

## STAFF REPORT – CITY OF SHREVEPORT

SEPTEMBER 1, 2021

**AGENDA ITEM NUMBER: 13**  
**MPC Staff Member:** Adam Bailey  
**City Council District:** All Districts  
**Parish Commission District:** All Districts

**CASE NUMBER:** 20-134-C: City of Shreveport UDC Code-Text Amendments  
**APPLICANT:** METROPOLITAN PLANNING COMMISSION  
**REQUEST:** Code Text (Ordinance) Amendments to the Shreveport UDC

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**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 amendments will intended to be more user-friendly, concerning various housekeeping and corrective changes due to oversight, contradictions, or missing items. New uses and/or provisions are being added to address innovations made for unforeseen industry shifts. In addition, some current allowable uses that were once permitted are being amended to be more restrictive and/or disallowed.

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**BACKGROUND:** The Shreveport Unified Development Code (UDC) was implemented in May of 2017. The purpose of the UDC was to update, consolidate, and reformat the former, and extremely outdated, subdivision and zoning regulations. It was acknowledged that upon adoption that additional corrections and policy amendments to these regulations would be forthcoming in the future.

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**PROPOSED UDC CODE  
TEXT AMENDMENT(S):**

Staff is proposing the following UDC Articles 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 14. Code Administrators
- Amending Article 15. Application Procedures
- Amending Article 16. Zoning Application Approval Procedures
- Amending Article 17. Subdivision Approvals; and
- Amending Article 21. Historic Preservation

Staff is requesting the Shreveport UDC be amended as follows: [~~strikeout~~ indicates deleted text, underline indicates added text].

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### **Amendment 1.**

Add definition “Pool House” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS. *Currently this definition does not exist.*

### **Amendment 2.**

Amend “Demolition Delay” in ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.2 RESIDENTIAL DISTRICTS, Subsection 4.2.E.2. *Some properties that are in the R-HU are not within the General-HPOD. This amendment clarifies any confusion.*

### **Amendment 3.**

Amend Table 4-8 in ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.5 INDUSTRIAL DISTRICTS in the City of Shreveport UDC by removing I-2 from the site design requirements requiring a development to provide a pedestrian link. *Many I-2 properties are either not near a commercial use or they are large and/or hazardous sites, making walking to the street impractical.*

### **Amendment 4.**

Amend TABLE 5-1: USE MATRIX in ARTICLE 5, SECTION 5.2 USE MATRIX. *Several changes to the Use Matrix include: (1) adding ‘Dwelling-Manufactured Home to the R-1-10, R-2, and R-3 zoning districts; (2) allowing the use ‘Heavy Retail, Rental and Service’ as a permitted use in the I-2 zoning district; (3) add the RMUV column and its allowable uses (these uses were only described in Article 4 and need to be included in the Use Matrix for clarity); (4) update the ‘Educational Facility – University or College’ row; and (5) delete the ‘Educational Facility – Vocational School’ row.*

**[See Exhibit “B” for revised Table 5-1: Use Matrix]**

### **Amendment 5.**

Amend ARTICLE 5. USES, SECTION 5.3 USE DEFINITIONS. *Definitions for “Casino” and “Garage Sale” do not currently exist. For “Neighborhood Commercial Establishment” a cross-reference needs to be added to the existing definition to identify what services are allowed within this use.*

### **Amendment 6.**

Amend “Automated Teller Machine - Standalone” in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS. *“Automated Teller Machine – Standalone” uses should have the same stacking space description and bailout requirements as “Financial Institution with Drive-Through.”*

### **Amendment 7.**

Delete “5” in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS, Subsection 6.1.G. *Due to economic hardships because of the current pandemic, this provision needs to be removed.*

### **Amendment 8.**

Amend “Batch Plant/Rock Crushing Facility (Temporary)” in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.A *An appeal process for this application type does not currently exist.*

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### **Amendment 9.**

Amend “Temporary Seasonal Sales” in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.F by adding the new temporary use “8. Garage Sales.” *This temporary use does not currently exist. Similar language from the old zoning code—Chapter 106—for clarity.*

### **Amendment 10.**

Amend “Fence Height in Non-Residential Districts” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3. ACCESSORY STRUCTURES AND USES, Subsection 7.3.L.2. *This amendment helps remove any inconsistencies regarding what should versus what shouldn’t be allowed regarding fences proposed within a corner side yard. If a shed, garage or workshop is allowed—a fence should also be allowed provided it does not restrict the sight triangle at any driveway or intersection.*

### **Amendment 11.**

Amend “Detached Garages” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3 ACCESSORY STRUCTURES AND USES, Subsection 7.3.N.2.c. *This provision conflicts with the min 5’ requirement in Table 7-1 and needs to be removed.*

### **Amendment 12.**

Add “Pool House” to TABLE 7-1 in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.4 PERMITTED ENCROACHMENTS. ‘Pool House’ as an accessory use needs to have the same setback requirements as Detached Garages. Currently, the use doesn’t fit into any existing definitions such as Detached Garage, Workshop, Accessory Dwelling Unit; therefore, as a generic accessory structure, it is restricted to the setbacks with no encroachments allowed because it is not explicitly identified in Table 7-1 (Articles 7.1.C, 7.4). This is overly restrictive in the R-A, R-E and R-1-12 zoning districts and inconsistent with the encroachments allowed for similar structures, e.g. detached garage, workshop, shed, greenhouse.

