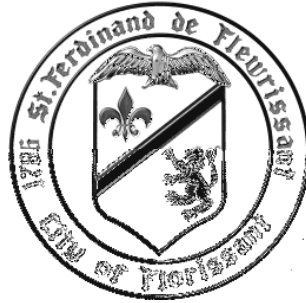


# INFORMATION & INSTRUCTIONS FOR APPLICATIONS TO THE LANDMARK AND HISTORIC DISTRICT COMMISSION



City Of Florissant-Public Works  
314-839-7648

## **THIS INFORMATION IS DESIGNED TO ASSIST APPLICANTS IN APPLYING FOR AND UNDERSTANDING THE PROCEDURES OF PETITIONS THAT REQUIRE APPROVAL OR RECOMMENDED APPROVAL FROM THE LANDMARK, HISTORIC DISTRICT COMMISSION (LHDC).**

The Historic District is a part of the City's Zoning Code that has guidelines for homes and other buildings in this District. The Historic District Guidelines do not prevent a person from renovating or adding onto their home, and is only intended to guide property owners with additions, alterations and repairs that may alter the area's historical and architectural significance. Copies of the Historic District Guidelines along with samples of paint color chips are available in the Public Works Department at City Hall. The Design Guidelines include the following;

- Exterior materials, including the use and maintenance of masonry, stucco, siding, wood, architectural metals and colors;
- Rehabilitation or replacement of roofs, doors, windows, porches, missing masonry features, and decorative ornamentation;
- Garages, outbuildings and new construction and additions, including building mass, patterns, alignment, proportion/scale, materials and variances.

Construction, alteration, rehabilitation, new construction or earth disturbing activities within a Landmark property requires a Certificate of Appropriateness (COA) from the Landmark and Historic District Commission (LHDC). The COA assures that the work being done conforms with the Design Guidelines and maintains the property's historical and architectural significance. An application to the LHDC is to be submitted and approved with a COA issued prior to the issuance of a building permit. Per the City code, plans that also require approval of the Planning and Zoning Commission and / or the City Council require a recommendation from the LHDC.

The LHDC continues to develop and maintain specific design guidelines based on historic preservation resources including, the Old Town Development Plan as amended through the Planning and Zoning Commission. The LHDC can grant variances for signs, approval of fences and assists the Council regarding any property, including easements involving historic resources. To accomplish its duties, the LHDC can retain specialists or consultants within budgetary limits and speaks publicly on any matter that historically, archaeologically or culturally affects a significant property, structures, site or area.

## PROCEDURE

- Applications and plans must be received two weeks prior to the requested LHDC meeting to allow for staff review and report.
  - Upon a review and approval of the materials submitted, the petition is placed on the next LHDC agenda.
  - The petitioner or agent would be asked to come forward at the LHDC meeting, state and sign their name and present their petition to the commission.
  - The LHDC members would address any concerns or ask questions that they may have with the petition and then make a motion to approve, recommend approve or deny the request. In some cases the Commission may request additional information.
  - The LHDC Commission meets at 6:30 p.m. on the fourth Monday of each month in the second floor conference room at Florissant City Hall, unless scheduled otherwise.
  - The Planning and Zoning Commission meets at 7:00 p.m. on the first and third Mondays of each month in the Council Chambers at Florissant City Hall, unless scheduled otherwise.
  - The Florissant City Council meets at 8:00 p.m. on the second and fourth Mondays of each month in the Council Chambers at Florissant City Hall, unless scheduled otherwise.
  - The procedure to petition Council for an ordinance requires a recommendation from the Planning and Zoning Commission and then on to Council for the consideration of an ordinance.
1. Complete a Florissant LHDC application and if applicable, a Planning and Zoning application.
  2. There is no fee for the LHDC application however if required to appear before Planning and Zoning or City Council the fees would be as follows:
    - For the Planning and Zoning Commission there is a \$50.00 processing fee required.
    - For the City Council a small fee would be required for the Public Hearing that would be established by the City Clerk.
  3. Submit nine (9) folded copies of documents, plans or drawings.
  4. Upon receipt of the required information and appropriate fee, City staff reviews the material submitted, if all items are in order you would be placed on the next available agenda. Should additional information be required, a staff member will contact you.
  5. The petitioner presents their petition to the Landmark, Historic District Commission for approval. Upon approval from the LHDC, a Certificate of Appropriateness would be completed by City Staff and issued. Once the Certificate of Appropriateness has been issued, a submission for building permits can be made.

