

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

TITLE

An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, adding several code provisions related to liquor sales, and to otherwise provide with respect thereto.

DATE

October 24, 2023

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

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. MPC Case #23-8-CTAC recommends one (1) text amendment that addresses liquor sales by:

- Adding language that states that any establishment identified as *Liquor Sales* must be located no closer than 300 feet the property line from any adult day care center, child or day care center, educational facility—primary or secondary, healthcare institution, place of worship, playground or public park.
 - Adding language that states *Liquor Sales* cannot be part of any ordinance relief request that is associated with any Planned Unit Development (PUD). (Small Planned Unit Development (SPUD) were originally the only application with this provision).
 - Stating variance cannot be requested and granted to provide relief to any distance requirement for *Liquor Sales*.
 - Stating that any permit, certificate of occupancy, or other approval required by the UDC for *Liquor Sales* shall expire if the operation of said use ceases for a continuous period of ninety (90) days by discontinuation or abandonment.
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TIMETABLE

MPC Introduction:	September 6, 2023
MPC Review & Recommendation:	October 4, 2023
Introduction to City Council:	October 24, 2023
Final Passage by City Council:	November 14, 2023

ATTACHMENTS

Exhibit "A"	Amendment Summary
Exhibit "B"	MPC Memo
Exhibit "C"	MPC Staff Report for 23-8-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 October 4, 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 October 4, 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 September 15, 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.

ORDINANCE NO. _____ OF 2023

**AN ORDINANCE TO AMEND VARIOUS ARTICLES AND
SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA,
UNIFIED DEVELOPMENT CODE, ADDING SEVERAL CODE
PROVISIONS RELATED TO LIQUOR SALES, 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 September 6, 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 October 4, 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 October 4, 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 September 15, 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 use standard "X. Liquor Sales" to ARTICLE 6. USE STANDARDS, SECTION 6.1. PRINCIPAL USE STANDARDS in the Shreveport UDC with the following new standards. Re-number all subsequent new provisions, as applicable.

6.1 USE STANDARDS

* * * * *

X. Liquor Sales

1. All liquor sales, as defined in this Code, must comply with the requirements of this Code, Chapter 10 of the Shreveport Code of Ordinances, as well as all other applicable ordinances, statutes, rules and regulations of the City and State of Louisiana. Note: Liquor sales, as defined in this Code, may be subject

to State law public habitable floor area square footage requirements. Cross reference – La. R.S. 26:271.3.

2. In addition to site plan requirements, the following elements of operation will be considered:
 - a. The size, location, and configuration of the establishment.
 - b. Days and hours of operation.
 - c. A security plan.
 - d. Exterior lighting design.
3. Any establishment with liquor sales must be located no closer than 200 feet from any residential zoning district, 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 from any residential zoning district.
4. Any establishment with liquor sales must be located no closer than 1,000 feet from any other existing establishment with liquor sales, 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 use is located.
5. Any establishment identified as liquor sales must be located no closer than 300 feet the property line from any adult day care center, child or day care center, educational facility—primary or secondary, healthcare institution, library, place of worship, playground, or public park, as measured from a point of the lot line on which a liquor sales use is proposed to be located to the nearest point on the lot line on which any of the aforementioned uses exist.
6. Liquor sales cannot be part of any ordinance relief request that is associated with any Planned Unit Development (PUD) or Small Planned Unit Development (SPUD) application.
7. Liquor sales that are an accessory use to another principal use such as a retail goods establishment will be treated as a principal use for the purposes of this code and shall comply with the use matrix for allowable district locations for liquor sales. Liquor sales as an accessory use shall also comply with all the use standards for liquor sales as described in this section.
8. A variance shall not be requested and granted to provide relief to any distance requirement for liquor sales by this subsection.
9. Any permit, certificate of occupancy, or other approval required by this UDC for liquor sales shall expire if the operation of said use ceases for a continuous period of ninety (90) days by discontinuation or abandonment.

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

**SHREVEPORT METROPOLITAN PLANNING COMMISSION OF CADDO PARISH
SUMMARY MINUTES OF THE PUBLIC HEARING OCTOBER 4, 2023**

A regularly scheduled public hearing of the Shreveport Metropolitan Planning Commission of Caddo Parish was held on Wednesday, October 4, 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
Rachel Jackson
Rose Wilson McCulloch
Fred Moss, IV
Harold Sater

Staff Present

Alan Clarke, Executive Director
Stephen Jean, Deputy Director
Adam Bailey, Community Planning & Design Manager
Kamrin Hooks, Executive Assistant/Planner 1
Emily Trant, Planner II
Reginald Jordan, Zoning Administrator
Tanner Yeldell, City Attorney's Office

Members Absent

Gabriel Balderas
Chris Elbersen
Toni Thibeaux

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

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 MR. ANDREWS, seconded by MR. MOSS, to approve the minutes of the September 6, 2023 public hearing as submitted.

