

FACT SHEET

CITY OF SHREVEPORT, LOUISIANA

<u>TITLE</u> An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code and to otherwise provide with respect thereto.	<u>DATE</u> May 28, 2019	<u>ORIGINATING DEPARTMENT</u> Shreveport Caddo Metropolitan Planning Commission (“MPC”) <u>COUNCIL DISTRICT</u> City-wide <u>SPONSOR</u>
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PURPOSE
To amend the code text in the Shreveport Unified Development Code.

BACKGROUND INFORMATION
The Shreveport UDC serves as the official land use and development regulatory ordinance and includes the official zoning map for the City of Shreveport.

These proposed amendments are intended to be more user-friendly, with regard to various house-keeping and corrective changes due to oversight, grammatical mistakes, contradictions, or missing items. Existing uses are being amended include: (1) amending Article 5 “Use Definitions” and “Use Matrix”, to add and/or revise certain terms and update the Use Matrix; (2) amending Article 6, “Use Standards”, including amendments affecting the uses, including but not limited to Food Truck Park – Major or Minor, Food Truck Vendor, Temporary Outdoor Sales, Temporary Pop-Up Commercial Use, or portions thereof, and other impacted uses.

<u>TIMETABLE</u> MPC Introduction: April 3, 2019 MPC Review & Recommendation: May 1, 2019 Introduction to City Council: May 28, 2019 Final Passage by City Council: June 11, 2019	<u>ATTACHMENTS</u> Exhibit “A” April MPC Memo. Exhibit “B” Use Matrix. Exhibit “C” Subsection 6.1.S. Food Truck Park Exhibit “D” Subsection 6.2.D. Food Truck and Trailer Vendor Exhibit “E” Subsection 6.2.E. Temp. Outdoor Events Exhibit “F” Subsection 6.2.H. Temp. Seasonal Sales Exhibit “G” Table 9-1 Exhibit “H” Table 9-2 Exhibit “I” Code Text Amendments Summary Exhibit “J” Food Truck Checklist and Guidelines Exhibit “K” MPC Staff Report
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SPECIAL PROCEDURAL REQUIREMENTS
MPC Recommendation. Pursuant to [La. R.S. 33:140.30](#), 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 May 1, 2018. Therefore, the City Council may render its decision to approve the amendments by a simple majority vote. See La. R.S. [33:140.30](#) and [Shreveport UDC](#) 16.1 (D)(3)(b).

Notice and Public Hearing at MPC. In accordance with the intent of [La. R.S. 33:140.30](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting on May 1, 2019, before voting on the proposed amendments. At least ten (10) days’ notice of the time and place of the Public Hearing was published on April 15, 2019 in *The Shreveport Times* (a newspaper of general circulation in the parish).

<u>FINANCES</u> \$0	<u>SOURCE OF FUNDS</u> NA
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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, MPC
Community Planning and Design Manager

ORDINANCE NO. 66 OF 2019

AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE 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 April 3, 2019, 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 May 1, 2019, 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. 33:140.30](#); and

WHEREAS, in accordance with the intent of [La. R.S. 33:140.30](#) for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on May 1, 2019, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

WHEREAS, at least 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 parish) and said Notice was published on April 15, 2019; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in 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 the following uses in TABLE 5-1 in Shreveport UDC ARTICLE 5. USES, SECTION 5.2. USE MATRIX. In addition, revise and update “USE STANDARD” citations on the right-side of TABLE 5-1 according to where each “PRINCIPAL USE” is cited in Article 6. USE STANDARDS as applicable:

Add the following new principle uses:

- Food Truck Park
- Commercial Facility For Pop-Up Use

Delete the following principle uses:

- Food Truck Park - Major
- Food Truck Park - Minor

Add the following new temporary uses:

- Food Truck or Trailer Vendor
- Temporary Outdoor Events
- Temporary Sale of Non-Seasonal Merchandise
- Temporary Seasonal Sales

Delete the following temporary uses:

- Food Truck Vendor
- Temporary Outdoor Entertainment
- Temporary Outdoor Sales
- Temporary Pop Up Use

[Note (1): See Exhibit “B” for revised Table 5-1: USE MATRIX]

2. Add new definition of “Beverage Service Facility, Portable” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3. DEFINITION OF GENERAL TERMS in the Shreveport UDC to read as follows:

* * *

Beverage Service Facility, Portable. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place-to-place but it is required to stay at one location as part of a Temporary Use Permit. In no case, shall a portable beverage service facility serve cooked or heated food; food sales are limited to prepackaged foods.

