

1 Introduced October 11, 2022, by Councilman Borchert,  
2 seconded by Councilman Tamborella, (by request of  
3 Administration)

4 **Item No. 22-10-3451**

5 **ORDINANCE NO. 4105**

6  
7 An ordinance amending the Code of Ordinances of the City of Slidell,  
8 Appendix A, Part 2, Section 2.16A – C-1 Fremaux Avenue Business District and Section  
9 2.16B – C-1A Fremaux Avenue/Shortcut Highway District to add “Automotive Repair and  
10 Maintenance” as a Conditional Use and to add definitions for “Automotive Repair and  
11 Maintenance” and “Automotive Body Repair and Painting” to Part 9: Definitions (T22-04).

12 WHEREAS, Automotive Repair and Maintenance is not a permitted use in the  
13 C-1 Fremaux Avenue Business District or the C-1A Fremaux Avenue/Shortcut Highway  
14 District; and  
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16  
17 WHEREAS, there are several existing automotive repair establishments in  
18 operation along the Fremaux Ave-Shortcut Highway Corridor; and  
19

20 WHEREAS, the disruptive effects of automotive repair and maintenance on  
21 neighboring properties can be mitigated by placing conditions on their use and by limiting  
22 the extent of repair activities permitted; and  
23

24  
25 WHEREAS, “Automotive Repair and Maintenance” and “Automotive Body  
26 Repair and Painting” are not defined in the City of Slidell’s Code of Ordinances; and  
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28  
29 WHEREAS, per City of Slidell Code of Ordinances, Appendix C Rules of  
30 Procedures, Chapter 8 Zoning Ordinance Amendments no amendment, supplement or  
31 change of the zoning ordinance or district map shall become effective unless and until the  
32 zoning commission has submitted its report and recommendation to the City Council.  
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4 WHEREAS this matter has been submitted to the City of Slidell Zoning  
5 Commission for review, which, in turn, shall submit its report and recommendations to the  
6 City Council (Case T22-04).  
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8  
9 NOW, THEREFORE, BE IT ORDAINED by the Slidell City Council that it  
10 hereby amends the Code of Ordinances of the City of Slidell as follows:  
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12 1. Appendix A, Part 2, Section 2.16A – C-1 Fremaux Avenue Business District  
13 to add “Automotive Repair and Maintenance” as a Conditional Use and to impose  
14 conditions to limit Automotive Repair and Maintenance land use impacts to adjacent  
15 properties.  
16  
17

18 **2.16A03.A**

19 Conditional Uses in C-1 district are Automotive Repair and Maintenance, but not  
20 Automotive Body Repair and Painting. The following conditions are required:  
21

22 (1) No automotive repair bays can face Fremaux Ave-Shortcut Highway or a  
23 residential lot.  
24

25 (2) All vehicles being repaired or maintained must be stored either inside a  
26 building or yard enclosed with eight (8) foot tall opaque fences on all  
27 sides, so as to completely obscure views of vehicles from adjacent sites  
28 and the public right of way.  
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30 (3) Other conditions as set by the City of Slidell City Council.  
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32 2. Appendix A, Part 2, Section 2.16B – C-1A Fremaux Avenue/Shortcut  
33 Highway District to add “Automotive Repair and Maintenance” as a Conditional Use and to  
34 impose conditions to limit Automotive Repair and Maintenance land use impacts to  
35 adjacent properties.  
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4 **2.16B03.A**

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6 Conditional Uses in C-1A district are Automotive Repair and Maintenance, but  
7 not Automotive Body Repair and Painting. The following conditions are  
8 required:

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10 (1) No automotive repair bays can face Fremaux Ave-Shortcut Hwy or a  
11 residential lot.

12  
13 (2) All vehicles being repaired or maintained must be stored either inside a  
14 building or yard enclosed with eight (8) foot tall opaque fences on all  
15 sides, so as to completely obscure views of vehicles from adjacent sites  
16 and the public right of way.

