

ORDINANCE NO. 6323 of 2023

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND VOLUME II OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO, AS AMENDED, THE CADDO PARISH UNIFIED DEVELOPMENT CODE, RELATIVE TO DATA CENTERS, WITH ALL THEIR PROVISIONS INCLUDED HEREIN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Caddo Parish Commission, on recommendation of the Shreveport-Caddo Parish Metropolitan Planning Commission, adopted the Caddo Parish Unified Development Code;

WHEREAS, the Caddo Parish Planning and Zoning Commission has determined that certain provisions in that Code should be changed to address recent issues and improve the application and administration of that Code and land use within the Planning and Zoning Commission's jurisdiction within Caddo Parish;

WHEREAS, the Caddo Parish Commission, having considered the recommendations of the Caddo Parish Planning and Zoning Commission, agrees that such changes are desirable.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that volume II of the code of ordinances of the Parish of Caddo, as amended, the Caddo Parish Unified Development Code, to add provisions and procedures for data centers found within Article 5. –Uses and Article 6. –Use Standards, and shall be amended as follows:

I. Article 5, Section 5.2 is amended by substituting Exh. B hereto in place of the existing Table 5-1.

II. Article 5, Section 5.3 is amended to read as follows:

ARTICLE 5. – USES

5.3– USE DEFINITIONS

* * * * *

Data Center. A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

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III. Article 6, Section 6.1 is amended to read as follows:

ARTICLE 6. – USE STANDARDS

6.1– PRINCIPAL USE DEFINITIONS

* * * * *

L. Data Center

1. All data centers shall only operate in allowable zoning districts as indicated on the Use Matrix in Article 5 of this Code. Any data center located within 200' of a residentially zoned district shall require a special use permit approved by the Caddo Parish Planning and Zoning Commission.

2. In all allowable zoning districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.

3. In the C-3 and C-4 Districts, the maximum permitted size is 40,000 square feet in gross floor area. However, this size limit may be exceeded as part of special use permit approval.

4. In the I-MU and OR District, the maximum permitted size is 80,000 square feet in gross floor area. However, this size limit may be exceeded as part of a special use permit approval.


* * * * *

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

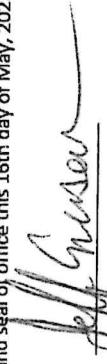
Approved as to legal form:


Parish Attorney
5/19/23

Date

I, Jeff Everson, Clerk to the Caddo Parish Commission, hereby certify that the foregoing is a true copy of the transaction of said body in Regular Session convened on the 4th day of May, 2023, and is so recorded in Minute Book No. 69 at Page 896.

Given under my hand and seal of office this 16th day of May, 2023.


Jeff Everson
Clerk of Parish Commission
Caddo Parish, Louisiana

RECOMMENDED UDC CODE TEXT AMENDMENTS. 23-2-CTAP.

The Caddo Parish Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. Periodically, revisions are required to reflect the changing nature of business in our community. These proposed amendments are aimed to adding the use "Data Center," and all its provisions, to the Caddo Parish UDC, as follows: [###keet indicates deleted text, underline indicates added text].

1. Add the new use "Data Center" to Table 5-1 in Article 5. USES, SECTION 5.2 USE MATRIX in the Shreveport UDC.

1. Add a new "Data Center" row, and include in the following allowable zoning districts.

- C-3 (P/S)
- C-4 (P/S)
- OR (P/S)
- I-MU (P/S)
- I-1 (P/S)
- I-2 (P/S)

[Note (1): See Exhibit "B" for all revisions to Table 5-1]

2. Add the following new definition "Date Centers" to ARTICLE 5. USES, SECTION 5.3. USE DEFINITIONS in the Shreveport UDC. This new definition will need to be alphabetized accordingly.

5.3 USE DEFINITIONS

* * * * *

Data Center. A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

* * * * *

3. Add new use standard "L, Data Center" to ARTICLE 6. USE STANDARDS, SECTION 6.1. PRINCIPAL USE STANDARDS in the Shreveport UDC. Re-alphabetize all subsequent use standards accordingly.

