

1 Introduced May 8, 2018, by Councilman
2 Cusimano, seconded by Councilwoman
3 Harbison, (by request of Administration)

4 **Item No. 18-05-3226**

5
6 **ORDINANCE NO. 3898**

7 An ordinance repealing and replacing Ordinance No. 3878, adopted on
8 January 9, 2018.
9

10 WHEREAS, the City Council is desirous of promoting the educational,
11 cultural and economic welfare of the public by preserving and protecting historic structures
12 and neighborhoods which serve as visible reminders of the history and heritage of the City,
13 region, state and nation, and strengthening the economy of the City by stabilizing and
14 improving property values in historic areas; and
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18 WHEREAS, the City desires to repeal and replace Ordinance 2253, Adopted
19 April 25, 1989, which established the existing preservation district and all its elements; and
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22 WHEREAS, the City desires to establish the City of Slidell Preservation
23 District, a regulatory commission, with certain prescribed authority as set out herein below
24 in proposed Chapter 2, Division 4. City of Slidell Preservation District, Section 2-216:
25 Creation of City of Slidell Preservation District.
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28 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that
29 Ordinance 2253, Adopted April 25, 1989 is hereby repealed in its entirety and the Code of
30 Ordinances of the City of Slidell, Chapter 2, Administration, Article IV Boards and
31 Commissions is amended by adding the following:
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36 **DIVISION 4. CITY OF SLIDELL PRESERVATION DISTRICT.**

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38 **Sec. 2-216. Creation of City of Slidell Preservation District.**
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5 1. Commission Established.

6 There is hereby created a Commission to be known as the "Olde Towne
7 Preservation District Commission of the City of Slidell" (hereinafter referred to as the
8 "Commission").

9 2. Recommendation and Appointment of Members.
10

11 The Commission shall consist of five members who shall either reside within the
12 City of Slidell, own real property located within the Preservation District for at least two
13 years prior to appointment, or own a business located within the Preservation District for at
14 least two years prior to the appointment. Two members shall be appointed by the Mayor,
15 two members shall be appointed by the City Council, and one member shall be appointed
16 by the Chamber of Commerce.

17 3. Term; Vacancies, Removal.

18 Each of the members of the Commission shall be appointed for a term of four (4)
19 years. Whenever the term of a member of the Commission expires, the entity that
20 appointed that Commissioner shall appoint their successor. Commissioners currently
21 serving on the Olde Towne Preservation District Advisory Commission will continue on as
22 Commissioners on the Commission until their current term expires at which time they can
23 be re-appointed. The members may serve consecutive terms. All commission members
24 shall have a demonstrated knowledge of or interest, competence, or expertise in historic
25 preservation. The Chairperson and Vice Chairperson shall be elected annually by the
26 members of the Commission.

27 A Commissioner can be removed at the discretion of the City Council by a majority
28 vote of the City Council. Request to remove a Commissioner can be forwarded by the
29 Mayor, a council member, or by the Preservation Commission based on a majority vote of
30 the Commission.

31 4. Administration and Committees.

32 The Director of Planning, or their designee, will serve as the City's Historic
33 Preservation Officer (CHPO) and provide staff support to the Commission. The
34 Commission may seek the advice of other professionals to aid them in making decisions
35 and recommendations. Expenses necessary to carry out the duties of the Commission will
36 be budgeted through the aforementioned department. The recording secretary for the
37 Commission will be designated by the director and all files, records, and minutes of the
38 Commission will be maintained by the department. The City Attorney shall be the ex officio
39 attorney for the Commission. The Commission may designate and appoint, from among its

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4 members, various committees with such powers and duties as the Commission may have
5 and prescribe.

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7 5. Rules, Regulations and Guidelines; Meetings; Reports and
8 Recommendations.

9 The Commission shall make such rules and regulations as it may deem advisable
10 and necessary for the conduct of its affairs not inconsistent with the laws of the City and
11 State. The Commission shall meet monthly, but meetings may be held at any time by the
12 Commission on the written request of any of the members or on the call of the Chairperson
13 of the Commission or of the Mayor. The Commission shall make reports to the Mayor and
14 Council containing a statement of its activities. Copies of the rules, regulations and
15 guidelines will be retained by the Planning Department and will be made available upon
16 request.

17 6. Purpose.

18 The purpose of the City of Slidell's Olde Towne Preservation District Commission is
19 to preserve and protect those resources which have architectural and/or historical value
20 and which should be preserved for the benefit of the people of the city and state. The
21 Commission shall have for its further purpose the guardianship of those resources which
22 have architectural and/or historical value and which should be preserved for the benefit of
23 the people of the City and State.