17 (3) Other conditions as set by the City of Slidell City Council.  
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19  
20 3. Add the following Definitions to Appendix A: Zoning, Part 9 – Definitions., to limit  
21 the extent of repair activities permitted in the C-1 and C-1A zoning districts by adding  
22 definitions that distinguish between “Automotive Repair and Maintenance” and “Automotive  
23 Body Repair and Painting,” as follows:  
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25  
26 9.3a1 *Automotive Repair and Maintenance*: An establishment primarily engaged in  
27 the repair or maintenance of motor vehicles, trailers, and similar mechanical  
28 equipment, including brake, muffler, upholstery work, tire repair and change,  
29 lubrication, tune ups, and transmission work, provided all activities are  
30 conducted within a completely enclosed building.

31  
32 9.3a2 *Automotive Body and Paint Repair*: Establishments primarily engaged in  
33 repairing or customizing automotive vehicle and trailer bodies and interiors;  
34 and/or painting automotive vehicles and trailer bodies.  
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7 **ADOPTED** this 29<sup>th</sup> day of November, 2022.  
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10 Bill Borchert  
11 President of the Council  
12 Councilman at-Large

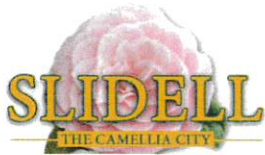
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14 Greg Cromer  
15 Mayor  
16

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18 Thomas P. Reeves  
19 Council Administrator  
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DELIVERED	11/30/22
2:30 pm	to the Mayor
RECEIVED	12/5/22
10:00 am	from the Mayor



Planning Department

STAFF REPORT

Case Nos. T22-04

Text amendment to C-1 and C-1A Zoning Districts to permit automotive repair as a Conditional Use.

985.646.4320 | 250 Bouscaren St, Ste 203, Slidell, LA 70458 | planningdept@cityofslidell.org |  
myslidell.com

**Location:** Fremaux Ave and Short Cut Hwy  
between Beth Dr. and Front St. (**Figure 1**)

**Petitioner:** Administration.

**Zoning:** Mixed Zoning (**Figure 1 and 2**)

**Requests:** Text amendment to C-1 and C-1A  
zoning districts to permit Automotive Repair as  
a Conditional Use.

**Planning & Zoning Commissions**

**Consent Agenda:** September 19, 2022

**Public Hearing:** October 17, 2022

**City Council (tentative)**

**Consent Agenda:** September 13, 2022

**Public Hearing:** October 11, 2022

**Recommendations**

Planning Department	Zoning Commission
<ol style="list-style-type: none"><li>1. Add definition of Automotive Repair to City of Slidell Code of Ordinances.</li><li>2. Amend C-1 and C-1A zoning districts to include Automotive Repair as a Conditional Use.</li><li>3. Rezone all lots/parcels fronting on Fremaux Avenue between Front Street and W-14 Canal to C-1.</li><li>4. Rezone all lots/parcels fronting on Fremaux Avenue and Short Cut Highway between the W-14 Canal and Beth Drive to C-1A.</li></ol>	<p>Voted to recommend approval of the amendment at their November 21, 2022 meeting.</p>

**1. Findings.**

- A. The Fremaux Ave-Shortcut Highway Corridor connects Interstate 10 and the Fremaux Town Center to Front Street/Highway 11 and serves as a gateway to the City's Olde Towne and Waterfront Districts (**Figure 1**).
- B. To manage development along the Fremaux Ave-Shortcut Highway Corridor, the City Council created two (2) zoning districts to preserve the residential and light commercial character of the surrounding area/residential neighborhoods (City of Slidell, Code of Ordinances, App. A, Part 2, Sections 2.16A and 2.16B). The two (2) districts include:
  - 1) **C-1 Fremaux Avenue Business District.** The C-1 district includes area fronting on Fremaux Avenue (U.S. Hwy 190) between Front Street (U. S. Hwy 11) and the W-14 canal. (**Figure 1**)

