

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 697

2020 Regular Session

McCormick

PLANNING/ZONING-LOCAL: Provides relative to the Shreveport Metropolitan Planning Commission

Synopsis of Senate Amendments

1. Changes the vote requirements for the Shreveport city council and certain boards from a two-thirds vote to a majority vote to override the commission's vote to disapprove certain matters.

Digest of Bill as Finally Passed by Senate

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

Proposed law restricts the commission's jurisdiction to inside the city limits of Shreveport. Removes the authority granted to the police jury to jointly create the commission.

Present law provides that the commission shall be governed by a board of nine members, all of whom must be residents and qualified voters of Caddo Parish. Provides that members shall be appointed as follows: four members appointed by the city council, four members appointed by the police jury, and one member appointed jointly by the city council and the police jury. Provides that members serve six-year staggered terms without compensation.

Proposed law provides instead that the commission's nine members are all appointed by the city council. Requires members to be residents and qualified voters of the city of Shreveport.

Present law requires the commission to prepare an annual budget with monies appropriated by the city council and the police jury. Proposed law removes the requirement that monies be appropriated by the police jury.

Present law authorizes the city council and police jury to adopt 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. Provides that the plan shall take effect after it has been approved by the city council and police jury.

Proposed law retains present law except removes authority granted to the police jury to participate in the adoption of the master plan. Restricts the master plan to areas inside the city limits of Shreveport.

Present 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.

Proposed law retains present law.

Present law provides that in the case of the commission's disapproval, the city council and police jury have authority to override such disapproval 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 city 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.

Proposed law removes the authority granted to the police jury to override the commission's disapproval. Provides that the city council retains all power to approve the master plan and the power to override the commission's disapproval by majority vote of its entire membership. Additionally provides that the body or official with jurisdiction retains power to override the commission's disapproval by majority vote of its entire membership or by such official.

Present 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 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.

Present 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 retains present law.

Present law provides that if the commission recommends a zoning plan to the city council and the police jury, then, for the purpose of promoting the health, safety, morals, and general welfare of residents, the city 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 removes the authority granted to the police jury to divide the parish into districts or zones.

Present law provides that zoning ordinances shall provide for a board of appeals composed of seven members. Provides that three members are appointed by the city council, three members are appointed by the police jury, and one member is appointed jointly by the city council and the police jury. Provides that members serve five-year staggered terms without compensation.

Proposed law provides that all members of the board of appeals are appointed by the city council.

Present law provides for the powers and duties of the board of appeals, 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 retains present law.

Effective January 1, 2022.

(Amends R.S. 33:140.1-140.36)