If the petition requires a recommendation from the LHDC, would the petitioner shall appear before the Planning & Zoning Commission and / or the City Council. The recommendation would be one of the following.

- Recommend approval or recommend approval with stipulations.
- Recommend denial.
- Recommended continuance, If the commission request additional information from the petitioner then the petition would be continued to the next LHDC meeting. The additional information or drawings must be submitted a in advance to allow time for the staff to review.
- Denied.

NOTE: If the recommendation is a denied it would take a super majority of votes from the City Council to approve the petition.

## **ADDITIONAL INFORMATION**

The LHDC surveys and investigates properties and makes recommendations to Council and the Planning & Zoning Commission on city ordinances, designates properties, areas or structures having special cultural, historic, archaeological, community or architectural value and maintains a ledger of properties.

The LHDC assists owners, confers recognition of properties, advises owners with restoration and informs and educate the citizens regarding historic properties and helps citizens to nominate Landmarks and Historic Districts within the city.

The LHDC duties include the review of applications for construction, alteration, off-site relocation or demolition and issue Certificates of Appropriateness for “Re-Designated Landmarks within the city and can issue stop work orders on work that proceeds without Certificates of Appropriateness. The LHDC can consider applications from Owners for Certificates of Economic Hardship that would allow the work of a Certificate of Appropriateness that has been denied.

The LDHC continues to develop and maintain specific design guidelines based on historic preservation resources including, the Old Town Development Plan as amended, working through the Planning and Zoning Commission by making recommendations, reviews proposed zoning amendments, can grant variances for signs, approval of fences and assists the Council regarding any property, including easements involving historic resources. To accomplish its duties, the LHDC can retain specialists or consultants within budgetary limits, speak publicly on any matter affecting historically, archaeologically, culturally and architecturally significant property, structures, sites and areas.

### **Nomination and Designation Procedures: To nominate or designate a Landmark or Historic District:**

- A. An Owner, member of LHDC or a member of the Council shall complete an Application
- B. Notice of Nomination will be sent to the Owner of record at least 21 days prior to the public hearing seeking consent.
- C. If Consent of the Property Owner is not given the nomination then requires a vote of 5 of 7 members of LDHC and 8 members of Council.
- D. In the case of a District Nomination and if Consent of 60% of Property Owner within the proposed Historic District is not given, the nomination then requires a vote of 5 of 7 members of LDHC and 8 members of Council.
- E. Interim Control. “No permit shall be issued from the application date until final disposition is given by Council, unless the alteration is authorized by the LHDC, but shall not be delayed more than 180 days.”
- F. The LHDC shall determine if the nomination meets one or more Criteria::
  1. Its character, interest or value.
  2. Its overall setting and harmony.
  3. Its potential to be returned to and accurate historic appearance.
  4. Its location.
  5. Its identification.
  6. Its embodiment of distinguishing characteristics.
  7. Its identification as the work of a master builder, designer, or architect.
  8. Its embodiment of elements make it architecturally significant
  9. Its embodiment of elements make it structurally or architecturally innovative.
  10. Its unique location establishes it as a feature.