24 The goals of the Olde Towne Preservation District Commission are as follows:

- 25 A. Protect, enhance and perpetuate historic resources which represent distinctive
26 and significant elements of the city's historical, cultural, social, economic,
27 political, archaeological, and architectural identity;
- 28 B. Insure the harmonious, orderly, and efficient growth and development of the city
29 consistent with preservation of the city's historic resources;
- 30 C. Strengthen civic pride and cultural stability through neighborhood conservation;
- 31 D. Strengthen the economy of the city through the continued use, preservation and
32 revitalization of its historic resources;
- 33 E. Protect and enhance the city's attraction to tourists, visitors and the Citizens of
34 Slidell;
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4 F. Provide a review process for the preservation and appropriate development of
5 the city's historic resources.

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7 7. Definitions.

8
9 *Certificate of Appropriateness.* An authorization, issued by the Historic Preservation
10 Commission permitting the alteration, addition, demolition, or new construction that affects
11 a historic property, provided the changes are consistent with applicable standards and
12 guidelines and the Secretary of the Interior's "Standards for the Treatment of Historic
13 Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing
14 Historic Buildings" (Modified from City of Fort Worth, TX code of ordinances.)

15 *Certified Local Government (CLG).* A local government that has entered into a
16 certified agreement between the State Historical Preservation Office (SHPO) and the local
17 government that list specific responsibilities of the local government to include enforce
18 appropriate State and local preservation legislation, establish and maintain a qualified
19 historic preservation review commission, provide for adequate public participation in its
20 activities, perform other functions delegated to it by the SHPO under the National Historic
21 Preservation Act, and maintain a system for the survey and inventory of historic properties,
22 consistent with guidelines provided by the SHPO (36 CFR §61.6 and National Register
23 Bulletin No. 24) .

24 *Historic Structure.* A structure that is at least fifty years of age and is significant
25 locally, regionally, or nationally because of its architecture or cultural value

26 *Historic Resource.* Building, site, district, object, or structure evaluated as
27 historically significant.

28 *Historically Significant.* Importance of a property to the history, architecture,
29 archeology, engineering, or culture of a community, State, or the Nation. Criteria for
30 importance is based on

- 31 • Association with events, activities, or patterns
- 32 • Association with important persons
- 33 • Distinctive physical characteristics
- 34 • Potential to yield important information

35 *Preservation District.* A geographically definable area, urban or rural, possessing a
36 significant concentration, linkage, or continuity of sites, buildings, structures, or objects
37 united by past events or aesthetically by plan or physical development. A district may also
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4 comprise individual elements separated geographically but linked by association or history.
5 (36 CFR, §60.3)

6 *National Register of Historic Places.* The official list of the Nation's historic places
7 worthy of preservation. Authorized under the National Historic Preservation Act of 1966, it
8 is part of a national program to coordinate and support public and private efforts to identify,
9 evaluate, and protect the Nation's historic and archaeological resources. (National
10 Register of Historic Places brochure published by US Department of Interior)

11 *State Historic Preservation Officer (SHPO).* SHPO is the person who has been
12 designated by the Governor or chief executive or by State Statute in each State to
13 administer the State Historic Preservation Program, including identifying and nominating
14 eligible properties to the National Register and otherwise administering applications for
15 listing historic properties in the National Register (36 CFR, §60.3)

16 *State Historic Preservation Program.* The Program established by each State and
17 approved by the Secretary of Interior for the purpose of carrying out the provisions of the
18 National Historic Preservation Act of 1966, as amended, and related laws and regulations
19 (36 CFR, §60.3)

20 8. Preservation District Boundary.

21
22 The following area of the City of Slidell is hereby designated as the "Olde Towne
23 Preservation District":

24 The City's downtown business district, parts of its waterfront, and surrounding
25 neighborhoods to include parts of the Robert Addition, Cousin Addition, Dittmar Addition,
26 Salmen Addition 1, Brugier, Pine Park Place and Salmen North subdivisions.

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28 The exact boundary is depicted in Attachment A.

29 9. Submission of Plans to Commission for Exterior Changes.