* * *

3. Add new definition of “Commissary” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3. DEFINITION OF GENERAL TERMS in the Shreveport UDC to read as follows:

* * *

Commissary. A permitted food establishment with a commercial kitchen where food service providers such as commercial mobile food vendors, bakeries, caterers or sidewalk vendors can go to store, cook, and prepare foods. A commissary may be a secondary use to any restaurant, reception facility, or specialty food service.

* * *

4. Amend the definitions of “Food Truck – Major” and “Food Truck – Minor” in the Shreveport UDC, Article 5. USES, Section 5.3. USE DEFINITIONS. The new definition will become “Food Truck Park” and will now read as follows:

* * *

Food Truck Park. The use of land designed to accommodate two or more food truck vendors offering food and/or beverages for sale to the public as the principle use of the property which may include seating areas for customers. A food truck park may also include a commissary as a secondary use.

* * *

5. Amend the definition of “Food Truck Vendor” in the Shreveport UDC, Article 5. USES, Section 5.3. USE DEFINITIONS. The new definition will become “Food Truck and Trailer Vendor” and will now read as follows:

* * *

Food Truck and Trailer Vendor. A food truck and trailer vendor is a vendor that operates a commercially-manufactured motorized self-contained food service operation truck or towed trailer unit designed to be readily movable. Food truck vendors prepare ready-to-eat food that is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution. Any food truck vendor must completely retain its mobility at all times. Mobile food trucks and trailer units are not meant to be permanent facilities. A food truck vendor does not mean a stand or a booth.

* * *

6. Amend the definition of “Reception Facility” in the Shreveport UDC, Article 5. USES, Section 5.3. USE DEFINITIONS and will now read as follows:

* * *

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation. Reception facility may also include a commissary as a secondary use.

* * *

7. Amend the definition of “Restaurant” in the Shreveport UDC, Article 5. USES, Section 5.3. USE DEFINITIONS and will now read as follows:

* * *

Restaurant. An establishment where food and drinks are provided to the public, primarily for on-premises consumption by seated patrons. All premises and activities where alcohol is served (including special events) are regulated by Chapter 10 of the Shreveport Code of Ordinances. Restaurant may also include a commissary as a secondary use.

* * *

8. Amend the definition of “Specialty Food Service” in the Shreveport UDC, Article 5. USES, Section 5.3. USE DEFINITIONS and will now read as follows:

* * *

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, frozen desserts, or fishmonger, and may offer areas for ancillary retail sales or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts. Specialty Food Service may also include a commissary as a secondary use.

* * *

9. The definition of “Temporary Pop-Up Commercial Use” in the Shreveport UDC Article 5 USES, Section 5.3 USE DEFINITIONS is hereby repealed and replaced to now read as follows:

* * *

Commercial Facility Pop-Up Use. Commercial facilities for pop-up uses are to accommodate certain uses within the facility that are temporary or seasonal in nature. Any pop-up use within the facility must be an allowable principal use within the zoning district where the commercial facility is located, as identified on the Use Matrix in Article 5. A certificate of occupancy is required for the entire facility on an annual basis to be issued by the Zoning Administrator. The use will be identified as a Commercial Facility For Pop-Up Use.

* * *

10. The definition of “Temporary Outdoor Entertainment” in the Shreveport UDC Article 5. USES, Section 5.3. USE DEFINITIONS is hereby repealed and replaced to now read as follows:

* * *

Temporary Outdoor Event. A temporary outdoor event is any entertainment activity, such as the performance of live music, revue, play or other event within an outdoor space, that has a specific duration or the end of which is related to a specific action, usually lasting for only a few days or weeks at a time. Temporary outdoor events include, but are not limited to, fireworks shows, horse shows, carnivals/circuses, temporary worship services, festivals and any event where vendors offering items for sale who may or may not be required to pay a fee for such booth or tent space.

* * *

11. Add new use standard of “Commercial Facility for Pop-Up Uses” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.1. PRINCIPAL USE STANDARDS, as Subsection J. Re-alphabetize accordingly.

* * *

J. Commercial Facility for Pop-Up Uses

Commercial facilities for pop-up uses are to accommodate certain uses within the facility that are temporary or seasonal in nature. Any pop-up use within the facility must be an allowable principal use within the zoning district where the commercial facility is located, as identified on the Use Matrix in Article 5. Both the commercial facility and allowable pop-up use(s) within the facility shall meet the following requirements.

