

On motion of Mr. Templet, seconded by Mr. Walker, the following ordinance was offered:

SUMMARY NO. 25787 ORDINANCE NO. 26302

An ordinance to amend Chapter 11 Day-Care Centers, Chapter 33 Unified Development Code, and Chapter 40 Zoning of the Code of Ordinances of the Parish of Jefferson, to amend the zoning regulations and standards for daycares and similar facilities, and provide for related matters; as recommended by a study authorized by Council Resolution No. 132225 adopted September 19, 2018 and extended via Council Resolution No. 134138 adopted August 21, 2019.
(Parishwide)

WHEREAS, the Jefferson Parish Council, through Resolution No. 132225 adopted September 19, 2018 and extended via Council Resolution No. 134138 adopted August 21, 2019, authorized the Planning Department and the Planning Advisory Board to conduct a text study with the intent of evaluating and updating zoning regulations and standards for daycare and similar facilities, and providing for related matters; and

WHEREAS, daycare centers are regulated and licensed by the State of Louisiana (State), with minimum standards for many aspects of the operation and the site, including the building, indoor and outdoor play areas, play area enclosures, staffing, insurance, safety; and

WHEREAS, as part of the early learning center licensing and renewal process, the State inspects day care centers annually, at minimum, and thoroughly evaluates and updates the standards for these types of facilities every three years with a committee of child day care stakeholders; and

WHEREAS, State-defined family child care and in-home providers are regulated by the Louisiana “Family Child Care Provider and In-Home Child Care Provider Registration Law,” are inspected by the Office of State Fire Marshal, and must meet safety and health requirements; and

WHEREAS, the Parish’s childcare permit is issued through the Department of Inspection and Code Enforcement and addressed in Chapter 11 in the Code with requirements for daycares and similar facilities that are outdated and inconsistent with other Parish regulations and State standards; and

WHEREAS, requiring the outdated Parish-issued day care permit in addition to a State license and State inspection is duplicative and unnecessary; and

WHEREAS, currently Chapter 33 Unified Development Code and Chapter 40 Zoning of the Code of Ordinances have four terms related to daycares, including *family day care*; *nursery school*, *preschool*, or *kindergarten*; *child care center*; and *child day care*; and

WHEREAS, streamlining the Parish’s standards for daycare and similar facilities with the State’s standards and establishing two distinct uses, *day care homes* and *day care centers*, consistent with State licensing in terms of type of care provided, number of children within care, and duration of care and consistent with home occupation language in terms of location and person providing care, would increase consistency and make interpretation easier; and

WHEREAS, planning publications stress a need to locate daycares near homes and places of employment and recognize that daycares have intimate ties to family home life, similar to schools and religious institutions; and

WHEREAS, day care centers are similar to schools and sometimes accessory to schools and religious uses, but are not allowed in most residential zoning districts where schools or religious uses are permitted; and

WHEREAS, schools and religious uses are currently permitted in all of the residential zoning districts but day care centers are only permitted in two residential districts, Core District Residential (CD-R) and Multiple Family Residential (R-3); and

WHEREAS, permitting day care centers as a conditional use with additional standards in residential districts with criteria similar to schools would increase

access to day care services while protecting the residential integrity of the neighborhood; and

WHEREAS, permitting day care centers with supplemental regulations aligned with the State in some mixed-use zoning districts and all commercial zoning districts would allow day care centers to locate near places of employment; and

WHEREAS, streamlining the supplemental standards for day care centers with the State’s standards and updating the existing two different parking standards for day care facilities to one standard recommended by the 21st Century Land Development Code would make interpretation of the Code easier; and

WHEREAS, these recommendations support the *Envision Jefferson 2040* goals and objectives to employ best planning practices and effective regulatory tools and minimize the negative impacts of new development or redevelopment through up-to-date regulations and standards based on best practices and allow facilities such as schools and religious uses to encourage residential neighborhoods suitable for family life; and

WHEREAS, the Planning Director of this Parish has caused to be duly advertised, as prescribed by law, a public hearing in connection with the text amendment under Docket No. TXT-7-21; and

WHEREAS, a public hearing was held by the Planning Advisory Board, in accordance with law.

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION 1.That Chapter 11 Day-Care Centers is hereby renamed to Chapter 11- Board and Care Homes.

