

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)

AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

**§140.211. Findings, declaration of necessity and purpose**

**It is hereby found and declared that:**

**(1) It is the policy of the state to promote the sound growth and development of parishes and municipalities by enabling them to undertake the correction of deficient conditions, factors, and characteristics through a comprehensive master plan with coordinated community development, the formulation, participation in, and adoption of public and private improvement programs related thereto, and the encouragement of participation in such**

1 efforts by private enterprise.

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

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

18 §140.212. Definitions

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

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

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

27 (3) "Smart growth development" means one or more works,  
28 undertakings and activities for the development, redevelopment, improvement,  
29 construction, rehabilitation or conservation of structures, facilities and

1        appurtenances in an area which is intended to result in a new community  
 2        including the activities to carry out a new community development plan which  
 3        shall include but not be limited to the following:

4                (a) Mix land uses together.

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

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

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

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

12               (f) Provide a variety of transportation choices.

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

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 or 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)