

HISTORIC DISTRICT ORDINANCE FOR OPELOUSAS, LOUISIANA CERTIFIED LOCAL GOVERNMENT

8/3/2001

WHEREAS, the City Council is desirous of promoting the educational, cultural and economic welfare of the public of the City by preserving and protecting historic structures and neighborhoods which serve as visible reminders of the history and heritage of the city, region, state and nation, and furthermore it is the purpose of this ordinance to strengthen the economy of the City by stabilizing and improving property values in historic areas and encourage responsible economic development, and appreciation and recognition of our unique heritage;

I. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Opelousas in legal session convened, as follows, to-wit:

SECTION 1. Commission Established

There is hereby created a Commission to be known as the Historic District Commission of the City of Opelousas.

SECTION 2. Recommendation and Appointment of Members

~~The commission shall consist of no fewer than five and no more than nine members, all of whom shall be residents of Opelousas or members of the Opelousas business community, and shall be appointed by the Mayor. Members may be removed for just cause.~~

SECTION 3. Term; Vacancies

Each of the members of the Commission shall be appointed for a term of four (4) years. The members of the Commission shall elect the Chairman. Whenever the term of a member of the Commission expires, the Mayor shall appoint his successor. The members may serve consecutive terms. The first commission shall have staggered terms: $\frac{1}{4}$ with one (1) year terms, $\frac{1}{4}$ with two (2) year terms, $\frac{1}{4}$ with three (3) year terms and $\frac{1}{4}$ with four (4) year terms. All commission members shall have a demonstrated knowledge of or interest, competence, or expertise in historic preservation. The commission shall seek the advice, as needed of professionals in the related disciplines of architectures, history, architectural history, or archaeology, etc.

SECTION 4. Administration and Committees

The Director of Community Development of the City of Opelousas will serve as advisor to the Commission and will act as liaison between the Commission and the Office of the Mayor. Nominal expenses necessary to carry out the duties of the Commission will be budgeted through the aforementioned department. The director will designate the Recording Secretary for the Commission and the department will maintain all files, records, and minutes of the Commission. The Commission may designate and appoint, from among its members, various committees with such powers and duties as the Commission may have and prescribe.

SECTION 5. Rules, Regulations and Guidelines; Meetings; Reports; Recommendations

The Commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its administrative affairs not inconsistent with the laws of the City and State.

The Commission shall meet monthly, unless no application for a Certificate of Appropriateness has been submitted, however, meetings may be called at any time by the Commission on the written request of any of the Commission members or on the call of the Chairman of the Commission, or on the call of the Mayor. Copies of the rules, regulations and guidelines are available at the Code Enforcement Officer's Office and the Historic District Commission Office.

SECTION 6. Purpose

The City of Opelousas Historic District Commission shall have for its purpose the preservation and stewardship of all structures in the designated Historic District of the City. The Commission shall have for its further purpose the guardianship of those areas and structures which have an architectural and historical value and which should be preserved for the benefit of the people of the City and State.

To Wit, the goals of the Opelousas Historic District are as follows:

- A. Protect, enhance and perpetuate resources which represent distinctive and significant elements of the city's historical, cultural, social, economic, political, archaeological, and architectural identity;
- B. Insure the harmonious, orderly, and efficient growth and development of the city;
- C. Strengthen civic pride and cultural stability through neighborhood conservation;
- D. Stabilize the economy of the city through the continued use, preservation, and revitalization of its resources;
- E. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- F. Promote the use of resources for the education, pleasure, and welfare of the people of the city of Opelousas;
- G. Provide a review process for the preservation and appropriate development of the city's resources.

SECTION 7. Definition of Historic District

The following area of the City of Opelousas is designated as the "Opelousas, Historic District," to wit:

Beginning at a point which is the intersection of a point located 100 feet south of the south right-of-way of Berthaud Avenue and the center line of the abandoned Southern Pacific Railroad, thence in a northerly direction along the center line of the abandoned Southern Pacific Railroad to a point which is 100 feet north of the projection of the north right-of-way of Church Street, thence in an easterly direction parallel to and 100 feet north of the north right-of-way of Church Street to a point which is 100 feet to the west of the west right-of-way of LA Hwy 182 (Main Street), thence in a northerly direction parallel to and 100 feet west of the west right-of-way of La Hwy 182 (Main Street) to a point which is 100 feet north of the north right-of-way of Prudhomme Lane; thence in an easterly direction parallel to and 100 feet north of the north right-of-way of Prudhomme Lane to a point that is 100 feet east of the east right-of-way of Tunica Drive; thence in a southerly direction to a point which is the intersection of the south right-of-way of Prudhomme Lane and 100 feet east of the east right-of-way of Wallior Street; thence in a southerly direction on a line that is 100 feet east of and parallel to the east right-of-way of Wallior Street to the point which is 100 feet south of the south right-of-way of U.S. Hwy 190;

