

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> August 25, 2020	<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. MPC Staff is proposing the following amendments at this time: amending Article 2, *Definitions and Rules of Measurement*, amending Article 4, *Zoning District Regulations*, amending Article 5, *Uses*, amending Article 6, *Use Standards*, amending Article 7, *On-Site Development Standards*, amending Article 8, *Off-Street Parking And Loading*, amending Article 9, *Signs*, amending Article 10, *Landscape and Tree Preservation*, amending Article 15, *Application Procedures*, amending Article 16, *Zoning Application Approval Processes*, amending Article 18, *Nonconformities*, amending Article 20, *Annexation Standards*, amending Article 20, *Annexation Standards*.

<u>TIMETABLE</u>	<u>ATTACHMENTS</u>
MPC Introduction: July 1, 2020	Exhibit “A” Memo outline amendments
MPC Review & Recommendation: August 12, 2020	Exhibit “B” Table 5-1: Use Matrix
Introduction to City Council: August 25, 2020	Exhibit “C” Article 10.6
Final Passage by City Council: September 8, 2020	Exhibit “D” Table 15-1
	Exhibit “E” Article 16.4
	Exhibit “F” Article 20.5
	Exhibit “G” MPC Staff Report with Decisions

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 July 1 8, 2020. 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 July 1, 2020, before voting on the proposed amendments. At least ten (10) days’ notice of the time and place of the Public Hearing was published on June 16, 2020 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. _____ OF 2020

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 June 3, 2020, 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 July 1, 2020, 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 July 1, 2020, 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 June 16, 2020; 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. Add new abbreviation “ASUP” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.2 GENERAL ABBREVIATIONS as “A” in the Shreveport UDC. All subsequent abbreviations will be re-alphabetized accordingly:

The following abbreviations are used within this Code:

- A. “ASUP” is an abbreviation for “administrative special use permit.”

* * *

2. Amend the following definitions in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the Shreveport UDC to now read as follows:

* * *

Accessory Structure. A structure located on the same lot as the principal building, which may be detached or attached, that is incidental to the use of the principal building. An accessory structure is considered detached despite an intervening attached structure or shelter that is not enclosed. No living or sleeping quarters are permitted in accessory structures, unless as an accessory dwelling unit that has been approved as an administrative special use permit.

* * *

Aggrieved Party. In the context of an appeal of a decision, an aggrieved party is any person(s) or entity(s) who are able to demonstrate that their property will be injured by a decision regarding a text (code) or map amendment (zoning change), administrative special use permit or special use permit, variance, administrative exception, planned unit development, sign permit, zoning interpretation, temporary use permit, zoning appeal, or subdivision preliminary or final plat.

* * *

Sign, Political. A temporary sign identifying and urging voter support for a particular election issue, political party, or candidate in connection with any national, state, or local election.

* * *

3. Amend a portion of Table 4-4 in ARTICLE 4. ZONING DISTRICT REGULATIONS by amending “Fenestration Design” in the Shreveport UDC to now read as follows:

TABLE 4-4: COMMERCIAL DESIGN STANDARDS						
	C-1	C-2	C-3	C-4	C-UC	C-UV
Façade and Fenestration Design						
All building facades that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two feet in depth, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 feet.
***	***	***	***	***	***	***

4. Amend ARTICLE 5. USES, SECTION 5.2 USE MATRIX in the Shreveport UDC to now read as follows:

5.2 USE MATRIX

Table 5-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. “P” indicates that the use is permitted by right in the district. “S” indicates that the use is a special use in the district and requires special use approval. “A” indicates that the use is an administrative special use in the district and requires administrative approval from the Executive Director. If a cell is blank, the use is not allowed in the district. In the case of temporary uses, a P indicates the temporary use is allowed in the district and may require approval of a temporary use permit. For accessory uses, see Article 7.

5. Amend Table 5-1 in Article 5. USES, Section 5.2 USE MATRIX in the Shreveport UDC with the following updates:

Update the following uses below to the new administrative special use in certain zoning districts. See attached "Exhibit B" for specific zoning districts.

