

## **ARTICLE 17. SUBDIVISION APPROVALS**

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### **17.1 PURPOSE**

The purpose and intent of these regulations is to control the division and development of land within the City of Shreveport in order to promote public health, safety, and welfare. The intent of these subdivision regulations is to accomplish the following:

- A.** Assure that development sites are suitable for building purposes.
- B.** Provide for the harmonious development within the Planning Area.
- C.** Provide for the orderly and appropriate development of land.
- D.** Provide facilities for the orderly movement of traffic on streets.
- E.** Provide for the construction of adequate and safe transportation, water, sanitary sewerage, storm drainage, and other public facilities.
- F.** Provide for the orderly arrangement of streets, public facilities, and public services.
- G.** Provide for the equitable distribution of the costs and benefits of public works and facilities by requiring that the initial cost of constructing public improvements and facilities in new developments be borne by the developer and not by the taxpayer.

### **17.2 APPLICABILITY**

Subdivision is the division of a lot, a tract, or a parcel of land or portion thereof, into lots, sites, or other divisions, any one or more of which will be platted as a lot of record for the purpose, whether immediate or future, of sale or building development. Subdivision includes resubdivision or the consolidation of multiple lots or tracts, or portions thereof, into single lots or a fewer number of lots. Subdivisions are classified as follows:

- 1.** Major subdivision is any subdivision not classified as a minor subdivision, including but not limited to subdivisions of seven or more lots, or any subdivision of any size requiring the creation of any new street.
- 2.** Minor subdivision is the division of a single parcel, tract, or lot into a minimum of three lots and a maximum of six lots all of which front on an existing street, are not in conflict with any provision or portion of the Master Plan or this Code, and do not involve the dedication of land.
- 3.** Administrative subdivision is the division of a single parcel, tract, or lot into no more than two lots, which front on an existing street, are not in conflict with any provision or portion of the Master Plan or this Code, and do not involve the dedication of land. Administrative subdivision approval for the division of a single lot into two lots may only be granted once, and further divisions of the original or newly created lot must be processed as a minor or major subdivision, as applicable. Administrative subdivision is also the consolidation of, or change in boundary between, two adjoining lots so long as all lots conform to the zoning district standards. There is no limit on the number of approvals of lot consolidation or lot line boundary adjustments for any lot.

4. The following actions are exempt from these subdivision regulations:
  - a. The sale or exchange of parcels between adjoining lot owners, where such sale or exchange of parcels does not create additional lots or tracts capable of meeting the requirements for building sites and does not otherwise conflict with this Code.
  - b. The subdivision of land within cemeteries.

### **17.3 APPROVAL PROCEDURE**

- A. The procedure for review and approval of a subdivision consists of two steps, detailed in this section, as follows:

1. **Administrative Subdivision**

The procedure for review and approval of an administrative subdivision requires the following:

- a. Preparation and submission of a final plat for review and approval by the Executive Director. No preliminary plat is required.
- b. A public hearing is not required for final plat approval by the Executive Director of an administrative subdivision.

2. **Minor Subdivision**

The procedure for review and approval of a minor subdivision requires the following:

- a. Preparation and submission of a final plat for review and recommendation by the Executive Director, and approval by the Metropolitan Planning Commission. No preliminary plat is required.
- b. A public hearing is not required for final plat approval by the Metropolitan Planning Commission of a minor subdivision.

3. **Major Subdivision**

The procedure for review and approval of a major subdivision requires the following:

- a. Preparation and submission of a preliminary plat for review and recommendation by the Executive Director, and a public hearing and approval by the Metropolitan Planning Commission.
- b. Preparation and submission of a final plat for review and approval by the Metropolitan Planning Commission following approval of the preliminary plat.
- c. A public hearing is not required for final plat approval.

- B. The subdivision development process requires review and approval of several different officials and agencies, such as the Caddo Parish Public Works Department, the Caddo Parish Health Unit, the Department of Water and Sewer, Traffic Engineer, and Fire Department, and others concerned with the proposed improvements. The subdivider is encouraged to consult directly with officials and agencies having jurisdiction.
- C. All subdivisions must meet all the applicable regulations of this Code, including the subdivision requirements of Article 13 and the right-of-way and access standards of Article 12.
- D. The Metropolitan Planning Commission delegates authority on their behalf to the Executive Director to approve and sign resubdivision plats that consolidate lots or tracts, or portions thereof, into single lots or the same number of lots or a fewer number of lots, and resubdivision plats that shift the boundary line between adjoining lots without creating any additional lots or building sites.

#### **17.4 PRELIMINARY PLAT**

A preliminary plat is required only for major subdivisions. A preliminary plat is not required for an administrative or minor subdivision.