- 2) **C-1A Fremaux Avenue/Shortcut Highway District.** The C-1A district includes areas fronting on Fremaux Avenue (U. S. Highway 190) between the W-14 Canal and to Beth Drive, originally Nellie Drive (**Figure 1**).
- C. Establishment of the C-1 and C-1A zoning districts did not including rezone the lots and parcels in the districts to C-1 and C-1A respectively. Instead, the lots and parcels became “eligible” for rezoning. The criterion for rezoning C-1 and C-1A differs as follows:
- 1) **C-1 District.** Rezoned by an application from the property owner, application from the City administration, or a motion from the City Council. (App A., Part 2, Section 2.16A)
  - 2) **C-1A District.** Rezoned by an application from the property owner, application from the City administration, a motion from the City Council, or “...may be rezoned to C-1A if the current use changes to a less intense use allowed by C-1A or if the current use is vacant for more than 12 months.” (App A., Part 2, Section 2.16B)
- D. Jurisdiction of the Fremaux Ave-Shortcut Highway Corridor is split between City of Slidell and St. Tammany Parish. Parish zoning along the corridor is mixed, including the following districts (**Figure 2**):
- 1) **NC-1 Professional Office.** NC-1 “...provide[s] for the location of small professional offices in close proximity to residential development in order to provide small scale services to the residents of the neighborhood with minimal impact.” Automotive repairs shops are prohibited. (St. Tammany Parish Code of Ordinances, Ch. 130, Article IV, Division 16)
  - 2) **NC-4 Neighborhood Institutional.** NC-4 “...provide[s] for the location of uses which provide a service at the neighborhood level but could result in large influx of customers or clientele at a specific time because of scheduled gatherings, classes, or meetings.” Automotive repairs shops are prohibited. (St. Tammany Parish Code of Ordinances, Ch. 130, Article IV, Division 19)
  - 3) **HC-1 Highway Commercial.** HC-1 “...provide[s] for the location of limited-scale highway commercial uses, generally located along major collectors and arterials designed to provide services to a portion of the parish.” Automotive repairs shops are prohibited. (St. Tammany Parish Code of Ordinances, Ch. 130, Article IV, Division 24)
- E. **Mixed Zoning Along Corridor.** The City’s policy of retaining prior zoning and the intermix of parish and city jurisdiction has led to mixed zoning along the corridor (**Figures 1 and 2**). Mixed zoning has led to inconsistent regulation between adjacent lots and parcels, including the presence of nonconforming (more intense) land uses and limited land use transitions between lots to mitigate the effects of more intense zoning district standards.
- F. **Automotive Repair.** Neither the C-1 nor the C-1A districts permit automotive repair, but there are automotive repair businesses operating along the Corridor, both in the City and Parish, including:
- 1) **Lawless Automotive Customs.** Located at 1214 Fremaux Ave and zoned in the City of Slidell as C-4. The business currently appears to specialize in custom auto body and paint work.
  - 2) **Parish Cab.** Located at 1189 Fremaux Avenue and zoned in City of Slidell as C-1. The business currently appears to have equipment and facilities that provide automotive repair and maintenance as an accessory use to the principal use of cab company, including engine replacement.



- 3) *Radiator Shop*. Located at 224 Fremaux Avenue and zoned in the City of Slidell as C-3. The Radiator Shop current appears to provide automotive repairs and maintenance.
  - 4) *Williams Tire*. Located at 1584 Short Cut Highway and zoned in the Parish as NC-4. Williams Tire appears to currently provide tire and automotive repair and maintenance.
  - 5) *Tire Shop (under construction)*. Located on Shortcut Highway and zoned in the City of Slidell as C-4. The business currently appears to be a tire and automotive repair shop under construction. The boundary of the C-1A district was amended to exclude this lot, and upon annexation it was zoned as C-4.
- G. **Automotive Repair Definitions/Descriptions.** The City of Slidell does not have a definition of automotive repair. The below definitions are provided for consideration.
- 1) American Planning Association's A Planners Dictionary (PAS Report 521-522).
 