6.1 USE STANDARDS

* * * * *

L. Data Center

1. All data centers shall only operate in allowable zoning districts as indicated on the Use Matrix in Article 5 of this Code. Any data center located within 200' of a residentially zoned district shall require a special use permit approved by the Metropolitan Planning Commission.
2. In all allowable zoning districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.
3. In the C-3 and C-4 Districts, the maximum permitted size is 40,000 square feet in gross floor area. However, this size limit may be exceeded as part of special use permit approval.
4. In the I-MU and OR District, the maximum permitted size is 80,000 square feet in gross floor area. However, this size limit may be exceeded as part of a special use permit approval.

* * * * *

Explanation for Amendments: Establish data centers as a new use within the Code. The new use category identifies where data centers are permitted, but also adds design requirements, as well as size limitations which, if triggered, will require special exception use approval.

TABLE 6-1: USE MATRIX

PRINCIPAL USE	TEMPORARY USE																							
	R-A	R-E	R-1-12	R-1-10	R-1-7	R-1-5	R-UC	R-HU	R-TH	R-2	R-3	R-4	R-MUV	R-MHS	R-MHP	C-1	C-2	C-3	C-4	C-UC	C-UV	D-1-AC	D-1-HC	
Specialty Food Service																								
Storage Yard - Outdoor																								
Truck Repair																								
Truck Stop																								
Utility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Vehicle Dealership - Enclosed																								
Vehicle Dealership - With Outdoor Storage/Display																								
Vehicle Operation Facility																								
Vehicle Rental - Enclosed																								
Vehicle Rental - With Outdoor Storage/Display																								
Vehicle Repair/Service - Major																								
Vehicle Repair/Service - Minor																								
Warehouse																								
Wholesale Establishment																								
Wind Energy System	S	S																						
Winery																								
Wireless Telecommunications - New Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Wireless Telecommunications - Attachments to Existing Structures (Other than Towers)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications - Modifications	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications - Modifications (Eligible Facility)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications - Modifications (Non-Eligible Facility)																								
Sec. 22.9	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Sec. 22.9	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sec. 22.9	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sec. 22.9	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Sec. 6.1.PPQ	S																							
Sec. 6.1.OOP																								
Sec. 6.1.OOP																								
Sec. 6.1.NNO																								
Sec. 6.1.MMN	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sec. 6.1.GGH																								

— All Vehicle Dealership – with Outdoor Storage/Display uses shall only operate in allowable zoning districts as indicated on this table. Any Vehicle Dealership use located within 200' of a residentially zoned district shall require a special use permit.
 —P/E - Depending on the Short-Term Rental Permit—whether "Type A," "Type B-1" or "Type B-2," a short short-term rental property will either be a permitted use (P) or will require a special use permit.
 —P/S - Depending on the overall gross square footage—a data center will either be a permitted use (P) or will require a special use permit (S)

TEMPORARY USE	TEMPORARY USE																							
	R-A	R-E	R-1-12	R-1-10	R-1-7	R-1-5	R-UC	R-HU	R-TH	R-2	R-3	R-4	R-MUV	R-MHS	R-MHP	C-1	C-2	C-3	C-4	C-UC	C-UV	D-1-AC	D-1-HC	
Batch Plant/Rock Crushing Facility (Temporary)	P**	P**	P**																					
Borrow Pit	P**	P**	P**																					
Farmers' Market	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Outdoor Events	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Sale of Non-Seasonal Merchandise																								
Temporary Seasonal Sales	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Temporary Subdivision Sales Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sec. 6.2A																								
Sec. 6.2B																								
Sec. 6.2C																								
Sec. 6.2D																								
Sec. 6.2E																								
Sec. 6.2F	P																							
Sec. 6.2H																								

— Even though Batch Plant/Rock Crushing Facility (Temporary) and Borrow Pit are permitted uses (P) by-right, these uses require MPC Board approval at a public hearing.



CADDO PARISH PLANNING AND ZONING COMMISSION

Office of the MPC | 505 Travis Street, Suite 440 | Shreveport, LA 71101 | 318-673-6480 | shreveportcaddompc.com

STAFF REPORT

MARCH 29, 2023

AGENDA ITEM NUMBER: 13

MPC Staff Member: Adam Bailey

Parish Commission District: All Districts

CASE NUMBER: 23-2-CTAP

APPLICANT: Caddo Parish Planning and Zoning Commission

REQUEST: Code Text (Ordinance) Amendments to the Caddo Parish UDC regarding Data Centers

DESCRIPTION:

The Caddo Parish Unified Development Code (UDC) was implemented in 2017, and serves as the official land use and development regulatory ordinance for the area of Caddo Parish that falls within the jurisdiction of the Caddo Parish Planning and Zoning Commission's planning area.