- A.** The purpose of the preliminary plat is to develop a general design for the construction of the subdivision and to assure conformity with the Master Plan and the appropriate relationship to both existing and anticipated future development surrounding the proposed subdivision.
- B.** Prior to submitting a preliminary plat to the Metropolitan Planning Commission for approval, the subdivider or his representatives will meet with the Executive Director to review the plan. The subdivider will submit, in addition to the preliminary plat requirements, an improvement plan that includes information, including drawings and specifications, for the construction and installation of required improvements. If the subdivider proposes to develop the land within only a portion of the preliminary plat, the improvement plan may include only that portion to be developed at the time. The review must take into consideration, in addition to the requirements of these regulations, conformance with the applicable standards and regulations of Caddo Parish and other applicable agencies.
- C.** The Executive Director will prepare a recommendation on proposed improvements and exceptions to accompany the submission of the preliminary plat to the Metropolitan Planning Commission.
- D.** The application for a preliminary plat and the Executive Director recommendation must be submitted to the Metropolitan Planning Commission no later than the deadline dates annually posted by the Commission. The application must be accompanied by two copies of the preliminary plat and all submittal requirements.
- E.** After receipt of a complete application, the Metropolitan Planning Commission will consider the preliminary plat at a public hearing in accordance with Section 15.3 (Public Hearing). Notice for the public hearing must be in accordance with Section 15.2 (Notice).
- F.** Within 60 days of the close of the public hearing, the Metropolitan Planning Commission must evaluate the preliminary plat based upon the evidence presented at the public hearing, and approve, approve with conditions, or deny the preliminary plat. The Metropolitan Planning Commission decision must include a description of the public or private improvements required. The Metropolitan Planning Commission may deny the plat if there are key errors or omissions or the Commission may extend the time to make a decision to remedy such errors or omissions. The applicant may also request an extension of time.
- G.** Approval of the preliminary plat constitutes authorization for the applicant to proceed with preparation of the improvement plans in accordance with the approved preliminary plat and any conditions specified.
- H.** The preliminary plat approval expires if a complete application for approval of a final plat has not been filed within one year after the date the Metropolitan Planning Commission grants preliminary plat approval. As part of the approval of the preliminary plat, the Metropolitan Planning Commission may extend this period of validity. An extension of this one year validity period may also be granted by the Executive Director if the applicant requests an extension in writing prior to the expiration date of the approval.
- I.** Approval of a final plat that contains only a portion of the area depicted in the preliminary plat will extend the effective approval period for the balance of the property for one year from that date. However, in order to qualify for such extensions, a phasing plan is required as part of the preliminary plat and must be approved by the Metropolitan Planning Commission.
- J.** Denial of a preliminary plat may be appealed to Parish Commission for a preliminary plat located within the Caddo Parish.

#### **17.5 FINAL PLAT**

The purpose of the final plat is to provide an accurate record of rights-of-way, property lines, servitudes, and other elements being established on the land and the conditions of their use. A final plat is required for all types of subdivisions.

**A. Administrative Subdivision**

1. A final plat will be submitted to and reviewed by the Executive Director. If the Executive Director deems it necessary, the final plat may be referred to the officials and agencies that may be impacted for their review and report.
2. A public hearing is not required for a final plat of an administrative subdivision.
3. Within 60 days of submission of a complete final plat, the Executive Director must approve or deny the final plat. In the case of approval, the Executive Director must enter such approval on the plat by signature of an official designated by the Metropolitan Planning Commission to sign documents on the Commission's authority. In the case of denial, the Executive Director must state the grounds for such denial upon its records.

**B. Minor Subdivision**

1. Prior to submitting a final plat to the Metropolitan Planning Commission for approval, the subdivider or his/her representatives will meet with the Executive Director to review the plan. The Executive Director's staff will prepare and forward a recommendation on proposed improvements and exceptions to accompany the final submittal of the final plat to the Metropolitan Planning Commission.
2. A final plat will be reviewed by the Metropolitan Planning Commission and, if the Commission deems it necessary, may be referred to the officials and agencies concerned with the improvements for their review and report.
3. A public hearing is not required for a final plat of a minor subdivision.
4. Within 60 days of submission of a complete final plat, the Metropolitan Planning Commission must approve or deny the final plat. In the case of approval, the Metropolitan Planning Commission must enter such approval on the plat by signature of its secretary or such official designated by the Commission to sign documents on the Commission's authority. In the case of denial, the Metropolitan Planning Commission must state the grounds for such denial upon its records.

