

SENATE BILL NO. 454

BY SENATOR BARROW

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**  
18 **programs related thereto, and the encouragement of participation in such**  
19 **efforts by private enterprise.**

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

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

12           §140.212. Definitions

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

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

19           (2) "Master plan" means the comprehensive plan of the parish or  
20           municipality.

21           (3) "Smart growth development" means one or more works,  
22           undertakings and activities for the development, redevelopment, improvement,  
23           construction, rehabilitation or conservation of structures, facilities and  
24           appurtenances in an area which is intended to result in a new community  
25           including the activities to carry out a new community development plan which  
26           may do the following:

27           (a) Mix land uses together.

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

29           (c) Create walkable neighborhoods which include schools and grocery  
30           stores.

1                    (d) Foster distinctive, attractive communities with a strong sense of  
2                    place.

3                    (e) Preserve open space, farmland, natural beauty, and critical  
4                    environmental areas.

5                    (f) Provide a variety of transportation choices.

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_