

CHAPTER 1

Title, Purpose, and Repeal of Existing Conditions

SECTION

- 11-101. Title and Purpose.
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11-101. Title and Purpose. An ordinance, in pursuance of the authority granted by Sections 13-3-101 et. seq. and 13-7-101 et. seq., Tennessee Code Annotated, to provide for the establishment of districts within Paris, Tennessee, to promote the health, safety, convenience and welfare of the inhabitants by regulating the uses of land and the construction of buildings with the intent to encourage the most appropriate use of land consistent with the future plans of the city; to provide regulations governing non-conforming uses and structures; to provide for a Board of Zoning Appeals and for its powers and duties; to provide for the administration of this ordinance.

- A. Short Title. This ordinance including both the text and map may be cited as the Zoning Ordinance of Paris, Tennessee. The map portion may be cited separately on the Official Zoning Map of Paris, Tennessee.
- B. Repeal. The existing zoning regulations of the City of Paris, as amended, are hereby repealed. The adoption of this ordinance, however, shall not affect nor prevent any pending or future prosecution of an action to abate any existing violation of said existing regulations, as amended, if the violation is also a violation of this ordinance.

11-102. Establishment of Districts. In order to regulate and restrict the location and use of buildings and land for commerce, residence and other purpose; to regulate and restrict the height and size of buildings hereafter erected or structurally altered, the size of yards and open spaces and the density of population; the City of Paris is hereby divided into the following zoning districts:

- A. Residential Districts
 - R-1 Residential District
 - R-2 Residential District
 - R-3 Residential District
 - R-MH Residential Mobile Home District
 - TRB Transitional Residential Business District
- B. Commercial Districts
 - B-1 Highway Commercial District
 - B-2 Central Business District
 - B-3 General Commercial District
 - P-B Planned Commercial District
 - SC-1 Shopping Center District
- C. Industrial Districts
 - M-1 Light Industrial District
 - M-2 Heavy Industrial District
 - P-M Planned Industrial District

- D. Special Purpose Districts
- | | |
|-----|--|
| F-P | Floodplain District |
| H-1 | Hospital-Medical and Related Services District |
| E-D | Educational Complex District |

11-103. Zoning District Boundaries. The following rules shall apply to the aforesaid zoning districts, and to the zoning of annexed areas:

- A. Interpretation of District Boundaries. Where uncertainty exists with respect to the previous location of any of the aforesaid districts shown on the City of Paris Official Zoning Map, the following rules shall apply:

1. Boundaries shown as following or approximately following streets, highways, or alleys shall be construed to follow the center lines of such streets, highways, or alleys.
2. Boundaries shown as following or approximately following platted lines or other property lines, shall be construed to be said boundary lines.
3. Boundaries shown as following or approximately following railroad lines shall be construed to be the midway between the main tracks of such railroad line.
4. Boundaries shown as following or approximately following the center lines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel center line of such water courses taken at a mean low water.
5. Boundaries shown as following or closely following the limits of the City of Paris shall be construed as following such limits.
6. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question unless otherwise determined by the Board of Zoning Appeals.

- B. Zoning of Annexed Areas. Any area annexed to the City of Paris, shall, immediately upon such annexation, be classified in the most restrictive residential district until a zoning district for said area has been adopted by the City Commission. The Planning Commission shall recommend appropriate zoning for such area within three (3) months after the matter has been referred to the City Commission.

11-104. Provisions for Official Zoning Maps.

- A. Incorporation of Maps. The boundaries of districts established by this ordinance are shown on the Official Zoning Map which is hereby incorporated into the provisions of this ordinance. The zoning map in its entirety, including all amendments, shall be as much a part of this ordinance as if fully set forth and described herein.
- B. Identification and Alteration of the Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Recorder, and bearing the seal of the city under the following words: "This is to certify that this is the Official Zoning Map referred to in Chapter _____ of Ordinance Number _____ of the Paris Municipal Code", together with the date of the adoption of this ordinance.

If, in accordance with the provisions of this ordinance and Section 13-7-204, Tennessee Code Annotated, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the official action of the Paris City Commission.

No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided herein.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map shall be located in the office of the City Recorder and shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the city.

- C. Replacement of Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Commission may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The New Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such corrections shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.

The new Official Zoning Map shall be identified by the signature of the Mayor attested by the City Recorder and bearing the seal of the city under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of Ordinance No. ____ of the Paris Municipal Code.

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

11-105. Area, Bulk, and Use Regulations. District regulations and the uses of land permitted within each district shall be as set forth in the Table 1. Uses Permitted in Zoning Districts, and Table 2, Area, and Bulk Regulations, hereby adopted by reference and declared to be a part of this ordinance.

11-106. Application of District Regulations - Activities Affected. The regulations set forth by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure of land, and particularly except as hereinafter provided.

- A. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
1. to exceed the bulk;
 2. to accommodate or house a greater number of families;
 3. to occupy a greater percentage of lot area;
 4. to have narrower or smaller rear yards, front yards, side yards or other open space than herein required; or in any other manner contrary to the provisions of this ordinance.

C. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements

CHAPTER 2

Municipal-Regional Planning Commission

SECTION

11-201. Creation and Membership.

11-202. Organization, Powers and Duties.

11-203. Additional Powers.

11-201. Creation and Membership. Pursuant to the provisions of T.C.A. 13-4-101 and 13-3-102 there is hereby created a Municipal Regional Planning Commission, hereinafter referred to as the Planning Commission. The Planning Commission shall consist of seven (7) members. One member shall be the Mayor of the City of Paris or a City Commissioner designated by the Mayor and one (1) of the members shall be a member of the City Commission selected by the Board of Commissioners. The other five (5) members shall be appointed by the Mayor. All members of the Planning Commission shall serve as such without compensation. Except for the initial appointments, the terms of the five (5) appointed members of the Planning Commission shall be for three (3) years each. The terms of the Mayor, or the Mayor's designee, and the member selected from the Board of Commissioners shall be concurrent with their terms of office on the Board of Commissioners. One (1) member of the Planning Commission shall reside within the regional area outside of the Municipal boundaries known as the Planning Region that is served by the Planning Commission as a Regional Planning Commission. Any vacancy in an appointed membership shall be filled for the unexpired term by the Mayor who shall also have authority to remove any appointed member at the Mayor's pleasure. (Ord. 1170, 06/10/14)

11-202. Organization, Powers and Duties. The Planning Commission shall be organized and carry out its powers, functions and duties in accordance with Title 13 of the Tennessee Code Annotated.

11-203. Additional Powers. Having been designated as a Regional Planning Commission pursuant to Tennessee Code Annotated, Section 13-3-102, the Municipal Planning Commission shall have the additional powers granted by, and shall otherwise be governed by the provisions of Tennessee Code Annotated, Section 13-3

CHAPTER 3

11-300. Definitions

11-300. Definitions. For the purpose of this Ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tenses: words in the singular number include the plural and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel," the word "building" includes the word "structure," and the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the word "intended, arranged, or designed to be used or occupied."

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout this Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

Accessory Building, Structure or Use: A building, structure, or use which meets all the following criteria; (1) is subordinate to and serves a principal building or principal use as herein defined; (2) is subordinate in area, extent, or purpose to the principal building structure, or use served; (3) contributes to the comfort, convenience, or necessity of the occupants of the principal, building, structure, or use; and (4) is located on the same zoning lot as the principal building, structure, or use.

Agricultural Use. Accessory: Those structures or equipment which are normally required in the operation of agricultural uses. No more than two (2) dwellings on each farm shall be classed as agricultural accessory uses except by specific approval of the Board of Zoning Appeals. The Board of Zoning Appeals shall determine all questions of fact in such instance.

Advertising: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, tree-stump, or other natural structures or on a building, structure, milestone, signboard, billboard, wallboard, roofboard, frame, support, fence, or other man-made structure, and any such advertising is a structure within the meaning of the word "structure" as used in this Ordinance.

Advertising Sign or Structure: See Sign.

Agricultural Use: This use includes all forms of agriculture, the growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests and woods, provided, however, that such land shall consist of at least ten (10) acres in one parcel under common ownership or operations. The feeding or disposal of community or collected garbage shall not be deemed an agricultural use nor shall commercial feed lots, the raising of fur-bearing animals, fish or minnow hatcheries, riding academy, livery or boarding stables or dog kennels be so considered.

Alley: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes, and which is thirty (30) feet or less in width.

Alteration: A change or re-arrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, of any permitted or accessory building, structure or use.

Antique Store: An establishment engaged in displaying and selling furniture and other merchandise made in a former period of time. In these stores merchandise shall only be displayed inside of the store.

Apartment: See Dwelling, Multiple.

Area Building: The portion of a lot remaining after required yards have been provided.

Automobile Repair Station: A place where the following services may be performed: general repair; engine rebuilding; or reconditioning of motor vehicles, collision service such as body, frame, or fender straightening and repair painting and undercoating of automobiles.

Automotive Service Station: A place of retail business at which outdoor automotive refueling is conducted using fixed dispensing equipment connected to underground storage tanks and at which goods and services generally required in the operation and maintenance of motor vehicles may be provided.

An automobile service station building consists of a sales office where automotive accessories and packaged automotive supplies may be kept or displayed, and which may have one or more service bays in which the following services may be provided:

1. Servicing of spark plugs and batteries.
2. Tire repair and servicing, but not recapping.

3. Replacement of mufflers and tailpipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, arms of windshields and replacement of grease retainers and wheel bearings.
4. Radiator cleaning and flushing.
5. Washing and polishing.
6. Greasing and lubrication.
7. Exchanging fuel pumps and installing fuel lines.
8. Minor servicing and replacement of carburetors.
9. Emergency wiring repairs.
10. Turning engines, with the exception of grinding valves, cleaning carbon, or removing the head of engines and/or crank cases.
11. Adjusting brakes and installing brake shoes and pads.

Automotive Self-Service Station: A place of retail business at which outdoor automotive refueling is conducted by persons other than the service station attendant using fuel dispensing equipment connected to underground storage tanks, and at which automotive-related minor accessories and other retail products may be provided for sale to the motorist.

Accessory Automotive Fuels Self-Service Area: That portion of property on a lot containing a principal building or use (e.g., grocery store, car wash, etc.) at which outdoor automotive refueling is conducted as an accessory use from fixed dispensing equipment connected to underground storage tanks by persons other than the attendant at the principal building or use.

Automobile Wrecking (Junk) Yard: a storage area as defined and regulated herein that is used by the owner and/or operator for the dismantling, storage, or sale of three or more vehicles not in operating condition, or for the parts thereof.

Average Ground Elevation: The elevation of the mean finished grade at the front of a structure.

Bar, Tavern, Nightclub: Premises used primarily for the sale, dispensing, and consumption of beer or liquor by the drink. Food may be available for consumption on the premises as accessory to, or as, the principal use. Music, dancing, or entertainment may also be conducted on the premises. (Ord. # 1027, 01/08/04.)

Basement: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half ($\frac{1}{2}$) of its height is above the average ground elevation or when subdivided and used for commercial activities or dwelling purposes by other than a janitor employed on the premises.

Billboard: See Sign.

Boarding House: A dwelling other than a hotel where, for compensation and by pre-arrangement for definite periods, meals are provided for three (3) or more but not exceeding twelve (12) persons on a weekly or monthly basis.

Buffer Strip: A strip of land, established to protect one type of land use from another with which it is incompatible and which is landscaped and kept in perpetual open space uses.

Building: Any enclosed structure intended for shelter, housing or enclosure of persons, animals, or chattel.

Building Accessory: See Accessory Building.

Building Height of: The vertical distance measured from the average ground elevation to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building Line: A line formed by the face of a building. For the purposes of this ordinance, a Minimum Building Line is the same as a Front Setback Line.

Building, Main or Principal: A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building Setback Line: A line delineating the minimum allowable distance between the street right-of-way and the front of a structure within which no building or other structure shall be placed. The building setback line is parallel to or concentric with the street right-of-way.

Building Occupancy: The purpose for which a building or part thereof is used or intended to be used, such use being permitted in the zoning district in which the building is located.

Business and Repair Services: Any activity conducted for gain which renders services primarily to other commercial and industrial enterprises, or which services and repairs appliances and machines used in a home or business.

Child Care: Refers to the various arrangements made by parents for the care outside their home, of children under seventeen (17) years of age, for less than 24 hour periods as provided in Tennessee Code Annotated, Section 71-3-501 et. seq. as well as all pertinent rules, regulation, and standards of the Tennessee Department of Human Services.

Child Care Facility: A building or structure used for the care of children as defined herein. Such a facility normally includes one of the following types:

Family Care Facility. Is a facility which provides resident services to eight (8) or fewer individuals whom one or more are unrelated. These individuals are handicapped, aged, or disabled, or undergoing rehabilitation, and are provided services to meet their needs. This category includes uses licensed or supervised by any federal, state, county, or local agency, such as group homes, halfway houses, resident schools, resident facilities, and foster or boarding homes.

Family Day Care Home: A home operated by any person who receives pay for providing less than 24 hour supervision and care, without transfer of custody, for 5, 6, and 7 children under 17 years of age who are not residents of the household. A license is not required for a home providing care for fewer than 5 children.

Group Care Facility. A facility which provides residential services to nine (9) or more individuals with whom one (1) or more are unrelated. These individuals are handicapped, aged, or disabled, are undergoing rehabilitation, and are provided services to meet their needs. This category includes uses licensed or supervised by any federal, state, county, or local agency, such as group homes, halfway houses, resident schools, resident facilities, and foster or boarding homes.

Group Day Care Home: Any place operated by a person, social agency, corporation or institution, or any other group which receives 8 or more children under 17 years of age less than 24 hours per day for care outside their own homes, without transfer of custody. A group day care home may care for no more than 12 children.

Day Care Center: A place operated by a person, society, agency, corporation, institution, or other group that receives pay for the care of 13 or more children under 17 years of age for less than 24 hours per day, without transfer of custody.

City Commission: The Mayor and Board of Commissioners of the City of Paris, Tennessee.

Clinic: An establishment housing facilities for medical, dental, or psychiatric diagnosis and treatment, exclusive of major surgical procedure, for sick, ailing and injured persons who are not kept overnight on the premises.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, and the like but not operated for profit.

Community Assembly Facility: Activities typically performed by or at the following institutions or installations: (1) Parochial and private nonprofit clubs, lodges, meeting halls, recreation centers and areas; (b) temporary nonprofit festivals; (c) public and parochial and private museums and art galleries; (d) places of worship, including any structure or site such as a church, synagogue, chapel, sanctuary, or cathedral, used for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayer, and discussion; (e) public community centers and recreational areas such as playgrounds and playfields.

Community Education Facility: Activities performed by or at public, parochial, or private kindergartens, primary, and secondary schools.

Comprehensive Plan: The Official Plan for the physical development of the Municipality, including any area outside the municipality which bears relation to the planning of the municipality, as provided in Tennessee Code Annotated. Section 13-3-303 and Section 13-4-202. Such plan includes graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the municipality and includes any unit or part of such plan, and any amendment to such plan or parts thereof. Such plan or part thereof may be adopted by the planning commission and/or city commission.

Coverage: The lot area covered by all buildings located therein including the area covered by all overhanging roofs.

Country Club: A chartered, nonprofit membership club with or without dining facilities and cocktail lounge, catering primary to its membership, providing one or more of the following recreational and social amenities: golf, riding, outdoor recreation, club house, locker room, pro shop.

Conditional Use: A principal or accessory use which required compliance with the applicable standards of this ordinance prior to the issuance of a building permit or certificate of occupancy.

Design Capacity: The maximum number of persons which can be accommodated at any one time with a reasonable degree of comfort, safety, and convenience.

District: Any section or sections of the City of Paris for which the regulations governing the use of land and use, density, bulk, height, and coverage or buildings and other structures are uniform.

Dog Kennel: See Kennel.

Dormitory: A building containing sleeping room for either transient or permanent occupancy.

Drive-In: The term "drive-in" shall mean a business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles as to serve patrons while in the motor vehicle rather than within a building or structure.

Drive-In Restaurant: A drive-in restaurant, within the meaning of this ordinance, shall be deemed to be any restaurant designed to permit or facilitate the serving of meals, sandwiches, ice cream, beverages, or other food, served directly to, or permitted to be consumed by patrons in automobiles or other vehicles parked on the premises, or permitted to be consumed by patrons elsewhere on the site, outside the main building.

Dwelling: A building or portion thereof, exclusive of mobile homes as herein defined used for residential purposes.

Dwelling, Attached: A building containing not less than three (3) one-family dwelling units erected side by side as a single building, each being separated from the adjoining unit or units by an uninterrupted hall extending from the adjoining unit or units by an uninterrupted wall extending from the basement floor to the roof. No more than one (1) dwelling unit may be served by a single stairway or by a single exterior door.

Dwelling, Semi-Detached: Two dwellings with a single party wall common to both.

Dwelling, Detached: Same as single family dwelling.

Dwelling, Single-Family: A detached building design to be occupied exclusively by one family.

Dwelling, Two-Family: A detached building designed to be occupied by two families living independently of each other, exclusive of auto or trailer court or camps, hotels or resort type hotels.

Dwelling, Multiple-Family: A building or portion thereof, designed for occupancy by three (3) or more families living independently of each other.

Dwelling Unit: One or more rooms and a single kitchen designed as a unit for occupancy by only one family for cooking, living and sleeping purposes.

Erected: Built, constructed, altered, reconstructed, moved, upon, or any physical operations on the premises which are required for the construction, excavation, fill, drainage, and the like, shall be considered a part of erection.

Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal departments or underground surface, or overhead gas communication, supply or disposal systems, including towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment in connection herewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, or welfare.

Excavation: Any breaking of ground, except common household gardening and ground care.

Family: One or more persons related by blood, marriage or adoption, or a group of not to exceed five persons not all related by blood or marriage, occupying the premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall be deemed to include domestic servants employed by said family.

Flood: See Section 11-702.

Flood Hazard Area: See Section 11-702.

Flood Fringe: See Section 11-702.

Flood Plain: See Section 11-702.

Flood Way: See Section 11-702.

Regional Flood: See Section 11-702.

100-Year Flood: See Section 11-702.

Floor Area: The sum of the gross floor area for each of several stories under roof, measured from the exterior limits or faces of a building or structure.

Floor Area Ratio: The relationship between the number of square feet of floor area in building and each 100 square feet of lot area. The floor area ratio may be calculated as follows:

$$\frac{\text{Gross Floor Area of Building}}{\text{Total Area of Lot} \times 100}$$

Fraternity or Sorority House: A building housing the members of a fraternity or sorority group living together under a cooperative arrangement as distinct from a boarding or lodging house or private club.

Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended then all of the property abutting on one side between an intersecting street and the dead end of the street.

Garage Apartment: A dwelling unit for one family erected above a private garage.

Garage Public: Any garage other than a private garage available to the public, operated for gain, and used for storage, repair, rental, greasing, washing, sales, servicing, adjusting or equipping of automobiles or other motor vehicles.

Garage Private: An accessory building for parking or storage of not more than that number of vehicles as may be required in connection with the permitted use of the principal building. In residential areas, the storage of not more than one commercial vehicle of a rated capacity not exceeding three-fourth (3/4) ton is permitted.

Grade: The term "Grade" shall mean a ground elevation established for the purpose of regulating the number of stories and the height of the building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level if the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Gross Leasable Area (GLA): The total gross floor area (including sales, service, and work area) within a building occupied exclusively by an individual tenant as described in a lease document and upon which the tenant pays rent. The GLA is measured from the center line of joint partitions and from outside wall faces of basements, mezzanines, and all floors.

Health Care Facility: Activities typically performed by the following institutions:

Convalescent, Rest or Nursing Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, the patients are not kept overnight except under emergency conditions.

Dental Office or Doctors Office: Same as dental and medical clinic.

Hospitals: An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

Public Health Center: A facility primarily utilized by a health unit for the provisions of public health services including related facilities such as laboratories, clinics, and administrative offices operated in connection therewith.

Rehabilitation Center: A health care facility operated for the primary purpose of assisting in the rehabilitation of disabled persons and in which a coordinated approach is made to the physical, mental, and vocational evaluation of such persons and to the provision of such services as are required for their rehabilitation.

Sanitarium or Sanatorium: An institution providing health facilities for in-patient medical treatment or treatment and recuperation using natural therapeutic agents.

Historical Monuments and/or Structures: Any antique structure or building existing contemporaneously with and commonly associated with an outstanding event or period of history and any structure or building in which the relics and/or mementos of such event or period are housed and preserved.

Home Occupation: An incidental and subordinate use of a detached dwelling unit conducted entirely within the dwelling unit for gainful employment involving the manufacture, provision or sale of goods and services, carried on by one or more persons, all of whom reside within the dwelling unit and where no persons are employed other than resident and domestic help. The use is clearly incidental and subordinate to the use of the dwelling for residence purposes and does not change the character thereof nor adversely affect the uses permitted in the residential district of which it is a part.

Hospital: See Health Care Facility.

Hotel: A building occupied as the temporary habitat of individuals who are lodged with or without meals and in which there are more than twelve (12) sleeping rooms usually occupied singly and with no provision made for cooking in any individual room or apartment.

Independent Storage Area: A lot or other tract of land used for the sole purpose of storage and/or sale, from the premises, of new, used, or waste material, except when such material is incidental to a manufacturing operation. Such activities include the following: (1) auto wrecking (junk) yard as herein defined; (2) other junk yard or salvage yard used solely for the collecting, storage and sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in operating condition, or for the sale of parts thereof.

Kennel: Any lot or premises on which four (4) or more dogs, more than six (6) months of age, are kept.

Kindergartens: See Community Education Facility.

Loading Space: An off-street space on the same lot with a building or group of buildings for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

Lot: A parcel of land which is or may be occupied by a building and its accessory buildings or use customarily incidental thereto, together with such yards or open spaces within the lot lines as may be required by this Ordinance.

Lot Area: The total horizontal area included within lot lines.

Lot, Corner: A lot of which at least two (2) adjoining sides abut for their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than one hundred thirty-five (135) degrees.

Lot Depth: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

Lot, Double Frontage: A lot which runs through a block from street to street or which has two non-intersecting sides abutting on two or more streets.

Lot, Frontage: That dimension of a lot or portion of a lot abutting on a street excluding the side dimension of a corner lot.

Lot, Interior: A lot other than a corner lot.

Lot Lines: The lines bounding a lot as defined herein.

Lot Line, Front: In the case of an interior lot, the line separating said lot from the street. In the case of a corner or double frontage lot, the line separating said lot from the street which is designated as the front street in the request for Building Permit.

Lot Line, Rear: The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line, not less than ten feet long and wholly within the lot.

Lot Line, Side: A side lot line is any lot boundary line not a front lot line or rear lot line.

Lot Width: The width of a lot at the building setback line measured at right angles to its depth.

Lot of Record: A lot whose existence, location, and dimensions were legally recorded or registered in a deed or plat with the County Register of Deeds prior to the adoption of this ordinance.

Main Use: The principal use to which the premises are devoted and the principal purpose for which the premises exist.

Major Thoroughfare: An arterial street which is intended to serve as a large volume traffic-way for both the immediate area and the region beyond, and may be designated as a major thoroughfare or equivalent term to identify those streets comprising the basic structure of the master street plan.

Manufactured Double-Wide Home: A structure, transportable in two sections, which is built on a permanent chassis and is designed for use as a residence with a permanent foundation and connected to the required utilities. For purposes of these regulations, a "Manufactured Double-Wide Home" can be considered to be a one-family dwelling. A manufactured "double-wide" home is designed and built in two separate sections as halves which when placed together form a single dwelling structure. Two "single-Wide" manufactured or mobile homes placed together in any fashion does not constitute a manufactured "double-wide" home and does not meet the definition or intent of these regulations (Ord. #750, 05/02/91).

Medical Specialties: Laboratories, clinics, or offices providing health care examination, treatment, therapy or rehabilitation services either directly to patients or to other health care facilities.

Mezzanine: An intermediate or fractional story between the floor or ceiling of a main story occupying not more than one-third (1/3) of the floor area of such main story.

Mini-Warehouse: Self-Storage Facility: A building or group of buildings which provide compartmentalize and controlled-access rental or leased storage space of varying sizes to the general public.

Mixed Building Occupancy: The use of a building for two or more occupancies which are permitted in the zoning district in which the building is located.

Mobile Home: A type of factory manufactured dwelling which is constructed as a single self contained unit and mounted on a single chassis designed to be used with or without a permanent foundation. A mobile home contains the following characteristics:

- a. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
- b. Designed to be transported after fabrication on its own wheels or on a flatbed or other trailer or detachable wheels.
- c. Arriving at the site where it is to be occupied as a dwelling complete, and may include major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like (Ord. #750, 05/02/91).

Mobile Home Park: Any area, tract, site or plot of land where-upon fifteen (15) or more mobile homes as herein defined are placed, located, or maintained, or intended to be placed, located or maintained for permanent residence, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

Mobile Home Space: A plot of ground within a mobile home park which is designed for and designated as the location for only one automobile and one mobile home and not used for any other purpose whatsoever other than the customary accessory use thereof.

Mobile Home Subdivision: A subdivision designed and intended for the sale of lots for residential occupancy by mobile homes and subject to the standards of the subdivision regulations in the design, construction, approval, dedication and acceptance of streets, utilities, and other required improvements.

Modular Home: A dwelling unit which is built or erected from one or more three dimensional, cubical, or box shaped units which are completely factory-finished and require only to be connected together on a permanent foundation at the building site. Modular housing units may include single and multi-family units and are limited to only those dwelling units which can be designed and fabricated to meet local building, housing, plumbing, and electrical codes, and other pertinent regulations.

Motel: A building or group of buildings used for the temporary residence of motorists or travelers.

Motor Vehicle Dealers: A planned center whose principal activity is the sale of new motor vehicles and where engine, body repair, painting, and the sale of used vehicles are carried on as accessory uses.

Municipality: The City of Paris, Tennessee.

Non-Conforming Building: A building or portion thereof, existing on the effective date of this ordinance, or amendments thereto, and that does not conform to the provisions of this ordinance relative to bulk, area, or yards for the district in which it is located.

Non-Conforming Use: A use which lawfully occupied a building or land at the effective date of this ordinance, or amendments thereto, and that does not conform to the use regulations for the district in which it is located.

Noxious Matter: Material (in gaseous, liquid, solid particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the social, economic, or psychological well being of individuals.

Nursery, Plant Material: A space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Chapter does not include any space, building, or structure used for the sale of fruits, vegetables, or Christmas trees.

Parking Lot: An off-street facility including parking spaces along with adequate provision for drives and aisles for maneuvering and giving access, and for entrance and exit, all laid out in a way to be used for the parking of more than six (6) automobiles.

Parking Space: An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet exclusive of passage-ways, and driveways appurtenant thereto and giving access thereto, and having direct access to a street or alley.

Planning Commission: The Municipal Regional Planning Commission of the City of Paris, Tennessee.

Plat: A map, plan, or layout indicating the location and boundaries of individual properties.

Principal Use: The specific primary purpose for which land or a building is used.

Public Uses: Public parks, schools, and administrative, cultural, and service buildings not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

Public Utility: Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under state or municipal regulations to the public, electricity, gas, steam, communication, telegraph, transportation, or water.

Quarry: A lot or land or part thereof used for the purpose of extracting stone, sand, gravel, or top soil for sale, as an industrial operation, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

Recreational Facilities: Country clubs, riding stables, golf courses, and other non-commercial recreation areas and facilities, or recreation centers including swimming pools.

Recreational Vehicle: A travel trailer as herein defined used for temporary living quarters for recreational, camping, or travel use, and which either is self-powered or is mounted on or pulled by another vehicle.

Retail Trade: Those establishments classified in Tennessee Code Annotated, Section 67-4-708, engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods. The three basic categories of retail trade are as follows:

Shoppers' goods consist of infrequently purchased items sold by department and variety stores (general merchandise group stores), apparel and accessory shops, and furniture and home furnishings outlets, for which buyers will travel considerable distance to comparison shop before making a decision.

Convenience goods are items of everyday consumption such as those offered by food stores, gasoline service stations, drug stores, and eating and drinking places, in which convenience and habit play a more important role in the buying decision than price alone.

All other stores includes a diverse group of retail firms selling everything from building materials, hardware, farm equipment, and automotive products to miscellaneous retail stores and non-store retailers. The buying characteristics of goods in this category are sufficiently diverse to justify their separation into a distinct category.

Riding Academy: Any establishment where horses are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch, or similar establishment.

Roadside stand: A farm structure used or intended to be used solely by the owner or tenant for the sale of only seasonal farm products of the farm on which it is located.

Rooming house: A building where lodging only is provided for compensation to three (3) or more persons but not exceeding twelve (12) persons shall be defined as a hotel under the terms of this Ordinance.

Sanitarium, Sanatorium: See Health Care Facility.

Sanitary sewer: A municipal or community sewage disposal system of a type approved by the State Department of Public Health.

Self-service laundry: An establishment providing home type washing, drying and ironing machines and/or customer operated type dry cleaning machines, to be used primarily by the customer on the premises. Such establishment may be coin operated.

School, Private: An institution of learning, including colleges and universities, that is not tax supported.

School, Public: A tax supported institution of learning, including colleges and universities.

Setback: The distance required to obtain the front, side, or rear yard open space provisions of this ordinance.

Shopping Center: A unified grouping in one or more buildings of retail shops and stores which are planned, developed, owned, and managed, as a unit with adequate off-street parking provided on the property in direct ratio to the building area, and related in size (gross floor area) and type of shops to the trade area that the unit serves.

Sign: See Section 11-1300.

Site Plan: A plan delineating the overall scheme of development of tracts of land including but not limited to grading, engineering design, construction details, and survey data for existing and proposed improvements, size, height, shape and location of buildings, location and design of parking area, pedestrian and vehicular circulation on site, and circulation for emergency apparatus.

Special Permit Use: A principal or accessory use for which a building permit cannot be issued on the basis of the application alone and which requires the approval of the Board of Zoning Appeals subject to the development standards of this ordinance.

Staff Doctor: A doctor employed by a hospital, clinic, or other institution; or a doctor who is on call, to such institution during certain specified periods of time in case of emergency or other need.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, Half: A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

Street: A public or private thoroughfare which affords the principal means of access to abutting property. The word "street" shall include the word "road," "highway," and "thoroughfare."

Street Centerline: The center of the surfaced roadway or the surveyed centerline of the street.

Street Grade: Established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

Street, Intersecting: Any street which joins another street at an angle, whether or not it crosses the other.

Street Line: The legal line between street right-of-way and abutting property.

Street Right-of-Way Line: The property line which bounds the right-of-way set aside for use as a street. Where sidewalks exist and the exact location of the right-of-way or property line unknown, the side of the sidewalk farthest from the center line of the traveled street shall be considered a the right-of-way.

Structure: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and including but not limited to buildings, mobile homes, walls, fences, billboards, poster panels, bridges, sheds, and storage tanks.

Subdivision Regulations: Regulations which govern the conversation of unimproved and undeveloped land into building lots for development purposes. Such regulations provide for the approval by the planning commission of the site design and the construction of streets, utilities, and other required improvement to the land prior to the sale of lots and the dedication and appearance by the City Commission of street, utilities, and other required improvements as well as land for open space, right-of-way, or other public purposes.

Temporary Use of Building: A use or building permitted by the Building Inspector to exist during periods of construction of the main building or use, or for special events.

Theater, Moving Picture: A building or part of a building devoted to the showing of moving pictures on a paid admission basis.

Theater, Outdoor, Drive-In: An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

Tourist Cabins: See Motels.

Tourist Courts: See Motels.

Tourist Home: A dwelling in which sleeping accommodations in no more than four (4) rooms are provided or offered for transient guests for compensation.

Trailer, Hauling: A vehicle to be pulled behind an automobile or truck which is designed for hauling animals, produce, goods, or commodities, including boats.

Trailer, Travel or Camping: A portable living unit used for temporary human occupancy away from the place of residence of the occupant.

Travel Trailer Park: Any area, tract, site or plot of land whereupon travel trailers as herein defined are placed, located, or maintained, or intended to be placed, located or maintained for short term occupancy away from the place of residence of the occupant.

Toxic Materials: Material (gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Usable Floor Area: Measurement of usable floor area shall be the sum of gross horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. Floor area which is used or intended to be used principally for the storage or processing of merchandise or for utilities shall be excluded from this computation.

- (1) For the purposes of computing parking usable floor area shall be that area used or intended to be used for the sale of merchandise of services, or for use to serve patrons, clients, or customers.
- (2) Where detailed floor plans are not available, the following shall apply:

- a. Commercial Buildings - usable floor area shall equal 75% of the gross floor area.
- b. Office Buildings other than medical office buildings usable floor area shall equal 80% of the gross floor area.
- c. Medical office buildings - usable floor area shall equal 85% of the gross floor area.

Usable Open Space: That portion of a lot which is free of buildings, is not devoted to driveways and parking areas, is available and accessible to all the occupants of dwelling units on the lot, and is of reasonable dimension to allow use for active or passive recreation or other outdoor activities. Usable open space may include play lots, gardens, sundecks, courts and court yards and other required yard areas. Private and semi-private balconies may also be classified as usable open space in which case direct and easy access to such balconies must be provided from the dwelling unit or units intended to be served.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "Permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Variance: A modification of the strict application of the area (lot, yard and open space) regulations and development standards of this ordinance due to exceptionally irregular, narrow, shallow, or steep lots, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of reasonable use of the property.

The salient points of a variance are (1) undue hardship caused by exceptional physical irregularities of the property; and (2) unique circumstances due to the exceptional physical irregularities; and, (3) strict application of the area regulations and development standards which would deprive an owner of reasonable use of the property. A variance is not justified unless all three elements are present.

Variety Store: A store which carries several lines of goods (primarily convenience goods) but not a complete line of one or more items.

Way: A street or alley or other thoroughfare or easement permanently established for passage of persons or vehicles.

Wholesale Trade Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, farm, or professional business users; or to other wholesalers, or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

Yard: An open spaced between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in t his ordinance, In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

Yard, Front: An open unoccupied space on the same lot with a main building extending the full width of the lot and situated between the street line and the front line of the building projected to the side line of the lot. The depth of the front yard shall be measured between the front line of the building and the street line.