### **Amendment 13.**

Amend Table 8-1 in Article 8. OFF-STREET PARKING AND LOADING, SECTION 8.3 REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING SPACES. *The amendment call for the deletion of bicycle parking, since the use and/or structure will never be over 10,000 GFA.*

### **Amendment 14.**

Amend “Yard Signs” in ARTICLE 9. SIGNS, SECTION, 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C.13. *Currently, the Code does not have any limits on how long a yard sign can remain on a property.*

### **Amendment 15.**

Add new subsection titled “F. Waiver of Landscape Requirements” to ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.1 LANDSCAPE PLAN APPROVAL. *This new provision allows any applicant to request a Waiver of Landscape Requirements to the Executive Director towards any portion of the landscape ordinance. The factors in deterring a waiver include that applicant has explored all alternative measures, demonstrated that landscaping is not feasible, and that circumstances upon which a waiver is sought would put the proposed development into a variance situation which is against the public interest. Decisions may be appealed to the Zoning Board of Appeals.*

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### **Amendment 16.**

Amend ARTICLE 14. CODE ADMINISTRATORS, by adding the following new provision to SECTION 14.2. METROPOLITAN PLANNING COMMISSION and SECTION 14.3 CITY COUNCIL. *Currently, the Appeals process for MPC-approved Temporary Use Permits is missing from the UDC. This is one of several proposed amendments that identifies the proposed process.*

### **Amendment 17.**

Amend “Completeness” in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1. APPLICATION, Subsection 15.1.B.2. *Within 30 days, the staff has already evaluated the case and turned in the staff report.*

### **Amendment 18.**

Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F. *Currently, the Appeals process for MPC-approved Temporary Use Permits is missing from the UDC. This is one of several amendments that properly identifies the revised process.*

### **Amendment 19.**

Amend “Expiration” in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.3. SPECIAL USE PERMIT, Subsection 16.3.I.1. *New language identifies the time frame for a Special Use Permit attached to a property that is discontinued or abandoned.*

### **Amendment 20.**

Amend “Process” in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.7. ADMINISTRATIVE EXCEPTION TO ZONING, Subsection 16.7.D.1. *To date, the MPC has not done notifications for this procedure, nor do we have an implementation process/procedure defined.*

### **Amendment 21.**

Amend “Final Approval (All Subdivisions)” in ARTICLE 17. SUBDIVISION APPROVALS, SECTION 17.5 FINAL, Subsection 17.5D. *MPC does not have the authority to void a plat once it is legally recorded at the courthouse.*

### **Amendment 22.**

Replace the term “Activity” and “Activities” with “Improvement” or “Improvements” in ARTICLE 21. HISTORIC PRESERVATION. *The term ‘activity’ and ‘activities’ were proving to be confusing, as readers were identifies the term with allowable uses (which is not reviewable by the HPC). The term ‘improvement’ and ‘improvement’ better identifies the work that is being proposed.*

**[See Exhibit “C” for revised Article 21. – Historic Preservation]**

#### See Attachments:

- Exhibit “A” for memorandum describing these amendments in full detail.
- Exhibit “B” for revised *Table 5-1: Use Matrix*.
- Exhibit “C” for revised *Article 21. – Historic Preservation*.

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**APPROVAL STANDARDS:** The purpose of Section 16.1.E.1 is to provide a uniform means for amending the text of the Unified Development Code 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:

- a. **Promotes the public health, safety, and welfare.**  
*The proposed text amendments promotes the public health, safety, and welfare.*
- b. **Promotes the Master Plan and any adopted land use policies.**  
*The proposed text amendments are consistent with the Master Plan.*
- c. **Promotes intent of this Code.**  
*These amendments will clarify current practices, thus promoting the intent of the Code.*
- d. **Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**  
*Staff finds the proposed amendment would improve compatibility among uses and would assist in ensuring efficient development within the City.*
- e. **The extent to which the proposed amendment creates nonconformities.**  
*N/A.*

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**STAFF  
RECOMMENDATION:**

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to **APPROVE PER MPC RECOMMENDATIONS** the code text amendments is warranted. If approved by City Council, Articles 2, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, and 21 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 amendments;
- Deny specific amendments and/or provisions, and approve any subsequent amendments and/or provisions; or
- Modify specific language in any proposed amendment and approve, as modified.

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**PUBLIC ASSESSMENT:** There was no support or opposition present.

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**MPC BOARD  
RECOMMENDATION:**

The Board voted 9-0 to recommend this application for approval.