

## CHAPTER 4

### RESIDENTIAL DISTRICTS

#### SECTION

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11-400. Purpose of Residential Districts. The residential districts established in this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among other, the following more specific objectives.

- A. To locate and develop residential uses in conferences with the Paris Comprehensive Community Development Plan and other applicable development standards.
- B. To protect and strengthen the character of established viable neighborhoods using public and private resources:
- C. To encourage the development of neighborhoods which are protected from through traffic, buffered from incompatible development, and served by adequate neighborhood facilities.
- D. To maintain and preserve the existing housing supply of the community through concentrated code enforcement.
- E. To provide appropriate space for public and private educational, religious, recreational, an similar facilities and public utilities which adequately serve the needs of residents in each district.
- F. To provide an overall framework which encourages freedom of design in the development of residential subdivisions and individual housing units.

11-401. Schedule of Residential District Regulations. The tabulation of regulations governing the permitted uses and area and bulk regulations for each residential district, in the City of Paris, is as indicated in Table 1 and Table 2 of this ordinance.

11-402. R-1 Residential District. Within the R-1 district as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The R-1 single family residential district is intended to be the most restrictive of the residential districts. It is the specific intent of this ordinance to exclude mobile homes within this district. The intent is to allow predominantly single-family detached dwellings in suitable residential areas characterized by an open appearance and low population densities. The R-1 district is intended to be defined and protected from the encroachment of non-residential uses including buildings or other structures and uses having commercial characteristics or other environmentally unsound or incompatible uses. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows: Single-family Detached Dwellings, Zero Lot Line Developments.
- C. Principal Uses and Structures Permitted Subject to Special Conditions. The uses permitted as conditional uses or special permit uses in this district are indicated in Table 1 and are subject to the applicable procedures and standards set forth in Section 11-800 and Section 11-900.  
  
Special Permit Uses. Are as follows: Cemetery-Mausoleum, Church, Public or Private School (K-12), Public or Private Museum, Water Storage Tanks.
- D. Permitted Accessory Uses and Structures. Accessory buildings or uses customarily incidental to any principal permitted use as set forth in Section 11-1500.
- E. Prohibited Uses and Structures. All uses and structures not specifically permitted herein.
- F. Area and Bulk Regulations. The regulations governing the minimum lot area and width required yards, and maximum lot coverage by all buildings in this district are set forth in Table 2. Three different types of R-1 development are provided for in Table 2 based on the density allowed in the specific districts. The different density levels are intended to allow future development compatible with the immediate neighborhood. It is the specific intent of this Ordinance that the Paris Municipal Regional Planning Commission shall recommend amendments to change the boundary lines within the R-1, R-2, and R-3 Districts as low density, medium density, and high density to the Board of Commissioners of the City of Paris, Tennessee. (Ord. # 1029, 05/06/04.)

District & Use	Minimum Lot Requirements		Minimum Yard Requirements			Maximum Gross Density Per Acre in Units	Maximum % of Lot Area Covered by all Buildings
	Area (Sq.Ft.)	Width (Sq.Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Units	Percent
R-1 Single Family Detached Dwellings and Accessory Uses							
R-1-L Low Density	15,000	100	40	15	40	3.0	30
R-1-M Medium Density	10,000	60	20	10	30	4.0	50
R-1-H High Density	5,000	50	20	7	20	8.0	60

- G. Off-Street Parking Requirements. The regulations governing the minimum off-street parking space, standards for off-street parking facilities, and standards for driveways in this district are set forth in Section 11-1000.

11-403. R-2 Residential District. Within the R-2 districts as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The R-2 residential district is intended to provide suitable areas for residential development characterized by detached dwelling units, duplexes and group housing and zero lot line developments. Mobile homes are specifically excluded within this district. The R-2 District is intended to be defined and protected from the encroachment of non-residential uses including building or other structures or uses having commercial characteristics or other environmentally unsound or incompatible uses. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows: Single-family, Two Family, Group Housing, Zero Lot Line Housing.
- C. Principal Uses and structures Permitted Subject to Special Conditions. The uses permitted as conditional uses or special permit uses in this district are indicated in Table 1 and are subject to the applicable procedures and standards set forth in Section 11-800 and Section 11-900.  
  
Conditional Uses Permitted: Mobile Home Subdivision, Mobile Home Park.  
  
Special Permit Use: Boarding House, Rooming House, Cemetery-Mausoleum, Church, Public or Private School (K-12), Day Care Center, Family Day Care Home, Group Day Care Home, Park/Playground/Playfield, Private or Public Museum, Water Storage Tanks.
- D. Permitted Accessory Uses and Structures. Accessory buildings or uses customarily incidental to any permitted principal use are set forth in Section 11-1500.
- E. Prohibited Uses and Structures. All uses and structures not specifically permitted herein.
- G. F. Area, and Bulk Regulations. The regulations governing the minimum lot area and width required yards, and maximum lot coverage by all buildings in this district are set forth in Table 2. Three different types of R -2 developments are provided for in Table 2 based on the density allowed in the specific districts. The different density levels are intended to allow future development compatible with the immediate neighborhood. It is the specific intent of this Ordinance that the Paris Municipal Regional Planning Commission shall recommend amendments to change the boundary lines within the R-1, R-2, and R-3 Districts as low density, medium density, and high density to the Board of Commissioners of the City of Paris, Tennessee. (Ord. # 1029, 05/06/04.)