11. Its character as a unique example of an utilitarian structure, i.e. barn, farmhouse or commercial structure.
  12. Its suitability for preservation, its integrity worthy of restoration.
  13. Its potential to yield information.
  14. With respect to an Historic District, the LHDC also considers
    - a. Linkages or continuation of related properties that contribute to each other
    - b. The importance of the District
  15. With respect to property that has no structures, the LHDC and Council must find considerable historic significance of the property.
- G. Notice and Public Hearing on Landmarks are to be sent by certified mail to the Owners of record.
- H. LHDC shall issue a Report and Recommendation on whether the nomination meets criteria to Council within 60 days which shall contain the following information:
1. Explanation of the significance
  2. Explanation of the integrity
  3. Proposed design guidelines
  4. A map showing location of landmark, district or resource nominated
  5. In the case of a nomination that is found to meet the criteria for designation:
    - a. The significant exterior features needing to be protected.
    - b. The alterations and demolitions that should be reviewed.
    - c. Archaeological significance and recommendations for interpretation and protection.
  6. In the case of an Historic District found to meet the criteria:
    - a. The significant exterior features to be protected
    - b. The alterations and demolitions that should be reviewed
    - c. The type and significance of historic and prehistoric archaeological sites within the nominated Historic District
    - d. Proposals for design guidelines;
    - e. Relationship of the District to the ongoing effort of the LHDC
  7. LHDC recommendations are sent to Council within 7 days following its vote
- I. Notification of Determination sent to Owner of record within 7 days following its recommendation
- J. Action By City Council will be at a public hearing established and duly advertised.
- K. Designation Declaration will be issued by the City Clerk within 7 days following City Council Action.
- L. The Designation Ordinance will then be written with the Landmark classified as H District.

### **To Redesignate Existing Landmarks and Historic Districts**

- A. On January 22, 2006 all the designations as a Landmark were deemed to be rescinded.
- B. Upon these rescinded landmarks, Owners were contacted by certified mail.
- C. After January 22, 2006, all structures and properties designated as being within a “H” Zoning District retained such zoning.
- D. The Council may amend or Rescind a Designation
  1. Council may amend or rescind or change the classification to “non-contributing” by ordinance by simple majority of the LHDC and Council.
  2. Within 7 days after amending or rescinding a Landmark, the City shall send to property owners a copy of the ordinance for recording.

## **Applications for Certificates of Appropriateness**

- A. A Certificate of Appropriateness is required before ANY construction, demolition, alteration, relocation, new construction, or any construction, alteration or removal involving earth-disturbing activities that affect designated archaeological resources.”
- B. Applications for a Certificate of Appropriateness shall include proposed plans, specifications in sufficient detail for the LHDC to have full knowledge of the requested action, including the action’s affect.
- C. Applications for a Building Permit shall be forwarded within 7 days to the LHDC for ruling prior to issuance..
- D. General Standards for Review for Cert. of Appropriateness are guided by the Old Town Development Plan for the Historic District, the (Federal) Secretary of the Interior's Standards for the Rehab of Historic Structures, the LHDC and the following standards:
  1. Minimal change to the defining characteristics.
  2. Historic character is to be preserved.
  3. Sites, structures and objects shall be recognized as products of their time.
  4. Alterations or additions that have acquired historic significance in their own right should be retained and preserved.
  5. Distinctive features, finishes and examples of craftsmanship should be preserved.
  6. Deteriorated architectural features shall be repaired.
  7. Chemical or physical treatments should be avoided.
  8. Contemporary design for alterations and additions to existing properties should not be discouraged, if appropriate.
  9. For additions or alterations, the essential form and integrity of the structure should be unimpaired.
  10. Certain building materials are prohibited on Landmark structures, including:
    - a. Vinyl or aluminum siding
    - b. Any other imitation siding
  11. The construction, alteration, repair or maintenance of all signs within the "H" Historic District shall be governed by the Florissant Code of Ordinances pertaining to signage.
  12. Additional design standards adopted by the LHDC, Planning and Zoning Commission and City Council.
- E. Standards For Certificate Of Appropriateness Involving New Construction shall address:
  1. Scale and form.
    - a. Height and width; visually compatibility.
    - b. Proportion of principal facades.
    - c. Roof shape.
    - d. Scale of a structure.
  2. Composition of principal facades.
    - a. Proportion of openings.
    - b. Rhythm of solids to voids in facades.
    - c. Rhythm of entrance porch and other projections.
    - d. Relationship of materials.
  3. Relationship to street.
    - a. Walls of continuity.
    - b. Rhythm of spacing and structures on streets.
    - c. Directional expression of principal elevation.
    - d. Streetscape-pedestrian improvements.
  4. Subdivision of lots shall be subject to review by the Building Commissioner.