Yard, Rear: An open (other (other than for permitted accessory structure) space on the same lot with the principal building between the rear lines of the building and the rear line of the lot and extending the full width of the lot.

Yard, Side: An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building.

Zoning: The division of the entire territory of the municipality into separate districts in each of which uniform regulations are provided for the uses of buildings and land, the height of the buildings, and the area or bulk of buildings, and open spaces.

Zoning District: See District.

Table 1

USES PERMITTED IN ZONING DISTRICTS OF THE CITY OF PARIS, TENNESSEE

ZONING DISTRICTS

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
Dwellings															
Single-family Detached	X	X	X			C									
Single-family Attached			X		C	C	C	C							
Two-family		X	X			C									
Multiple-family			X		X	X	X	X							
Group Housing		X	X			X	X	X							
Zero Lot Line	X	X	X			X	X	X							
Mobile Home Subdivision		C	C	X											
Mobile Home Park		C	C	X											
OTHER HOUSING															
Boarding House		P	P		P	P	P								
Rooming House		P	P		P	P	P								
Hotel					C	C	C	C							

Family Care Facilities	P	P	P	P											
Group Care Facilities			P				P								
Hotel & Tourist Court					C	C	C	C							
Travel Trailer Park				C	C		C	C							
INSTITUTIONAL															
Cemetery-Mausoleum	P	P	P	P	P	P	P	P	P	P	P	P		P	
Church	P	P	P	P	P	P	P	P	P	P	P	P		P	X
School, Public Or Private K-12	P	P	P												X
Day Care Center		P	P		X	X	X	X						C	X
Family Day Care Home		P	P		X	X	X	X						C	X
Group Day Care Home		P	P		X	X	X	X						C	X
Colleges & Universities															X
Vocational or Trade Schools															X
Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
INSTITUTIONAL															
Health Clinic					X		X	X	X					X	
Hospital														X	
Lodge, Club, Country Club					X	X	X	X							
Nursing Home					X		X	X						X	
Observation Rehab Center														X	
Park, Play ground Playfield	P	P	P												
Private Museum Public Museum	P	P	P		X	X	X	X							
Public Building					P	X	P	P		P	P	P	P	P	X

PUBLIC UTILITIES															
Telephone Ex-Change Stations					P	P		P	P	P	P	P			
Telephone relay Towers (micro-Wave)					P	P		P	P	P	P	P			
Telegraph Message centers					X	X	X	X	X						
Radio & TV Transmitting & Relay towers										P	P	P			
Electric generation plants										P	P	P			
Gas Production Plants										P	P	P			
Natural or man-factured gas Storage and distribution points										P	P	P			
Water treatment Plants										P	P	P		P	
Water storage Tanks	P	P	P	P	P	P			P	P	P	P		P	
Sewerage Treatment plants															
Refuse incineration										P	P	P			

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
LUMBER, HARDWARE, & BUILDING MATERIALS															
Lumber Yards					C	C	C	C		X					
Building Materials					C	C		C		X					
Heating & Plumbing Equipment					X	X		X							
Paint, Glass & Wallpaper					X	X	X	X	X						
Electrical Supplies					X	X		X							
Welding Supplies					X	X		X							
Hardware					X	X	X	X	X						
Greenhouse & Nursery Products					X	X		X	X						
Sale and Display of Outdoor Ornamental/decorative products					X	X	X	X							
Agricultural Equip. Sales & Service					X			X		X					
Lawnmower Sales & Service					X	X		X	X						
GENERAL MERCHANDISE															
Department Store					X	X		X	X						
Variety Stores					X	X		X	X						
Clothing & Dry Goods					X	X	X	X	X						
Gen. Merchandise					X	X		X	X						
Convenience Stores					X	X	X	X							
FOOD-DRUG-BEVERAGES															
Bakery					X	X	X	X	X						
Candy-Confectionery					X	X	X	X	X						
Delicatessen					X	X	X	X	X						

Drugs & Pharmaceuticals					X	X	X	X	X						X	
Fruit & Vegetable Stand					X	X	X	X	X							
Grocery Store					X	X	X	X	X							
Package Liquor Store					X	X			X	X						
Supermarket					X	X	X	X	X							
Beverage Store					X											
Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D	
AUTO DEALERS & SERVICE STATIONS																
Service Stations					C	C	C	C	C							
Used Car Lot					C	X	C	C		X						
Auto Parts					X			X	X							
New Car Sales					C			C		X						
Boat, Marine Sales					C			C		X						
Truck, Heavy Equip. Sales					C					X						
Mobile Home Sales Prefab Homes					C					X						
Auto & Truck Rental					C					X						
Motorcycle Sales					C	C		C		X						
								C								
Manufactured Home Sales																
APPAREL & ACCESSORIES																
Men's & Boys Clothing					X	X	X	X	X							
Women's Ready-To Wear					X	X	X	X	X							
Millinery & Accessories					X	X	X	X	X							
Shoe Stores					X	X	X	X	X							
Tailor Shop					X	X	X	X	X							
Children's Shop					X	X	X	X	X							

FURNITURE - HOME FURNISHINGS - APPLIANCES															
Furniture					X	X	X	X	X						
Appliances					X	X	X	X	X						
Drapery & Upholstery					X	X	X	X	X						
Piano & Musical Instruments					X	X	X	X	X						
Floor Coverings					X	X	X	X	X						
Radio & TV Sales Phonographs					X	X	X	X	X						

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
EATING AND DRINKING PLACES															
Restaurants & Cafes					X	X	X	X	X					X	
Taverns, Bar					X	X			X						
Nightclubs					X	X			X						
Dairy Bar					X	X	X	X	X					X	
ART - ANTIQUE JEWELRY															
Antique Store					X	X	X	X	X						
Art Gallery					x	x	x	x	x						
Art and Craft Shop					X	X	X	X	X						
Flower shop, Florist					X	X	X	X	X					X	
Gift Shop					X	X	X	X	X					X	
Glasses & China					X	X	X	X	X						
Jewelry, Watches					X	X	X	X	X						
Optical Goods					X	X	X	X	X					X	
BOOKS - STATIONARY															
Books					X	X	X	X	X						
Greeting Cards					X	X	X	X	X						
Magazines					X	X	X	X	X						
Newspapers					x	x	x	x	x						
Stationery					X	X	X	X	X						
HOBBY - TOY - PET															
Aquarium, Bird-Store, Pet Shop					X	X	X	X	X						
Camera Shop Hobby Shop					X	X	X	X	X						
Sporting, Goods, Bicycles					X	X	X	X	X						
Toys					x	x	x	x	x						
Taxidermy					X	X	X	X	X						

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
MISCELLANEOUS RETAIL															
Salvage Clothing						X	X			X					
Coal & Firewood										X	X	X			
Fuel Oil and Bottled Gas										X	X	X			
Sand, Stone & Gravel										X	X	X			
FINANCE - INSURANCE - REAL ESTATE															
Banks					X	X	X	X	X						
Savings & Loan					X	X	X	X	X						
Real Estate Agents					X	X	X	X	X						
Insurance Carriers					X	X	X	X	X						
Other Finance, Insurance, Real Estate Services					X	X	X	X	X						
PERSONAL SERVICES															
Branch Laundry, Dry Cleaning					X	X	X	X							
Laundry Dry-Cleaning Equip.					X	X	X	X							
Self-Service Laundry					X	X	X	X	X						
Photographic Services					X	X	X	X	X						
Beauty Shop					X	X	X	X	X						
Barber Shop					X	X	X	X	X						
Funeral Services					P	P	P	P							
Tailoring & Dressmaking					X	X	X	X	X						
Apparel & Repair & Alteration					X	X	X	X	X						
Shoe Repair					X	X	X	X	X						

Home Occupation	P	P	P												
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Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
PROFESSIONAL SERVICES															
Physicians					X	X	X	X	X					X	
Dentists					X	X	X	X	X					X	
Veterinarians					X	X	X	X							
Attorneys					X	X	X	X	X						
Accountants					X	X	X	X	X						
Engineers					X	X	X	X	X						
Planning					X	X	X	X	X						
Optometrist					X	X	X	X	X					X	
Hospital Service & Supplies						X		X	X	X					
Medical Clinic out-Patient					X	X	X	X	X					X	
Medical Specialties					X			X						X	
RECREATION & ENTERTAINMENT															
Motion Picture Theater					X	X		X	X						
Drive-In Movie										X					
Race Track										X					
Amusement Park								X		X					
Fairground										X					
Miniature Golf					X			X		X					
Golf Driving Range										X					
Go-Cart Track								X		X					
Roller Skating					X			X		X					
Bowling					X					X					
Electronic Amusement Devices, Arcade					X	X	X	X	X						
Billiard Parlor					X	X		X	X						
Health Spa					X	X	X	X	X						
Youth recreational Facilities							X	X							

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
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Small Appliances															
Machine Shops					X					X	X	X			

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
REPAIR SERVICES (continued)															
Radio & TV Repair					X	X	X	X							
Watch, Clock & Jewelry Repair					X	X	X	X							
Armature Rewinding										X	X	X			
Welding Shop										X	X	X			
Vehicle Wrecking And Storage										P	P	P			
Re-upholstery & Furn. Repair										X	X	X			
Tire Recapping or Retreading											P				
Body Repair					X			X		X	X	X			
EDUCATIONAL SERVICES															
Business & Steno Schools					X	X	X	X							
Barber & Beauty Schools					X	X	X	X	X						
Art & Music School					X	X	X	X							
Driving Schools					X	X	X	X							
Correspondence Schools					X	X	X	X							
Other Special Training & Schooling					X	X	X	X							

Dance Schools					X	X	X	X							
CONTRACT CONSTRUCTION SERVICE															
Building Contractor					2 X	1 X	1 X	1 x		X		X			
Other General Construction					2 X	1 X	1 X	1 X		X		X			
Electrical Contractor					2 X	1 X	1 X	1 X		X		X			

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
CONTRACT CONSTRUCTION SERVICE (continued)															
Masonry, Stone-Work, File Setting, Plastering & Concrete					2 X	1 X	1 X	1 X		X		X			
Carpentering & Wood Flooring					2 X	1 X	1 X	1 X		X		X			
Roof & Sheet Metal					2 X	1 X	1 X	1 X		X		X			
Water Well Drilling										X		X			
WAREHOUSE AND STORAGE															
General Warehousing And Storage Enclosed										X	X	X			
Warehouse, Self-Storage, Mini-Storage, Encl.					C			C		C	C	C			
Contractor's Storage, Encl.										C	C	C			
Contractor's Yard										C	C	C			
Lumber Yard, Building Materials					2 C	1 C		1 C		C					
Auto Wrecking Yard											C				
Scrap and Salvage Operations										C	C	C			
New or Used Vehicles										C		C			

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
WHOLESALE TRADE															
Drugs, Chemicals & Allied Products					C	C	C	C		X	X	X			
Groceries & Related Products					C	C	C	C		X	X	X			
Electrical Goods										X	X	X			
Hardware, Plumbing & Cooling Equipment and Supplies										X	X	X			
Metal & Minerals										X	X	X			
Petroleum Bulk Stations, Terminals & Distribution										C	C	C			
Scrap & Waste Material										C	C	C			
Paper & Paper Products					C	C	C	C		X	X	X			
INDUSTRIAL															
Manufacture, Assembly, Processing, Storage, Distribution of Chemicals, Drugs, Soap Fertilizer & Abrasive Products												X	X		
Communications Equipment, Electronic Components, Engineering, Scientific &										X	X	X			

Photographic Equipment															
Automobile Car Wash										X					

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
INDUSTRIAL (continued)															
Electrical Machinery & Equipment										X	X	X			
Fabricated Metal Products & Machinery										X	X	X			
Food and Beverage Products Except Animal Slaughtering, Stockyards & Rendering										X		X			
Animal or Poultry Slaughter Stockyards, Rendering											C				
Animal or Poultry Stockyard Sales										C	C				
Brewery											X	X			
Furniture and Fixtures										X	X	X			
Lumber & Wood Products											P				
Paperboard Containers & Boxes										X	X	X			
Petroleum, Liquefied Petroleum, Gas & Coal Products Except Refining Firewood										X					
Petroleum & Petroleum Products Refining											X	X			

Uses Permitted	R-1	R-2	R-3	R-MH	B-1	B-2	B-3	P-B	SC-1	M-1	M-2	P-M	F-P	H-1	E-D
INDUSTRIAL (continued)															
Primary Metal Industries, Foundries, Blast Furnaces, Rolling Mills											X	X			
Printing & Publishing					X					X		X			
Pulp Mills															
Rubber &* Plastic Products, Except Rubber Manufacture										X	X	X			
Rubber Manufacture											X	X			
Scrap Metal Processors											X				
Stone, Clay, Glass & Related Mineral Products Mortar, Plaster, Paving Materials											X	X			
Textile & Apparel Products										X	X	X			
Tobacco Products											X	X			
Transportation Equipment Including Motor Vehicles, Aircraft & Parts Boat Building, Railroad Equip. Motorcycles, Bicycles & Parts										X	X	X			

NOTES TO TABLE 1

- (1) Accessory buildings or uses incidental to the contractor's office including buildings or outside areas used for storage of construction materials and equipment shall not be permitted.
- (2) Warehousing, storage, and distribution of raw materials and supplies and semi-finished or finished products shall be permitted as an accessory use when located inside a principal buildings in which manufacturing assembly of processing is conducted, or in a separate enclosed building or unenclosed (open) storage area located on the same lot as the principal building.
- (3) Any veterinary clinic located on property adjacent to a residential zone shall be prohibited from housing farm animals on said premises either enclosed or open buildings, pens, corrals, or other similar enclosures. (Ord. # 1199, 1/5/2017)

CHAPTER 4

RESIDENTIAL DISTRICTS

SECTION

- 11-400. Purpose of Residential Districts.
- 11-401. Schedule of Residential District Regulations.
- 11-402. R-1 Residential District.
- 11-403. R-2 Residential District.
- 11-404. R-3 Residential Districts.
- 11-405. R-MH Mobile Home District.
- 11-406. Group Housing (Cluster) Development.
- 11-407 T.R.B. Transitional Residential Business District.
- 11-408. Zero Lot Line Development.

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; Ord. # 1143, 08/02/12)

District & Use	<u>Minimum Lot Requirements</u>	<u>Minimum Yard Requirements</u>	<u>Maximum Gross Density Per Acre in Units</u>	<u>Maximum % of Lot Area Covered by all Buildings</u>
R-1 Single Family				

<u>Detached Dwellings and Accessory 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>
R-1-L Low Density	15,000	100	40	10	40	3.0	30
R-1-M Medium Density	10,000	60	20	7	30	4.0	50
R-1-H High Density	5,000	50	15	5	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.)

<u>R-2 Dwellings and Other 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>
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.)

<u>R-3 Dwellings and Other 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>
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R-3-M Medium Density	7,000(c)	60	25	7	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 of 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:

TRB Transitional-Residential-Business Dwellings and Acc. Uses	Area (Sq.Ft.)	Width (Sq.Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Units	Percent
	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.

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).

CHAPTER 5

COMMERCIAL DISTRICTS

SECTION

- 11-500. Purpose of Commercial Districts.
- 11-501. Schedule of Commercial District Regulations.
- 11-502. B-1 Highway Commercial District.
- 11-503. B-2 Central Business District.
- 11-504. B-3 General Commercial District.
- 11-505. P-B Planned Business District.
- 11-506. SC-1 Shopping Center District.
- 11-507. Zero Lot Line Commercial District.

11-500. Purpose of Commercial Districts. The Commercial Districts established in this ordinance are designed to promote the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among others, the following more specific objectives:

- A. To locate and develop commercial facilities in conformance with the Paris Comprehensive Community Development Plan and other applicable development standards.
- B. To locate commercial development in areas of high accessibility in order to serve appropriate trade area functions and in areas where water and sewer services are presently available or can be easily extended.
- C. To concentrate commercial development so as to increase sales potential and reduce traffic congestion and other adverse affects on the surrounding community.

- D. To encourage the revitalization and redevelopment of the central city as a center for government, public administration, and related professional and support services.
- E. To maintain and improve existing commercial areas that have good transportation access and market potential.
- F. To reserve specific areas for commercial activities to serve as regional shopping areas, community and commercial centers, and other retail outlets.

11-501. Schedule of Commercial District Regulations. The tabulation of regulations governing the permitted uses, area, and bulk regulations for each commercial district in the City of Paris is as indicated in Table 1 and Table 2.

11-502. B-1 Highway Commercial District. Within the B-1 District as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The intent of the Highway Commercial District is to provide suitable areas for retail establishments offering accommodations, supplies, and services to motorists from within the community and throughout the trade area. These establishments ordinarily do not seek locations in shopping centers and typically require direct auto traffic access and visibility from the road. The Highway Commercial District includes areas where commercial development has displaced or is displacing residential development or other vacant lands. The Highway Commercial District will ordinarily be located along numbered state and federal highways or other highways designated as arterial streets.

In promoting the general purposes of this ordinance, the specific intent of this district is:

1. To encourage the construction and continued use of land for commercial and related service uses servicing both local and long distance travelers.
2. To provide appropriate space, in sufficient depth from the street, to satisfy the needs of modern commercial development where access is entirely dependent on the automobile.
3. To discourage the expansion of existing strip commercial areas and to provide for the concentration of these uses.
4. To encourage the development of the district in such a manner as to minimize traffic hazards and interference from other highway-oriented businesses by providing adequate access controls and insuring sufficient off-street parking and loading areas.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Institutional: Family Day Care Home, Group Day Care Home, Health Clinic, Lodge, Club, Country Club, Nursing Home, Public or Private Museum.

Public Utilities: Telegraph Message Centers.

Lumber, Hardware & Building Materials: Heating/Plumbing Equipment, Paint/Glass/Wallpaper, Electrical Supplies, Welding Supplies, Hardware, Greenhouse/Nursery Products, Agricultural Equipment Sales/Service, Lawnmower Sales/Service.

General Merchandise: Department Store, Variety Stores, Clothing/Dry Goods, General Merchandise, Convenience Stores. (Ord. # 873, 05/18/95).

Food/Drugs/Beverages: Bakery, Candy/Confectionery, Delicatessen, Drugs/ Pharmaceuticals, Fruit/Vegetable Stand, Grocery Store, Package Liquor Store, Supermarket, Beverage Store.

Apparel/Accessories: Men's/Boy's Clothing, Women's Ready-to-wear, Millinery/Accessories, Shoe Stores, Tailor Shop, Children's Shop.

Furniture/Home Furnishings/Appliance: Furniture, Appliances, Drapery/ Upholstery, Piano/Musical Instruments, Floor Coverings, Radio/TV Sales/Phonographs.

Eating/Drinking Places: Restaurants/Cafes, Taverns/Bar, Nightclubs, Dairy Bar.

Art/Antique Jewelry: Antique Store, Art Gallery, Art/Craft Shop. Flowerpot/Florist, Gift Shop. Glasses/China, Jewelry/Watches, Optical Goods.

Books/Stationery: Books, Greeting Cards, Magazines, Newspapers, Stationery.

Hobby/Toy/Pet: Aquariums/Bird Store/Pet Shop. Camera/Hobby Shop. Sporting Goods/Bicycles, Toys, Taxidermy.

Miscellaneous Retail: Salvage Clothing.

Finance/Insurance/Real Estate: Banks, Savings/Loans, Real Estate Agents, Insurance Carriers, Other Finance/Insurance/Real Estate Services.

Personal Services: Branch Laundry, Dry Cleaning, Laundry/Dry Cleaning Equipment, Self-Service Laundry, Photographic Services, Beauty Shop, Barber Shop, Tailoring & Dressmaking, Apparel Repair & Alteration, Shoe Repair.

Professional Services: Physicians, Dentists, Veterinarians, Attorneys, Accountants, Optometrist, Medical Clinic/Out-Patient, Medical Specialties, Engineers, Planning.

Recreation/Entertainment: Motion Picture Theater, Miniature Golf, Roller Skating, Bowling, Electronic Amusement Devices/Arcade, Billiard Parlor, Health Spa.

Business Services: Duplicating/Mailing/Stenographic, Employment, Consulting Services, Detective/Protective, Photo-finishing, Trading Stamps, Disinfecting & Exterminating, Animal Hospital Clinic.

Repair Services: Electrical Repair, Small Appliances, Machine Shops, Radio/TV Repair, Watch/Clock/Jewelry Repair, Body Repair.

Educational Services: Business/Steno Schools, Barber/Beauty Schools, Art/Music Schools, Driving Schools, Correspondence Schools, Other Special Training/Schooling, Dance Schools.

Contract Construction Service: Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/Tile Setting/Plastering/Concrete, Carpentering/Wood Flooring, Roof/Sheet Metal. (Note: Warehousing, storage, and distribution of raw materials and supplies and semi-finished or finished products shall be permitted as an accessory use when located inside a principal buildings in which manufacturing assembly or processing is conducted, or in a separate enclosed building or unenclosed (open) storage area located on the same lot as the principal building).

Industrial: Printing & Publishing.

- C. Principal Uses and Structures Permitted Subject to Special Conditions. Conditional uses and special permit uses permitted 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 Use (Section 11-800): Boarding House, Rooming House, Cemetery-Mausoleum, Public Building, Telephone Exchange Stations, Telephone relay towers (microwave), Water Storage Tanks, Funeral Services, Engineers, Equipment Rental/Leasing.

Conditional Uses (Section 11-900):

Housing: Hotel, Hotel/Tourist Court, Travel Trailer Park.

Lumber/Hardware/Building Materials: Lumber Yards, Building Materials.

Auto Dealers/Service Stations: Service Stations, Used Car Lot, New Car Sales, Boat, Marine Sales, Truck/heavy Equipment Sales, Mobile Home Sales/Prefab Homes, Auto/Truck Rental, Motorcycle Sales.

Business Services: Equipment Rental & Leasing.

Repair Services: Auto Repair Garages, Auto Wash, Tire Recapping.

Warehousing/Storage: Warehouse/Self Storage/Mini Storage/Enclosed, Lumber Yard/Building Materials.

Wholesale Trade: Drugs, Chemicals/Allied Products, Groceries/Related Products, Paper/Paper Products.

- D. Permitted Accessory Uses and Structures. Accessory buildings or uses customarily incidental to a principal permitted use and as provided 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 in this district are set forth in Table 2 as follows:

<u>COMMERCIAL DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
<u>B-1 Highway Commercial</u>						
1. Selected retail stores, services and transient Lodgings to motorists	None	None	50	cumulative 20	30	30

NOTE: Within the B-1 District, the width of any side or rear yard which abuts a residential district shall be not less than twenty (20) feet.

Within the P-B District and the B-1 District there shall be required a minimum width of fifteen (15) feet in one side yard. The remaining side yard shall have no width requirement provided the total width of the two side yards equals a minimum of twenty (20) feet.

2. Single-family attached & multi-family dwelling

(See Notes)

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. Notwithstanding the provisions of 11-502 F. (1) and 11-105, Table 2, the minimum yard requirements for single family attached and multiple family dwellings in the B-1 (Highway Commercial) Zone shall be as follows:

Front	Side	Rear
<u>(Ft.)</u>	<u>(Ft.)</u>	<u>(Ft.)</u>
25	10	20

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 Townhouse and multi-family units within the B-1 (Highway Commercial) district all developments must contain six units or more but shall not exceed 15 units per acre. (Ord. #1151, 03/07/13)

ALL B-1 (HIGHWAY COMMERCIAL) DEVELOPMENT REQUIRES SITE PLAN REVIEW BY THE
PLANNING COMMISSION

- G.
- H. Off-Street Parking Requirements. The regulations governing the minimum off-street parking spaces, standards for off-street parking facilities, off-street loading and unloading requirements in this district are set forth in Section 11-1000.
- H. Walls, fences, screens, and landscape requirements. As provided in Section 11-1200.
- I. Development Procedures
 1. Before a permit is issued for any use permitted by right, or subject to special conditions, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a development improvement contract with the City to assure that those improvements required be constructed as approved. (Ord. # 984, 09/06/01).
 2. In order that the Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, et seq.

The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas, and sewer. (Ord. #984, 09/06/01).

3. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action. (Ord. #984, 09/06/01).

11-503. B-2 Central Business District. Within the B-2 Districts as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. This district is a center for commercial, financial, professional, governmental, and cultural activities. The intent is to protect and improve the central business district for the performance of

its principal functions. Uses and activities which do not require a central location and which would be incompatible with existing uses are discouraged in this district.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Institutional: Day Care Center, Family Day Care Home, Group Day Care Home, Lodge, Club, Country Club, Private or Public Museum, Public Building, Telegraph Message Centers.

Lumber, Hardware & Building Materials: Heating & Plumbing Equipment, Paint, Glass & Wallpaper, Electrical Supplies, Welding Supplies, Hardware, Greenhouse & Nursery Products, Lawmaker Sales & Service.

General Merchandise: Department Store, Variety Stores, Clothing & Dry Goods, General Merchandise, Convenience Stores. (Ord. # 873, 05/18/95).

Food, Drug, Beverages: Bakery, Candy/Confectionery, Delicatessen, Drugs/ Pharmaceuticals, Fruit/Vegetable Stand, Grocery Store, Package Liquor Store, Supermarket, Beverage Store, Used Car Lot, Men's Boy's Clothing, Women's Ready-To-Wear, Millinery/Accessories, Shoe Store, Tailor Shop, Children's Shop Convenience Stores (Ord. # 873, 05/18/95).

Furniture/Home Furnishings/Appliances: Furniture, Appliances, Drapery/ Upholstery, Piano/Musical Instruments, Floor Coverings, Radio/TV Sales/ Phonographs.

Eating/Drinking Places: Restaurants/Cafes, Taverns/Bar, Dairy Bar.

Art/Antique/Jewelry: Antique Store, Art Gallery, Art/Craft Shop, Flower shop/Florist, Gift Shop, Glasses/China, Jewelry/Watches, Optical Goods

Books/Stationery: Books, Greeting Cards, Magazines, Newspapers, Stationery.

Hobby/Toy/Pet: Aquariums/Bird Store/Pet Shop, Camera/Hobby Shop, Sporting Goods/Bicycles, Toys, Taxidermy.

Miscellaneous Retail: Salvage Clothing.

Finance/Insurance/Real Estate: Banks, Savings/Loans, Real Estate Agents, Insurance Carriers, Other Finance/Insurance/Real Estate Services.

Personal Services: Branch Laundry/Dry Cleaning, Laundry Dry-Cleaning Equipment, Self-Service Laundry, Photographic Services, Beauty Shop, Barber Shop, Tailoring/Dressmaking, Apparel Repair/Alterations, Shoe Repair.

Professional Services: Physicians, Dentists, Veterinarians, Attorneys, Accountants, Planning, Optometrist, Hospital Service/Supplies, Medical Clinic/Out-Patient, Engineers.

Recreation/Entertainment: Motion Picture Theater, Electronic Amusement Devices/Arcade, Billiard Parlor, Health Spa.

Business Services: Duplicating, Mailing/Stenographic, Employment, Consulting Services, Detective/Protective, Photo finishing, Trading Stamps, Window Cleaning.

Repair Services: Electrical Repair/Small Appliances, Radio/TV Repair, Watch/ Clock/Jewelry Repair.

Educational Services: Business/Steno Schools, Barber/Beauty Schools, Art/Music Schools, Driving School, Correspondence School, Other Special Training/Schooling, Dance School.

Building Contractor: Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/File Setting/Plastering/Concrete, Carpentering/ Wood Flooring, Roof/Sheet Metal.

- C. Principal Uses and Structures Permitted Subject to Special Conditions: Conditional uses and special permit uses permitted in this district are indicated in table 1 and as follows and are subject to the applicable provisions of Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Other Housing: Boarding/Rooming House, Cemetery/Mausoleum, Church

Public Utilities: Telephone Exchange Stations, Telephone Relay Towers, Water Storage Tanks.

Professional Services: Engineers.

Business Services: Equipment Rental/Leasing.

CONDITIONAL USES (Section 11-900):

Dwellings: Single-Family Detached, Single-Family Attached, Two Family.

Other Housing: Hotel, Hotel/Tourist Court.

Lumber/Hardware/Building Materials: Lumber Yards, Building Materials.

Auto Dealers/Service Stations: Service Stations, Motorcycle Sales.

Business Services: Equipment Rental & Leasing.

Repair Services - Auto Repair Garages, Auto Wash.

Warehousing & Storage: Lumber yard, Building Materials.

Wholesale Trade: Drugs, Chemicals & Allied Products, Groceries/Related Products, Paper/Paper Products.

- D. Permitted Accessory Uses and Structures: Accessory buildings or uses customarily incidental to any permitted principal use and as provided 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 in this district are set forth in Table 2 as follows:

<u>B-2 Central Business</u>	<u>Area</u> <u>(Sq.Ft.)</u>	<u>Width</u> <u>(Sq.Ft.)</u>	<u>Front</u> <u>(Ft.)</u>	<u>Side</u> <u>(Ft.)</u>	<u>Rear</u> <u>(Ft.)</u>	<u>Percent</u>
1. Retail stores and goods, services, and selected transient lodgings	None	None	None	None	None	None

- G. A site plan is not required for development in the B-2 district if the building area coverage for the development is ninety percent (90%) or more of the lot area. If the building area coverage of the development is less than ninety percent (90%) of the lot area, a site plan shall be required pursuant to 11-1101, *et seq.* (Ord. # 984, 09/06/01).

11-504. B-3 General Commercial District. Within the B-3 Districts as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The intent of the B-3 General Commercial District is to provide for personal and business services and related office uses and general retail business. Districts in this category are

intended to include areas where commercial development and related services has displaced or is displacing residential development, or is displacing existing vacant areas. The regulations provided herein are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of abutting streets, and to provide for adequate off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide for concentrations of general commercial activities.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Dwellings: Multiple Family, Group Housing, Zero Lot Line.

Institutional: Day Care Center, Family Day Care Home, Group Day Care Home, Health Clinic, Lodge, Club, Country Club, Nursing Home, Public or Private Museum.

Public Utilities: Telegraph Message Centers.

Lumber/Hardware/Building Materials: Paint/Glass/Wallpaper, Hardware.

General Merchandise: Clothing/Dry Goods, Convenience Stores.

Food/Drug/Beverages: Bakery, Candy/Confectionery, Delicatessen, Drugs, Pharmaceuticals, Fruit and Vegetables Stand, Grocery Store, Supermarket, Beverage Store.

Apparel/Accessories: Men's/Boy's Clothing, Women's Ready-to-Wear, Millinery/Accessories, Shoe Stores, Tailor Shop, Children's Shop.

Furniture/Home Furnishings/Appliances: Furniture, Appliances, Drapery/ Upholstery, Piano/Musical Instruments, Floor Coverings, Radio/TV Sales/ Phonographs.

Eating and Drinking Establishments: Restaurants & Cafes, Dairy Bar.

Art/Antique/Jewelry: Antique Store, Art Gallery, Art/Craft Shop, Flowershop/ Florist, Gift Shop, Glasses/China, Jewelry/Watches, Optical Goods.

Books/Stationery: Books, Greeting Cards, Magazines, Newspapers, Stationery.

Hobby/Toy/Pet: Aquariums./Bird Store/Pet Shop, Camera Shop/Hobby Shop, Sporting Goods/Bicycles, Toys, Taxidermy.

Finance/Insurance/Real Estate - Banks, Savings & Loans, Real Estate Agents, Insurance Carriers, Other Finance/Insurance/Real Estate Services.

Personal Services: Branch Laundry/Dry Cleaning, Laundry Dry-Cleaning Equipment, Self-Service Laundry, Photographic Services, Beauty Shop, Barber Shop, Funeral Shop, Tailoring/Dressmaking, Apparel Repair/Alteration, Shoe Repair.

Professional Services: Physicians, Dentists, Veterinarians, Attorneys, Accountants, Engineers, Planning, Optometrist, Medical Clinic/Out-Patient.

Recreation/Entertainment: Health Spa, Miniature Golf, Electronic Amusement Devices, Arcade, Youth Recreational Facilities. (Ord. # 870, 04/06/95) (Ord. #931, 05/05/98).

Business Services: Duplicating/Mailing/Stenographic, Employment, Consulting Services, Detective/Protective, Photo finishing, Trading Stamps, Window Cleaning.

Repair Services: Electrical Repair/Small Appliances, Radio/TV Repair, Watch/Clock/Jewelry Repair.

Educational Services: Business/Steno Schools, Barber/Beauty Schools, Art/Music Schools, Driving Schools, Correspondence Schools, Other Special Training & Schooling, Dance Schools.

Contract Construction Services: Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/File Setting/Plastering/ Concrete, Carpentering/ Wood Flooring, Roof/Sheet Metal.

C. Principal Uses and Structures Permitted Subject to Special Conditions. As provided in Section 11-800 and Section 11-900

SPECIAL PERMIT USE (Section 11-800).

Other Housing: Rooming/Boarding House.

Institutional: Public Building.

Personal Services: Funeral Services.

CONDITIONAL USES (Section 11-900):

Other Housing: Hotel and Hotel/Tourist Court.

Auto Dealers & Service Stations: Service Stations.

Lumber/Hardware/Building Materials: Lumber Yards.

Wholesale Trade: Drugs/Chemical/Allied Products, Groceries/Related Products, Paper/Paper Products.

D. Permitted Accessory Uses and Structures. Buildings, structures, and uses accessory and customarily incidental to any permitted principal use or structure and as provided 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 maximum lot area and width, required yards and maximum lot coverage by all buildings in this district are set forth in Table 2 and as follows:

<u>B-3 Office Related Services</u>	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
1. Retail stores/services, and selected transient lodgings	10,000	None	20	10	15	None

NOTE: Within the B-3 District, the width of any side or rear yard which abuts a residential district shall be not less than 15 feet and 30 feet respectively.

G. Off-Street Parking and Loading. As provided in Section 11-1200.

H. Walls, Fences, Screening, and Landscaping. As provided in Section 11-1200.

I. Development Procedures.

1. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
2. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).
3. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action. (Ord. # 984, 09/06/01).

11-505. P-B Planned Business District. Within the areas designated P-B Planned Business District on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply.