R-2 Dwellings and Other Uses	Area (Sq.Ft.)	Width (Sq.Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Units	Percent
R-2-L Low Density	10,000	75	30	10	30	8.0	35
R-2-M Medium Density	6,000	50	20	7	20	8.0	60
R-2-H High Density	4,000	40	15	5	10	10.0	60

NOTE: For two family (duplex) dwellings, the minimum required lot area shall be 4,000 square feet for the first duplex plus 4,000 square feet for each additional duplex not to exceed ten (10) duplexes per acre.

- G. Off-Street Parking Requirements. The regulations governing the minimum off-street parking space, standard for off-street parking facilities, standards for driveways, and off-street loading and unloading requirements in this district are set forth in Section 11-1000.

11-404. R-3 Residential Districts. Within the R-3 Districts as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The R-3 residential district is intended to provide areas for high density residential development characterized most particularly by multi-family dwellings. It is the specific intent of this district to create adequate standards of residential development to prevent overcrowded and unhealthy housing conditions by insuring that the intensity of land use shall not cause congestion of building or traffic nor to preclude the amenities of sound housing.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows: Single-family detached, single family attached, two family, multiple-family, Group Housing Development, Zero Lot Line Development Housing.
- C. Principal Uses and Structures Permitted Subject to Special Conditions. The uses permitted as conditional uses or special permit uses in this district are indicated in Table 1 and are subject to the applicable procedures and standards set forth in Section 11-800 and Section 11-900.  
  
Conditional Uses: Mobile Home Subdivision, Mobile Home Park.  
  
Special Permit Use: Boarding House, Rooming House, Cemetery/Mausoleum, Church, School - Public or Private K-12, Day Care Center, Family Day Care Home, Group Day Care Home, Park/Playground/Playfield. Public or Private Museum, Water Storage tanks, Home Occupation.
- D. Permitted Accessory Uses and Structures. Accessory buildings or uses customarily incidental to any permitted principal use are set forth in Section 11-1500.
- E. Prohibited Uses and Structures. All uses and structures not specifically permitted herein.
- H. F. Area and Bulk Regulations. The regulations governing the minimum lot area and width required yards and maximum lot coverage by all buildings in this district are set forth in Table 2. two different types of R-3 development are provided for in Table 2 based on the density allowed in the specific districts. The different density levels are intended to allow future development compatible with the immediate neighborhood. It is the specific intent of this Ordinance that the Paris Municipal Regional Planning Commission shall recommend amendments to change the boundary lines within the R-1, R-2, and R-3 Districts as low density, medium density, and high density to the Board of Commissioners of the City of Paris, Tennessee. (Ord. # 1029, 05/06/04.)

R-3 Dwellings and Other Uses	Area (Sq.Ft.)	Width (Sq.Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Units	Percent
R-3-M Medium Density	7,000(c)	60	25	10	20	15.0	40
R-3-H High Density	4,000	40	15	5	10	15.0	60

NOTE: For townhouses (single-family attached), the minimum required lot area shall be 7,000 square feet for the first unit plus 2,400 square feet for each additional unit. For multi-family dwellings, the minimum required lot area shall be 7,000 square feet for the first unit plus 2,000 square feet for each additional unit. In the construction of both townhouses and multi-family units within the P-B (Planned Business) district all developments must contain six units or more but shall not exceed 15 units per area.

- G. Off-Street Parking Requirements. The regulations governing the minimum off-street parking spaces, standard for off-street parking facilities, standards for driveways, and off-street loading and unloading requirements in this district are set forth in Section 11-1000.

11-405. R-MH Mobile Home District. Within the R-MH districts as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply.

- A. Intent. The purpose of this district is to provide suitable areas within the community for the location of mobile home parks and mobile home subdivisions either separately or in combination. The intent is to allow occupancy of mobile homes on individual lots or in mobile home parks with related uses and facilities in keeping with the character of a residential development.

B. Permitted Principal Uses and Structures. Within the R-MH District the following principal uses and structures are permitted by right: Mobile homes located in mobile subdivided lots.

C. Permitted Accessory Uses and Structures.

1. Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures including approved storage facilities.
2. Facilities planned for development as part of the district and serving needs not otherwise served in the general area may be permitted as a part of the R-MH zoning amendment procedures, provided that: (a) such facilities include only office or service related to mobile home space rental and maintenance; and (b) are designed and located to protect the character of the R-MH district and surrounding districts.
3. Parks, playgrounds, community centers, and non-commercial recreational facilities including playgrounds, shuffleboard courts, swimming pools, and tennis courts.
4. Structures and uses required for operation of required utilities including necessary easements and rights-of-way (ROW).

D. Prohibited Uses and Structures.

1. All uses and structures not specifically permitted herein;
2. A travel trailer shall not be located nor used for temporary or permanent occupancy within the R-MH district.

E. Development Requirements.

1. General. Yards and other open spaces required herein shall be designed to insure adequate privacy, usable outdoor living space, natural light and ventilation, access to and around the units, off-street parking space, and appropriate space between dwellings and other buildings, for reducing potential adverse effects or noise, odor, glare or hazards from fire.
2. Exterior Yard. No group parking facilities for common use shall be located in any required exterior yard adjoining lots in residential use.

