

ST. JOHN THE BAPTIST PARISH COUNCIL  
STATE OF LOUISIANA

ORDINANCE

17-27

Mrs. Robottom introduced the following ordinance.

Mrs. Remondet proposes and Mr. Madere seconds the following ordinance:

St. John the Baptist Parish Council Hereby Ordains:

An ordinance to adopt Chapter 114 of the St. John the Baptist Parish Code of Ordinances establishing local historic districts, designating local historic landmarks and establishing the St. John the Baptist Parish Historic District Commission for their preservation and stewardship.

WHEREAS, the Parish lost nearly ten (10) percent of its historic housing stock between the years 2000 and 2010, which is over five (5) times the national average (Source: United States Census Bureau); and

WHEREAS, in accordance with Louisiana Revised Statute 25:731, et seq. and Parish Resolution 16-45, the Parish formed a Historic Preservation Study Committee that met twelve (12) times over the course of nine (9) months to research historic structures and neighborhoods and to develop recommendations for their revitalization; and

WHEREAS, the Historic Preservation Study Committee also held two (2) community meetings to engage the public and solicit input on proposed recommendations; and

WHEREAS, the St. John Parish Planning and Zoning Commission heard and recommended approval of the recommendations and findings of the Historic Preservation Study Committee on June 19, 2017; which included adoption of a historic preservation ordinance and the establishment of four (4) historic districts; and

WHEREAS, over 2,300 communities in the nation are currently utilizing preservation ordinances with goals and intents similar to those detailed herein; and

WHEREAS, adoption of the historic preservation ordinance and the establishment of four (4) historic districts would make available financial incentives and grant opportunities for properties and the Parish, as well as support citizens' quality of life, safety and welfare. Now, therefore:

**THE ST. JOHN THE BAPTIST PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Historic Preservation Study Committee's report and recommendations be and is hereby accepted and that said committee will be dissolved as per Section III of Parish Council Resolution R16-45.

**SECTION II.** That the St. John the Baptist Code of Ordinances, Chapter 14 - Fees and Charges, Section 14-114, be and is hereby adopted to include fees for an application for a Certificate of Appropriateness from the St. John Parish Historic District Commission to read as follows:

**Sec. 14-114. - Historic preservation.**

The fees and charges required by or referenced in Chapter 114 of this Code are as follows:

(1) Historic preservation fees:

a. *Certificate of Appropriateness: \$50.00*

b. *Appeals of Historic District Commission determinations: \$50.00*

**SECTION III.** That the St. John the Baptist Parish Code of Ordinances, Chapter 114 - Historic Preservation, be and is hereby adopted to establish local historic districts and design review corridors and designate local historic landmarks, more specifically described in the committee's report, attached hereto as Exhibit "A," and to establish the St. John the Baptist Parish Historic District Commission for their preservation and management, to read as follows:

**Chapter 114 - HISTORIC PRESERVATION.**

**ARTICLE I. GENERALLY.**

**Sec. 114-1. - Purpose and intent.**

This Chapter establishes the St. John the Baptist Parish Historic District Commission for the preservation and stewardship of designated historic districts and local historic landmarks of the Parish. In addition to promoting the educational, cultural, economic, health, safety and general welfare of the Parish, the regulations and procedures established by this Chapter advance the following goals:

- (a) Preserve, protect and enhance historic districts and structures that represent distinctive and significant elements of the Parish's historical, cultural, social, economic, political, and architectural identity.
- (b) Strengthen the community and its cultural distinctiveness by means of a focused attention on the Parish's historic resources.
- (c) Ensure and stimulate sustainable, guided growth within the Parish's historic core areas.
- (d) Support the Parish's economic base through encouragement of small-business development and cultural or heritage tourism.
- (e) Provide a review process for the preservation and development of the Parish's historic resources.

**Sec. 114-2. - Administration and enforcement.**

The regulations of this Chapter are to be administered and enforced by the St. John the Baptist Parish Historic District Commission in coordination with the Planning and Zoning Department and its Division of Code Enforcement.

**Sec. 114-3. - Compliance with all other regulations.**

Development that is subject to the regulations of this Chapter must also comply with any and all other applicable federal, state and local regulations. Further, issuance of a Certificate of Appropriateness by the St. John the Baptist Parish Historic District Commission, as outlined by the processes in Article IV of this Chapter, does not indicate adherence to any other standards except for those outlined in this Chapter.

**Sec. 114-4. - Severability.**

If any article, section, subsection, sentence, clause or phrase of this Chapter is, for any reason, held unconstitutional or invalid, such decision or holding will not affect the validity of the remaining portions hereof.

**Sec. 114-5. - Definitions.**

Definitions herein are based on the meaning given to them. Unless specifically defined as referenced below, words or phrases used in this Chapter have the meaning of common usage which gives this ordinance its most reasonable application.

*Addition* means the expansion of an existing structure, generally in the form of a room or floor, which results in an increased floor area or volume of the structure.

*Alteration* means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in the windows of a structure.

*Demolition* means the complete removal of a building on or from any site.

