

Introduced March 28, 1989, by
Councilman Washington, seconded by
Councilman Salvaggio, by request

Item No. 89-03-1345

ORDINANCE NO. 2253

An ordinance establishing standards for demolition of buildings in the Slidell Olde Towne Preservation District; and establishing the Slidell Olde Towne District Advisory Commission charged with making non-binding recommendations on any alteration, relocation or new construction in the Slidell Olde Towne Preservation District.

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 cultural 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.

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

SECTION 1. DEFINITIONS

A. Accessory Structure. An attached or detached subordinate building located on the same building site with the main building, the use of which is incidental to that of the main building.

B. Building. Any covered structure intended for shelter, housing, enclosure or economic activities related to persons, animals or chattels. The term "building" shall be construed to include the term "structure".

C. Historic. A building will be classified as historic when it is at least fifty years of age and is of obvious significant local, regional, or national historic, architectural, or cultural value. Any party or property owner aggrieved by an action or inaction of the Commission or by any provision of this Ordinance or amendment thereto, who contends his property is not of

architectural and/or historical value and/or is not a historic building, and thereby should not be under this ordinance or affected by it, shall have a right to appeal directly to the City Council on the issue of whether or not the property is in fact historic and thereafter to the city, district and appellate courts of this state on that issue. In such event the Commission shall have the burden of proof that the structure in question has obvious significant architectural and/or historical value.

D. Economic Return. The capacity of a building to generate revenue, in the form of fair market rents. When the fair market rents less expenses for a building equal zero, the building shall be considered incapable of generating any net economic return on its value.

SECTION 2: DEMOLITION OF HISTORIC BUILDINGS

Whenever a property owner shows that a building classified as historic and located in the Slidell Olde Towne Preservation District delineated in Section 3 is incapable of earning any economic return on its value, as appraised by a qualified real estate appraiser, or if new construction can be demonstrated by a property owner to be the highest and best use of the building site, such building may be demolished, provided, however, that before a demolition permit is issued, notice of proposed demolition shall be given three (3) times during a period of thirty (30) days to afford the City, interested persons, historical societies, or organizations the opportunity to acquire or to arrange for the preservation of such buildings, though the owner has no obligation whatsoever to the Commission after said thirty (30) day period. The Commission shall publish said notices in the newspaper and shall pay for same.

SECTION 3: AREA OF SLIDELL OLDE TOWNE PRESERVATION DISTRICT

The area of the Slidell Olde Towne Preservation District is shown on Attachment A.

SECTION 4: COMMISSION ESTABLISHED

The Slidell Olde Towne Preservation District Advisory Commission is hereby created.

SECTION 5: PURPOSE

The purpose of the Slidell Olde Towne Preservation District Advisory Commission shall be to review and make endorsements of all plans for demolition, relocation, new construction and all plans for exterior building improvements requiring building permits within the boundaries of the Preservation District. Commission recommendations shall not be binding. However, the Commission shall make itself available to assist owners of properties on which alterations, relocation, or new construction is contemplated in complying with recommendations. The Commission shall also assist property owners interested in pursuing investment tax credits for historic rehabilitation to meet the requirements for that program.

SECTION 6: RECOMMENDATION AND APPOINTMENT OF MEMBERS

The Commission shall consist of five (5) members, all of whom shall reside in the City or own immovable property in the Slidell Olde Towne Preservation District, and shall be appointed by and serve at the pleasure of the Mayor.

SECTION 7: TERM; VACANCIES

Members shall be appointed as follows: Two (2) members shall be appointed for a term of two (2) years. Three (3) members shall be appointed for a term of three (3)

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years. All re-appointments shall be for four (4) years.
Any vacancy shall be filled within sixty (60) days.
The members may serve consecutive terms.

