

The Supreme Court of the State of Louisiana

THE DESCENDANTS PROJECT, ET AL.

No. 2025-C-00543

VS.

ST. JOHN THE BAPTIST PARISH, ET AL.

IN RE: Greenfield Louisiana, LLC - Applicant Defendant; Applying For Writ Of
Certiorari, Parish of St. John the Baptist, 40th Judicial District Court Number(s)
77,305, Court of Appeal, Fifth Circuit, Number(s) 24-CA-493;

November 12, 2025

Writ application granted. See per curiam.

WJC
JLW
JDH
JBM
PDG
CRC

Guidry, J., dissents and assigns reasons.

Supreme Court of Louisiana
November 12, 2025

Katio Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-C-00543

THE DESCENDANTS PROJECT, ET AL.

VS.

ST. JOHN THE BAPTIST PARISH, ET AL.

On Writ of Certiorari to the Court of Appeal, Fifth Circuit,
Parish of St. John the Baptist

PER CURIAM

Pursuant to the provisions of Article 966(H) of the Louisiana Code of Civil Procedure, the parties were ordered to file written briefs addressing the question of whether summary judgment in this matter is appropriate. Now that the parties have fully briefed the issues before this court, the writ is granted and judgment is rendered as follows.

At issue in this proceeding is the validity of Ordinance 90-27, adopted in 1990 by the St. John the Baptist Parish Council to change the zoning of certain immovable property in the parish. Plaintiffs maintain the parish council failed to follow the proper procedures for amending the proposed ordinance.

Under the parish’s code of ordinances, a change in the parish’s official zoning map “shall not become effective unless it . . . shall first have been submitted to the planning commission for review and recommendation.” *See* St. John Baptist Code of Ordinances, Section 113-76. In compliance with this requirement, the original proposed ordinance was reviewed and unanimously approved by the planning commission.

The matter then advanced to the parish council. There, the parish’s Home Rule Charter sets forth detailed procedures for the adoption of an ordinance. *See* St.

John Baptist Par. H.R.C., Art. IV. In relevant part, the parish council must hold a public hearing, duly noticed, to consider a proposed ordinance. *See* St. John Baptist Par. H.R.C., Art. IV, Sec B(3)(b). At that hearing, “[a]fter all persons have been given the opportunity to be heard, the council may pass the ordinance *with or without amendments.*” *See* St. John Baptist Par. H.R.C., Art. IV, Sec B(3)(d) (emphasis added). This amendment authority is subject to the following limitations:

A proposed ordinance shall not be altered or amended during consideration to nullify its original purpose or to accomplish an object not consistent with its original purpose.

St. John Baptist Par. H.R.C. Art. IV, Sec B(3)(g).

Using its amendment authority, the parish council amended proposed Ordinance 90-27 to require buffer zones between tracts being rezoned to heavy industrial (I-3) and any adjacent parcels zoned residential (R-1). The buffers would be zoned industrial (I-1), a more limited subset of I-3, and would be located in the tracts otherwise being rezoned to I-3. As amended, the ordinance was adopted by the parish council by a vote of 8-0, with one recusal.

Given these facts, the lower courts erred in finding the amendment to the proposed ordinance had to be reviewed by the planning commission. The code of ordinances requires commission review of a proposed ordinance changing the zoning map; however, the code does not address whether the commission must review a subsequent *amendment* to the proposed ordinance. Amendments to proposed ordinances are specifically governed by the Home Rule Charter, which permits amendments unless they nullify the proposed ordinance’s original purpose or seek to accomplish an object inconsistent with that purpose. *See* St. John Baptist Par. H.R.C. Art. IV, Sec B(3)(g). These limitations ensure the parish council cannot circumvent the procedural requirements for adopting an ordinance, including one rezoning property, by making eleventh-hour amendments inconsistent with the proposed ordinance’s purpose. That did not occur here.

For the affected parcels, the planning commission reviewed and unanimously approved a zoning change from residential and farmland to *heavy* industrial (I-3). The parish council's amendment inserted a buffer into those parcels to be zoned "industrial" (I-1), the most restrictive industrial zoning. While still zoned industrial, the affected strips were limited to less intensive uses than those already approved by the commission for the same property. The amendment is consistent with the original ordinance's purpose, specifically to change the zoning of the involved parcels to industrial. *See* St. John Baptist Par. H.R.C. Art. IV, Sec B(3)(g). Another review by the planning commission would serve no purpose where the commission already approved heavier industrial uses for the same property.

For these reasons, the lower courts erred in granting plaintiffs' motion for summary judgment and denying the motion for summary judgment filed by Greenfield Louisiana, LLC. Summary judgment is hereby granted to Greenfield Louisiana, LLC, dismissing plaintiffs' claims with prejudice.¹

**COURT OF APPEAL AND TRIAL COURT JUDGMENTS
REVERSED; SUMMARY JUDGMENT GRANTED TO GREENFIELD
LOUISIANA, LLC.**

¹ We also find no merit to plaintiffs' alternative arguments. Their reliance on Louisiana Revised Statute 33:4726 is misplaced, as that statute expressly applies only to municipalities. As the trial court pointed out, plaintiffs produced no evidence of fraud by the parish council in the adoption of Ordinance 90-27. While plaintiffs maintain the parish zoning maps are conflicting, they offer no explanation why any such conflicts would invalidate the subject ordinance. Plaintiffs' request for oral argument is denied, and their motion to exceed the page limit for their brief's appendix is granted.