*Demolition by neglect* means the inadequate maintenance or lack of maintenance of any structure, part thereof, or any other improvements thereon which results in substantial deterioration, more specifically defined by the standards outlined in Section 114-50(b)(1).

*Historic resource* means a designated local landmark or a structure identified on a historic structure survey as contributing to the character or integrity of a historic district.

*Façade material* means the surface building fabric which contributes to the exterior character and appearance of a building.

*New construction* means the erection of any building or structure on a parcel of ground whether the site is presently improved, unimproved, or hereafter becomes unimproved by demolition, demolition by neglect, or destruction of the improvements located thereon by force majeure.

*Scale* means the size or relationship of the building and its elements (including doors and windows) to surrounding structures and/or other elements.

*Siting* means the positioning of a building on a lot.

*Style* means the architectural features or decorative elements that make a building or structure notable or historically identifiable.

*Historic survey* means a listing that catalogs and classifies buildings, structures and landmarks as historic or non-historic.

*Texture* means the feel, appearance, or consistency of the physical and visual elements of building materials on a structure.

*Tout ensemble* means the total appearance or general effect of a historic district as a collection of its individual defining elements.

**Sec. 114-6. - Amendments to Chapter.**

(a) *Initiation and procedure.* The amendment process to change the text of this Chapter may be initiated by resolution of the Parish Council directing the preparation of an ordinance or study or by introduction of an ordinance by the Parish Council. It may also be initiated upon the recommendation of the Parish Council, the Historic District, Commission or their designee.

(b) *Public hearing.* A public hearing for a proposed amendment will be conducted by and before the Historic District Commission, at which time all interested parties and citizens will have an opportunity to be heard. Each proposed amendment will be allotted a case or docket number and scheduled for public hearing. During the public hearing the Planning Director, or his or her designee, shall be called upon for presentation of a technical recommendation and analysis for the proposed amendment.

(c) *Decision makers.*

(1) *Planning Director action.* Prior to the public hearing, the Planning Director shall submit findings and recommendations related to the proposed amendment for consideration by the Historic District Commission.

(2) *Historic Commission action.* After considering public testimony and the findings and recommendations of the Planning Director, the Historic District Commission may recommend adoption of the

proposed amendment as presented, adoption of the amendment with modifications, or disapproval of the amendment.

(3) *Recommendations to Council.* Within 45 days of a decision by the Historic District Commission, the Planning Director will forward to the Parish Council the recommendations by the Commission, the Director's findings and recommendations, and the minutes of public testimony.

(4) *Parish Council action.* Upon receipt of the above referenced findings, recommendations and testimony, the Parish Council may take official action. The Council shall consider the findings, recommendations and testimony prior to making a decision. If no findings, testimony, and recommendations are received by the Council within 45 days after the initiation of the Historic District Commission public hearing, the Council may take official action upon the proposed amendment without this record.

(d) *Notice required.* Notice of public hearing for all decision makers above will follow the minimum required notice procedures for their respective bodies, deferring to State law when additional notice is required.

**Secs. 114-7.-114-14. - Reserved.**

#### **ARTICLE II. HISTORIC DISTRICT COMMISSION.**

**Sec. 114-15. - Historic District Commission established.**

The St. John the Baptist Parish Historic District Commission is hereby established under the authority granted by the laws of the State of Louisiana for the intents and purposes outlined in Section 114-1.

**Sec. 114-16. - Duties and powers.**

In fulfillment of the intent of this Chapter, the St. John the Baptist Parish Historic District Commission is hereby authorized to:

- (a) Preserve, protect and enhance historic districts and structures that represent distinctive and significant elements of the Parish's historical, cultural, social, economic, political, and architectural identity;
- (b) Provide a review process for development activity within designated historic districts of the Parish and on designated local historic landmark sites;
- (c) Promote the use of historic resources for the education, pleasure, and welfare of the citizens of St. John the Baptist Parish;
- (d) Issue Certificates of Appropriateness, following the procedures outlined in Article IV of this Chapter, for certain development activity within designated historic districts and on designated local landmark sites of the Parish;
- (e) Prepare and regularly update a historic survey or inventory of all historic property both within designated historic districts and within the entirety of St. John the Baptist Parish;
- (f) Make recommendations to the Parish Council regarding the designation or revocation of historic district and local landmark status;
- (g) Review and make recommendations for nomination of property and/or districts to the National Register of Historic Places;
- (h) Make recommendations to the Parish Council regarding proposed amendments to this Chapter;

- (i) Adopt design guidelines for the Parish in order to manage and evaluate development activity within designated historic districts;
- (j) Make recommendations to the Parish Council regarding certain incentives and revitalization plans that may encourage the preservation of the community's historic and cultural resources;
- (k) Advise any governmental agency of the State or local government, including the governing body, prior to the initiation of any proposed activity within the Historic District Commission's jurisdiction and control;
- (l) Make investigation and studies of matters relating to historic preservation as the local governing body or the Historic District Commission may, from time to time, deem necessary or appropriate for the preservation and revitalization of historic resources;
- (m) Apply for grant funds and accept appropriations, donations, gifts and/or trusts in furtherance of historic preservation goals and make recommendations to the Parish Council concerning the most appropriate uses of such funds;
- (n) Consult with citizens and property owners on matters related to historic preservation including, but not limited to, the use of preservation tax credits and other development incentives;
- (o) Maintain Certified Local Government status with the Division of Historic Preservation of the Louisiana Department of Culture, Recreation, and Tourism;
- (p) Petition for relief, through the Division of Code Enforcement, for a permanent or temporary order for violators of this Chapter to comply with the regulations prescribed herein.

