SLS 18RS-777

ORIGINAL

2018 Regular Session

SENATE BILL NO. 462

BY SENATOR MARTINY

PLANNING/ZONING. Provides relative to the Louisiana Inclusionary Zoning and Workforce Affordable Housing Act. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 33:5002(A) and (B)(2) and 5003, relative to inclusionary zoning
3	for affordable housing; to provide for findings and purpose; to authorize and permit
4	any municipality or parish with land use or zoning ordinances or regulations to adopt
5	ordinances for inclusionary zoning for affordable housing; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 33:5002(A) and (B)(2) and 5003 are hereby amended and reenacted
9	to read as follows:
10	§5002. Findings and purpose
11	A. The legislature finds that:
12	(1) In many municipalities and parishes, there is a serious shortage of decent,
13	safe, and sanitary residential housing available at prices or rents that are affordable
14	to low and moderate income families.
15	(2) The affordable housing shortage constitutes a danger to the health, safety,
16	and welfare of all residents of the state and is a barrier to sound growth and
17	sustainable economic development for the state's municipalities and parishes.

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1	(3) These conditions have been were exacerbated by the damage to the
2	state's housing stock caused by Hurricane Rita and Hurricane Katrina and have
3	remained persistent since.
4	(4) The state will undergo an unprecedented residential construction boom
5	over the next decade to restore housing for hurricane victims and new residents to
6	the state in both damaged parishes and receiving parishes.
7	(5) While pre-hurricane concentrated poverty contributed to social isolation
8	and its concurrent ills, mixed income communities have proven to hold better social
9	outcomes for all residents, including better education, workforce, and health
10	outcomes.
11	(6) Hundreds of jurisdictions and a dozen states have adopted economic
12	incentive planning and implementation policies to deliver economically integrated
13	housing development through inclusionary zoning voluntary economic incentive
14	policies to ensure all sectors of housing need are securely met.
15	(7) Inclusionary zoning Economic incentive policies, which requires all
16	induce residential developments of a certain scale to include the development of
17	affordable housing along with market rate housing, has proven a highly effective
18	strategy to build on the expertise of private developers, while compensating them for
19	their contributions.
20	(8) It is in the state of Louisiana's best interest to incentivize housing
21	affordability for Louisiana residents by circumscribing regulatory burdens
22	imposed on the housing industry by municipalities, parishes, or any other
23	political subdivision of the state of Louisiana.
24	B.(1) * * * *
25	(2) In the exercise of the police power of the state to protect the public health
26	and welfare and pursuant to the authority of the legislature to establish uniform
27	procedures for land use and zoning by law, this Part is enacted to provide authority
28	for and to permit municipalities and parishes to use inclusionary zoning voluntary
29	economic incentive policies to promote the development of affordable housing for

Page 2 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	low and moderate income families, to the extent that such policies do not regulate
2	the sales or lease price for a residential housing unit or lot, or otherwise cause
3	a restraint on the alienation of real property.
4	§5003. Inclusionary zoning
5	Any municipality or parish in the state that adopts land use or zoning
6	ordinances, resolutions, or regulations may adopt ordinances to provide for
7	economic incentives for voluntary inclusionary zoning to increase the availability
8	of affordable dwelling units within the jurisdiction of the respective municipality or
9	parish.
10	Section 2. This Act shall become effective upon signature by the governor or, if not
11	signed by the governor, upon expiration of the time for bills to become law without signature
12	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13	vetoed by the governor and subsequently approved by the legislature, this Act shall become
14	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.

SB 462 Original

DIGEST 2018 Regular Session

Martiny

<u>Present law</u> states legislative findings relative to the need for and the benefits of inclusionary zoning to provide for affordable housing.

<u>Present law</u> allows municipalities and parishes to use inclusionary zoning strategies to promote the development of affordable housing for low and moderate income families.

<u>Present law</u> authorizes any municipality or parish that adopts land use or zoning ordinances, resolutions, or regulations to adopt ordinances to provide for inclusionary zoning to increase the availability of affordable dwelling units.

<u>Proposed law</u> retains <u>present law</u> and adds economic incentive policies as a strategy for inclusionary zoning.

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

(Amends R.S. 33:5002(A) and (B)(2) and 5003)