SECTION 2. That Chapter 11, Article I. – In General, is hereby amended to read as follows:

ARTICLE 1. – Reserved.

Sec. 11-1. – 11-15. Reserved.

SECTION 3. That Chapter 11, Article II. – Permit, is hereby amended to read as follows:

ARTICLE II. – Reserved.

Sec. 11-16. – 11-32. – Reserved.

SECTION 4. That Chapter 33 Unified Development Code, Sec. 33-3.4.4. Master Use Matrix, is hereby amended to amend the LBCS Classification, LBCS Structure Code, and Description of *child daycare* and amend the LBCS Classification and Description of *nursery, preschool, or kindergarten*, to read as follows:

Table 33-3.4.4.-1: Master Use Matrix.

LBCS Classification	LBCS Function Code	LBCS Structure Code	Description
* * *			
Day care center, accessory to a school, religious use, or institution	6110		Accessory to a grade school (LBCS 6120), religious use, or institutions.
* * *			
Day care	6562	2000	See definition in Article 10.

LBCS Classification	LBCS Function Code	LBCS Structure Code	Specific use standard Sec. No.	OBM-1 §33-3.51	OBM-2 §33-3.52	FC-1 §33-3.53	FC-2 §33-3.53	FC-3 §33-3.53	U-1S §33-3.58	TCMU §33-3.54
drive-through alcoholic beverage service	2541		33-5.3.-8	X	X	X	X	X	S	X
* * *										
dry cleaning and laundry	2622		33-5.3.9	X	S	X	X	P	P	S
* * *										
Parking garage	2642		33-5.3.15	X	X	S	S	S	P	S
* * *										
Self-storage	2660	2700	33-5.3.19	X	X	X	X	S	S	X
* * *										
Animal and pet services and kennels	2720		33-5.3.13	X	S	X	X	S	P	X
* * *										
Casino or gambling	5330		33-5.3.11 or 33-5.3.14	X	X	X	X	X	C	X
* * *										
Day care center, accessory to a school, religious use, or institution	6110		33-5.3.7 or 33-5.3.18	S	S	X	X	X	P	X
Grade school	6120									
Elementary	6121	4210	33-5.3.18	S	S	X	X	X	P	X
Middle or junior	6122	4210	33-5.3.18	S	S	X	X	X	P	X
Senior or high	6123	4210	33-5.3.18	S	S	X	X	X	P	X
* * *										
Day care center	6562	2000	33-5.3.7	S	S	X	S	S	S	S
* * *										

LBCS Classification	LBCS Function Code	LBCS Structure Code	Specific use standard Sec. No.	OBM-1 §33-3.51	OBM-2 §33-3.52	FC-1 §33-3.53	FC-2 §33-3.53	FC-3 §33-3.53	U-1S §33-3.58	TCMU §33-3.54
Religious institution	6600	3500	33-5.3.16	S	P	X	X	P	S	P
* * *										

SECTION 6. That Chapter 33 Unified Development Code, Sec. 33-35.8.4. Supplemental conditions for specific uses, is hereby amended to amend *nursery or preschool (LBCS6110)* to day care center (LBCS 6562), to read as:

Sec. 33-3.58.4. Supplemental conditions for specific uses (U-1S).

A bar or drinking place, including a drive-through alcoholic beverage service (LBCS function code 2540 or 2541) shall be located at least three hundred (300) feet measured radially from the property line of the bar or drinking place to the property line of any residential district, dwelling, day care center (LBCS function code 6562), grade school (LBCS function code 6120), social assistance, welfare, or charitable service (LBCS function code 6560), religious institution (LBCS function code 6600), or public recreational day camp, park, or playground.

SECTION 7. That Chapter 33 Unified Development Code, Sec. 33-5.3.1. Accessory uses in a dwelling, is hereby amended to delete *family day care* and *nursery school* from Table 33-5.3.1.1- Development Approval for Accessory Uses and Subsection 33-5.3.1.2. Accessory family day care. and Subsection 33-5.3.1.4. Accessory nursery school, pre-school, or kindergarten, and renumber the subsequent subsections accordingly, to read as follows:

* * *

Table 33-5.3.1-1: Development Approval for Accessory Uses in a Dwelling.

