

1 Introduced, October 25, 2016, by Councilman
2 Newcomb, seconded by Councilman Abney, (by
3 request of Administration)

4 **Item No. 16-10-3169**

5 **ORDINANCE NO. 3840**

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7
8 An ordinance requesting the City of Slidell create a Landmark Commission
9 and add its Authority and Responsibility to the City's Preservation Commission.

10 WHEREAS, the City of Slidell has a number of homes, businesses, and other
11 resources that are important to its history.

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14 WHEREAS, the City of Slidell was designated by the U.S. Department of
15 Interior and State of Louisiana as a Certified Local Government enabling its residents and
16 business owners to apply for and be awarded tax credits, tax abatements, and grants to
17 help preserve and restore historic structures in "qualifying districts".
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22 WHEREAS, the City of Slidell has two "qualifying districts":

23 Olde Towne Preservation District. The Preservation District allows owner
24 occupied residential structures to qualify for State and Federal Tax Credits
25 and State Restoration Tax Abatements.

26 Cultural District. The Cultural District allows residents and business owners
27 to apply for State and Federal Tax Credits and State Restoration Tax
28 Abatements.
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30 WHEREAS, the U.S. Department of Interior and State of Louisiana use 50
31 years old as one criteria to determine if building may be historical.
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34 WHEREAS, the current preservation district boundary was approved on
35 February 12, 1992 and considered historic resources older than 1942.
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4 WHEREAS, over the years newer construction has replaced older structures
5 creating pockets of new construction that lack historic significance or character inside the
6 preservation district.
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10 WHEREAS, over the years, some historic structures have become
11 surrounded by new construction and isolated from other historic structures.
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14 WHEREAS, the City's Preservation District ordinance requires all new
15 construction or renovations to exterior of existing structures located in the preservation
16 district to be reviewed by the Olde Towne Preservation Commission prior to approval of
17 any building permits.
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21 WHEREAS, The Olde Towne Preservation Commission meets once a month
22 causing some permits to have to wait for up to thirty days before they are reviewed and
23 approved.
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27 WHEREAS, LA Revised Statute 25:744 allows local governing bodies to
28 empower a historic preservation commission to "function" as a Landmark Commission to
29 "...name or designate any site, location, structure or monument within the area served by
30 the governmental unit as worthy of preservation..."¹.
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37 ¹ Louisiana Revised Statute Title 25: Libraries, Museums and Other Scientific; §744. Authority of historic district
38 commissions.
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4 WHEREAS, designation as a landmark would qualify a structure for the same
5 historic tax credits, tax abatements, and grants authorized to one located in a Preservation
6 District.
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10 THEREFORE, to reduce the size of the preservation district in order to speed
11 up permit approval in areas that no longer retain a historic character while still being able
12 to provide tax credits and tax abatements incentives to owners who desire to restore
13 isolated historic structures, the Olde Towne Preservation Commission is hereby given the
14 authority to act as the City of Slidell Landmark Commission to
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- 18 • Designate a site, location, structure or monument as a historic landmark.
- 19 • Maintain a Landmark List.
- 20 • Ensure the State Historical Preservation Officer has a current list of all City of Slidell
21 designated landmarks.

22 FURTHERMORE, no private land will be designated a landmark without the
23 voluntary consent of the property owner. When designating a historic resource a
24 landmark, the Commission, after reaching an agreement with the property owner, will
25 provide²
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- 29 1. The geographic limits of the proposed landmark described in a manner sufficient to
30 locate the site upon the ground.
- 31 2. A statement to clarify that landowner consent for a site to become a landmark does not
32 constitute a forfeiture of all control over the land upon which the site is located.
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35 _____
36 ² The paragraphs that follow are taken directly from Louisiana Administrative Code, Title 25: Cultural Resources, Part
37 1: Office of Cultural Development, §149 Landmarks - Private Lands accessed at
38 <http://www.doa.la.gov/Pages/osr/lac/books.aspx> on July 28, 2016. These requirements are the same as those
39 imposed on the State of Louisiana's Landmark Commission.

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- 4 3. A statement to acknowledge that landowner consent for a site to become a landmark
5 does represent a pledge on the part of the landowner or landowners to preserve and
6 protect the site as a nonrenewable cultural resource.
- 7 4. A statement specifying the precise degree of jurisdiction transferred to the Commission
8 with respect to determining who shall be allowed to enter upon the landmark for the
9 purpose of removing artifacts and specimens of all types or for the purpose of
10 violating the site by any form of excavation for whatever reason.
- 11 5. A statement containing language encouraging the landowner to remove the landmark
12 from cultivation or stipulating those plaza or village areas that may be subjected to
13 continued normal cultivation under the agreement.
- 14 6. A statement of recognition that all contractors authorized by the Commission must
15 respect the rights of the landowner and will be held liable for damage to all access
16 routes, property, and lands adjacent to the landmark.
- 17 7. A statement stipulating who shall retain title to all artifacts and other physical remains
18 recovered from the landmark under the provisions of a contract for survey and
19 salvage.
- 20 8. A statement setting out the exact limits and degree of public access to the landmark, if
21 any, that are acceptable to the landowner and to the Commission once the landmark
22 has been investigated, properly restored, and stabilized.
- 23 9. A statement containing any special conditions and restrictions which will be described
24 fully in a manner acceptable to both the commission and the landowner or
25 landowners

26 If any provision of this ordinance shall be held invalid, such invalidity shall not affect
27 other provisions herein which can be given effect without the invalid provision and to this
28 end the provisions of the Ordinance are hereby declared to be severable.

29 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it
30 hereby creates a Landmark Commission and adds its Authority and Responsibility to the
31 City's Preservation Commission.
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4 BE IT FURTHER ORDAINED that this Ordinance shall become effective
5 upon adoption.
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8 **ADOPTED** this 15th day of November, 2016.

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11 Jay E. Newcomb
12 President of the Council
13 Councilman, District F

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16 Freddy Drennan
17 Mayor

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21 Thomas P. Reeves
22 Council Administrator

DELIVERED	11/17/16 at
	8:40am to the Mayor
RECEIVED	11/17/16
	11:00am from the Mayor