F. Standards for Mobile Home Spaces.

1. Minimum Size.

- a. All spaces shall have a minimum lot area of 3,000 square feet with a minimum width of thirty (30) feet and a minimum depth of sixty (60) feet.
- b. Mobile homes shall be so harbored on each space so that there shall be at least a twenty (20) feet clearance between mobile homes, provided, however, with respect to mobile homes parked end-to-end clearance shall be not less than ten (10) feet. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.

2. Access.

- a. Access to a mobile home park shall be from an arterial or collector street

within the mobile home district.

b. Mobile home spaces shall abut upon a driveway not less than twenty (20) feet in width and which shall have unobstructed access to at least one street within the mobile home park.

3. Setback Requirements. There shall be a minimum of twenty (20) feet between any mobile home space and an adjacent property line, and a minimum of twenty-five (25) feet from the right-of-way of any public street or highway.

G. Streets and Parking.

1. Entrance and exits to mobile home parks shall be designed for safe and convenient movement of traffic into and out of the park.

2. No entrance or exit shall require a turn at more than a ninety (90) degree angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with mobile homes attached.

3. Access to the park shall be located so as to provide an unobstructed view of the oncoming traffic from both directions for at least the minimum sight stopping distance as determined by the design and speed limit of the abutting street.

4. Width of Streets.

a. Streets in a mobile home park shall have a minimum paved width as follows:

One-way - with no on-street parking.....12 feet

One-Way - with parallel parking on one side only.....18 feet

One-Way - with parallel parking on both sides.....26 feet

Two-Way - with no on-street parking.....20 feet

Two-Way - with parallel parking on one side only.....28 feet

Two-Way - with parallel parking on both sides.....36 feet

b. Streets in a mobile home park shall be constructed with the above minimum pavement width provided, however, that streets in a mobile home park which are dedicated and accepted as a public street shall have a minimum of fifty (50) feet of right-of-way and a minimum paved width of twenty-six (26) feet.

5. Street Surfacing

a. All streets shall be paved.

b. Street paving specifications shall be submitted by the developer for approval by the Building Inspector

6. Parking

a. Each mobile home park shall have off-street parking pads.

- b. The pads shall either be paved or constructed of other stabilized material.
- c. There shall be at least one (1) paved, off-street parking space for each mobile home space, which shall be on the same site as the mobile home and may be located in the rear or side yard.
- d. There shall be established and maintained within each mobile home park an automobile parking area for the use of guests. The number of spaces within this area shall be equal to one (1) for every four (4) mobile home spaces.

H. Required Utilities

- 1. All mobile home parks shall be served by a public water and sewer system and shall comply with all applicable rules and regulations of the Tennessee Department of Public Health regarding water supply, plumbing, sewage disposal, refuse storage, collection and disposal, insect and rodent control, electric power, liquefied petroleum (LP) gas, fire protection, and service buildings.
- 2. The following additional requirements apply to Refuse Storage, Collection and Disposal. Each mobile home space shall have at least one (1) fly-tight, watertight, rodent-proof container of a capacity of not less than four (4) gallons and not more than thirty (30) gallons; however, this requirement may be waived when individual spaces are located within two hundred (200) feet of a covered trash receptacle (e.g., dumpster) serving the entire park.

I. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the mobile home park may be permitted as follows:

There may be one combined management office and service building to provide space for rental of individual park spaces, and storage space for park supplies, maintenance materials, and equipment. The combined management office and service buildings shall have not more than 1,000 square feet of floor area and shall only serve the occupants of the park.

There may be one building containing a self-service laundry and/or dry cleaning service. This building shall be located on the park site and shall contain no more than 600 square feet of floor area. Such building shall only serve the occupants of the park.

J. Landscaping and Screening. Around the perimeter of a mobile home park, fences, walls, or screening shall be provided to protect occupants from undesirable views, or to protect occupants of adjoining residential districts as follows:

- 1. Where a park adjoins a public street along boundaries a suitably landscaped yard at least twenty-five (25) feet in depth shall be provided along such streets.
- 2. Where a park adjoins another residential district without an intervening street or alley, a suitably landscaped yard at least twenty (20) feet in depth shall be provided adjacent to such boundaries.
- 3. Where a park adjoins non-residential districts without an intervening street or alley, a suitably landscaped yard at least ten (10) feet in depth shall be provided adjacent to such boundaries.
- 4. Greater depth area or approved landscaping and screening may be required in any perimeter boundary as provided in Section 11-1200.

K. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a mobile home park shall be devoted to common open space and may be used for common recreational activities.
  2. The following standards apply to open space used for recreation purposes:
    - a. Approved recreational areas shall be exclusive of mobile home spaces, buffer strips, street right-of-way, and storage areas.
    - b. Recreational areas shall be easily accessible to all park users and management.
    - c. Although the required space for recreational uses may be met through more than one recreation site, the minimum size of any such area shall be 2,000 square feet.
- L. Permit for Mobile Home Park. No place or site within the corporate limits shall be established or maintained as a mobile home park unless a valid permit has been issued for a such a park by the Building Inspector.
- M. Inspections by Building Inspector. In order to safeguard the health and safety of the occupants of mobile home parks and of the general public, the Building Inspector shall make inspections as necessary to determine the condition of such parks. The Building Inspector shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Section.
- N. Administrative Procedure for Mobile Home Park Approval. The developer of a proposed mobile home park shall request approval of construction plans as follows:
1. Submission of a Site Plan
    - a. The applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* drawn to a scale of not less than one (1) inch equals one hundred (100) feet showing:
      - 1) Total acreage of the tract of land;
      - 2) Location, plans and specification of all existing and proposed streets, rights-of-way, public easements, and buffer zones;
      - 3) Location and dimensions of all mobile home spaces;
      - 4) Location, places and specifications of all proposed service buildings, and recreation areas;
      - 5) Location and sizes of all water and sewer lines and other required utilities;
      - 6) All setback dimensions.
    - b. Agreements, provisions, or covenants which govern use, maintenance and operation of the mobile home park.
  2. Issuance of Building Permit. Upon approval of the site plan, the Building Inspector shall issue building permits for all approved improvements to the site.
  3. Final Approval and Certificate of Occupancy. The following information must be

submitted to the Building Inspector before final approval can be obtained and a certificate or occupancy can be issued:

- a. Certification by a registered engineer or surveyor as to the accuracy of the survey and placement of monuments.
- b. Certification by the local utilities board and County Health Department that all required utilities have been provided in compliance with all local county and state standards and regulations.
- c. Certification from the Building Inspector that all buildings, structures, and other improvements to the land have been constructed and installed according to the site plan in compliance with all specifications of this section of the building codes.

O. Off-Street Parking Requirements. As provided in Section 11-1000.

P. Procedures for R-MH Amendments.

1. Applications. A petition for an R-MH zoning amendment shall be submitted as provided in Section 11-1700 of this ordinance.
2. Preliminary Plan. An applicant requesting an R-MH zoning amendment shall submit a preliminary plan for the development. The preliminary plan shall be included with the application and shall indicate the specific proposals for development of the district in conformance with the R-MH District regulations, subdivision regulations, and mobile home park regulations.
3. Application Submission and Review.
  - (a) The applicant shall submit the petition for the R-MH amendment and preliminary plan to the city manager or city manager's designee.
  - (b) At such time as further conference appears unnecessary or at any time on request of the applicant, the petition and preliminary plan shall be referred to the Paris City Commission as for other amendments to the zoning ordinance.
4. Action by the City Commission on Preliminary Plan and Rezoning Petition. The City Commission may refer the rezoning petition and preliminary plan for review and recommendation to the Planning Commission or deny the petition as provided in Section 11-1700.
5. Planning Commission Recommendations to City Commission. If the rezoning petition and preliminary plan are referred to the Planning Commission by the City Commission, the Planning Commission shall review the petition and preliminary plan for conformance with all appropriate regulations. The Planning Commission recommendations to the City Commission shall include findings:
  - (a) As to the suitability of the site for the proposed R-MH district in terms of relation to the Comprehensive Plan, physical characteristics of the site, and its relation to the surrounding area and existing and probable future development.

- (b) As to relation to major transportation facilities, utilities, public facilities, and services.
- (c) As to adequacy of evidence of verified control and suitability of any proposed agreements, contract, deed restrictions, sureties, or other instruments or in need for such instruments or for amendments in those proposed:
- (d) As to the suitability of preliminary plan desirability of amendments.

Based on such findings, the Planning Commission shall recommend: approval of the R-MH amendment as proposed; approval conditioned on stipulated modification; or disapproval.

- 6. Action by City Commission. Upon recommendation from the Planning Commission, City Commission shall proceed as for other amendments as provided in Section 11-1700.
- 7. Action Following R-MH Rezoning. After the site has been rezoned to the R-MH district, no building permit or certificate of occupancy shall be issued in such district unless and until all final plans as required have been approved and/or recorded. No structure or use other than as indicated in final approved plans shall be permitted.

11-406. Group Housing (Cluster) Development. Within the areas designated R-3 High Density Residential on the Official Zoning Map of the City of Paris, Tennessee, the following regulations shall apply subject to the conditions in this section:

- A. Intent. The regulations established in this section are intended to provide optional methods of residential development by which tracts of land may be developed through an overall unified approach rather than the conventional single lot development permitted in existing residential districts in this ordinance. The type of residential development permitted in this section is characterized by a unified building and site plan which allows the maximum use of open space and maximum provisions for religious, education, and cultural facilities which are integrated with the total development.
- B. Permitted Principal and Accessory Uses and Structures. The following are permitted by right: Single-family attached and detached dwellings: Two-family duplex dwellings: and, Multiple-family dwellings.

Recreation and Open Space: Recreation uses may include a community center, a golf course, a swimming pool, or parks, playground or other public recreational uses. Any structures involved in such uses shall have a twenty-five (25) foot setback from all property lines. The amount of land set aside for permanent usable open space and recreational use shall be fifteen (15) percent of the gross development area.

Educational Uses: Elementary, Junior High, High School, and educational uses of a similar nature as determined by the Board of Zoning Appeals.

