
DIGEST

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HB 533 Engrossed

2019 Regular Session

Horton

Abstract: Authorizes the creation of a metropolitan planning commission for the town of Haughton and areas lying within five miles of the town's boundaries.

Proposed law authorizes the governing authority of the town of Haughton (town council) and the police jury of Bossier Parish (police jury) to create the Haughton Metropolitan Planning Commission of Bossier Parish. Provides that the commission's jurisdiction shall be the area included within the municipal limits of the town and that area of the parish lying within five miles of the municipal limits.

Proposed law provides that the commission shall be governed by a board of five members, all of whom must be residents and qualified voters of the metropolitan area. Provides that members shall be appointed as follows: one member appointed by the town council, one member appointed by the police jury, and one member appointed jointly by the town council and the police jury. Provides that members serve four-year staggered terms without compensation.

Proposed law requires the commission to adopt, by resolution, a master plan for the physical development of the municipality, including areas outside of the boundaries that bear relation to the planning of the municipality. Provides for the content of the resolution and plan, including, but not limited to, an official map, the general location of streets, utilities, public buildings, schools, airports, and playgrounds. Authorizes the commission to amend the plan. Provides that the plan shall take effect after it has been approved by the town council and police jury.

Proposed law provides that after the adoption of the master plan, no public way, utility, building, or school can be constructed or authorized unless the location has been approved by the commission. Provides that the town council and police jury have authority to override the disapproval of the commission by a vote of not less than two-thirds of its entire membership. Provides that if the public way, utility, building, or school does not fall within the jurisdiction of the town council or police jury, then the body or official with such jurisdiction may override the disapproval of the commission by two-thirds vote of its entire membership or by such official. Provides that if the commission fails to act within 60 days of a filing, then the filing is deemed approved.

Proposed law provides that after the adoption of the master plan, no plat of a subdivision of land shall be filed or recorded until it has been approved by the commission. Prohibits the clerk of court and recorder from filing or recording a plat of a subdivision without the commission's approval. Requires the commission to recommend subdivision regulations. Provides that the regulations may include requirements as to the manner in which streets shall be graded and improved, and water,

sewer, and other utility mains shall be installed. Provides further with respect to the content of the regulations. Requires the commission to hold a public hearing prior to recommending its regulations and any amendments.

Proposed law provides that if the owner of any land transfers or sells or agrees to sell such land before a plat is approved by the commission, the owner will be subject to a penalty of \$100 for each lot transferred or sold or agreed to be sold.

Proposed law provides that if the commission recommends a zoning plan to the town council and the police jury, then, for the purpose of promoting the health, safety, morals, and general welfare of residents, the town council and police jury may divide the municipality or that part lying within five miles of the municipality into districts or zones and may regulate the erection, construction, reconstruction, conversion, alteration, and uses of buildings and structures and uses of land.

Proposed law provides that zoning ordinances shall provide for a board of adjustment composed of five members all of whom must be residents and qualified voters of the metropolitan area. Provides that members serve four-year staggered terms without compensation.

Proposed law provides for the powers and duties of the board of adjustment, including but not limited to, the following:

- (1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by an administrative official to carry out or enforce any ordinance.
- (2) To hear and decide on requests for a variance from the strict application of the zoning regulations where no other procedure for obtaining relief is specified in the ordinance.

Proposed law provides that the town council and the police jury may provide for the enforcement of any ordinance enacted pursuant to proposed law. Provides that a violation of any such ordinance is a misdemeanor.

(Adds R.S. 33:140.50.1-140.50.39)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Require the town council to hold a public hearing before enacting a zoning ordinance.
2. Provide that zoning ordinances of the town continue in effect until amended by ordinances enacted pursuant to proposed law.