
DIGEST

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HB 962 Original

2022 Regular Session

McCormick

Abstract: Requires a parish to get voter approval prior to imposing certain zoning regulations or restrictions.

Present law authorizes parish governing authorities and their duly created boards of adjustment, for the purpose of promoting the health, safety, morals, or general welfare of the community, to regulate and restrict the height, number of stories, and size of structures; the percentage of lots that may be occupied; courts and other open spaces; the density of population; and the location and use of the buildings, structures, and land for trade, industry, residence, or other purposes. Provides that the zoning ordinances enacted by a parish governing authority and the acts of its zoning commission, board of adjustment, or zoning administrator are subject to judicial review on the grounds of abuse of discretion, unreasonable exercise of police powers, excessive use of the power, or the denial of the right of due process.

Present law requires that regulations adopted pursuant to present law be made in accordance with a comprehensive plan and designed to lessen congestion in the public streets, secure safety from fire, promote health and the general welfare, provide adequate light and air, avoid undue concentration of population, facilitate adequate transportation, water supply, sewerage, schools, and parks, and meet other public requirements. Further requires that the regulations be made with reasonable consideration of the character of the district and its peculiar suitability for particular uses and with a view to conserving the values of buildings and encouraging the most appropriate use of land throughout the district.

Proposed law retains present law.

Present law requires the governing authority to provide for the manner in which the regulations and restrictions shall be determined, established, enforced, and, from time to time, amended. Provides that no regulations or restrictions shall become effective until after a public hearing held by the parish governing authority of the parish at which parties in interest have had an opportunity to be heard. Requires the parish governing authority to provide for notice of the hearing and notice to property owners in accordance with the provisions of present law (R.S.33:4780.43).

Proposed law retains present law and additionally provides that no zoning regulation or restriction can become effective in an unincorporated area of a parish unless the voters of the unincorporated area of the parish approve the regulation or restriction.

(Amends R.S. 33:4780.43)