

Regular Session, 2011

SENATE BILL NO. 125

BY SENATOR BROOME

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PLANNING/ZONING. Establishes and provides for the Housing and Transportation Planning and Coordinating Commission. (8/15/11)

1 AN ACT

2 To enact Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised  
3 of R.S. 40:600.81, relative to coordination of housing and transportation planning;  
4 to create the Housing and Transportation Planning and Coordinating Commission;  
5 to provide for its membership, operation, powers, and duties; to provide for the  
6 responsibilities of the office of community development; and to provide for related  
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950,  
10 comprised of R.S. 40:600.81, is hereby enacted to read as follows:

11 **CHAPTER 3-G. HOUSING AND TRANSPORTATION PLANNING**

12 **AND COORDINATING COMMISSION**

13 **§600.81. Housing and transportation coordination**

14 **A. The Housing and Transportation Planning and Coordinating**  
15 **Commission is hereby created within the office of community development in**  
16 **the division of administration. The primary purpose of the commission shall be**  
17 **to assist the office of community development in coordinating the integration**

1 of the planning and spending by local governments, parish governing  
2 authorities, redevelopment authorities, housing authorities, and the Department  
3 of Transportation and Development on housing and transportation needs. The  
4 goal of the commission shall be for multiple modes of transportation and  
5 multiple types of housing developments to be planned and executed so as to  
6 provide planned rational growth, more fully integrated and livable  
7 communities, and effective spending of public funds for the betterment of life  
8 for Louisiana citizens.

9 B.(1) The commission shall be comprised of the following members:

10 (a) The executive director, or his designee, of the office of community  
11 development.

12 (b) One member appointed by the commissioner of administration to  
13 represent the office of facility planning and control.

14 (c) The secretary of the Department of Transportation and  
15 Development, or his designee.

16 (d) The secretary of the Department of Social Services, or his designee.

17 (e) The president of the Louisiana Housing Alliance, or his designee.

18 (f) The chairman of the board of the Louisiana Housing Finance Agency,  
19 or his designee.

20 (g) A representative of regional planning commissions appointed by the  
21 National Association of Regional Councils from their Louisiana chapter.

22 (h) A representative of regional planning commissions appointed by the  
23 Louisiana chapter of the Association of Metropolitan Planning Organizations.

24 (i) A representative of redevelopment authorities appointed by the  
25 National Association of Housing and Redevelopment Organization from their  
26 Louisiana Chapter.

27 (j) A representative of the Center for Planning Excellence selected by  
28 the center.

29 (k) Two representatives of nonprofit housing development organizations

1 appointed by the office of community development.

2 (l) One member appointed by the Louisiana Housing Council.

3 (m) One member appointed by the Police Jury Association of Louisiana.

4 (n) One member appointed by the Louisiana Municipal Association.

5 (o) One member appointed by the Louisiana state chapter of the  
6 American Planning Association.

7 (2) To the extent practical, efforts shall be made for the members of the  
8 commission to reflect the diversity of the population of Louisiana in terms of  
9 gender, geography and race.

10 (3) Members of the commission appointed pursuant to Subparagraph  
11 (B)(1)(b) of this Section shall serve at the pleasure of the appointing authority.  
12 Members of the commission appointed pursuant to Subparagraphs (B)(1)(g)  
13 through (o) of this Section shall serve four-year terms. A vacancy in the office  
14 of a member shall be filled in the same manner as the original appointment for  
15 the remainder of the unexpired term.

16 (4) The commission shall elect a chairman and such other officers as it  
17 deems necessary from among its members. The commission shall adopt bylaws  
18 to govern its activities and meetings.

19 (5) Members of the commission shall not receive any salary or  
20 reimbursement of expenses for performing their duties as members other than  
21 compensation or reimbursement provided by their individual employers.

22 (6) The office of community development shall staff and provide other  
23 support for the commission and shall call the first meeting of the commission.

24 C.(1) The office of community development, in consultation with the  
25 commission, shall create a statewide housing plan. In the development and  
26 maintenance of the plan, the office of community development shall conduct a  
27 parish by parish assessment of housing. The assessment shall be conducted once  
28 every five years and the statewide housing plan shall be updated based on the  
29 most recent assessment. All parish governing authorities, local governments,

1 redevelopment authorities, and local housing authorities shall cooperate with  
2 the office of community development in the conduct of the assessment.

3 (2) The assessments shall document the following:

4 (a) The overall supply of housing including single-family, multi-family,  
5 special needs, and institutional housing.

6 (b) The conditions of the housing stock.

7 (c) The housing cost burden in each parish.

8 (d) Access to transit and job centers in each parish or metropolitan  
9 planning area.

10 (3) As part of its assessment, the office of community development shall  
11 hold not fewer than three public hearings in each region of the state to provide  
12 for citizen participation in the development of the plan. In each region, each  
13 such hearing shall be held at a different time of day and on a different day of the  
14 week from the other meetings in that region in order to maximize the  
15 opportunity for citizen participation. Members of the commission shall be  
16 invited guests to the public hearings.

17 (4) The office of community development, at regular intervals and in  
18 public meetings, shall update the commission on the progress of the  
19 development of the statewide housing plan and maintenance thereof or any  
20 updates thereto. The office shall also submit the developed plan, or once the  
21 plan is developed any recommended updates to such plan, to the commission for  
22 approval, approval with comments, or rejection. Any plan or update which is  
23 rejected by the commission shall not be incorporated into the statewide housing  
24 plan.

