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STAFF REPORT – CADDO PARISH

MAY 5, 2021

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

CASE NUMBER: 21-12-P: Caddo Parish UDC Code-Text Amendments
APPLICANT: METROPOLITAN PLANNING COMMISSION
REQUEST: **Code Text (Ordinance) Amendments to the Caddo Parish UDC**

DESCRIPTION: New code text amendments are being proposed for consideration to the Caddo Parish Unified Development Code (UDC). The major issue that is being addressed by these amendments is to allow manufactured homes to be approved on a case by case basis in the majority of the residential districts. Additionally, these applications will be considered by the Zoning Board of appeals as Special Exception Uses. Appeals of these decisions will be forwarded to the Parish Commission for consideration. Other amendments are necessary to introduce the Special Exception Use into the UDC and to allow for Barber and Beauty Shop Home Based Business to be considered by the ZBA in lieu of the MPC.

BACKGROUND : The Caddo Parish UDC serves as the official land use and development regulatory ordinance for the Caddo Parish. 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.

PROPOSED UDC CODE TEXT AMENDMENT(S) :

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:

- Amending Article 2, Definitions and Rules of Measurement
- Amending Article 5, Uses
- Amending Article 6, Use Standards
- Amending Article 7, On-Site Development Standards
- Amending Article 15, Application Procedures
- Amending Article 16, Zoning Application Approval Processes

Amendment 1.

Add new SEU abbreviation to in Article 2. This amendment is part of the new special exception use process.

The information stated herein is the result of discussion by a staff review team. The Planning Commission and its Members will use all information made available to them in making their decision. A Planning Commission approval is a use approval only. The applicant is still responsible for complying with all other applicable Zoning Ordinance requirements and obtaining all necessary permits and approvals from other departments or agencies. This shall include, but not be limited to the requirements of the Zoning Administrator, building permits, liquor licenses, the parish health unit, and Certificates of Occupancy.

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Amendment 2.

Amend the definition for Aggrieved Party in Article 2. This definition is part of the new special exception use process.

Amendment 3.

Amend intro paragraph for subsection 5.2 in Article 5. This revised language helps explain the new special exception use process within the Use Matrix. Special Exception Uses, as identified by in the Use Matrix, would be approved by the Zoning Board of Appeals.

Amendment 4.

Amend Table 5-1: Use Matrix in Article 5. See Exhibit B for complete table. Special Exception Uses, as identified in the Use Matrix, would be approved by the Zoning Board of Appeals.

Amendment 5.

Amend the use standards for Dwelling - Manufactured Home in Article 6. Manufactured Homes would be approved by the Zoning Board of Appeals as a Special Exception Use.

Amendment 6.

Amend Home-Based Business provisions in Article 7. This accessory use standard needs updating to include the new special exception use permit process as the approval process for barber and beauty shops.

Amendment 7.

Add new subsection “Stay of Enforcement Proceedings” in Article 15, Section 15.1 Application . This amendment would allow for all enforcement processing to halt if the proposed offender applied for a land-use application to remedy the existing violation, though a Stay of Enforcement Proceedings.

Amendment 8.

Amend Table 15-1: Summary of Application Actions in Article 15. See Exhibit C for complete table. This amendment outlines the new special exception use permit procedures and appeals process.

Amendment 9.

Amend Table 15-2: Required Notice in Article 15. The Special Exception Use procedure currently does not exist. Amendment #10 addresses the proposed process.

Amendment 10.

Add new Special Exception Use process to Article 16. See Exhibit D for full section. This amendment outlines the new special exception use procedures and appeals process.

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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 Table 15-1: Summary of Application

Procedures ,

Exhibit “D” for new provisions for Article 16.6 Special Exception Use

APPROVAL STANDARDS : The purpose of Section 16.1.E is to provide a uniform means for amending the text of the UDC 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 amendments would improve compatibility among uses and would assist in ensuring efficient development within the physical area of Caddo Parish, Louisiana that falls within the jurisdiction of the Metropolitan Planning Commission’s planning area, but outside of the corporate limits of the City of Shreveport.
- e. **The extent to which the proposed amendment creates nonconformities.**
N/A.

STAFF ASSESSMENT :

Based on staff analysis , review of the above standards , and facts of record, MPC Staff concludes that the MPC Board recommendation for the Parish Commission to **APPROVE** the requested code text amendments is warranted. If approved, Articles 2, 5, 6, 7, 15 and 16, pertaining to special exception uses, would be amended to require this new approval process. A majority vote of the MPC Board members present and voting is required to recommend approval

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to the Parish Commission.

Alternatively, based on information provided at the public hearing, the MPC Board may:

- Recommend denial of the code text amendments.

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

MPC BOARD
RECOMMENDATION: **The Board voted 5-0 to recommend this application for approval as amended.**