Accessory Use	Zoning District Permitted	Development Approval Procedure
Ceramic article manufacture	R1A, OBM1	Site plan
Hair care	R1A, OBM1	Conditional use
Secondary culinary facility	R1A, OBM1	Conditional use

* * *

Sec. 33-5.3.1.2. Accessory hair care.

* * *

Sec. 33-5.3.1.3. Accessory second culinary facility.

* * *

SECTION 8. That Chapter 33 Unified Development Code, Sec. 33-5.3.5. Board and care home (include LBCS function code 1231), is hereby amended to reference the renamed Chapter 11-Board and Care Homes, to read as follows:

* * *

- (c) Facilities are subject to the requirements of Chapter 11 Board and Care Homes, Article I Regulation and Inspection of Board and Care Homes of this Code.

* * *

SECTION 9. That Chapter 33 Unified Development Code, Sec. 33-5.3. Specific use standards, is hereby amended to add Subsection 33-5.3.7. Day Care Centers. And renumber the subsequent subsections accordingly, to read as follows:

* * *

Sec. 33-5.3.6. Club, private or service (includes LBCS function codes 5340 and 6830).

- (a) Lot area shall be a minimum of twenty thousand (20,000) square feet;
- (b) Clubs with recreational uses such as tennis courts, swimming pools, golf courses, but not to include stadiums or athletic fields, shall have a minimum lot area of five (5) acres;
- (c) The required setback of all buildings shall be a minimum distance of fifty (50) feet, measured in a straight line, without regard to intervening structures, from the nearest exterior structural wall of the building to the lot line when abutting property zoned residentially;
- (d) Clubs approved under this provision shall be recognized as conforming uses.

Sec. 33-5.3.7. Day care centers (includes LBCS function code 6562).

- (a) Proof of the appropriate State-issued license shall be provided before a zoning clearance is issued by the Department of Inspection and Code Enforcement.
- (b) In addition to the requirements of the State, the outdoor play area shall be enclosed by a permanent fence or barrier with a minimum height of four (4) feet.
- (c) The outdoor play area may be located on a separate lot if:
 - (1) Meets the requirements of State;
 - (2) The separate lot containing the play area is legally dedicated and bound to the lot containing the principal structure in an act of dedication that is duly recorded in the Jefferson Parish Clerk of Court's records; and
 - (3) Is located in a zoning district that permits private and public playgrounds by right.
- (d) If an off-site drop-off zone is provided, it shall be continuously connected by a path system to the main entrance of the day care center.

Sec. 33-5.3.8. Drive-through facilities. (LBCS function codes 2211, 2521, 2531, 2541).

* * *

Sec. 33-5.3.9. Dry cleaning and laundries (includes LBCS function codes 2622).

* * *

Sec. 33-5.3.10. Filling, gas, or service station (LBCS function code 2116).

* * *

Sec. 33-5.3.11. Gaming establishment (includes LBCS function codes 1340 and 5330).

* * *

Sec. 33-5.3.12. Home occupations.

* * *
Sec. 33-5.3.13. Kennel (includes LBCS function code 2720).

* * *
Sec. 33-5.3.14. Off-Track Wagering.

* * *
Sec. 33-5.3.15. Parking garage (LBCS Function Code 2642).

* * *
Sec. 33-5.3.16. Religious uses (LBCS Function Code 6600).

* * *
Sec. 33-5.3.17. Residential dwelling units.

* * *
Sec. 33-5.3.18. Schools, elementary, junior high, or high (LBCS Function Codes 6121, 6122, and 6123).

* * *
Sec. 33-5.3.19. Self-storage (LBCS Function Code 2660).

* * *
Sec. 33-5.3.20. Stadiums and athletic fields.

* * *
Sec. 33-5.3.21. Temporary uses (reserved).

* * *
Sec. 33-3.3.22. Truck stops (LBCS Function Code 2118).

* * *
Sec. 33-5.3.23. Utility structures.

* * *
Sec. 33-5.3.24. Veterinary clinics and animal hospitals.

* * *
Sec. 33-5.3.25. Wireless communications facilities (reserved).

SECTION 10. That Chapter 33 Unified Development Code, Sec. 33-5.3.12.4. Permitted home occupations, is hereby amended to add Day Care, In-Home, and renumber the subsequent uses accordingly, to read as follows:

Sec. 33-5.3.12.4. Permitted home occupations.