SECTION 8: BYLAWS

The Commission shall make such bylaws as it may deem necessary for the conduct of its affair not inconsistent with the laws of the City and State, subject to the approval of the City Council. Any change of bylaws shall be approved by the City Council. Presence of three members of the Commission at a meeting shall constitute a quorum. The Commission shall meet quarterly. The Commission shall meet within ten (10) working days of the receipt of a building permit for demolition, relocation, alteration or construction of any building in the Preservation District to review and make recommendations on each request. The Commission shall make a report on its recommendations and activities to the Mayor and City Council after every meeting. Upon written request, any immovable property owner shall be furnished with a copy of the minutes of any particular meeting, containing the supporting or pivotal factors or considerations. The minutes shall be dated and shall contain the individual vote of each member supporting same, the date of the meeting and the total members present.

SECTION 9: STAFFING

The Slidell Planning Department shall serve as staff for the Commission and such members of the Mayor's staff as he shall recommend with approval of the City Council.

SECTION 10: PROCEDURES

When application for a demolition permit or regular building permit for any alteration, relocation or new

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construction in the Slidell Olde Towne Preservation District is made, the Building Inspector shall notify the Slidell Olde Towne Preservation District Advisory Commission and make available to it a copy of all required application materials submitted. No extra copies shall be required of any applicant for this purpose. The Commission shall meet with the applicant within ten (10) days of receiving copies of the applicants plans to review and make recommendations on the plans. If such meeting cannot be scheduled for any reason, the Commission can alternatively send a written, non-binding proposal or recommendation to applicant. The major focus of any recommendations for change or endorsement of plans as presented shall be to help property owners to avoid any action which might tend to impede present or future federal tax benefits arising from location in the Preservation District. No special building permit or any other permit or application to the Preservation Commission shall be required for any reason, and no regular building permit shall be denied or refused after said ten (10) day period because of any action or inaction of the Slidell Preservation District Advisory Commission.

SECTION 11: CRITERIA TO BE USED BY THE COMMISSION IN MAKING RECOMMENDATIONS

The criteria to be used by the Commission in making recommendations are as follows:

- A. To the extent feasible with economic realities, efforts should be encouraged to provide compatible uses for buildings requiring minimal building, building site and environmental alteration.
- B. Removal, destruction or alteration of original characteristics or unique architectural features of buildings should be discouraged.

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C. Surface cleaning of structures by the gentlest means possible should be encouraged.
D. In a rehabilitation project, use of materials matching or compatible with those already used in the building as to composition, design, color, texture and other visual qualities should be encouraged.

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E. Contemporary design and alterations and additions to existing buildings should not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible in size, scale, material and character to the property, neighborhood and environment.

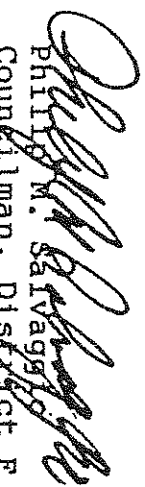
F. In the case of new construction compatibility with surrounding buildings in scale, size, and materials should be encouraged.

SECTION 12: LIMITATIONS OF COMMISSION

A. This Ordinance shall be binding on the 25th day of April, 1989, and shall come into effect after publication in accordance with law.

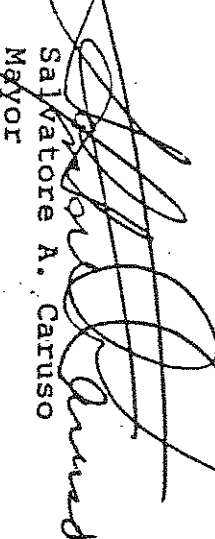
B. If any section or any phrase or clause of this Ordinance is found to be unconstitutional in any manner by final judgment of Court, the invalidity shall be limited to that particular section or part of section or phrase or clause, and shall not affect the remaining portions of the Ordinance which shall remain enforceable; it being the intention of the City Council that said section, or part of section, or clause, or phrase thereof, shall be deemed severable and shall not affect the remaining provisions of this Ordinance.


ADOPTED this 25th day of April, 1989.


Phillip M. Salvaggio
Councilman, District F
President of the Council

DELIVERED 4/27/89 10:45 a.m.
to the Mayor

RECEIVED 5/2/89 12:30 P.M.
from the Mayor


Salvatore A. Carruso
Mayor


Davis Dautreuil
Council Administrator/Clerk of the Council

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