

AMENDED ZONING ORDINANCE
(Assisted Living/Group/Personal Care)

WHEREAS authority was granted unto the City of Saltillo, Mississippi pursuant to and in accordance with §17-1-1, et. seq., of the Mississippi Code Annotated (1972, as amended), to provide and allow for the adoption, amendment and revision of a zoning ordinance covering all properties, buildings, structures and uses located and situated within the said municipal limits;

WHEREAS said zoning ordinance was previously passed by the City of Saltillo and has been amended and revised, as necessary, in accordance with state law;

WHEREAS the Mayor and Board of Aldermen have proposed an amendment to the official zoning ordinance of the City of Saltillo wherein the existing definitions of Group Home and Personal Care Home shall be replaced by the new definition of Assisted Living Home, and that Assisted Living Homes shall be considered by the Board of Aldermen as a Special Exception in accordance with the procedures and guidelines promulgated by said zoning ordinance. As such, the Board of Aldermen duly noticed a public hearing, in accordance with state law, which took place on April 7, 2015 at 5:30 PM at Saltillo City Hall, at which time no protest or dissent to the requested changes was heard or received;

WHEREAS the Board of Aldermen have maturely considered the issues aforesaid and have found and determined by clear and convincing evidence that the proposed amendment meets the changing needs of the surrounding community; is in the overall best interest of the city and its citizens; is otherwise permissible according to the official zoning ordinance of the city, as though all necessary findings had been made herein; and is otherwise permissible pursuant to state law;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Saltillo, Mississippi as follows:

1. The prefatory statements contained above and the statements contained in the Minutes for the public hearing of April 7, 2015 and the regular meeting of the Board of Aldermen of April 21, 2015, taken as specific findings and conclusions of the Board of Aldermen, are incorporated herein by reference.
2. The prior zoning ordinance and official zoning map of the City of Saltillo, including all duly passed amendments and revisions thereto, are incorporated herein by reference.
3. The prior zoning ordinance of the City of Saltillo, Mississippi, as duly amended and revised, which is fully incorporated herein by reference as if copied or reproduced herein in its entirety, shall remain the same and otherwise in full force and effect, except for the specific changes or amendments thereto which are contained herein.
4. The following definition shall be hereby added to Section 2.1.4 of the official zoning ordinance of the City of Saltillo:

ASSISTED LIVING HOME: A home or institution that gives personal care to aged or infirm, ambulant persons who are not in need of nursing care. The building is shared

by two or more unrelated persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the resident to live as independently as possible in order to reach their maximum potential.

An Assisted Living Home shall not include a treatment center for drugs or alcoholism, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.


5. Assisted Living Homes shall be allowable, at the discretion of the City of Saltillo Board of Aldermen, determined on a case-by-case basis, as a Special Exception in areas zoned A1, R1, R1A, R2, R3 and C1, in accordance with the terms and procedures outlined in Section 5.3.1 of the official zoning ordinance of the City of Saltillo.
6. The previous definitions of Group Home and Personal Care Home contained in Section 2.1.4 of the official zoning ordinance of the City of Saltillo shall be hereby deleted in their entirety.
7. Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.
8. Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.
9. Effective Date. The Saltillo Board of Aldermen, having found that the issues raised in this Ordinance directly and immediately effect the health, safety and welfare of the citizenry, and the vote hereon having been unanimous, this ordinance is hereby effective immediately, April 21, 2015.
10. Publication & Recording. The City Clerk is instructed to publish the substance of this ordinance one (1) time in the Northeast Mississippi Daily Journal, pursuant to and in accordance with Mississippi Code Section 21-17-19 (1972, as amended), and to obtain proof of publication thereof and record this ordinance in the city ordinance book. Said ordinance shall also be posted at the Saltillo, Mississippi City Hall and in at least one (1) other public place in a conspicuous manner and shall otherwise be available for review, upon request, along with a copy of the original zoning ordinance and the official zoning map of the City of Salitllo, Mississippi.

11. Adoption and Certification.

UPON MOTION of Alderman **Scott Knight**, duly seconded by Alderman **Brad Woodcock**, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

Donald Cullum: YEA
Jewell Webb: YEA
Brad Woodcock: YEA
Scott Knight: YEA
Terry Glidewell: YEA

ORDAINED AND ADOPTED this the 21st day of April, 2015, at the Regular Meeting of the Mayor and Board of Aldermen of the City of Saltillo, Mississippi.



Rex Smith, Mayor
City of Saltillo, Mississippi



Mary Parker, City Clerk
City of Saltillo, Mississippi



NOTE: This ordinance was approved and adopted by the Mayor and Board of Alderman at their Regular Meeting on April 21, 2015 and appears in Minute Book 7 at Pages 29 - 30.