The motion was adopted by the following 6-0 vote: Ayes: Messrs. ANDREWS, MOSS, ROBERTSON, & SATER and Meses. WILSON MCCULLOCH & JACKSON Nays: NONE. Absent: Messrs. BALDERAS, ELBERSON & Meses. THIBEAUX

PUBLIC HEARING

CASE NO. 23-8-CTAC CODE TEXT AMENDMENT

Applicant:	Metropolitan Planning Commission of Caddo Parish
Request	Code Text Amendments to the Shreveport UDC regarding Liquor Use Clean-Ups

Representative &/or support: None.

Opposition: None.

A motion was made by MR. ANDREWS, seconded by MS. JACKSON to defer this application.

The motion was adopted by the following 6-0 vote: Ayes: Messrs. ANDREWS, MOSS, ROBERTSON, & SATER and Meses. WILSON MCCULLOCH & JACKSON Nays: NONE. Absent: Messrs. BALDERAS, ELBERSON & Meses. THIBEAUX.

END OF PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

CLARKE informed the Board that the I-49 inner city connector meeting would be October 17th 3:30-6:30.

He also stated that research is being done on how accessory dwelling units are being constructed around the country and if the Board wants the MPC can create an ordinance amendment that will come before the Board about the units.

ROBERTSON asked the Board if they would like to amend the research request to include review of compatibility issues of the dwelling units.

A motion was made by MRS. WILSON MCCULLOCH, seconded by MR. MOSS to approve the research and ordinance amendments regarding accessory dwelling units.

The motion was adopted by the following 6-0 vote: Ayes: Messrs. ANDREWS, MOSS, ROBERTSON, & SATER and Meses. WILSON MCCULLOCH & JACKSON Nays: NONE. Absent: Messrs. BALDERAS, ELBERSON & Meses. THIBEAUX.

OTHER MATTERS TO BE REVIEWED BY THE COMMISSION

The Chair nominated Messrs. ELBERSON & SATER and Meses. THIBEAUX & JACKSON. To the nominating committee who will come up with recommendations for next years, Chairman, Vice Chairman, and Secretary.

CLARKE informed them that the committee's recommendations will be made in November and voted on in December.

ROBERTSON also stated that JACKSON would preside over the November 1st meeting in his absence.

CLARKE informed the Board of the Bond Public Meetings being held at SUSLA and LSUS to discuss many capital projects. He stated that the MPC office will have recommendations that the Administration can use to draw up proposals in the future.

CHAIR/BOARD MEMBER'S COMMENTS

ADJOURN 4:03 p.m.

Bill Robertson, Chair

Rose Wilson, McCulloch, Secretary

STAFF REPORT – CITY OF SHREVEPORT

OCTOBER 4, 2023
AGENDA ITEM NUMBER: XX
MPC Staff Member: Adam Bailey
City Council District: All Districts

CASE NUMBER: 23-8-CTAC: City of Shreveport Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: Code Text (Ordinance) Amendments to the Shreveport UDC

DESCRIPTION: 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.

These proposed code text amendments address liquor sales, amending the following article of the Shreveport UDC: *Article 6. – Use Standards*; with all amended provisions included therein.

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 and efficient,
 - 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:

- Notice of the September MPC public hearing was provided through legal advertisement in *The Shreveport Times* on September 15, 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 an October 24, 2023, and November 14, 2023, public hearing.
-

STAFF ANALYSIS: The proposed ordinance amendment includes:

- New language that states that any establishment identified as *Liquor Sales* must be located no closer than 300 feet the property line from any adult day care center, child or day care center, educational facility—primary or secondary, healthcare institution, place of worship, playground or public park.
-

STAFF REPORT – CITY OF SHREVEPORT

- New language that states Liquor Sales cannot be part of any ordinance relief request that is associated with any Planned Unit Development (PUD). (Small Planned Unit Development (SPUD) were originally the only application with this provision).
- A variance cannot be requested and granted to provide relief to any distance requirement for liquor sales.
- Any permit, certificate of occupancy, or other approval required by this UDC for Liquor Sales shall expire if the operation of said use ceases for a continuous period of ninety (90) days by discontinuation or abandonment.

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. Adds four (4) new provisions the use standard for *Liquor Stores* in **Article 6. Use Standards.**

ATTACHMENTS: **See Exhibit “A” for a one-page summary of proposed amendments.**
See Exhibit “B” for a 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:

- Promotes the public health, safety, and welfare.**
The proposed text amendments promote the public health, safety, and welfare.
- Promotes the Master Plan and any adopted land use policies.**
The proposed text amendments are consistent with the Master Plan.
- Promotes intent of this Code.**
These amendments will simplify current practices, thus promoting the intent of the Code.
- Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**
The proposed amendments reflect changes in policy.
- 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.