**Sec. 114-17. - Commission membership, terms, vacancies, and qualifications.**

- (a) *Membership.* The Historic District Commission will consist of seven (7) voluntary, unpaid members as approved by majority vote of the Parish Council. Three members will be appointed and recommended for approval by the Parish President. The Parish Council will appoint and recommend for approval the remaining four members.
- (b) *Terms.* Each appointed member of the Historic District Commission will serve a four-year term. Members may serve consecutive terms.
- (c) *First term staggered.* The first Commission to be appointed following the adoption of this ordinance on July 27<sup>th</sup>, 2017 will serve terms staggered in the following manner:
  - (1) Two (2) members with one (1) year terms;
  - (2) Two (2) members with two (2) year terms;
  - (3) Two (2) members with three (3) year terms; and,
  - (4) One (1) member with a four (4) year term.
  - (5) Members appointed after expiration of the initial terms above will serve four (4) year terms.
- (d) *Vacancies.* Upon a vacancy in the Commission's membership, either by voluntary resignation or from expiration of a term limited by time, the Parish President or Parish Council, depending on the member's original appointment, will appoint a new member for approval by majority vote of the Parish Council within 60 days of such vacancy.
- (e) *Qualifications.*

- (1) In making appointments, preference should be given, as far as reasonably possible, to members of historic, cultural, educational, archaeological, architectural, and artistic and preservation organizations.
- (2) Members appointed to the Commission must be electors of St. John the Baptist Parish.
- (3) Commission members are required to attend at least one Historic District Commission training per calendar year pertaining to the work and functions of the Commission or to historic preservation generally.
- (4) The commission must, at a minimum, include one representative of each historic district. The remaining members may be appointed as at-large members.
- (f) *Recall of a member.* Any Commission member may be recalled at any time by the Parish Council for gross inefficiency, fraud or neglect following the procedures provided for by State law.

**Sec. 114-18. Administration and committees.**

- (a) *Administration.* The Planning and Zoning Department staff, under the direction of the Planning and Zoning Director, will serve as staff and advisor to the Historic District Commission and will act as a liaison between the Commission and the Office of the Parish President.
- (b) *Legal representation.* The District Attorney of the 40<sup>th</sup> Judicial District will serve as the legal advisor of the Historic District Commission unless special counsel is obtained or a separate department is created under the authority or procedures outlined in the Parish Charter.
- (c) *Chairman and Vice-Chairman required.* The Commission must annually elect from its membership a Chairman and Vice-Chairman to preside over of the official proceedings of the Commission.
- (d) *Minutes and record keeping.* The Planning and Zoning Director will designate the official secretary for the Commission to record and maintain all files associated with the minutes of Commission proceedings. Records of meeting minutes and action by the Commission will be kept for a period of five (5) years.
- (e) *Rules and procedures.* The Commission must adopt rules, procedures, guidelines and/or bylaws to govern the transaction of its business, as required by State law. Copies of these rules and procedures will be kept on file with the Planning and Zoning Department.
- (f) *Committees.* From time to time and as necessary, Commission members may form official committees to study and report on various topics. Committees may be staffed and supported by the Planning and Zoning Department.

**Sec. 114-19. - Meetings.**

- (a) *Number of meetings.* The Historic District Commission will meet quarterly, at minimum, to discuss and review historic preservation efforts in the Parish. Further, the Commission will meet monthly when application is made through the Planning and Zoning Department for review of development activity, for review of studies, and to discuss other items as deemed necessary.
- (b) *Notice required.* Notice of the hearing time and place must be given by publication in the form of legal advertisement in the

official journal of St. John the Baptist Parish and also by posting such notice on or near the main entrance of any hall or room where the Commission usually meets. Notice must be made at least once and at least seven (7) days before any meeting of the Commission takes place.