**C. Major Subdivision**

1. The final plat must be based upon the preliminary plat as approved, including any conditions or changes specified in the approval. The final plat may include only that portion of the preliminary plat that the subdivider proposes to record at the time.
2. A final plat for a subdivision must be submitted to the Metropolitan Planning Commission for approval no later than the annually posted deadlines, and must include a completed subdivision application form. The application must be accompanied by two copies of the final plat and all submittal requirements.
3. A final plat will be reviewed by the Metropolitan Planning Commission and, if the Commission deems it necessary, may be referred to the officials and agencies concerned with the improvements for their review and report. The review must take into consideration conformance to the approved preliminary plat, improvement plan, and fulfillment of any conditions or changes specified in such approval.
4. A public hearing is not required for a final plat of a major subdivision that is in substantial conformance with an approved preliminary plat and for which a public hearing had previously been held.
5. Within 60 days of submission of a complete final plat, the Metropolitan Planning Commission must approve or deny the final plat. In the case of approval, the Metropolitan Planning Commission must enter such approval on the plat by signature of its secretary or such official designated by the Commission to sign documents on the Commission's authority. In the case of denial, the Metropolitan Planning Commission must state the grounds for such denial upon its records.

#### **D. Final Approval (All Subdivisions)**

1. Within one year of the date of approval of the final plat, a certified copy as recorded by the Caddo Parish Clerk of Court must be submitted to the Metropolitan Planning Commission office.
2. Failure to provide a certified copy of the recorded plat within the prescribed period will render the approval null and void, thereby requiring a new application. No zoning approval may be issued until a certified copy of the recorded plat is received by the Metropolitan Planning Commission.
3. Approval of the final plat does not constitute acceptance by the public of the dedication of any street or other public way, park or space. Such approval can be effected only by action of the Parish Commission.
4. Denial of a final plat may be appealed to the Parish Commission for a final plat located within the boundaries of Caddo Parish.

### **17.6 REQUIRED SUBMITTALS**

#### **A. Preliminary Plat**

The preliminary plat is intended to precede and supplement the final plat of subdivision, which is to be recorded. Its purpose is to show all facts needed to enable the Metropolitan Planning Commission to determine whether the proposed layout of the land in question and the proposed public improvements are satisfactory from the standpoint of the public interest. All required engineering and surveying work must be performed by or under the supervision of a registered civil engineer or surveyor, registered in accordance with the provisions of the state board of registration for professional engineers and land surveyors. An improvement plan and preliminary plat must meet all submittal requirements of the subdivision application.

#### **B. Final Plat**

1. The final plat of a subdivision is the official recordable plat. A final plat must meet all submittal requirements of the subdivision application.
2. The final plat must be drawn on sheets furnished by the Clerk of Court for recording in the plat book records of the Parish. All signatures must be on this plat. Two positive reproducible copies must be made by photographing the signed final plat, on a tear resistant, minimum thickness 0.004-inch, stable base film with a silver emulsion equal to Dupont cronaflex or mylar film or linen, and six prints must be transmitted to the Metropolitan Planning Commission office for all subdivisions within Caddo Parish. The original and one positive reproducible film must be furnished to the Clerk of Court. One print must be furnished to the Parish Assessor's Office. One reproducible and six copies of complete plans and profiles for street improvements, water and sewer, must be submitted for approval by the Caddo Parish Public Works Department.

### **17.7 ASSURANCE OF COMPLETION**

Prior to the granting of any building permit or zoning approval for the construction of a residence or other building on the subdivision, there must be filed with the Metropolitan Planning Commission a certificate by the Caddo Parish Public Works Department that the subdivider has complied with one of the following alternatives:

- A.** That a contract secured by a bond in an amount and with surety, or other evidence satisfactory to the Caddo Parish Public Works Department, granting completion of the job improvements which are shown on the subdivision improvement plan as the responsibility of the subdivider; or
- B.** That all public improvements shown on the final plat of subdivision, necessary for the service and use for the residence or other building for which a building permit or zoning approval has been requested, have been installed in accordance with the final plat of subdivision and this Code.

## **17.8 SUBDIVISION REGULATION EXCEPTIONS**

- A.** The Metropolitan Planning Commission may grant exceptions to the subdivision standards and requirements of this Code for minor and major subdivisions, including the subdivision requirements of Article 13 and the right-of-way and access standards of Article 12, where there are particular difficulties or unnecessary hardships in the way of carrying out the strict letter of said standards and requirements. Such exceptions must be reviewed by the Caddo Parish Public Works Department. Exceptions are not allowed as part of administrative subdivisions, which would be considered minor subdivisions if exceptions are requested.
- B.** However, in no case may an exception to any requirement of the zoning district use and dimensional standards, including other site improvements such as parking, landscape, and signs, be granted as part of subdivision approval. Exceptions to the zoning district use and dimensional standards must be granted as administrative exceptions or variations as per the Code.
- C.** In considering requests for exceptions, the Metropolitan Planning Commission may impose additional conditions as deemed necessary to protect the public health, safety, and welfare.