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31 A. The owner of any property within the Olde Towne Preservation District shall
32 apply for a Certificate of Appropriateness from the Commission before the
33 commencement of any work, to include:

34 1. The erection of any new structure, principal or accessory, or other
35 construction; or

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37 2. The alteration or addition to the exterior of any existing structure; or
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- 4 3. The repair of an existing structure, except for repairs that do not alter or
5 detract from an element that contributes to the historic character of the
6 building, as determined by the Director of Planning and Building Safety; or
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8 4. Demolition of any existing structure; or
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10 5. The relocation of any structure into or out of the District.
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12 B. Changes to the exterior paint scheme and paint scheme for new construction.
13 The Director of Planning and Building Safety, after consulting Commission
14 members, can approve changes to an exterior paint scheme or the proposed
15 paint scheme for new construction as long as the color choices are contained
16 on a historic paint palette approved by the Commission. Approval of other
17 exterior paint colors or unusual combinations of colors must be submitted to
18 and approved by the Commission.
19
20 C. The application shall be made to the Commission, accompanied by the full
21 plans and specifications, so far as they relate to the proposed appearance,
22 color, texture, materials, and architectural design of the exterior, including the
23 front, sides, rear and roof of such structures, alterations or addition of any
24 structure, party wall, courtyard, sidewalk, driveway, parking area, fence or
25 other dependency thereof.
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27 10. Procedures for Application of Certificate of Appropriateness.
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29 A. Whenever any application for a Certificate of Appropriateness is filed with the
30 Planning and Building Safety Department, the Commissioners shall be
31 notified and provided copies of the application and accompanying
32 documents. If the documents are too large or oversized, such as a mock up,
33 they will be available for review by the Commissioners at the Planning and
34 Building Safety office.
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36 B. The CHPO will review application packages to determine if they are complete
37 and if information provided is understandable and accurate. Where a
38 package is incomplete or unclear, the CHPO will coordinate with the
39 applicant to provide the missing information and to update the documents to
provide clarity. If in the CHPO's determination the package is not complete
or clear by at least three working days before the Historic Preservation
Commission meets the CHPO will recommend to the Commission that the
application is incomplete.
C. The Commission shall have the authority to determine if an application is
complete and contains all required information. An application deemed

4 incomplete by the Commission shall not be considered to have been filed for
5 the purposes of this ordinance. The Commission shall develop standard
6 application forms and its written guidelines shall specify what information an
7 applicant shall attach to each form.

- 8 D. Members of the Commission shall establish a regular schedule for the
9 hearings of the Commission. One hearing shall be scheduled for each
10 month, or as needed, unless no application for a certificate of
11 appropriateness or other business, as determined by the Commission
12 Chairperson, has been submitted or identified. However, the Commission
13 must meet at least once every three (3) months, even if no applications for a
14 Certificate of Appropriateness have been submitted.
- 15 E. The applicant shall, upon request, have the right to a preliminary conference
16 with the Planning and Building Safety Department, or the Chairperson or
17 Vice Chairperson, for the purpose of learning whether changes or
18 adjustments to the application could make it more consistent with the
19 Commission's standards.
- 20 F. Not later than six (6) days before the date set for the said hearing, the
21 Planning and Building Safety Department shall notify the applicant and all
22 members of the Commission of the date, time, and location of the hearing.
- 23 G. Notice of the time and place of a scheduled public hearing on an application
24 for a Certificate of Appropriateness shall be published at least once in the
25 official journal of record for the city before such hearing and by posting such
26 notice on the public notices bulletin board outside of City Hall.
- 27 H. At the scheduled public hearing, the applicant for a Certificate of
28 Appropriateness shall have the right to present any relevant information
29 pertaining to the application. Likewise, the city, the Commission and its staff,
30 and members of the public shall have the right to present any additional
31 relevant information pertaining to the application. The Commission shall
32 issue rules of procedure specifying in detail how a public hearing shall be
33 conducted and when comments and information from different sources shall
34 be heard.
- 35 I. The Commission, at either a preliminary conference or at a public hearing,
36 shall have the right to recommend changes and modifications to enable the
37 applicant to meet the requirements of the Commission. If the Commission
38 chooses to do this at a preliminary conference, after an application for a
39 Certificate of Appropriateness has been submitted, then the time during
which the Commission must render its decision, as set forth below in
Paragraphs J. and K., shall be extended by thirty (30) days in order to permit

4 the applicant time to prepare any new drawings or other submit other
5 relevant information.

6 J. Not more than sixty (60) days after an application has been filed with the
7 Planning and Building Safety Department, the Commission shall act upon it
8 by either approving, denying, or deferring action until the next meeting of the
9 Commission. Evidence of approval of the application shall be by Certificate of
10 Appropriateness issued by the Commission and, whatever its decision,
11 notice in writing shall be given to the applicant by the Planning and Building
12 Safety Department.

13 K. Failure by the Commission to reach and render a decision within sixty (60)
14 days of the date of filing of the application with the Planning and Building
15 Safety Department shall be taken to constitute approval of the application by
16 the Commission, unless the applicant has requested that the Commission
17 delay its decision beyond the sixty (60) day period otherwise required.

18 L. The issuance of a Certificate of Appropriateness shall not relieve an
19 applicant from applying for a building permit, special use permit, variance, or
20 other authorization from compliance with any other requirement or provision
21 of the laws of the city concerning zoning, construction, repair, or demolition.
22 In all such cases, applicants are encouraged to apply first for a Certificate of
23 Appropriateness as other city agencies will be advised by the Commission in
24 making their subsequent decisions.

25 M. No building permit which affects a historic resource shall be issued by the
26 City prior to the issuance of a Certificate of Appropriateness by the
27 Commission. Even if a building permit is not otherwise required by the city
28 ordinances for construction, alteration, demolition, or relocation of any
29 resource, a Certificate of Appropriateness from the commission is required.

30 11. Commission Recommendation and Action Thereon.

31 The Commission shall, upon due consideration, render its decision concerning the
32 approval or disapproval of the issuance of a Certificate of Appropriateness, which
33 may include such changes to the exterior appearance, if any, as in its judgment are
34 reasonably necessary to comply with the requirements of this Ordinance. The
35 Commission will send its decision, in writing, to the applicant and the Director of
36 Planning and Building Safety and, and if the permit is approved, the Director shall
37 issue a permit for such work in conformance with the Commission's decision.

38 12. Appeals.

39 Any person or persons aggrieved by any decision, act or proceedings of the
Commission shall have a right to apply in writing to the City Council for reversal or
modification thereof. Any such appeal shall be submitted within ten (10) working

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4 days from date of the written decision. The City Council will consider and make a
5 decision on said appeal within forty-five days. The City Council may affirm a
6 decision of the Commission by majority vote of all its members. The City Council
7 can also reverse, change or modify any decision by the Commission by a majority
8 vote of all its members.

9 Any person or persons aggrieved by any decision of the City Council shall have the
10 right to file a civil suit within thirty days from date of decision with the 22nd Judicial
11 District Court under the usual rules of procedure governing same, with the right to
12 stay order and injunctive relief provided the situation warrants it.

13 13. Injunctions.

14 Whenever any person has engaged in or is about to engage in any act or practice
15 which constitutes or will constitute a violation of this Ordinance, the City may make
16 application to the appropriate Court for an order enjoining such act or practice, or
17 requiring such person to refrain from such prospective violation or to remedy such
18 violation by restoring the affected property to its previous condition.

19 14. Penalties.

20 Any owner, agent, lessee or other person acting for or in conjunction with them, who
21 shall violate this Ordinance or law or rules, regulations or decisions of the
22 Commission, shall be fined pursuant to Section 1-12: General Penalties, to the City
23 of Slidell Code of Ordinances.

24 15. Stopping Work Commenced Without Permit.

25 The Director of Planning and Building Safety shall promptly stop any work
26 attempted to be done without or contrary to a permit issued under this Ordinance.

27 16. Provisions of Ordinance in Case of Conflict.

28 In the event of conflicting ordinances, non-preservation ordinances prevail except
29 as otherwise approved by the City Council.

30 17. New Construction.

31 Proposals for new construction in the Olde Towne Preservation District should seek
32 compatibility with existing structures through the appropriate use of site planning,
33 materials, decorative details, architectural elements, and scale. Architectural context
34 is the primary concern, and a proposal does not have to replicate or copy any
35 specific historic style or period. The following factors will be considered.

36 A. Scale:

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4 Scale is the relationship of the building and its elements (including doors and
5 windows) to other structures in the district. It is important when considering
6 scale, that a careful study be made of the height, width, and mass of
7 buildings in the immediate neighborhood and district as a whole. This study
8 should serve to confirm or deny the appropriateness of the height, width, and
9 mass of the proposed building. Maximum height of any new structure shall
10 conform to The Secretary of the Interior's Standards for the Treatment of
11 Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring &
12 Reconstructing Historic Buildings. In no case shall a new structure exceed a
13 height allowed in the zoning district in which the building is located.

14 **B. Siting:**

15 Siting is the positioning of a building on a lot. This process includes
16 determining the setback of a building, the spacing of this building from
17 adjacent buildings, and the location of walls, fences, walks, drives, parking
18 and landscaping if any of these are used in the overall design. New
19 construction should conform to setback, landscape, and parking
20 requirements of the zoning district in which they are located. Modifications to
21 existing structures and sites can retain their historic setbacks and other siting
22 considerations, as long as they do not conflict with life safety requirements in
23 the international building, residential, and fire codes.

24 **C. Materials:**

25 With the exception of vinyl siding, materials identified in the City's Design
26 Guidelines for Olde Towne District structures are permitted in the Olde
27 Towne Preservation District. Other materials not specifically mentioned in
28 these design guidelines will be considered on a case by case basis and
29 approved by the Commission.

30 **D. Decorative Details:**

31 Decorative details include ornamentation or embellishment. Ornamentation
32 and embellishment include cornices, lintels, arches, balustrades, chimneys,
33 shutters, columns, and other common details. When used, details should
34 create a unifying effect on a building and should be compatible with the
35 context of the neighborhood.

36 **E. Architectural Elements:**

37 Architectural elements includes parts of a building that are integral to its
38 composition. These include balconies, roofs, porches, chimneys, dormers,
39 parapets, and other parts of a building that contribute to its overall shape and
silhouette. The choice and arrangement of elements of a proposed building
should reflect those of other buildings in the neighborhood. The building
should not draw unnecessary attention to itself by failing to relate to

4 neighboring styles. Neither should it copy these styles. The object is to
5 compliment the context of the Olde Towne Preservation District.

6
7 18. Treatment of a Historic Resource.

8 The U.S. Secretary of Interior has established standards for the treatment of historic
9 properties. Treatments are divided into four categories of Preservation,
10 Rehabilitation, Restoration, and Reconstruction.¹ The Commission shall follow The
11 U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties
12 guidelines for preserving, rehabilitating, restoring and reconstructing historic
13 buildings in considering all proposals for preservation, rehabilitation, restoration,
14 and reconstruction.

15 A. Standards for Preservation

- 16 1. A property will be used as it was historically or be given a new use that
17 maximizes the retention of distinctive materials, features, spaces, and
18 spatial relationships. Where a treatment and use have not been identified,
19 a property will be protected, and if necessary, stabilized until additional
20 work may be undertaken.
- 21 2. The historic character of a property will be retained and preserved. The
22 replacement of intact or repairable historic materials or alteration of
23 features, spaces, and spatial relationships that characterize a property
24 will be avoided.
- 25 3. Each property will be recognized as a physical record of its time, place,
26 and use. Work needed to stabilize, consolidate, and conserve existing
27 historic materials and features will be physically and visually compatible,
28 identifiable upon close inspection, and properly documented for future
29 research.
- 30 4. Changes to a property that have acquired historic significance in their
31 own right will be retained and preserved.
- 32 5. Distinctive materials, features, finishes, and construction techniques or
33 examples of craftsmanship that characterize a property will be preserved.
- 34 6. The existing condition of historic features will be evaluated to determine
35 the appropriate level of intervention needed. Where the severity of
36 deterioration requires repair or limited replacement of a distinctive feature,
37 the new material will match the old in composition, design, color, and
38 texture.

39 ¹ Code of Federal Regulations Title 36, Section 68.2 and 68.3. Difference in language regarding Treatments between
this ordinance and 36 CFR Section 68.2 and 68.3 are minor and only done to match grammar and syntax of the rest of
the ordinance.

- 4 7. Chemical or physical treatments, when determined appropriate, will be
5 undertaken using the gentlest means possible. Treatments that cause
6 damage to historic materials will not be used.
- 7 8. Archeological resources will be protected and preserved in place. If such
8 resources must be disturbed, mitigation measures will be undertaken.

9 B. Standards for Rehabilitation

- 10 1. A property shall be used as it was historically or be given a new use that
11 requires minimal change to its distinctive materials, features, spaces, and
12 spatial relationships.
- 13 2. The historic character of a property shall be retained and preserved. The
14 removal of distinctive materials or alteration of features, spaces, and
15 spatial relationships that characterize a property shall be avoided.
- 16 3. Each property shall be recognized as a physical record of its time, place,
17 and use. Changes that create a false sense of historical development,
18 such as adding contextual features or elements from other historic
19 properties, shall not be undertaken.
- 20 4. Changes to a property that have acquired historic significance in their
21 own right shall be retained and preserved.
- 22 5. Distinctive materials, features, finishes, and construction techniques or
23 examples of craftsmanship that characterize a property shall be
24 preserved.
- 25 6. Deteriorated historic features will be repaired rather than replaced. Where
26 the severity of deterioration requires replacement of a distinctive feature,
27 the new feature will match the old in design, color, texture, and, where
28 possible, materials. Replacement of missing features shall be
29 substantiated by documentary and physical evidence.
- 30 7. Chemical or physical treatments, if appropriate, shall be undertaken using
31 the gentlest means possible. Treatments that cause damage to historic
32 materials will not be used.
- 33 8. Archeological resources will be protected and preserved in place. If such
34 resources must be disturbed, mitigation measures shall be undertaken.
- 35 9. New additions, exterior alterations, or related new construction will not
36 destroy historic materials, features, and spatial relationships that
37 characterize the property. The new work will be differentiated from the old
38 and shall be compatible with the historic materials, features, size, scale
39 and proportion, and massing to protect the integrity of the property and its
environment.

4 10. New additions and adjacent or related new construction shall be
5 undertaken in such a manner that, if removed in the future, the essential
6 form and integrity of the historic property and its environment would be
7 unimpaired.

8 C. Standards for Restoration

- 9 1. A property shall be used as it was historically or be given a new use
10 which reflects the property's restoration period.
- 11 2. Materials and features from the restoration period shall be retained and
12 preserved. The removal of materials or alteration of features, spaces, and
13 spatial relationships that characterize the period shall not be undertaken.
- 14 3. Each property will be recognized as a physical record of its time, place,
15 and use. Work needed to stabilize, consolidate and conserve materials
16 and features from the restoration period shall be physically and visually
17 compatible, identifiable upon close inspection, and properly documented
18 for future research.
- 19 4. Materials, features, spaces, and finishes that characterize other historical
20 periods shall be documented prior to their alteration or removal.
- 21 5. Distinctive materials, features, finishes, and construction techniques or
22 examples of craftsmanship that characterize the restoration period shall
23 be preserved.
- 24 6. Deteriorated features from the restoration period shall be repaired rather
25 than replaced. Where the severity of deterioration requires replacement of
26 a distinctive feature, the new feature shall match the old in design, color,
27 texture, and, where possible, materials.
- 28 7. Replacement of missing features from the restoration period shall be
29 substantiated by documentary and physical evidence. A false sense of
30 history shall not be created by adding contextual features, features from
31 other properties, or by combining features that never existed together
32 historically.
- 33 8. Chemical or physical treatments, if appropriate, shall be undertaken using
34 the gentlest means possible. Treatments that cause damage to historic
35 materials will not be used.
- 36 9. Archeological resources affected by a project shall be protected and
37 preserved in place. If such resources must be disturbed, mitigation
38 measures will be undertaken.
- 39 10. Designs that were never executed historically shall not be constructed.

D. Standards for Reconstruction

- 4 1. Reconstruction shall be used to depict vanished or non-surviving portions
5 of a property when documentary and physical evidence is available to
6 permit accurate reconstruction with minimal conjecture and such
7 reconstruction is essential to the public understanding of the property.
- 8 2. Reconstruction of a landscape, building, structure, or object in its historic
9 location shall be preceded by a thorough archeological investigation to
10 identify and evaluate those features and artifacts which are essential to
11 an accurate reconstruction. If such resources must be disturbed,
12 mitigation measures shall be undertaken.
- 13 3. Reconstruction shall include measures to preserve any remaining historic
14 materials, features, and spatial relationships.
- 15 4. Reconstruction shall be based on the accurate duplication of historic
16 features and elements substantiated by documentary or physical
17 evidence rather than on conjectural designs or the availability of different
18 features from other historic properties. A reconstructed property shall re-
19 create the appearance of the non-surviving historic property in materials,
20 design, color, and texture.
- 21 5. A reconstruction shall be clearly identified as a contemporary re-creation.
- 22 6. Designs that were never executed historically shall not be constructed.
23 When a contemporary depiction is required to understand and interpret a
24 property's historic value (including the re-creation of missing components
25 in a historic district or site); when no other property with the same
26 associative value has survived; and when sufficient historical
27 documentation exists to ensure an accurate reproduction, Reconstruction
28 may be considered as a treatment.

29 **19. Fences**

30 Fence design must be in harmony with the nature of the district and in compliance
31 with Appendix A: Zoning, Section 2.22 Supplementary District Regulations to the
32 City of Slidell's Code of Ordinances. The following fencing materials are not
33 acceptable: barbed wire; chain-link, except in the side and rear yard; concrete block
34 unless clad in stucco or another approved material; stockade; plywood; hardi-board;
35 or asbestos board.

36 **20. Overhanging Balconies, Canopies or Awnings**

37 No overhanging balconies, canopies or awnings may be removed, modified, or
38 constructed without the approval of the Commission. New or additional balconies,
39 canopies, or awnings must conform to the distinctive architecture of the Olde Towne

4 Preservation District. The permit for all such new construction or any renovation
5 shall be subject to the requirements of this Ordinance.

- 6 A. Encroachment into Public Right-of-Way. In the C3: Central Business District,
7 if an existing balcony, canopy, or awning is to be extended or substantially
8 improved or a new balcony, canopy, or awning is to be added that would
9 encroach into the public right-of-way then the owner must first get permission
10 from the City in the form of an Encroachment Agreement.
- 11 B. Encroachment into the Setback. In any district other than C3: Central
12 Business District, if an existing balcony, canopy, or awning is to be extended
13 or substantially improved or a new balcony added that would encroach into
14 either the front, rear, or side yard setback area a variance would first need to
15 be obtained from the City's Board of Zoning Adjustments.

16 21. Signs

17 A. Definitions.

- 18 1. SIGN shall include any symbol, device, image, poster, flag, banner,
19 billboards, design or way finding sign used for advertising purposes,
20 whether painted upon, attached to, erected on, or otherwise maintained
21 on any premises containing any words, letters, or parts of letters, figures,
22 numerals, phrases, sentences, emblems, devices, trade names or
23 trademarks by which anything is made known, such as are used to
24 designate an individual, a firm, an association, a corporation, a
25 profession, a business or a commodity or product, which is visible from
26 any public street and is used to attract attention.
- 27 2. DISPLAY includes erect, paint, repaint, place, replace, hang, re-hang,
28 repair, maintain paint directly upon a building or other structure, inlay,
29 embed in or otherwise exhibit in public view.

30 B. Signs Must Meet Requirements of City of Slidell's Code of
31 Ordinances.

32 All signs must meet requirements of the City of Slidell's Code Ordinances,
33 Appendix A: Zoning, Section 2.23: Sign Regulation

34 C. Signs Must also Conform to Character of the Surrounding Area.

35 In addition to meeting the requirements of the City's sign ordinance approval
36 of the display of a sign in the Olde Towne Preservation District shall be
37 granted by the Commission only when such signs and the plans therefore, so
38 far as they relate to the appearance, color, size, position, method of
39 attachment, texture of materials and design, conform to the distinctive
character of the Olde Towne Preservation District or do not injuriously affect

4 it or impair the value to the community of those buildings having architectural
5 or historical worth.

6 D. No Signs to be Displayed in Certain Places.

7 No sign shall be displayed above the peak of the roof of any buildings in the
8 Olde Towne Preservation District, unless approved by the Commission. No
9 sign shall be displayed or placed in any manner whatsoever so as to
10 disfigure or conceal any significant architectural feature or detail of any
11 building.

12 E. Number of Primary Signs.

13 In general, one primary sign is allowed to each store, shop, or bona fide
14 place of business, and this sign shall be no larger than the maximum
15 stipulated in this Ordinance.

- 16 1. In the case of a business operated on a corner lot that faces two streets,
17 one primary sign on each street facing side is allowed and shall be
18 regulated as if each side were a separate storefront.
- 19 2. In the case of a single sign being inappropriate, multiple primary signs
20 may be used, the total face area of which may not exceed the maximum
21 size stipulated in this article.

22 F. Surface Area of Signs and Height.

- 23 1. See paragraph 520.C.1 of Section 2.23: Sign Regulation to Part 2:
24 Schedule of District Regulations Adopted to Appendix A: Zoning of the
25 City's Code of Ordinances to calculate allowed sign surface area and
26 determine maximum allowed height above grade.
- 27 2. In the case of multiple businesses operating at a single location, the total
28 face area of signage may be increased to 1½ times the maximum
29 stipulated in this article.

30 G. Secondary Signs.

31 In addition to the primary sign(s) referred to in (SECTION 19, F), small
32 secondary signs may be used to identify the following:

- 33 1. Entrance doors
- 34 2. Operating hours
- 35 3. Temporary signs

36 H. Temporary Signs.

37
38
39

4 See paragraph 520.C.1 of Section 2.23: Sign Regulation to Part 2: Schedule
5 of District Regulations Adopted to Appendix A: Zoning of the City's Code of
6 Ordinances

7 I. Illuminated Signs.

8 Illuminated signs may be constructed or erected within the Olde Towne
9 Preservation District subject to review and approval by the Historic
10 Preservation Commission for compatibility with surrounding historic context
11 and in keeping with the City's existing sign ordinance. Concealed lighting is
12 recommended. Bulbs may not be exposed. The light should enhance the
13 sign as well as the building on which it is mounted.

14 J. Digital Signs.

15 Effective the date of this ordinance, digital signs are not permitted in the Olde
16 Towne Preservation District. Digital signs in use at the time this ordinance is
17 enacted will be considered legal nonconforming and their eventual removal
18 will be dictated by Part 6: Nonconforming Lots; Nonconforming Uses of Land;
19 Nonconforming Structures and Nonconforming Uses of Structures and
20 Premises of Appendix A: Zoning of the City of Slidell's Code of Ordinances.

21 22. Aerials, Antennas, Solar Panels, Wind Turbines and any Other Roof
22 Projections

23 The construction of aerials, antennas, satellite dishes, solar panels, or other
24 projection from the roof subject to review and approval by the Historic Preservation
25 Commission for compatibility with surrounding historic context.

26 23. Minimum Maintenance Requirements

27 In order to insure the protective maintenance of resources, the exterior features of
28 such properties shall be maintained to meet the requirements of the City's Property
29 Maintenance Code and the City's Building Code.

30 24. Demolition

31 In order maintain the historic character of the District demolition of Historic
32 Structures must be reviewed by the Preservation Commission before a permit is
33 approved. The purpose of the review is to consider the impact the impact
34 demolition of the structure may have on the City's Preservation District's
35 designation, to recommend alternatives to demolition, and to recommend salvage of
36 historic materials for reuse in other preservation projects. Demolition can be either
37 at the request of the property owner or an action by the City to remove a
38 deteriorated structure that poses a threat to health and safety.
39

1 **ORDINANCE NO. 3898**
2 **ITEM NO. 18-05-3226**
3 **PAGE 18**

4 A. Demolition by Request of the Owner. When a property owner applies
5 for a permit to demolish an historic structure the application will be referred to
6 the Preservation Commission for review at the next scheduled meeting of the
7 Commission. Before a permit can be issued, the Preservation Commission
8 must review the application to determine if loss of this structure will adversely
9 impact the City's Certified Local Government or National Register
10 designation. As part of its review the Commission will consider alternatives
11 to demolition and opportunities to salvage historic materials for reuse with the
12 owner. The Commission make a recommendation to the owner based on
13 their review. If after receiving the Commission's recommendation the owner
14 decides to proceed with the demolition the Planning Department will sign off
15 on the permit, provided all other requirements have been met.

16 B. Demolition by Neglect. Before the City Council decides to demolish a
17 historic structure it must first be referred to the Preservation Commission for
18 review and recommendation. The Preservation Commission will determine if
19 loss of this structure will adversely impact the City's Certified Local
20 Government or National Register designation. As part of its review the
21 Commission will consider alternatives to demolition and opportunities to
22 salvage historic materials for reuse. The Commission's recommendation will
23 be forwarded to the City Council for their consideration when deciding
24 whether or not to proceed with the demolition.

25 BE IT FURTHER ORDAINED that if any provision of this Ordinance or the
26 application thereof to any person or circumstance is declared to be unconstitutional by
27 judgment of a Court of competent jurisdiction, then in that event, only that particular
28 provision shall be deemed unconstitutional, and the remaining provisions of this Ordinance
29 shall not be affected thereby.
30

31
32 BE IT FURTHER ORDAINED that this Ordinance shall be binding and shall
33 go into effect after public hearing and publication in accordance with law.
34

35
36 BE IT FURTHER ORDAINED that it is the intention of the City Council and it
37 is hereby ordained that the provisions of this Ordinance shall become and be made part of
38
39

4 the Code of Ordinances, City of Slidell Louisiana, identified as Chapter 2, Division 4 City of
5 Slidell Preservation District, Section 2-216. Creation of City of Slidell Preservation District.
6

7 **BE IT FINALLY ORDAINED** that this ordinance shall become effective July 1,
8
9 2018.

10 **ADOPTED** this 12th day of June, 2018.

11
12
13 

14 Landon Cusimano
15 President of the Council
16 Councilman-at-Large

17
18
19 

20 Freddy Drennan
21 Mayor

22
23 

24 Thomas P. Reeves
25 Council Administrator

DELIVERED	6/14/18
9:30 am	to the Mayor
RECEIVED	6/20/18
3:15 pm	from the Mayor