**Sec. 114-20.-114-27. - Reserved.**

**ARTICLE III. HISTORIC DISTRICTS AND LANDMARKS.**

**Sec. 114-28. - Process for district and landmark designation.**

- (a) *Initiation required.* Application may be made to the Planning and Zoning Department by historical societies, property owners, or interested citizens to initiate review for additional district or landmark designation. Parish Administration, the Historic District Commission, or the Parish Council may initiate the same by resolution.
- (b) *Required review materials.* Review for the designation of local historic districts and landmarks within the Parish must include all of the following:
  - (1) A physical description of the proposed district or landmark, including clearly defined boundaries for consideration; and
  - (2) A description of the proposed district's or landmark's historic significance; and
  - (3) A historic survey of individual properties and/or structures classified as either contributing or non-contributing elements of the district or landmark site.
- (c) *Process for review.* Historic districts and local landmarks will be reviewed for designation in accordance with the procedures to amend this Chapter, per Section 114-6.
- (d) *Criteria for designation of historic districts and local landmarks.* A proposed historic district or local landmark must include structures that are at least fifty (50) years old or must be a structure that is at least fifty (50) years old and also exhibit one or more of the following characteristics:
  - (1) Representative of or exhibits characteristics of a particular architectural style, type, period or way of life important to the Parish;
  - (2) Exemplifies the cultural, economic, religious, educational, political, social or economic growth and/or history of the Parish, state or nation;
  - (3) Serves as an example of a building or structure representative of its era for which there are few remaining examples of past architectural styles or types;
  - (4) Associated with a business or use that was once common but is now rare; or
  - (5) Serves as an established and familiar visual feature of a neighborhood or community that contributes to the cultural, architectural or historic development of the Parish, state or nation.

**Sec. 114-29. - Designated historic districts.**

- (a) *Districts established.* The following historic districts are established and subject to the regulations of this Chapter:
  - (1) *Reserve Historic District.* The following property description establishes the outer boundaries of the Reserve Historic District. The centerline of streets or the outer boundary of a

property abutting an identified street will serve as the district's outer boundaries. All property inside the outer boundaries of this description are to be included in the Reserve Historic District. Start at the Eastern Boundary of the Roy Englade Lot (near the intersection of East 31<sup>st</sup> Street and Louisiana Highway 44) and proceed West until reaching the centerline of Central Avenue, including all property within 300 feet of the centerline of Louisiana Highway 44 from Eastern boundary of the Roy Englade Lot to the centerline of Central Avenue. Turn North onto Central Avenue and proceed North until reaching the Northern boundary of Lot 23, Block F, Cornland Subdivision, including all property abutting Central Avenue on either side. Turn West along the Northern boundary of Lot 23, Block F, Cornland Subdivision and continue to proceed West along the Northern boundary of Lot 25, Block 1, Hotard Subdivision until reaching the centerline of Beech Grove Drive. Turn South onto Beech Grove Drive and until reaching the centerline of Pilgram Street, including all property abutting Beech Grove Drive on the Eastern side. Turn West onto Pilgram Street and proceed until reaching the centerline of Northwest 2<sup>nd</sup> Street, including all property abutting Pilgram Street on the Southern side. Turn South onto Northwest 2<sup>nd</sup> Street and proceed until reaching the Illinois Central Railroad, including all property abutting Northwest 2<sup>nd</sup> Street on either side. Turn West onto the Illinois Central Railroad and proceed until reaching the centerline of Parker Lane, including all property abutting the Illinois Central Railroad on the Southern side. Turn South onto Parker Lane and proceed until reaching the centerline of LeBlanc Drive, including all property abutting Parker Lane on either side. Turn West onto LeBlanc Drive and proceed West as it changes into West 3<sup>rd</sup> Street until reaching the centerline of Lapeyrolerie Drive, including all property abutting LeBlanc Drive or West 3<sup>rd</sup> Street on the Southern side. Turn North onto Lapeyrolerie Drive and proceed North until reaching the centerline of Haik Drive, including all property abutting Lapeyrolerie Drive on the Western side. Turn West onto Haik Drive and proceed West as it changes to Northwest 4<sup>th</sup> Street, including all property abutting Haik Drive or Northwest 4<sup>th</sup> Street on the Southern side. Proceed to the centerline of West 4<sup>th</sup> Street, turn North onto West 4<sup>th</sup> Street and proceed until reaching the centerline of Hart Drive, including all property abutting West 4<sup>th</sup> Street on either side. Turn West onto Hart Drive and proceed until reaching the centerline of West 5<sup>th</sup> Street, including all properties abutting Hart Drive along the Southern side. Continue West along Hart Drive until reaching the centerline of Terrance Street, including all properties abutting Hart Drive on either side. Turn North onto Terrance Street and proceed until reaching the Illinois Central Railroad, including all properties abutting Terrance Street on either side of the street. Turn West onto the Illinois Central Railroad and proceed West along the Illinois Central Railroad until reaching the centerline of West 10<sup>th</sup> Street, including



all property abutting the Illinois Central Railroad on the Southern side. Turn South onto West 10<sup>th</sup> Street and proceed South until reaching the centerline of Louisiana Highway 44, including all property abutting West 10<sup>th</sup> on the Eastern side of the street, with the addition of the Reserve-Godchaux House Caretaker House parcel along the Western side of the street at the intersection of West 10<sup>th</sup> and Louisiana Highway 44. Turn East onto Louisiana Highway 44 and proceed East until reaching the centerline of Central Avenue, including all property abutting Louisiana Highway 44 along the Northern side.

