



# St. Charles Parish

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## Legislation Details (With Text)

<b>File #:</b>	2019-0009	<b>Version:</b>	1	<b>Name:</b>	Amend Code - Zoning Ordinance of 1981, Section III, Definitions and Section XXII. Regulations for Home Occupations, to clarify the regulations for child care
<b>Type:</b>	Ordinance	<b>Status:</b>			Enacted
<b>File created:</b>	1/22/2019	<b>In control:</b>			Parish Council
<b>On agenda:</b>	2/4/2019	<b>Final action:</b>			2/4/2019
<b>Enactment date:</b>		<b>Yes</b>			19-2-3
<b>Title:</b>	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.				
<b>Sponsors:</b>	Lawrence 'Larry' Cochran, Department of Planning & Zoning				
<b>Indexes:</b>	P and Z (Dept. of)				
<b>Code sections:</b>	Appendix A. Section III. - Definitions, Appendix A. Section XXII. - Regulations for home occupations				
<b>Attachments:</b>	1. 2019-0009 Recommendation at a Glance _Clarifying in home daycare, 2. 2019-0009 01.10.19_Minutes_Daycare.pdf, 3. 2019-0009 LUR_PZO 2019-01_Daycare definitions, 4. 2019-0009 Final Ord 19-2-3				

Date	Ver.	Action By	Action	Result
2/11/2019	1	Parish President	Approved by the Par. Pres.	
2/4/2019	1	Parish Council	Public Hearing Requirements Satisfied	
2/4/2019	1	Parish Council	Approved	Pass
1/22/2019	1	Parish Council	Publish/Scheduled for Public Hearing	
1/22/2019	1	Parish President	Introduced	
1/10/2019	1	Planning Commission	Recommended Approval	
1/10/2019	1	Department of Planning & Zoning	Recommended Approval	

### 2019-0009

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

### **ORDINANCE NO.** \_\_\_\_\_

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:

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

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

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

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_