25 D. The office of community development, in consultation with the  
26 commission, shall also have the following powers and duties:

27 (1) To define the planning and housing regions of the state.

28 (2) To determine public and alternative transportation needs.

29 (3) To estimate low and moderate income housing needs.

1                   **(4) To establish criteria and guidelines for parishes and municipalities**  
 2                   **to determine and address their local affordable housing needs, to promote**  
 3                   **consistency and uniformity in the information obtained and reported.**

4                   **(5) To establish criteria and guidelines for parishes, municipalities, and**  
 5                   **redevelopment authorities and metropolitan planning organizations to**  
 6                   **coordinate and address local and regional transportation needs, to promote**  
 7                   **consistency and uniformity in the information obtained and reported.**

8                   **(6) To establish a schedule and criteria to review housing and**  
 9                   **transportation plans for parishes and municipalities, and provide technical**  
 10                   **assistance to those parishes and municipalities unable to develop plans**  
 11                   **consistent with the established criteria and guidelines, to determine consistency**  
 12                   **with established criteria and guidelines to address local affordable housing and**  
 13                   **transportation needs.**

14                   **E.(1) In accordance with the plan developed pursuant to Subsection C**  
 15                   **of this Section and in partnership with parish and municipal governing**  
 16                   **authorities, the office of community development, in consultation with the**  
 17                   **commission, shall allocate the targeting of federal and state housing funds to**  
 18                   **areas of greatest need.**

19                   **(2) The office of community development shall work in partnership with**  
 20                   **the Department of Transportation and Development to ensure that not less than**  
 21                   **ten percent of the federal transportation funds appropriated for Louisiana are**  
 22                   **utilized to alternative modes of transportation, including public transit, bus**  
 23                   **rapid transit, and rail and bike paths.**

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Dawn Romero Watson.

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#### DIGEST

Proposed law creates the Housing and Transportation Planning and Coordinating Commission within the office of community development (OCD) in the division of administration. Provides that the primary purpose of the commission will be coordinating the integration of the planning and spending by local governments, parish governing authorities, redevelopment authorities, housing authorities, and the Department of Transportation and Development (DOTD) on housing and transportation needs. Provides

that the goal shall be for multiple modes of transportation and multiple types of housing developments to be planned and executed so as to provide planned rational growth, more fully integrated and livable communities, and effective spending of public funds for the betterment of life for Louisiana citizens.

Proposed law provides for a 16-member commission who serve without salary or reimbursement. Requires that efforts be made, to the extent practical, for the members to reflect Louisiana's diversity in terms of gender, geography and race. Provides the commission shall be staffed by the OCD.

Proposed law provides that the OCD, in consultation with the commission, shall create a statewide housing plan. Requires that, in the development and maintenance of the plan, the OCD conduct a parish-by-parish assessment of housing. Provides that the assessment be conducted once every five years and that the statewide housing plan be updated based on the most recent assessment. Requires that all parish governing authorities, local governments, redevelopment authorities, and local housing authorities cooperate with the OCD in the conduct of the assessment.

Proposed law requires the assessments to document the following:

- (1) The overall supply of housing including single-family, multi-family, special needs, and institutional housing.
- (2) The conditions of the housing stock.
- (3) The housing cost burden in each parish.
- (4) Access to transit and job centers in each parish or metropolitan planning area.

Proposed law requires as part of the assessment that the OCD hold not fewer than three public hearings in each region of the state. Provides that in each region, each such hearing shall be held at a different time of day and on a different day of the week from the other meetings in that region in order to maximize the opportunity for citizen participation.

Proposed law requires the OCD at regular intervals and in public meetings to update the commission on the progress of the development of the statewide housing plan and maintenance thereof or any updates thereto. Requires that OCD submit the developed plan, or once developed any recommended updates to such plan, to the commission for approval, approval with comments, or rejection. Provides that any plan or update which is rejected by the commission shall not be incorporated into the statewide housing plan.

Proposed law provides that the OCD, in consultation with the commission, has the following powers and duties:

- (1) To define the planning and housing regions of the state.
- (2) To determine public and alternative transportation needs.
- (3) To estimate low and moderate income housing needs.
- (4) To establish criteria and guidelines for parishes and municipalities to determine and address their local affordable housing needs, to promote consistency and uniformity in the information obtained and reported.
- (5) To establish criteria and guidelines for parishes, municipalities, and redevelopment authorities and metropolitan planning organizations to coordinate and address local and regional transportation needs, to promote consistency and uniformity in the information obtained and reported.

- (6) To establish a schedule and criteria for review of housing and transportation plans for parishes and municipalities, and provide technical assistance to those parishes and municipalities unable to develop plans consistent with the established criteria and guidelines, to determine consistency with established criteria and guidelines to address local affordable housing and transportation needs.

Proposed law requires that in accordance with the plan developed and in partnership with parish and municipal governing authorities, the OCD, in consultation with the commission, shall allocate the targeting of federal and state housing funds to areas of greatest need. Also requires the OCD to work in partnership with the DOTD to ensure that not less than 10% of the federal transportation funds appropriated for Louisiana are utilized to alternative modes of transportation, including public transit, bus rapid transit, and rail and bike paths.

Effective August 15, 2011.

(Adds R.S. 40:600.81)