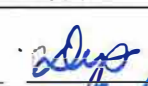


**RESOLUTION FACT SHEET
CADDO PARISH COMMISSION**

TITLE	
Resolution <u> 9 </u> of 2022	
A RESOLUTION AUTHORIZING THE PARISH ATTORNEY'S OFFICE TO REQUEST AN OPINION FROM THE LOUISIANA STATE ATTORNEY GENERAL'S OFFICE REGARDING THE AUTHORITY OF THE PARISH COMMISSION FUNCTIONING AS A PLANNING AND ZONING COMMISSION AND OTHERWISE PROVIDING WITH RESPECT THERETO	
DATE: 1/13/2022	ORIGINATING DEPARTMENT: Legal for Comm. Young
BACKGROUND INFORMATION	
<p>The Parish Attorney's Office has opined that for the Parish Commission to repeal the UDC, the recommendation must come from the Parish Planning Commission because this is the current process the Commission has outlined by law. Commissioner Young disagrees with that opinion and wishes to get an Attorney General's opinion on whether or not the statutes on parish zoning commissions allow the Parish Commission to make that decision without a recommendation as outlined by the current process (essentially functioning as a planning commission itself). The issue is which course of action is more likely to withstand a court challenge. The statutes distinctly provide for appointing a separate commission to make zoning recommendations. Using a different framework for zoning changes. Making final zoning changes without following the process outlined in current zoning law may make the Commission's decisions subject to challenge in court. An Attorney General's opinion will not resolve the issue since Attorney General's opinions are not binding; however, the Attorney General Opinion may point to authorities that the Parish Attorney's Office has not considered.</p>	
FINANCIAL IMPACT AND SOURCE OF FUNDING	
There isn't a financial impact since appointed members of a zoning commission generally serve without pay.	
EFFECT(S) OF PROPOSED ACTION	
Passage of the resolution will authorize the Parish Attorney to make a request to the Attorney General's office for a formal opinion on whether or not the statutes on parish zoning commissions allow the Parish Commission to function as a parish zoning commission.	
ALTERNATIVES/STAFF RECOMMENDATION	
Do not pass the resolution and act without the guidance of the Attorney General's Office.	
KEY STAFF CONTACT	
Donna Frazier, Parish Attorney, and Henry Bernstein, Assistant Parish Attorney	
COORDINATION	
Department Head	(Initial) 
Parish Administrator/CEO	(Initial) 