

Regular Session, 2014

HOUSE BILL NO. 579

BY REPRESENTATIVE DANAHAAY

PLANNING/ZONING: Grants the governing authority of the city of Sulphur the power to grant certain powers and duties to the city's zoning commission

1 AN ACT

2 To enact R.S. 33:4727.2, relative to the city of Sulphur; to provide relative to planning and  
3 zoning within the city; to provide relative to the powers and duties of the city's  
4 governing authority and zoning commission; to grant the governing authority of the  
5 city the power to grant certain powers and duties to the city's zoning commission;  
6 and to provide for related matters.

7 Notice of intention to introduce this Act has been published  
8 as provided by Article III, Section 13 of the Constitution of  
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:4727.2 is hereby enacted to read as follows:

12 §4727.2. City of Sulphur; zoning commission; powers of board of adjustment

13 In addition to all other powers authorized by the provisions of this Subpart,  
14 the governing authority of the city of Sulphur may authorize the zoning commission  
15 of the city of Sulphur to exercise any or all powers, duties, and responsibilities which  
16 may be exercised by a board of adjustment pursuant to the provisions of R.S.  
17 33:4727.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Danahay

HB No. 579

**Abstract:** Relative to the zoning commission in the city of Sulphur, grants the city's governing authority the power to grant certain powers and duties to the commission.

Present law authorizes municipal governing authorities, for the purpose of promoting health, safety, morals, or the general welfare of the community, to regulate and restrict the height, number of stories, and size of structures, the percentage of lots that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of the buildings, structures, and land for trade, industry, residence, or other purposes. Requires a municipal governing authority, in order to avail itself of the powers conferred by present law, to appoint a zoning commission. Additionally authorizes a municipal governing authority to appoint a board of adjustment and to provide that the board may determine and vary the application of the regulations and restrictions adopted pursuant to present law to keep in harmony with their general purpose and intent. Present law provides that zoning ordinances enacted by a municipal governing authority and the acts of the zoning commission, board of adjustment, or zoning administrator are subject to judicial review on the grounds of abuse of discretion, unreasonable exercise of the police powers, an excessive use of the power, or the denial of the right of due process.

Proposed law retains present law.

Present law grants the board of aldermen of the city of Mandeville, in addition to all other powers authorized by present law, the power to authorize the city's zoning commission to exercise the same powers, duties, and responsibilities granted to a board of adjustment pursuant to present law.

Proposed law retains present law and additionally grants the governing authority of the city of Sulphur the power to authorize the city's zoning commission to exercise the same powers, duties, and responsibilities granted to a board of adjustment pursuant to present law.

(Adds R.S. 33:4727.2)