- A. Intent. This district is designed to provide sites for more diversified retail establishments and are located to serve vehicular traffic. The P-B district is characterized by an integrated or planned commercial development served by a common parking area and is adjacent to major arterial streets.
- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Dwellings: Two-Family, Multiple Family, Group Housing.

Institutional: Family Day Care Home, Group Day Care Home, Health Clinic, Lodge, Club, Country Club, Nursing Home, Public or Private Museum.

Lumber, Hardware & Building Materials: Heating/Plumbing Equipment, Paint/Glass/Wallpaper, Electrical Supplies, Welding Supplies, Hardware, Greenhouses/Nursery Products, Agricultural Equipment Sales/Service, Lawnmower Sales/Service.

General Merchandise: Department Store, Variety Stores, Clothing/Dry Goods, General Merchandise, Convenience Stores (Ord. # 873, 05/18/95).

Food/Drugs/Beverages: Bakery, Candy/Confectionery, Delicatessen, Drugs, Pharmaceuticals, Fruit/Vegetable Stand, Grocery Store, Package Liquor Store, Supermarket, Beverage Store, Convenience Stores. (Ord. # 873, 05/18/95).

Apparel/Accessories: Men's/Boy's Clothing, Women's Ready-to-wear, Millinery/Accessories, Shoe Stores, Tailor Shop, Children's Shop.

Furniture/Home Furnishings/Appliance: Furniture, Appliances, Drapery/ Upholstery, Piano/Musical Instruments, Floor Coverings, Radio/TV Sales/Phonographs.

Eating/Drinking Places: Restaurants/Cafes, Dairy Bar.

Art/Antique Jewelry: Antique Store, Art Gallery, Art/Craft Shop. Flower shop/Florist, Gift Shop, Glasses/China, Jewelry/Watches, Optical Goods.

Book/Stationery: Books, Greeting Cards, Magazines, Newspapers, Stationery.

Hobby/Toy/Pet: Aquarium/Bird Store/Pet Shop, Camera/Hobby Shop, Sporting Goods, Bicycles, Toys, Taxidermy.

Finance/Insurance/Real Estate: Banks, Savings/Loans, Real Estate Agents, Insurance Carriers, Other Finance/Insurance/Real Estate Services.

Personal Services: Physicians, Dentists, Veterinarians, Attorneys, Accounts, Optometrist, Planning Hospital Service/Supplies, Medical Clinic/Out-Patient, Medical Specialties.

Professional Services: Physicians, Dentists, Veterinarians, Attorneys, Accountants, Optometrist, Planning, Hospital Service/Supplies, Medical Clinic/Out-Patient, Medical Specialties.

Recreation/Entertainment: Motion Picture Theater, Roller Skating, Electronic Amusement Devices/Arcade, Billiard Parlor, Health Spa, Miniature Golf (Ord. # 870, 04/06/95); Amusement Parks, Go-Cart Tracks, and Youth Recreational Facilities (Ord. # 1068, 04/05/07)

Business Services: Duplicating/Mailing/Stenographic, Employment, Consulting Services, Detective/Protective, Photo finishing, Trading, Stamps, Metal/Wood Fencing/Ornament Grill Work (Retail), Animal Hospital Clinic, Disinfecting & Exterminating.

Repair Services: Electrical Repair, Small Appliances, Radio/TV Repair, Watch/Clock/Jewelry Repair, Body Repair.

Educational Services: Business/Steno Schools, Barber/Beauty Schools, Art/Music Schools, Driving Schools, Correspondence Schools. Other Special Training/Schooling, Dance Schools.

Contract Construction Service: Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/File Setting/Plastering/Concrete, Carpentering/Wood Flooring, Roof/Sheet Metal, (Note: Warehousing, storage, and distribution of raw materials and supplies and semi-finished or finished products shall be permitted as an accessory use when located inside a principal buildings in which manufacturing assembly or processing is conducted, or in a separate enclosed building or unenclosed (open) storage area located on the same lot as the principal building).

- C. Principal Uses and Structures Permitted Subject to Special Conditions. Conditional uses and special permit uses permitted in this district are indicated in Table 1 and are subject to the applicable provisions of Section 11-800 and 11-900.

SPECIAL PERMIT USES (Section 11-800):

Institutional: Cemetery-Mausoleum, Public Building, Telephone Exchange Stations, Telephone Relay Towers (microwave).

Personal Services: Funeral Services.

Business Services: Equipment Rental/Leasing

CONDITIONAL USES (Section 11-900):

Housing: Hotel, Hotel/Tourist Court, Travel Trailer Park.

Lumber/Hardware/Building Materials: Lumber Yard, Building Materials.

Auto Dealers/Service Stations: Service Stations, Used Car Lot, New Car Sales, Boat, Marine Sales, Motorcycle Sales, Manufactured Home Sales. (Ord. # 856, 07/14/94).

Business Services: Monument Works, Equipment Rental & Leasing.

Repair Services: Auto Repair Garage, Auto Wash.

Warehousing/Storage: Warehouse/Self Storage/Mini Storage/Enclosed, Lumber Yard/Building Materials.

Wholesale Trade : Drugs, Chemicals/Allied Products, Groceries, Related Products, Paper/Paper Products.

- D. Permitted Accessory Uses and Structure. Accessory uses or buildings customarily incidental to any permitted principal use and as provided 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 of all buildings in this district are set forth in Table 2 and as follows

<u>COMMERCIAL DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
<u>P-B Planned Business</u>						
1. Retail stores/services/transient lodgings	20,000	100	50	20	25	None

Within the P-B District and the B-1 District there shall be required a minimum width of fifteen (15) feet in one side yard. The remaining side yard shall have no width requirement provided the total width of the two side yards equals a minimum of twenty (20) feet.

- 2. Single-family attached & multi-family dwelling (See Notes)

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. Notwithstanding the provisions of 11-505 F. (1) and 11-105, Table 2, the minimum yard requirements for single family attached and multiple family dwellings in the P-B (Planned Business) Zone shall be as follows:
(Ord. # 833, 07/07/93).

<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>
25	10	20

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 Townhouse 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 acre.

ALL P-B (PLANNED BUSINESS) DEVELOPMENT REQUIRES SITE PLAN REVIEW BY THE
PLANNING COMMISSION

- G. 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.
- H. Walls, Fences, Screens, and Landscape Requirements. As provided in Section 11-1200.
- I. Development Procedures.
1. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
 2. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).
 3. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action. (Ord. # 984, 09/06/01).
- J. Certificate of Occupancy. Where there is any change of use or occupancy of property, the building inspector may issue a certificate of occupancy without review by the planning commission where the building inspector determines that all the development requirements of the use or property are currently being met. (Ord. #691, 10/6/88).

11-506. SC-1 Shopping Center District. Within the areas designated SC-1 Shopping Center District on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The intent of this commercial district is to encourage the logical and timely development of land for shopping center purposes consistent with the objectives and policies of the Comprehensive Plan. It is further the intent of this commercial district to provide a unified grouping, in one or more buildings, of retail shops and stores which are suitably designed with

adequate off-street parking, lighting, circulation, landscaping, and screening, and which constitute a safe, efficient, and convenient retail shopping area for customers and employees, and which protect the residential character of adjoining neighborhoods.

- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Institutional - Health Clinic

Public Utilities - Telegraph Message Centers.

Lumber/Hardware/Building Materials - Paint/Glass/Wallpaper, Hardware, Greenhouse/Nursery Products, Lawnmower Sales/Service.

General Merchandise - Department Store, Variety Stores, Clothing/Dry Goods, General Merchandise.

Food/Drug/Beverages - Bakery, Candy/Confectionery, Delicatessen, Drugs/ Pharmaceuticals, Fruit/Vegetables Stand, Grocery Store, Package Liquor Store, Supermarket, Beverage Store.

Auto Dealers/Service Stations - Auto Parts.

Apparel/Accessories - Men's/Boy's Clothing, Women's Ready-To-Wear, Millinery/ Accessories, Shoe Stores, Tailor Shop, Children's Shop.

Furniture/Home Furnishings/Appliances - Furniture, Appliances, Drapery/ Upholstery, Piano/Musical Instruments, Floor Coverings, Radio/TV Sales, Phonographs.

Eating/Drinking Places - Restaurants/Cafes, Taverns/Bar, Nightclubs, Dairy Bars.

Art/Antique/Jewelry - Antique Store, Art Gallery, Art and Craft Shop, Flower shop/Florist, Gift Shop, Glasses/China, Jewelry/Watches, Optical Goods.

Books/Stationery - Books, Greeting Cards, Magazines, Newspapers, Stationery.

Hobby/Toy/Pet - Aquariums/Bird Store/Pet Shop. Camera Shop/Hobby Shop, Sporting Goods/Bicycles, Toys, Taxidermy.

Miscellaneous Retail - Salvage Clothing.

Finance/Insurance/Real Estate - Banks, Real Estate Agents, Savings/Loan, Insurance Carriers, Other Finance, Insurance, Real Estate Services.

Personal Services - Self Service Laundry, Photographic Services, Beauty/Barber Shop, Tailoring/Dressmaking, Apparel Repair/Alteration, Shoe, Repair.

Professional Services - Physicians, Dentists, Accountants, Planning, Optometrist, Hospital Service/Supplies, Medical Clinic/Out Patient, Attorneys, Engineers.

Recreation/Entertainment - Motion Picture Theater, Electronic Amusement Devices, Arcade, Billiard Parlor, Health Spa.

Business Services - Duplicating, Mailing/Steno, Employment, Consulting Services, Detective & Protective, Photo finishing, Trading Stamps.

Educational Services - Barber & Beauty Schools.

- C. Principal Uses and Structures Permitted Subject to Special Conditions. Conditional uses and special permit uses permitted in this district are indicated in Table 1 and as follows and are subject to the applicable provisions of Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Institutional - Cemetery/Mausoleum, Church.

Public Utilities - Telephone Exchange Stations, Water Storage Tanks.

CONDITIONAL USES (SECTION 11-900):

Auto Dealers/Service Stations - Service Stations.

- D. Permitted Accessory Uses and Buildings. Accessory uses or buildings customarily incidental to any permitted principal use and as provided 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 site area and width, required yards and maximum lot coverage by all buildings in this district are set forth in Table 2 and are explained in detail below:

1. The minimum site area for the SC-1 Shopping Center District shall be three (3) acres or 130,680 square feet. All developments shall meet the minimum site area. However, within the development internal divisions of property may be allowed which are in conformity with the approved Development Plan provided for in I.2, of this Section. There shall be no minimum lot area for these internal divisions of the development provided that within the entire approved development all requirements of Section 11-507 SC-1 Shopping Center District are met.

2. The Minimum Yard Requirement set forth in Table 2 of this ordinance shall apply to the periphery boundaries of the development and not to internal divisions of property or individual buildings within the development as provided in F.1. of this section.

<u>SC-1 Shopping Center</u>	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
1. Shopping goods, convenience goods and selected services	three acres (130,680)	None	50	15 (g)	30	None

Note: Within the SC-1 District, the width of any side yard which abuts a residential district shall be not less than 25 feet.

3. 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. This provisions shall not prohibit common wall construction but shall apply to buildings built with undeveloped yard areas.” (Ord. #551, 10/2/80.

- G. 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. These standards shall be applied to the entire development and, in the case of divisions of property or private

structure ownership within the development, commonly owned, leased or used parking and access shall be permitted provided that the minimum standards are met for the development as a whole. All areas for commonly owned, leased, or used parking and access shall be indicated on the approved Preliminary Development Plan and the approved Final Development Plan. (Ord. #551, 10/2/80)

H. Screening and Landscaping. As required in Section 11-1200.

I. Administrative Procedures for Shopping Center Development. Development of a shopping center shall follow the following procedure: (1) submission of sketch site plan and request for rezoning of property, (2) review and approval by the Planning Commission of Preliminary Development Plan, (3) Issuance of Building Permit, (4) review and approval by the Planning Commission of Final Development Plan, and (5) Issuance of Certificate of Occupancy.

1. Zoning Amendment and Sketch Site Plan. An application for rezoning for a SC-1 Shopping Center District shall include a sketch plan which shall indicate tentative building size, shape, and location, general parking arrangement, access to public streets including driveway entrance and exit points. The sketch site plan shall also show the relationship between the proposed shopping center and traffic arteries, neighboring land uses, available community services (sewer, water, etc.), general drainage patterns, and topographic features.

2. Preliminary Development Plan.

a. Within one (1) year after land has been properly rezoned for a shopping center the developer shall make application for review and approval of a Preliminary Development Plan, If application has not been made within one (1) year and an extension of time has not been granted by the Planning Commission, the Planning Commission may require a new sketch plan be submitted and approved prior to the approval of a Preliminary Development Plan.

b. The Preliminary Development Plan shall show the following features in addition to the requirements set forth in Section 11-1101, *et seq.* concerning site plan review:

1. The location, arrangement, and dimensions of automobile parking space, width of aisles, width of bays, angle of parking.

2. The location, arrangement, and dimensions of truck loading and unloading spaces and docks.

3. The location and dimensions of pedestrian entrances, exits, walks and walkways.

4. The location and materials of walls, fences, screens, and landscaping.

5. The location, size, height, and orientation of all signs.

6. The location, size, height, and orientation of all exterior lighting.

7. All agreements or provisions for, commonly owned, leased or used parking, and access as well as other commonly owned or leased areas and agreements or provisions for the maintenance of these areas." (Ord. #551, 10/2/80).

3. Development Improvements Contract. The Planning Commission may require the applicant to enter into a Development Improvements Contract with the City to assure that those improvements required by the Planning Commission are constructed as approved (Ord. #744. 02/07/91).

J. Issuance of Building Permit

1. The developer shall obtain a building permit for the shopping center based on the approved Preliminary Development Plan.
2. Any substantial deviation from the approved Preliminary Development Plan shall constitute a violation of the building permit authorizing construction of the shopping center. Substantial changes in the Preliminary Development Plan shall be re-submitted to the Planning Commission to insure compliance with the requirements, purpose, and intent of this section.
3. If the shopping center is not under construction within one (1) year after the issuance of a building permit, the Planning Commission shall review the status of the development. If the Planning Commission determines the developer cannot proceed immediately with the development as provided in the Preliminary Development Plan, the Planning Commission shall provide the City Commission with this fact, and the reason for the delay in construction. The City Commission may, at its discretion, rezone the property under consideration to its previous zoning classification.

K. Final Development Plan and Certificate of Occupancy

1. Upon completion of all construction and improvements indicated on the Preliminary Development Plan, the developer shall submit a Final Development Plan for approval by the Planning Commission.
2. The Final Development Plan must be in substantial conformance with the Preliminary Development Plan and must present a unified and organized arrangement of buildings and service facilities, a harmonious selection of uses, and sufficient parking areas, circulation, and open space to constitute a safe, efficient, and convenient retail shopping center.
3. The Final Development Plan shall indicate on it all agreements for commonly owned, leased, or used parking and access, as well as other commonly owned, leased or used areas and agreements or provisions for the maintenance of these areas.
4. The developer shall provide the Building Inspector with a copy of the approved Final Development Plan prior to the issuance of a Certificate of Occupancy for the Shopping Center." (Ord. #551, 10/2/80).

11-507. Zero Lot Line Commercial. Within the B-1, B-3, and P-B districts of the City of Paris, zero lot line development shall be allowed under the following standards:

- A. Intent. The Planning Commission may allow zero lot line development in the B-1, B-3, and P-B zones to allow buildings to be divided internally and sold without requiring set-backs for individual uses. These standards are to be applicable to the B-1, B-3, and P-B districts in the City of Paris to allow the efficient use of existing commercial facilities, or the building of additional commercial facilities for multiple owners and/or tenants, without the necessity of

requiring individual set-backs for each portion of the building or buildings devoted to commercial use.

- B. Principal uses. Principal uses permitted by right or subject to special conditions for any such development shall conform to the provisions of Table I of this Title and the district in which the development is sited.
- C. Accessory uses. Accessory uses and structures, prohibited uses and structures, off-street parking and loading and unloading requirements shall conform to the requirements of the commercial district in which the development is sited.
- D. Area and Bulk Requirements. The regulations governing the minimum site area and width, required yards and maximum lot coverage by all buildings in this district are set forth in Table II and are explained in detail below:
 - 1. The minimum site area of the overall development shall be two (2) acres. All developments shall meet the minimum site area. However, within the development internal divisions of property may be allowed which are in conformity with the approved development plan reviewed and approved by the Planning Commission. There shall be no minimum lot area for those internal divisions of the development provided that within the entire approved development all requirements of 11-507 are met.
 - 2. The minimum yard requirements shall be the set-backs required for the zone where development is located. These set-backs shall apply to periphery boundaries of the development and not to internal divisions of the property or individual buildings within the development.
- E. Administrative Procedures for Zero Lot Line Development. Development shall follow the following procedures: (1) submission of sketch site plan and request for rezoning of the property if such a rezoning would be required; (2) review and approval by the Planning Commission of Preliminary Development Plans; (3) issuance of building permits; (4) review and approval by the Planning Commission of Final Development Plans; and (5) issuance of Certificate of Occupancy.
 - 1. Zoning Amendment and Sketch Site Plan. An application for such a development shall include a sketch plan, which shall indicate tentative building size, shape and location, general parking arrangement, access to public streets, including driveway entrance and exit points. The sketch site plan shall also show the relationship between the proposed development and traffic arteries, neighboring land uses, available community services such as sewer, water, etc., general drainage patterns, and topographic features.
 - 2. Preliminary Development Plan.
 - a. Within one (1) year after receiving approval for the proposed development as stated in 1. above, and before any construction or site development shall take place the developer shall make application for review and approval of a Preliminary Development Plan. If application has not been made within one (1) year and an extension of time has not

been granted by the Planning Commission, the Planning Commission may require a new sketch plan be submitted and approved prior to approval of a Preliminary Development Plan.

- b. Preliminary Development Plan shall show the following features in addition to the requirements set forth in Section 11-1101, *et seq.* concerning site plan review:
 - 1. The location, arrangement, and dimensions of any parking space, including width of aisles, width of bays, and angle of parking.
 - 2. The location and dimensions of any pedestrian entrances, exits, walks and walkways.
 - 3. The location and materials of walls, fences, screens, and landscaping.
 - 4. The location, size, height, and orientation of all signs.
 - 5. The location, size, height, and orientation of all exterior lighting.
 - 6. All agreements or provisions for commonly owned, leased or used parking and access, as well as other commonly owned or leased areas, and agreements or provisions for the maintenance of these areas.

- F. Issuance of Building Permit. The developer shall obtain a building permit based upon the approved Preliminary Development Plan. Any substantial deviation from the approved Preliminary Development Plan shall constitute a violation of the building permit authorizing construction and the building inspector shall be authorized to halt development of the project until the Planning Commission has approved any changes in the Preliminary Development Plan.

- G. Final Development Plan. The Planning Commission shall approve the Final Development Plan, which may be submitted at the same time as the Preliminary Development Plan. The Final Development Plan shall show the development of the site as actually constructed. Such Final Development Plan shall be approved by the Planning Commission before a Certificate of Occupancy can be issued.

- H. Certificate of Occupancy. A Certificate of Occupancy shall not be issued by the Building Inspector until all Building Code Requirements are met and the development conforms to the Final Development Plan approved by the Planning Commission (Ord. 2023, 04 /07/11).

11-507. Zero Lot Line Commercial. Within the B-1, B-3, and P-B districts of the City of Paris, zero lot line development shall be allowed under the following standards:

- I. Intent. The Planning Commission may allow zero lot line development in the B-1, B-3, and P-B zones to allow buildings to be divided internally and sold without requiring set-backs for individual uses. These standards are to be applicable to the B-1, B-3, and P-B districts in the City of Paris to allow the

efficient use of existing commercial facilities, or the building of additional commercial facilities for multiple owners and/or tenants, without the necessity of requiring individual set-backs for each portion of the building or buildings devoted to commercial use.

- J. Principal uses. Principal uses permitted by right or subject to special conditions for any such development shall conform to the provisions of Table I of this Title and the district in which the development is sited.
- K. Accessory uses. Accessory uses and structures, prohibited uses and structures, off-street parking and loading and unloading requirements shall conform to the requirements of the commercial district in which the development is sited.
- L. Area and Bulk Requirements. The regulations governing the minimum site area and width, required yards and maximum lot coverage by all buildings in this district are set forth in Table II and are explained in detail below:
 - 3. The minimum site area of the overall development shall be two (2) acres. All developments shall meet the minimum site area. However, within the development internal divisions of property may be allowed which are in conformity with the approved development plan reviewed and approved by the Planning Commission. There shall be no minimum lot area for those internal divisions of the development provided that within the entire approved development all requirements of 11-507 are met.
 - 4. The minimum yard requirements shall be the set-backs required for the zone where development is located. These set-backs shall apply to periphery boundaries of the development and not to internal divisions of the property or individual buildings within the development.
- M. Administrative Procedures for Zero Lot Line Development. Development shall follow the following procedures: (1) submission of sketch site plan and request for rezoning of the property if such a rezoning would be required; (2) review and approval by the Planning Commission of Preliminary Development Plans; (3) issuance of building permits; (4) review and approval by the Planning Commission of Final Development Plans; and (5) issuance of Certificate of Occupancy.
 - 3. Zoning Amendment and Sketch Site Plan. An application for such a development shall include a sketch plan, which shall indicate tentative building size, shape and location, general parking arrangement, access to public streets, including driveway entrance and exit points. The sketch site plan shall also show the relationship between the proposed development and traffic arteries, neighboring land uses, available community services such as sewer, water, etc., general drainage patterns, and topographic features.
 - 4. Preliminary Development Plan.
 - a. Within one (1) year after receiving approval for the proposed development as stated in 1. above, and before any construction or site development shall take place the developer shall make application for review and approval of a

Preliminary Development Plan. If application has not been made within one (1) year and an extension of time has not been granted by the Planning Commission, the Planning Commission may require a new sketch plan be submitted and approved prior to approval of a Preliminary Development Plan.

- b. Preliminary Development Plan shall show the following features in addition to the requirements set forth in Section 11-1101, *et seq.* concerning site plan review:
 - 1. The location, arrangement, and dimensions of any parking space, including width of aisles, width of bays, and angle of parking.
 - 2. The location and dimensions of any pedestrian entrances, exits, walks and walkways.
 - 3. The location and materials of walls, fences, screens, and landscaping.
 - 4. The location, size, height, and orientation of all signs.
 - 5. The location, size, height, and orientation of all exterior lighting.
 - 6. All agreements or provisions for commonly owned, leased or used parking and access, as well as other commonly owned or leased areas, and agreements or provisions for the maintenance of these areas.

- N. Issuance of Building Permit. The developer shall obtain a building permit based upon the approved Preliminary Development Plan. Any substantial deviation from the approved Preliminary Development Plan shall constitute a violation of the building permit authorizing construction and the building inspector shall be authorized to halt development of the project until the Planning Commission has approved any changes in the Preliminary Development Plan.

- O. Final Development Plan. The Planning Commission shall approve the Final Development Plan, which may be submitted at the same time as the Preliminary Development Plan. The Final Development Plan shall show the development of the site as actually constructed. Such Final Development Plan shall be approved by the Planning Commission before a Certificate of Occupancy can be issued.

- P. Certificate of Occupancy. A Certificate of Occupancy shall not be issued by the Building Inspector until all Building Code Requirements are met and the development conforms to the Final Development Plan approved by the Planning Commission. (Ord. 2023, (04 /07, 2011).

CHAPTER 6

INDUSTRIAL DISTRICTS

SECTION

- 11-600. Purpose of Industrial Districts.
- 11-601. Schedule of Industrial District Regulations.
- 11-602. M-1 Light Industrial District.
- 11-603. M-2 Heavy Industrial District.
- 11-604. P-M Industrial Park District.
- 11-605. Zero Lot Line Industrial.

11-600. Purpose of Industrial Districts. The industrial 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 goals include among others the following more specific objectives.

- A. To locate and develop industrial uses in conformance with the Paris Comprehensive Community Development Plan and other applicable development standards;
- B. To provide industrial facilities that will be economically, functionally, and aesthetically beneficial to all residents of the community;
- C. To attract the type of industrial development that will provide employment and housing opportunities within the community and the regions;
- D. To encourage land consumption, utility requirements and access requirements by clustering industrial facilities;
- E. To locate industrial development near major transportation facilities in order to facilitate shipment of materials to and from industrial sites without hindering traffic flow through commercial and residential areas;
- F. To locate industrial development in areas where water and sewer services are presently available or can be easily extended.

11-601. Schedule of Industrial District Regulations. The tabulation of regulations governing the permitted uses, area, and bulk regulations for each industrial district in the City of Paris is as indicated in Table 1 and Table 2.

11-602. M-1 Light Industrial District. Within the M-1 District as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

A. Intent. The M-1 Light Industrial District is established to permit wholesale, warehouse, distribution, and selected service activities and light manufacturing operations which will not have an adverse effect on any surrounding district. These industries normally require direct access to rail, air, or heavy-duty street transportation routes. The M-1 district is designed to permit the manufacturing, processing, packaging, assembly and/or treatment of finished or semi-finished products from the previously prepared materials. It is the specific intent of this district not to permit the shipment of raw material in bulk form for use in an industrial operation at another location and to insure that permitted uses are conducted so that noise, odor, dust, and glare of each operation are confined within an enclosed building. These regulations are intended to prevent incompatible uses within the district and to protect adjacent non-industrial uses. Within this district the uses permitted are not properly associated with nor compatible with residential, commercial, institutional, or public uses.

B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:

Lumber/Hardware/Building Materials - Lumber Yards, Building Materials, Agricultural Equipment Sales/Service.

Auto Dealers/Service Stations - Used Car Lots, New Car Sales, Boat/Marine Sales, Truck/Heavy Equipment Sales, Mobile Home Sales/Prefab Homes, Auto/Truck Rental, Motorcycle Sales.

Miscellaneous Retail - Coal/Firewood, Fuel Oil/Bottled Gas, Sand/Stone/Gravel.

Professional Services - Hospital Service/Supplies.

Recreation/Entertainment - Drive-In Movie, Race Track, Amusement Park, Fairground, Miniature Golf, Golf Driving Range, Go-Cart Track, Roller Skating, Bowling.

Business Services - Monument Sales, Metal/Wood fencing/Ornamental Grill Work (Retail), Window Cleaning, Disinfecting/Exterminating, Central Laundry, Dyeing/Dry Cleaning Works, Animal Hospital Clinic, Freight Forwarding, Truck Terminal, Equipment Rental & Leasing, Automobile Car Wash (Ord. # 872, 04/06/95).

Repair Services - Auto Repair Garages, Armature Rewinding, Welding Shop, Reupholstery/Furniture Repair, Body Repair, Tire Recapping, Machine Shops.

Contract Construction Service - Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/File Setting/Plastering/Concrete, Carpentering/Wood Flooring, Roof/Sheet Metal, Water Well Drilling.

Warehousing/Storage - General Warehousing/Storage Enclosed.

Wholesale Trade - Drugs, Chemicals/Allied Products, Groceries/Related Products, Electrical Goods, Hardware/Plumbing/Cooling Equipment and Supplies, Metal/Minerals, Paper/Paper Products.

Industrial - Communications Equipment/Electronic/Components/Engineering/Scientific/Photographic Equipment, Electrical Machinery & Equipment, Fabricated Metal Products & Machinery, Food and Beverage Products Except Animal Slaughtering, Stockyards & Rendering, Furniture & Fixtures, Leather & Leather Products, Tanning and Finishing, Jewelry, Silverware, Plateware, Musical Instruments, Toys, Sporting Goods, Office, Art Supplies, Paperboard Containers & Boxes, Petroleum, Liquefied Petroleum, Gas & Coal Products Except

Refining Firewood, Printing & Publishing, Rubber & Plastic Products, Except Rubber Manufacture, Textile & Apparel Products, Transportation Equipment Including Motor Vehicles, Aircraft & Parts, Boat Building, Railroad Equipment, Motorcycles, Bicycles & Parts, Automobile Car Wash (Ord. # 872, 04/06/95).

- C. Principal Uses and Structures Permitted Subject to Special Conditions. As provided in Table 1 and Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Institutional - Cemetery/Mausoleum, Church, Public Building.

Public Utilities - Telephone Exchange Stations, Telephone Relay Towers (microwave), Radio & TV Transmitting & Relay Towers, Electric Generation Plants, Gas Production Plants, Natural or Manufactured Gas Storage and Distribution Points, Water Treatment Plants, Water Storage Tanks, Refuse Incineration.

Repair Services - Vehicle Wrecking and Storage.

CONDITIONAL USES (Section 11-900):

Warehousing/Storage— Warehouse Self-Storage, Mini-Storage, Enclosed, Contractor's Storage Enclosed, Contractor's Yard, Lumber Yard, Building Materials, Scrap and Salvage Operations, New or Used Vehicles.

Wholesale Trade - Petroleum Bulk Stations, Terminals & Distribution, Scrap and Waste Material.

- D. Accessory Uses and Structures. Accessory uses or buildings customarily incidental to any permitted principal use and as provided in Section 11-1500.
- E. Prohibited Uses and Structures. All uses or structures not specifically permitted herein, and any use not complying with applicable state or federal standards.
- F. Area, and Bulk Regulations. The regulation governing the minimum lot area and width, required yards and maximum lot coverage by all building are set forth in Table 2.

<u>INDUSTRIAL DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
<u>M-1 Light Industrial</u>						
1. Selected wholesale/retail and business/repair services; bulk storage warehousing and distribution; packaging/processing; light manufacturing	15,000	100	35	25	25	50

NOTE: Within the M-1 District, the width of any side or rear yard which abuts a residential district shall be not less than 75 feet and 50 feet respectively.

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

H. Walls, Fences, Screens, and Landscape Requirements. As provided in Section 11-1200. (Ord. # 984, 09/06/01).

I. Development Procedures.

1. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
2. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).
3. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action in writing. (Ord. # 984, 09/06/01).

11-603. M-2 Heavy Industrial District Within the M-2 district as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

A. Intent. This industrial district is established to provide areas in which the principal use of land is for manufacturing, and other heavy uses with which there are associated adverse effects on surrounding property.

B. Principal Uses and Structures Permitted by Right. As provided in Table 1 and as follows:

Miscellaneous Retail - Coal/Firewood, Fuel Oil/Bottled Gas, Sand/Stone/Gravel.

Business Services - Equipment Rental & Leasing, Window Cleaning, Disinfecting & Exterminating, Freight Forwarding, Truck Terminal.

Repair Services - Auto Repair Garages, Tire Recapping, Machine Shops, Armature Rewinding, Welding Shop, Reupholstery & Furniture Repair, Body Repair.

Warehousing/Storage - General Warehousing/Storage Enclosed.

Wholesale Trade - Drugs, Chemicals/Allied Products, Groceries/Related Products, Electrical Goods, Hardware/Plumbing/Cooling Equipment/Supplies, Metal/Minerals, Paper/Paper Products.

Industrial - Manufacture/Assembly/Processing/Storage/Distribution of Chemicals/ Drugs/Soap/Fertilizer/Abrasive Products, Communications Equipment/Electronic/

Components/Engineering/Scientific/Photographic Equipment, Electrical Machinery/Equipment, Fabricated Metal Products/Machinery, Brewery, Furniture & Fixtures, Paperboard Containers & Boxes, Petroleum/Petroleum Products Refining, Primary Metal/Industries/Foundries/Blast Furnace/Rolling Mills, Rubber & Plastic Products, Rubber Manufacture, Scrap Metal Processors, Stone/Clay/Glass & Related General Products/Mortar/Plaster/Driving Materials, Textile & Apparel Products, Tobacco Products, Transportation Equipment Including Motor Vehicles/Aircraft & Parts/Boat Building/Railroad Equipment/Motorcycles/Bicycles & Parts.

C. Principal Uses and Structures Permitted Subject to Special Conditions. As provided for in Table 1 and Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Industrial - Cemetery/Mausoleum, Church, Public Building.

Public Utilities - Telephone Exchange Stations, Telephone Relay Towers (Microwave), Radio & TV Transmitting & Relay Towers, Electric Generation Plants, Gas Production Plants, Natural or Manufactured Gas Storage and Distribution Points, Water Treatment Plants, Water Storage Tanks, Refuse Incineration.

Repair Services - Vehicle Wrecking and Storage, Tire Recapping or Re-treading.

Industrial - Lumber & Wood Products.

CONDITIONAL USES (Section 11-900):

Warehousing/Storage - Warehousing, Self-Storage, Mini-Storage, Enclosed, Contractor's Storage Enclosed, Contractor's Yard, Auto Wrecking Yard, Scrap and Salvage Operations, New or Used Vehicles.

Wholesale Trade - Petroleum Bulk Stations, Terminals & Distribution, Scrap and Waste Material.

Industrial - Animal or Poultry Slaughter Stockyards, Rendering.

D. Accessory Uses and Structures. As provided in Section 11-1500.

E. Prohibited Uses and Structures. All uses and structures not specifically permitted herein, and any use not complying with applicable state and federal standards.

F. Area and Bulk Regulations.

The regulations governing the minimum lot area and width, required yards, and maximum lot coverage by all buildings are set forth in Table 2 and as follows:

<u>INDUSTRIAL DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
<u>M-2 Heavy Industrial</u>						

1. Selected wholesale/ trade and business and repair services; manufacturing; processing, or fabrication of durable and non-durable goods	40,000	200	75	50	50	None
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NOTE: Within the M-2 District, the width of any side or rear yard which abuts a residential district shall not be less than 100 feet and 75 feet respectively.

G. Off-Street Parking, Loading and Unloading Requirements. As provided in Section 11-1000.

H. Walls, Fences, Screens, and Landscape Requirements. As provided in Section 11-1200. (Ord. # 984, 09/06/01).

I. Development Procedures.

1. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).

2. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).

3. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action. (Ord. # 984, 09/06/01).

11-604. P-M Industrial Park District. Within the P-M District as shown on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

A. Intent. The intent of this district is to provide a well-planned and protected area for industrial development that is compatible with surrounding or abutting districts, with suitable open spaces, landscaping, and parking areas. The regulations in this district are designed for the protection of industry from the encroachment of commercial and residential uses for the protection of industries within the district from other incompatible uses and for the minimum adverse impact of industries within the district to lessen traffic congestion, to protect the health and safety of the residents or workers in the area, and to prevent detrimental effects to the use or development of adjacent properties through the provision of sufficient open space, landscaping, screening, and other measures to preserve and protect the natural environment.