Periodically, the Caddo Parish UDC undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to reflect the changing nature of business in our community. Some changes are always necessary in order to make adjustments for unintended limitations placed on certain industries, while others address innovations and unforeseen industry shifts.

The intent of these amendments is to define data centers in various capacities, adding use definitions, use standards, and identifying the permissibility of data centers in the UDC's Use Matrix, Table 5-1. These amendments will affect the following articles, or portions thereof: *Article 5. –Uses* and *Article 6. –Use Standards* to accommodate the changing nature of business within the community, with all their provisions included therein.

NOTIFICATION:

Notifications of the PZC Public Hearing were either published pursuant to the following:

Caddo Parish Unified Development Code

- Pursuant to the Caddo Parish Unified Development Code, Table 15-2 states that a published notification—printed in a newspaper of general circulation within the Caddo Parish—is the only required notification for a code text amendment. Said notice must be published no less than 14 days and no more than 30 days in advance of the scheduled hearing date.
- For the March 29, 2023 Planning and Zoning Commission meeting, a legal ad was published in the official Caddo Parish journal, the Caddo Citizen, on March 9, 2023; March 16, 2023; and March 23, 2023.

Mailed Notifications

- Mailed notifications for applications for a code text amendments are not required.

STAFF ANALYSIS:

With the influx of data center development in the community, it has become apparent that the use for a "data center" is necessary with the UDC. Presently we have a variety data centers in the community ranging from smaller ones tucked away in urban areas to larger campus-style centers such as the ones located in local business parks. Any development, regardless of size, will be required to conform to the district-related development standards. In crafting the definition and use standards, staff believes data centers should be differentiated based on their size. As noted earlier, data centers can assume a variety of sizes so smaller ones could be appropriate in non- industrial zone districts and development standards can ensure compatibility within the zone district.

The information stated herein is the result of discussion by a staff review team. The Caddo Parish Planning and Zoning Commission will use all information made available to them in making their decision. 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, all as applicable.



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**PROPOSED UDC CODE
TEXT AMENDMENT(S):**

STAFF REPORT

Staff is proposing amending the following UDC Articles at this time:

- Amend Article 5. – *Uses*
- Amend Article 6. – *Use Standards*

Amendment 1. Add the new use “Data Center” to Table 5-1:USE MATRIX. Data centers—a new use category—expands where use is permitted.

Amendment 2. Add the new use definition for “Data Center” to ARTICLE 5. USES. Establishes a new use category for data centers, which previously were uncategorized within the Code.

Amendment 3. Add the new use standards for “Data Center” to ARTICLE 6. USE STANDARDS. Adds new design requirements and size limitations for data centers that will require special permit approval for most modern data centers.

ATTACHMENTS: See Exhibit “A” for memorandum describing these amendments in full detail.
See Exhibit “B” for amended Table 5-1: USE MATRIX.

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:

- Promotes the public health, safety, and welfare.**
The proposed text amendments promotes the public health, safety, and welfare.
- Promotes the Master Plan and any adopted land use policies.**
The proposed text amendments are consistent with the Master Plan.
- Promotes intent of this Code.**
These amendments will simplify current practices, thus promoting the intent of the Code.
- Corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**
The proposed amendments reflect changes in policy.
- The extent to which the proposed amendment creates nonconformities.**
These amendments help alleviate nonconformities, not create them.

STAFF

RECOMMENDATION:

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to APPROVE these code text amendments is warranted. If approved by the Caddo Parish Commission, Article 5 and Article 6 of the Caddo Parish UDC would be amended, as described within. A majority vote of the PZC members present and voting is required to recommend approval to the Caddo Parish Commission.

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

The information stated herein is the result of discussion by a staff review team. The Caddo Parish Planning and Zoning Commission will use all information made available to them in making their decision. 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, all as applicable.



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STAFF REPORT

- Deny the proposed code text amendment;
- Deny specific provisions and/or amendments, and approve any subsequent amendments and/or provisions; or
- Modify specific language in the proposed amendment and approve, as modified.

PUBLIC ASSESSMENT: There was no support and no opposition.

PZC

RECOMMENDATION: The board voted 5-0 to recommend the application for approval.

The information stated herein is the result of discussion by a staff review team. The Caddo Parish Planning and Zoning Commission will use all information made available to them in making their decision. 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, all as applicable.