

STATEMENT OF PURPOSE

RS22645

This bill amends two code sections in the Local Planning Act. The first amendment under 67-6508 (m) makes community design for buildings a voluntary requirement, not mandatory, adds the need to consider drainage issues, and makes beautification voluntary. The second change in 67-6511(1)(a)(1) removes the authority to condition a permit upon exterior building design requirements for commercial or industrial structures. The amendment requires all design standards be clear, ascertainable, and not based upon subjective considerations like beauty. The intent of the amendment is to curtail zoning power to health, safety, and general welfare but restrict expansive and unlimited powers relating to beauty, aesthetics, and undefined subjective standards or design reviews.

FISCAL NOTE

There is no impact to the general fund. There is no fiscal impact to local government beyond the cost of amending their ordinance.

Contact:

Representative Ed Morse
(208) 332-1000