

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> September 14, 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 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. The following Articles, or portions thereof where amended: (1) amending Article 2. Definitions and Rules of Measurement; (2) amending Article 3. Zoning Districts and Zoning Map; (3) amending Article 4. Zoning District Regulations; (4) amending Article 5. Uses; (5) amending Article 6. Use Standards; (6) amending Article 7. On-Site Development Standards; (7) amending Article 8. Off-Street Parking and Loading; (8) amending Article 9. Signs; (9) amending Article 10. Landscape and Tree Preservation; (10) amending Article 15. Application Procedures; (11) amending Article 16. Zoning Application Approval Procedures; (12) amending Article 17. Subdivision Approvals; and (13) amending Article 21. Historic Preservation

<u>TIMETABLE</u>	<u>ATTACHMENTS</u>
MPC Introduction: August 4, 2021	Exhibit “A” Memo outlining all amendments
MPC Review & Recommendation: September 1, 2021	Exhibit “B” Table 5-1: Use Matrix
Introduction to City Council: September 14, 2021	Exhibit “C” Article 21. Historic Preservation
Final Passage by City Council: September 28, 2021	Exhibit “D” MPC Staff Report: 21-134-C

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 September 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 August 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 2021

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 August 4, 2021, 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 September 1, 2021, 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 September 1, 2021, 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 August 16, 2021; 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 definition “Pool House” in ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT, SECTION 2.3 DEFINITION OF GENERAL TERMS in the City of Shreveport UDC. All subsequent definitions shall continue to be alphabetized accordingly.

* * * * *

Pool House / Cabana. A one-story, ground level detached accessory structure or a ground level portion of an existing one-story accessory structure, located adjacent to and used in conjunction with an in-ground swimming pool. A pool house may not contain more than one room other than a bathroom, nor may it contain a kitchen or be designed for cooking or sleeping.

* * * * *

2. Amend “Demolition Delay” in ARTICLE 4. ZONING DISTRICT REGULATIONS, SECTION 4.2 RESIDENTIAL DISTRICTS, Subsection 4.2.E.2 in the City of Shreveport UDC.

2. Demolition Delay

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If an R-HU property is within the General Historic Preservation Overlay District ("General-HPOD"), a Certificate of Demolition is required by the Executive Director of the Shreveport-Caddo MPC, or his/her designee, upon a recommendation (and in some cases decision) from the Shreveport Historic Preservation Commission. A demolition permit is also always required.

3. Add 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.

TABLE 4-8: INDUSTRIAL BUILDING DESIGN STANDARDS				
	OR	I-MU	I-1	1-2
***	***	***	***	***
Site Design				
***	***	***	***	***
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.	•	•	•	

4. Update Table 5-1 in Article 5. USES in the Shreveport UDC.

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

5. Amend ARTICLE 5. USES, SECTION 5.3 USE DEFINITIONS in the City of Shreveport UDC with the following new and/or updated definitions. All subsequent definitions shall be alphabetized accordingly.

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Casino. A commercial facility where patrons wager money on the outcome of a game, including but not limited to a card game or a slot machine.

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Garage Sale. The exchange, for money or other consideration, of household goods, clothing, merchandise or other tangible personal property, conducted from or on any property within a residential zoning district for the purpose of disposing of said personal property, and is open to the public on an infrequent and temporary basis, including but not limited to all events entitled “garage,” “estate,” “lawn,” “yard,” “porch,” “patio,” or “rummage sale.”

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Neighborhood Commercial Establishment. A commercial use within a primarily residential neighborhood that is non-residential in its original construction and/or use. For allowable uses, see Section 6.1.

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6. Amend “Automated Teller Machine - Standalone)” in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS, in the City of Shreveport UDC.

C. Automated Teller Machine – Standalone

The following regulations for a standalone Automated Teller Machines (ATM) do not apply to financial institutions that typically provide services by Automated Teller Machines, whether drive-through or walk-up.

1. A drive-through standalone Automated Teller Machine (ATM) is subject to the following standards:
 - a. A drive-through standalone ATM is permitted only when a drive-through facility is allowed within the district and separate approval is obtained for the drive-through facility, including compliance with all standards for a drive-through facility.
 - b. The drive-through lane must provide a minimum of three stacking spaces:
 - i. A minimum of nine feet in width, as measured from the outermost point of any service window or bay entrance, to the edge of the driveway, and 18 feet in length. In the case of a recessed service window, the measurement must be taken from the building wall.
 - ii. Stacking spaces must begin behind the vehicle parked at a final point of service exiting the drive through aisle. Spaces must be placed in a single line behind each lane or bay.
 - iii. All drive-through lanes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets.