1. The Commercial Facility

- a. The facility shall be adequate in size and shape to accommodate any anticipated pop-up use.
- b. The proposed facility shall be adequately served by streets having sufficient width and improvements to accommodate the kind and quantity of traffic the anticipated pop-up use(s) could reasonably generate.
- c. The proposed facility shall provide adequate parking to accommodate vehicular traffic anticipated by the anticipated pop-up use(s).
- d. The operation of the facility shall not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.
- e. A certificate of occupancy is required for the entire facility on an annual basis to be issued by the Zoning Administrator. The use will be identified as a Commercial Facility For Pop-Up Use.

2. Pop-Up Uses within the Facility

- a. The pop-up use within the facility shall locate, operate, and maintain the space in a manner consistent with the policies of this Code and all applicable provisions of City ordinances and state law.

- b. Pop-up use tenants shall not make any permanent exterior alterations to the site without the required approvals and permits, as applicable.
- c. Pop-up use tenants shall remove any approved temporary signs associated with said use at the conclusion of said use.
- d. Pop-up use tenants shall obtain all other required permits, such as building or health department permits.

12. Replace, in its entirety, use standard of “Food Truck Park – Major or Minor” with new use standard “Food Truck Park” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.1. PRINCIPAL USE STANDARDS, as subsection S.

[Note (2): See Exhibit “C” for revised Food Truck Park language]

13. Amend ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS in the Shreveport UDC to read as follows:

6.2 TEMPORARY USE STANDARDS

The purpose of this section is to authorize the establishment of certain temporary uses (including outdoor and special events) and temporary structures of a limited duration which comply with the use standards of this section, in addition to all other regulations of this Code. This section is intended to ensure that such uses or structures do not negatively affect adjacent land, are discontinued upon the expiration of a set time period, and do not involve the construction or alteration of any permanent building or structure.

- 1. These regulations found in this section are for temporary uses located on private property. Unless otherwise indicated, all temporary uses require a temporary use permit, which must be applied for by and issued to the property owner.
- 2. Prior to establishing any temporary use or structure, an applicant shall file an application for a temporary use permit to the Zoning Administrator. As part of the application process, the Zoning Administrator may ask for additional materials as he or she deems necessary for purposes of protecting the health, safety, and welfare of the community and/or mitigating potential impacts to surrounding property owners.

* * *

14. Replace in its entirety the temporary use standard of “Food Truck Vendor” and replace with new name and use standard “Food Truck and Trailer Vendor” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, as subsection D.

[Note (3): See Exhibit “D” for revised Food Truck and Trailer Vendor language]

15. Replace in its entirety the temporary use standard of “Temporary Outdoor Entertainment” and replace with new name and use standard “Temporary Outdoor Event” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, as subsection E.

[Note (4): See Exhibit “E” for all revisions to Temporary Outdoor Events]

16. Delete temporary use standard of “Temporary Outdoor Sales” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, subsection F. Re-alphabetize accordingly. The new use standard will be identified as “Temporary Season Sales” and will be defined below.

17. Delete in its entirety the temporary use standard of “Temporary Pop-Up Commercial Use” in Shreveport UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, as subsection H.

18. Add new temporary use standard of “Temporary Sale of Non-Seasonal Merchandise” in Shreveport and Caddo Parish UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, as Subsection G. Re-alphabetize accordingly:

G. TEMPORARY SALE OF NON-SEASONAL MERCHANDISE

Any lawfully existing commercial use shall be permitted to display and sell its merchandise outdoors only under the following limited conditions.

1. No display, sales or parking is permitted in any street right-of-way. In addition, no display, sales or parking shall obstruct pedestrian or vehicular traffic.
2. All display areas or temporary structures shall comply with the minimum required yard setbacks for the district in which the commercial temporary outdoor sale is being proposed.
3. No more than 10 percent of the required parking area for the existing commercial use may be used for the temporary outdoor sales.
4. Additional signage shall be restricted to one (1) sign with an area not to exceed 8 square feet. The sign shall be removed at the conclusion of the sale.
5. Any temporary structures must be removed within seven days of conclusion of the event.
6. Temporary Sale of Non-Seasonal Merchandise events are limited to three events per calendar year and a maximum duration of seven days per event. Extensions to these time limits may be approved by the Zoning Administrator.

19. Add new temporary use standard of “Temporary Seasonal Sales” in Shreveport and Caddo Parish UDC ARTICLE 6. USE STANDARDS, SECTION 6.2. TEMPORARY USE STANDARDS, as Subsection H. Re-alphabetize accordingly.