B. Principal Uses and Structures Permitted by Right. As provided in Table 1 and as follows:

Miscellaneous Retail - Coal/Firewood, Fuel Oil/Bottled Gas, Sand/Stone/Gravel.

Business Services - Equipment Rental & Leasing, Window Cleaning, Disinfecting & Exterminating, Freight Forwarding, Truck Terminal, Central Laundry, Dyeing, and Dry Cleaning Works (Ord. # 889, 12/07/95).

Repair Services - Armature Rewinding, Welding Shop, Auto Repair Garages, Tire Recapping, Machine Shops, Reupholstery & Furniture Repair, Body Repair.

Contract Construction Service - Building Contractor, Other General Construction, Electrical Contractor, Masonry/Stonework/File Setting/Plastering/Concrete, Carpentering/Wood Flooring, Roof/Sheet Metal, Water Well Drilling.

Warehousing/Storage - General Warehousing/Storage Enclosed.

Wholesale Trade - Drugs, Chemicals/Allied Products, Groceries/Related Products, Electrical Goods, Hardware/Plumbing/Cooling Equipment/Supplies, Metal/Mineral, Paper/Paper Products.

Industrial - Manufacture/Assembly/Processing/Storage/Distribution of Chemicals/Drugs/Soap/Fertilizer/Abrasive Products, Communications Equipment/Electronic/Components/Engineering/Scientific/Photographic Equipment, Electrical Machinery ry/Equipment, Fabricated Metal Products/Machinery, Animal or Poultry Slaughter Stockyards, Rendering, Leather/Leather Products/Tanning and Finishing, Jewelry/Silverware/Plateware/Musical Instruments/Toys/Sporting Goods/Office/Art Supplies, Brewery, Furniture & Fixtures, Paperboard Containers & Boxes, Petroleum & Petroleum Products Refining, Primary Metal/Industries/Foundries/Blast Furnace/ Rolling Mills, Printing and Publishing, Rubber & Plastic Products, Rubber Manufacture, Stone/Clay/Glass & Related General Products/ Mortar/ Plaster/Driving Materials, Textile & Apparel Products, Tobacco Products, Transportation Equipment Including Motor Vehicles/Aircraft & Parts/Boat Building/Railroad Equipment/Motorcycles/Bicycles & Parts.

C. Principal Uses and Structures Permitted Subject to Special Conditions. As provided for in Table 1 and Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Institutional - Cemetery/Mausoleum, Church, Public Building.

Public Utilities - Telephones Exchange Stations, Telephone Relay Towers (microwave), Radio & TV Transmitting & Relay Towers, Electric Generation Plants, Gas Production Plants, Natural or Manufactured gas storage and distribution points, Water treatment plants, Water storage tanks, Refuse incineration.

Repair Services - Vehicle Wrecking and Storage.

CONDITIONAL USES (Section 11-900):

Warehousing/Storage - Warehouse, Self-Storage, Mini-Storage, Enclosed, Contractor's Storage Enclosed, Contractor's Yard, Scrap and Salvage Operations, New or Used Vehicles.

Wholesale Trade - Petroleum Bulk Stations, Terminals & Distribution, Scrap and Waste Material.

- D. Accessory Uses and Structures. As provided in Section 11-1500.
- E. Prohibited Uses and Structures. All uses and structures not specifically permitted herein, and any use not complying with applicable state and federal standards.
- F. Area and Bulk Regulations. The regulations governing the minimum lot area and width, required yards, and maximum lot coverage by all buildings are set forth in Table 2 and as follows:

<u>INDUSTRIAL DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
<u>P-M Planned Industrial Park</u>						
1. Light/heavy durable and non-durable manufacturing; selected wholesale trade and services.	30,000	150	60	50	50	50
* TEN ACRES MINIMUM SITE AREA						

ALL P-M (PLANNED INDUSTRIAL) DEVELOPMENT REQUIRES SITE PLAN REVIEW BY THE PLANNING COMMISSION

- G. Off-Street Parking, Loading, and Unloading Requirements. As provided in Section 11-1000.
- H. Site Plan Review. As provided in Section 11-1101, *et seq.*

11-605. Zero Lot Line Industrial. Within the industrial districts of the City of Paris, zero lot line development shall be allowed under the following standards:

- A. Intent. The Planning Commission may allow zero lot line development in industrial zones to allow buildings to be divided internally and sold without requiring set-backs for individual uses. These standards are to be applicable to any of the industrial districts in the City of Paris to allow the efficient use of existing industrial facilities, or the building of additional industrial facilities for multiple owners and/or tenants, without the necessity of requiring individual set-backs for each portion of the building or buildings devoted to industrial use.
- B. Principal uses permitted by right or subject to special conditions for any such development shall conform to the provisions of Table I of this Title and the district in which the development is sited.
- C. Accessory uses and structures, prohibited uses and structures, off-street parking and loading and unloading requirements shall conform to the requirements of the industrial district in which the development is sited.
- D. Area and Bulk Requirements. The regulations governing the minimum site area and width, required yards and maximum lot coverage by all buildings in this district are set forth in Table II and are explained in detail below:
 - 1. The minimum site area of the overall development shall be three (3) acres or 130,680 square feet. All developments shall meet the minimum site area. However, within the development internal divisions of property may be allowed, which are in conformity with the approved development plan reviewed and approved by the Planning Commission.

There shall be no minimum lot are for those internal divisions of the development provided that within the entire approved development, all requirements of 11,605 are met.

2. The minimum yard requirements shall be set-backs of 50 feet for front, side and rear periphery set-backs. These set-backs shall apply to periphery boundaries of the development and not to internal divisions of the property or individual buildings within the development.
- E. Administrative Procedures for Zero Lot Line Development. Development shall follow the following procedures: (1) submission of sketch site plan and request for rezoning of the property if such a rezoning would be required; (2) review and approval by the Planning Commission of Preliminary Development Plans; (3) issuance of building permits; (4) review and approval by the Planning Commission of Final Development Plans; and (5) issuance of Certificate of Occupancy.
1. Zoning Amendment and Sketch Site Plan. An application for such a development shall include a sketch plan, which shall indicate tentative building size, shape and location, general parking arrangement, access to public streets, including driveway entrance and exits points. The sketch site plan shall also show the relationship between the proposed development and traffic arteries, neighboring land uses, available community services such as sewer, water, etc, general drainage patterns, and topographic features.
 2. Preliminary Development Plan.
 - a. Within one (1) year after receiving approval for the proposed development as stated in 1. above, and before any construction or site development shall take place, the developer shall make application for review and approval of a Preliminary Development Plan.. If application has not been made within one (1) year and an extension of time has not been granted by the Planning Commission, the Planning Commission may require a new sketch plan be submitted and approved prior to approval of a Preliminary Development Plan.
 - b. Preliminary Development Plan shall show the following features in addition to the requirements set forth in Section 11-1101, *et seq.* concerning site plan review:
 1. The location, arrangement, and dimensions of any employee parking space, width of aisles, width of bays, angle of parking.
 2. The location, arrangement and dimensions of any employee parking space, width of aisle, width of bays, angle of parking.
 3. The location and dimensions of any pedestrian entrances, exits, walks and walkways.
 4. The location and materials of walls, fences, screens, and landscaping.
 5. The location, size, height, and orientation of all signs.
 6. The location, size, height, and orientation of all exterior lighting.
 7. All agreements or provisions for commonly owned, leased or used parking and access, as well as other commonly owned or leased areas, and agreements or provisions for the maintenance of these areas.
- F. Issuance of Building Permit. The developer shall obtain a building permit based upon the approved Preliminary Development Plan. Any substantial deviation from the approved Preliminary Development Plan shall constitute a violation of the building permit authorizing

construction and the building inspector shall be authorized to halt development of the project until the Planning Commission has approved any changes in the Preliminary Development Plan.

- G. Final Development Plan. The Planning Commission shall approve the Final Development Plan, which may be submitted at the same time as the Preliminary Development Plan. The Final Development Plan shall show the development of the site as actually constructed. Such Final Development Plan shall be approved by the Planning Commission before a Certificate of Occupancy can be issued.
- H. A Certificate of Occupancy shall not be issued by the Building Inspector until all Building Code Requirements are met and the development conforms to the Final Development Plan approved by the Planning Commission (Ord. #911, 04/01/97).

CHAPTER 7

SPECIAL PURPOSE DISTRICTS

SECTION

- 11-700. H-1 Hospital-Medical and Related Services District.
- 11-701. F-P Floodplain Districts.
- 11-702. H-D Historic District.
- 11-703. E-D Educational Complex District.
- 11-709. Flood

11-700. H-1 Hospital-Medical and Related Services District. Within the areas designated H-1 on the Official Zoning Map of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The intent of this district is to provide suitable areas in the community for the location of institutions providing primarily for temporary in-patient services and facilities for health, medical, and surgical care to injured, disabled or sick persons, rehabilitation services for the rehabilitation of injured, disabled, or sick persons, and facilities providing skilled nursing and permanent domiciliary care and related medical services to aged persons.
- B. Principal Uses and Structures Permitted by Right. The uses permitted by right in this district are indicated in Table 1 and as follows:
 - Institutional - Health Clinic, Hospital, Nursing Home, Observation/Rehab Center.
 - Professional Services - Physicians, Dentists, Optometrist, Medical Clinic/Out-Patient, Medical Specialties.
 - Food-Drug-Beverages - Drugs & Pharmaceuticals.
 - Eating and Drinking Establishments - Restaurants & Cafes, Dairy Bar.
 - Art-Antique Jewelry - Flower Shop, Florist, Gift Shop, Optical goods.
- C. Principal Uses and Structures Permitted Subject to Special Conditions. Conditional uses and special permit uses permitted in this district are indicated in Table 1 and are subject to the applicable provisions of Section 11-800 and Section 11-900.

SPECIAL PERMIT USES (Section 11-800):

Institutional - Cemetery/Mausoleum, Church, Public Building.

Public Utilities - Water Treatment Plants, Water Storage Tanks.

CONDITIONAL USES (Section 11-900):

Institutional - Day Care, Family Day Care, Group Day Care.

D. Accessory Uses and Structures

1. Accessory uses or buildings customarily incidental to any permitted principal use and as provided in Section 11-1500.
2. Accessory uses for the convenience of employees, patients and visitors including the sale of food and non-alcoholic beverages, periodicals and tobacco shall be permitted within a permitted principal building; provided, however, that access to any room or enclosure provided for such sales shall be only from the interior of the principal building and shall not be accessible from a side entrance.

E. Prohibited Uses and Structures. All uses or structures not specifically permitted herein.

F. Area and Bulk Regulations. As provided in table 2 as follows:

<u>SPECIAL PURPOSE DISTRICTS</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	<u>Percent</u>
H-1 Health, Medical and Related Services						
1. Hospital, nursing home, rest home, rehabilitation center.	None	None	50	30	30	50
2. All other uses	None	None	50	30	30	None

NOTE: A building height in excess of two (2) stories may be permitted, however, for each story above two stories, the minimum yard distance of all required yards shall be increased by five (5) feet for each additional story.

The site shall have at least one property line abutting an arterial or collector street as indicated on the Major Thoroughfare Plan and all vehicular entrance and exit (except hospital ambulance and delivery vehicles) shall be directly from such street.

G. Off-Street parking, Loading, and Unloading Requirements. As provided in Section 11-100, Hospital ambulance and delivery areas shall not be located at the main entrance of the principal building.

H. Site Plan Review-Development Criteria.

1. Prior to any development within an H-1 (Hospital Medical District), a site plan shall be filed with the city manager or city manager's designee pursuant to the requirements of Section 11-1101, *et seq.* of this Ordinance and the Paris Subdivision Regulations, and shall indicate the specific proposal for the development proposed within the district. The site plan shall meet the following criteria:

- a. The requirements of the H-1 (Hospital Medical District) and all appropriate sections incorporated by reference.
 - b. The subdivision regulations of the City of Paris.
 - c. The proposed development must be located adjacent or with access to a collector status street as designated on the Paris Major Road Plan.
 - d. Access shall not be through a minor residential or directly onto an arterial street as designated on the Paris Major Road Plan.
 - e. The impact of the proposed development on the adjacent land uses should be considered.
 - f. Consideration should be given to the potential for and need to expand the complex facility.
2. Based on its review, the Planning Commission shall either recommend, 1) approval of the site plan as proposed; 2) approval conditional on stipulated modifications; or 3) disapproval.
 3. No development may take place until such time as a site plan is approved by the Planning Commission as meeting the objectives and minimum requirements of the H-1 (Hospital Medical District). No structure or use other than as indicated on an approved site plan shall be permitted.
 4. The approved site plan shall be on file at the office of the Building Inspector. Any subdivision of land shall follow the procedures and standards of the Paris Subdivision Regulations.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Paris, Tennessee, Mayor and City Commission, do ordain as follows:

Section B. Findings of Fact

1. The City of Paris, Tennessee, Mayor and its Legislative Body wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the City of Paris, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To maintain eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or "Floodprone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the City of Paris, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Department of Economic and Community Development, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Ordinance shall apply to all areas within the incorporated area of the City of Paris, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the City of Paris, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) dated September 28, 2007 and Flood Insurance Rate Map (FIRM), Community 470090, Panel Numbers 47079C0305E, 47079C0310E, 47079C0315E, and 47079C0320E, dated September 28, 2007, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Paris, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Paris, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Ordinance Administrator

The Building Inspector is hereby appointed as the Administrator to implement the provisions of this Ordinance.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the City of Paris, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid

foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.

- 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
- 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
- 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.

c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.

b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or

2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).

c. Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Article V, Sections A and B.

d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:

1) Be on the site for fewer than 180 consecutive days;

2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;

3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.

b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the City of Paris, Tennessee and certification, thereof.

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the City of Paris, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Article V, Sections A and B, apply:

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Article V, Section B.
2. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the

flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Section B.

3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section H. Standards for Unmapped Streams

Located within the City of Paris, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.

2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Municipal Board of Zoning Appeals

1. Authority

The City of Paris, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of **\$100** dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 10 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

1) The City of Paris, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.

3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:

a) The danger that materials may be swept onto other property to the injury of others;

b) The danger to life and property due to flooding or erosion;

c) The susceptibility of the proposed facility and its contents to flood damage;

d) The importance of the services provided by the proposed facility to the community;

e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;

f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

- h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City of Paris, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Ordinance shall become effective immediately after its passage, in accordance with the Charter of the City of Paris, Tennessee, and the public welfare demanding it. (Ord. #1193, 7/7/2016)

11-702. H-D Historic District. Within the areas designated HD Historic District 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 historic and/or architectural value: create an aesthetic atmosphere: strengthen the economy: protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided: and promote the education and patriotic heritage of the present and future citizens of the community. In order to achieve this intent a quality of significance in American history, architecture, archeology and culture shall be present in the site, buildings and structures of Historic Districts that:
1. are associated with events that have made a significant contribution to the broad patterns of our history, or
 2. are associated with the lives of persons significant in our past; or
 3. embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 4. have yielded, or may be likely to yield, archeological information.
- B. Uses Permitted. The uses permitted and the area regulations of the existing district in which the site, structure or area is located shall govern.
- C. How Zoning Map Amended to Designate Historical and Cultural Districts. Any amendments to the zoning map of the City of Paris designating historic districts shall be subject to the provisions of Section 11-1700 of the Paris Zoning Ordinance.
- D. Administration.
1. No building permit for construction, major alteration or rehabilitation, moving, or demolition to be carried on within the H-D District shall be issued by the Building Inspector until it is submitted to and receives approval in writing by the Historic Zoning Commission.
 2. Administration shall be by the city manager or city manager's designee and the Historic Zoning Commission and all items regulated within the H-D District shall be submitted to the Historic Zoning Commission (through the city manager or city manager's designee) for its review.
 3. Within 90 days of designation of a Historic District, the Historic Zoning Commission shall prepare and submit to the Paris City Commission design review guidelines which shall be used by the Historic Zoning Commission in the consideration of any application for certificate of appropriateness applied for under this ordinance. No application may be considered by the Historic Zoning Commission until such time as said guidelines have received the approval of the City Commission.
 4. Building Permit Procedures.
 - a. Applications for building permits within the H-D District shall be made to the office of the Building Inspector and all such applications shall be referred directly to the Historic Zoning Commission. The Historic Zoning Commission shall have broad

powers to request detailed construction plans and related data pertinent to thorough review of any application.

- b. Upon receiving an application for a building permit, the Historic Zoning Commission shall, within thirty (30) days following the availability of sufficient data, issue to the office of the Building Inspector a letter stating its approval with or without attached conditions or disapproval with the grounds for disapproval stated in writing.
- c. The office of the Building Inspector shall additionally review applications for building permits (which have received written approval from the Historic Zoning Commission) in the same manner review is made of building permit applications outside of the H-D District, and final issuance or rejection shall additionally be based upon the adopted building codes of the City of Paris. The fee charged for building permits within the H-D District shall conform to existing fee schedules for building permits in any other zoning district within the City of Paris.

E. Historic Zoning Commission.

- 1. Creation and Appointment. In accordance with Tennessee Code Annotated, Section 13-7-401, a Historic Zoning Commission is hereby established. The Mayor and City Commission shall create a five (5) member Historic Zoning Commission which shall consist of a representative of a local patriotic or historic organization; an architect, if available; a member of the Planning Commission, at the time of his appointment; and the remaining members shall be appointed from the community in general. Historic Zoning Commission members shall be appointed by the Mayor, subject to confirmation by the City Commission. Appointments to membership on the Historic Zoning Commission shall be arranged so that the term of one member shall expire each year and his successor shall be appointed in like manner in terms of five (5) years. All members shall serve without compensation. The members of the commission shall elect a chairman from among themselves to preside over meetings.
- 2. Procedure. Meetings of the Historic Zoning Commission shall be held at the call of the chairman or by the majority of the membership. All meetings of the commission shall be open to the public. The commission shall give notice of the place, date, and time of any public hearings which they hold under the provisions of this ordinance, by publication in an official newspaper or a newspaper of general circulation at least three (3) days immediately prior thereto. At least four (4) members of the commission shall constitute a quorum for the transaction of its business. The concurring vote of three (3) members of the commission shall constitute final action of the commission on any matter before it. The commission shall keep minutes of its procedures showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact.
- 3. Powers and Duties. The Historic Zoning Commission shall have the following powers:
 - a. To request detailed construction plans and related data pertinent to thorough review of any proposal before the commission.
 - b. The Historic Zoning Commission shall, within thirty (30) days following availability of sufficient data, direct the granting of a building permit with or without conditions or direct the refusal of a building permit providing the grounds for refusal are stated in writing.
 - c. Upon review of the application for a building permit, the Historic Zoning Commission shall give prime consideration to:

:

- i. the historic architectural value of present structure;
- ii. the relationship of exterior architectural features of such structures to the rest of the structures of the surrounding area;
- iii. the general compatibility of exterior design, arrangement, texture and materials proposed to be used;
- iv. any other factor, including aesthetic, which is deemed pertinent.

11-703. E-D Educational Complex District. Within the areas designated E-D Educational Complex District on the Official Zoning Map of the City of Paris, Tennessee, the following regulations shall apply:

- A. Intent. The regulations set forth in this section are intended to provide minimum standards necessary for the establishment of a large, multi-faceted educational complex providing a wide range of public and private educational opportunities in an environment conducive for the educational process. The concept of these district regulations requires a unified site plan process to ensure compatibility and safety in the complex design as well as compatibility and safety of the development with the surrounding land uses. These regulations are intended to integrate educational, cultural, recreational, and religious uses within the district boundaries.
- B. Permitted Principal Uses and Structures. Within the E-D Educational Complex District the following principal uses are permitted: Schools, public or private, K-12, Day Care Schools, Colleges and Universities, Vocational or trade schools, Schools and/or workshops for the handicapped, Educational Services, Churches, synagogues or other religious service facility, Public Uses.
- C. Permitted Accessory Uses and Structures.
 - 1. Uses and structures which are customarily accessory and clearly incidental and subordinate to the above permitted uses.
 - 2. Parks, playgrounds, community centers, and non-commercial recreational facilities including playgrounds, game courts, swimming pools, stadium, amphitheater, ball or game fields, and gymnasiums or indoor sport facilities.
 - 3. Dormitories, cafeterias, or other support facilities which are part of, but subservient, to any above permitted use.
 - 4. 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.
 - 1. All uses and structures not specifically permitted herein.
 - 2. No use or structure shall be permitted that is not designated on a site plan approved by the Paris Municipal-Regional Planning Commission or any subsequent amendment.
- E. Development Requirements
 - 1. Minimum Site Area. The minimum area for the establishment of an E-D Educational Complex District shall be five (5) acres. Within the E-D Educational Complex District the following minimum site area standards shall apply:

Use

Area

<u>Schools, public or private</u>	
Schools without support facilities	4 acres, plus 1 acre for each 100 pupils
Schools with support facilities	8 acres, plus 1 acre for each 100 pupils
<u>Kindergarten</u>	1 acre
<u>Day Care Facilities</u>	1 acre
<u>Colleges or Universities</u>	10 acres
<u>Vocational or trade schools</u>	5 acres
<u>Churches, Synagogue or other religious service facilities</u>	20,000 sq. ft. or 200 sq. ft. of lot area per auditorium seat whichever is greater.
<u>Public Uses</u>	No minimum
<u>Accessory Uses</u>	Additional acreage shall be required for accessory uses set forth in C. 2 and 3. Above so that a 1 to 4 ratio is maintained (facility to open space) throughout the complex development. Note: Open playing fields shall not be considered as requiring this ratio, but all structures or hard surface recreational areas shall.

Provided however, that in the case of mixed uses within a development under one ownership, the area requirement shall not be cumulative, and the area requirement for the use which is greatest shall be the area requirement for the development.

2. Yards, fences, walls, or screening or developments within the E-D Educational Complex Districts. Within the E-D Educational Complex District in addition to the site plan requirements of Section 11-1101, *et seq.* the following yard, fence, wall, or screening improvements shall be required on both perimeter boundaries of the E-D Education Complex District and also on lot lines within the overall district. These requirements have been established to buffer the E-D Educational Complex District from potentially adverse surrounding uses, to create and aesthetically pleasing, orderly, and safe educational environment, and also to protect adjacent areas from potentially adverse influences within the development.
 - a. Along the perimeter boundaries of the E-D Educational Complex District
 - (1) Along the perimeter boundaries of the E-D Educational Complex District there shall be a minimum landscaped strip within the side, rear, and front yard of 25 feet.
 - (2) Adjacent to commercial or industrially zoned properties there shall be a 6' chain link or opaque fence required.
 - (3) Adjacent to residentially zoned properties there shall be a 4' chain link or opaque fence required.
 - (4) In addition to the required fencing in 2. and 3. above, there shall be required an evergreen or evergreen and deciduous planting screen that will provide a pleasing and aesthetically acceptable buffer to the visual impact of the fencing. This screen shall be a minimum of 4 feet in height and be completely sight obscuring within 3 or 4 growing seasons when planted unless otherwise authorized.
 - (5) Required perimeter yards shall be as follows: Front Yard - 100 feet; Side Yard - 100 feet; Rear Yard - 75 feet.

- (6) A greater depth and/or screening, walls or fencing may be required in any exterior yard where it is deemed necessary by the Planning Commission to provide greater protection or buffering to adjacent uses, or the proposed use, because of noise, traffic, lights or other adverse influences, or safety considerations.
- (7) Required screening or landscaping shall be planted prior to the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained by the owner or occupant with permanent plant materials to provide a screen to abutting properties.

Standards for screening or landscaping shall be as follows:

- a) Plant materials shall not be placed closer than four (4) feet from the fence line or property line.
- b) Where plant materials are planted in two or more rows, planting shall be staggered in rows.
- c) Narrow evergreens shall be planted not more than three (3) feet in centers.
- d) Large deciduous shrubs shall be planted not more than four (4) feet on centers.
- e) Evergreen trees shall be planted not more than 10 feet on center.
- f) Any tree other than an evergreen shall be planted not more than 25 feet on center.

b. Within the E-D Educational Complex District the following yard, fencing, or screening requirements shall apply.

- (1) Within the E-D Educational Complex District there shall be minimum yard requirements as follows: Front Yard - 50 feet; Side Yard - 30 feet; Rear Yard - 30 feet. Within any individual development any principal or accessory uses or structures shall be required to meet the foregoing yard requirements when said uses or structures abut a public street or internal through street within the development. This requirement shall not be deemed applicable to service roads, access roads, or alleys that service internal streets within the individual development.
- (2) All front yards that abut a public street shall have the first 10 feet landscaped and/or fenced in conformance with the standards set forth in 2a. (7) of the previous section.
- (3) No designated parks, playgrounds, game courts, swimming pools, ball or game fields or other outdoor recreational facilities shall be located in any required yard.
- (4) A greater depth and/or screening, walls, or fencing may be required where it is deemed necessary by the Planning Commission such as but not limited to all designated playgrounds, game courts, swimming pools, ball or game fields, or other outdoor sport or play areas, to provide greater protection or buffering to adjacent uses, or the proposed use,

because of noise, traffic, lights or other adverse influences or safety considerations.

3. Streets, drives, parking, and service areas. Within the E-D Educational Complex District, streets, drives, parking, and service areas shall be located and constructed to provide ease of access while maximizing the protection of the high pedestrian traffic associated with educational environments. Streets shall be designed to discourage outside or high speed traffic.
- a. Streets which are to be dedicated to the City of Paris shall be designed and constructed in accordance with the Paris Subdivision Regulations.

All other streets, drives, parking, and service areas shall meet the requirements of Section 11-1000 of this Ordinance.
 - b. Vehicular and pedestrian access points shall be designed to encourage smooth traffic flow and minimum hazards to vehicular or pedestrian traffic. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic.
 - c. Carefully designated crosswalks and bikeways shall be provided for. Such ways need not be adjacent to, or limited to the vicinity of vehicular access points.
 - d. Parking shall meet the minimum requirements of Section 11-1000 of this Ordinance. Because of the diversity of uses allowed in this District the following sections shall specifically apply:

Section 11-1000 - Table 3:

- 2.c.5. Educational Services - for all administrative and office buildings
- 2.d. Cultural-Recreation-entertainment - shall apply to all public or private assemblies for entertainment, sports or such uses as set forth in this section.
- 5. Public and Institutional Uses - shall apply to all classrooms, churches, or specialty uses as set forth in this section. In addition the following requirements shall apply.

College, Universities, Vocational or Trade Schools - Parking One (1) space for each teacher, professor, employee, or administrator plus one (1) space per two (2) students and one (1) space for each 150 square feet of seating area, including aisles, in any auditorium, gymnasium or cafeteria intended to be used as an auditorium.
- e. No parking shall be allowed within the required landscaped areas within the boundaries of the E-D Educational Complex District.
- f. Distance between driveways shall be as follows:
 - 1) The minimum distance from an adjoining interior lot line and a driveway opening at the street right-of-way line shall be twenty (20) feet.
 - 2) The minimum distance from the intersection of street right-of-way lines on a corner lot and a driveway opening at the right-of-way line shall be forty (45) feet.

G. Site Plan Review-Development Criteria.

1. Prior to any development within an E-D (education complex district), a site plan shall be filed with the city manager or city manager's designee pursuant to the requirements of Section 11-1101, *et seq.* of this ordinance and the Paris Subdivision Regulations, and shall indicate the specific proposal for the development proposed within the district. The site plan shall meet the following criteria:
 - a. The requirements of the E-D (educational complex district) and all appropriate sections incorporated by reference.
 - b. The subdivision regulations of the City of Paris
 - c. The proposed development must be located adjacent or with access to a collector status street as designated on the Paris Major Road Plan.
 - d. Access shall not be through a minor residential or directly onto an arterial street as designated on the Paris Major Road Plan.
 - e. The impact of the proposed development on the adjacent land uses should be considered.
 - f. Consideration should be given to the potential for and need to expand the complex facility.
2. Based on it's review, the Planning Commission shall either recommend, 1) approval of the site plan as proposed; 2) approval conditional on stipulated modifications; or 3) disapproval.
3. No development may take place until such time as a site plan is approved by the Planning Commission as meeting the objectives and minimum requirements of the E-D Educational Complex District. No structure or use other than as indicated on an approved site plan shall be permitted.
4. The approved site plan shall be on file at the office of the Building Inspector. Any subdivision of land shall follow the procedures and standards of the Paris Subdivision Regulations.

SPECIAL PURPOSE DISTRICTS

Perimeter Yard Requirements

	Front (Ft.)	Side (Ft.)	Rear (Ft.)
<u>E-D Educational Complex District</u>	100	100	75

<u>District & Use</u>	<u>Minimum Lot Requirements</u>		<u>Minimum Yard Requirements</u>			<u>Maximum % of Lot Area Covered by all Buildings</u>
	<u>Area (Sq.Ft.)</u>	<u>Width (Sq.Ft.)</u>	<u>Front (Ft.)</u>	<u>Side (Ft.)</u>	<u>Rear (Ft.)</u>	
1. Schools, pubic or private Schools without support facilities	Four Acres Plus One Acre for Each One Hundred Pupils					

Schools with support facilities	Eight Acres Plus an Additional Acre for Each 100 Pupils	50	30	30	25
2. Kindergarten	One Acre	50	30	30	25
3. Day Care Facilities	One Acre	50	30	30	25
4. Colleges or Universities	Ten Acres	50	30	30	25
5. Vocational or Trade Schools	Five Acres	50	30	30	25
6. Churches, Synagogue or other religious service facilities	20,000 sq. ft. or 200 sq. ft. Of lot area per auditorium seat whichever is greater.	50	30	30	25
7. Public Uses	No Minimum	50	30	30	25
8. Accessory Uses	**Additional acreage shall be required for accessory uses set forth in C.2. and 3. Above so that a 1 to 4 ratio is maintained (facility to open space) throughout the complex development. Note: Open playing fields shall not be considered as requiring this ratio, but all structures or hard surfaced recreational areas shall.				

CHAPTER 8

SPECIAL PERMIT USE

- 11-800. Procedures and Development Standards for Special Permit Uses.
- 11-801. Procedure for Authorizing Special Permit Uses.
- 11-802. Development Standards for Special Permit Uses.
- 11-803. Standards for General Applicability.
- 11-804. Additional Standards for Special Permit Uses.
- 11-805. Standards for Cemeteries.
- 11-806. Standards for Mortuary Establishments.
- 11-807. Standards for Churches and Other Buildings.
- 11-808. Standards for Schools.
- 11-809. Standards for Group and Family Day Care Homes.
- 11-810. Standards for Day Care Centers.
- 11-811. Standards for Home Occupations.
- 11-812. Standards for Parks, Playgrounds, and Recreation Facilities.
- 11-813. Standards for Civic or Community Clubs, Private Non-Commercial Recreation Area and Institutional or Community Recreation Centers.
- 11-814. Standards for Bed and Breakfast.
- 11-815. Standards for Boarding or Rooming House.
- 11-816. Standards for Public Utilities.
- 11-817. Standards for Commercial Television and Radio Tower and Public Utility Microwaves and TV Transmitting Tower.
- 11-818. Procedures and Standards for Floodway and Flood Fringe Areas.
- 11-819. Standards for Family Care Facility.
- 11-820. Standards for Group Care Facility.

11-800. Procedures and Development Standards for Special Permit Uses. The Board of Zoning Appeals shall have the authority to grant special use permits for specific uses indicated on Table 1 and in accordance with the procedures and standards as set forth herein.

11-801. Procedure for Authorizing Special Permit Uses.

- A. Application for Special Use Permit. An application for a special use permit shall be filed with the city manager or city manager's designee at least ten (10) days prior to the regular meeting of the Board of Zoning Appeals. The application shall show the location and intended use of the property, the names of the property owners and existing land uses within two hundred (200) feet, and any other information pertinent to the request which the Building Inspector may require.
- B. Public Hearing. When applicable, the city manager or city manager's designee shall cause to be published in a daily newspaper of general circulation a NOTICE OF APPLICATION FOR SPECIAL USE PERMIT. Such notice shall give the time and place of such hearing and shall be published at least seven (7) days prior to the Board of Zoning Appeals meeting.
- C. Requirement for Special Use Permit. In the making of its decision, and in addition to the standards established herein, the Board of Zoning Appeals may impose such other conditions regarding the location, character, and other features of the special use as it may deem advisable in the furtherance of the general purposes of this ordinance.

The following general criteria are provided as guidelines in the review and/or approval by the Board of Zoning Appeals of an application for a special use permit. A request for a special permit shall:

- 1. Be in conformance with the Comprehensive Plan for development for the site and its surrounding area as well as any other officially approved area development plans.
 - 2. Be in compliance with the uses permitted and area and bulk regulations of the district in which proposed.
 - 3. Be functionally related and not detrimental to other adjacent existing or permitted use or structures.
 - 4. Be so designed and located that the public health, safety, and welfare will be promoted and protected.
- D. Effective Date of Approval - Issuance of Permit.
 - 1. Board of Zoning Appeals approval shall become effective the date at which approval is granted.
 - 2. No Special Use Permit shall be issued prior to the effective date of approval.
 - 3. The Special Use Permit shall be issued subject to all conditions and requirements stipulated by the Board of Zoning Appeals.
 - 4. The Building Inspector shall not issue a Certificate of Occupancy for a special use if any of the conditions imposed by the Board of Zoning Appeals in approving the special use permit have not been met.
 - E. Validity of Plans. All approved plans, conditions, restrictions, and rules made a part of the approval of the Board of Zoning Appeals shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.
 - F. Time Limit and Notification. An application for a Special Use Permit shall be acted upon within forty-five (45) days of the date of application and the applicant shall be provided with a written notice of approval or denial. Failure of the Board of Zoning Appeals to act upon such application within forty-five (45) days shall constitute approval of the application.

- G. Amendments to Special Permits. A special use permit may be amended pursuant to the same procedure and in accordance with the same standards which governed its grant.

11-802. Development Procedures.

- A. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
- B. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).
- C. The Planning Commission shall meet and act upon any application within forty-five days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action. (Ord. # 984, 09/06/01).

Provided, however, that these development procedures shall not apply to the standards for home occupations provided for in 11-811.

