

STAFF REPORT – CITY OF SHREVEPORT

JULY 1, 2020

AGENDA ITEM NUMBER: 15
MPC Staff Member: Adam Bailey
City Council District: All Districts
Parish Commission District: All Districts

CASE NUMBER: 20-78-C: City of Shreveport UDC Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: **Code Text (Ordinance) Amendments to the Shreveport UDC**

DESCRIPTION: The City of Shreveport Unified Development Code (UDC) undergoes regular review in order to ensure that the Code promotes sound, stable, and desirable development within the jurisdiction of the City, to correct errors in the text or to accommodate changed or changing conditions in a particular area. Amendments to the UDC are processed as either general amendments, suggested and reviewed by the MPC staff, or amendments which include those that are legally necessary, incorporate previously approved ordinances or determinations, or are emergency amendments (City designated). Below is information on all proposed amendments under review or consideration.

BACKGROUND: The Shreveport Unified Development Code (UDC) serves as the official land use and development regulatory ordinance for the City of Shreveport. Periodically, revisions are required to reflect the changing nature of business in our community. 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. New uses are being added to address innovations made for unforeseen industry shifts. In addition, some current allowable land uses that were once permitted are being amended to be more restrictive and/or disallowed.

To resolve questions generated to how extended uses are currently governed in the UDC, staff is proposing the following text amendment to Article 1, Section 1.4.I of the UDC. Staff believes the proposed text amendment will bring clarity to how existing “extended uses” are transitioned and allowed to continue to operate legally as a permitted use.

Currently, there is duplicative language in the City Code (Sec. 22-28. - Portable storage containers.) concerning outdoor storage containers, which is regulated by the Shreveport Public Works Department. To avoid any discrepancies between the two Codes, staff is proposing to remove all references from the Shreveport UDC regarding outdoor storage containers for better clarity for enforcement.

PROPOSED UDC CODE TEXT AMENDMENT(S):

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 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. Staff is proposing the following amendments at this time:

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- Amending Article 1.4, *Transition Rules*
- Amending Article 5, *Table 5-1: Use Matrix*
- Amending Article 5.3, *Use Definitions*
- Amending Article 6.2, *Temporary Use Standards*

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

Amendment 1.

Amend Transition Rules in Article 1. To resolve questions generated to how extended uses are currently governed in the UDC, staff believes the proposed text amendment will bring clarity to how existing “extended uses” are transitioned and allowed to continue to operate legally as a permitted use.

ARTICLE 1. - TITLE, PURPOSE, AND APPLICABILITY

Section. 1.4. - TRANSITION RULES

I. Previously Granted Extended Uses

If a property was granted a specific use or uses as a part of an Extended Use District approval prior to the effective date of this Code, such use or uses are deemed a lawful permitted use. The use or uses grant as a part of a previous Extended Use District approval is subject to the approval conditions under which it was originally approved.

Amendment 2.

Amend the Use Matrix in Article 5. Staff was directed to address concerns dealing with certain aspects of the UDC as it applies to temporary outdoor storage containers. Currently, there is duplicative language in the City Code (Sec. 22-28. - Portable storage containers.) concerning outdoor storage containers, which is regulated by the Shreveport Public Works Department. To avoid any discrepancies between the two Codes, staff is proposing to remove all references from the Shreveport UDC regarding outdoor storage containers for better clarity for enforcement. This amendment removes *Temporary Outdoor Storage Container* from the Use Matrix.

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

Amendment 3.

Delete the use definition for *Temporary Outdoor Storage Container* in Article 5.3. Staff was directed to address concerns dealing with certain aspects of the UDC as it applies to temporary outdoor storage containers. Currently, there is duplicative language in the City Code (Sec. 22-28. - Portable storage containers.) concerning outdoor storage containers, which is regulated by the Shreveport Public Works Department. To avoid any discrepancies between the two Codes, staff is proposing to remove all references from the Shreveport UDC regarding outdoor storage containers for better clarity for enforcement. This amendment removes the use definition for *Temporary Outdoor Storage Container* from the Article 5.

ARTICLE 5. - USES

Section. 5.3. – USE DEFINITIONS

~~Temporary Outdoor Storage Container. Temporary self storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.~~

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Amendment 4.

Delete the use definition for *Temporary Outdoor Storage Container* in Article 6.2. Staff was directed to address concerns dealing with certain aspects of the UDC as it applies to temporary outdoor storage containers. Currently, there is language in the City Code (Sec. 22-28. - Portable storage containers.), which is regulated by the Shreveport Public Works Department. To avoid any discrepancies between the two Codes, staff is proposing to remove all references from the Shreveport UDC regarding outdoor storage containers. This amendment removes the use standards for *Temporary Outdoor Storage Container* from Article 6.

ARTICLE 6. – USE STANDARDS

Section. 6.2. – TEMPORARY USE STANDARDS

~~G. Temporary Outdoor Storage Container~~

- ~~1. Generally, a temporary use permit is not required.~~
- ~~2. Temporary outdoor storage containers are permitted in any zoning district when used for loading or unloading. Containers are permitted on site for a period not to exceed 15 days with no temporary use permit. If a longer time period is required, a temporary use permit is required.~~
- ~~3. Temporary outdoor storage containers may not be used for permanent storage. They may not serve as a substitute for permanent storage needs on the site on which they are located. Containers may not be permanently attached to the ground, serviced with permanent utilities, or stacked on the site.~~

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.**
Amendment 1. Staff believes adding a clear, well-defined transition rule—which allows these extended uses to be allowed as a permitted use; which reflect current practices and laws. Amendments 2-4. 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 and review of the above standards, approval of the requested text amendments to revise the transition rules adding language and criteria for previously granted extended uses in Article 1, Section 1.4.I is recommended. Likewise, staff is also recommending approval of all amendments concerning temporary outdoor storage containers.

PUBLIC ASSESSMENT: There were no comments submitted in support or opposition

MPC BOARD RECOMMENDATION: The Board voted 6-0 to recommend this application for approval.