[Note (5): See Exhibit “F” for all revisions to Temporary Seasonal Sales]

20. Amend a portion of Table 8-1 in the Shreveport UDC ARTICLE 8. OFF-STREET PARKING AND LOADING by adding “Food Truck Park” to now read as follows:

TABLE 8-1: OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS			
USE	MINIMUM REQUIRED VEHICLE SPACES	MINIMUM REQUIRED BICYCLE SPACES	
		REQUIRED BICYCLE SPACES	TOTAL PERCENTAGE OF REQUIRED BICYCLE SPACES THAT MUST BE LONG-TERM SPACES
***	***	***	***
Food Truck Park	See Article 6.1	2 per Food Truck and Vendor Space	
***	***	***	***

21. Amend a portion of TABLE 9-1: SUMMARY OF PERMANENT AND TEMPORARY SIGN PERMISSIONS in ARTICLE 9. SIGNS in the Shreveport and Caddo Parish UDC to now read as follows:

TABLE 9-1: SUMMARY OF PERMANENT AND TEMPORARY SIGN PERMISSIONS		
SIGNS	No Permit Required (Section 9.6)	Permit Required (Section 9.7)
TEMPORARY SIGNS		
***	***	***
Banner / Exhibition Banner		•
***	***	***

[Note (6): See Exhibit “G” for all revisions to Table 9-1]

22. Amend a portion of TABLE 9-1: SIGNS TYPES REQUIRING PERMIT DISTRICT PERMISSIONS in ARTICLE 9. SIGNS in the Shreveport and Caddo Parish UDC:

[Note (7): See Exhibit “G” for all revisions to Table 9-2]

23. Amend the sign provision of “Banner- Exhibition” in ARTICLE 9. SIGNS, SECTION 9.7. PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS to be labeled “Banners / Exhibition Banners” and to read as follows:

E. Banners / Exhibition Banners

1. Banners and exhibition banners shall be printed upon flexible material, mounted with or without frames and shall be professionally printed and installed in a way that does not create a safety hazard.

2. Banners and exhibition banners must be securely and tautly attached to the wall of a structure or pole. No banners or exhibition banners may be located higher than the roofline or encroach into the public right-of-way unless approved by the Executive Director.

3. All banners and exhibition banners must be located within the required yard setbacks for that district, as described in Article 4 of this Code.

4. No banner or exhibition banner is allowed to be attached to a retaining wall or fence.

5. Banners

a. Banners shall not exceed a maximum sign area of 32 square feet.

b. No more than one banner shall be displayed on a building/property frontage at one time, unless approved by the Executive Director.

c. No property shall display a banner for more than 30 days, not more than 2 times per calendar year. Banners may be displayed longer than 30 days if approved by the Executive Director.

d. Banners are prohibited from being placed in the public right-of-way.

e. Banners will be allowed for the following public events and entities and are permitted year round:

i. Charitable, humanitarian or artistic activities;

ii. Banners intended for use by sponsors of non-profit community activities such as festivals, conventions and general street beautification;

iii. Banners displayed on publicly owned property (parks, convention centers, and buildings) and are limited to activities occurring on the publicly owned property;

iv. Banners are allowed on the property of any place of worship, and within all commercial and industrial zoning districts; or

v. Banners for use by sponsors of any educational facility are allowed during a display period of one calendar school year not to exceed nine months.

f. In order to reduce the proliferation of signs, banners must be greater than 50 feet from any other temporary sign.

g. Banners wrapped around a permanent sign structure, such as a freestanding sign, projecting sign, or wall sign are prohibited.

6. Exhibition Banners

a. Exhibition banners are permitted for any educational facility, government use, or cultural facility to be used in conjunction with a special exhibit or event.

b. Each structure of an allowed use is permitted up to eight exhibition banners during one display period. The display period is defined as the combined period of 45 days prior to the opening of the exhibit, the run of the exhibit, and 14 days following the close of the exhibit, unless written otherwise in this Code.

c. An applicant may include up to eight exhibition signs, per structure, as part of the sign application.

d. Each exhibition banner shall not exceed a maximum sign area of 300 square feet.

e. Exhibition banners may be externally illuminated and must be focused on the printed area.

24. Amend the sign provision for Wall Signs in ARTICLE 9. SIGNS, SECTION 9.7. PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS. This provision will become “3” and all following provisions will be re-numbered accordingly.

* * *

3. For a corner lot, the maximum size of a wall sign located on each building wall shall be established at one square foot per linear foot of building wall where the wall sign will be mounted or 40 square feet, whichever is greater. The size of a wall sign on each side of the building shall be limited to the square footage calculated on that side only. In no case shall the square footage permitted for the building wall located along the front lot line and the square footage permitted for the building wall located along the corner side lot line be combined to create a larger sign on a wall other than that permitted on each individual wall.

* * *

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