The following home occupations are allowed subject to the standards established in Sec. 33-5.3.12.3:

- (1) Accounting, tax preparation, bookkeeping, and payroll services (LBCS function code 2412);**
- (2) Advertising, media, and photography services (LBCS function code 2417);**
- (3) Architectural, engineering, landscape architectural, drafting, and related services (LBCS function code 2413);**
- (4) Artist, writer, or performer (LBCS function code 5160);**
- (5) Computer training (limited to no more than one (1) student at a time; LBCS function code 6143);**
- (6) Consulting services (LBCS function code 2415);**
- (7) Day care home**
 - a. Subsection (c) of Sec. 33-5.3.12.3. Standards. shall not apply.
 - b. In addition to the requirements of the State, the outdoor play area shall be a minimum of seventy-five (75) square feet per child using the space at a time, or whatever the State requires, whichever is more strict, and shall be enclosed by a permanent opaque fence or barrier with a minimum height of six (6) feet.

- (8) Diet, weight reduction, and exercise services (limited to no more than one (1) client at a time; LBCS code 2612);
- (9) Events promotion or agent services (LBCS function codes 5140 and 5150);
- (10) Graphic and interior design services (LBCS function code 2414);
- (11) Financial planning and investment services (LBCS function code 2250);
- (12) Information and data processing services (LBCS function code 4240);
- (13) Insurance sales (LBCS function code 2240);
- (14) Legal services (LBCS function code 2411);
- (15) Mail-order business (limited to order taking only; no stock in trade allowed; LBCS function code 2144);
- (16) Music, art, craft, and similar lessons (limited to no more than one (1) pupil at a time; LBCS function code 6145);
- (17) Professional, scientific, or technical services (LBCS function code 2420);
- (18) Real estate or property management agent (LBCS function codes 2310 and 2320);
- (19) Tailoring (e.g., dressmaking and alterations) services (LBCS function code 3131);
- (20) Travel arrangement and reservation services (LBCS function code 2430).

* * *

SECTION 11. That Chapter 33 Unified Development Code, Sec. 33-5.3.14. Off-Track Wagering, is hereby amended to amend *child care center* to *day care center*, to read as follows:

Sec. 33-5.3.14. Off-Track Wagering.

- (a) The distance between any off-track wagering facility and the following residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), Townhouses (R1TH), Condominiums (R1CO), Core District Residential (CDR), and Multiple-Family Residential (R3); or between any off-track wagering facility and a dwelling, school, day care center, religious institution, park, recreational area, museum, community center or public library shall be a minimum of five hundred (500) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the off-track wagering facility to the closest property line of the residential zoning district or dwelling, school, day care center, religious institution, park or recreational area, or museum, community center or public library.

* * *

SECTION 12. That Chapter 33 Unified Development Code, Sec. 33-10.2. Definitions applicable to this entire UDC., is hereby amended to amend the reference to Chapter 11, add definitions for *day care home*, and amend the definition of *child care center*, to read as follows:

* * *

Board and care home shall mean a facility which provides personal assistance or protective care and/or lodging and meals to not more than six (6) adults who are ambulatory and unrelated to the resident licensee, operator or administrator. Such facilities are also subject to the requirements of Chapter 11, Article I of the Jefferson Parish Code of Ordinances. Any dwelling, building or structure used for

residential overnight care facilities and/or housing or treating persons as a part of, condition of, or prerequisite for probation, parole or suspension of sentence; mental and psychiatric care facilities; halfway houses; community rehabilitation centers; juvenile rehabilitation centers; adult rehabilitation centers; drug and alcohol treatment centers; detoxification centers; detoxification houses; and similar correctional and treatment facilities shall not be considered a board and care home.

* * *

Cul-de-sac shall mean a minor street which by design is not intended to be a through street and has but one (1) end open for vehicular traffic with the other end permanently terminated by a circular turning area for reversing the direction of vehicular traffic.

Day care center, shall mean a facility that provides care, supervision, and guidance to children, in accordance with all applicable state and federal laws. A child day care center does not include a child day care home or seasonal camps or programs. A day care center may be accessory to a school serving children in grades kindergarten or above, a religious use, or other institutions.

Day care home shall mean a residential dwelling where a member of the family residing in the dwelling unit receives pay and provides care, supervision, and guidance to six (6) or less children, not including those related to the caregiver, in accordance with all other applicable state and federal laws. A child day care home does not include homes with overnight care.