(2) *Garyville Historic District.* The following property description establishes the outer boundaries of the Garyville Historic District. The centerline of streets or the outer boundary of a property abutting an identified street will serve as the district's outer boundaries. All property inside the outer boundaries of this description are to be included in the Garyville Historic District. Start approximately 2375 feet from the intersection of Highway 44 and Historic Main Street, being the intersection of Iris Street and Historic Main Street. Proceed North along Historic Main Street until reaching the centerline of Museum Street, including all property abutting Historic Main Street on either side. Turn West onto Museum Street and proceed West until reaching the centerline of North Church Street, including all property abutting Museum Street on either side. Turn North onto North Church Street and proceed North until reaching the centerline of Crocus Street, including all property abutting North Church Street on either side. Turn West onto Crocus Street and proceed one block to reach the centerline of North Apple Street, only including property abutting Crocus Street on the Southern side. Turn South onto North Apple Street and proceed South until reaching the centerline of Museum Street, including all property abutting North Apple Street on either side. Turn West onto Museum Street and proceed one block to reach the centerline of Garyville Northern Street, including all property abutting Museum Street on either side. Turn South onto Garyville Northern Street and proceed to the centerline of Historic Front Street to include no new property. Turn East onto Historic Front Street and proceed East until reaching the centerline of North Church Street, including all property abutting Historic Front Street on either side. Turn South onto North Church Street and proceed South until reaching the centerline of Anthony F. Monica Street, including all property abutting North Church Street on either side. Turn West onto Anthony F. Monica Street and proceed to the Western edge of Lot 9, Block B, Hope Plantation Subdivision, only including property abutting Anthony F. Monica Street on the Southern side. Turn around and proceed East along Anthony F. Monica Street until reaching the centerline of South Church Street, including all property abutting Anthony F. Monica Street along the Southern boundary. Turn South onto South Church Street and proceed until reaching the Southern boundary of Lot 13, Block C, Hope Plantation Subdivision, including all property

abutting South Church Street on either side, and also including Lots 4, 5, 6, and 7, Block C, Hope Plantation Subdivision. Turn around and head North back to the centerline of Anthony F. Monica Street. Turn East onto Anthony F. Monica Street and proceed East until reaching the centerline of Historic West Street, including all property abutting either Anthony F. Monica Street on either side. Turn South onto Historic West Street and proceed South until reaching the centerline of Iris Street, including all property abutting Historic West Street on either side. Turn East onto Iris Street and proceed to the intersection of Iris and Historic Main, including only property abutting Iris Street on the Norther side.

(3) *River Road Historic District - The Historic Towns of Edgard, Lucy, and Wallace.* Start at the intersection of Louisiana Highway 18 (River Road) and the St. James Parish boundary line. Proceed East along Louisiana Highway 18 until reaching Lot 1-SP, Schexnayder, Leonard and Doris Subdivision, including all property within 300 feet of the centerline of Louisiana Highway 18 in a Southerly direction. Continue East along Louisiana Highway 18 until reaching the St. Charles Parish line, including all property within 300 feet of the centerline of Louisiana Highway 18 in both directions.

(4) *LaPlace Historic District.* Start at the Southern boundary of the parcel containing municipal address 999 West 5<sup>th</sup> Street. Proceed North along West 5<sup>th</sup> Street until reaching the Illinois Central Railroad to include all property abutting West 5<sup>th</sup> on the Eastern side. Cross Illinois Central Railroad and proceed North as West 5<sup>th</sup> turns towards Eastward, including all property abutting West 5<sup>th</sup> on either side, until reaching the centerline of Madeline Court. At Madeline Court, only include property abutting West 5<sup>th</sup> Street on the Northern side and exclude all property that abuts Madeline Court directly. Continue East along West 5<sup>th</sup> Street until reaching the centerline of Main Street, including all property abutting West 5<sup>th</sup> Street on either side. Turn Northeast onto Main Street and proceed until reaching the centerline of U.S. Route 61 (Airline Highway), including all property abutting Main Street on either side. Turn back Southwest and proceed along Main Street to return to the centerlines of West 5<sup>th</sup> Street and Louisiana Highway 628. Turn Southeast onto Louisiana Highway 628 and proceed until reaching the centerline of Cardinal Street, including all property abutting Louisiana Highway 628 on either side. Turn Northeast onto Cardinal Street and proceed until reaching the centerline of U.S. Route 61 (Airline Highway), including all property abutting Cardinal Street on either side. Turn back Southwest and proceed along Cardinal Street to the centerline of Louisiana Highway 628. Turn Southeast and proceed along Louisiana Highway 628 until reaching the centerline of Willow Street including all property abutting Louisiana Highway 628 on either side.

(b) *Official district maps.* Official maps of historic districts subject to the regulations of this Chapter will be kept on file

with the Planning and Zoning Department. Maps will be kept via Geographic Information Systems and will reflect boundaries as described in this Chapter.

- (c) *Survey of historic structures.* Historic surveys of historic districts will be kept on file with the Planning and Zoning Department. These maps will document the significant, contributing and non-contributing resources of a historic district.

**Sec. 114-30. - Designated local landmarks.**

- (a) *Landmarks established.* Any individual structures listed on the National Register of Historic Places, including the sites or parcels thereon, are hereby designated as local landmarks of St. John the Baptist Parish.