*Automobile repair services establishment.* An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune ups, and transmission work, provided it is conducted within a completely enclosed building. (North Liberty, Iowa)
  - 2) North American Industry Classification Systems (NAICS).
    - a) *General Automotive Repair (NAICS 811111)*. This U.S. industry comprises establishments primarily engaged in providing: (1) a wide range of mechanical and electrical repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans, and all trailers, or (2) engine repair and replacement.
    - b) *Automotive Body, Paint, and Interior Repair and Maintenance (NAICS 811121)*. This U.S. industry comprises establishments primarily engaged in repairing or customizing automotive vehicle and trailer bodies and interiors; and/or painting automotive vehicles and trailer bodies.

#### H. Automotive Repair Nuisances.

- 1) *Noise*. Pneumatic tools, trucks emptying dumpsters, and other equipment can create noise that can travel long distances.
- 2) *Vehicles*. Auto repair shops can have a large number of vehicles stored on the lot waiting to be worked on, picked up, or junked that can create an unsightly appearance out of character with the intent of the Corridor.
- 3) *Storage of parts, chemicals, and materials*. Vehicle repairs require the storage and disposal of parts, chemicals and materials that—if not stored and handled properly—can create a hazard and an unsightly appearance out of character with the intent of the corridor.
- 4) *Automotive body, paint, repairs, and maintenance*. The machinery and processes used in automotive body repair are generally larger and louder given the requirement to fabricate, shape, and grind metal parts. Automotive body repair generates and must store a greater amount of scrap and junk as a byproduct of their processes.

## 2. Conclusions.

- A. Automotive repair processes can create noise, particulates, and junk that can become nuisance to neighboring properties and degrade the appearance of the Corridor.

- B. Automotive body repair and painting can be more disruptive on neighboring properties and – without close regulation and enforcement—could result in the creation of junk yards.
- C. Conditions can be imposed to mitigate the possible adverse effects of automotive repair on neighboring property and maintain the appearance of the Corridor.
- D. While automotive repair is not permitted by either City or Parish zoning, there are several automotive repair establishments in operation along the Corridor that pre-existed current zoning or are “hold-over” zoning classifications that were retained when the area was rezoned C-1 and C-1A.
- E. Land use regulation inconsistencies, as a result of mixed zoning along the Fremaux Ave-Shortcut Highway Corridor, make consistent land use regulation and decision-making along this Corridor challenging.

### 3. Recommendations – Planning Department Staff.

- A. Amend the City of Slidell Code of Ordinances, Appendix A: Zoning, Part 9: Definitions to add:  
  
*Automotive Repair:* Establishments primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment including brake, muffler, upholstery work, tire repair and change, lubrication, tune ups, and transmission work, provided all activities are conducted within a completely enclosed building.  
  
*Automotive Body and Paint Repair and Maintenance.* Establishments primarily engaged in repairing or customizing automotive vehicles and trailer bodies and interiors; and/or painting automotive vehicles and trailer bodies.
- B. Amend C-1 and C-1A districts to add Automotive Repair only—not Automotive Body and Paint—as a Conditional Use with the following conditions applied to all applications and augmented with other site-specific conditions by the City Council based on a recommendation from the Zoning Commission:
  - 1) No automotive repair bays can face Fremaux Ave-Shortcut Highway or a residential lot.
  - 2) All vehicles being repaired or maintained must be stored either inside a building or in yard enclosed with eight (8) foot tall opaque fences on all sides, so as to completely obscure views of vehicles from adjacent sites and the public right of way.
- C. To enhance consistent treatment of land uses along this corridor, conduct an Area Study to consider the rezoning of:
  - 1) Properties fronting on Fremaux Avenue (U.S. Hwy 190) between Front Street (U.S. Hwy 11) and W-14 Canal to C-1 Fremaux Ave Business District.
  - 2) Properties fronting on Fremaux Ave-Shortcut Highway (U.S. Hwy 190) between W-14 Canal and Beth Drive as C-1A Fremaux /Shortcut Highway.