thence in a westerly direction along a line that is 100 feet south of and parallel to the south right-of-way of U.S. Hwy 190 to a point which is 100 feet to the east of the east right-of-way of Oak Street, thence in a southerly direction along a line which is 100 feet to the east of and parallel to the east right-of-way of Oak Street to a point which is 100 feet to the north of the north right-of-way of Leonard Street; thence in a westerly direction along a line that is 100 feet to the north of and parallel to the north right-of-way of Leonard Street to a point which is 100 feet to the east of the projection of the east right-of-way of Azalea Street; thence in a southerly direction along a line that is 100 feet east of and parallel to the east right-of-way of Azalea Street to a point which is 100 feet south of the projection of the south right of-way of Willow Street; thence in a westerly direction along a line that is 100 feet south of and parallel to the south right-of-way of Willow Street to a point which is 100 feet east of the east right-of-way of Union Street; thence in a southerly direction along a line that is 100 feet east of and parallel to the east right-of-way of Union Street to a point which is 100 feet south of the south right-of-way of Cresswell Lane thence in a westerly direction along a line that is parallel to the south right of way of Cresswell Lane to a point that is 100 feet to the west of the west right -of-way of Union Street; thence in a northerly direction along a line that is 100 feet to the west of and parallel to the west right-of-way of Union Street to a point which is 100 feet to the south of the south right-of way of Berthaud Street; thence along a line that is 100 feet south of and parallel to the south right-of-way of Berthaud Street to its intersection with the centerline of the abandoned Southern Pacific Railroad which is also the point of beginning.

Should any portion or part of a parcel of land fall within the above described boundary of the Historic District, then the whole of set portion or parcel of land shall be considered to be within the boundaries of the Historic District.

SECTION 8. Procedures for Application of Certificate of Appropriateness

- A. Whenever any application for a certificate of appropriateness is filed with the Code Enforcement Officer, the Officer shall immediately notify the Opelousas Historic Commission that the application has been filed.
- B. The Commission shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the Commission shall not be considered to have been filed for the purposes of this ordinance. The Commission shall develop standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.
- C. Members of the Commission shall establish a regular schedule for the meetings of the Commission. One meeting shall be scheduled for each month unless no application for a Certificate of Appropriateness has been submitted. However, the Commission has to meet at least once every quarter even if no applications for a Certificate of Appropriateness have been submitted.
- D. The applicant shall, upon request, will have the right to a preliminary conference with the commission staff or the chairman or vice-chairman for the purpose of learning whether changes or adjustments to the application could make it more consistent with the Commission's standards.

- E. Not later than six (6) days before the date set for the meeting to discuss the application, the Code Enforcement Officer shall notify the applicant at the address in the application of the date set for the meeting.
- F. At the scheduled hearing, the applicant for a Certificate of Appropriateness shall have the right to present any relevant information pertaining to the application. Likewise, the city, the Commission, and its staff, and members of the public shall have the right to present any additional relevant information pertaining to the application.
- G. The Commission, at either a preliminary conference or hearing, shall have the right to recommend changes and modifications to enable the applicant to meet the requirement of the commission. If the commission chooses to do this at a preliminary conference after an application for a Certificate of Appropriateness has been filed, then the time during which the Commission must render its decision, shall be extended by thirty (30) days in order to permit the applicant to prepare any new drawings or other submissions which prove necessary.
- H. Within not more than fifteen (15) days after the hearing on an application, the Commission shall act upon it, either approving, denying, or deferring action until the next meeting of the Commission, giving consideration to the factors set forth in Section VII hereof. Evidence of approval of the application shall be by Certificate of Appropriateness issued by the Commission and, whatever its decision, notice in writing shall be given to the applicant and the Code Enforcement Officer.

- I. Failure by the Commission to reach and render a decision within forty-five (45) days of the date of filing of the application with the Commission shall be taken to constitute approval of the application by the Commission, unless the applicant has requested that the Commission delay its decision beyond the forty-five (45) day period otherwise required.
- J. The issuance of a Certificate of Appropriateness shall not relieve an applicant for a companion building permit, special use permit, variance, or other authorization from compliance with any other requirement or provision of the laws of the city concerning zoning, construction, repair, or demolition. In all such cases, applicants are encouraged to apply first for a Certificate of Appropriateness as other city agencies will be advised by the Historic District Commission in making their subsequent decisions.
- K. No building permit, which affects a resource, shall be issued by the Code Enforcement Officer prior to the issuance of a Certificate of Appropriateness by the Commission. Even if a building permit is not otherwise required by the city ordinances for construction, alternation, demolition, or relocation of any resource, a Certificate of Appropriateness from the Commission is required.

SECTION 9. Submission of Plans to Commission for Exterior Changes

- A. The owner of any property within the Historic District shall apply for a permit or Certificate of Appropriateness from the Commission before the commencement of:
 - 1. The erection of any new building or other construction in the Opelousas Historic District; or
 - 2. The alteration or addition to any existing structure in the Opelousas Historic District; or

