

From Bossier Unified Development Code: Sec.5.7.2 Neighborhood Conservation Conditional Use Overlay Districts

A. Purpose

Neighborhood Conservation Conditional Use Overlay Districts are intended to promote the health, safety, economic, cultural and general welfare of the citizens of the City of Bossier City and the Parish of Bossier by encouraging the conservation and enhancement of the urban environment. Specifically, the goal of such districts is to reduce conflicts between expanding or robustly stabilized residential development in established neighborhoods and the operation of mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made such a part of such districts.

The purposes of these overlay districts for neighborhoods which Voluntarily seek and qualify for designation as a Neighborhood Conservation Conditional Use Overlay District are:

1. To maintain desirable and unique neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social, and economic resources; the protection and strengthening of distinctive and recognized neighborhood identity, charm and flavor; and the accommodation of desirable mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made a part of the district;
2. To promote reinvestment in the neighborhood by fostering stable property values and enhancing the economic viability of the neighborhood and the City of Bossier City/Parish in general;
3. To preserve the mature cultural character of the neighborhood;
4. To encourage and strengthen civic pride;
5. To set standards for the maintenance of the character of the neighborhood by guiding operations on commercial and other property zoned for non-residential purposes within the Neighborhood Conservation Conditional Use Overlay District so as to be compatible with existing residential development in the type of uses and site-specific activities permitted, including setback and area requirements and hours of operation, by declaring all uses on such property to be conditional uses and, therefore, subject to the site plan review process specified in Section 3.7 and as further provided herein, and ;
6. To foster the harmonious, orderly, and efficient growth, development, and redevelopment of the City of Bossier City and the Parish of Bossier.

B. Designation Criteria

To be designated a Neighborhood Conservation Conditional Use Overlay District, an area must meet the following criteria:

1. The proposed district must contain a minimum contiguous area of 4 acres and at least 25 parcels;
2. The proposed district should be a logical neighborhood unit;
3. The proposed district must have been originally platted or developed at least 10 years ago prior to the application;
4. At least 75% of the land area in the proposed district must be presently improved;
5. At least 80% of the land area in the proposed district must be zoned residential; and
6. The proposed district must be considered “stable,” meaning it is expected to remain substantially the same over the next 20 years with continued maintenance on property. While some changes in structures, land uses, and densities may occur, all such changes are expected to be compatible with surrounding residential development.

C. Initiation

1. Designation of an area as a Neighborhood Conservation Conditional Use Overlay District must be initiated by a group of persons who collectively own more than 50% of the assessed value of the land, within the area of the request. An agent or representative (hereafter, “applicant”) for a group that satisfies this requirement may file an application with the Planning Office on a form furnished by the Metropolitan Planning Commission.
2. An application for designation as a Neighborhood Conservation Overlay District must include the following:
 - a. An application fee as set by the Metropolitan Planning Commission;
 - b. A map showing existing zoning and land uses on all of the land in the area of the request, and on all land (including streets and alleys) within 200 feet, measured from the boundary of the area of the request;
 - c. A list of names and addresses of all property owners in the area of the request;
 - d. A list of all neighborhood associations, homeowners associations, or other organizations representing the interests of property owners in the area of the request. This list shall include information such as the number of members and the officer’s names, mailing addresses, and phone numbers.
 - e. A statement of justification. This statement should:



- (1) Specifically point out the factors which render the area of request eligible for designation as a Neighborhood Conservation Conditional Use Overlay District, and
 - (2) Explain in detail how and why such a classification would be in the best interests of the City of Bossier City or Parish of Bossier as a whole.
- f. Any additional information that the Planning Director determines to be necessary.

D. Determination of Eligibility

1. Upon receipt of an application for designation of an area as a Neighborhood Conservation Conditional Use Overlay District, the Planning Director shall determine the eligibility of the area for such classification in accordance with the criteria set forth in Section 5.7.3.B, Designation Criteria.
2. If the Planning Director determines that the proposed area is not eligible for designation, he shall notify the applicant of this fact in writing, sent to the address shown on the application. This decision is appealable to the Metropolitan Planning Commission. The appeal must be filed and the appropriate application fee paid within 30 days of the date written notice is given to the applicant of the Planning Director's decision.
3. The decision of the Metropolitan Planning Commission as to eligibility is final. If the Metropolitan Planning Commission determines that the area is not eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, no further applications for such classification may be considered for the area of request for two years from the date of decision, unless waived by action of the Metropolitan Planning Commission.

E. Neighborhood Conservation Plan Formulation, Presentation, and MPC Review

1. If the Planning Director determines that an area is eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, he shall notify the applicant of this fact in writing, sent to the address shown on the application.
2. Thereafter, the group making the application is responsible for formulating a draft Neighborhood Conservation Conditional Use Overlay Plan. With the help of the MPC office, the plan will consist of a map and such other textual and graphic material as may be necessary, indicating land uses, building types and designs, existing site uses (designated as developed or undeveloped), traffic circulation, signage, off-street parking, and proposed regulation of non-residential uses proposed as conditional uses, including types of uses and site-specific operations permitted, including setback and area requirements and hours of operation, to promote the purposes of the district.

3. The group making the application is responsible for scheduling a public meeting to receive comment regarding the draft plan. The group making the application shall be responsible for providing written notice of the public meeting to all property owners in the proposed district. The notice must be given not less than 10 days before the date set for the meeting. Notice is given by depositing the notice, properly addressed and postage paid, in the United States mail to the property owners as evidenced by the last approved tax roll. At or following the public meeting, written approval of the draft plan must be obtained by more than 50% of the group making the initial application. This written approval can be made in the form a petition.
4. Upon satisfying the prerequisites of subsections 2 and 3 of this section, the group making the application shall notify the Planning Director, providing evidence of the satisfaction of such prerequisites as reasonably suitable to the Planning Director.
5. Thereafter, the Planning Director shall prepare a conceptual Neighborhood Conservation Conditional Use Overlay Plan for the proposed district, utilizing but not limited to the draft plan provided by the group making application, for presentation to the Metropolitan Planning Commission.
6. The Metropolitan Planning Commission shall make a recommendation regarding the plan.
7. If the Metropolitan Planning Commission recommends the adoption of the plan, the plan shall be incorporated in a proposed Neighborhood Conservation Conditional Use Overlay District ordinance which shall be reviewed by the MPC prior to being forwarded to the appropriate governing body for further action. The ordinance shall provide that all uses on tracts located within the district which are zoned for non-residential purposes shall become Conditional Uses, with required submission and approval of site plan review under Section 3.7. This review shall also incorporate and require such operational site plan features as types of uses and site-specific operations permitted, including setback and area requirements and hours of operation.

F. City Council or Bossier Parish Police Jury Review

The appropriate governing body shall hold a public hearing before making a decision regarding the recommendation of the MPC concerning the proposed Neighborhood Conservation Conditional Use Overlay District. After holding the public hearing, the City Council or Parish Police Jury shall make a decision regarding the proposed district and if adoption has been recommended by the Metropolitan Planning Commission, the proposed ordinance creating the district.

