1003.191 Landmark and Preservation Area (LPA).

1. Purpose and Intent.

The purpose of this section is to promote the general welfare, heritage, education, and economic benefit of St. Louis County, through the preservation, protection, and regulation of buildings, sites, structures, monuments, and neighborhoods of historic, architectural, cultural or archeological significance. It is further the intent of this procedure to encourage the adaptation of these buildings, sites, structures, etc. for current use.

2. In any zoning district, except "PS" Park and Scenic District, a single parcel or geographic area may be designated as a Landmark and Preservation Area thereby encouraging the preservation, enhancement, rehabilitation, and perpetuation of the landmark building, structure or area. The Planning Commission may recommend and the County Council, by ordinance, may approve designation for a specific parcel or area provided the area is characterized by one or more of the following criteria:

   (1) Has significant character, interest or value as part of the development, heritage or cultural characteristics of the County of St. Louis, State of Missouri, or the United States.
   (2) Is the site of a significant historic event.
   (3) Is the work of a designer whose individual work has significantly influenced the development of the St. Louis region, State of Missouri or United States.
   (4) Contains elements of design, detail, materials, or craftsmanship which represent a particular architectural style or significant innovation.
   (5) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of a neighborhood, or within St. Louis County.

3. Additional Permitted Land Uses and Developments:

Designation as a Landmark and Preservation Area qualifies property for additional uses beyond those permitted or conditional uses in the zoning district in which the property is located. A designated Landmark and Preservation Area may contain such of the following additional uses as determined by the Planning Commission and the County Council provided that these uses shall not create an appreciable increase in land use intensity, beyond what normally occurs in the applicable zoning district, nor substantially alter or affect the character of surrounding development:

   (1) Offices.
   (2) Limited service and retail facilities, in which goods and services may be sold or provided directly to the public on the premises, such as, but not limited to, studios or galleries for artwork or antiques; studios or work areas for artists, candymakers, dressmakers, tailors; music teachers; dance teachers; restaurants (excluding fast food restaurants). In no case shall any use involving the manufacture of products be permitted to occupy more than 4,000 sq. ft. of gross floor area.
   (3) Offices (as permitted in (1) above) with affiliated dwelling units, wherein occupancy of the dwelling unit shall be limited to the owner, manager, or employee of the office use and their respective families.
   (4) Child care centers, nursery schools, day nurseries.
   (5) Single-, two-, and multiple family dwellings.

4. All such additional uses shall conform to specific conditions established in the ordinance governing the particular Landmark and Preservation Area concerning, but not limited to the following:

   (1) Building appearance
   (2) Number of employees or pupils
5. **Performance Standards.**

All uses established in a Landmark and Preservation Area shall operate in accord with standards contained in Section 1003.163 Zoning Performance Standards Regulations. These performance standards are minimum requirements and may be made more restrictive in the conditions of the ordinance governing the particular Landmark and Preservation Area.

6. **Height Limitations for Structures.**

Unless otherwise restricted by application of regulations in Section 1003.161 Air Navigation Space Regulations of this Chapter, the total height of any structure shall be limited by the applicable zoning district regulations. The height limitations may be made more restrictive in the conditions of the ordinance governing the particular Landmark and Preservation Area.

7. **Lot Area and Yard Requirements.**

   (1) **Minimum Lot Area:**

   The lot area for any use or new building in a Landmark and Preservation Area shall be governed by the regulations and the zoning district regulations in which the lot is located.

   (2) **Minimum Yard Requirements:**

   Setbacks for new parking areas and new structures shall be established in the conditions of the ordinance governing the particular Landmark and Preservation Area; however in no instance shall they be less restrictive than the requirements of the zoning district in which the property is located.

8. **Off-Street Parking and Loading Requirements:**

   The minimum off-street parking and loading requirements for any use or building in a designated Landmark and Preservation Area shall not be reduced below that required for the same use in any other "M" Industrial, "C" Commercial, "R" Residential, "NU" Non-Urban zoning district as set forth in Section 1003.165 Off-Street Parking and Loading Requirements. These requirements may be made more restrictive in the conditions of the ordinance governing the particular Landmark and Preservation Area. Where determined necessary and where the Landmark and Preservation Area includes two or more uses, the Planning Commission may recommend and the County Council may approve a total reduction of not more than twenty (20) percent of the required off-street parking and loading spaces, where it has been demonstrated by study of the combined uses and customary operation of the uses that adequate parking would be provided.