Community Facilities: Community facilities such as churches and other religious institutions, parks, playgrounds or playfields day care facilities, recreation centers, swimming and/or tennis clubs.

- C. Area Regulations.
  - 1. Minimum Site Area. The minimum area required for the development shall be two (2) acres.

2. Periphery Boundary. All buildings shall have a minimum setback requirement from the periphery boundary of the development of not less than twenty-five (25) feet, with two (2) feet additional for each floor above two.
3. Dimensional and Bulk Standards.
  - (a) The minimum lot area, width, frontage, and yard requirements otherwise applying to individual buildings in the zone in which a group housing development is proposed does not apply within a group housing development.
  - (b) If the spacing between main buildings is not equivalent to the spacing which would be required between buildings similarly developed under this ordinance on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards.
  - (c) Buildings, off-street parking and loading facilities, open space, landscaping, and screening shall provide protection outside the boundary lines of the development comparable to that otherwise required of development in the zone.
  - (d) The building coverage for any group housing development shall not exceed that which is permitted for construction in the zone.

D. Permitted Density.

1. The Group Housing Development may result in a density in excess of the density otherwise permitted within the zone in which the development is to be constructed not to exceed five percent.
2. An increase in density of over five percent but less than 10 percent can be permitted by the Board of Zoning Appeals if the arrangement of yards and common open space is found to provide superior protection to existing or future development on adjacent property.
3. If the Planning Commission finds that any of the following conditions would be created by an increase in density permitted by this section, it may either prohibit any increase in density permitted by this section, or limit the increased density by an amount which is sufficient to avoid the creation of any of these conditions.
  - (a) Inconvenient or unsafe access to the planned unit development.
  - (b) Traffic congestion in the streets which adjoin the group housing development.
  - (c) An excessive burden on sewerage, water supply, parks, recreational areas, schools or other public facilities which serve or are proposed to serve the development.
4. For Group Housing Development which is proposed to be constructed in stages, the Planning Commission may limit the number of dwelling units which may be located within each stage of the development, thereby insuring that should other stages fail to be constructed, the density permitted in early stages of the development will not exceed the density permitted for the entire development.

E. Common Open Space.

1. No open area may be accepted as common open space within a group housing development unless it meets the following requirements:

- (a) The location, shape, size, and character of the common open space is suitable for the development. Within any yard setback or area between buildings, an area equivalent to seventy (70) percent of any required yard or any required minimum area between buildings must be suitably landscaped and developed as usable open space or recreational area available to the residents of the development. These areas shall be kept free of all vehicular uses and shall not be used for off-street parking areas.
  - (b) The common open space is for amenity or recreational purposes and the uses authorized are appropriate to the scale and character of the development, considering its size, density, expected population, topography, and the number and type of dwellings provided.
  - (c) Common open space will be suitably improved for fits intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements to be permitted in the common open space are appropriate to the uses which are authorized for the common open space.
  - (d) The development schedule which is part of the development plan coordinates the improvement of the common open space and the construction of buildings and other structures in the common open space with the construction of residential dwellings in the development.
  - (e) If buildings, structures or other improvements are to be made in the common open space, the developer provides a bond or other adequate assurance that the buildings, structures and improvements will be completed. The Planning Commission shall release the bond or other assurances when the buildings, structures and other improvements have been completed according to the development plan.
2. Land shown on the final development plan as common open space shall be maintained under one of the following options:
- (a) To be retained by the developer who agrees to maintain the common open space and any buildings, structures or other improvements which have been placed on it. Plans for improvements and maintenance of the common open space shall be approved by the Planning Commission and restrictive covenants made to assure continuing use of the land for common open space purposes.
  - (b) To be conveyed to an association of owners or tenants, created as a nonprofit corporation under the laws of the state, which shall adopt and impose articles of incorporation and bylaws and adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.
3. No common open space may be put to a use not specified in the final development plan unless a final development plan is first amended to permit the use. However, no change of use may be considered as a waiver of any of the covenants limiting the use of common open space

areas, and all rights to enforce these covenants against any use permitted are expressly reserved.

F. Procedure for Approval. An applicant shall include with the application for approval of a group housing development either a sketch plan or a preliminary development plan as follows:

1. Sketch Plan. If a sketch plan is prepared, it shall include both maps and a written statement as described in this section. The information shall deal with enough of the area surrounding the proposed development to demonstrate to the Planning Commission the relationship of the development to adjoining uses, both existing and allowable.

(a) The maps which are part of the sketch plan may be in general schematic form, and shall contain the following information:

- 1) The existing topographic character of the land.
- 2) Existing and proposed land uses and the approximate location of buildings and other structures.
- 3) The character and approximate density of the proposed buildings.
- 4) The approximate location of major thoroughfares.
- 5) Public uses, including schools, parks, playgrounds and other public open spaces.
- 6) Common open space and a description of the proposed use of these spaces.

(b) A written statement which is part of the sketch plan shall contain the following information:

- 1) An explanation of the character of the development and the manner in which it has been planned to take advantage of the group housing development regulations.
- 2) A statement of the proposed financing.
- 3) A statement of the present ownership of all the land included within the planned unit development.
- 4) A general indication of the expected schedule of development.

(c) Approval of the sketch plan by the Planning Commission shall constitute provisional approval of the group housing development contingent upon approval of the preliminary development plan.