**Sec. 114-31. - Designated design review corridors.**

- (a) *Corridors established.* The following corridors are established as design review corridors of historic districts:

- (1) *Garyville Historic District Corridor.* Any property or parcel that directly abuts Museum Street or Historic Front Street between the centerline of Garyville Northern Street and the centerline of Historic Main Street.
- (2) *LaPlace Historic District Corridor.* Any property or parcel that directly abuts Main Street between U.S. Route 61 (Airline Highway) and Louisiana Highway 628 (West 5<sup>th</sup> Street).
- (3) *Reserve Historic District Corridor.* Any property or parcel that directly abuts Louisiana Highway 44 (River Road) between the centerline of West 10<sup>th</sup> Street to the centerline of West 8<sup>th</sup> Street.

- (b) *Official design review corridor maps.* Official maps of design review corridors subject to the regulations of this Chapter will be kept on file with the Planning and Zoning Department. Maps will be kept via Geographic Information Systems and will reflect boundaries as adopted by ordinance of the Parish Council.

**Sec. 114-32-37. - Reserved.**

**ARTICLE IV. CERTIFICATES OF APPROPRIATENESS.**

**Sec. 114-38. - Certificates of appropriateness required.**

A certificate of appropriateness issued by the Historic District Commission is required prior to issuance of a building permit and commencement of work for the following types development activity within historic districts, design review corridors, or on local landmark sites:

- (a) *Demolition of a historic structure.* Demolition of a significant or contributing structure of a designated historic district or local landmark.
- (b) *Alteration, renovation, or rehabilitation of a historic structure.* Alteration, renovation, or rehabilitation of a significant or contributing element of the exterior of a local landmark or of a significant or contributing structure within established design review corridors of historic districts, when the scope of work is determined to be beyond ordinary maintenance and repair - more specifically, when a change in materials, texture, siting, style, or scale of structure is included.
- (c) *New construction and additions.* New construction of structures and additions that are visible from the public right-of-way to

any lot or parcel containing a local landmark or any structure within established design review corridors of historic districts.

- (d) *Signs.* New construction of signs or alterations of existing signs within established design review corridors of historic districts.

**Sec. 114-39. - Procedures for application and issuance of a certificate of appropriateness.**

- (a) *Application required.* A complete application must be filed with the Planning and Zoning Department to facilitate public hearing by the Historic District Commission or administrative review.
- (b) *Application materials.* In addition to standard materials required, applications for a Certificate of Appropriateness must also include the following under specific circumstances:
  - (1) *Demolitions.* Applicants must provide pictures of the proposed structure to be demolished that depict the current condition of the property, a description of the proposed use after demolition, and any hardships experienced.
  - (2) *Alterations, renovations, signs, and new construction.* Applicants must provide designs or plans that demonstrate conformity with applicable guidelines set forth by this Chapter.
- (c) *Public hearing required.* All applications for a Certificate of Appropriateness, except for those associated with signs, will be heard by the Historic District Commission in public hearing.
- (d) *Timeline for review by the Commission.* Within 45 days after the filing of an application, the Commission will act upon the request in public hearing to issue or deny a Certificate of Appropriateness. Action by the Commission may include approval, denial or a recommendation for changes to meet requirements for Certificate issuance.
- (e) *Authority to sign Certificates of Appropriateness.* Certificates of Appropriateness may be signed by the Director of Planning and Zoning.
- (f) *Failure to act.* Failure of the Commission to act upon requests for Certificates of Appropriateness in the timeline required by this Chapter will be taken to constitute approval of the application by the Commission.
- (g) *Administrative approval for normal maintenance and repair.* Upon determination by the Planning and Zoning Department that an applicant's scope of work consists solely of regular maintenance and repair and does not involve changes that affect the architectural integrity of a structure, district or landmark, the Planning and Zoning Director or his or her designee may administratively approve the proposed scope of work and provide a review of all such approvals to the Commission as needed.
- (h) *Administrative approval for signs.* Applications for Certificates of Appropriateness for the construction or alteration of signs may be administratively approved by the Planning and Zoning Director or his or her designee. The Planning and Zoning Department will provide a review of all such certificates to the Commission as needed.
- (i) *Reasons for denial.* When a Certificate of Appropriateness is denied by the Commission or Planning and Zoning Department,

members must state their reasoning and provide options for the applicant to come into compliance with the regulations of this Chapter.

- (j) *Building permits required.* When a Certificate of Appropriateness is approved by the Commission, applicants must still obtain a building permit from the Planning and Zoning Department and comply with all other applicable codes and regulations.

**Sec. 114-40. - Standards for evaluation of a certificate of appropriateness.**

- (a) *Guiding documents.* In evaluating applications for a Certificate of Appropriateness, the following documents may provide guidance:

- (1) *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Reconstructing Historic Buildings.*
- (2) *The Louisiana Speaks Pattern Book*
- (3) *St. John the Baptist Parish Design Guidelines*

- (b) *Standards for review.* The following standards apply for review of specific types of development activity:

- (1) *Standards for demolition review.* Evaluation of a proposed demolition of a significant or contributing structure or local landmark must consider all of the following:

- a. The historic or architectural significance of the building;
- b. The importance of the building to the collective character and "tout ensemble" of a district or the Parish;
- c. The difficulty or impossibility of reproducing such a building due to its design, texture, material, or detail; and
- d. The future utilization of the site.

