

2016 Regular Session

SENATE BILL NO. 454

BY SENATOR BARROW

PLANNING/ZONING. Provides that Smart Growth Developments include amenities which enhance the quality of life for its residents. (gov sig)

1 AN ACT

2 To enact Subpart N of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of
3 1950, to be comprised of R.S. 33:140.211 and 140.212, relative to smart growth
4 developments; to provide for legislative findings; to provide for definitions; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Subpart N of Part IV of Chapter 1 of Title 33 of the Louisiana Revised
8 Statutes of 1950, comprised of R.S. 33:140.211 through 140.212, is hereby enacted to read
9 as follows:

10 SUBPART N. SMART GROWTH DEVELOPMENTS

11 §140.211. Findings, declaration of necessity and purpose

12 It is hereby found and declared that:

13 (1) It is the policy of the state to promote the sound growth and
14 development of parishes and municipalities by enabling them to undertake the
15 correction of deficient conditions, factors, and characteristics through a
16 comprehensive master plan with coordinated community development, the
17 formulation, participation in, and adoption of public and private improvement

1 programs related thereto, and the encouragement of participation in such
2 efforts by private enterprise.

3 (2) It is the policy of the state to enable the governing body of parishes
4 and municipalities to promote the safety, health, morals and welfare, comfort
5 and security of the people of the state through the provision of adequate, safe,
6 and sanitary accommodations and facilities incidental or appurtenant thereto,
7 for persons and families of all income levels.

8 (3) It is the policy of the state to promote a vigorous and growing
9 economy, to prevent economic stagnation, and to encourage the creation of new
10 job opportunities, to increase revenues to the state and to its parishes and
11 municipalities and to achieve stable and diversified local economies. In
12 furtherance of these goals, it is the policy of the state to enable the governing
13 authority of parishes and municipalities to retain existing zoning and planning
14 initiatives, and to develop sites, reasonably accessible to residential facilities, for
15 new performing art and commercial building, in hopes that industrial and
16 commercial development of the area will proceed in sound fashion and in
17 coordination with smart growth development of housing, mass transportation
18 and public services.

19 §140.212. Definitions

20 The following terms wherever used or referred to in this Chapter shall
21 have the following meanings unless a different meaning is clearly indicated in
22 the context:

23 (1) "Governing body" means the legislative body, commission, council,
24 board of aldermen, police jury, or other body charged with governing the
25 parish or municipality.

26 (2) "Master plan" means the comprehensive plan of the parish or
27 municipality.

28 (3) "Smart growth development" means one or more works,
29 undertakings and activities for the development, redevelopment, improvement,

1 **construction, rehabilitation or conservation of structures, facilities and**
 2 **appurtenances in an area which is intended to result in a new community**
 3 **including the activities to carry out a new community development plan which**
 4 **shall do but not be limited to the following:**

5 **(a) Mix land uses together.**

6 **(b) Create a range of housing opportunities and choices.**

7 **(c) Create walkable neighborhoods which include schools and grocery**
 8 **stores.**

9 **(d) Foster distinctive, attractive communities with a strong sense of**
 10 **place.**

11 **(e) Preserve open space, farmland, natural beauty, and critical**
 12 **environmental areas.**

13 **(f) Provide a variety of transportation choices.**

14 Section 2. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 454 Reengrossed

2016 Regular Session

Barrow

Proposed law declares that the policy of the state is to promote smart growth developments of parishes and municipalities by enabling them to undertake the correction of deficient conditions, factors and characteristics through comprehensive and coordinated community development, the formulation, participation in, and adoption of public and private improvement programs related thereto and the encouragement of participation in such efforts by private enterprise.

Proposed law provides for the following definitions:

- (1) "Governing body" means the legislative body, commission, council, board of aldermen, police jury, or other body charged with governing the parish or municipality.
- (2) "Master plan" means the comprehensive plan of the parish or municipality.

- (3) "Smart growth development" means one or more works, undertakings and activities for the development, redevelopment, improvement, construction, rehabilitation or conservation of structures, facilities and appurtenances in an area which is intended to result in a new community including the activities to carry out a new community development plan.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:140.211-140.212)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes legislative bureau technical changes.