2. Preliminary Development Plan. A preliminary development plan shall be prepared and shall include the following information:

(a) A map showing street systems, lot or partition lines and other divisions of land for management, use of allocation purposes.

(b) Areas proposed to be conveyed, dedicated or reserved for public streets, parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses.

(c) A plot plan for each building site and common open space area, showing the approximate location of buildings, structures, and other improvements and indicating the open space around buildings and structures.

(d) Elevation and perspective drawings of proposed structures.

(e) A development schedule indicating:

- 1) The approximate date when construction of the project can be expected to begin.
  - 2) The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.
  - 3) The anticipated rate of development.
  - 4) The approximate dates when each stage in the development will be completed.
  - 5) The area, location and degree of development of common open space that will be provided at each stage.
- (f) Agreements, provisions or covenants which govern the use, maintenance and continued protection of the development and any of its common open space areas.
- (g) The following plans and diagrams, insofar as the Planning Commission finds, that the development creates special problems of traffic, parking, landscaping, or economic feasibility.
- 1) An off-street parking and loading plan.
  - 2) A circulation diagram indicating proposed movement of vehicles, goods and pedestrians within the development and to and from thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.
  - 3) A landscaping and tree plan.
  - 4) An economic feasibility report or market analysis.
- (h) If no sketch plan has been filed, the preliminary plan shall include enough information on the area surrounding the proposed development to show the relationship of the development to adjacent uses, both existing and proposed.

### 3. Approval of the Preliminary Development Plan.

- (a) If a sketch plan has been submitted and the development has been provisionally approved based on the information in the sketch plan, the applicant shall file the preliminary development plan with the Planning Commission within six months following the provisional approval of the sketch plan.
- (b) The Planning Commission shall review the proposal for approval, disapproval, or approval with modifications as follows:
- 1) The Planning Commission shall review the conformity of proposed development with the e criteria established for the Preliminary Development Plan recognizing principles of civic design, land use planning and landscape architecture.
  - 2) The Planning Commission may impose conditions regarding layout, circulation, and performance of the proposed development and may require that appropriate deed restriction be filed.
  - 3) The tract of parcel of land involved must be either in one ownership or the subject of an application filed jointly by the owners of all the property.
  - 4) The proposed development must be designed to produce an environment of stable and desirable character not out of harmony with its

surrounding neighborhood and must provide standards of open space and areas for parking adequate for the occupancy proposed. It must include provisions for recreation areas to meet the needs of the anticipated population.

- (c) The Planning Commission shall authorize a public hearing for the purpose of public review and comment on the Preliminary Development Plan. After the public hearing the Planning Commission shall then either approve, disapprove, or re-approve with modifications the group housing development based on the Preliminary Development Plan.
- (d) If a sketch plan has been submitted and approved, a preliminary development plan may be submitted in stages. If a preliminary development plan covering at least 20 percent of the area of the sketch plan has not been submitted within six months following the approval of the group housing development, then the provisional approval of the development by the Planning Commission shall terminate unless, for good cause, the Planning Commission extends for three months the period for the filing of the preliminary development plan.

4. Approval of the Final Development Plan.

- (a) Within twelve (12) months following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing in final form the information required in the preliminary plan. In its discretion and for a good cause, the Planning Commission may extend for six months the period for the filing of the final development plan.
- (b) If the Planning Commission finds evidence of a material deviation from the preliminary development plan, the Planning Commission shall advise the applicant to submit an application for amendment of the group housing development. An amendment shall be considered in the same manner as an original application.
- (c) No building permit shall be issued until the Preliminary Development Plan is approved by the Planning Commission. No occupancy permit shall be issued until the Building Inspector has determined that the development as constructed meet all the requirements of the approved final Development Plan.

5. Control of the Development After Completion. The final development plan shall continue to control the development after it is finished and the following shall apply.

- (a) The building inspector in issuing a building permit of the development shall note the issuance on the recorded final development plan.
- (b) After the building permit has been issued, the use of the land and the construction, modification or alteration of a building or structure within the development shall be governed by the approved preliminary development plan.
- (c) After the building permit has been issued, no change shall be made in development contrary to the approved preliminary development plan without approval of an amendment to the plan as follows:
  - 1) Minor modifications of existing buildings or structures may be authorized by the Planning Commission if they are consistent with the purposes and

intent of the final plan and do not increase the cubic footage of a building or structure.

- 2) A building or structure that is totally or substantially destroyed may be reconstructed without approval of an amended group housing development if it is in compliance with the purpose and intent of the preliminary development plan.
- (d) An amendment to a completed group housing development may be approved if it is required for the continued success of the development, if it is appropriate because of change in conditions that have occurred since the preliminary development plan was approved or because there have been changes in the development policy of the community as reflected by the comprehensive plan or related land use regulations.
- (e) No modification or amendment to a completed group housing development is to be considered as a waiver of the covenants limiting the use of the land, buildings, structures as a waiver of the covenants limiting the use of the land, buildings, structures and improvements within the area of the development, and all rights to enforce these covenants against any change permitted by this section are expressly reserved.