Decision-Maker shall mean the person, board, council, commission or entity responsible for final approval of a development application.

* * *

SECTION 13. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-3 Definitions., is hereby amended to amend the reference to Chapter 11, add a definition for *day care home*, amend the definition of *child care center*, and delete *family day care home*, to read as follows:

* * *

Board and care home shall mean a facility which provides personal assistance or protective care and/or lodging and meals to not more than six (6) adults who are ambulatory and unrelated to the resident licensee, operator or administrator. Such facilities are also subject to the requirements of Chapter 11, Article I of the Jefferson Parish Code of Ordinances. Any dwelling, building or structure used for residential overnight care facilities and/or housing or treating persons as a part of, condition of, or prerequisite for probation, parole or suspension of sentence; mental and psychiatric care facilities; halfway houses; community rehabilitation centers; juvenile rehabilitation centers; adult rehabilitation centers; drug and alcohol treatment centers; detoxification centers; detoxification houses; and similar correctional and treatment facilities shall not be considered a board and care home.

* * *

Curb line shall mean the line formed by the back or exterior surface of the curb. Where curb lines do not exist, the edge of the street pavement shall be equivalent to the curb line.

Day care center shall mean a facility that provides care, supervision, and guidance to children, in accordance with all applicable state and federal laws. A child day care center does not include a child day care home, seasonal camps or programs. A day care center may be accessory to a school serving children in grades kindergarten or above, a religious use, or other institutions.

Day care home shall mean a residential dwelling where a member of the family residing in the dwelling unit receives pay and provides care, supervision, and guidance to six (6) or less children, not including those related to the caregiver, in accordance with all other applicable state and federal laws. A child day care

home does not include homes with overnight care.

Density shall mean the number of dwelling units per acre.

* * *

Family shall mean one (1) or more persons living together and occupying a dwelling unit as a single housekeeping unit with complete living facilities including kitchen facilities or equipment for cooking and a room or rooms for living, sleeping, bathing and eating. A second culinary facility may be permitted only as provided in Article VI, Single-Family Residential District - R-1A of this Code.

Fence shall mean a free-standing structure consisting of wood (rails or stakes), metal, masonry, or other similar materials designed for the purposes of fence construction, erected so as to enclose, divide, screen or protect yards or lots and portions thereof. Low lying structures in required front yards solely used for the purpose of gardening, and not acting as a barrier between yards, when less than twelve (12) inches tall, shall not be considered a fence.

* * *

SECTION 14. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-77. Permitted uses, is hereby amended to add *day care centers* to permitted uses, reference Sec. 33-5.3. Specific use standards., specify approval is obtained in accordance with Article XL, Special Permitted Uses., and renumber the subsequent uses accordingly, to read as follows:

* * *

- (20) Truck and flower gardening, nurseries and greenhouses.
- (21) Day care centers.
 - a. Sec. 33-5.3. Specific use standards. shall apply.
 - b. Lot area shall be a minimum of twenty thousand (20,000) square feet.
 - c. The required setback of all buildings shall be a minimum distance of fifty (50) feet when abutting a residential zoning district.
 - d. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.
- (22) Accessory buildings and uses customarily incidental to any of the above uses.

SECTION 15. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-92. Permitted uses, is hereby amended to amend (13) *family day care homes* to *day care centers*, reference Sec. 33-5.3. Specific use standards., specify approval is obtained in accordance with Article XL, Special Permitted Uses, delete (14) *nursery schools, pre-schools, or kindergartens*, and renumber the subsequent uses accordingly, to read as follows:

* * *

- (13) Day care centers.
 - a. Sec. 33-5.3. Specific use standards. shall apply.
 - b. Lot area shall be a minimum of twenty thousand (20,000) square feet.
 - c. The required setback of all buildings shall be a minimum distance of fifty (50) feet when abutting a residential zoning district.
 - d. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.
- (14) Accessory buildings including private garages, and uses customarily incidental to any of the above uses, when located on the same lot not involving the conduct of a business.

