

ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF JACKSON AS ADOPTED ON MAY 29, 1974 AND SUBSEQUENTLY AMENDED IN ORDER TO PROVIDE FOR AND ESTABLISH MORE EFFECTIVE ZONING REGULATIONS FOR THE CITY OF JACKSON LAND USES

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MS:

That Article II, Section 202 of the Zoning Ordinance of Jackson, Mississippi, is hereby amended to read as follows:

202.58 Family: A person living alone or two or more persons related by blood, marriage, or adoption living together in a single-family", "two-family", or "multi-family" residence as a single household or

- (a) Up to six (6) persons unrelated to each other by blood, marriage or legal adoption, living together as a single household unit; or**
- (b) Up to six (6) persons unrelated to each other by blood, marriage or legal adoption, living together as a single household unit in which there is the provision of residential, social, and personal care for children, the aged, and special categories of persons with some limits on ability for self-care, but where medical care is not a major element.**
- (c) Up to six (6) persons, excluding foster parents and employees, living together in a dwelling unit in a long term environment that may or may not be approved and regulated by the State of MS.**

For purposes of this definition, a household does not include individuals occupying a boarding house, lodging house, hotel, club, fraternity or sorority house, or other similar short term lodging establishments requiring membership dues, transfer payments which are public expenditures made for a purpose other than procuring goods , rent, or other compensation, in exchange for lodging

202.173 Transient Trailer (Travel Trailer): A portable or mobile living unit used for temporary human occupancy away from the place or residence of the occupants. For the purposes of this Ordinance, such transient trailers shall be considered a vehicle and not a structure. The term "transient trailer" or "travel trailer" shall include "pick-up truck," "campers," "motor homes," "camping trailers," and "recreational vehicles."

202.173 (a) Transient Vendor: Any person who transacts transient business in this state either in one locality or by traveling from place to place in this state. The term includes a vendor who for the purposes of carrying on such business; hires, leases, uses or occupies any building, structure, motor vehicle, railroad car or real property.

202.174 Transitional housing means housing designed to assist persons in obtaining skills necessary for independent living in permanent housing. Transitional housing is housing in which:

- An organization provides a program of therapy, counseling or training for the residential occupants;
- The organization operating the program is licensed or authorized by the State of MS; or
- The program is for the purpose of assisting the residential occupants in one or more areas including but not limited to:
 - (a) Protection from abuse and neglect;
 - (b) Developing skills necessary to adjust to life;
 - (c) Adjusting to living with the handicaps of physical disability;
 - (d) Adjusting to living with the handicaps of emotional or mental disorder or mental retardation;
 - (e) Limited non-permanent detoxification programs, even if under criminal justice supervision; or
 - (f) Readjusting to society while housed under criminal justice supervision including, but not limited to, pre-release, work-release and probationary programs.

That Article VI, Section 602.02.1 and other relative Sections of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the Single-family (Residential) District is hereby amended to read as follows:

1. Single-Family residential dwellings and accessory structures.
2. Personal care facilities housing six (6) or fewer residents, excluding staff.
3. **Transitional housing for six (6) or fewer residents**
4. Portable Storage Containers (POD) on a temporary basis in accordance with Section 83-2, 83-3 and 83-5 of the Jackson, MS Code of Ordinances

That Article V, Section 501 (10) and other relevant Sections of the Zoning Ordinance of Jackson, Mississippi for Compliance with Regulations are hereby amended to read as follows:

~~No group home or personal care facility as defined in this Ordinance, shall be located within one thousand feet (1,000) feet of any other such use that is legally operating. The separation distance shall be determined as stated in item 8.~~

That Article VI, Section 602.02.03 and other relative Sections of the Zoning Ordinance of Jackson, Mississippi for uses permitted in the Single-family (Residential) District, as Use Permits is hereby amended to read as follows:

1. Accessory automobile parking and principal access when used to serve a Special Use District, residential, commercial, or industrial use when the land proposed for such accessory parking or access is either immediately adjacent to or across the street from the use which it serves. Accessory parking may also be across the street from the use which it serves. All parking shall be located at least five (5) feet from any public street or

- any adjoining property line. Only access across this setback area with sidewalks, bikeways, trails, and drives will be permitted.
2. Churches on sites of less than one (1) acre but greater than ten thousand (10,000) square feet. Regulations for alterations of existing structures or for new construction of churches and schools shall be the same as for the Special Use District.
 3. Bed and Breakfast Inn Class A and B:
 - A. Applicant shall submit to the Zoning Division proof of one of the following:
 - i. Structure is listed on the National Register of Historic Places; or
 - ii. Structure is designated as a Jackson Landmark by the Jackson Historic Preservation Commission, and/or a Mississippi Landmark by the Department of Archives and History; or
 - iii. Structure is deemed eligible for designation as a Jackson Landmark by the Jackson Historic Preservation Commission or as a Mississippi Landmark by the Mississippi Department of Archives and History and is granted designation within one year from the date of eligibility determination.
 - B. Adequate parking shall be provided. Off-site parking must be within a reasonable walking distance of the bed and breakfast, and proof of such parking (lease agreement, etc.) must be provided annually to the Zoning Division and whenever the contractual rights of the bed and breakfast inn owner in such off-site parking facilities are modified in any way.
 - C. All exterior lighting shall be directed away from adjacent residential property.
 - D. Signage shall comply with the City of Jackson Sign Ordinance.
 4. Class B Bed and Breakfast Inn with Restaurant. It is expressly understood that a separate Use Permit is required to operate a restaurant in a Class B Bed and Breakfast Inn. Any existing Class B Bed and Breakfast Inns who determine that they wish to operate a restaurant in conjunction with their Class B Bed and Breakfast Inn is permitted to do so by right subject to receipt of a statement indicating this election to include a requirement that a Bed and Breakfast Inn with Restaurant clear Site Plan Review from City Staff.
 5. **Transitional Housing** for seven (7) to twelve (12) residents. In considering applications hereunder, the City shall comply with the provisions of 42 U.S.C. 3604(f) (3) (B).
 6. **Personal care facilities for seven (7) to twelve (12) residents, excluding staff**
 7. Accessory structures used as living quarters for family members, temporary guests, or domestic help subordinate to the principal residence on the same lot.
 - A. Applicant shall provide a restrictive covenant agreement which runs with the land that the accessory structure will never be made available for lease or rental.
 - B. Electrical service will be connected to and master metered from the principal residence.
 8. Accessory church related uses such as adult and child care centers, schools, gymnasiums, and fellowship halls.
 9. Ground Sign (Monument Sign), as defined by the City of Jackson Sign Ordinance, for an adjacent commercial business where both properties are under the same ownership. Regulations shall be the same as the adjacent commercial business, based on its underlying zoning, as regulated by the City of Jackson Sign Ordinance.

That Article VI, Section 602.08.3 (3) of the Zoning Ordinance of Jackson, Mississippi for uses permitted in the Limited Multi-family (Residential) District, as Use Permits is hereby amended to read as follows:

Boarding house, **transitional housing**, hospice, emergency shelter/mission, SRO, and rooming house, but no boarding house, **transitional housing**, hospice, shelter, SRO, or rooming house shall **exceed** twelve (12) persons.

That Article VI, Section 602.09.1 (3) of the Zoning Ordinance of Jackson, Mississippi for uses permitted in the Multi-family (Residential) District is hereby amended to read as follows:

Boarding house, **transitional housing**, hospice, emergency shelter/mission, SRO, and rooming house, but no boarding house, **transitional housing**, hospice, shelter, SRO, or rooming house not exceed twelve (12) persons.

That this Ordinance shall be in force and effect thirty (30) days after passage and after publication of the same by the petitioner.

October 16, 2017