- (2) *Standards for rehabilitation, alteration and renovation.* Proposals for a rehabilitation, alteration or renovation beyond normal maintenance and repair will be evaluated with regards to the impact to structure, district or landmark integrity as a result of these changes. The Commission may consider the historical significance and condition of the structure in its evaluation of such changes.

- (3) *Standards for new construction.* Proposals for new construction subject to review by the Commission will seek compatibility with existing structures through the appropriate use of site planning, materials, decorative details, architectural elements, and scale. It is not necessary to duplicate or copy historic styles and periods; however, the architectural context will be evaluated using the above-referenced documents and the following standards:

- a. All new construction should be visually compatible with the buildings and environment with which they are related.
- b. The general design, scale, gross volume, arrangement of site plan, texture, material and exterior architectural features of new construction should be in harmony with its surroundings and not impair the collective character, function, and "tout ensemble" of the neighborhood.
- c. No one architectural style will be imposed, and individual expression should be encouraged.
- d. Quality and excellence in design should be emphasized.

- e. Pedestrian oriented design will be encouraged: i.e. parking areas placed in rear or side of structure outside of public view; parking areas shielded by landscape walls or landscaping; structures sited with the main entrance along the right-of-way; inclusion or improvement of sidewalks with weather protection coverings; mitigation of blank walls with landscaping or fenestration; inclusion of pedestrian-scale improvements like benches, trees or plantings;
- f. Additions to significant and contributing structures may be contemporary or reference design motifs from the historic building and must be compatible in terms of mass, materials, relationship of solids and voids, and texture. Such additions cannot obscure, damage, or destroy character defining features of the historic structure.

(c) *Standards for signs.*

- (1) The following signs are prohibited within established design review corridors of historic districts:
  - a. Electronic variable message signs; and
  - b. billboards; and
  - c. Portable or changeable letter signs; and
  - d. Flashing signs or signs with intermittent or fluctuating lighting.
- (2) Illumination of signs should be constructed wherein bulbs may not be exposed unless approved by the Historic District Commission.

**Sec. 114-41. - Hardships.**

- (a) *Undue hardship.* Where, by reason of unusual circumstances applicable solely to the applicant or by reason of topographical conditions or irregularly shaped lots, the strict application of this Chapter would result in exceptional practical difficulty or undue hardship upon a property owner, the Historic District Commission has the power to vary or modify adherence, so as to relieve such difficulty or hardship.
- (b) *Precedence to stated intent of Chapter.* Interpretations of a hardship should remain in harmony with the general purpose and intent of this Chapter. Precedence should be given to conservation of the architectural or historic integrity of the property and district. In granting modifications, the Commission may impose reasonable and additional stipulations that will, in its judgement, best fulfill the purposes and intents of this Chapter.

**Sec. 114-42. - Appeals.**

- (a) *Appeals.* Any person aggrieved by a decision, act or proceedings of the Historic District Commission has the right to appeal its decision to the Parish Council.
  - (1) *Procedure for appeals.* An application for an appeal must be made in writing to the Planning and Zoning Department, for reversal or modification of a decision. Any such application for appeal must be received and determined to be complete by the Planning and Zoning Department within ten (10) days from the date of the written decision of the Commission. The Parish

Council may consider the appeal at its next general or special meeting, but no more than forty-five (45) days thereafter.

- (2) *Decision by the Parish Council.* The Parish Council may affirm, reverse, or modify a decision of the Historic District Commission by majority vote of its members.
- (3) *Evaluation of appeals.* Based upon the evidence presented at the public hearing, the Parish Council should evaluate an appeal against the standards below:
  - a. Special conditions and circumstances do not result from the actions of the applicant.
  - b. If granted the appeal requested will not confer on the applicant any special privilege that is not permitted by this Chapter to other lands, structures or buildings in a historic district.
  - c. The appeal, if granted, will not alter the essential character of the historic district.
  - d. Strict adherence to the regulations imposed would result in a demonstrable hardship upon the owner, as distinguished from a mere inconvenience.
  - e. The cost to meet the standards imposed by this Chapter would result in an economic hardship to the applicant.
  - f. The granting of an appeal will not be detrimental to the public welfare or injurious to other property in the historic district in which the property is located.
- (4) *Final review of an appeal.* Citizens aggrieved by a decision of the Zoning Board of Adjustments may seek review by the 40<sup>th</sup> Judicial District Court, in the manner provided for by State law.

