

Resolution NO. ___ OF 2021

BY THE RURAL PLANNING AND ZONING CITIZENS ADVISORY COMMITTEE:

A RESOLUTION ESTABLISHING A CONFIDENCE IN THE CADDO COMMISSION TO ENSURE THAT PRIVATE PROPERTY BY DEFINITION BE RESPECTED AT ITS HIGHEST REGARD IN CADDO PARISH AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Parish and planning commission have a willingness to mend any disconnect between governance and citizenry; and

WHEREAS, the Caddo Parish Commission, officially engaged to create planning programs for the community of rural Caddo Parish; and

WHEREAS, a 2020 study completed by AdvisorSmith showed that Shreveport was America's 2nd fastest shrinking midsize city; and

WHEREAS, the city of Shreveport has been in a downward trajectory since the Great Expectations Shreveport-Caddo 2030 Master Plan was adopted on December 1, 2010 as a solution to the city's declining population with a suggestion of more regulation at the expense of private property rights; and

WHEREAS, the current Unified Development Code (UDC) is a direct product of the Great Expectations Shreveport-Caddo 2030 Master Plan; and

WHEREAS, Shreveport's population has continued to decline, causing the city to combat this mass exodus by annexation, which has resulted in a strain on city services and infrastructure; and

WHEREAS, elevated taxes and over-regulation have hindered the economy and limited job growth, contributing to Shreveport's elevated unemployment and sales tax rates; and

WHEREAS, land use tends to segregate itself as investors respond to market incentives. Heavy industry voluntarily locates on large tracts near rail lines or highways; apartment and stores seek thoroughfares, and gas stations look for busy intersections. With the Free Market at work there's no need for government-imposed districting. Businesses that open inside quiet residential neighborhoods would compete poorly with establishments that enjoy the visibility and traffic count of a heavily traveled street, and therefore are not fruitful, rendering them uncommon business ventures; and

WHEREAS, home buyers desiring control over the development of land in their neighborhood can opt for a deed restriction, and those interested in more stringent requirements can seek housing where a Homeowner's Association is present and enforced

WHEREAS, we find it in the best interest of the tax payers for the Caddo Parish Commission to demonstrate fiscal prudence by avoiding a hefty budget increase for any separate Planning and Zoning department or board for Caddo Parish regarding property outside of the City Limits of Shreveport, especially when taking into consideration that current records show there were zero (0) permits pulled in said area from 2012-2016, and less than twenty (20) permits pulled from 2017 to the present

WHEREAS, residents of Caddo Parish outside of city limits have longtime enjoyed their property reasonably and safely, without issue or government oversight

WHEREAS, residents of Caddo Parish deserve the right to have proper and direct representation via their elected officials on the Caddo Parish Commission, rather than an appointed board, especially on matters regarding their private property rights

WHEREAS, "Option (1)" suggested by the Parish Administrator in a letter dated March 1, 2021, shows a complete disregard for the wishes of the residents of Caddo Parish, whom have made it clear that they do not desire to live under the rule of a Metropolitan Planning Commission (MPC), nor the current Unified Development Codes (UDC), nor recreate the current problematic structure in any form or fashion

WHEREAS, "Option (2)" suggested by the Parish Administrator in a letter dated March 1, 2021, also shows a complete disregard for the wishes of the residents of Caddo Parish, whom have made it clear they do not desire to live under the rule of the MPC, nor the current UDC, nor recreate the current problematic structure in any form or fashion

WHEREAS, in a letter from the Parish Administrator dated March 1, 2021, under "Option (2), section (c), the President states that "the volume of planning permits that we receive in the parish is very low, and most of the zoning work would be in the enforcement side"

WHEREAS, citizens of Caddo Parish have collectively made clear their concerns and expectations regarding the retainment of their private property rights

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular, and legal session convened, that the Caddo Parish Commission does hereby agree to the following:

1. The Caddo Parish Commission formally acknowledges that zoning and planning involves and affects the regulation of private property rights and that
 - a. Individual property ownership constitutes an asset of unique value, as well as the foundation of individual liberty for American citizens.
 - b. Considering said value, all citizen's private property rights shall be placed in the highest priority of consideration during the planning and zoning process.

2. If any part of the planning and zoning process or recommendations resulting from the process shall potentially negatively impact any property rights, property owners, or the value of their private property, those affected property owners shall:
 - a. Be provided full, timely disclosure directly notifying the owner or owners of the property regarding potential adverse effects toward their private property rights and/or the value of their private property.
 - b. Be provided an opportunity to join official discussions and deliberations on proposed policy.
3. In the event of property loss or usage by the private landowner due to planning restrictions or zoning changes, the affected private property owner shall be fully compensated in a monetary amount equal to the fractional fair market loss of the original value of his property because of such zoning or other related restrictions on the fair legal use of his property.
4. Further, all affected property owners shall be notified directly of the potential impairment to their rights by this government body before beginning any program that affects the following:
 - a. Reconfiguration of zoning that intensifies or in any way adds restrictions to existing rights,
 - b. Implementation of conservations, easements, or Trading of Development Rights,
 - c. Acceptance of grant money by the above-named government entity or their assigned planners, whether from non-profit organizations, governmental or private funding sources.

BE IT FURTHER RESOLVED homeowners' associations and covenants be held to their own respective contractual agreements.

BE IT FURTHER RESOLVED it is agreed that no government representatives or their assigned planning agents, will come on to private property for any planning purpose without the written consent of the owner.

BE IT FURTHER RESOLVED it is the suggestion of this committee to forfeit the creation of an in-house Planning and Zoning Commission for the Caddo Parish Commission, as well as forfeiting the idea of outsourcing this responsibility to the Metropolitan Planning Commission, or any other appointed board for that matter.

BE IT FURTHER RESOLVED this committee believes that in order to better protect the private property rights of landowners outside of the city limits in Caddo Parish, the current Unified Development Code (UDC) be abolished. The only planning and zoning needed shall be declared via official ordinance, voted on by the Caddo Parish Commission as a body and enforced, when necessary, by law enforcement.

BE IT FURTHER RESOLVED should a decision need to be made in the future regarding a change in ordinances or current planning and zoning processes regarding land in Caddo Parish that does not fall within city limits, the decision will be decided by an official and public vote by a majority of the elected Caddo Parish Commission members who serve Districts that include land in Caddo Parish that does not fall within city limits.

BE IT FURTHER RESOLVED, this committee suggests the abolishment of the Great Expectations Shreveport-Caddo 2030 Master Plan to ensure the obvious negative consequences of said plan can no longer unjustly affect property owners outside of the city limits in Caddo Parish.

BE IT FURTHER RESOLVED that this resolution shall take effect January 1st, 2022.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved

Parish Attorney

Date