

St. Charles Parish Department of Planning & Zoning

Land Use Report

Case Number: 2021-8-ORD

Introduced by Matthew Jewell, Parish President

Background

The Zoning Ordinance of 1981 mentioned “home occupation” only in Section III, Definitions, where it was defined and followed by nine (9) lengthy operational regulations, A-I. Regulation E. stated “There shall be no commodity sold upon the premises in connection with such Home Occupation.”

The regulations for home occupations were revised many times over the years. Most amendments simplified or clarified the regulations and permit procedure and reduced application fees. In 1998, the Parish Council passed Resolution 4527 establishing a moratorium on home occupations involving the sale of alcoholic beverages. Shortly after, Ordinance 98-8-1, added an operational regulation “12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation.”

In 2015, the provision was amended to the language that exists today. The intent was to be clear to in-home cosmetologists that they could not qualify for local zoning clearance in order to complete a state permit to offer complimentary alcoholic beverages to customers.

As more and more modern businesses operate with a smaller and smaller fixed business location, several home-based food businesses and caterers has inquired about permitting alcoholic beverage sales as part of a business that is domiciled at their home but has a point of sale at other locations, like a party planner, caterer, or food truck.

Potential outcomes

Local law would permit home-based businesses to dispense alcoholic beverages but never from the home where the business is domiciled.

These businesses will still have to comply with state law regarding dispensing alcoholic beverages. Most if not all will have to obtain permits to operate from the State Department of Alcohol and Tobacco Control and the Department of Health and Hospitals, Office of the Sanitarian.

Recommendation

Approval