11-803. Standards of General Applicability. An applicant for a special use permit shall present to the city manager or city manager's designee and Board of Zoning Appeals satisfactory evidence which establishes:

- A. The proposed building or use will not have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.
- B. That the proposed building or use will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of neighboring property in accordance with the applicable district regulations.
- C. That the proposed building or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.
- D. That the proposed building or use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.
- E. That the proposed building or use complies with any additional standards imposed on it by the particular provision of this section authorizing such use.

11-804. Additional Standards for Special Permit Uses. In addition to the general standards for Special Permit Uses, special standards and uses shall apply under Section 11-805. to 11-817. herein below.

11-805. Standard for Cemeteries. The Board of Zoning Appeals may authorize the issuance of a special use permit for cemeteries as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards.

- A. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a major thoroughfare.
- B. Any new cemetery shall be located on a site containing not less than twenty (20) acres.
- C. All other structure including but not limited to mausoleum, permanent monument, or maintenance building shall be set back not less than twenty-five (25) feet from any property line or right-of-way line.
- D. All graves or burial lots shall be set back not less than twenty-five (25) feet from any property line or right-of-way line.
- E. All required yards shall be landscaped and maintained.

11-806. Standards for Mortuary Establishments. The Board of Zoning Appeals may authorize the issuance of a special use permit for Mortuary Establishments as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. The minimum lot area shall be twenty-five thousand (25,000) square feet and so arranged that adequate assembly area is provided off-street for vehicles to be used in a funeral procession. This assembly area shall be provided in addition to any required off-street parking area.
- B. The site shall be so located as to have at least one property line abutting a thoroughfare either existing or proposed that will be sufficient to serve traffic entering or leaving the mortuary establishment as is required by the provisions of 11-803 A. and C., and the main entrance and exit from the site shall be directly onto said thoroughfare. (Ord. #1114, 11/05/09.)
- C. Points of entrance and exit for the site shall be so laid out as to minimize possible conflicts between traffic on adjacent thoroughfares and funeral processions or visitors entering or leaving the site. (Ord. #1114, 11/05/09).
- D. No building shall be located closer than fifty (50) feet to the outer perimeter (property line) of the district when said property line abuts any residential district.
- E. A caretaker's residence may be provided within the main building of the mortuary establishment.
- F. Loading and unloading area used by ambulance, hearses, or other such service vehicles shall be obscured from all residential view with a wall seven (7) feet in height and said wall, plus any other required walls, shall be further subject to the requirements of Section 11-1200.

11-807. Standards for Churches and Related Buildings. The Board of Zoning Appeals may authorize the issuance of a special use permit for churches and other buildings or uses normally accessory thereto as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. The minimum lot area shall be 20,000 square feet or 200 square feet of lot area per auditorium seat whichever is greater.
- B. Front, Rear, and Side Yards shall conform to the district in which located.
- C. Off-Street Parking shall be as provided in Section 11-1000.
- D. Except for temporary non-profit festivals, fencing, screening, and landscaping shall be provided as appropriate for such facility in accordance with Section 11-1200, except that no landscaping or screens shall be located closer than 15 feet to any vehicular entrance or exit to the property.
- E. The location and operation of such community assembly facility shall be in keeping with the character of the surrounding area and shall not adversely affect the properties within the surrounding area.
- F. All public utilities and sewage disposal shall be available to the site and shall be subject to approval by the Paris Board of Public Utilities.
- G. General sign requirements for the district in which the community assembly activity is requested shall apply.

11-808. Standards for Schools. The Board of Zoning Appeals may authorize the issuance of a special use permit for schools, public or private, grades kindergarten through twelve as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. The minimum site area shall be five (5) acres plus one 1 acre for each 100 students. Primary and secondary school site plans shall be recommended to the Board of Zoning Appeals by the appropriate school board.
- B. Front, rear, and side yards shall conform to the district in which located.
- C. All public utilities and sewage disposal shall be available to the site and shall be subject to approval by the Paris Board of Public Utilities.
- D. All regulations of the State of Tennessee that pertain to the use shall be met.
- E. The facilities shall be located as to be compatible with the surrounding area and provide safety to those using said facilities.
- F. Fencing, screening and landscaping shall be provided as appropriate to protect the surrounding area from such facility in accordance with Section 11-1200.
- G. The general sign requirement for the district in which the community education activity is requested shall apply.

11-809. Standards for Group and Family Day Care Homes. The Board of Zoning Appeals may authorize the issuance of a special use permit for Group and Family Day Care Homes as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. All dimensional regulations of the district shall apply.
- B. There shall be provided along the entire site boundaries fencing screening, and landscaping as appropriate to protect any abutting residential property.
- C. All public utilities and sewage disposal shall be available to the site and shall be approved by the Paris Board of Public Utilities.

- D. The general sign requirements for the district in which the facility is located shall apply.
- E. All outdoor play areas must be appropriately fenced, screened, and landscaped from abutting property lines and must contain at least fifty (50) square feet of space per child.
- F. Off-street parking shall be provided as required in Section 11-1000.
- G. The facility must meet all applicable state and local licensing requirements.

11-810. Standards for Day Care Centers. The Board of Zoning Appeals may authorize the issuance of a special use permit for Day Care Centers as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. All the requirements for group and family day care homes in Section 11-809. shall apply to a day care center.
- B. Along the site boundary of the facility, buffering, screening, and landscaping must be provided to adequately protect the facility from abutting uses.
- C. All outdoor play areas shall contain a minimum of fifty (50) square feet of space per child.11-811.

11-811. Standards for Home Occupations. A Home Occupation Permit is required prior to the usage of any residential structure as a home occupation in accordance with the provisions herein. An applicant for a Home Occupation Permit shall submit an application on a form as required by the City Manager or the City Manager's designee.

- A. Intent. It is the intent of this ordinance to eliminate as home occupations all uses except those that conform to the standards set forth herein. Custom and tradition are intentionally excluded as criteria. The standards for home occupations are intended to insure compatibility with other permitted uses and with the residential character of the neighborhood, and as clearly secondary or incidental status in relation to the residential use of the premises as the criteria for determining whether a proposed use qualifies as a home occupation.

Retail sales at the home occupation location is not allowed. No article shall be sold or offered for sale on the home occupation premises. Any retail items must be sold off site and delivered or if sold by electronic means such as telephone, computer, internet, or other electronic means must be delivered off site.

Examples of typical businesses which would be allowed by Home Occupation Permits might include typing or drafting services; consulting businesses, providing all work is picked up from and delivered to the client by the holder of the permit; landscape maintenance, janitorial services, and contractor business, where the business is conducted elsewhere and all equipment is either stored offsite and/or in a vehicle which is to be stored in the garage at the home occupation residence. Businesses making items on premises such as jewelry, leather goods, paintings or artwork, or the like, are allowed if such products are sold offsite or electronically. Home boutiques are not allowed. Occupations that consist of businesses in which only telephone or mail services are used are allowed subject to the provisions of this chapter.

- B. Standards for Home Occupations.

1. General. The standards set forth below shall be used by the City Manager or City Manager's designee in evaluating an application for a home occupation. In evaluating an application for a home occupation, the City of Paris must insure the following: (1) that the public interest has been adequately protected; (2) that no change in the character of the surrounding neighborhood will occur as a result of the home occupation; (3) that no excessive noise, increased traffic and parking, and odor or hazard will result from the home occupation; and (4) that the proposed home occupation will not place a strain or burden on existing public facilities and services, particularly sewer and water service, street improvements, fire and police protection, and solid waste collection.

2. Performance Standards. Home occupations are permitted as an incidental and subordinate use in specified residential districts when the applicant submits to the City of Paris satisfactory evidence of compliance with all of the following conditions:

a. Employees. Any home occupation that relies on customers coming to the home occupation premises shall be conducted solely by the resident occupants of the premises. For a home occupation that is conducted by telephone, computer, internet, or other electronic means that does not have customers who come to the home occupation premises, the home occupation may have up to two (2) employees who are not resident occupants of the premises so long as the other provisions of this chapter are complied with.. (Ord. #983, 09/06/01; Ord. #1212, 6/22/17; Ord. #1249, 1/2/2020).

b. Incidental and Subordinate Use. The applicant must clearly demonstrate to the City of Paris that the home occupation is incidental and subordinate to its use for residential purposes. To insure the incidental and subordinate character, the home occupation shall be limited to fifteen (15) percent of the total area of the first floor of the residence. No home occupation shall be conducted outdoors, or in any garage or carport attached to the residence

c. Advertising. Advertisement for the home occupation that is placed in any media (newspaper, magazine, telephone directory, radio, television, online, etc.) may not contain the address or indicate the location of the home occupation.

d. Appearance. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character, either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises, or vibrations.

e. Accessory Buildings. No garage, carport, shed, or any other building or space outside or not attached to the principal building shall be used for home occupation purposes.

g. Traffic. The additional parking generated by the home occupation shall take place on the site and the use may increase vehicular traffic flow and parking by no more than one additional vehicle at a time. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises, other than by common carriers such as UPS, Federal Express, or the United States Postal Service.

Instruction of students shall be limited to not more than three persons at a time and not more than fifteen (15) students in a 24-hour period.

h. Nuisance Controls. Home occupation shall not generate traffic, parking, noise, vibrations, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

- i. Utilities. The public utility costs (water, sewer, electricity, solid waste collection, etc.) incurred in the operation of the home occupation shall not exceed what is normal to the use of the property for residential purposes.
 - j. Signs. Only one sign shall be allowed. It may indicate the name of the occupant and/or the name of the home occupation. It shall not exceed one square foot in area, shall be non-illuminated and attached flat to the main structure or visible through a window.
- C. Application for Home Occupation Permit. An application for a Home Occupation Permit shall be filed with the City Manager or the City Manager's designee on a form provided by the City of Paris. The City Manager or the City Manager's designee shall have up to 14 days to approve the issuance of the permit.

The application fee for a Home Occupation Permit shall be \$50.00. The application fee shall be paid at the time the application is submitted and is not refundable. (Previous Section C Deleted, Ord. #1212, 6/22/2017; Ord. #1249, 1/2/2020)

D. Business License and Certificate of Occupancy.

1. If the special use permit for a home occupation is approved by the City Manager or City Manager's designee, the applicant shall secure a business license to operate the home occupation from the Office of the City Finance Director. All Business Licenses must be issued to a physical street address only. A Business License may not be issued to a post office box address. Provided, however, a post office box address may be used by a home occupation business to conduct the home occupation business but may not be used as a substitution for a physical business address in order to bypass or circumvent the Home Occupation Permit process governed by this Chapter. (Ord. #1212, 6/22/2017; Ord. #1249, 1/2/2020).
2. Prior to issuance of a Certificate of Occupancy, the City Manager or City Manager's designee will insure that the proper city business license has been issued for the home occupation and that all requirements of the Charter and Ordinances of the City of Paris are complied with prior to the start of actual operations.
3. The city business license and certificate of occupancy shall be renewed annually to insure compliance with applicable municipal codes as well as laws of the State of Tennessee.

E. Revocation of Home Occupation Permit

1. A Home Occupation Permit shall be revoked when it is determined that the conditions of its issuance are not being met.
2. The permit holder shall be notified in writing that the conditions of its issuance are not being met with the specific infractions noted.
3. The permit holder shall be given ten (10) calendar days from the postmark of written notification of non-compliance to contact the city to resolve the issue of non-compliance. Should the non-compliance not be resolved, the City Manager shall notify the permit holder that the Home Occupation Permit has been revoked and all business activities associated with the Home Occupation shall terminate immediately upon receipt of the notice.

F. Appeals

An application for a Home Occupation Permit that is denied or the revocation of a Home Occupation Permit may be appealed to the Board of Zoning Appeals on a form as required by the City Manager. The form shall show the location and intended use of the property, the names of the property owners and existing land uses within two hundred (200) feet, and any other information pertinent to the request which the City Manager may require. An appeal shall be made in writing to the Board of Zoning Appeals within seven (7) calendar days of the date of the revocation notice. A timely filed appeal shall result in the revocation action being held in abeyance pending the hearing by the Board of Zoning Appeals. The City Manager or City Manager's designee shall cause to be published in a daily newspaper of general circulation a NOTICE OF APPEAL FOR HOME OCCUPATION PERMIT. Such notice shall give the time and place of such hearing and shall be published at least seven (7) days prior to the Board of Zoning Appeals meeting.

G. Hearing by the Board of Zoning Appeals

1. An appeal hearing before the Board of Zoning Appeals shall be limited to the issue of whether the applicant complies with the criteria to be issued a Home Occupation Permit or whether a permit holder continuously meets the criteria required for the issuance of a Home Occupation Permit.
2. The Board of Zoning Appeals shall not grant a variance from the established criteria for the issuance of a Home Occupation Permit.
3. The Board of Zoning Appeals shall not hear an appeal that is not timely filed as provided in Section F above. (Ord. # 03/03/11; Ord. #1249, 1/2/2020)

11-812. Standards for Parks, Playgrounds, and Recreation Facilities. The Board of Zoning Appeals may authorize the issuance of a special use permit for Parks, Playgrounds, and Recreation Facilities as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. Each site or facility must be proposed in accordance with the Comprehensive Plan and must serve the neighborhood or community in which it is to be located.
- B. Recreation facilities for organized sports or spectator facilities must have principal access from a major arterial or collector street and the site for such facilities must be designed to prohibit or severely restrict vehicular traffic from neighboring residential areas.
- C. Fields for recreation and athletics when provide seating for more than 100 spectators or which are equipped with outdoor lighting visible from adjacent residential areas shall be subject to the following additional standards:
 1. Screening shall be required along the lot lines of the field to insulate such field from the view of property zoned or used for residential purpose.
 2. Lighting, if any, including but not limited to lighted scoreboards, for such fields shall be so arranged to prevent direct glare onto any public or private property or streets. The location, height, and design of any light standards shall be submitted for review and approval of the Board of Zoning Appeals.

11-813. Civic or Community Clubs, Private Non-Commercial Recreation Area; and Institutional or Community Recreation Centers. The Board of Zoning Appeals may authorize the issuance of a special use permit to Civic or Community Clubs, Private Non-Commercial Recreation Area; and Institutional or

Community Recreation Center as indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. The proposed site shall have principal access from a major arterial or collector street with no traffic allowed to travel through a residential neighborhood. Principal access to the site shall be prohibited from local neighborhood streets.
- B. All dimensional regulations of the district shall apply. Any required yard adjacent to property which is zoned or used for residential purposes shall not be used for off-street parking and shall be suitably landscaped with trees, shrubs, or other material to provide a natural screen.
- C. All lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from adjacent residential areas.
- D. Off-street parking shall be provided so as to accommodate not less than one-half the membership or capacity of such facility. In determining the adequacy of off-street parking, the Board of Zoning Appeals may require the by-laws of the organization to establish the membership involved. In those cases where there is no formal membership for the proposed facility, the off-street parking shall be determined on the basis of usage and as provided for similar uses in Section 11-1000.

11-814. Standards for Bed and Breakfast Inns - The Board of Zoning Appeals may authorize the issuance of a special use permit for a Bed and Breakfast Inn after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. A minimum of one (1) off street parking space, per room to be occupied by guests, shall be provided for in addition to any parking on premises for permanent residents.
- B. The outside appearance of the dwelling unit shall maintain conformance with the general character of the neighborhood in which it is located.
- C. Signs advertising the Bed and Breakfast Inn shall not exceed four (4) square feet in area, shall be non-illuminated and attached flat to the main structure or visible through a window. The sign may only indicate the name of the occupant and/or the name of the Bed and Breakfast Inn.
- D. No more than three (3) sleeping quarters of the dwelling unit shall be used for lodging in the Bed and Breakfast Inn. This would not apply to other parts of the dwelling unit which may be incidentally used by guests such as bathrooms, kitchen and living room areas not being used as sleeping quarters by guests.
- E. The permanent residents of the dwelling unit shall establish separate and distinct sleeping quarters from Bed and Breakfast Inn guests.
- F. Proprietors of the Bed and Breakfast Inn shall also be permanent residents of the dwelling in which it is located. All area and yard requirements of the district must be met.
- G. An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off street automobile parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any required screening, and any other information as may be required by the Paris Board of Zoning Appeals.
- H. All applicable Federal, State, and Municipal Codes, including municipal fire, building and electrical codes shall be complied with as a condition of approval by the Board of Zoning Appeals.
- I. Lodging of guests at the Bed and Breakfast Inn shall be limited to no more than fourteen (14) days during any one (1) stay.

- J. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site which will be necessary to carry out the intent of the Zoning Ordinance (Ord. #741, 10/04/90).

11-815. Standards for Boarding or Rooming House - The Board of Zoning Appeals may authorize the issuance of a special use permit for a Boarding or Rooming House after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. A minimum of 1.5 off street parking space, per room to be occupied by residents shall be provided.
- B. The outside appearance of the dwelling unit shall maintain conformance with the general character of the neighborhood in which it is located.
- C. Signs advertising the Boarding or Rooming House shall not exceed four (4) square feet in area, shall be non-illuminated and attached flat to the main structure or visible through a window. The sign may only indicate the name of the occupant and/or the name of the Board or Rooming House.
- D. No more than twelve (12) sleeping quarters of the dwelling unit shall be used for lodging in the Boarding or Rooming House. This would not apply to other parts of the dwelling unit which may be incidentally used by residents such as bathrooms, kitchen and living room areas not being used as sleeping quarters by residents.
- E. An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off street automobile parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any required screening, and any other information as may be required by the Paris Board of Zoning Appeals.
- F. All applicable Federal, State, and Municipal Codes, including municipal fire, building and electrical codes shall be complied with as a condition of approval by the Board of Zoning Appeals.
- G. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site which will be necessary to carry out the intent of the Zoning Ordinance.

11-816. Standards for Public Utilities - The Board of Zoning Appeals may authorize the issuance of a special use permit for any public utilities indicated on Table 1 after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. The utility company clearly shows a need for such facility at the location proposed and that the location, size, and design of such facility will best serve the overall development of the area which it is intended to serve.
- B. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.
- C. Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding areas.
- D. The off-street parking and off-street loading requirements shall be determined based on those required for similar facilities.
- E. A site plan must be submitted to the Board of Zoning Appeals taking into consideration the above factors.

- F. The general sign requirements for the district in which the facility or service is requested shall apply.
- G. Nothing in these regulations shall be construed to prevent the construction, installation and operation of the following essential public utilities and facilities when approved as part of a subdivision plat or site plan:
1. Communication and telephone distribution lines and poles.
 2. Gas, water, storm drainage, and sewer lines and incidental appurtenances thereto.
 3. Sewage disposal lift stations.
 4. Approved public and private streets.
 5. Rights-of-way to all modes of transportation.
 6. Landscaped, scenically open areas or natural reserves..

11-817. Standards for Commercial Television and Radio Towers, Public and private telecommunication towers, digital and microwave transmission towers, and other freestanding poles, spires, towers, antennae, and similar structures. The Board of Zoning Appeals may authorize the issuance of a special use permit as indicated on Table I, after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. Standards for all zoning districts except the B-2 (Central Business) District.

1. Setback

All towers and accessory structures which are not constructed within a utility easement shall be set back from the property lines a distance equal to twenty (20) percent of the tower height or the district yard requirements, which ever is greater. In instances when a tower and/or accessory structures are to be located within a utility easement, or within a distance equal to twenty (20) percent of the tower height from a utility easement, the city manager or his designee shall secure approval from the appropriate department head of the Paris Board of Public Utilities or the Paris Henry County Public Utility District for placement of the tower at an acceptable location to utility on or near such utility easement. Such approval from the appropriate representative shall be a prerequisite for issuance of a special use permit for construction of the proposed tower and/or accessory structure. In the event that the appropriate representative is of the opinion that the proposed placement of the tower and/or accessory structure on or near such utility easement shall interfere with the utility easement, then the special use permit for construction of the proposed tower and/or accessory structure shall not be issued. In instances when a tower and accessory structures are located adjacent to or within a residential district, either immediately adjacent to such property or across a public way, the minimum standard setback from residential lot lines and residential districts shall be equal to fifty (50) percent of the tower height. In no instance shall a tower be located on a lot or easement unless the base of the tower center is a minimum distance of one hundred (100) percent of the tower height from surrounding residential structures. (Ord. # 975, 01/02/01).

2. Shared Use

a. The shared use of existing towers shall be encouraged throughout the community. The applicant's proposal for a new wireless transmission facility shall not be approved unless the applicant can prove through documentation that the proposed equipment planned for the proposed tower cannot be accommodated on an existing or

approved tower located within a minimum distance of five (.5) tenths of a mile due to one of the following reasons:

1.) The planned equipment would exceed the structural capacity of existing and approved towers.

2.) The planned equipment would cause radio frequency (RF) interference with other existing or planned equipment.

3.) Existing or approved towers do not have space on which planned equipment can be placed so it can function effectively and reasonably.

4.) Geographic service requirements prevent co-use of existing towers or structures.

b. The feasibility of the shared use of any proposed tower in the future shall be addressed at the time of application. As a minimum, a tower shall be designed for co-location on the initial installation, i.e., the tower will be designed for two sets of fully sectored antenna arrays. A letter of intent committing the tower owner and any successive owners to provide for the shared use of the tower, if an applicant agrees in writing to pay any reasonable charge for shared use.

3. Type

Towers may be of a monopole or lattice type structure.

4. Buffering and Landscaping

a. For ground structures and buildings located in or abutting properties zoned residential, either immediately adjacent to such property or across a public way, special care shall be taken to minimize the effects on the adjacent residential areas.

b. All ground structures shall be buffered in a manner which consist of a minimum of four (4) foot wide landscaped strip around the perimeter of the structure (s). The buffered strip shall consist of a combination of trees, shrubs, vines, and / or ground covers that blends and enhances the appearance of the ground structures within the surrounded area. The buffer shall be installed for the permanent year round protection of adjacent property by visually shielding internal activities from adjoining property to a height of eight (8) feet. The landscaping provisions of this section may be varied or reduced if the proposed plan provides for unique and innovative landscaping treatment of physical features that meet the intent and purpose of this section.

5. Height

a. No tower shall exceed a height of three hundred and thirty (330) feet. (Ord. # 975, 01/02/01).

b. In instances when a tower is to be co-located upon an existing utility structure, which is defined as an existing power line structure or an existing water tower the maximum height shall not exceed the height of the structure plus (+) twenty (20) feet.

6. Vehicle Access Control

The location and design of driveways and / or access easements to the facility from a public street shall be depicted on the site plan and shall be approved by the Planning Commission in accordance with these regulations.

7. Lighting

a. Towers: Towers shall not be artificially lighted unless required by the FAA or other authority for safety purposes. When required, the Board of Zoning Appeals shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding viewing area. "Dual lighting" (red at night / strobe during the day) shall be preferred unless restricted by the FAA.

b. Structures: outside lighting of structures, if required for safety and security purposes, shall be of a sensory fashion in which illumination occurs only when the site is approached. The lighting shall be arranged to minimize glare and reflection on adjacent residential properties and public streets.

8. Security

The facility shall be fully secured through the installation, around the perimeter of the compound, of a security fencing system of a minimum of eight (8) feet, which consist of either high impact vinyl, galvanized chain link, or pressure treated wood.

9. Removal of Obsolete Towers

10. Site Plan Requirements

Prior to the issuance of a building permit, the construction of a tower or the utilization of an existing structure for telecommunications transmission purposes, the submission of a site plan in accordance with these regulations is required.

11. Engineering Drawings Required

a. In addition to the site plan requirements in 11-817 A. 10. Above, the applicant shall provide plans and specifications for such tower prepared by a licensed engineer, certifying to the Board of Zoning Appeals that the proposed construction will be designed, securely braced and anchored to resist wind loads, dead loads, and uplift forces in compliance with generally accepted engineering standards for a structure of its type. Due allowance shall be made for the effect of shape of individual elements and height and contour of the proposed structure.

b. Provided, however, that in the B-2 (Central Business) District, the standards in a. above shall apply with the exception that:

- 1.) The maximum height shall be limited to 80 feet.
- 2.) The structure shall be freestanding.
- 3.) The only structures allowed in the B-2 Zone shall be a commercial television or radio tower, or public utility, microwave or T. V. transmitting tower or antenna.
(Ord. #916, 06/03/97).

11-818. Procedures and Standards for Floodway and Flood-Fringe Areas. See Section 11-702.

11-819. Standards for Family Care Facility. The Board of Zoning Appeals may authorize the issuance of a special use permit for a family care facility, as defined in 11-300 of this title, after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. Family care facilities shall be allowed in all residential zones of the City of Paris.
- B. Notwithstanding the provisions of Table 2 regarding minimum lot requirements, the minimum lot size for a family care facility shall be fifteen thousand (15,000) square feet.
- C. If a family care facility is proposed in a residential zone, there shall be provided along the entire side lot lines and rear lot lines a wall or fence, as provided in 11-1201, to protect any abutting residential property.
- D. All public utilities and sewage disposal shall be available to the site, shall be capable of servicing the proposed use, and shall be approved by the Paris Board of Public Utilities.
- E. The outside appearance of the unit shall maintain conformance with the general character of the neighborhood in which it is located.
- F. A minimum of five (5) regular parking spaces and one (1) handicap parking space shall be required. Such off street parking shall be located in the rear of the premises or in the side yard of the premises whenever possible. Off street parking in front of the premises shall be allowed if the Board of Zoning Appeals feels that such parking shall maintain conformance with the general character of the neighborhood in which it is located.
- G. Signs advertising the family care facility shall not exceed four (4) square feet in area, shall be non-illuminated, and attached flat to the main structure. The sign may only indicate the name of the family care facility.
- H. An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off street parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any required screening, and any other information as may be required by the Board of Zoning Appeals.

- I. All applicable federal, state, and municipal codes, including municipal fire, building and electrical codes, shall be complied with as a condition of approval by the Board of Zoning Appeals.
- J. All area and yard requirements of the zoning district must be met, as specified in Table 2.
- K. No family care facility shall be located less than one thousand (1,000) feet from any other family or group care facility. The one thousand (1,000) foot minimum distance shall be measured by the distance a pedestrian would normally walk on a public sidewalk or adjacent to a street right-of-way from the nearest lot line of the proposed family care facility to the nearest lot line of an existing family or group care facility.
- L. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site, which will be necessary to carry out the intent of the zoning ordinance and this chapter.

11-820. Standards for Group Care Facility. The Board of Zoning Appeals may authorize the issuance of a special use permit for a group care facility, as defined in 11-300 of this title, after first holding a public hearing as provided in this section and subject to the following additional standards:

- A. Group care facilities shall be allowed in the R-3 and B-3 zoning districts.
- B. Notwithstanding the provisions of Table 2 regarding minimum lot requirements, the minimum lot size for a group care facility shall be twenty-five thousand (25,000) square feet.
- C. If a group care facility is proposed in a residential zone, there shall be provided along the entire side lot lines and rear lot lines a wall or fence, as provided in 11-1201, to protect any abutting residential property.
- D. All public utilities and sewage disposal shall be available to the site, shall be capable of servicing the proposed use, and shall be approved by the Paris Board of Public Utilities.
- E. The outside appearance of the unit shall maintain conformance with the general character of the neighborhood in which it is located.
- F. A minimum of 1.5 off street parking spaces shall be required for each resident bed for which the group care facility is licensed. Such off street parking shall be located in the rear of the premises or in the side yard of the premises whenever possible. Off street parking in front of the premises shall be allowed if the Board of Zoning Appeals feels that such parking shall maintain conformance with the general character of the neighborhood in which it is located.
- G. Signs advertising the group care facility shall not exceed four (4) square feet in area, shall be non-illuminated, and attached flat to the main structure. The sign may only indicate the name of the group care facility.

- H. An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off street parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any required screening, and any other information as may be required by the Board of Zoning Appeals.
- I. All applicable federal, state, and municipal codes, including municipal fire, building and electrical codes, shall be complied with as a condition of approval by the Board of Zoning Appeals.
- J. All area and yard requirements of the zoning district must be met, as specified in Table 2.
- K. No proposed group facility shall be located less than one thousand (1,000) feet from any other family or group care facility. The one thousand (1,000) foot minimum distance shall be measured by the distance a pedestrian would normally walk on a public sidewalk or adjacent to a street right-of-way from the nearest lot line of the proposed group care facility to the nearest lot line of an existing family or group care facility.
- L. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site, which will be necessary to carry out the intent of the zoning ordinance and this chapter. (Ord. # 953, 08/05/99).

CHAPTER 9

CONDITIONAL USES

SECTION

- 11-900. Development Standards for Conditional Uses.
- 11-901. Standards for Travel Trailer Parks.
- 11-902. Single Lot Mobile Home and Single Lot Manufactured Homes.
- 11-903. Motor Vehicle Dealers, Repair Services and Related Uses.
- 11-904. Automotive Service Stations, Self-Service Stations, Accessory Automotive Fuels Self-Service Area.
- 11-905. Automobile Wash Facility.
- 11-906. Automobile Repair Garages.
- 11-907. Tire Recapping.
- 11-908. Warehousing and Storage of Waste Material.
- 11-909. Auto Wrecking (Junk) Yards.
- 11-910. Scrap and Salvage Operations.
- 11-911. Facilities for the Storage of Building and Related Materials.
- 11-912. Standards for Mini-Warehouses and Self-Storage Facilities.
- 11-913. Hotels and Motels.
- 11-914. Temporary Uses.
- 11-915. Application for a Temporary Use Permit.
- 11-916. Carnival or Circus.
- 11-917. Christmas Tree Sale.
- 11-918. Temporary Buildings.
- 11-919. Real Estate Sales Office
- 11-920. Religious Tent Meeting.
- 11-921. Seasonal Sale of Farm Produce.

- 11-922. Swimming Pools.
- 11-923. Above Ground Storage of Flammable or Non-Flammable Liquids or Gases.
- 11-924. Standards for Residential Occupancy in Commercial Districts.
- 11-925. Wholesale Trade.
- 11-926. Sporting Clays
- 11-927. Conversion of Residential Structures for Commercial Use
- 11-928. Helicopter Landing Zones
- 11-929. Indoor Self-Storage Facilities

11-900 Development Procedures.

- A. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
- B. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design, installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).
- C. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action in writing. (Ord. # 984, 09/06/01).

Provided, however, that these development procedures shall not apply to the standards for single lot mobile homes and single lot manufactured homes provided for in 11-902, temporary uses provided for in 11-914, standards for residential occupancy in commercial districts provided for in 11-924.

All conditional uses shall conform to the applicable development standards provided in this chapter prior to the issuance of a Building Permit or Certificate of Occupancy by the Building Inspector.

11-901. Standards for Travel Trailer Parks.

- A. Location. Travel Trailer Parks shall be located in districts as indicated in Table 1 of this ordinance; furthermore, it shall be unlawful for any travel trailer to be occupied or serviced outside of any approved travel trailer park. This provision shall not apply to the storage of travel trailers provided such travel trailer is neither temporarily nor permanently occupied as a living unit while in storage.
- B. Access. No travel trailer park shall be located except with direct access to a state or federal numbered highway or other designated arterial street. No entrance or exit from a travel trailer park shall be through a residential district, nor required movement of traffic from the park through a residential district.

- C. Site Condition. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- D. Minimum Site Area and Maximum Number of Spaces.
1. Each parcel of land to be used for travel trailer parks shall have a minimum site area of one (1) acre.
 2. There shall be no more than fifteen (15) spaces per acre of land within the travel trailer park.
- E. Spaces for Occupancy and Lengths of Stay. Spaces in travel trailer parks may be used by travel trailers including campers, recreation vehicles, or equivalent facilities constructed in or on automotive vehicles. Spaces shall be rented by the day or week only, and the occupant of such space shall not remain in the same trailer park more than thirty (30) days.
- F. Standards for Travel Trailer Spaces.
1. Minimum Size.
 - a. All spaces shall have a minimum area of 1,800 square feet with a minimum width of 20 feet and a minimum length of 60 feet.
 - b. Each space shall be designed so that any two travel units will have a minimum separating distance of 10 feet.
 2. Access. Each travel trailer space shall abut at least one street within the boundaries of the travel trailer park and access to each space shall be only from an internal street.
 3. Setback Requirements. No part of a travel trailer placed on a travel trailer space shall be closer than five (5) feet to any space line and ten (10) feet to any street line within the park.
- G. Streets and Parking.
1. Entrance and exits to travel trailer 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 to facilitate easy turning movements for vehicles with trailers 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 travel trailer park shall be private and 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

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 travel trailer park shall have off-street parking pads for both travel trailer and towing vehicle.
- 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 travel trailer space, which shall be on the same site as the travel trailer and may be located in the rear or side yard.
- d. There shall be established and maintained within each travel trailer 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) travel trailer spaces.

I. Required Utilities

- 1. All travel trailer parks shall be served by a public water and sewer system and shall comply with all provisions of the Tennessee Trailer Court Act, Tennessee Code Annotated, Section 68-24-101 et. seq., as well as 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 travel trailer space shall have at least one (1) flytight, 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.

J. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the travel trailer 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.

K. Landscaping and Screening. Around the perimeter of a travel trailer 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.

L. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a travel trailer 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 travel trailer 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.

M. Permit for Travel Trailer Park. No place or site within the corporate limits shall be established or maintained as a travel trailer park unless a valid permit has been issued for such a park by the Building Inspector.

N. Inspections by Building Inspector. In order to safeguard the health and safety of the occupants of travel trailer 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.

O. Administrative Procedure for Travel Trailer Park Approval. The developer of a proposed travel trailer park shall submit to the Municipal Regional Planning Commission a site plan as follows:

1. Submission of a Site Plan

- a. A plat of the proposed site plan 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 travel trailer 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 travel trailer 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 city manager or city manager's designee before final approval can be obtained and a certificate of 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.

11-902. Single Lot Mobile Homes and Single Lot Manufactured Homes.