9. **Sign Regulations.**

   The number, type, and location of all signs, display or advertising devices proposed and visible from the public right-of-way shall be subject to the regulation and control of the particular zoning district in which the property is located as set forth in Section 1003.168 Sign Regulations; however these regulations may be made more restrictive in the conditions of the ordinance governing the particular Landmark and Preservation Area.

In order to establish a Landmark and Preservation Area the procedure shall be as follows:

(1) Application.

A petition shall be filed with the St. Louis County Council on forms prescribed for this purpose by the Planning Commission. Said petition may be initiated by the County Council, Planning Commission, the owner(s) of record or owners under contract of a lot or tract, or their authorized representatives, or by the owners of fifty (50) percent or more of the area (excluding streets and alleys) included within the proposed area.

(a) Three sets of forms shall be submitted to the Department of Planning on petitions initiated by owner(s) of record or owners under contract, or their authorized representative, or by owners of fifty (50) percent or more of the area in a proposed area and are to be accompanied by the following:
   (i) Filing fee per requirements of Section 1003.210 Fees.
   (ii) General location map, outboundary plat, and legal description of the property in question;
   (iii) A statement documenting the historic, architectural, cultural, archaeological or aesthetic significance of the proposed lot or lots;
   (iv) Summary, description, example or outline of proposed conditions to be applied within the area, including but not limited to, design and construction standards for building facades, setbacks, height, scale, material, color and texture, trim, roof design and landscaping; standards for the design details for all fences, street furniture, and signs.
   (v) A preliminary development plan indicating existing and proposed structures and uses of all properties within the proposed area including:
      (A) Existing and proposed contours at intervals of not more than five (5) feet referred to sea level datum.
      (B) Proposed ingress and egress to site, including adjacent streets.

(b) Petitions initiated by the County Council or Planning Commission shall be accompanied by the following:
   (i) A statement from the Historic Buildings Commission documenting the historic, architectural, cultural, archaeological or aesthetic significance of the proposed lot or lots.
   (ii) A survey of the property furnished by the Department of Planning from information of record.
   (iii) A letter of intent from the initiating party indicating the proposed uses.

(2) Public Hearing.

(a) A public hearing on the petition shall be held by the Planning Commission in the same manner and with the same public notice procedure as required in the procedure for amending the Zoning Ordinance, provided that a date for a public hearing shall be set within forty-five (45) days of acceptance of the petition by the Department of Planning. Additional time may be required to set a date for public hearing for petitions initiated by the County Council or the Planning Commission.

(b) Upon acceptance of the petition, the Department of Planning shall forward the application for Landmark and Preservation Area designation to the Historic Buildings Commission for their comments and recommendation.
(c) The Historic Buildings Commission shall make their comments and recommendation known to the Planning Commission and petitioner no later than seven (7) days prior to the public hearing before the Planning Commission. The said comments and recommendations shall be made available for public inspection. The Planning Commission will construe the absence of comment or recommendation as acceptance of the petition by the Historic Buildings Commission.

(3) Planning Commission Recommendation.

No action shall be taken by the County Council with respect to the petition until it has received the recommendation of the Planning Commission. Said recommendation shall include the comments and recommendation of the Historic Buildings Commission and shall address the comments and recommendation of the Historic Buildings Commission, general planning considerations, including consistency with good planning practice, and compatibility with adjoining permitted developments and uses. All recommendations shall be made in consideration of plans or area studies, subdivision and zoning requirements, and projected public improvements applicable to the area affected by designation. A recommendation of approval shall be accompanied by conditions to be included in the ordinance establishing the Landmark and Preservation Area or approval of a site development plan in a Landmark and Preservation Area. Such conditions shall include but not be limited to the following:

(a) Permitted uses, including maximum floor area;
(b) Preservation and design standards for all new construction, alteration, and repair;
(c) Height limitations;
(d) Review of exterior facade and design features or details by the Historic Buildings Commission;
(e) Minimum yard requirements;
(f) Off-street parking and loading requirements;
(g) Sign regulations;
(h) Requirements for deed restrictions, as applicable.

(4) Appeal or Protest to Commission Recommendation.

(a) Appeal by Petitioner to Recommendation of Denial.

The petitioner may file an appeal to the County Council of a Planning Commission recommendation of denial of an application for a Landmark and Preservation Area Procedure or an amendment thereto, in accord with the provisions of Section 1003.193 Appeal and Protest Procedure for Special Procedure Permits.

(b) Protest by Specified Nearby Property Owners to Recommendation of Approval.

Specified nearby property owners may file a Protest with the County Council against the Planning Commission's recommendation of approval of an application for a Landmark and Preservation Area Procedure or an amendment thereto in accord with the provisions of Section 1003.193 Appeal and Protest Procedure for Special Procedure Permits.

