

SENATE BILL NO. 462

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact the heading of Part VIII of Chapter 14 of Title 33 of the Louisiana  
3 Revised Statutes of 1950, R.S. 33:5001, 5002(A) and (B)(2), and 5003, relative to  
4 inclusionary zoning for affordable housing; to provide for findings and purpose; to  
5 authorize and permit any municipality or parish with land use or zoning ordinances  
6 or regulations to adopt ordinances for voluntary economic incentive policies for  
7 affordable housing; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The heading of Part VIII of Chapter 14 of Title 33 of the Louisiana  
10 Revised Statutes of 1950, R.S. 33:5001, 5002(A) and (B)(2), and 5003 are hereby amended  
11 and reenacted to read as follows:

12 PART VIII. LOUISIANA ~~INCLUSIONARY ZONING~~ VOLUNTARY  
13 ECONOMIC INCENTIVE POLICIES AND WORKFORCE

14 AFFORDABLE HOUSING ACT

15 §5001. Short title

16 This Part shall be known and may be cited as the "Louisiana ~~Inclusionary~~  
17 ~~Zoning~~ Voluntary Economic Incentive Policies and Workforce Affordable Housing  
18 Act".

19 §5002. Findings and purpose

20 A. The legislature finds that:

21 (1) In many municipalities and parishes, there is a serious shortage of decent,  
22 safe, and sanitary residential housing available at prices or rents that are affordable  
23 to low and moderate income families.

24 (2) The affordable housing shortage constitutes a danger to the health, safety,  
25 and welfare of all residents of the state and is a barrier to sound growth and  
26 sustainable economic development for the state's municipalities and parishes.

27 (3) These conditions ~~have been~~ were exacerbated by the damage to the

1 state's housing stock caused by Hurricane Rita and Hurricane Katrina **and have**  
 2 **remained persistent since.**

3 (4) The state will undergo an unprecedented residential construction boom  
 4 over the next decade to restore housing for hurricane victims and new residents to  
 5 the state in both damaged parishes and receiving parishes.

6 (5) While pre-hurricane concentrated poverty contributed to social isolation  
 7 and its concurrent ills, mixed income communities have proven to hold better social  
 8 outcomes for all residents, including better education, workforce, and health  
 9 outcomes.

10 (6) Hundreds of jurisdictions and a dozen states have adopted **economic**  
 11 **incentive** planning and implementation policies to deliver economically integrated  
 12 housing development through ~~inclusionary zoning~~ **voluntary economic incentive**  
 13 **policies** to ensure all sectors of housing need are securely met.

14 (7) ~~Inclusionary zoning~~ **Economic incentive policies**, which ~~requires all~~  
 15 **induce** residential developments of a certain scale to include the development of  
 16 affordable housing along with market rate housing, has proven a highly effective  
 17 strategy to build on the expertise of private developers, while compensating them for  
 18 their contributions.

19 **(8) It is in the state of Louisiana's best interest to incentivize housing**  
 20 **affordability for Louisiana residents by circumscribing regulatory burdens**  
 21 **imposed on the housing industry by municipalities, parishes, or any other**  
 22 **political subdivision of the state of Louisiana.**

23 B.(1) \* \* \*

24 (2) In the exercise of the police power of the state to protect the public health  
 25 and welfare and pursuant to the authority of the legislature to establish uniform  
 26 procedures for land use and zoning by law, this Part is enacted to provide authority  
 27 for and to permit municipalities and parishes to use ~~inclusionary zoning~~ **voluntary**  
 28 **economic incentive policies** to promote the development of affordable housing for  
 29 low and moderate income families, **to the extent that such policies do not cause**  
 30 **a restraint on the alienation of real property.**

1           §5003. ~~Inclusionary zoning~~ **Voluntary economic incentive policies**

2                     Any municipality or parish in the state that adopts land use or zoning  
3           ordinances, resolutions, or regulations may adopt ordinances to provide for  
4           ~~inclusionary zoning~~ **voluntary economic incentive policies** to increase the  
5           availability of affordable dwelling units within the jurisdiction of the respective  
6           municipality or parish.

7           Section 2. This Act shall become effective upon signature by the governor or, if not  
8           signed by the governor, upon expiration of the time for bills to become law without signature  
9           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11          effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_