- Amusement Facility – Indoor (A)
- Drive-Through Facility (A)
- Dwelling – Accessory Dwelling Unit (A)
- Financial Institution with Drive-Through (A)
- Greenhouse/Nursery - Retail (A)
- Industrial Design (A)
- Warehouse (A)
- Wholesale Establishment (A)

Update/Add "Commercial Facility for Pop-Up Use" as a permitted use in the following zoning districts.

- C-UC (P)
- C-UV (P)
- D-1-CBD (P)
- D-1-E (P)
- D-1-CMU (P)
- D-1-RMU (P)
- D-1-AC (P)
- D-1-HC (P)

Update/Add "Accessory Dwelling Unit" as an administrative special use in the following zoning districts.

- R-A (A)
- R-E (A)
- R-1-12 (A)
- R-1-7 (A)
- R-1-5 (A)
- R-UC (A)
- R-TH (A)
- R-2 (A)
- R-3 (A)

Add * and note to the following temporary uses.

- Batch Plant/Rock Crushing Facility (Temporary) (P*)
- Borrow Pit (P*)

Add note to the bottom of Table 5-1.

** Even though Batch Plant/Rock Crushing Facility (Temporary) and Borrow Pit are permitted uses (P) by-right, these uses require MPC Board approval at a public hearing.*

[Note (1): See Exhibit "B" for revised Table 5-1]

6. Amend "Dwelling – Accessory Dwelling Unit" in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS, Subsection 6.1.N.3 in the Shreveport UDC to now read as follows:

* * *

3. Detached accessory dwelling units may only be located in the rear yard. Detached accessory dwelling units must be located 5 feet from any lot line and from any principal building.

* * *

7. Amend “Exceptions to Lighting Standards” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.2 EXTERIOR LIGHTING, Subsection 7.2.E.5 in the Shreveport UDC to now read as follows:

* * *

- 5. Existing developments may be exempt from lighting plan restrictions if:
 - a. the existing development does not reside adjacent to residential zoning districts, and
 - b. the existing development does not add any new exterior freestanding lighting fixtures.

8. Amend “Detached Garages” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3 ACCESSORY STRUCTURES AND USES, Subsection 7.3.N.2.b in the Shreveport UDC to now read as follows:

* * *

- b. The area above the vehicle parking spaces in a detached garage may not contain a kitchen or sleeping area but may contain an office or recreation room, unless as an accessory dwelling unit that has been approved by an administrative special use permit.

* * *

9. Add language to “General Requirements” in ARTICLE 8. OFF-STREET PARKING AND LOADING, Section 8.3 REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING SPACES, Subsection 8.3.A as “7” in the Shreveport UDC to now read as follows:

* * *

- 7. The Executive Director may waive a requirement relating to the number or type of bicycle spaces or approve an alternate method of compliance after considering the characteristics of the use, the site, and the surrounding area.

10. Add the new sign type “Political Signs” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C in the Shreveport UDC as “10.” All subsequent subsections shall be renumbered accordingly.

* * *

10. Political Signs

For the purposes of this Code, political signs shall follow all sign regulations of Section 9.6.C.13. Yard Signs, as well as the following:

- a. Political signs are permitted temporarily in all districts.
- b. Political signs shall not be erected within the City’s public right-of-way, except as provided in Chapter 50 of the Shreveport City Code.
- c. Political signs erected in residential districts shall be no larger than 8 square feet.
- d. Political signs erected in non-residential districts shall be no larger than 16 square feet. Any political sign larger than 16 square feet is considering a freestanding sign and shall follow all freestanding sign regulations found in Section 9.7.H.

* * *

11. Amend “Contents” in ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.1 LANDSCAPE PLAN APPROVAL, Subsection 10.1.B in the Shreveport UDC by deleting provision “4.” All subsequent provisions shall be renumbered accordingly.