A. Single Lot Mobile Homes.

1. Location. Mobile home shall be permitted on individual (single) lots outside of mobile home district as a conditional use as indicated in Table 1 and as further provided herein.
2. Area and Bulk Regulations. Mobile homes located on separate lots outside a mobile home district shall comply with all applicable area, bulk and use regulations for the district in which such mobile home is located.
3. Foundation and Skirting. When feasible, the wheels and axles of a mobile home shall be removed and the mobile home shall be placed on a permanent block, brick, or stone foundation. The foundation must be completed within a 60 day time period from the date the building permit is issued. In the absence of a continuous, solid foundation, skirting shall be used to shield the undercarriage, wheels, axles, and tongue-hitch of the mobile

home from view and to reduce the possibility of wind damage. Material used in skirting shall be permanent and may include masonite, aluminum, vinyl, and wood. Skirting may be similar in appearance to the design pattern of the siding of the mobile home or may simulate a stone, block, or brick foundation. Skirting must be in place within 30 days following the placement of the structure.

4. Anchoring and Harboring. Mobile homes placed on individual lots after the effective date of this ordinance shall comply with all provisions of the Tennessee Mobile Home Anchoring Act (Tennessee Code Annotated, Section 68-36-401 et. seq.).
5. Application and Permit for Single Lot Mobile Home.
 - a. Before siting a mobile home on an individual lot or replacing a mobile home on an individual lot, the owner of the mobile home shall secure a permit from the Building Inspector for the placement or reattachment of such mobile home.
 - b. An application for a single lot mobile home permit shall be filed with and issued by the Building Inspector. Applications shall be in writing and signed by the applicant.

The application shall contain the name of the applicant; the location and description of the mobile home including make, model, and year; and any other information which may be required by the Building Inspector to determine if the mobile home and site comply with all applicable codes and ordinances of the City of Paris.

B. Single Lot Manufactured, Double-wide Homes

1. Location. Manufactured homes shall be permitted on individual (single) lots outside of an RMH district as a conditional use as indicated in Table 1 and as further provided herein.
2. Area, Bulk, and Use Regulations. Manufactured homes located on separate lots outside an RMH district shall comply with all applicable area, bulk, and use regulations for the district in which such manufactured home is located.
3. Foundation. The unit must be installed on a permanent foundation system in compliance with all applicable requirements of the Southern Standard Building Code.
4. Exterior Material Covering. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Suitable exterior materials shall include, but shall not be limited to brick, wood, aluminum siding, vinyl siding, or clapboard materials, but shall exclude corrugated metal or plastic panels.
5. Towing Apparatus. The hitches or towing apparatus, axles and wheels must be removed.
6. Roofing. The roof must be pitched so there is at least a two inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof.
7. Siting. The unit must be oriented on the lot so that its long axis is parallel with the street.

8. Application and Permit for Single Lot Mobile Home.

- a. Before placing a manufactured home on an individual lot outside an RMH district or the replacement of a mobile home on an individual lot, the owner of the manufactured home shall secure a permit from the Building Inspector for the placement or replacement of such home.
- b. An application for a single lot manufactured home permit shall be filed with and issued by the Building Inspector. Applications shall be in writing and signed by the applicant.

The application shall contain the name of the applicant; the location and description of the manufactured home including make, model, and year; and any other information which may be required by the Building Inspector to determine if the home and site comply with all applicable codes and ordinances of the City of Paris.

11-903. Motor Vehicle Dealers, Repair Services and Related Uses.

A. Motor Vehicle Sales Agency.

1. Such agency must be developed as a planned center or complex specializing in new motor vehicle sales. As part of the planned center, there shall be included a physical improvement such as a common service roadway other than the public thoroughfare providing access to the site. Review by the Planning Commission shall be on the basis of the total planned center.
2. The minimum lot area shall be three (3) acres and so arranged that ample space is available for motor vehicles which are required to wait or be stored or parked.
3. Uses normally Accessory to New Motor Vehicle Sales Establishments, such as major engine repair or rebuilding, body repair, painting and undercoating shall be permitted provided such uses are clearly subordinate and incidental to the principal use and provided further that such uses shall be conducted within a completely enclosed building.
4. Outdoor Sales Space for used motor vehicles shall be permitted as an accessory use.
5. Establishments Principally or Solely for the sale of used vehicles shall be prohibited.
6. A Site Plan accurately and legibly drawn to scale indicating the proposed layout of the planned automobile center shall be submitted by the applicant to the city manager or city manager's designee for review and approval by the Planning Commission. No building permit shall be issued until a site plan has been approved by the Planning Commission.

B. Outdoor Motor Vehicle Sales Space.

1. Such space shall be for the exclusive sale or lease of new or used automobiles, trucks and heavy equipment, mobile homes, trailers, recreational vehicles, boats or motorcycles.
2. A minimum lot area of 10,000 square feet shall be required with a minimum frontage of sixty-five (65) feet on a major thoroughfare, existing or proposed.
3. The lot area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all water accumulated within the area.

4. Entrance and exit points shall be located not closer than sixty (60) feet from the intersection of any two thoroughfare right-of-way lines, existing or proposed. (Ord. # 933, 06/02/98).

11-904. Automotive Service Stations, Self-Service Stations, Accessory Automobile Fuels Self-Service Area.

- A. Minimum Lot Area. Minimum lot area for automotive service stations and self-service stations shall be based on the number of fuel dispensing units (pumps) as follows:

1. 1-4 units: 10,000 sq. ft.
2. 5-8 units: 15,000 sq. ft.
3. 9-12 units: 20,000 sq. ft.
4. More than 12 units: 5,000 sq. ft. for each additional four (4) units.

- B. Fuels Dispensing Area. A lot on which self-service fuel dispensing units are incidental (accessory) to the principal building or use (e.g., car wash, grocery store, etc.) shall have the fuel-dispensing area located to avoid movement conflicts between the principal building or use, the off-street parking, and the traffic on the abutting street.

- C. Setback Requirements.

1. There shall be a building setback from all right-of-way lines a distance of not less than forty (40) feet.
2. Service station main and accessory buildings shall not be constructed closer than fifty (50) feet to any residential district.
3. To insure that sufficient room be provided on either side of the pumps without intruding upon sidewalks or on adjoining property, gasoline pumps shall not be located closer than fifty (50) feet from any residential district.
4. Gasoline pump islands shall not be located closer than fifteen (15) feet to any street right-of-way line; however, where pump islands are constructed perpendicular to the pavement edge, the pump island shall be located not less than thirty (30) feet back of the right-of-way line.
5. Canopies shall not be constructed closer than fifteen (15) feet from any street right-of-way.

- D. Driveways

1. Driveways for service stations entrance and exit shall not be permitted to such locations that will tend to create traffic hazards in the street immediately adjacent thereto.
2. The maximum width of a driveway opening at the property line shall be forty (40) feet.
3. Driveway entrances shall not be less than twenty-five (25) feet from a street intersection as measured from the right-of-way lines (existing or proposed) or from adjacent residential property.

4. Minimum distance between two driveways serving the same property and which provide access to the same street - measured at the property line.
 - a. Where street is not a state highway - twenty-five (25) feet.
 - b. Where street is a state highway - twenty-five (25) feet or the same width as the widest driveway, whichever is greater.

E. Curbs

1. A raised curb at least six (6) inches in height shall be constructed on or behind all street property lines, except as driveway openings.
2. Radius of curb return. The curb return radius shall be not less than five (5) feet nor more than twenty (20) feet; provided, however, that no such radius shall exceed the distance between the driveway opening at the property line and the adjoining property line or one-half (1/2) the distance to an adjacent driveway.

F. Off-street loading spaces shall be provided based on need.

G. When the automobile service facility is located adjacent to either a residential structure or a residential district, landscaping shall be provided by either.

1. A strip at least four feet wide, densely planted with shrubs or trees at least four (4) feet height at the time of planting, and which are of a type which may be expected to form a year-round screen at least six (6) feet high in three years; or
2. A wall or barrier or uniformly painted fence of fire-resistant material between 6 and 8 feet in height. Such wall, barrier, or fence may be opaque or perforated provided that no more than 50 percent of the fence is open. Such screening, either natural or man-made shall not be placed within 15 feet of the normal vehicular entrances or exits.

H. When the automobile service facility is located within a shopping center as regulated in Section 11-507, the following requirements shall apply:

1. The facility must occupy a prominent location in the shopping center, clearly visible and accessible from major streets.
2. The facility must be in architectural harmony with the shopping center.
3. The traffic pattern of the facility must be separated from the circulation pattern of the shopping center, including parking areas.

I. The sign control provisions of the district in which the automobile service activity is requested shall apply.

J. A site plan must be submitted to the Planning Commission taking into consideration the above factors.

11-905. Automobile Wash Facility.

A. Such facility shall be subject to the requirements for automotive self-service stations when engine fuels are sold as a part of the operation.

- B. When such facility is completely enclosed within a building or structure and does not include the sale of engine fuels, the dimensional regulations of the district shall apply.

11-906. Motorcycle And Automobile Repair Garages.

- A. Such uses shall not include the sale of fuels, vehicle body repair, painting, refinishing, tire recapping, auto dismantling, or other such activities whose external effects could adversely extend beyond the property line.
- B. All such activities shall be conducted within a completely enclosed building.

11-907. Tire Recapping.

- A. The recapping operation is compatible with other uses on the adjacent or surrounding properties.
- B. All applicable state and federal standards can be met.
- C. All operations shall be conducted entirely within an enclosed building.
- D. No outside storage of tires, scrap rubber, or any usable or waste materials shall be permitted.

11-908. Warehousing and Storage of Waste Material. A lot or other tract of land to be used for the sole (principal) purpose of storage and/or sale from the premises of waste material may be permitted as follows:

11-909. Auto wrecking (junk) yards. Such yards shall be entirely enclosed within a masonry obscuring wall of at least six (6) feet in height and which shall be constructed around all sides of the junk yard area so as to be of sufficient strength to serve as a retaining wall.

11-910. Scrap and Salvage Operations. The following regulations shall apply to such operations:

- A. The location and topography of the site shall be situated so that fencing, screening, and landscaping can be provided as appropriate to protect the surrounding areas from the activities on the site. In no case shall such an activity be established within 50 feet of any public street.
- B. The scrap operation shall not include any open burning activity on the site.
- C. Insect and rodent control measures shall be provided as approved by the County Health Department.
- D. All required fences and landscaped screening shall be maintained in a neat and attractive manner.
- E. The location and operation of such facility shall conform to all applicable state and federal standards.
- F. Off-street parking: One space shall be provided for each two (2) employees, plus one space for each 10,000 square feet of lot area or two (2) spaces for each 1,000 square feet or gross floor area, whichever is greater.
- G. Sign control shall be determined by the district in which the scrap and salvage operation is located and as further provided in Section 11-1400.

11-911. Facilities for the Storage of Building and Related Materials A lot or other tract of land to be used for the sole (principal) purpose of providing storage facilities for building materials, sand, gravel, stone,

lumber, construction contractors equipment and supplies, new or used vehicles and equipment may be permitted as conditional use providing the following additional standards can be met:

- A. Such uses shall be enclosed within a building or within an obscuring wall or screen as provided in Section 11-1200.
- B. Such storage areas shall be set back a minimum of fifty (50) feet from any public street.
- C. When such areas are to be used for the storage of vehicles, no repair work or servicing shall be permitted other than minor repair or servicing necessary to prepare the vehicles for storage or to bring them out of storage.
- D. Such storage areas shall have a dustless, durable surface consisting of concrete, asphalt, gravel, or crushed stone properly designed and with adequate off-site drainage.

11-912. **Outdoor Self-Storage Facilities.** A building or group of buildings designed with individual storage units that are accessed from the outdoors by way of a common vehicle circulation area. The following minimum requirements and standards shall apply:

- A. **Minimum Lot Size.** The minimum lot size shall be one-half (1/2) acre.
- B. **Setbacks and Yard Requirements.** All setbacks and yard requirements for the district where the development is located shall apply provided, however, that the maximum building coverage shall be fifty percent (50%). The remaining lot area may be used for driveways, parking and loading, fencing, screening, and landscaping. Provided, however, that outdoor self-storage facilities shall be prohibited in the B-2 Zone.
- C. **Landscaping, Fencing, and Screening.** As provided in Section 11-1700.
- D. **Onsite Circulation and Interior Driveways (for multi-building facilities).**
 - 1. There shall be a minimum of 25 foot separation between buildings.
 - 2. All driveways, parking, loading, and vehicle circulation areas shall be paved with concrete, asphalt, or asphalted concrete.
 - 3. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond the property lines of the development.
 - 4. Traffic direction and parking spaces shall be designated by signage or painted lines.
- E. **Office and Parking.** An office for rental of storage units is allowed. Such office space may not exceed 400 square feet per 25,000 square feet of rental space, excluding any bathroom facilities. There shall be adequate provision for parking associated with office traffic on site.

There shall be adequate provision for parking associated with storage space rental units. This parking requirement may be accomplished within the driveway or loading lanes as approved by the Planning Commission.

- F. **Uses Prohibited.** The use of the facility shall be established and maintained in accordance with all applicable State, Local, and Federal laws. In addition:
 - 1. Perishable items, trash, radioactive or toxic substances, garbage, refuse, explosives, or flammable materials, hazardous substances, animal carcasses or skins, or similar items shall not be stored.
 - 2. Keeping of animals in storage units is prohibited.
 - 3. The only activities permitted in individual storage units shall be the rental of the unit and the pick-up and deposit of goods and/or property in storage.

4. Storage units shall not be used for activities such as residences, offices, workshops, studios, hobby or rehearsal areas.
5. Manufacturing, fabrication, or processing of goods, services, or repair of vehicles, engines, appliances, electrical equipment, or any other repair and maintenance of personal property or any other industrial activity is prohibited.
6. Garage sales, yard sales, or estate sales from storage units are prohibited. Provided, however, this does not preclude auctions or sales by the landlord/owner of the development for the disposition of abandoned property, unclaimed property, or sales of property inside the storage unit by landlord/owner pursuant to the rental agreement with the tenant of the unit.
7. No separate dedicated utility connections for water, telephone, cable television, internet, or gas will be provided to individual units. Electrical outlets may be installed in individual storage units for use as permitted by the rental agreement.
(Ord. #1229, 4-5-18)

11-913. Hotels and Motels shall be subject the following requirements:

- A. Entrance and exit shall be provided so as not to conflict with adjacent uses or adversely affect traffic flow on adjacent thoroughfares.
- B. A minimum frontage of one hundred (100) feet on a major thoroughfare, existing or proposed (Ord. #728, 03/01/90).
- C. Each unit shall contain not less than two hundred (200) square feet of floor area.
- D. Yard setbacks shall be those required by the district or as provided as follows, whichever is greater:
 1. A setback of at least two (2) feet per foot of building height, where such yard abuts residentially zoned land.
 2. A setback of at least one (1) foot per foot of building height, where such yard abuts non-residentially zoned land or thoroughfares.
- E. Site Plan Review: As provided in Section 11-1101, *et seq.*

11-914. Temporary Uses - The uses found in Section 11-916, through 11-921, are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located. Temporary uses as defined in this ordinance shall be permitted subject to the following regulations.

11-915. Application for a Temporary Use Permit shall be made to the Building Inspector and shall contain the following information:

- A. A survey or legal description of the property to be used, rented, or leased for a temporary use, including all information necessary to accurately portray the property.
- B. A description of the proposed use.
- C. Sufficient information to determine the yard requirements, setbacks, sanitary facilities, and availability of parking space to service the proposed use.

11-916 Carnival or Circus. In any non residential district, a temporary Use Permit

may be issued for a carnival or circus, but such permit shall be issued for a period of not longer than fifteen (15) days. Such a use shall set back from all residential districts a distance of one hundred (100) feet or more.

11-917 Christmas Tree Sale In any district, a Temporary Use Permit may be Issued for the display and open-lot sales of Christmas trees, but such permit shall be issued for a period of not longer than thirty (30) days.

11-918 Temporary Buildings In any district, a Temporary Use Permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such office or shed shall not contain sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year but may be renewed a maximum of two one-year extensions. However, such office or shed shall be removed upon completion of the construction project or upon expiration of Temporary Use Permit, whichever occurs sooner.

11-919 Real Estate Office In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved in accordance with the provisions of the Paris Subdivision Regulations. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year but, may be renewed a maximum of three one-year extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.

11-920 Religious Tent Meeting In any non-residential district, a Temporary Use Permit may be issued for a tent or other temporary structure to house religious meetings, but such permit shall be valid for not more than thirty (30) days.

11-921 Seasonal Sale of Farm Produce In any district, a Temporary Use Permit may be issued for the sale of farm produce grown only on the premises. Such sales space shall be of portable or sectional construction, and shall not exceed an area of one hundred (100) square feet. Such stands shall be removed when not in use. A permit shall be valid for not more than four (4) months per year. A temporary structure used for this purpose shall set back from all public rights-of-way a distance of not less than fifteen (15) feet.

11-922 Swimming Pools

A. Private Swimming Pool - A private swimming pool shall be any pool or open tank not located within a completely enclosed building, and containing water to a depth at any point greater than one and one-half (1-1/2) feet. Private swimming pools are permitted in any residential district provided:

1. The pool is intended and is to be used solely for enjoyment of the occupants of the property on which it is located and their guests.
2. No swimming pool or part thereof, excluding aprons, walks and equipment rooms, shall protrude into any required front or side yard.
3. The swimming pool area shall be so walled or fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than five (5) feet in height and maintained in good condition.

B. Community Club Swimming Pool - A community club swimming pool not open to the public shall be any pool constructed by an association of property owners, or by a private club for the use and enjoyment by members of the association or club and their families and guests. Community and club swimming pools shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
2. The pool and accessory structures thereto, including the areas used by bathers, shall not be closer than fifty (50) feet to any property line of the property on which located.
3. The swimming pool and all of the area used by the bathers shall be so walled or fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall be not less than five (5) feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees, and maintained in good condition.

11-923. Above-Ground Storage of Flammable or Non-Flammable Liquids or Gases.

- A. The above-ground outdoor storage of flammable or non-flammable liquids or gases, when permitted, shall be in conformance with all other applicable codes and requirements and subject to the regulations herein.
- B. Above-ground outdoor storage of flammable or non-flammable liquids, when permitted, may be located only within rear yards. The Building Inspector shall determine the proper location for such storage when yards other than rear yards must be utilized in order to comply with other applicable codes and requirements, or where an actual rear yard cannot clearly be defined.
- C. Facilities for the above-ground outdoor storage of flammable or non-flammable liquids or gases shall be screened from the view of those on adjacent public streets. When such screening cannot be achieved by the location of such facilities in relation to adjacent building, masonry walls, earth berms, or opaque planting screens shall be utilized. Such screening devices shall be designed so as to permit the free circulation of air around the storage tanks or facilities and their design shall be subject to the approval of the Fire Inspector and Building Inspector.

11-924. Standards for Residential Occupancy in Commercial Districts.

- A. Standards for Residential Occupancy and Development in the B-2 Zone (Central Business District)
 1. Residential Occupancy of a non-residential building shall not be permitted in the basement or ground floor of the building. Residential occupancy on the floor(s) above the ground floor of the building shall be allowed subject to compliance with all applicable building codes. (Ord # 1264, 3/4/21.)
 2. Development of a vacant lot in the B-2 zone for residential use shall be permitted subject to the area and bulk regulations for the R-3 district, and subject to the applicable off-street parking, loading and unloading requirements of Section 11-1000.
- B. Standards for Residential Occupancy of B-1, B-3, H-1, and P-B Districts. The owner or manager of a business in the B-1, B-3, H-1 or P-B district shall be permitted to reside on the business premise under the following conditions: (Ord. # 930, 04/07/98).

1. More than 50% of the first floor square footage is used solely for commercial purposes.
2. The proposed residence is in compliance with all applicable building codes
3. The exterior of the premises shall retain its commercial appearance and no accessory buildings or activities normally associated with residential occupancy, such as: clothes lines, playground equipment, or other such appurtenances shall be allowed.

11-925. Wholesale Trade.

- A. A lot or other tract of land to be used for the sole (principal) purpose of business engaging in selling merchandise to retailers; industrial, commercial, farm or professional business users; or to other wholesalers, or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies may be permitted as follows:
1. The location and topography of the site shall be situated so that fencing, screening, and landscaping can be provided as appropriate to protect the surrounding areas from the activities on the site. In no case shall such an activity be established within 50 feet of any public street.
 2. Insect and rodent control measures shall be provided as approved by the County Health Department.
 3. All required fences and landscaped screening shall be maintained in a neat and attractive manner.
 4. The location and operation of such facility shall conform to all applicable state and federal standards.
 5. Off-street parking: One space shall be provided for each two (2) employees, plus one space for each 10,000 square feet of lot area or two (2) spaces for each 1,000 square feet or gross floor area, whichever is greater.
- B. A lot or other tract of land to be used for the sole (principal) purpose of providing storage facilities for building materials, sand, gravel, stone, lumber, construction contractors equipment and supplies, new or used vehicles and equipment may be permitted as a conditional use providing the following additional standards can be met:
1. Such uses shall be enclosed within a building or within an obscuring wall or screen as provided in Section 11-1200.
 2. Such storage areas shall be set back a minimum of fifty (50) feet from any public street.
 3. When such areas are to be used for the storage of vehicles, no repair work or servicing shall be permitted other than minor repair or servicing necessary to prepare the vehicles for storage or to bring them out of storage.
 4. Such storage areas shall have a dustless, durable surface consisting of concrete, asphalt, gravel, or crushed stone properly designed and with adequate off-site drainage.

11-926. Five Stand Sporting Clays.

- A. Use. A Five-Stand Sporting Clays firing range shall be allowed in the P-B zone as a conditional use. Such shooting range shall be the only use permitted on the property with the exception of any such accessory uses as are directly related to and in support of the principal use.
- B. Site. The development shall be located on a site containing not less than twenty (20) acres per field. A twenty-five (25) foot setback for any structure, parking, or other improvement on the development site shall be required. All required yards shall be landscaped and maintained as required in 11-1200, et. seq.
- C. Development Standards.
1. The site shall be developed in accordance with National Sporting Clays of San Antonio, Texas standards, together with any amendments. Such standards will govern the equipment to be used, the layout of the shooting stands, trap placement, and target flight paths, together with target drop zones on premises. All requirements contained in this section shall also be governed upon any rules and regulations as contained in the Paris Municipal Code or in other sections of the zoning ordinance.
 2. The firing line shooting stands shall be no closer than three hundred (300) yards from any property line such that no shot falls off premises.
 3. Signs shall be erected every one hundred (100) feet in a three (300) yard radius from the firing line. Each sign shall be four (4) feet by four (4) feet and shall clearly state that firearms are being discharged beyond the point of the signs. The three hundred (300) yard downrange area shall be kept clear of any improvements and shall be regularly mowed.
 4. Fencing shall be required downrange on either side of the firing line for a minimum distance of fifteen (15) yards on either side. Such fence shall be a minimum height of six (6) feet and shall be of solid construction sufficient to keep any shot from penetrating through the fence.
- D. Parking. A minimum of twenty-five (25) parking spaces, located behind the firing line, shall be required.
- E. Accessory Building. Buildings which directly serve the immediate needs of the Five-Stands Sporting Clays development shall be allowed. Such accessory buildings shall be behind the firing line.
- F. Site Plan Required. A site plan meeting the requirements of 11-1101, et. seq., shall be drawn to scale indicating the property layout and all buildings, the firing line, traps, stands, parking, and fencing. Such site plan shall be subject to review by the Planning Commission. (Ord. # 884, 12/07/95).

11-927 Conversion of Residential Structures for Commercial Use.

Any residential structure in a commercial district may be converted to commercial use, provided:

- A. Such structure meets the requirements of 11-1400, et. seq., governing non-conforming structures and non-conforming lots of record.

- B. The proposed use of the property conforms with the permitted uses, area, and bulk regulations for the district where the property is located, as indicated in Table 1 and Table 2. (Ord. # 1020, 04/01/04.)

11-928 Helicopter Landing Zones

A Definitions:

1. Heliport – A landing pad facility for landing and takeoff of helicopters used to board or discharge passengers or cargo. For hospitals this equates to patients and/or organs or critical supplies. It shall also include some or all of the following: hangars, crew quarters, fuel and aircraft maintenance capabilities.
2. Helistop – A minimal service landing pad facility for landing and takeoff of helicopters used to board or discharge passengers or cargo. For hospitals this equates to patients and/or organs or critical supplies. A Helistop shall not include refueling, maintenance, or repair facilities. Tiedown facilities [may/shall not] be available so that a single helicopter may be stored on the landing pad.

B. Development Standards for Heliports:

1. Zoning Districts – Heliports shall be allowed in any commercial district, except B-2 Central Business District, in any Industrial District, and in the Hospital District, subject to the development standards.
2. Distance Requirement – No heliport shall be located within 1,000 feet of any religious facility, school, hospital, library, or public park, or within 1,000 feet of any lot, tract, or parcel upon which a residence or dwelling is located. The measurement of the 1,000 feet is to be made in the straight horizontal line from the edge of the heliport pad to the closest prohibited property line.
3. Landing Area – The touchdown area where a helicopter will depart from and land must be constructed of concrete. The area must be constructed to meet the stormwater management requirements in accordance with Title 13, Chapter 5 of the Paris Municipal Code.
4. Development Area – The total area of the facility and its design must meet the standards of the Federal Aviation Agency (FAA).
5. If such heliport is to be located at ground level it shall either:
 - (a) Be located in an enclosed area which does not permit access by the public at will; or
 - (b) Be completely enclosed by a fence or wall, either temporary or permanent, designed so as to provide safety for persons, animals, vehicles or other objects. The fence or wall shall prevent entrance of unauthorized personnel, with a minimum height of 48 inches, entirely surrounding the heliport area established by the FAA.

C. Development Standards for Helistops:

1. Zoning Districts – Helistops shall be allowed in any commercial district, except B-2 Central Business District, in any Industrial District, and in the Hospital District, subject to the development standards.

2. Distance Requirement – No helistop shall be located within 1,000 feet of any religious facility, school, hospital, library, or public park, or within 1,000 feet of any lot, tract, or parcel upon which a residence or dwelling is located. The measurement of the 1,000 feet is to be made in the straight horizontal line from the edge of the heliport pad to the closest prohibited property line, provided that this provision shall not apply to hospitals which maintain a helistop for medical emergency flight purposes on premises where the hospital itself is located.
3. Landing Area – The touchdown area where a helicopter will depart from and land must be constructed of concrete. The area must be constructed to meet the stormwater management requirements in accordance with Title 13, Chapter 5 of the Paris Municipal Code.
4. Development Area – The total area of the facility and its design must meet the standards of the Federal Aviation Agency (FAA).
5. If such helistop is to be located at ground level it shall either:
 - (a) Be located in an enclosed area which does not permit access by the public at will; or
 - (b) Be completely enclosed by a fence or wall, either temporary or permanent, designed so as to provide safety for persons, animals, vehicles or other objects. The fence or wall shall prevent entrance of unauthorized personnel, with a minimum height of 48 inches, entirely surrounding the heliport area established by the FAA.

D. Submission of a Site Plan

1. A plat of the proposed site plan drawn to a scale of not less than one (1) inch equals one hundred (100) feet showing:
 - (a) Total acreage of the tract of land;
 - (b) Location, plans and specification of all existing and proposed streets, rights-of-way, public easements, and buffer zones;
 - (c) Location, places and specifications of all proposed service buildings, and accessory uses;
 - (d) Location and sizes of all water and sewer lines and other required utilities;
 - (e) All setback dimensions.
2. Agreements, provisions, or covenants which govern use, maintenance and operation.

E. Issuance of Building Permit. Upon approval of the site plan, the Building Inspector shall issue building permits for all approved improvements to the site.

F. Final Approval and Certificate of Occupancy. The following information must be submitted to the city manager or city manager's designee before final approval can be obtained and a certificate of occupancy can be issued:

1. Certification by a registered engineer or surveyor as to the accuracy of the survey and placement of monuments.

2. Certification by the Paris Board of Public Utilities that all required utilities have been provided in compliance with all local county and state standards and regulations.
3. 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.
4. Certification that all improvements meet the National Fire Protection Association (NFPA) standards as determined by the Fire Marshal.
5. Certification that all requirements of the Federal Aviation Agency (FAA) have been met. (Ord. #1175, 07/2/15)

11-929 **Indoor Self-Storage Facilities.** Self-storage buildings designed to be entirely self-contained with no individual customer units accessed from the outside the structure. The following minimum requirements and standards shall apply:

- A. **Minimum Lot Size.** The minimum lot size shall be as required for the Zone where the development is proposed.
- B. **Setbacks and Yard Requirements.** All setbacks and yard requirements for the district where the development is located shall apply. The remaining lot area may be used for driveways, parking and loading, fencing, screening, and landscaping. Provided, however, that indoor self-storage facilities shall be prohibited in the B-2 Zone.
- C. **Landscaping, Fencing, and Screening.** As provided in Section 11-1700.
- D. **Building Development Standards.**
 1. No individual customer storage unit doors shall be placed on the exterior of the structure.
 2. An entry door to the structure shall be provided that allows access to storage areas. The individual storage areas shall only open on and provide access from the fully enclosed interior common loading areas of the structure.
 3. The interior of the storage structure shall be climate controlled.
- E. **Office and Parking.** An office for rental of storage units is allowed. Such office space may not exceed 400 square feet per 25,000 square feet of rental space, excluding any bathroom facilities. There shall be adequate provision for parking associated with office traffic on site. There shall be adequate provision for parking associated with storage space rental units.
- F. **Uses Prohibited.** The use of the facility shall be established and maintained in accordance with all applicable State, Local, and Federal laws. In addition:
 1. Perishable items, trash, radioactive or toxic substances, garbage, refuse, explosives, or flammable materials, hazardous substances, animal carcasses or skins, or similar items shall not be stored.
 2. Keeping of animals in storage units is prohibited.
 3. The only activities permitted in individual storage units shall be the rental of the unit and the pick-up and deposit of goods and/or property in storage.
 4. Storage units shall not be used for activities such as residences, offices, workshops, studios, hobby or rehearsal areas.
 5. Manufacturing, fabrication, or processing of goods, services, or repair of vehicles, engines, appliances, electrical equipment, or any other repair and maintenance of personal property or any other industrial activity is prohibited.

6. Garage sales, yard sales, or estate sales from storage units are prohibited. Provided, however, this does not preclude auctions or sales by the landlord/owner of the development for the disposition of abandoned property, unclaimed property, or sales of property inside the storage unit by landlord/owner pursuant to the rental agreement with the tenant of the unit.
7. No separate dedicated utility connections for water, telephone, cable television, internet, or gas will be provided to individual units. Electrical outlets may be installed in individual storage units for use as permitted by the rental agreement. (Ord. # 1229, 4-5-18)

CHAPTER 10

OFF-STREET PARKING, LOADING, AND UNLOADING REQUIREMENTS

SECTION

- 11-1000. Off-Street Parking Requirements Applicable to All Districts.
- 11-1001. Minimum Off-Street Parking Spaces.
- 11-1002. Off-Street Parking Space Design, Standards, Construction, and Maintenance.
- 11-1003. Standards for Parking Facilities.
- 11-1004. Standards for Driveways.
- 11-1005. Distance Between Driveways.
- 11-1006. Radius of Curb Return.
- 11-1007. Property Access Limited to Driveway.
- 11-1008. Permit Required.
- 11-1009. Off-Street Loading and Unloading Requirements.

- 11-1000. Off-Street Parking Requirements Applicable to All Districts.
 - A. In all districts, except the B-2 Central Business District, there shall be provided at such time any building or structure is erected or enlarged or increased in capacity adequate off-street parking spaces for automobiles. No certificate of occupancy shall be issued prior to the construction and approval of required off-street parking spaces as prescribed herein.
 - B. Off-street parking for other than residential use shall be either on the same lot or within two hundred (200) feet of the building it is intended to serve measured from the nearest point of the building to the nearest point of the off-street parking lot, without crossing any major thoroughfare; provided, however, churches may establish joint parking facilities not to exceed fifty (50) percent of the required spaces, with institutions and agencies that do not have a time conflict in parking demand. The joint parking facilities shall be located not to exceed four hundred (400) feet from the church sanctuary.
 - C. Residential off-street parking space shall consist of a parking lot, driveway, garage, or combination thereof and shall be located on the lot it is intended to serve.
 - D. For residential uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the City Manager or his designee. For commercial uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the City Manager or his designee.
 - E. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
 - F. Off-Street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.

- G. Two or more buildings or uses may collectively provide the required number of parking spaces and shall be not less than the sum of the requirements for the several individual uses computed separately.
- H. All required off-street parking shall be located on land owned by, or under long term lease to, the owner or owners of the principal use it is intended to serve. Where a long term lease is involved, such lease shall be approved by the City Attorney prior to approval of parking plans and issuance of building or occupancy permit.
- I. The storage of merchandise, motor vehicles for sale, or the repair of vehicles on required off-street parking facilities is prohibited. No variance of the requirements of this section shall be granted.
- J. Every company car, truck, tractor and trailer normally stored at the plant site shall be provided with off-street parking space in an area reserved for the use as determined by the Building Inspector.
- K. In cases of dual functioning of off-street parking where operating hours do not overlap, the City Manager or his designee may grant an exception.

11-1001. Minimum Off-Street Parking Spaces. The Planning Commission of the City of Paris has determined that paved parking areas impact drainage, erosion and aesthetics of the City. Therefore, in an effort to decrease the amount of land consumed by paved areas, the City of Paris has adopted a policy of requiring a minimal number of parking spaces. Developers are encouraged to project individual parking needs based on the projected use of structures. These regulations are provided simply as a guideline. Any developer anticipating a greater need for parking than required in this section should provide the additional parking. In certain instances involving atypical uses or uses not addressed in this section, the Planning Commission may require a specific number of parking spaces as part of the site plan review process.

