
DIGEST

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Danahay

HB No. 579

Abstract: Relative to the zoning commission in the city of Sulphur, grants the city's governing authority the power to grant certain powers and duties to the commission.

Present law authorizes municipal governing authorities, for the purpose of promoting health, safety, morals, or the 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, the size of yards, 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. Requires a municipal governing authority, in order to avail itself of the powers conferred by present law, to appoint a zoning commission. Additionally authorizes a municipal governing authority to appoint a board of adjustment and to provide that the board may determine and vary the application of the regulations and restrictions adopted pursuant to present law to keep in harmony with their general purpose and intent. Present law provides that zoning ordinances enacted by a municipal governing authority and the acts of the zoning commission, board of adjustment, or zoning administrator are subject to judicial review on the grounds of abuse of discretion, unreasonable exercise of the police powers, an excessive use of the power, or the denial of the right of due process.

Proposed law retains present law.

Present law grants the board of aldermen of the city of Mandeville, in addition to all other powers authorized by present law, the power to authorize the city's zoning commission to exercise the same powers, duties, and responsibilities granted to a board of adjustment pursuant to present law.

Proposed law retains present law and additionally grants the governing authority of the city of Sulphur the power to authorize the city's zoning commission to exercise the same powers, duties, and responsibilities granted to a board of adjustment pursuant to present law.

(Adds R.S. 33:4727.2)