- (15) Ceramic article manufacture or similar arts and crafts only as an accessory use to the single-family dwelling and conditioned upon furnishing the director of inspection and code enforcement an affidavit, renewable each twelve (12) months period, stating that the person engaged in the manufacture of ceramic articles or similar arts and crafts is in compliance with the following criteria:

* * *

- (16) Second culinary facility, provided the following criteria are met:

* * *

SECTION 16. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-108. Special permitted uses, is hereby amended to add *day care centers* to special permitted uses and reference Sec. 33-5.3. Specific use standards, to read as follows:

Sec. 40-108. Special permitted uses.

* * *

- (b) The following uses are permitted subject to the criteria listed in Sec. 40-763(b) of the Comprehensive Zoning Ordinance including a Jefferson Parish Council Public Hearing.

* * *

- (6) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 17. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-128. Special permitted uses, is hereby amended to *add day care centers* to special permitted uses and reference Sec. 33-5.3. Specific use standards., to read as follows:

Sec. 40-128. Special permitted uses.

* * *

- (b) The following uses are permitted subject to the criteria listed in Sec. 40-763(b) of the Comprehensive Zoning Ordinance including a Jefferson Parish Council Public Hearing.

* * *

- (6) Day care centers. Sec. 33-5.3. Specific use standards. Shall apply.

* * *

SECTION 18. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-148. Special permitted uses, is hereby amended to add *day care centers* to special permitted uses and reference Sec. 33-5.3. Specific use standards., to read as follows:

Sec. 40-148. Special permitted uses.

* * *

- (b) The following uses are permitted subject to the criteria listed in Sec. 40-763(b) of the Comprehensive Zoning Ordinance including a Jefferson Parish Council Public Hearing.

* * *

- (6) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 19. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-217. Permitted uses, is hereby amended to amend (9) *family day care* to *Day care centers*, reference Sec. 33-5.3. Specific use standards, specify approval is obtained in accordance with Article XL, Special Permitted Uses, delete (13) *nursery schools, pre-schools, or kindergartens*, and renumber the subsequent uses accordingly, to read as follows:

- (9) Day care centers.
- a. Sec. 33-5.3. Specific use standards shall apply.
 - b. Lot area shall be a minimum of twenty thousand (20,000) square feet.
 - c. The required setback of all buildings shall be a minimum distance of fifty (50) feet when abutting a residential zoning district.
 - d. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.

* * *

- (13) Private and public parks or playgrounds. Athletic fields and stadiums must meet applicable additional criteria set forth in Sec. 40-747, Regulations for stadiums and athletic fields.

* * *

SECTION 20. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-237. Permitted uses, is hereby amended to delete *(8) nursery schools, pre-schools, and kindergartens* and renumber the subsequent uses accordingly, to read as follows:

* * *

- (8) Nursing or convalescent home

* * *

SECTION 21. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-282. Permitted uses, is hereby amended to add *Day care centers* as a permitted use and reference Sec. 33.5.3. Specific use standards., to read as follows:

* * *

- (9) Elderly housing and assisted living facility provided the following minimum criteria are met:

* * *

- (10) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 22. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-302. Permitted uses, is hereby amended to add *Day care centers* as a permitted use and reference Sec. 33-5.3. Specific use standards., to read as follows:

* * *

- (15) Multiple-family dwellings
- (16) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 23. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-322. Permitted uses, is hereby amended to amend *(28) nursery schools, pre-schools, and kindergartens* to *Day care centers* and reference Sec. 33-5.3. Specific use standards., to read as follows:

* * *

- (28) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 24. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-342. Permitted uses, is hereby amended to amend *(17) Child care centers* to *Day care centers*, and reference Sec. 33-5.3. Specific use standards., to read as follows:

* * *

- (17) Day care centers. Sec. 33-5.3. Specific use standards shall apply.

* * *

SECTION 25. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-362. Permitted uses, is hereby amended to amend (15) *child care centers* to *Day care centers*, and reference Sec. 33-5.3. Specific use standards., to read as follows:

* * *

(15) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 26. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-382. Permitted uses, is hereby amended to amend (11) *Nursery schools, pre-schools, and kindergartens* to *Day care centers*, and reference Sec. 33-5.3. Specific use standards., to read as follows:

* * *

(11) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 27. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-402. Permitted uses, is hereby amended to add *Day care centers* as a permitted use, to read as follows:

* * *

(26) Multiple-family dwellings comprised of thirty (30) or more units.