12. Amend “D” in ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.3 LANDSCAPE MAINTENANCE STANDARDS in the Shreveport UDC to now read as follows:

* * *

D. If the total required landscape area for a development site is less than 2,000 sf, a hose bib and water spigot within 100 feet of all required landscaping may be used for irrigation. If the landscaping is not maintained in a livable condition, the Zoning Administrator may require an automatic irrigation system be installed.

* * *

13. Repeal and Replace “10.6 TREE PRESERVATION INCENTIVE” in ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.1 LANDSCAPE PLAN APPROVAL, Subsection 10.1.B in the Shreveport UDC to now read as follows:

[Note (2): See Exhibit “C” for revised 10.6 TREE PRESERVATION INCENTIVE]

14. Amend “C. Interior Parking Lot Landscaping” in ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.9 NON-RESIDENTIAL DISTRICT AND USE LANDSCAPE REQUIREMENTS in the Shreveport UDC to now read as follows:

C. Interior Parking Lot Landscaping

Parking lots that abut street right-of-way, excluding alleys, of ten or more spaces must provide interior landscaping per this Section. Parking lots that do not abut street right-of-way and are not visible from the street right-of-way of 20 or more spaces must provide interior landscaping per this Section. Building sites that are less than ½ acre in size are exempt from the interior parking lot landscaping requirements. When the calculation of interior parking lot landscape requirements results in a fraction, said fraction is rounded up to the nearest whole number.

* * *

15. Amend Table 15-1 in Article 15. APPLICATION PROCEDURES, Section 15.1 Application, subsection 15.1.F in the Shreveport UDC to now read as follows:

TABLE 15-1: SUMMARY OF APPLICATION ACTIONS

APPLICATIONS	ADMINISTRATORS							
	Zoning Administrator	Historic Preservation Commission (HPC)	Executive Director	Metropolitan Planning Commission (MPC)	Zoning Board of Appeals (ZBA)	City Council	Caddo Parish Civil District Court	Unified Development Code Source Cited
***	***	***	***	***	***	***	***	***
Executive Director								
Administrative Special Use Permit			R & D			A	A	Section 16.3
***	***	***	***	***	***	***	***	***
Zoning Administrator								
***	***	***	***	***	***	***	***	***
Certificate of Occupancy (CO)	R & D				A			Section 16.12

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***	***	***	***	***	***	***	***	***
Executive Director								
Administrative Special Use Permit			R & D			A	A	Section 16.3
Zoning Administrator								
***	***	***	***	***	***	***	***	***
Certificate of Occupancy (CO)	R & D				A			Section 16.12
Temporary Certificate of Occupancy (TCO)	R & D				A			Section 16.12
***	***	***	***	***	***	***	***	***

[Note (3): See Exhibit “D” for complete TABLE 15-1: SUMMARY OF APPLICATION ACTIONS]

16. Amend and add a new row to Table 15-2 in ARTICLE 15. APPLICATION PROCEDURES titled “Closure and Abandonment” in the Shreveport UDC to now read as follows:

TABLE 15-2: REQUIRED NOTICE			
Application	Notice Type		
	Published	Mailed	Posted
Code Text Amendment	•		
Zoning Map Amendment	•	•	•
Zoning Map Amendment: More Than 10 Parcels	•		
Special Use Permit	•	•	•
Administrative Special Use Permit	•	•	•
Variance to Zoning	•	•	•
Planned Unit Developments (PUD & SPUD) – Preliminary Site Plan	•	•	•
Appeal to Staff Administrative Decisions	•		
Subdivision Application (Major) – Preliminary Plat	•		
Annexation	•		
Closure and Abandonment	•		

17. Amend “Applicability” in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.4 PROJECT NEIGHBORHOOD PARTICIPATION PLAN, Subsection 15.4.B.2 to now read as follows:

* * *

2. Administrative Special Use Permit or Special Use Permit

* * *

18. Add new section “Administrative Special Use Permit” to ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, as SECTION “16.4” in the Shreveport UDC. All subsequent sections shall be renumbered accordingly.

[Note (4): See Exhibit “E” for new Article 16.4 ADMINISTRATIVE SPECIAL USE PERMIT]

19. Add new language to “Authority” in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.5 ADMINISTRATIVE EXCEPTION TO ZONING, Subsection 16.5.C “9” in the Shreveport UDC to now read as follows:

* * *

9. An increase in sign area or height of no more than 10%. This exception would apply to all sign types except billboards.

20. Amend ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.6 SITE PLAN REVIEW, Subsection 16.6.K.1.c in the Shreveport UDC to now read as follows:

* * *

- c. The existing structure or structures is increased in total building footprint by 50% or more.

* * *

21. Add new section “Temporary Certificate of Occupancy” to ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, as “16.12” in the Shreveport UDC to now read as follows. All subsequent sections shall be renumbered accordingly.

16.13 TEMPORARY CERTIFICATE OF OCCUPANCY

A. Intent

A temporary certificate of occupancy (TCO) may be issued by the Zoning Administrator prior to the final certificate of occupancy (CO) being issued. The TCO is intended to acknowledge that some site features or building features may not be completed even though the site or building is safe for occupancy, or that a portion of the site or building can be safely occupied while work continues in another area. Then, upon application, the Zoning Administrator shall issue a CO when, after examination and inspection, it is found that the site and building, in all respects, conforms to the provisions of this Code, as well as all other regulatory codes, for the occupancy intended.

B. Applicability

1. A TCO shall only be issued for non-residential development in which the City Engineer, Zoning Administer, Fire Department and Chief Building Official have determined a plan for completing the appropriate work has been established. Commercial establishments that include food service will also need Caddo Parish Health Department authorization.
2. TCO's requires all the same inspections as a CO and should only be issued when incidental construction remains. For this reason, the applicant should not view the TCO as a short cut to occupying the structure.
3. The following items will be considered before a TCO is issued:
 - a. The scope of the remaining work and its impact on the use of the space,
 - b. How the space will be maintained safe and accessible while the remaining work is completed, and
 - c. The timeframe needed to complete the remaining work.

22. Amend ARTICLE 18. NONCONFORMITIES, SECTION 18.4. NONCONFORMING LOT, Subsection 18.4.B in the Shreveport UDC to now read as follows. Add “1” to the existing language and number all subsequent subsections accordingly.

B. Use

1. A nonconforming lot of record in a residential district may be used for a single-family dwelling.
2. A nonconforming lot of record may be used for a manufactured home in the R-A District or R-MHS District.
3. Duplexes may be constructed within the R-2 or R-3 District where the lot width is nonconforming. A variance would not be required.
4. Multiple nonconforming lots of record may be combined into one nonconforming lot of record. A variance would not be required.

23. Amend ARTICLE 18. NONCONFORMITIES, SECTION 18.5. NONCONFORMING SITE ELEMENTS, Subsection 18.5.C.1.c in the Shreveport UDC to now read as follows:

* * *

- c. The existing principal structure is increased in total building footprint by 50% or more.

* * *

24. Amend ARTICLE 18. NONCONFORMITIES, SECTION 18.6. NONCONFORMING SIGNS, Subsection 18.6.C in the Shreveport UDC to now read as follows:

* * *

- C. Only nonconforming pole signs may be altered or enlarged up to a 10% expansion of its existing sign area. No other nonconforming sign types can be altered or enlarged in a way that increases the nonconformity of the sign or sign structure. This does not preclude normal maintenance and cleaning or changing of the sign face.

* * *

25. Amend ARTICLE 20. ANNEXATION STANDARDS, SECTION 20.5 CLOSURE AND ABANDONMENT in the Shreveport UDC.

[Note (5): See Exhibit “F” for revised Article 20.5 CLOSURE AND 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.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

**APPROVED AS TO LEGAL
FORM:**

City Attorney's Office