STAFF REPORT – CITY OF SHREVEPORT

If approved by City Council, *Article 6* 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:

- 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 6-0 to defer this application until the November 1st hearing.



Office of the MPC

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

SHREVEPORT UDC CODE TEXT AMENDMENT SUMMARY: 23-8-CTAC

— Liquor Sale 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 #23-8-CTAC recommends one (1) text amendment that is intended to address liquor sales in the City of Shreveport.

REQUEST: To revise Article 6 of the Shreveport UDC.

CASE HISTORY:

- May 2017. The use *Retail Sales of Alcohol-Liquor* was a part of the UDC when it was first implemented in 2017.
- July 2022. The use *Liquor Sales* replaced *Retail Sales of Alcohol-Liquor* (22-4-CTAC), along with updated definitions, allowable zoning districts, and use standards.

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 and efficient,
- Making the UDC more customer friendly, and
- Revising regulations for best practices and enforcement.

STAFF ANALYSIS: Amended language includes:

- New language that states that any establishment identified as *Liquor Sales* must be located no closer than 300 feet the property line from any adult day care center, child or day care center, educational facility—primary or secondary, healthcare institution, place of worship, or public park.
- New language that states *Liquor Sales* cannot be part of any ordinance relief request that is associated with any Planned Unit Development (PUD). (Small Planned Unit Development (SPUD) were originally the only application with this provision)
- A variance cannot be requested and granted to provide relief to any distance requirement for liquor sales.
- Any permit, certificate of occupancy, or other approval required by this UDC for *Liquor Sales* shall expire if the operation of said use ceases for a continuous period of ninety (90) days by discontinuation or abandonment.

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

RECOMMENDED UDC CODE TEXT AMENDMENTS.

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 use standard "X. Liquor Sales" to ARTICLE 6. USE STANDARDS, SECTION 6.1. PRINCIPAL USE STANDARDS in the Shreveport UDC with the following new standards. Re-number all subsequent new provisions, as applicable.

6.1 USE STANDARDS

* * * * *

X. Liquor Sales

1. All liquor sales, as defined in this Code, must comply with the requirements of this Code, Chapter 10 of the Shreveport Code of Ordinances, as well as all other applicable ordinances, statutes, rules and regulations of the City and State of Louisiana. Note: Liquor sales, as defined in this Code, may be subject to State law public habitable floor area square footage requirements. Cross reference – La. R.S. 26:271.3.
2. In addition to site plan requirements, the following elements of operation will be considered:
 - a. The size, location, and configuration of the establishment.
 - b. Days and hours of operation.
 - c. A security plan.
 - d. Exterior lighting design.
3. Any establishment with liquor sales must be located no closer than 200 feet from any residential zoning district, 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 from any residential zoning district.
4. Any establishment with liquor sales must be located no closer than 1,000 feet from any other existing establishment with liquor sales, 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 use is located.
5. Any establishment identified as liquor sales must be located no closer than 300 feet the property line from any adult day care center, child or day care center, educational facility—primary or secondary, healthcare institution, library, place of worship, playground, or public park, as measured from a point of the lot line on which a liquor sales use is proposed to be located to the nearest point on the lot line on which any of the aforementioned uses exist.
- 5.6. Liquor sales cannot be part of any ordinance relief request that is associated with any Planned Unit Development (PUD) or Small Planned Unit Development (SPUD) application.
- 6.7. Liquor sales that are an accessory use to another principal use such as a retail goods establishment will be treated as a principal use for the purposes of this code and shall comply with the use matrix for allowable district locations for liquor sales. Liquor sales as an accessory use shall also comply with all the use standards for liquor sales as described in this section.
8. A variance shall not be requested and granted to provide relief to any distance requirement for liquor sales by this subsection.
9. Any permit, certificate of occupancy, or other approval required by this UDC for liquor sales shall expire if the operation of said use ceases for a continuous period of ninety (90) days by discontinuation or abandonment.

Notice is hereby given that the Shreveport Metropolitan Planning Commission of Caddo Parish, LA, will hold a public hearing on Wednesday, October 4, 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. 23-8-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 Office of the Shreveport Metropolitan Planning Commission of Caddo Parish to consider public comments and testimony regarding certain proposed code text amendments to the Shreveport UDC, revising the following articles, or portions thereof: Article 1. – Title, Purpose, and Applicability; Article 2. – Definitions and Rules of Measurement; Article 5. – Uses; Article 6. – Use Standards; Article 16. – Zoning Application Approval Processes; and Article 18. – Nonconformities; in order to amend liquor store approval requirements, specifically when it comes to revoking use standards, with all provisions included therein.

Alan Clarke, Executive Director
Metropolitan Planning Commission
The Shreveport Times