### 4. Recommendation – Zoning Commission

By vote at its November 21 meeting, the Zoning Commission recommends approval of this amendment.



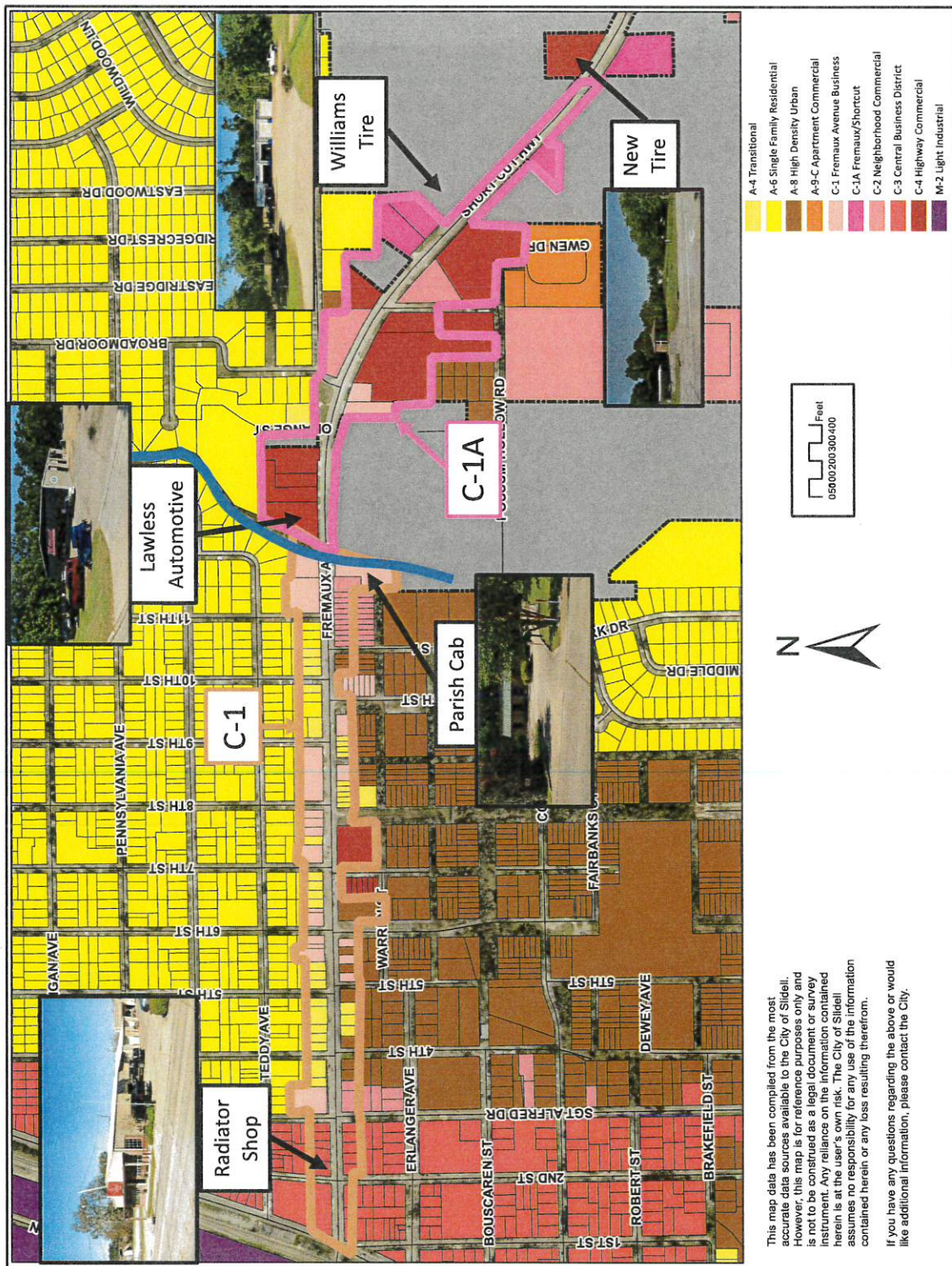


Figure 1: Fremaux Ave -Short Cut Hwy Corridor





Figure 2: St. Tammany Parish Zoning Fremaux Ave-Shortcut Hwy Corridor

### Section 2.16A. C-1 Fremaux Avenue Business District.

2.16A01 Purpose and intent: This C-1 district is intended to permit limited commercial activities with certain development restrictions deemed necessary to preserve the residential character of the surrounding residential neighborhood.

2.16A02 Boundaries of district: Only properties located within the boundaries of the following described district shall be eligible for rezoning to the C-1 zoning classification:

That area within the boundaries identified on the official zoning map of the City of Slidell and identified as the "Fremaux Avenue Business Corridor" which includes that area fronting on U.S. Highway 190 from Front Street (Highway 11) east to the W-14 Canal.

If a contiguous portion of a parcel which is located within the district extends beyond the limits of the district, that part may also be rezoned C-1, provided:

- (1) That portion of the parcel outside the district is contiguous to and under the same ownership as that part of the parcel that is within the district and such parcel as a whole has been under single unified ownership since January 27, 1976.
- (2) That portion of the parcel located outside the district is not a lot of record and represents less than 50 percent of the area of the entire parcel. If that portion of the property is a lot of record, then it shall not be eligible for C-1 zoning.

2.16A03 Permitted uses in the C-1 district are any use permitted in the C-2 neighborhood commercial district except multifamily residential, restaurants, foodstores, seafood shops, filling stations, locker plants and warehousing.

2.16A04 Prohibited uses in the C-1 district are all uses not permitted herein; crematory; and trailers, except as used for temporary offices for construction purposes; and any uses determined to be detrimental to environment by exceeding standards established in section 2.1901: Environmental standards.