The minimum number of off-street parking spaces shall be determined in accordance with the following table:

TABLE 3

MINIMUM NUMBER OF OFF-STREET PARKING SPACES
REQUIRED FOR SPECIFIC USES

TABLE OF PARKING SPACES REQUIRED

FACILITY TYPE	# OF SPACES REQUIRED
Agricultural products retail sales	Four point five (4.5) spaces per one thousand square feet of retail sales display area.
Assisted Living Facilities	One (1) space for every four (4) beds plus (1) parking space for each employee of the largest shift.
Automobile wrecking, junk, or salvage yard which offers for sale to the public any new or used merchandise	One (1) space for each two (2) employees, plus one (1) space for each ten thousand (10,000) square

	feet of lot area, or two (2) spaces for each one thousand (1,000) square feet of floor area, whichever is greater.
Automobile Repair Shop and/or Truck Repair	Two (2) per service stall, or one (1) per two hundred fifty (250) square feet of service area, whichever is greater; plus two (2) per three (3) employees.
Automobile sales, new and/or used	One (1) space for each three thousand (3,000) square feet of area devoted to the sale, display, lease, rental, or repair of vehicles.
Banks, business offices, professional offices	One (1) space per three hundred (300) square feet of usable floor area plus one (1) per each three (3) employees
Barber Shop or beauty parlor	Two (2) per barber or three (3) per beautician based on the design capacity of the structure.
Bed and breakfast inn	Two (2) off-street parking spaces for the owner-manager and one (1) off-street parking space for each guest room.
Bowling alleys	Five (5) per alley.
Building materials, hardware, lumber, heating and plumbing equipment, paint, glass, wallpaper, electrical supplies.	One (1) for each two hundred (200) square feet of usable floor area of the retail sales building plus one (1) for each two (2) persons employed on the premises, and when applicable, one (1) for each two (2) persons employed for yard warehousing.
Carpet, rug, linoleum and floor covering sales	One (1) per four hundred (400) square feet of retail floor area, plus two (2) per three (3) employees; or one (1) per eight hundred (800) square feet of gross floor area, whichever is greater.
Churches	One (1) per three (3) seats; or one (1) per twenty five (25) square feet of usable floor area of auditorium, whichever is greater.
Coin operated laundry and/or dry cleaning establishments.	One (1) per two (2) washing drying and/or dry cleaning machines; or one (1) per two hundred (200) square feet of gross-floor area, whichever is greater
Coin operated automatic automobile washing establishments	Three (3) stack-up spaces per washer bay, plus one (1) per each employee.
Commercial Recreation Uses	One (1) per three (3) patrons, based on the design capacity of the facility.

Commercial Trade Schools	One (1) per three (3) students plus two (2) per three (3) employees.
Conveyor-type automatic automobile washing establishments	One stack-up space per five (5) feet of conveyor tunnel, plus two (2) spaces per each three (3) employees.
Country Club	One (1) per five (5) members.
Dry cleaning and laundry collection stations	One (1) per four hundred (400) square feet of gross floor area, plus two (2) per each three (3) employees.
Establishments for sale and consumption, on the premises, of beverages, food, or refreshment	One (1) per three (3) employees, plus one (1) per one hundred (100) square feet of usable floor space; or one (1) per three (3) fixed seats, whichever is the greater.
Family day care homes, Group day care homes, and child day care centers	Two (2) off-street parking spaces per three (3) employees, plus one (1) off-street loading space for every eight (8) children.
Furniture and major appliance establishments	One (1) per five hundred (500) square feet of retail floor area or one (1) per one thousand (1,000) square feet of gross floor area, whichever is greater.
Gasoline Service Station	One (1) parking space for each employee, plus two (2) for each service bay.
Governmental Office Building	One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees, every governmental vehicle shall be provided with an off- street parking space.
Homes for the aged, sanatoriums, convalescent or nursing homes	One (1) space for each four (4) patient beds; plus one (1) space for each staff doctor, plus one (1) space for each two (2) employees including nurses.
Hospitals	Two (2) spaces per three (3) patients beds, exclusive of bassinets, plus one (1) space for each staff doctor, plus one and one half (1-1/2) space for each two (2) employees including nurses on the maximum working shift, plus adequate parking for emergency vehicles.
Hotel	One (1) per two (2) rooms or suite, plus two (2) per three (3) employees.
Hotel (apartment)	One (1) parking space for each individual room or apartment is required.

Industrial establishments	One (1) per two (2) employees on the combined two largest successive shifts, plus adequate parking space for customer and visitor vehicles as determined by the Planning Commission.
Library	One (1) for each four hundred (400) square feet of floor area.
Medical Clinics	Three (3) patient's parking spaces per staff doctor, plus two (2) per three (3) employees, plus one (1) per staff doctor.
Mortuaries or funeral parlors	Five (5) spaces per parlor or chapel unit, or one (1) per four (4) seats, whichever is greater.
Motel and tourist courts.	One (1) per guest bedroom.
Private clubs, lodges	One (1) per three (3) members based on the design capacity of the facility.
Professional offices	One (1) space per three hundred (300) square feet of useable or rentable office space plus one for each three (3) employees.
Residential	All residential uses require two (2) spaces for each dwelling unit, regardless of number of bedrooms or type of residence
Retail stores and personal service establishments except as otherwise specified herein.	Four point five (4.5) spaces per 1,000 square feet of usable floor area.
Self service Storage facilities	One (1) space per employee, on the largest shift, plus three (3) additional spaces for customers.
Schools	
Schools shall be provided with parking spaces under the following schedules: Elementary, junior high, and the equivalent private or parochial schools.	Two (2) spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space for each one hundred fifty (150) square feet of seating area, including aisles, in any auditorium.
Senior high schools and the equivalent private or parochial schools.	Two (2) spaces per three (3) teachers and employees normally engaged in or about the building or grounds plus one (1) space per five (5) students, or one (1) space for each one hundred and fifty (150) square feet of seating area, including aisles, in any auditorium, gymnasium or cafeteria intended to be used as an auditorium,

	whichever is greater.
Kindergartens, day schools, and the equivalent private or parochial schools.	Two (2) parking spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) off-street loading space per eight (8) pupils.
Shopping Centers	There shall be five (5) parking spaces provided for each one thousand (1000) square feet of usable floor area within the shopping center principal building complex exclusive of areas devoted to theater and recreation function. Additional parking shall be provided for theater, recreation facilities, and detached auxiliary functions such as banks, auto stores and service stations. Such additional parking shall be in accordance with the regulations of parking required for such uses in this Ordinance.
Swimming pools	One (1) per thirty (30) square feet of water area.
Tattoo or body piercing establishment	Two (2) per tattoo and/or body piercing artist.
Theaters, auditoriums and places of assembly without fixed seats	One (1) per three (3) people based on the design capacity of the structure.
Wholesale establishments and business services	One (1) for every fifty (50) square feet of customer service area, plus two (2) per three (3) employees based on the design capacity of largest shift.

11-1002. Off-Street Parking Space Design, Standards, Construction and Maintenance.

Whenever the required off-street parking requires the building of a parking area, and wherever a parking area is built, such off-street parking shall be designed, constructed, and maintained in accordance with the following regulations.

11-1003. Standards for Parking Facilities.

- A. No parking lot shall be constructed until a permit is issued by the Building Inspector. Applications for a permit shall be submitted to the Building Inspector in such form as may be determined by the Building Inspector and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing that the provisions of this section will be fully complied with.
- B. Each parking space shall be computed at an average of not less than two hundred (200) square feet in area and shall be a definitely designated stall adequate for one motor vehicle.

- C. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited on arterial streets.
- D. All maneuvering lane widths shall only permit one-way traffic movement, except that the 90 degree pattern may permit two-way movement.
- E. Adequate entrance and exit to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. Entrance and exit to a parking lot lying in an area zoned for other than single family residential use shall not be across land zoned for single family residential use.
- F. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty (20) feet distant from any adjacent property located in any residential district.
- G. The off-street parking area shall be provided with an opaque fence or wall not less than seven (7) feet in height measured from the surface of the parking area when the abutting property or lot is zoned in a residential classification. Such walls shall be subject further to the requirements of Section 11-1200*et seq.* When a front yard setback is required, all land between the wall and the front property line or street right-of-way line shall be kept free from refuse and debris and shall be suitably landscaped.
- H. In all cases where a wall extends to an alley which is a means of ingress and egress to any off-street parking area, it shall be permissible to end the wall not more than ten (10) feet from such alley line in order to permit a wider means of access to the parking area.
- I. In the P-B (Planned Business) District, the entire parking area, including parking spaces and maneuvering lanes, required under this section, shall be provided with asphalt or concrete surfacing in accordance with specifications approved by the Building Inspector. The parking area shall be surfaced within one (1) year of the date the permit is issued.
- J. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property unless drainage is directed into a natural or public drainage course, or toward buildings.
- K. All lighting for any off-street parking area shall be so installed as to be confined within and directed only onto the parking area and the property which it serves.
- L. Parking structures shall be designed so that all architectural and vehicular lighting is shielded or screened from the view from adjacent properties. No lighting shall be so located or visible as to be a hazard to traffic safety.

11-1004. Standards for Driveways. Clearly defined driveways shall be provided for entrance and exit to all off-street parking and shall meet the following standards:

- A. Number and Location of Driveways. To provide ease and convenience for entrance and exit to public or private property and to provide maximum safety with the least interference to traffic flow on public streets, the number, and location of driveways shall be regulated relative to the amount of frontage which the property has on a given street as follows:

Lot Frontage	Maximum # of Driveways	
	One Way	Two Way
Less than 75 feet	2	1
75 feet - 149 feet	2*	1*
150 feet - 299 feet	4	2
Each additional 300 feet	4*	2*

*One (1) additional two-way driveway or two (2) additional one-way driveways may be permitted based on existing and projected average daily traffic and for the purpose of minimizing the amount of conflict between entering and exiting traffic and through traffic on the abutting street.

B. Width of Driveway. The width of a driveway opening at the property line shall be within the minimum and maximum limits specified as follows:

1.	<u>Location</u>	<u>Minimum</u>	<u>Maximum</u>
	Residential	12 feet	25 feet
	All Other Uses:		
	One-Way	12 feet	24 feet
	Two-Way	24 feet	50 feet (a) (b)

(a) Provided, however, that on all city streets that are also designated as state and/or federal highways, if the Tennessee Department of Transportation shall approve a driveway width at variance with this section, such Tennessee Department of Transportation approval shall supercede the provisions of this section.

(b) In M-1, M-2, or P-M districts where development conditions exist such that proper ingress and egress to the property cannot be accommodated by a driveway with a maximum width of 50 feet, the Planning Commission may authorize a driveway opening at the property line in excess of 50 feet, with such driveway opening at the property line not to exceed a maximum of 70 feet.

2. Automotive service stations, freight and trucking terminals, or other commercial and industrial uses customarily having a large volume of tractor-trailer vehicle traffic may have two (2) driveways forty (40) feet wide if a minimum forty (40) foot distance is provided between the driveways.

3. Minimum width of travel lanes providing maneuvering space within a parking lot for entrance to and exit from parking stalls shall be as follows:

- a. 90 degree parking 20 feet
- b. 60 degree parking 20 feet
- c. 45 degree parking 13 feet
- d. 30 degree parking 12 feet
- e. Other--to be determined on a basis of above.

11-1005. Distance Between Driveways.

A. Minimum distance from an adjoining interior lot line and a driveway opening - at the street right-of-way line:

- 1. Residential uses: One (1) foot.
- 2. Non-residential uses: Twelve and one-half (12 1/2) feet.
- 3. One driveway which provides common (joint) access to adjoining interior lots may be permitted provided such driveway meets the purposes and intent of this section.

B. Minimum distance from the intersection of street right-of-way lines on a corner lot and a driveway opening at the right-of-way line: Twenty-five (25) feet.

- C. Minimum distance between two driveways serving the same property and which provide access to the same street - measured at property line: twenty-five (25) feet, or the width of the widest driveway, whichever is greater.

11-1006. Radius of Curb Return. The curb return radius shall meet the following requirements provided, however, that no such radius shall exceed the distance between the driveway opening at the property line and the adjoining property line or one-half (1/2) the distance to an adjacent driveway:

- A. Residential uses: Five (5) feet minimum, fifteen (15) feet maximum.
- B. Non-residential uses: Five (5) feet minimum, twenty (20) feet maximum.

11-1007. Property Access Limited to Driveway. In order to restrict entrance and exit to the approved driveway, all off-street parking areas shall be constructed and properly curbed so that all movements to park and unpark will take place within the property line.

11-1008. Permit Required. As provided in Section 12-110, of the Paris Municipal Code, no person shall cut or build a driveway across a curb, sidewalk, or any public right-of-way, nor shall any existing driveway be relocated, altered, or reconstructed without first obtaining a permit approving the construction, reconstruction, relocation, or alteration of such driveway.

Any such construction, reconstruction, relocation, or alteration of such driveway shall conform to the standards of the Local Government Public Works Standards and Specifications as adopted by the Board of Commissioners of the City of Paris. Such construction, reconstruction, relocation, or alteration of such driveway shall also meet all development standards required by the Americans with Disabilities Act. (Ord.#1186, 4/11/16 / 5/5/16)

11-1009. Off-Street Loading and Unloading Requirements.

- A. On the same premises with every building, structure, or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of-way.
- B. All spaces shall be laid out in the dimension of at least ten by fifty (10 x 50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height.
- C. Where trailer trucks are involved such loading and unloading space shall be an area twelve (12) feet by fifty (50) feet with a fourteen (14) foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.
- D. Loading dock spaces shall be provided with a pavement having an asphalt or portland cement binder to provide a permanent, durable and dustless surface.
- E. The following ratio of spaces to floor area applies to all districts except industrial districts and shopping center districts.

Gross Floor Area (In Square Feet)	Loading and Unloading Space Required (Square Feet of Usable Floor)
0 - 20,000.....	One (1) space
20,001 – 100,000.....	One (1) space plus one (1) additional space for

100,000 & over.....	each 20,000 square feet in excess of 20,001 square feet. One (1) space plus one (1) additional space for each 40,000 square feet in excess of 100,001 square feet.
0-25,000 and over.....	<u>Shopping Center District</u> One (1) space for each 25,000 feet of usable floor area.
0 - 1,400.....	<u>Industrial District</u> None
1,401 - 20,000.....	One (1) space plus one (1) space for each 20,000 sq. ft. in excess of 20,001 sq. ft.
100,001 and over.....	Five (5) spaces.

(Ord. # 1004, 11/07/02)

CHAPTER 11

SITE PLAN REVIEW

Section

- 11-1101. Procedures and Requirements for Site Plan Review.
- 11-1102. Site Plan Submission and Review.
- 11-1103. Contents of the Site Plan.
- 11-1104. Site Plan for Additions to Existing Developments.

11-1101. Procedures and Requirements for Site Plan Review. The procedures and standards of this chapter are established for those sections of this ordinance which requires the submission and approval of a site plan prior to the issuance of a building permit or certificate of occupancy for any affected land, structures, or building. Site plans shall be reviewed by the Municipal Regional Planning Commission. (Ord. # 984, 09/06/01).

11-1102. Site Plan Submission and Review.

A. The owner or developer shall submit eleven (11) copies of the proposed site plan to the city manager or city manager's designee seven (07) days prior to the regular meeting date of the Planning Commission. The Commission shall consider the site plan in light of the provisions of this section and approve or disapprove same as required, the plans shall then be returned to the owner or agent with the date of such approval or disapproval noted thereon over the signature of the Chairman or Secretary of the Planning Commission (Ord. # 984, 09/06/01, Ord. # 988, 11/01/01, Ord. # 1008, 03/06/03).

B. Prior to the regular Planning Commission meeting, copies of the proposed site plan will be distributed by the city manager or city manager's designee to other affected government departments to review and approve those areas under their responsibility. A coordinated staff position will be developed by the city manager or the city manager's designee for submission to the Planning Commission. Resolution of outstanding problem areas will be the responsibility of the Planning Commission in accord with the city staff and City Commission. The owner, developer, or agent will be invited to attend the Planning Commission meeting where the site plan is reviewed. (Ord. # 984, 09/06/01).

C. After the proposed site plan has been approved by the Planning Commission, the owner or developer shall obtain issuance of a building permit and begin construction of the project. If a building permit is not issued and construction begun within six (6) months of the date the site plan was approved by the Planning Commission, then the site plan approval shall automatically be revoked and the project shall not proceed. (Ord. #1121, 03/03/11).

After the proposed site plan has been approved by the Planning Commission and the owner or developer has obtained issuance of a building permit and begun construction of the project as set out hereinabove, the project shall be completed within 18 months of the date the site plan was approved by the Planning Commission. If the construction is not completed within 18 months of the date the site plan was approved by the Planning Commission, then the site plan approval shall automatically be revoked and construction shall not proceed. (Ord. # 1121, 03/03/11)

11-1103. Contents of the Site Plan.

A. The Site Plan shall show the following:

1. Name of development or address.
2. Name and address of owner of record and the applicant.
3. Present zoning of the site and abutting property.
4. Date, scale, and north point with reference to source of meridian.
5. Courses and distances of center lines of all streets and all property lines.
6. All building restriction lines, highway setback lines, easements, covenants, reservation and rights-of-way.
7. The total land area.
8. Topography of existing ground, and paved areas and elevations of streets, alleys, utilities, sanitary and storm sewers and buildings and structures. Topography to be shown by dashed line illustrating two foot contours as required by the Building Inspector and by spot elevations where necessary to indicate flat areas.
9. A space for signed approval by the City Manager or the City Manager's designee, or as applicable, by the secretary to the Planning Commission (Ord. # 820, 02/04/93).

B. The Site Plan shall show the location of the following when existing:

1. Sidewalks, streets, alleys, easements and utilities.
2. Building and structures.
3. Public sewer systems.
4. Slopes, terraces and retaining walls.
5. Driveways, entrances, exits, parking areas and sidewalks.
6. Water mains and fire hydrants.
7. Trees and shrubs.
8. Recreational areas, and swimming pools.
9. Natural and artificial water courses.
10. Limits of flood plains.

C. The Site Plan shall show the location, dimensions, size and height of the following when proposed:

1. Sidewalks, streets, alleys, easements and utilities.
2. Buildings and structures including the front (street) elevation of proposed buildings.
3. Public sewer systems.
4. Slopes, terraces, and retaining walls.
5. Driveways, entrances, exits, parking areas and sidewalks.
6. Water mains and fire hydrants.
7. Trees and shrubs.

8. Recreational areas.
9. Distances between buildings.
10. Estimates of the following when applicable:
 - a) Number of dwelling units.
 - b) Number of parking spaces.
 - c) Number of loading spaces.
 - d) Square feet of floor space.
 - e) Number of commercial or industrial tenants and employees.
 - f) Plans for collecting storm water and methods of treatment of natural and artificial water courses including a delineation of limits or flood plains, if any.
 - g) Proposed grading, surface drainage, terraces, retaining wall heights, grades on paving areas, and ground floor elevations of proposed buildings and structures, proposed topography of site shall be shown by two or five foot contours as required by the Building Inspector.
11. Proposed signage in the manner and form required by 11-1308 that meets the requirements of 11-1301 et.seq. (Ord.# 1093, 09/04/08).

11-1104. Site Plan for Additions to Existing Developments.

A. Intent. Site plans for existing development, at the discretion of the Planning Commission, shall not be required to meet the strict requirements of the contents of a site plan as set out in 11-1103 when the following conditions are met:

1. The size of the proposed construction does not exceed 1,000 square feet of improvements.
2. The established ingress and egress to and from the property will not change.
3. The existing internal traffic flow and parking will not change.
4. Drainage of surface water from the property will not increase.
5. No existing easements or access to utilities will be affected.
6. A scale drawing is provided showing the existing structures located on the premises, all required yard setbacks as provided in Table 2 of this ordinance, and the location of the proposed development meeting the requirements of 11-1104 B.
7. Proposed signage in the manner and form required by 11-1308 that meets the requirements of 11-1301 et. Seq. (Ord. #1093, 09/04/08).

B. Information Required. The following contents of a site plan as set out in 11-1103, and as required by 11-1104 A.6., shall be required: 11-1103 A. 1, 2, 3, 4, 6, 7, 9; 11-1103 B. 1, 2, 3, 5, 6; and 11-1103 C. 1, 2, 3, 5, 6, 9, 10(a), 10(b), 10(c), and 10(d).

C. If after a review of this scale drawing site plan provided for in 11-1104 A.6, the Planning Commission feels that a full site plan meeting all the requirements of 11-1101, *et seq.*, is required before approval, the Planning Commission shall inform the applicant that a full site plan is required, and the provisions of 11-1104 shall not apply. (Ord. # 1064, 12/07/06).

D. After the proposed site plan has been approved by the Planning Commission, the owner or developers shall obtain issuance of a building permit and begin construction of the project. If a building permit is not issued and construction begun within six (6) months of the date the

site plan was approved by the Planning Commission, then the site plan approval shall automatically be revoked and the project shall not proceed. (Ord. # 1121, 03/03/11)

After the proposed site plan has been approved by the Planning Commission and the owner or developer has obtained issuance of a building permit and begun construction of the project as set out hereinabove, the project shall be completed within 18 months of the date the site plan was approved by the Planning Commission. If the construction is not completed within 18 months of the date the site plan was approved by the Planning Commission, then the site plan approval shall automatically be revoked and construction shall not proceed. (Ord. # 1121, 03/03/11)

CHAPTER 12

WALLS, FENCES, SCREENS, AND LANDSCAPE REQUIREMENTS

SECTION

- 11-1200. Walls, Fences, Screens, and Landscape Requirements.
- 11-1201. Walls and Fences.
- 11-1202. Landscape Requirements.
- 11-1203. Development Standards for Certain Zones.
- 11-1204. Administration and Enforcement.

11-1200. Walls, Fences, Screens, and Landscape Requirements. The following regulations establish standards for those districts where walls, fences, screens, and landscaping are required along lot lines and zoning district boundary lines. The standards established herein are minimum standards and shall be used by the City of Paris in the review and approval of permitted, accessory, or conditional uses which are subject to the requirements of this section.

11-1201. Walls and Fences. The following requirements shall apply to any non-residential development which abuts adjacent residential lots:

A. Development Requirements. Development standards shall be as follows:

1. Such development shall be screened from adjacent residential lots using an opaque fence or wall.
2. Non-residential lots adjacent to residential lots shall be screened on all rear lot lines and along side lot lines to the intersection of the front building line. Such screen shall be placed and maintained at the expense of the owner or occupant of the lot.

B. Minimum Standards. Wooden, brick or masonry fencing walls may be used as a screen provided such screen is sight-obscuring. Wire, plastic sheets, panels or corrugated sheet-metal or panels shall not be used as screening. All screening shall meet the following requirements:

1. Walls shall be designed to facilitate maintenance and shall not modify natural drainage so as to endanger adjacent property.
2. Brick or masonry walls shall be constructed of common or face brick, or of poured or precast masonry or decorative block and shall be approved by the building inspector.
3. All fences or walls shall be a minimum of seven (7) feet in height.

11-1202. Landscape requirements. The following standards shall apply to development in any non-residential district, with the exception of the B-2 zone;

- A. A greenbelt planting strip, a minimum of five (5) feet in depth shall be located within the development area and abutting any public street right-of-way (existing and proposed). This greenbelt strip may include any grass or ground cover behind the curb or sidewalk that may be state or city right-of-way in order to meet the five (5) foot depth requirements. Such landscape strip shall be placed and maintained by the owner or occupant of the development, and may be included in yards required under other sections of this ordinance, and shall be composed of at least one of the following.
 - 1. Two or more rows of evergreen shrubs, spaced an average of three (3) feet apart. Such shrubs shall be expected to grow to a maximum height of three (3) feet in 3 or 4 growing seasons. The remainder of the landscape strip shall be planted in grass, ground cover, or other suitable decorative material, including sand, gravel, stone, or mulch.
 - 2. Other living landscape material such as grass or other ground covers or non-living (artificial) landscape material such as rocks, pebbles, sand, gravel stone or mulch.
- B. Whenever in this section a green belt or planting strip is required, it shall be planted prior to the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained by the owner or occupant with permanent plant materials (Ord. # 825, 04/01/93).

11-1203. Development Standards for Certain Zones. In addition to the requirements for such developments required by the other provisions of this ordinance the following standards are applicable to the following developments or zoning districts:

A. Multi-Family Development.

- 1. A wall or fence meeting the requirements of 11-1201.
- 2. A greenbelt planting strip as provided for in 11-1202.
- 3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 B.1. above meeting the requirements of 11-1202.
- 4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.B.1. above meeting the requirements of 11-1202.

B. Group Housing.

1. A wall or fence meeting the requirements of 11-1201.
2. A greenbelt planting strip as provided for in 11-1202.
3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 C.1. above meeting the requirements of 11-1202.
4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.C.1. above meeting the requirements of 11-1202.

C. SC-1 Shopping Center District.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet.
2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.c.
 - b. Where plant materials are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreen shrubs shall be planted not more than four (4) feet on centers.

D. B-1 and P-B Planned Business District.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet (Ord. # 820, 02/04/93).

E. All Industrial Districts.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of fifteen (15) feet instead of five (5) feet.
2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.C.
 - b. Where plant material are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreens shrubs shall be planted not more than four (4) feet on centers.

F. Open Storage Requirements. In any zoning district where open (unenclosed) storage of material and equipment is permitted as a principal use on an individual lot, such open storage shall be screened by walls or fencing, as provided in 11-1201, along all lot lines. Such screening shall be a minimum of seven (7) feet in height.

G. Refuse Collection Point Requirements. All areas established as refuse collection points, or used for dumpster service and/or loading areas, shall be screened as provided in 11-1201 along all sides of the collection point.

11-1204. Administration and Enforcement. The standards required herein shall apply to any development or redevelopment which occurs after the adoption of this ordinance. None of the standards required herein shall apply retroactively, except in the event that substantial construction is proposed in which case these standards shall apply. For the purpose of this section, the following definitions shall be used to determine the application of the standards required herein:

- A. Development - any man-made change to unimproved land.
- B. Redevelopment - any man-made change to improve real estate (including buildings or structures) which is estimated to cost 50% or more of the appraised value of the existing real estate.
- C. Substantial construction - any repair, improvement, or addition to a building or structure which is estimated to cost 50% or more of the appraised value of the existing building or structure either: (a) before the repair, improvement or addition is started; or (b) if the building or structure has been damaged, and is being restored, before the damage occurred.

Provided, however, that in the event a residential structure in a commercial zone is converted from use as a residence to a commercial use, the standards required herein shall apply regardless of the amount or percentage of development, redevelopment, or construction, as defined in A, B, and C above. (Ord. # 1020, 04/01/04.)

CHAPTER 13

SIGNS, BILLBOARDS, AND ADVERTISING STRUCTURES

11-169-1

SECTION

- 11-1300. Intent
- 11-1301. Definitions.
- 11-1302. General Provisions
- 11-1303. Exempt Signs
- 11-1304. Prohibited Signs
- 11-1305. Permits
- 11-1306. Specific Sign Requirements
- 11-1307. Temporary Signs

SECTION 1300 – INTENT

11-1300 Intent. The following regulations address the location, size, construction, erection, alteration, and use of all signs within Paris, Tennessee. These regulations are established to: protect the health, safety, welfare, convenience and enjoyment of the public, protect the public from damage or injury caused or attributable to distractions and obstructions caused by improperly designed or located signs; promote property value, promote community environmental setting and appearance; and support objectives of the individual zone districts.

SECTION 1301 – DEFINITIONS

11-1301. Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

ABANDONED SIGN. A sign structure that has ceased to be used and the owner intends no longer to have used, for the display of sign copy, or as otherwise defined by state law.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

1. Flashing. Animated signs or animated portion of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds 4 seconds.

2. Patterned illusionary movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Environmentally activated. Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

Mechanically activated. Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION. Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also “Awning”; “Backlit awning”; and “Canopy, attached and freestanding”.

AWNING. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning See also “wall or fascia sign”.

BACKLIT AWNING. An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER. A flexible substrate on which copy or graphics may be displayed.

BANNER SIGN. A sign utilizing a banner as its display surface.

BILLBOARD. A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed. A billboard is considered a minimum of 225 sq. ft. and no more than 300 sq. ft.

BUILDING ELEVATION. The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

CANOPY. (attached) A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. See also "Marquee".

CANOPY (Free-standing). A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a free-standing canopy may be illuminated by means of internal or external sources of light.

CANOPY SIGN. A sign affixed to the visible surface(s) of an attached or free-standing canopy. For reference, see Section 11-1301.

CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input, including signs which are:

Electrically activated: Changeable signs whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also "Electronic message sign or center".

Manually activated: Changeable sign whose message copy or content can be changed manually.

COMBINATION SIGN. A sign that is supported partly by a pole and partly by a building structure.

COPY. Those letters, numerals figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DEVELOPMENT COMPLEX SIGN. A free-standing sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, which is controlled by a single owner or landlord.

DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DOUBLE-FACED SIGN. A sign with two faces back to back.

ELECTRIC SIGN. Any sign activated or illuminated by means of electrical energy.

ELECTRONIC MESSAGE SIGN OR CENTER. An electrically activated changeable sign whose variable message capability can be electronically programmed.

EXTERIOR SIGN. Any sign placed outside a building.

FASCIA SIGN. See "Wall or fascia sign".

FLASHING SIGN. See "Animated sign, electrically activated".

FREE-STANDING SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. For visual reference, see Section 11-1301.1

FRONTAGE (BUILDING). The length of an exterior building wall or structure of a single premise orientated to the public way or other properties that it faces.

FRONTAGE (PROPERTY). The length of an exterior building wall or structure of a single premise along either a public way or other properties on which it borders.

GROUND SIGN. See "Free-standing sign".

ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

INTERIOR SIGN. Any sign placed within a building, but not including "window signs" as defined by this ordinance. Interior signs, with the exception of window signs as defined, are not regulated by this chapter.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior building façade.

MARQUEE. See "Canopy (attached)".

MARQUEE SIGN. See “Canopy sign”.

MENU BOARD. A free-standing sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than 20 percent of the total area for such a sign utilized for business identification.

MULTIPLE-FACED SIGN. A sign containing two or more faces.

OFF-SITE DIRECTIONAL SIGN. A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

ON-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

OUTDOOR ADVERTISING SIGN. A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed. A billboard is considered a minimum of 225 sq. ft. and no more than 300 sq. ft.

PARAPET. The extension of a building façade above the line of the structural roof.

POLE SIGN. See “Free-standing sign”.

POLITICAL SIGN. A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PROJECTING SIGN. A sign other than a wall sign that is attached to or projects more than 18 inches (457 mm) from a building face or wall or from a structure whose primary purpose is other than the support of a sign. For visual reference, see Section 11-1301.

RIGHT OF WAY A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission lines, oil or gas pipeline, water main, sanitary or storm sewer line, or for another special use. The usage of the term “right-of-way,” for land platting purposes, shall mean that every right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. In determining sign placement with regard to right-of-way, in most cases utility poles are placed on the right-of-way line. Best practice is to always place signage behind utility poles.

REAL ESTATE SIGN. A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

REVOLVING SIGN. A sign that revolves 360 degrees (6.28 rad) about an axis. See also “Animated sign, mechanically activated”.

ROOF LINE. The top edge of a peaked roof or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.

ROOF SIGN. A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs. For a visual reference, and a comparison of differences between roof and fascia signs, See Section 11-1301.1

SIGN. Any device visible from a public place that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

SIGN AREA. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures which comprise the sign face. The area of any double-sided or “V” shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as 50 percent of the sum of the area of all faces of the sign.

SIGN COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

SIGN FACE. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border. See Section 11-1301.1

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.

2. In the case of sign structures with routed areas of sign copy, the sign face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.

3. In the case of signs painted on a building, or individual letter or graphic elements affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letter or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.

4. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN STRUCTURE. Any structure supporting a sign.

TEMPORARY SIGN. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

UNDER CANOPY SIGN OR UNDER MARQUEE SIGN. A sign attached to the underside of a canopy or marquee.

V SIGN. Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than 90 (1.57 rad) degrees with the distance between the sign faces not exceeding 5 feet (1524 mm) at their closest point.

WALL OR FASCIA SIGN. A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 18 inches (457 mm) from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed.

For a visual reference and a comparison of differences between wall or fascia signs and roof signs, see Section 11-1301.1

WINDOW SIGN. A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

NOTE: FOR VISUAL REFERENCE OF DEFINITIONS INCLUDED IN THIS SECTION SEE REPRESENTATIVE DRAWINGS ATTACHED TO THIS ORDINANCE AND DESIGNATED AS:

SIGN TYPES - VISUAL REFERENCE

1302 – GENERAL PROVISIONS

11-1302. General Provisions Within all districts the general provisions shall apply to all signs. Any sign hereafter erected shall conform to the provisions of this ordinance and the provisions of the International Building Code and of any other ordinance or regulation within this jurisdiction. Directional signs for City, County, State, or Federal uses shall be allowed in all districts, but subject to the provisions of this ordinance.

11-1302.1. Signs in rights-of-way. No sign other than an official traffic sign or similar sign shall be permitted within any public easement or right-of-way including signs attached to traffic signs or utility poles, unless specifically authorized by other ordinances or regulation of this jurisdiction or by specific authorization of the code official.

11-1302.2. Traffic visibility. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.

Such sign shall be located so that no obstruction to vision between a height of two and one-half (2-1/2) and nine and one-half (9-1/2) feet is created by such sign or such sign shall be a minimum of ten (10) feet from the curb line; or

Such sign is located outside the site triangle as set forth in Section 11-1500 of this chapter, the provisions of 11-1500 C. shall apply.

11-1302.3. Computation of frontage. If a premises contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign area(s) thus calculated shall be permitted to then be applied to permitted signs placed on each separate wall or property line frontage. Where the side of a building does not front a street, a sign area of 50% of the frontage computation for the front of the building will be allowed.

11-1302.4. Animation and changeable messages. Animated or electronic reader board signs, except as prohibited in Section 11-1304, shall be permitted for all signs which shall conform to the following:

1. Non-flashing mode, with electronic changeable copy displaying only on-premises messages or public service messages.
2. No more than one (1) electronic message board per business.
3. A display shall not include flashing or rotating lights, except for movement of a graphic onto or off of the signboard.

11-1302.5 Non-Conforming Signs. It is the intent of this chapter to provide for the orderly elimination of all non-conforming signs governed by the provisions of this Chapter. Any lawfully erected sign may continue to be maintained exactly as it existed prior to the enactment of these provisions except as provided below. No non-conforming signs:

1. Shall be changed to another non-conforming signs.
2. Shall have any changes in the words, logo, or symbols which are part of a message.
3. Shall be structurally altered so as to prolong the life of the sign, or change it in size, shape, type, or design.
4. Shall be re-established after damage or destruction if the estimated expense of construction exceeds 50% of the value of the original structure.
5. Shall be re-established after the activity or name of the business or ownership shall have changed requiring a change in the sign name or advertisement itself.
6. Any such nonconforming sign shall be ordered removed in the same manner as any illegally erected or abandoned sign, as provided for in 11-1310.