- F. Standards For Certificate Of Appropriateness For Off-Site Relocation Of Landmark Or Historic District Contributing Structure. The LHDC shall find that the project substantially complies with the following standards:
1. The proposed off-site relocation will abate demolition of the structure.
  2. Will not diminish the overall physical integrity of an "H" Historic District or historical associations .
  3. Will not diminish the historical or architectural significance of the structure.
  4. A professional building mover will move the building.
  5. A financial guarantee to ensure the rehabilitation of the structure.
- G. Standards For Certificate Of Appropriateness For Demolition Of Landmark Or Historic District Contributing Resource:
1. The LHDC shall only approve the application upon finding that the project fully complies with one (1) of the following standards:
    - a. The demolition is appropriate.
    - b. The physical integrity of the site is no longer evident.
    - c. The streetscape ... would not be negatively affected.
    - d. The site has not suffered from willful neglect.
      - 1) Willful or negligent acts that deteriorates the structure.
      - 2) Failure to perform repairs.
      - 3) Failure to diligently solicit and retain tenants; and
    - e. An estimate including information about whether the maintenance, use and/or alteration of the property would cause immediate and substantial harm.
    - f. Whether the demolition will be detrimental to the historic and architectural character of the neighborhood or the LHDC shall consider whether the property can be put to use and shall consider any economic hardship if demolition is denied.
    - g. The comments of any civic groups.
    - h. The denial would cause an economic hardship.
  2. The LHDC may defer the decision on a Certificate of Appropriateness for demolition for up to one (1) year from the date of application for a Demolition Permit. The applicant must (take) these actions:
    - a. Marketing the property for sale or lease.
    - b. Filing an application for alternative funding.
    - c. Filing an application for alternative uses.
  3. Upon the completion of the one (1) year period, the LHDC shall make a final decision.
  4. Upon approval of a Certificate of Appropriateness for demolition the LHDC shall require the applicant to record the structure being demolished.
  5. Prior to approval, the LHDC shall review the post-demolition plans and a bond may be required by the Building Commissioner:
    - a. The bond shall be sufficient to cover the estimated costs to (1) restore the grade, (2) install an automatic sprinkling system, and (3) to revegetate and landscape.
    - b. The bond shall require installation of landscape/systems within six (6) months.

### **Determinations By The Landmark And Historic District Commission**

- A. The LHDC shall consider the petition at its next regular meeting and shall make its determination within ninety (90) days unless extended by the LHDC and the applicant. The LHDC may delay for up to one (1) year in order to encourage and facilitate the sale or may call special meetings to review the application.

- B. The LHDC may approve, deny or approve in amended. If an applicant chooses not to accept a proposed amendment, the application is considered denied... Within three (3) working days, written notice of the approval or denial of the application will be sent to the applicant.
- C. A Certificate of Appropriateness shall become void unless construction is commenced within six (6) months and is issued for a period of eighteen (18) months and are renewable upon approval of the Building Commissioner who (shall) inspect and stop any unauthorized work.
- A. Stop Work Order. The Building Commissioner shall issue a stop work order to the owners, and notify them of the process of applying for a Certificate of Appropriateness when required.

**Review Of Public Improvement Projects requested by any City Department shall be reviewed by the LHDC in the following manner:**

- A. The LHDC shall review and comment on any public improvement project within any "H" Historic District on the site of or within two hundred (200) feet of any Landmarks or within two hundred (200) feet of any boundary of an "H" Historic District. The LHDC shall have at least thirty (30) days to complete its review and report to the City Council (unless accelerated by Public Works).
- B. The LHDC shall determine its effect upon the historic, archaeological or architectural character and report to the City Council within forty-five (45) days and include any recommendations for changes.