**Sec. 114-43-49. - Reserved.**

#### **ARTICLE VI. VIOLATIONS**

**Sec. 114-50. - Violations.**

- (a) *Construction activity or demolition without a Certificate of Appropriateness.* Construction activity or demolition without a Certificate of Appropriateness constitutes a violation of this Chapter and Code of Ordinances.
  - (1) When a property is found to have commenced construction activity or demolition without issuance of a Certificate of Appropriateness or in violation of a Certificate of Appropriateness, a stop-work order will be issued by the Planning and Zoning Department Division of Code Enforcement.
  - (2) If a violator does not apply for a Certificate of Appropriateness and applicable building permits within the standard time allowed by procedures of the Division of Code Enforcement, additional remedy may be taken through the administrative adjudication process as per Chapter 2.5 of this Code of Ordinances.
- (b) *Demolition by neglect.* Demolition by neglect of a significant or contributing structure of a historic district or of a designated local landmark constitutes a violation of this Chapter.
  - (1) *Standards.* Upon receipt of a complaint, code enforcement inspectors will apply the following standards when making a determination regarding cases of demolition by neglect, if, and only if, their condition is contributing to the

deterioration of structural or architectural integrity of the structure:

- a. Deterioration of exterior walls, foundations or other vertical support that causes leaning, sagging, splitting, listing, or buckling.
  - b. Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing, or buckling.
  - c. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling.
  - d. Deterioration or crumbling of exterior plasters or mortars.
  - e. Ineffective waterproofing on exterior walls, roofs, and foundations, including broken windows or doors.
  - f. Rotting, holes, and other forms of decay.
  - g. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling where there is the possibility that the architectural details will be totally lost or destroyed.
  - h. Hazardous or unsafe building conditions, as determined by the Building Official.
- (2) *Violation procedure.* When a property is found to be under demolition by neglect, the Division of Code Enforcement will notify the property owner via certified mail of this violation and by posting a notice conspicuously on the property. If the violator or his or her agent does not apply for a Certificate of Appropriateness to remedy the situation within 30 days of receipt of the violation, additional remedy may be taken through the administrative adjudication process outlined in Chapter 2.5 of this Code of Ordinances.
- (3) Should a property owner be granted a Certificate of Appropriateness to remedy the violation, he or she has six months from issuance of a building permit to complete the approved scope of work. If the property owner has not filed an extension to his or her building permit, the Division of Code Enforcement may initiate administrative adjudication hearings upon the property.
- (4) When a property owner or agent applies for a Certificate of Appropriateness in response to a demolition by neglect violation, the Division of Code Enforcement may not initiate administrative adjudication hearings until a Certificate of Appropriateness has been denied and the decision is final.
- (5) *Emergency procedures.*
- a. *Generally.* Notwithstanding anything contained herein to the contrary, the Parish is hereby authorized, as per Section 105-43 of this Code of Ordinances, to take immediate steps to remediate a violation consisting of a hazardous or unsafe structure where there is evidence of immediate danger or hazard to the health, safety and welfare of the adjoining property or to the citizens of the Parish.
  - b. *Emergency certificates of appropriateness.* Approval of an emergency demolition or removal of a structure posing an



imminent threat to public safety, following the procedures of Section 105-43, will be considered an emergency approval of a Certificate of Appropriateness. Approval of emergency Certificates of Appropriateness will be reported to the Historic District Commission as needed.

(c) *Penalty provisions.* The following penalty provisions are to be applied by the hearing officer overseeing administrative adjudication proceedings in response to cases filed by the Division of Code Enforcement relative to the enforcement of a violation of this Chapter:

- (1) Any owner, agent, lessee, or other person acting for or in conjunction with him or her, who violates this Chapter, its laws, rules and regulations or a decision of the Historic District Commission will be fined, for each offense, not less than fifty (50) dollars nor more than one hundred dollars, with each day the violation continues constituting a separate offense, plus court costs.
- (2) Any owner, agent, lessee, or other person acting for or in conjunction with him or her, who demolishes a structure or edifice without having been issued a Certificate of Appropriateness, will be fined a single fine of not less than \$1,000 nor more than \$10,000 based upon the historical significance of the structure or edifice as designated by the historical structure survey on file with the Parish and as determined by the hearing officer of the administrative adjudication proceedings, plus court costs.

Unless specified, this ordinance becomes effective five (5) days after publication in the Official Journal and upon development of an application process by the Planning and Zoning Department.

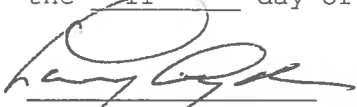
**BE IT ORDAINED**, that the St. John the Baptist Parish Council is acting as the governing authority for said Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

**YEAS:** Sorapuru, Becnel, Remondet, Madere, Snyder, Wright, Perrilloux, Malik, Hotard

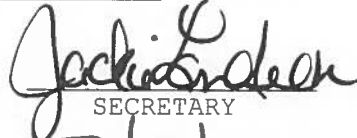
**NAYS:** None    **ABSENT:** None    **ABSTAINING:** None

The result of the vote on the ordinance was 9 **YEAS**, 0 **NAYS**, 0 **ABSENT**, 0 **ABSTAINING**, and this ordinance was declared adopted on the 11<sup>th</sup> day of July, 2017.



COUNCIL CHAIR

7/13/17  
Date signed



SECRETARY

7/13/17  
Date signed



PARISH PRESIDENT

7/13/17  
Date signed

CERTIFIED, to be a true and correct copy of an ordinance adopted by the St. John the Baptist Parish Council on the 11 day of July, 2017.

  
SECRETARY