11-407. T.R.B. Transitional Residential Business. Within the areas designated T-R-B Transitional Residential Business on the official zoning map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. It is the intent of this district to protect and preserve residential character while recognizing that certain areas of Paris serve as transitional areas between retail and service uses and high-density residential uses. This district serves to provide areas that combine traditional residential uses with a limited range of retail sales and personal, professional and business services.
- B. Permitted Principal Uses and Structures. Within the T-R-B Transitional Residential Business districts, the following principal uses are permitted by right, subject to site plan approval by the Planning Commission.

Single-family Detached dwellings: Single-family attached dwellings, Multi-family dwellings, Family Day Care Home (P): Group Day Care Home (P): Day Care Centers (P).

Art-Antique Jewelry: antique store, art gallery, art and craft shop, flower shop/florist, gift shop, glass and china shop, jewelry, watches, optical goods.

Books-stationery: books, greeting cards, magazines, newspapers, stationery

Personal Services: photographic services, tailoring and dressmaking, apparel repair and alterations, home occupations.

Professional Services: physicians, dentists, attorneys, accountants, engineers, planning, optometrist, medical clinic-outpatient, medical specialists

Business Services: employment, consulting services, detective and protective, photo finishing

Public Use

- C. Permitted Accessory Uses and Structures. Uses and structures which are customarily accessory and clearly incidental and subordinate to the above permitted uses: and

Structures and uses required for the operation or maintenance of the above permitted or accessory uses, utilities, or public uses.

- D. Prohibited Uses and Structures. All uses and structures not specifically permitted herein; and  
No uses or structure shall be permitted that is not designated on a site plan approved by the Paris Municipal-Regional Planning Commission.
- E. Off-Street Parking Requirements. The regulations governing the minimum off-street parking spaces, standards for off-street parking facilities, standards for driveways, and off-street loading and unloading requirements in this district are set forth in Section 11-1000 (Ord. #784, 12/9/91).
- F. Area and Bulk Regulations. The regulations governing the minimum lot area, width, required yards and maximum lot coverage by all buildings in this district are set forth in Table 2 and as follows:

<u>TRB Transitional-Residential-Business Dwellings and Acc. Uses</u>	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Units</u>	<u>Percent</u>
	7,000	60	25	10	20	15	40
All Other Uses	7,000	60	25	10	20	15	40

NOTE: For townhouses (single-family attached), the minimum required lot area shall be 7,000 square feet for the first unit plus 2,400 square feet for each additional unit. For multi-family dwellings, the minimum required lot area shall be 7,000 square feet for the first unit plus 2,000 square feet for each additional unit.

Lots housing multiple uses in separate structures shall meet all area requirements as set forth in Table 2 for each principal structure and use. All provisions for the TRB district shall be met.

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11-408. Residential Zero Lot Line Development.

- A. Intent. The regulations in this section are intended to provide for high density single-family development characterized most commonly by single-family dwelling units. The type of residential development permitted in this section is characterized by a unified building and site plan which allows the maximum use of open space. Multi-family dwellings and mobile homes as defined in this Ordinance are excluded within the district.
- B. Criteria for Site Selection. Prior to the establishment and approval of such a development the following minimum criteria shall be met:
  - 1. Be located on a high or medium density street as defined in the subdivision regulations.
  - 2. Be served by adequately sized water and sewer lines to ensure adequate fire and health protection.
  - 3. Located and designed to compatibly integrate with the surrounding development and topography.
  - 4. Be located in any residential district.
- C. Permitted Principal and Accessory Uses and Structures. The following dwelling units are permitted: Single-family attached and detached dwellings.

Educational Uses: Elementary, Junior High School, and educational uses of a similar nature as determined by the Planning Commission.

Community Facilities: Community facilities such as churches and other religious institutions, parks, playgrounds or playfields and recreation centers.

D. Area Regulations.

1. Minimum Site Area. The minimum area required for the development shall be one (1) acre.
2. Periphery Boundary. All buildings shall have a minimum setback requirement from the periphery boundary of the development of not less than: Front yard - 25 feet; Side yard - 15 feet; Rear yard - 30 feet.
3. Dimensional and Bulk Standards.
  - (a) No minimum lot area, width, frontage, and yard requirements shall apply except as herein provided.
  - (b) The creation of individual lots within the proposed development shall require the imposition of yard and area standards of that lot and structure which may be included in setbacks required by the periphery boundaries noted above. These yard requirements shall be limited to either one (1) or two (2) below whichever is less:
    - 1) Front yard - 25 feet; Side yard - none; provided that a minimum side yard of 12 feet shall be required by structures not having adjoining walls; Rear yard - 30 feet; provided if structures are staggered, the rear of the structure so staggered may have a rear yard of 25 feet.
    - 2) The front and rear yard requirement for the district in which the development is located. The side yard requirement shall be as provided in (1) above in all cases.

For developments which do not create individual lots the above yard requirements shall apply to all main or principal structures.

These requirements (11-409 .D.3.b.) may be modified or waived when, in the opinion of the Planning Commission, modification does not reduce the health and safety aspect of these requirements nor violate the minimum criteria section of this chapter.

