

2019-0009

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. 19-2-3

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, Section III, Definitions, to revise the definitions of child daycare center and child daycare home and to revise Section XXII. Regulations for Home Occupations, to clarify the regulations for child care.

**WHEREAS,** Ordinance 15-7-5 modernized the St. Charles Parish Zoning Ordinance with simplified definitions and a streamlined process for permitting home occupations; and,

**WHEREAS,** the modernized definition of "*Day care center, child*" (Section III of the Zoning Ordinance) creates distinctions of intensity which are confusing and unnecessary; and,

**WHEREAS,** the modernized definition of "*Day care home, child*" (Section III of the Zoning Ordinance) creates distinctions of intensity that do not agree with the Regulations for Home Occupations (Section XXII of the Zoning Ordinance); and,

**WHEREAS,** regulations for Home Occupations suggest a maximum number of children in a child daycare home which does not agree with the provisions of the Louisiana State Building Code requiring *commercial* code compliance for a child daycare home with *more than five (5) children*; and,

**WHEREAS,** the St. Charles Parish Council wishes to clarify the language in the Zoning Ordinance for accuracy and consistency.

**NOW, THEREFORE, THE ST PARISH COUNCIL ORDAINS:**

**SECTION I.** That the St. Charles Parish Zoning Ordinance of 1981, Section III. Definitions, is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

*Day care center, child*: A facility where, for a portion of a twenty-four-hour day, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

~~(1) Day care center, small: Up to fifteen (15) children.~~

~~(2) Day care center, large: Sixteen (16) to fifty (50) children.~~

~~(3) Day care center, commercial: Fifty-one (51) or more children.~~

**SECTION II.** That the St. Charles Parish Zoning Ordinance of 1981, Section III. Definitions, is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

*Day care home, child*: A private home in which a permanent occupant provides care for up to five (5) children from outside households in a protective setting for less than twenty-four-hours per day. ~~The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include homes that receive children from a single household.~~

~~(1) Day care home, small: Up to five (5) children.~~

~~(2) Day care home, large: six (6) twelve (12) children.~~

**SECTION III.** That the St. Charles Parish Zoning Ordinance of 1981, Section XXII. Regulations for Home Occupations, item A, is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~

When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, child care for not more than **five (5)** ~~six (6)~~ children, contracting services, cosmetology, crafting, dressmaking, alterations, tailoring, Internet based sales, professional offices, teaching or tutoring inclusive of arts.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, BELLOCK,  
FISHER-PERRIER

NAYS: NONE

ABSENT: WOODRUFF, FLETCHER

And the ordinance was declared adopted this 4th day of February, 2019 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: Michelle Spontato

DLVD/PARISH PRESIDENT: February 5, 2019

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: February 11, 2019

AT: 10:15am RECD BY: [Signature]