**“Definition And Determination Of Economic Hardship. The LHDC shall require the applicant to provide evidence that regulations deprives the applicant of reasonable economic use:**

- A. An application for determination of economic hardship must include photographs, information for the LHDC to make findings.
- B. The LHDC shall apply the following standards:
  - 1. The applicant's knowledge of the landmark designation.
  - 2. The current level of economic return.
    - a. The amount paid for the property.
    - b. The annual gross and net income from the property over three (3) years.
    - c. Remaining balance on the mortgage for three (3) years.
    - a. Real estate taxes for four (4) years and assessed value, (2) most recent assessed valuations of the St. Louis County Assessor.
    - b. All appraisals within two (2) years by the owner.
    - c. The fair market value of the property.
    - d. Form of ownership.
    - e. Any State or Federal income tax returns within two (2) years.
  - 3. The marketability of the property for sale or lease over last two (2) years can include this testimony:
    - a. Any real estate broker or firm.
      - 1) Reasonableness of the price or rent sought by the applicant, and
      - 2) Any advertisements placed for the sale or rent of the property.
    - b. The unfeasibility of alternative uses can be considered in relation to:
      - 1) A report from a registered professional.
      - 2) Cost of the proposed construction.
      - 3) Estimated market value.
      - 4) The testimony of an architect.
    - c. Economic incentives and/or funding sources available.

**Procedure for determination of economic hardship. The LHDC shall establish a three (3) person economic review panel or as appointed by the Mayor to:**

1. Review of evidence of hardship.
2. Report of economic review panel shall be complete within forty-five (45) days after panel is established.
3. Determination of economic hardship shall be then made at the next regular meeting of the LHDC, which shall take final action on the application:
  - a. Finding of economic hardship. If the LHDC finds an economic hardship, then a Certificate of Appropriateness for demolition is issued.
  - b. Denial of economic hardship. If the LHDC finds (no) economic hardship, then the Certificate for demolition is denied.
  - c. Consistency with the economic review panel must be held (or) by a vote of three-fourths ( $\frac{3}{4}$ ) of the majority of a quorum, the LHDC can find otherwise.

**Maintenance Of Historic Properties.**

1. Ordinary maintenance exclusion: Nothing herein shall prevent the ordinary maintenance of Historic Properties.
2. Definition of ordinary maintenance: “the purpose and effect of such work is to correct any deterioration.”
3. Minimum maintenance requirement. All buildings and structures designated by City ordinance as Landmarks or Historic District Contributing Resources shall be preserved to protect from defects:
  - a. The deterioration of exterior walls or other vertical supports;
  - b. The deterioration of roofs or other horizontal members;
  - c. The deterioration of external chimneys;
  - d. The deterioration or crumbling of exterior plasters or mortar;
  - e. The peeling of paint, rotting, holes and other forms of decay;
  - f. Broken windows;
  - g. The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures and landscaping;
  - h. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
4. Failure to maintain. The Building Commissioner shall notify the Owner and allow thirty (30) days from the receipt of notice to comply with the minimum maintenance requirements.

**Review Of Applications For Zoning Amendments, Special Use Permits And Variances.** The LHDC may review these applications using any format and shall forward comments the Building Commissioner for presentation to the Planning and Zoning Commission within fifteen (15) days.

**Appeals.** Under the Administrative Procedure Act, such a petition must be made within thirty (30) days after the decision is rendered by the LHDC or the City Council.

**Fees And Penalties** are as set forth in the appropriate Chapter of the City Code.

**SHOULD YOU HAVE ANY QUESTIONS WITH THIS PROCESS PLEASE CONTACT PHILIP LUM, THE CITY BUILDING COMMISSIONER AT 839-7642 OR BY E-MAIL AT PLUM@FLORISSANTMO.COM**