- (c) For the purposes of this section, off-street parking shall be required as provided in 11-1000 Section B-1 (b) of this ordinance.
- (d) For the purpose of this section, screening shall be provided as outlined in 11-1200, Section B of this ordinance.
- (e) The building coverage for any townhouse development shall not exceed 40% of the total project area and development within a:
  - 1) R-1 district will have an acreage density of at least 7,000 square feet for the first unit plus 3,360 square feet for each additional unit, not to exceed 10 units per acre.

- 2) R-2 district will have an acreage density of at least 7,000 square feet for the first unit plus 2,800 square feet for each additional unit, not to exceed 12 units per acre.
- 3) R-3 district will have an acreage density of at least 7,000 square feet for the first unit plus 2,400 square feet for each additional unit, not to exceed 15 units per acre.

For developments which are proposed to be constructed in stages, the Planning Commission may limit the number of dwelling units which may be located within each stage of the development, thereby insuring that should other stages fail to be constructed, the density permitted in early stages of the development will not exceed the density permitted for the entire development.

- (f) Single-family detached dwellings shall have an average density of at least 7,000 square feet per unit, not to exceed 6 units per acre.

E. Common Open Space.

1. No open area may be approved as common open space within a development unless it meets the following requirements:
  - (a) The common open space is for amenity or recreational purposes and the uses authorized are appropriate to the scale and character of the development, considering its size, density, expected population, topography, and the number and type of dwellings provided.
  - (b) Common open space will be suitably improved for its intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements to be permitted in the common open space are appropriate to the uses which are authorized for the common open space.
  - (c) The development scheduled which is part of the development plan coordinate the improvement of the common open space and the construction of buildings and other structures in the common open space with the construction of residential dwellings in the development.
2. Any land shown on the final development plan as common open space shall be maintained under one of the following options:
  - (a) To be retained by the developer who agrees to maintain the common open space and any building, structures or other improvements which have been placed on it. Plans for improvement and maintenance of the common open space shall be approved by the Paris Planning Commission and restrictive covenants made to assure continuing use of the land for common open space purposes.
  - (b) To be conveyed to an association of owners or tenants, created as a nonprofit corporation under the laws of the state, which shall adopt and impose articles of incorporation and by-laws an adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Paris Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.

3. No common open space may be put to a use not specified in the final development plan unless the final development plan is first amended to permit use. However, no change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved.

F. Procedures for Approval.

1. Preliminary Development Plan. An applicant shall submit a preliminary plan for the development. The preliminary plan shall be included with the application and shall indicate the specific proposals for the development in conformance with the applicable residential district regulations and subdivision regulations.
2. Application Submission and Review.
  - (a) The applicant shall submit the preliminary plan to the Building Inspector.
  - (b) At such time as further conference appears unnecessary or at any time on request of the applicant, the preliminary plan shall be referred to the Planning Commission for consideration.
3. Preliminary Development Plan. A preliminary development plan shall be prepared and shall include the following information:
  - (a) A plot plan for each building site and common open space area, showing the approximate location of buildings, structures, and other improvements and indicating the open spaces around buildings and structures.
  - (b) A map showing street systems, lot lines and other divisions of land for surrounding properties.
  - (c) The preliminary plan shall include enough information on the area surrounding the proposed development to show the relationship of the development to adjacent uses, both existing and proposed.
  - (d) Elevation and perspective drawings of proposed structures.
  - (e) An off-street parking and loading plan. A circulation diagram indicating proposed movement of vehicles, goods, and pedestrians within the development and to and from thoroughfares.
  - (f) A written statement which is part of the preliminary development plan containing the following information:
    - 1) An explanation of the character of the development and the manner in which it has been planned to take advantage of these provisions of this section.
    - 2) The approximate schedule of development.
    - 3) The approximate date when construction on the project can be expected to begin.
    - 4) The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.

- 5) The anticipated rate of development.
  - 6) The approximate dates when each stage in the development will be completed.
  - 7) The area, location, and degree of development of common open space that will be provided at each stage.
4. The Planning Commission shall review the proposal for approval, disapproval, or approval with modifications. The purpose of the preliminary development plan is to consider the proposed development and such approval shall be considered provisional only. If approved, the applicant may proceed to seek final approval for such project by submitting a final development plan.
5. The Final Development Plan.
- (a) Within 12 months following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing the final form the information required in the preliminary plan together with the following additional information:
    - 1) Areas proposed to be conveyed, dedicated or reserved for public streets, parks, parkways, playgrounds, school sites, public buildings, and similar public and semi-public uses.
    - 2) Contours and proposed grading elevations on two (2) foot intervals and a proposed drainage plan.
    - 3) Existing and proposed utility lines and easements.
    - 4) Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.
    - 5) A screening, landscaping and tree plan.
    - 6) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the development and any of its common open space areas.
  - (b) The Planning Commission shall review the proposal for approval, disapproval, or approval with modifications.
  - (c) No building permit shall be issued until the final development plan is approved by the Planning Commission.
  - (d) No occupancy permit shall be issued until the building inspector has determined that the development as constructed meets all of the requirements of the approved final development plan.
  - (e) The applicant may submit a final development plan without first submitting a preliminary development plan if all information required on the preliminary development plan is included in the final development plan.
- G. Compliance with Subdivision Regulations. If the development requires the division of land, then the developer shall comply with all the requirements of the Paris Subdivision Regulations as with any other proposed subdivision (Ord. #788, 02/06/92).

