

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4170

ORDINANCE COUNCIL SERIES NO. 09-

COUNCIL SPONSOR BINDER/DAVIS

PROVIDED BY PLANNING DEPARTMENT

INTRODUCED BY _____

SECONDED BY _____

ON THE _____ DAY OF _____ 2009

ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME I (Zoning), SECTIONS 5.01 E-1 ESTATE DISTRICT, 5.02 E-2 ESTATE DISTRICT, 5.03 E-3 ESTATE DISTRICT, 5.04 E-4 ESTATE DISTRICT, 5.05 A-1 SUBURBAN DISTRICT, 5.06 A-1-A SUBURBAN DISTRICT, 5.07 A-2 SUBURBAN DISTRICT, 5.08 A-3 SUBURBAN DISTRICT TO ADD THE USE OF DAY CARE HOME AS AN ADMINISTRATIVE PERMIT. (ZC09-09-029)

WHEREAS, St. Tammany Parish Council, considered the possibility that the amendment below may be advantageous to the economic development of St. Tammany Parish; and

WHEREAS, the St. Tammany Parish Council has determined that it is in the best interest of the businesses and citizens of St. Tammany Parish to provide such clarification;

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.01 E-1 Estate District relative to the use of day care home be permitted as follow:

5.0103 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M.~~ N. Other administrative uses which are similar and compatible with the E-1 Estate District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.02 E-2 Estate District relative to the use of day care home be permitted as follow:

5.0203 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M.~~ N. Other administrative uses which are similar and compatible with the E-2 Estate District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.03 E-3 Estate District relative to the use of day care home be permitted as follow:

5.0303 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the E-3 Estate District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.04 E-4 Estate District relative to the use of day care home be permitted as follow:

5.0403 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the E-4 Estate District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.05 A-1 Suburban District relative to the use of day care home be permitted as follow:

5.0503 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the A-1 Suburban District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.06 A-1-A Suburban District relative to the use of day care home be permitted as follow:

5.0603 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the A-1-A Suburban District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.07 A-2 Suburban District relative to the use of day care home be permitted as follows:

5.0703 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the A-2 Suburban District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 5.08 A-3 Suburban District relative to the use of day care home be permitted as follow:

5.0803 ADMINISTRATIVE PERMITS

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

M. Day Care Home

~~M. N.~~ Other administrative uses which are similar and compatible with the A-3 Suburban District as determined by the Director of Planning acting in the capacity of Zoning Administrator.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 10 Definitions, be amended as follows:

SECTION 10 - DEFINITIONS

Day Care Home. A residence which cares ~~receives four but for~~ not more than eight children ~~of care~~ during all or part of the day. Not to be construed as a Day Care Center. The maximum of eight children ~~shall not include~~ the natural or adopted children under the age of 16 of the occupants of the residence. The use shall be secondary to the use of the property as a residence. The day care home must only be operated and the care of the children done by a person who resides in the residence where the day care home is to be located.

BE IT FURTHER ORDAINED that it amends the St. Tammany Parish Unified Development Code, Volume I, (Zoning) Section 8.01 MINIMUM STANDARDS FOR SPECIFIC USES L., be amended as follows:

L. DAY CARE CENTERS AND DAYCARE HOME

1. Prior to issuance of a building permit and/or administrative permit, a site plan shall be submitted for approval to the Department of Planning indicating the following:
 - a. location of all structures on site including signage
 - b. Minimum landscape requirements
 - c. Minimum parking requirements
 - d. Ingress and egress to the site
 - e. Adjacent land uses

2. In addition to all Federal and State laws, the following requirements must be met:
 - a. A minimum play area of ~~25~~ 50 square feet for each child which is enclosed ~~to~~ with an opaque fence of a minimum height of not less than 4 6 feet.
 - b. An off-street loading area shall be provided to accommodate a minimum of five (5) automobiles for daycare centers. This loading area shall be provided in addition to the minimum parking requirements, or as determined by the Department of Planning.
 - c. Where a day care center adjoins any residential zoning district, a buffer yard must be provided which is a minimum of ten feet in depth and ~~in which evergreen shrubs are planted to form a screen that within two years time will become a seventy (70%) percent opaque sight obscuring screen or a six foot (6') tall one hundred (100%) opaque screen is installed.~~
 - d. An off-street loading area shall be provided to accommodate a minimum of three (3) automobiles for daycare homes.

3. Additional information shall be submitted as determined by Department of Planning.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

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

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2009; AND BECOMES ORDINANCE COUNCIL SERIES NO. 09-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: OCTOBER 29, 2009

Published adoption on: _____, 2009

Delivered to Parish President: _____, 2009 @ _____

Returned to Council Clerk: _____, 2009 @ _____