make some final comments. Are we going to approve this UDC without implementing or considering those comments?

MS. DESMARTEAU & DR. PENNYWELL pointed out that we have been working on this project for 4 years & have held several 1-on-1 meetings & various public hearings. We've conducted 17 months of intensive public outreach. We are a recommending body & we have done due diligence. There will always be someone who wants to comment but we have to end the process somewhere & move forward.

MR. ANDREWS said many people are waiting on this document to be approved. That needs to happen today.

MRS. COOPER said we are not ignoring or dismissing the comments heard today. It would be irresponsible to **not** vote today.

MR. YOUNG said he would like to see the Zoning Map changed to R-A regarding the property west of LA Hwy 1 & south of Leonard Road. We need to look at the possible conflict of law per Mr. Settle's comment. Tree sizes need to be clarified. We failed to explain the pre-meetings we will hold at no cost to the applicant before they file their application. This part of the process costs them nothing & includes the various departments of the City/Parish necessary to review their plans. There was much given for consideration today but we need to get to a point where we can move on.

Mr. Sweeney said 99% of what was brought up today has been answered.

MR. JACKSON thanked the citizens, staff, & elected officials involved in this lengthy, complex process. We all agree that this is a living document. We would be over-reaching if we try to make it perfect. It still has to be adopted by the governing bodies & there is always room for improvement.

- MPC BOARD DISCUSSION & VOTE ON THE AMENDED UDC FINAL DRAFT & ZONING MAP

MOTION #1:

A motion was made by **MS. DESMARTEAU**, seconded by **DR. PENNYWELL** to recommend that the City Council & the Caddo Parish Commission approve the Unified Development Code & the Zoning Map with the amendments stated.

MOTION #2:

A motion was made by **MR. COLVIN**, seconded by **MR. JACKSON** to include an amendment to the Zoning Map reclassifying the property located west of LA Hwy 1, south of Leonard Road as Residence-Agriculture District.

VOTE ON MOTION #2 (Adding amendment to classify specific Harts Island Road area as R-A on Zoning Map)

The motion was adopted by the following 9-0 vote: Ayes: Messrs. COLVIN, REMEDIES, YOUNG, ANDREWS, JACKSON, Dr. PENNYWELL, & Meses. SMITH, COOPER, & DESMARTEAU. Nays: None. Absent: None.

VOTE ON MOTION #1 (Approval of Unified Development Code & Zoning Map with amendments as stated)

The motion was adopted by the following 9-0 vote: Ayes: Messrs. COLVIN, REMEDIES, YOUNG, ANDREWS, JACKSON, Dr. PENNYWELL, & Meses. SMITH, COOPER, & DESMARTEAU. Nays: None. Absent: None.

The Board thanked everyone involved in the UDC/Zoning Map process.

ADJOURN 8:45 p.m.

Alan Young, Chair

Nancy Cooper, Secretary