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7. Delete “5” in ARTICLE 6. USE STANDARDS, SECTION 6.1 PRINCIPAL USE STANDARDS, Subsection 6.1.G in the City of Shreveport UDC. Re-number subsequent provision accordingly.

8. Amend “Batch Plant/Rock Crushing Facility (Temporary)” in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.A in the City of Shreveport UDC. The new provisions shall be labeled as “2” and “3,” respectively, and all subsequent provisions shall be renumbered accordingly.

A. Batch Plant/Rock Crushing Facility (Temporary)

1. The exact timeframe of a batch plant/rock crushing facility will be determined and approved as part of the temporary use permit. Temporary use permits for a batch plant/rock crushing facility are approved by the Metropolitan Planning Commission.
2. Within 10 days after the date of the decision, the applicant or any aggrieved party may appeal a Metropolitan Planning Commission decision on a temporary use permits for a batch plant/rock crushing facility to the City Council.
3. Within thirty (30) days after the date of the decision by City Council on the appeal, regarding a temporary use permit, the applicant or any aggrieved party may appeal the City Council decision to Caddo Parish Civil District Court.

* * * * *

9. Amend “Temporary Seasonal Sales” in ARTICLE 6. USE STANDARDS, SECTION 6.2 TEMPORARY USE STANDARDS, Subsection 6.2.F the City of Shreveport UDC by adding the new temporary use “8. Garage, Yard or Estate Sales.”

F. Temporary Seasonal Sales

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8. Garage, Yard or Estate Sales

Any event entitled, but not limited to “garage,” “estate,” “lawn,” “yard,” “porch,” “patio,” or “rummage” sale may be conducted in any residential zoning district without obtaining a permit, subject to the following conditions:

- a. Sales shall be conducted under supervision of the occupant of the residence or property owner.
- b. Sales events shall be limited to 3 per year, with a maximum of 3 days per event.

10. Amend “Heights of Fences, Walls, and Hedges” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3. ACCESSORY STRUCTURES AND USES, Subsection 7.3.L.2 by adding a new provision “iii” in the City of Shreveport UDC.

2. Heights of Fences, Walls, and Hedges

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b. Fence Height in Non-Residential Districts

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iii. Properties in the C-UC, C-UV and D-1 districts that have a Build To Zone/Line are allowed a solid fence, wall or hedge in the front and corner side yard up to a maximum height of six (6) feet.

11. Amend “Detached Garages” in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.3 ACCESSORY STRUCTURES AND USES, Subsection 7.3.N.2.c in the City of Shreveport UDC.

2. Detached Garages

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c. Detached garages are permitted only in the rear, interior side, and corner side yards. Detached garages must be set back a minimum of five feet from the front building line.

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12. Add new row “Pool House” to TABLE 7-1 in ARTICLE 7. ON-SITE DEVELOPMENT STANDARDS, SECTION 7.4 PERMITTED ENCROACHMENTS in the Shreveport UDC.

TABLE 7-1: PERMITTED ENCROACHMENTS INTO REQUIRED SETBACKS				
Y= Permitted // N= Prohibited				
Max. = Maximum // Min. = Minimum				
	Front & Reverse Corner Side Setback	Corner Side Setback	Interior Side Setback	Rear Setback
***	***	***	***	***
Pool House <i>Prohibited in front yard</i> <i>Min. of 5' from any lot line</i>	N	Y	Y	Y
***	***	***	***	***

13. Amend Table 8-1 in Article 8. OFF-STREET PARKING AND LOADING, SECTION 8.3 REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING SPACES in the Shreveport UDC.

TABLE 8-1: OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS			
USE	MINIMUM REQUIRED VEHICLE SPACES	MINIMUM REQUIRED BICYCLE SPACES	
		REQUIRED TOTAL BICYCLE SPACES	PERCENTAGE OF REQUIRED BICYCLE SPACES THAT MUST BE LONG-TERM SPACES
***	***	***	***
Self-Service Ice Vending Unit	1 space + ADA accessible parking space		
***	***	***	***

14. Amend “Yard Signs” in ARTICLE 9. SIGNS, SECTION 9.6 NO PERMIT REQUIRED: PERMANENT AND TEMPORARY SIGNS, Subsection 9.6.C.13 by adding “g” in the City of Shreveport UDC.

13. Yard Signs

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- g. Yard signs specifically advertising or pertaining to an event, such as an election, must be removed within seven (7) days immediately following the event.

15. Add new subsection titled “F. Waiver of Landscape Requirements” to ARTICLE 10. LANDSCAPE AND TREE PRESERVATION, SECTION 10.1 LANDSCAPE PLAN APPROVAL in the Shreveport UDC.

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F. WAIVER OF LANDSCAPE REQUIREMENTS

1. The Executive Director has the authority to grant a waiver for any landscaping requirement contained in this article. Applications subject to discretionary review (i.e., special use permit, planned unit development, small planned unit development, etc.) may not apply for waiver of landscape requirements.
2. The Executive Director shall not be obligated to make any waiver of landscaping requirements.
3. As part of the waiver request, the applicant shall have the burden of proof in showing that there will be no adverse impact upon the neighborhood or general area by the granting of the waiver. In granting a waiver, the Executive Director shall consider the following:
 - a. The special circumstances of the proposed use;
 - b. Site constraints that would make landscape compliance not necessary and/or feasible;
 - c. The neighborhood and the general development patterns of the surrounding properties and the prospects for development in the near future;

- d. Whether the development, as proposed, would serve the purpose of enhancing the public welfare and safety;
 - e. Whether all reasonable alternative measures which meet the intent of the landscape requirements of this article were explored; and
 - f. The Executive Director may also consider other factors deemed relevant in making his or decision.
4. A waiver of any of the requirements of this article does not exempt the development from any other requirements of the Code.
 5. Waivers granted shall be for the specific use, as identified in the waiver application. Should the use be substantially altered to trigger full compliance, the developer must either obtain new waivers or comply with the Code.
 6. Within 30 days after the date of any waiver decision, the applicant or any aggrieved party may appeal waiver decision to the Zoning Board of Appeals.

16. Amend ARTICLE 14. CODE ADMINISTRATORS, by adding the following new provisions to SECTION 14.2. METROPOLITAN PLANNING COMMISSION and SECTION 14.3 CITY COUNCIL, respectively, in the Shreveport UDC.

14.2 METROPOLITAN PLANNING COMMISSION

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G. To make final decisions on temporary use permits when required by this Code.

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14.3 CITY COUNCIL

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E. To make final decisions on appeals of the approval or denial of temporary use permit applications within the City of Shreveport.

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17. Amend “Completeness” in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1. APPLICATION, Subsection 15.1.B.2 in the Shreveport UDC.

B. Completeness

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2. The Executive Director will examine all applications within 7 days of filing to determine completeness. If the application does not include all the submittal requirements for the application, the Executive Director will reject the application and provide the applicant with the reasons for the rejection. The Executive Director will take no further steps to process the application until all deficiencies are remedied.

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18. Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F in the Shreveport UDC.

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
***	***	***	***	***	***	***	***	***
Metropolitan Planning Commission (MPC)								
Special Use Permit			RR	PH & D		A	A	Section 16.3
Site Plan Review – MPC			RR	D			A	Section 16.8
Subdivision – Major			RR	PH & D		A	A	Article 17
Subdivision – Minor			RR	D		A	A	Article 17
Temporary Use Permit			RR	D		A	A	Section 6.2
Executive Director								
***	***	***	***	***	***	***	***	***

19. Amend “Term” in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.3. SPECIAL USE PERMIT, Subsection 16.3.I.1 in the Shreveport UDC.

1. Term

- a. A special use permit is approved indefinitely unless otherwise specified by the Metropolitan Planning Commission or, on appeal, the City Council.
- b. A Special Use Permit shall expire one (1) year following the discontinuation or abandonment of the use for which the special permit was approved.

20. Amend “Process” in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES, SECTION 16.7. ADMINISTRATIVE EXCEPTION TO ZONING, Subsection 16.7.D.1 in the Shreveport UDC. All subsequent provisions shall be re-alphabetized accordingly.

D. Process

1. Action by the Executive Director

All applications for an administrative exception must be filed with the Executive Director in accordance with Section 15.1 (Application). The Executive Director shall take the following actions upon submittal of an application.

- a. Once it is determined that the application is complete, the Executive Director will consider an application for an administrative exception.

21. Amend “Final Approval (All Subdivisions)” in ARTICLE 17. SUBDIVISION APPROVALS, SECTION 17.5 FINAL PLAT, Subsection 17.5.D in the City of Shreveport UDC to read as follows.

D. Final Approval (All Subdivisions)

- 1. For Major and Minor Plats, Final Plats must be signed by the Executive Director of the MPC within one year of approval from the MPC Board.

2. All Final Plats—whether Major, Minor or Administrative—must be recorded at the Caddo Parish Courthouse before any building permits can be issued.
3. Approval of the Final Plat does not constitute acceptance by the public of the dedication of any street or other public way, park or space. Such approval can be affected only by action of the City Council.
4. Approval or denial of a Final Plat may be appealed to the City Council for a preliminary plat located within the boundaries of the City of Shreveport.

22. Replace the terms “Activity” and “Activities” with “Improvement” or “Improvements” in ARTICLE 21. HISTORIC PRESERVATION in the Shreveport UDC.

[Note (2): See Exhibit “C” for revised Article 21. – Historic Preservation]

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