2.16A05 Building setbacks in the C-1 district are as follows:

Front yard. All buildings shall have a minimum front yard setback of 50 feet from the front lot line.

Side yard. A five-foot side yard setback shall be required on each side.

Rear yard. No setback shall be required unless the lot abuts a residentially zoned lot or parcel, then a buffer shall be provided in accordance with section 2.2207.

2.16A06 Height regulations. No building in the C-1 district shall exceed two stories in height. If a two-story commercial structure is constructed on a lot or parcel that is contiguous to a residentially zoned property, there shall be no windows or doors constructed on that side of the second story facing the residential property.

2.16A07 Area regulations in the C-1 district are the same as the C-2 zoning district (section 2.1604).

2.16A08 Off-street parking regulations in the C-1 district are the same as the C-2 zoning district (section 2.1605). If a lot or parcel is contiguous to a residentially zoned parcel, no off-street parking spaces or driveways

Highway) from the W-14 Canal east to the intersection of Highway 190 and Beth Drive shall be eligible for rezoning to the C-1A zoning classification.

- (b) Maximum zoning allowed. Any property located within the boundary of the C-1A district shall have a maximum allowed zoning district of C-1A, subject to the following:

- (1) The maximum zoning allowed shall apply to any petition for a Zoning Map Amendment, including establishing City zoning for annexed property.
- (2) Any property that currently has a more intense zoning district will keep its current zoning district, but may be rezoned to C-1A if the current use changes to a less intense use allowed by the C-1A or if the current use is vacant for more than 12 months.

2.16B03 Permitted uses. Any use permitted in the C-2 Neighborhood Commercial District (as outlined below) except multifamily residential, laundrettes, department stores, seafood shops, locker plants and warehousing.