11. Procedure - Approval of Site Development Plan.

After passage by the County Council of an ordinance establishing a Landmark and Preservation Area, a site development plan shall be submitted in accord with the following provisions. No building permits or authorization for improvement or development shall be issued prior to approval of such plans.
(1) Plans for single lot developments shall be submitted to the Department of Planning to be reviewed for compliance with the zoning ordinances and then forwarded to the Historic Buildings Commission for review by the Historic Buildings Commission. Said plans shall contain the minimum conditions of the specific ordinance governing the Landmark and Preservation Area, and further, shall comply with provisions of the Subdivision Ordinance and other applicable County ordinances. Single lot development plans shall be recorded as outlined in Subsection 13.

(2) If development in a designated Landmark and Preservation Area requires trust indentures and/or maintenance agreements, a copy of the Landmark and Preservation Area ordinance shall be recorded with said indentures or agreements.

(3) In the case of multiple-lot developments, a site development concept plan for the designated area shall be submitted to the Planning Commission for review and approval. The concept plan shall be recorded as required by Subsection 13. Detailed site development section plans shall be submitted to the Department of Planning (and forwarded to the Historic Buildings Commission) for review and approval by the Planning Commission by individual building, lot, phase, or plat representing a portion of the site development concept plan. The detailed site development section plans shall be recorded as required in Subsection 13.

12. Procedure - Amendment of Conditions or Site Development Plan.

In order to amend conditions of an existing Landmark and Preservation Area or to amend the site development plan approved for the Landmark and Preservation Area, the procedure shall be as follows:

(1) To amend the Landmark and Preservation Area Ordinance:

   (a) The property owner or authorized agent shall submit a written request to amend ordinance conditions to the Department of Planning for review. A copy of the request shall be forwarded to the Historic Buildings Commission for review and recommendation. The Department shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing, and shall consider the comments of the Historic Buildings Commission.

   (b) If the Department determines that the requested amendment is consistent in purpose and content with the nature of the original proposal as advertised, the Department shall so report to the Planning Commission. The Planning Commission shall then review the request and the report of the Department, then forward a recommendation to the County Council. A recommendation of approval shall include conditions to be included in the amended ordinance.

   (c) If the Department of Planning determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Department shall so report to the applicant and the Planning Commission. The Planning Commission may forward a resolution of intent to the County Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance.

(2) To amend the Site Development Plan approved for the Landmark and Preservation Area:

   (a) The property owner or authorized representative shall submit an amended site development plan to the Department of Planning for review. The Department shall forward a copy to the Historic Buildings Commission for its review and recommendation. The Department shall then evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing, with the Historic Buildings Commission's recommendation, and the preliminary development plan approved by the County Council.
(b) If the Department of Planning determines that the proposed site plan amendment is not in conflict with the original proposal as advertised, and the approved preliminary development plan, and meets all conditions of the Landmark and Preservation Area ordinance, the Department upon recommendation of the Historic Buildings Commission may approve said amended plan. Said plan shall be recorded as required by Subsection 13.

(c) If the Department of Planning determines that the proposed site plan amendment is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, or with the preliminary development plan approved by the County Council, the Department shall so report to the applicant and the Planning Commission. The Planning Commission may forward a resolution of intent to the County Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance.

(d) Appeal to Commission of a Decision by Department in Reviewing Development Plan. The petitioner/developer may appeal a decision by the Department of Planning, in cases where the Department of Planning is authorized to review development plans, to the Planning Commission. The petitioner shall have a fifteen (15) day period in which to file a written appeal and plan with the Commission. The written appeal, stating the reasons for the appeal, shall be submitted to the Department. The Commission shall make the final determination of the matter. No exceptions will be granted that are in violation of the particular ordinance governing the development plan.

13. Recording.

Within sixty (60) days of approval of the initial, conceptual, or amended site development plan, the plan shall be recorded with the St. Louis County Recorder of Deeds, and thereby authorize development as depicted thereon.

14. The permitted uses established in the ordinance governing the particular Landmark and Preservation Area shall become effective upon recording of an instrument, approved by the Department of Planning and the County Counselor. This recorded instrument shall constitute an affirmative covenant running with the land for a period of time specified in the ordinance. This covenant shall require the continuation of the preservation of the structure, site or area and prohibit the demolition of any structure without approval by the Historic Buildings Commission and the County Council. The County Council may release the covenant upon receipt of a report from the Planning Commission.