(27) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

* * *

SECTION 28. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-422. Permitted uses, is hereby amended to add *Day care centers* as a permitted use, to read as follows:

* * *

(39) Accessory buildings and uses and warehouses when located on the same lot as a permitted use in this district and provided that materials or articles are not stored in an open area outside the building unless the area is completely screened from view from public rights-of-way and adjacent properties with an opaque wood, masonry, or brick fence with a minimum height of seven (7) feet.

(40) Day care centers. Sec. 33-5.3. Specific use standards. shall apply.

SECTION 29. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-522. Permitted uses, is hereby amended to amend *child care center* to *day care center*, to read as follows:

* * *

(2) Adult Uses as defined in this chapter, provided the following criteria are met:

- a. The distance between any adult use and any residential district or dwelling, shall be a minimum of one thousand (1,000) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the adult use to the closest property line of the residential district or dwelling, whichever is greater.
- b. The distance between any two adult uses shall be one thousand (1,000) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business.
- c. The distance between any adult use and any existing school, day care center, church or place of worship, park or recreational area, public library, museum, or community center, shall be a minimum of one thousand (1,000) feet, measured in a straight line, without regard to intervening

structures, from the closest exterior structural wall of the adult use to the closest property line of the school, day care center, church or place of worship, park or recreational area, public library, museum, or community center.

* * *

- (15) Off-track wagering facilities provided the following criteria are met:
 - a. The distance between any off-track wagering facility and the following residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), Townhouses (R1TH), Condominiums (R1CO), Core District Residential (CD-R), and Multiple-Family Residential (R3); or between any off-track wagering facility and a dwelling, school, day care center, religious institution, park, recreational area, museum, community center or public library shall be a minimum of five hundred (500) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the off-track wagering facility to the closest property line of the residential zoning district or dwelling, school, day care center, religious institution, park or recreational area, or museum, community center or public library.

* * *

SECTION 30. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-562. Permitted uses, is hereby amended to amend *child care center* to *day care center*, to read as follows:

* * *

- (f) Off-track wagering facilities provided the following requirements are met:
 - a. The distance between any off-track wagering facility and the following residential zoning districts: Suburban District (S1), Single-Family Residential District (R1A), Suburban Residential District (R1B), Rural Residential District (R1C), Rural Residential District (R1D), Manufactured Home District (R1MH), Two-Family Residential District (R2), Three- and Four-Family Residential District (RR3), Townhouses (R1TH), Condominiums (R1CO), Core District-Residential (CD-R), and Multiple-Family Residential (R3); or between any off-track wagering facility and a dwelling, school, day care center, religious institution, park, recreational area, museum, community center, or public library shall be a minimum of five hundred (500) feet, measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the off-track wagering facility to the closest property line of the residential zoning district or dwelling, school, day care center, religious institution, park, recreational area, museum, community center, or public library.

* * *

SECTION 31. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-662. Off-street parking requirements, is hereby amended to amend (8) *child care center*, delete (24) *kindergartens, family day care homes, nursery schools, or preschools*, renumber the subsequent uses accordingly, and clarify provisions for facilities with accessory day cares, to read as follows:

USE	
	* * *

USE	
(8) Day Care Center	One (1) space per three hundred seventy-five (375) square feet of gross floor area
	* * *
(24) Libraries and Museums	One (1) space for each four hundred (400) square feet of gross floor area
	* * *
(34) Schools having auditoriums, gymnasiums, sports arenas, or religious uses, including but not limited to accessory day care centers	Schools with such facilities shall have parking that accommodates the highest number of parking spaces required when the required parking spaces for the school and each such facility are calculated; i.e., the use requiring the highest number of parking spaces shall be the parking requirement that applies.
	* * *

SECTION 32. That Chapter 40 Comprehensive Zoning Ordinance, Sec. 40-752. Regulations for home occupations, is hereby amended to reference Sec. 33-5.3.12. Home Occupations, to read as follows:

Sec. 40-752. Regulations for home occupations. Sec. 33-5.3.12. Home Occupations shall apply.


SECTION 33. That the Municipal Code Corporation is hereby authorized and directed to correct any cross-references within the code that are affected by the renumbering of sections or subparagraphs via this ordinance.

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

YEAS: 7 NAYS: None ABSENT: None

This ordinance was declared to be adopted on the 10th day of November 2021, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption, thereafter, upon signature by the Parish President or, if not signed by the Parish President, upon expiration of the time of ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL