



## RECOMMENDED AMENDMENTS – UNIFIED DEVELOPMENT CODE – JULY 05, 2017

These twenty-seven (27) amendments to the UDC are house-keeping and corrective changes due to oversight, grammatical mistakes, contradictions, or missing items. Amended language is shown in highlighted *italics*. ***There will be a Public Hearing to discuss these amendments at the July 05<sup>th</sup> MPC Board Meeting.***

1. Please add definition of 'Certificate of Occupancy' in SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-4):

***Certificate of Occupancy. Official certification that a premise conforms to provisions of the unified development code and all building codes and may be used or occupied. Such a certificate is granted for new construction, alteration, addition, or change of occupancy to existing structures. A building official must issue a CO in order for a building or structure to be lawfully occupied.***

**Explanation:** New definition needs to be added since no definition exists.

2. Please add definition of 'Groundcover' in SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-6):

***Groundcover. Living landscape materials or low-growing plants, other than turf grasses, installed in such a manner so as to provide a continuous cover of the ground surface, and which upon maturity normally reach the average maximum height of 24 inches.***

**Explanation:** Specifies what "groundcover" is and is not.

3. Please modify the definition of 'Modular Home' in SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-8):

**Modular Home.** Modular buildings and modular homes are not considered manufactured homes, and refer to a method of construction. Modular buildings and modular homes are built in multiple sections called modules at a facility and then delivered to the site where ***one or more modules*** are set onto the building's foundation and joined together to make a single building. Modular buildings and modular homes must conform to all zoning requirements for the dwelling type and must meet all local building code requirements. Manufactured homes are a principal use and defined in Section 5.3.

**Explanation:** It needs to be clarified that multiple modules are included in the building of modular homes.

4. Please remove in its entirety 'Tree Removal Plan' and its definition in SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-12):

**~~*Tree Removal Plan. An optional part of the landscape plan which allows all future developments to receive credit for preserving. The tree preservation plan shall be submitted showing major site construction features, existing trees to remain, existing trees that may be removed, and replacement trees showing species, location, number and size. The Tree Preservation Plan information may be included on the landscape plan if all information can be clearly delineated.*~~**

**Explanation:** This definition is no longer needed due to the fact that Section 10.6 Tree Preservation was amended.



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- Please remove in its entirety 'Tree, Significant' in **SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-12)**:

~~**Tree, Significant.** Any tree that measures 30 inches or more in diameter at four and one half feet above the ground.~~

**Explanation:** This definition is no longer needed due to the fact that Section 10.6 Tree Preservation was amended.

- Please add the new definition of 'Tree Preservation Plan' in **SECTION 2.3. DEFINITION OF GENERAL TERMS (PAGE 2-12)** with the following new language:

**Tree Preservation Plan.** An optional part of the landscape plan which allows all future developments to receive credit for preserving. The tree preservation plan shall be submitted showing major site construction features, existing trees to remain, existing trees that may be removed, and replacement trees showing species, location, number and size. The Tree Preservation Plan information may be included on the landscape plan if all information can be clearly delineated.

**Explanation:** This definition needs to be added due to the fact that Section 10.6 Tree Preservation was amended and the tree preservation plan is now a part of the Code.

- Please add additional language to the definition of 'Lot' in **SECTION 2.4. RULES OF MEASUREMENT (PAGE 2-17)** with the following new language:

J. Lot

A lot is the basic development unit for determination of lot area, depth, and other dimensional regulations whose boundaries have been established by an approved subdivision plat filed with the Caddo Parish Clerk of Courts and which is recognized as a separate legal entity for purposes of transfer of title.

**Explanation:** Additional language needs to be provided to better define a legally recorded lot of record.

- Please amend **TABLE 4-3: COMMERCIAL DISTRICTS DIMENSIONAL STANDARDS (page 4-10)** with the following revision for minimum lot area:

TABLE 4-3: COMMERCIAL DISTRICTS DIMENSIONAL STANDARDS				
	C-1	C-2	C-3	C-4
<b>BULK</b>				
Minimum Lot Area	None	None	10,000sf	10,000sf

**Explanation:** To match standards in the C-4 District, the minimum lot area should be decreased from 20,000sf to 10,000sf.

- Please amend the **USE MATIRX** in **SECTION 5.2. USE MATRIX** with the following updated uses:

*Under Zoning District R-HU (Highland Urban Conservation Residential Zoning District)*

- o Art Gallery (S)
- o Arts Studio (S)
- o Cultural Facility (S)
- o Dwelling – Accessory Dwelling Unit (S)



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- **Educational Facility - Primary or Secondary (S)**
- **Medical/Dental Office (S)**
- **Office (S)**

**Explanation:** These uses needed to be included in the Use Matrix, as they were uses allowed in the old SPI-1 (which is now the Highland Urban Conservation Residential Zoning District).

### Under C-4

- **Truck Stops/Travel Centers (S)**

**Explanation:** These uses needed to be included in the Use Matrix, as they have similar characteristics associated with this zoning district. They were inadvertently only allowed in I-1 and I-2 zoning districts.

10. **Please add language in SECTION 5.3. USE DEFINITIONS (page 5-3) remove any language about “existing structures”.**

**Dwelling - Accessory Dwelling Unit.** An additional dwelling unit associated with and incidental to a principal single family – detached or attached or two-family dwelling on the same lot. An accessory dwelling unit must include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The accessory dwelling unit must be within or attached to the principal dwelling unit structure or **within a detached accessory structure or within an existing structure**, such as a garage or carriage house, and designed so that the appearance of the principal structure remains that of a single-family residence. A dwelling unit is considered detached despite an intervening attached structure or shelter that is not enclosed.

**Explanation:** Modify paragraph to remove “existing structures” since ADU’s can be permitted with new buildings.

11. **Please amend language in SECTION 6.1. PRINCIPAL USE STANDARDS (page 6-7) clarifying transparency (window) requirements.**

O. Dwelling - Single-Family – Detached, Single-Family – Attached, or Two-Family

3. A 15% minimum transparency requirement applies to any **street facing** façade and is calculated on the basis of the entire area of the façade.

**Explanation:** Without this added language, **all facades** of a single-family residence would be required to have a minimum 15% transparency. This language clarifies that it is only any street facing façade that would require this percentage.

12. **Please add new use standard in SECTION 6.1. PRINCIPAL USE STANDARDS (page 6-2) for “Bus Transfer Station.”**

### **F. Bus Transfer Station**

- 1. A public transit station for two or more bus routes in a public transit system, oftentimes the endpoint for one or more bus routes, where passengers may change from one route to another.**
- 2. There is no off-street parking or loading requirements for this use.**



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3. This use is exempt from the front, side, and rear yard requirements in this Code, except that the shelter structure must be set back at least five feet from the edge of the roadway.
4. A litter container of adequate size must be provided on the site at all times.
5. In residential districts, the shelter structure must not occupy an area greater than 100 square feet.
6. No signs are permitted on any bus transfer station site except for governmental signs, transit system logos, schedules, and route information.
7. This use must be installed by public agencies.
8. A site plan must be submitted to and approved by the Executive Director per Article 16.

**Explanation:** These standards were accidentally omitted from the previous UDC and needed to be added.

13. Please add language in **SECTION 6.2. TEMPORARY USE STANDARDS (page 6-22)** reading temporary use requirements for food truck vendors.

### 3. Temporary Use Permit Requirements

- a. All food trucks must be licensed by Director of Finance.
- b. All food trucks operating in the City of Shreveport require approval of a temporary use permit issued by the Zoning Administrator.
- c. An applicant for a temporary use approval may reapply for a new temporary use permit every ninety (90) days for up to three times per calendar year. There is no minimum time between events.
- d. A temporary use permit must be obtained for each location where a food truck will operate.

**Explanation:** All food trucks are required to obtain temporary use permits and there needs to be standards defining the application process.

14. Please revise language in **SECTION 7.3. ACCESSORY STRUCTURES AND USES (page 7-8)** adding height restrictions to coldframe structures.

4. Coldframe structures are limited to a maximum square footage of 60 square feet and a maximum height of **seven** feet. In the R-A District, coldframe structures are permitted a maximum square footage of 120 square feet.

**Explanation:** After internal research, the maximum height for these structures should be seven (7) feet, not six (6).

15. Please revise language in **SECTION 7.3. ACCESSORY STRUCTURES AND USES (page 7-10)** specifying requirements of fences in non-residential districts.

### b. Fence Height in Non-Residential Districts.

- i. **In the front and corner side yard, an open fence is permitted up to a maximum height of six feet** unless otherwise required by the landscape and screening regulations of Article 10.

**Explanation:** This language needs to be added to allow fences in front yards and side yards. Without this language, all types of fences would be prohibited in the front or side yard of a property.



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16. Please add language to **SECTION 7.3. ACCESSORY STRUCTURES AND USES (page 7-12)** adding certificate of occupancy requirements to home-based businesses.

1. A home-based business certificate of occupancy is required. **Every home-based business is required to apply for a new certificate of occupancy every two years.**

**Explanation:** This is an existing requirement that was mistakenly omitted from the UDC.

17. Please add language to **SECTION 7.3. ACCESSORY STRUCTURES AND USES (page 7-17)** adding 'Transient Vacation Rentals' uses and regulations.

**All transient vacation rentals are subject to the requirements of this Code and the following standards:**

1. **Transient Occupants means any person or guest or invitee of such person who occupies or is in actual or apparent control or possession of residential property registered as a Vacation Rental.**
2. **Transient Vacation Rental shall mean any dwelling unit that is advertised or held out to the public to be rented to Transient Occupants.**
3. **All transient vacation rentals must be licensed by the Director of Finance.**

**Explanation:** These standards needed to be added to the UDC as they are becoming more-and-more common within the area. This section was inadvertently left out of the UDC.

18. Please delete specific language in **SECTION 7.3. ACCESSORY STRUCTURES AND USES (page 7-6)** removing language regarding plumbing and heating.

3. **Plumbing, heating, or any** Features inconsistent with the use of the structure exclusively as a boathouse are prohibited.

**Explanation:** This revision would allow for needed plumbing/electricity for boathouses.

19. Please add specific language to **SECTION 8.8.C. CROSS-ACCESS SERVITUDES (page 8-16)** allowing existing driveways to remain open if applicant wants shared access.

- b. Any pre-existing driveways must be closed and eliminated after construction of the joint-use driveway, **unless approval to remain open is granted after review and approval of the City Engineer and/or the Louisiana Department of Transportation.**

**Explanation:** Any pre-existing driveway must be closed if the applicant is seeking to obtain a shared access agreement, unless approval for that existing drive to remain open is granted by the City Engineer and/or the Louisiana Department of Transportation.



20. Please revise **TABLE 8-1 OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS** (page 8-5) addressing the differences in the types of schools and their parking requirements.

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
Educational Facility – Primary or Elementary	1.5 per classroom + 1 per 20 GFA of administration offices	2 per classroom	
Middle Schools	1.5 per classroom + 1 per 20 GFA of administration offices	2 per classroom	
High Schools	7 per classroom + 1 per 20 GFA of administration offices	2 per classroom	
All other Educational Facilities	5 per classroom + 1 per 250 GFA of administration offices	2 per classroom	

**Explanation:** Different school types should have different parking ratios and the UDC needs to reflect that reality.

21. Please revise **TABLE 8-1 OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS** (page 8-6) addressing bicycle parking in 'Place of Worship'.

Place of Worship	1 per 5 seats	1 per 100 seats	
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**Explanation:** The existing ratio of 1 per 10 was excessive. This revision is more conducive to real-world circumstances.

22. Please add language in **SECTION 10.1.C. STORMWATER MANAGEMENT AND ALTERNATIVE LANDSCAPE DESIGN** (page 10-2) addressing the ability for the UDC to allow alternative landscape design outside of stormwater management.

2. Alternative landscape design intended to improve stormwater quality and/or intended to decrease stormwater quantity will be considered if submitted as part of a site-specific stormwater management plan.
3. Alternative landscape design or plant materials may be used where unreasonable or impractical situations would result from application of the landscaping requirements. Such situations may result from topography, geological characteristics, water features, significant vegetation, lot configuration, utility easements, locations of existing structures on the site, or from other unusual site conditions that pose unnecessary constraints to appropriate landscape development or the owner's use of the property.
4. The Executive Director may approve an alternative landscape plan upon determining that such plan meets the intent of the standards of this article and meets or exceeds a landscape plan in strict compliance.

**Explanation:** This revised language would allow an applicant to meet the UDCs' minimum landscaping requirements through alternative means. The existing language only allowed alternative compliance through stormwater management.



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23. Please add subsection to *SECTION 16.6. SITE PLAN REVIEW (page 16-16)* regarding who can and cannot submit a site plan.

### C. Required Submittals

*Site plans must be prepared by an architect, landscape architect or civil engineer licensed in Louisiana. All site plans must meet the standards set forth in this Article and bear the architects, landscape architect's or civil engineer's seal and signature. Conceptual Site Plans, which are recommended as part of the pre-application review process, do not have to meet these requirements.*

**Explanation:** The MPC is receiving site plans drawn by surveyors and draftsman, and the quality of many of those site plans make it difficult to review in a timely manner. Licensed architects, landscape architects and engineers are properly to submit site plans with the correct information in a clear and legible drawing format.

24. Please amend *SECTION 16.6. SITE PLAN REVIEW (page 16-18)* to properly identify the accurate procedures of the site plan review process.

### D. Procedure

All applications for site plan review must be submitted to the Executive Director in accordance with the requirements in Section 15.1 (Application).

#### 1. Site Plan Review by Executive Director

- a. *Prior to filing an application for site plan review, the applicant shall participate in a pre-application review with the Development Review Committee (DRC). No site plan application shall be accepted until after the pre-application review is completed and the applicant receives written notification of the DRC's conclusions.*
- b. *The purpose of the pre-application review is to provide an opportunity for an informal evaluation of an applicant's proposal and to become familiar with the MPC's submittal requirements, development standards, and approval criteria. The Executive Director or authorized staff may provide recommendations and/or inform the applicant of any potential issues that might be presented to the applicable decision-making body. This review should take place prior to any substantial investment, such as land acquisition for a proposed development, site and engineering design, or the preparation of other data.*
- c. *The Executive Director may waive the pre-application conference requirement for applications if he or she finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly, in his or her opinion, support such waiver.*
- d. *Within one (1) business day after the date of the pre-application review, the MPC shall notify the applicant in writing of its informal recommendations regarding the desired development activity. The informal comments of the DRC are not binding upon the Applicant or the MPC, nor represents approval of a project, but are intended to serve as a guide to the Applicant in making the application and advising the applicant in advance of the formal site plan review application of any issues which will or may subsequently be presented to the Executive Director.*
- e. *After the applicant has received written notice of the DRC's informal comments, a formal site plan review application may be submitted.*



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- f. The Executive Director will forward the site plan to the Development Review Committee once the application is deemed complete. The Development Review Committee will review and comment on the site plan. The Development Review Committee comments will then be forwarded to the Executive Director.
- g. Once the Executive Director receives comments from the Development Review Committee, he/she will convene the Metropolitan Planning Commission staff to review the site plan and Development Review Committee comments.
- h. The Metropolitan Planning Commission staff will review and make a recommendation on the site plan and comments from the Development Review Committee. The Metropolitan Planning Commission staff recommendation will then be forwarded to the Executive Director.
- i. The Executive Director will issue final approval, approval with stipulations, or denial of site plans.

**Explanation:** This procedural process needs to be updated to adequately reflect the current site plan review process. The current process has been in effect since August 2016. It was mistakenly not updated in the UDC.

25. Please add language in SECTION 16.10. TEMPORARY USE PERMIT (page 16-28) for specific time frame parameters.

F. Expiration

The temporary use permit is valid only for the time period granted as part of the approval. **If no time period is specified, then the temporary use permit is only valid for thirty (30) days.**

**Explanation:** Language identifies an allowed time parameter for all temporary uses when it's not specified.

26. Please add 'Certificate of Occupancy' to ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES as part of the application process.

**16.11 CERTIFICATE OF OCCUPANCY**

**The certificate of occupancy (CO) is the final construction document issued by the Zoning Administrator to authorize occupancy of a structure upon completion of all building and construction related issues. It is unlawful to operate a business without a certificate of occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Zoning Administrator has issued a certificate of occupancy. The Zoning Administrator shall keep a record of all certificates of occupancy and compliance. The Zoning Administrator may revoke a certificate of occupancy and compliance when it is found that the building or land does not conform to the use or condition, if any, in the certificate. Each day a use continues after revocation of the certificate shall constitute a separate offense and shall be punished as provided therein.**

**Explanation:** No existing language identified the intent of a certificate of occupancy.

27. Please delete subsection SECTION 18.4.D. COMMON OWNERSHIP OF SUBSTANDARD LOTS OF RECORD (page 18-4) in its entirety.

~~**D.—Common Ownership of Substandard Lots of Record**~~





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*In all residential districts, if two or more contiguous, lawfully established substandard lots of record are under the same ownership, such lots are considered to be one lot and undivided for the purpose of this Code, provided that the merger does not result in more than one principal building on the lot. For purposes of this provision, a garage is not considered a principal building. This also does not apply if such a merger would create a through lot.*

Explanation: This section is contradicting and should be removed.