Permitted uses: Office, filling stations, barber shops, florists, beauty shops, banks, day care centers and nurseries, bakery, appliance shop, sporting goods, hardware, funeral homes and mortuaries, art and dance studios, retail dry cleaning drop off and pick-up stations, dry cleaning shops employing facilities for the cleaning and pressing of dry goods for retail trade only, and as approved by the fire marshal.

Permitted uses less than 5,000 square feet: Restaurant (no drive-up or drive-through), grocery and drug stores, meat markets (no seafood), clinic, print shops.

2.16B04 Prohibited uses. Prohibited uses in the C-1A district are all uses not permitted herein; crematory; trailers, except as used for temporary offices for construction purposes; and any uses determined to be detrimental to environment by exceeding standards established in section 2.1901: Environmental standards.

2.16B05 Building setbacks.

Front yard. All buildings shall have a minimum front yard setback of 25 feet from the front lot line.

Side yard. A side yard setback equal to five percent of the width of the lot, or ten feet, whichever is greater, shall be provided on each side of the property.

Rear yard. No setback shall be required unless the lot abuts a residentially zoned lot or parcel, then a buffer zone shall be provided in accordance with section 2.2207.

2.16B06 Height regulations. No building shall exceed 35 feet in height. If a commercial structure of 35 feet is constructed on a lot or parcel that is contiguous to a residentially zoned property, there shall be no windows or doors constructed on that side of the building facing the residential property above ten feet finished floor elevation.

2.16B07 Reserved.

2.16B08 Off-street parking regulations. Off-street parking regulations in the C-1A district are as provided for under Part 4. Where possible, parking should be provided to the rear of the primary use with driveway access



the premises but shall not be construed to mean the commercial processing of farm products such as slaughterhouses, canning plants, feed mills, etc.

9.3a *Architectural metal panel:* A metal panel of 26 gauge or heavier which is embossed or prefinished and which has the appearance of masonry, stucco, or any approved design approved by the planning department.

9.3b *Bed and breakfast.* Establishments primarily engaged in providing short-term lodging in facilities known as bed-and-breakfast inns. These establishments provide short-term lodging in private homes or buildings meeting the minimum habitable requirements set out in the International Residential Code, converted for this purpose. Bed-and-breakfast inns are characterized by highly personalized service and inclusion of breakfast in the room rate (North American Industry Classification System (NAICS), NAICS number 721191).

9.4 *Board* means the board of adjustment established in part 7.

9.4a *Boat:* A vehicle for traveling in or on the water, not exceeding 32 feet in body length, eight feet in width, or 12 feet in overall height from ground level. If the boat is mounted on a trailer, height limit also includes the trailer.

9.5 *Building:* Any structure designed or built or used for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

9.5a *Business complex:* A commercial development containing one or more tenants sharing common access, parking, or other amenities. In such circumstances, where a commercial

development shares common access, parking, etc., the following guidelines shall be utilized to determine whether a particular building, set of buildings, or parcel of land constitutes one or more complexes:

- (1) Leasehold interest alone shall not allow a particular building, set of buildings, or parcel to constitute an additional complex.
- (2) Each lot legally platted prior to October 31, 1984, shall constitute a separate complex.
- (3) Lots legally platted after October 31, 1984, shall not constitute separate complexes.

9.6 *City council:* City council of Slidell.

9.7 *Commission:* Planning and zoning commissions of Slidell.

9.7a *Community recreation:* Refers to recreational, social, or multipurpose uses typically associated with parks, playfields, golf courses, or community recreation buildings.

9.7a1. *Crematory:* The building or portion of a building that houses the cremation retort for the reduction of bodies of deceased persons to cremated human remains.

9.7a2. *Crematory retort:* A vessel or chamber in which substances are distilled or decomposed by heat.

9.7b *Cultural exhibits and library services:* Refers to museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, etc., for study and reading.

9.7c *Day care centers, preschools, nursery schools:* Refers to facilities authorized to provide supervisory or day care services licensed for such activities by the State of Louisiana.