1302.6 Illegal, Damaged, or Abandoned Signs. A sign illegally erected, any sign that does not conform to an application that has been previously approved, any sign abandoned from use, or any sign damaged or improperly maintained, may be ordered by the city manager or the city manager's designee, to be removed or repaired within fourteen (14) days of written notification to the owner and/or lessee of the premises where the sign is located. Any such removal or repair of such sign shall be the responsibility of the owner and/or lessee of the property where such sign is located. If such sign is not removed or repaired with the fourteen (14) day notice period, in addition to the other remedies provided for in this section, the city manager or the city manager's designee may file legal action in a court of competent jurisdiction to require the removal or repair of such sign.

11-1303 – EXEMPT SIGNS

11-1303. Exempt signs. The following signs shall be exempt from the provisions of this chapter. No sign shall be exempt from Section 11-1302.3.

1. Official notices authorized by a court, public body or public safety official.
2. Directional, warning or information signs authorized by federal, state or municipal governments.
3. Memorial or historical plaques, building identification signs and building cornerstones when cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure.
4. Gravestones
5. The flag of a government or noncommercial institution, such as a school.
6. Religious symbols and seasonal decorations within the appropriate public holiday season.
7. Works of fine art displayed in conjunction with a commercial enterprise where the enterprise does not receive direct commercial gain.
8. Street address signs and combination name plates and street address signs that contain no advertising copy and which do *not exceed 4 square feet in area*.
9. Signs less than two square feet identifying merchandise, or manufacturer, offered for sale if on a dispensing or vending machine or inside premises or on windows or on fuel dispensing pumps.
10. Signs wholly within buildings.
11. Advertising signs attached to taxicabs, commercial buses, or limousines.
12. Signs attached to the face of benches placed immediately outside businesses for the use of the general public.
13. Signs on the walls or fences of athletic fields that are rented for advertising as a fundraiser for the teams or leagues using the athletic field.

11-1304 - PROHIBITED SIGNS

11-1304. Prohibited Signs. The following devices and locations shall be specifically prohibited in all zoning districts:

1. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
2. Except as provided for elsewhere in this code, signs encroaching upon or overhanging public right-of-way. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.
3. Signs which blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warning from a distance
4. It shall be unlawful to erect or maintain signs which resemble an official traffic or safety sign and/or displays the words "Stop", "Go Slow", Caution", or "Danger", "Warning", or other words commonly used to draw attention to traffic or roadway hazards by governmental or construction signs.
5. Temporary signs except as provided in 11-1307.
6. Portable signs, portable reader board or trailer signs are prohibited.

7. Signs painted directly on the wall surface of a building if such sign includes the name of the business or industry or in any way displays a logo, symbol, or promotional information regarding such business or industry in either letter or interpretive form.
8. Moving, rotating, or flapping signs.
9. Any sign advertising any business, goods, or services that is placed on the public right-of-way, or any such sign for any business, goods, or services not offered on the premises where the sign is located, shall be illegal. Such sign shall be forfeited to the public and shall be immediately confiscated by the city manager or the city manager's designee.
10. Roof signs.

11-1305 – PERMITS

11-1305. Permits Required. It shall be unlawful for any person to erect, construct, enlarge, convert, relocate, or alter any sign, without first obtaining a sign permit as required by this ordinance. Each sign permit shall become null and void if work is not commenced within one hundred twenty (120) days from the date of such permit. All applications for permits must be reviewed by the city manager, the city manager's designee, or, as applicable, the Municipal Regional Planning Commission. Application material shall include, but not be limited to the following:

1. A completed application form indicating the name and address of the owner of the sign and the person or persons in possession of the premises where the sign is located or to be located.
2. A site plan and/or building elevation drawn to scale showing the location of the proposed sign on the lot and/or building. Said application shall include a clear and legibly drawn scale representation of the proposed sign or signs showing the exact location of the sign or signs sought to be permitted. Such site plan and/or building elevation shall also show all other existing or required permits, when such signs are on the same premises. The scale drawing of the proposed sign or signs shall show the dimensions, type of construction, method of illumination, support sizes if any, materials, method of attachment, mounting, and/or erecting such sign or signs and the structural members to which sign or signs shall be attached. The design, quality, materials, and loading shall conform to the requirements of the City's building codes.
3. A permit fee as applicable. Permit fees to erect, alter or relocate a sign shall be in accordance with the fee schedule adopted within this jurisdiction.
4. Any State law requirements or building codes adopted by the City of Paris for sign design and placement must be met before a permit shall be issued.

11-1305.1. Penalties and Enforcement. The enforcement provisions contained in this section for violations of 11-1301 et seq. shall be cumulative and shall be in addition to any other penalties or enforcement provisions provided in this chapter as follows:

1. Penalty. Any person, firm, or corporation violating any provisions of this chapter shall be fined not less than \$50.00 nor more than \$50.00 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. The fine provided for in this section shall not be suspended, waived, or in any way commuted; it being the specific intent of the Board of Commissioners of the City of Paris that said fine or penalty shall be assessed in all instances and shall be strictly enforced.
2. Injunctive Relief. Any violation of 11-1300 et seq. is hereby declared to be a nuisance. In addition to any other relief provided, the city attorney may apply to a court of competent jurisdiction for injunctive relief to prohibit the continuation of any violation of this chapter. Any such application for relief may include seeking a temporary restraining order, temporary injunction, or permanent injunction.
3. Appeals. Any person or entity wishing to contest an official action or decision of the designated zoning official for the City of Paris may appeal any such decision to the Board of Zoning Appeals as pursuant to the provisions of 11-1600 et seq.

11-1306 SPECIFIC SIGN REQUIREMENTS

1306.1 Wall signs. Every commercial or industrial building in a commercial or industrial district or any non-residential use in a residential district shall be allowed to display a wall sign per street frontage. For shopping centers, planned industrial parks or other multiple occupancy nonresidential buildings, the building face or wall shall be calculated separately for each separate occupancy.

1. On buildings or stores having a building width of 25 feet or less, a maximum horizontal measurement of 80% of the building or store width shall be allowed. A total sign area of 2 square feet for each foot of building width shall be allowed.
2. On building or stores having a building width of more than 25 feet and not more than 75 feet, a maximum horizontal measurement of 70% of the building width shall be allowed. A total sign area of 1.5 square feet for each foot of building or store width or 50 square feet, whichever is greater, shall be allowed.
3. On buildings or stores having a building width in excess of 75 feet, a maximum horizontal measurement of 70% of the building width shall be allowed. A total sign area of 1.5 square feet for each foot of building or store width shall be allowed. In the B-2 District there is a maximum sign area of 150 square feet.

1306.2 Free Standing Signs. In addition to any allowable wall signs, every commercial or industrial building in a commercial or industrial district, or any non-residential use in a residential district shall be permitted to display free-standing or combination signs per street frontage.

1. Free-standing signs shall be allowed one (1) square foot of signage or each linear foot of road frontage not to exceed 225 square feet. Where any property has more than one occupant, permitted area shall be divided amongst each establishment to be determined by the property owners or shopping center management.
2. In the B-2 (Central Business) District, free-standing signs not attached to the face of the building shall be prohibited except on lots without a zero lot line. (Ord # 1265, 3/4/21).
3. Motor vehicles sales engaging primarily in new vehicle sales may have a separate sign with a maximum of 225 square feet per sign for each separate motor vehicle franchise authorized for sale.
4. Sign must be engineered in accordance with the International Building Code when:
 - a. any portion of the sign is twenty feet (20') or more above ground level; or
 - b. any portion of the sign is fifteen feet (15') or more above ground level, if the sign has more than one hundred twenty square feet (120 sf) of total sign face area.

1306.3. On-Site Directional and Informational Signs. Signs providing on-site directional information are allowed in all commercial and industrial districts.

1. Directional signs indicating the entrance, exit, or location of parking shall not exceed four (4) square feet in surface area for the face of each sign. The sign must be directional in nature. Such signs shall not count against the maximum sign area allowed for freestanding signs.
2. Directional signs on the face of the building providing directional information to assist in traversing the property may not exceed eighteen (18) square feet and shall not count against the maximum square feet. Examples of such directional signs shall include but are not limited to signs designating drive-through, entrances, customer loading docks or platforms, service departments, customer waiting areas, et cetera.
3. Menu board signs shall not be permitted to exceed 50 square feet.

1306.4 Off-Site Directional Signs. Off-site directional signs shall be allowed in all districts except R-MH, P-M, F-P, H-D, E-D districts. Provided, however, in the B-2 district off-site directional signs shall only be allowed for property located within the B-2 district. Application for an off-site directional sign shall be made to the city manager or the city manager's designee and shall only be issued if the following criteria are met prior to approval:

1. The sign must be directional in nature stating only the legal name of the business or the "doing business as" name, whichever is better descriptive of the business. No descriptive advertising words, phrases, slogans, or logos shall be allowed on the off-site directional sign.

2. The off-site directional sign shall not exceed 1,080 square inches in area per face. The sign shall be produced by the City such that all signs have the same color background and the same color contrasting lettering. The lettering shall be uniform and, absent special circumstances, shall use six-inch lettering.
3. The off-site directional sign shall be installed by the City in accordance with the requirements of the zoning ordinance. The sign will be same or similar to Tennessee Department of Transportation tourist oriented directional signs, as provided for in the Administrative Rules of the Tennessee Department of Transportation 1680-11-1.08, so that all off-sight directional signs shall be uniform.
4. Off-sight directional signs shall only be allowed for those businesses that front on a street that intersects with an arterial or collector street. If the street in front of the business desiring an off-sight directional sign intersects with an arterial or collector street in more than one direction, the off-sight directional sign shall be placed at the intersection with an arterial or collector street closest to the business.
5. An applicant for an off-sight directional sign shall pay a fee of two hundred dollars (\$200.00) when the off-sight directional sign is installed by the City. There shall be no annual fee for the benefit of an off-sight directional sign. An additional fee of two hundred dollars (\$200.00) shall be charged if the name of the business changes, or if a new business with a different name is established at the same location of an existing off-sight directional sign.
6. No additional off-sight directional signs other than those installed by the City of Paris shall be allowed within the corporate limits of the City of Paris. It is the intent of the City of Paris to achieve uniformity for off-site directional signs within the corporate limits of the City of Paris to provide members of the public with attraction, service, and business identification and directional information for those businesses within the corporate limits of the City of Paris located off of major arterial or collector streets. All off-sight directional signs currently in existence shall be allowed to remain, subject to the provisions of 11-1302.5 regulating non-conforming signs. The provisions of 11-1302.5 shall be enforced for all currently existing off-sight directional signs to provide for the orderly elimination of all such non-conforming signs in the future.

1306.5 Bill Boards. Bill Boards are only allowed on State Routes in the City of Paris. Bill Boards are allowed a permanent sign area of all advertising faces not to exceed six hundred (600) square feet as provided herein below. For the purposes of this Section, if a bill board has a single face, it may have a sign area of three hundred (300) square feet. If a bill board has two or more faces, the total sign area of all said faces added together shall not exceed six hundred (600) square feet. Such bill boards will be allowed provided the following conditions are met:

1. No part of any bill board is located less than ten (10) feet from any public right-of-way.
2. The ground support of any bill board is located no less than ten (10) feet from any property line.
3. The bill board is located no less than one thousand (1,000) feet from any other bill board, whether such bill board is on the same side of the street or on the opposite side of the street.
4. Said bill board shall be lighted by indirect - lighting oriented so as to prevent any glare to residential properties.
5. Sign must be engineered in accordance with the International Building Code when:
 - a. any portion of the sign is twenty feet (20') or more above ground level; or
 - b. any portion of the sign is fifteen feet (15') or more above ground level, if the sign has more than one hundred twenty square feet (120 sf) of total sign face area.

The provisions of 11-1302.2 shall apply to bill boards.

1306.6 Canopy, Marquee and Awning signs. Shall be allowed in all commercial and industrial districts subject to the following limitations:

1. The permanently-affixed copy of canopy, marquee or awning signs shall not exceed an area equal to 25 percent of the face area of the canopy, marquee or architectural projection upon which such sign is affixed or applied.
2. Graphic striping, patterns or color bands on the face of a building, canopy, marquee, awning or architectural projection shall not be included in the computation of sign copy area. Provided,

however, that any such canopy, marquee or awning signs shall count toward the total allowable sign area.

11-1306.8 Projecting signs. Projecting signs shall be permitted in lieu of freestanding signage on any street frontage.

1. Such sign shall be limited to one sign per occupancy along any street frontage with public entrance to such an occupancy
2. Such sign shall be limited in area to one square foot of building width not to exceed 100 sq. ft.
3. Such sign shall not exceed the height of the roof.

1306.9 Under canopy signs. Shall be allowed in all commercial and industrial districts subject to the following limitations:

1. Under canopy signs shall be limited to no more than one such sign per public entrance to any occupancy and shall be limited to an area not to exceed 4 sq. ft.
2. Such signs shall maintain a clear vertical distance above any sidewalk or pedestrian way a minimum of 7 feet.

1306.10 Window signs. Window signs shall be permitted in all commercial and industrial districts.

11-1307 – TEMPORARY SIGNS

11-1307. General Provisions. Any sign allowed in this section shall be placed a minimum of 10 ft. from the edge of pavement or back of curb unless otherwise noted.

Temporary signs shall be specifically prohibited in the following locations: Veterans Drive, Catfish Sign area located at the intersection of Veterans Drive and Tyson Avenue, West Wood “Y” area, Triangle/Welcome Sign area on North Market Street (Hwy. 641N)

11-1307.1 Real Estate Signs. Real estate signs shall be permitted in all zoning districts, subject to the following limitations:

1. Real estate signs located on a single residential lot shall be limited to one sign, not greater than six square feet in area
2. Real estate signs in advertising the sale of vacant lots within a subdivision shall be limited to one sign per entrance to the subdivision, and each sign shall be no greater than 20 sq. ft. in area. All signs permitted under this section shall be removed within 10 days after sale of the last original lot. These signs will also be subject to care and maintenance of signs provisions.
3. Real estate signs advertising the sale or lease of space within commercial or industrial buildings shall be no greater than six square feet in area and shall be limited to one sign per street front.
4. Real estate signs advertising the sale or lease of vacant commercial or industrial land shall be limited one sign per street front, and each sign shall be no greater than 64 sq. ft. in area for property 10 acres or less or 100 sq. ft. in area for property exceeding 10 acres. Any such sign shall be a minimum of 50 ft. from the curb line.
5. Real estate signs shall be removed when the listing expires or not later than 10 days after execution of a lease agreement in the event of a lease, or the closing of the sale in the event of a purchase.

11-1307.2. Development and construction signs. Signs temporarily erected during construction to inform the public of the developer, contractors, architects, engineers, the nature of the project or anticipated completion dates, shall be permitted in all zoning districts, subject to the following limitations:

1. Such signs on a single residential lot shall be limited to one sign, not greater than six square feet in area.
2. Such signs for a residential subdivision or multiple residential lots shall be limited to one sign, at each entrance to the subdivision or on one of the lots to be built upon, and shall be no greater than 20 sq. ft. in area.

3. Such signs for nonresidential uses in residential districts shall be limited to one sign, and shall be no greater than 64 sq. ft. in area.
4. Development and construction signs may not be displayed until after the issuance of construction permits by the building official or development approval by the Planning Commission and must be removed not later than 24 hours following issuance of an occupancy permit for any or all portions of the project.

11-1307.3 Temporary Commercial Sales. Such signs shall be permitted in all zoning districts, subject to the following limitations:

1. Such signs advertising the activity located on a single lot shall be limited to one sign, not greater than 16 square feet in area.
2. Directional signs not to exceed 16 sq. ft. each, advertising the activity, may be placed on private property with permission of the property owner.
3. No sign shall be placed advertising the activity if the activity is not located within the City limits of Paris.
4. No sign shall be placed advertising an activity more than fourteen (14) days prior to the activity and must be removed no more than three (3) days after the conclusion of the activity.
5. No riders, banners, lights, flags or other items may be added to any sign other than a SOLD banner may be placed on the sign after the sale. (Maximum of three (3) days).

All Off-Premises Signs for the activity of commercial sales must be registered with the City of Paris Codes Department.

11-1307.4 General, special promotion, event and grand opening signs. Signs temporarily displayed to advertise general, special promotions, events and grand openings shall be permitted for nonresidential uses in a residential district, and for all commercial and industrial districts subject to the following limitations:

1. Only one such banner or sign shall be allowed to be displayed at a location. Any such banner or sign is allowed only for the purpose of advertising goods or services offered where such banner or sign is located.
2. The total area of all such signs shall not exceed 50 square feet in any residential district or 100 sq. ft. in any commercial or industrial district.

11-1307.5 Special event signs. Civic, philanthropic, or publicly sponsored events shall be allowed in any commercial or industrial district.

1. Such sign shall be allowed one (1) sign 64 square feet in area and directional signs and additional off-site advertising signs, each of which may not exceed 32 square feet in area. Such signs shall be allowed 30 days prior and 72 hours after said event.
2. Before any such sign is allowed, the sponsor of such special event shall be required to obtain a permit from the City of Paris. If such signs continue to be displayed more than seventy two (72) hours after the expiration of the event, then the sign or signs shall be considered abandoned and the city shall remove any such sign or signs.
3. Such signs shall be placed a minimum of 10 ft. from the edge of pavement or back of curb. Under no circumstances shall a sign be attached to a utility pole, traffic signs or obstruct traffic visibility.
4. Any such sign or signs permitted by the city shall have a tag attached to said sign or signs showing that a permit has been granted for display of the sign or signs and providing the dates for which display of the sign or signs shall be allowed. Any such sign or signs without a permit attached shall be subject to immediate removal by city employees.

11-1307.6 Political or electoral event signs. Political signs shall be permitted in all zoning districts, subject to the following limitations:

1. Such signs shall not exceed 32 sq. ft.
2. Such signs for election candidates or ballot propositions shall be removed within 10 days after the election, provided that signs promoting successful candid or ballot propositions in a primary election may remain displayed until not more than 10 days after the general election.

3. Such signs shall not be placed less than 10 ft. from the edge of pavement, attached to a utility pole, traffic signs or obstruct traffic visibility.
4. Any such sign or poster in violation of the provisions of this section may be removed by city personnel by order of the city manager or his designee. The city shall store such signs or posters so removed at the public works garage and will be returned to the owner on request, provided, however, that any such sign or poster unclaimed for fifteen (15) days after the applicable election for such sign or poster shall be destroyed or disposed of by the city. Provided, further, that a violation of the provisions of this section shall not be considered a misdemeanor and no fine or other penalty shall be assessed for any such violation.

11-1307.7 Yard Sale and Personal Property signs. Yard sale signs shall be permitted in all zoning districts subject to the following:

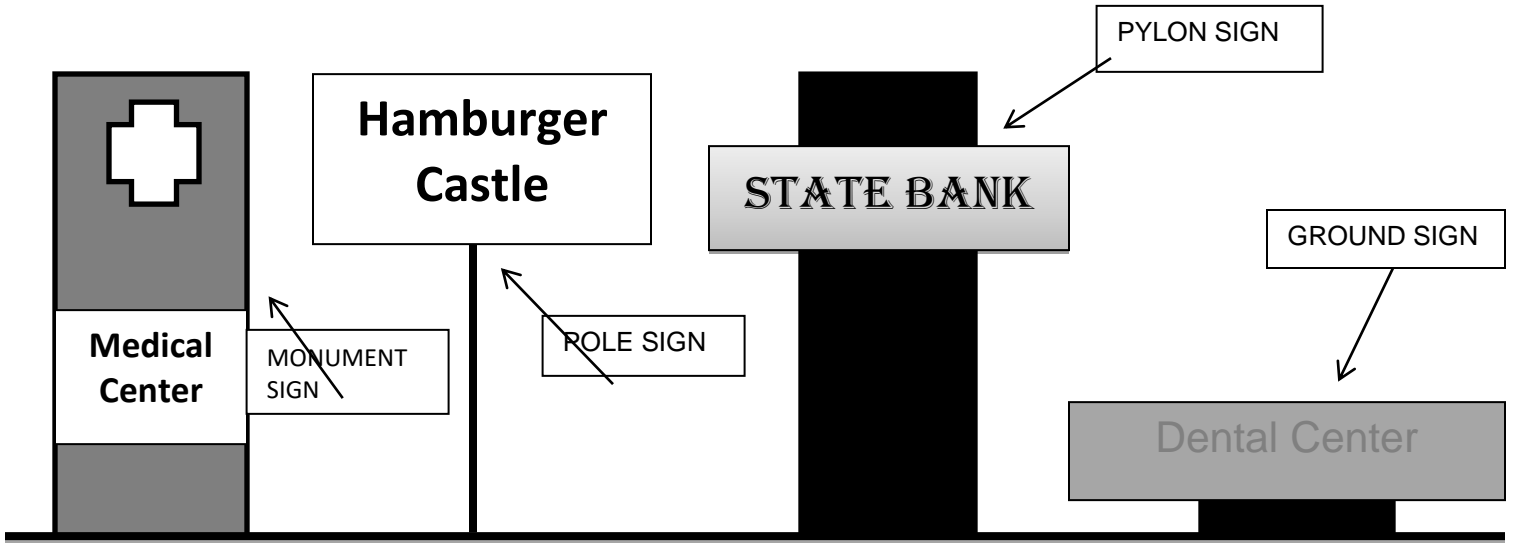
1. Two (2) signs of not more than four (4) square feet shall be permitted to be displayed on the property of the registered site where the yard sale is being conducted.
2. Directional signs of not more than two (2) square feet each are permitted, provided that the registered site on which the yard sale is conducted is not on a major thoroughfare, in which case, no directional signs shall be allowed. Written permission must be obtained from any property owner where off site directional signs are placed.
3. Such signs shall be placed a minimum of 15 ft. from the edge of pavement or back of curb. Under no circumstances are any signs allowed to be placed on telephone poles, utility poles, traffic or road signs or public right-of-ways. Any such signs so placed shall be removed by City employees.
4. No signs or other form of advertisement shall be exhibited for more than two (2) days prior to the day such sale is to commence. All signs must be removed within 24 hours of the termination of the yard sale.

11-1308. Additional Regulations

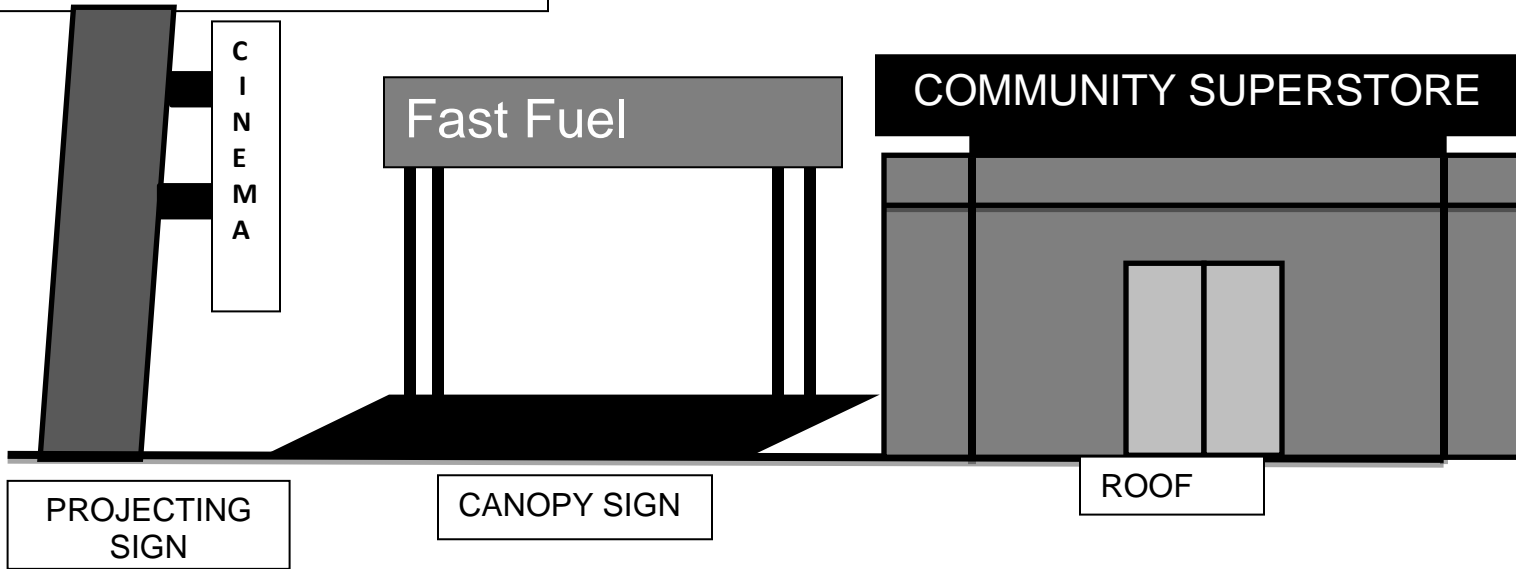
In addition to the provisions of this ordinance, additional regulations as found in the International Building Code and applicable provisions of Tennessee Code Annotated may apply and shall be enforced by the Building Inspector of the City of Paris.

SIGN TYPES

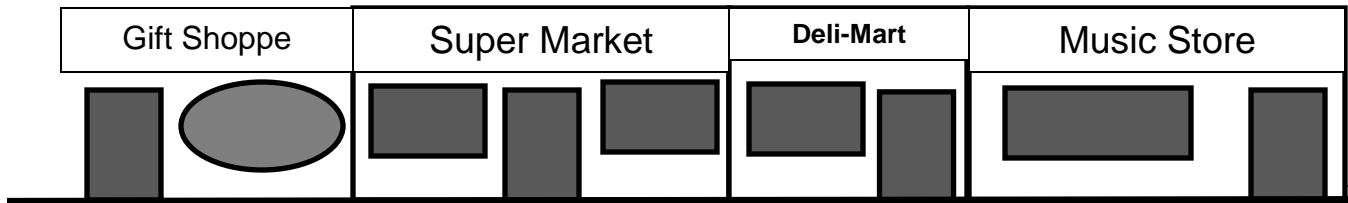
WALL OR FASCIA SIGNS COMPUTED BY FRONTAGE



TYPES OF FREESTANDING SIGNS



COMPUTATION OF SIGN AREA

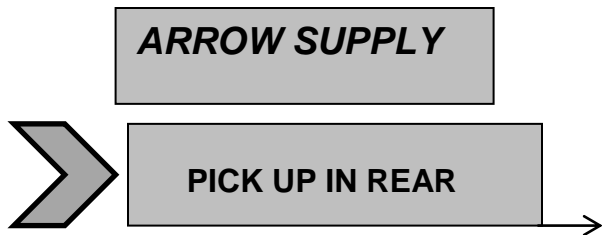


IN COMPUTING AREA FOR UPPER AND LOWER CASE LETTERING, INCLUDE ASCENDERS OR DESCENDERS, BUT NOT BOTH. CALCULATE SUPER ASCENDERS SEPARATELY AS INDICATED.

S ECOND **B** ANK

COMPUTE AREA INSIDE DEFINED BORDER OR INSIDE CONTRASTING COLOR AREA

SECOND BANK
DRIVE THRU



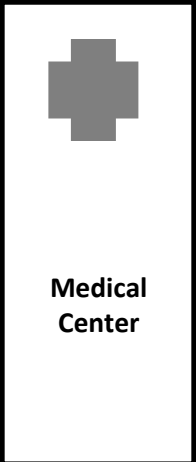
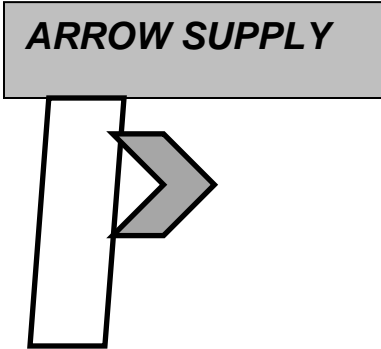
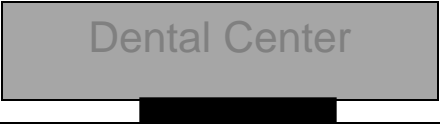
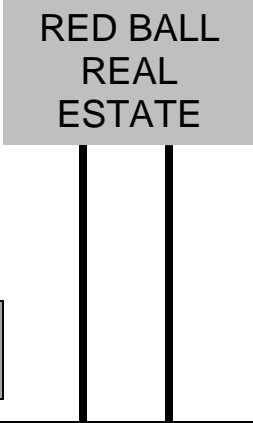
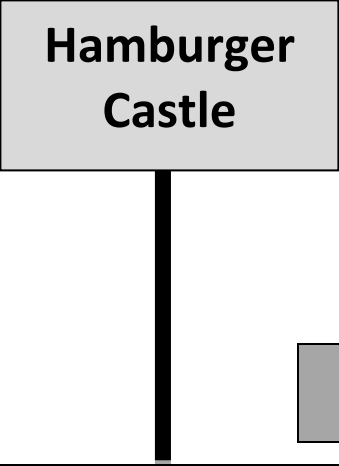
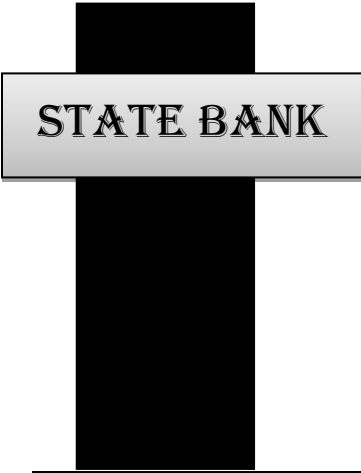
COMPUTE SUM OF AREAS OF INDIVIDUAL ELEMENTS ON WALL OR STRUCTURE

SECOND BANK
CITY BRANCH

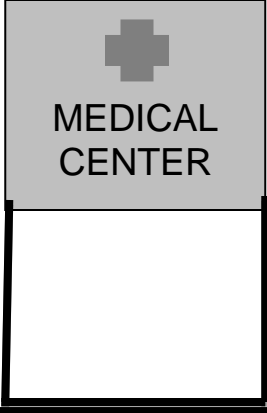
COMPUTE AREA AROUND COPY ELEMENTS ONLY

NOTE: Sum of shaded area only represents sign area for code compliance purposes. Examples of signs consisting of individual letters, elements or logos placed on building walls or structures.

COMPUTATION OF AREA



SIGN STRUCTURE WITH INDIVIDUAL SURFACE APPLIED GRAPHIC AND LETTER COMPUTE SUM OF AREA AROUND ELEMENTS



SIGN STRUCTURE WITHROUTED AREA OF SIGN COPY

CHAPTER 14

NON-CONFORMING USES OF LAND AND STRUCTURES,
NON-CONFORMING STRUCTURES AND NON-CONFORMING LOTS OF RECORD

Section

- 11-1499. Purpose.
- 11-1401. Continuation of Non-Conforming Uses of Land and Structures.
- 11-1402. Non-Conforming Structures.
- 11-1403. Authority to Utilize Non-Conforming Lots of Record.
- 11-1404. Exception for Repairs Pursuant to Public Order.
- 11-1405. Non-Conforming Accessory Uses and Structures.
- 11-1406. Change to Tenancy or Ownership.

11-1400. Purpose. The purpose of this Section is to establish regulations and limitation on the continued existence of uses, lots and structures established prior to the effective date of this ordinance and which do not conform to the provisions herein.

11-1401. Continuation of Non-Conforming Uses of Land and Structures. Any existing non-conforming use of part or all of a structure, or any existing non-conforming use of land not involving a structure or involving a structure which is necessary to such use of land, may be continued, so long as it remains otherwise lawful, subject to the provisions of this Section.

A. Ordinary Repair and Maintenance

1. Normal maintenance, incidental alterations, and replacement of fixtures, wiring or plumbing, may be performed on any structure that is devoted in whole or in part to a non-conforming use; provided, however, that any such normal maintenance, incidental alterations, or replacement shall not be deemed to authorize any violation of this Section.
2. As used herein, incidental alterations shall mean any changes or replacements in the parts of a building or other structure, limited to the following examples;
 - a. Alteration of interior partitions to improve livability in a non-conforming residential building, provides that no additional dwelling units are created;
 - b. Alterations of interior non-load-bearing partitions in all other types of buildings or other structures.
 - c. Replacement of, or minor changes in, capacity of utility pipes, ducts, or conduits, or
 - d. Changes or replacements in the structural parts of a building or other structure, limited to the following examples;
 - 1) Making windows or doors in exterior walls;
 - 2) Replacement of building facades having nonload-bearing capacity;

- 3) Strengthening the floor load-bearing capacity, in not more than ten (10) percent of the total floor area, to permit the accommodation of specialized machinery or equipment.

B. Extensions. A non-conforming use shall not be extended, expanded, or enlarged except as provided herein. However, any industrial, commercial, residential, or other business establishments made non-conforming by the application of this ordinance which were either conforming to past regulations or under no regulation shall be allowed to expand operations and construct additional facilities with the following limitations. (Ord. # 920, 09/02/97).

1. There must be reasonable amount of space for such expansion on the property where the industry or business is located.
2. All area requirements for the district where it is located must be met.
3. This shall only apply to land owned and in use by such affected business and shall not operate to permit expansion of an existing industry or business through the acquisition of additional land.

C. Relocation. No structure that is devoted in whole or in part to non-conforming use shall be relocated in whole or in part to any other location on the same or any other lot, unless the entire structure and the use thereof shall thereafter conform to all the regulations of the zoning district in which such structure and use are located after being so relocated. No non-conforming use of land shall be relocated in whole or in part to any other location on the same or any other lot, unless such use shall thereafter conform to all the regulations of the zoning district in which such use of land is located after being so relocated.

D. Change in Use. A non-conforming use of land or of a structure shall not be changed to any use other than a use permitted in the zoning district in which such land or structure is located. When such non-conforming use has been changed to a permitted use, it shall only be used thereafter for a use permitted in the zoning district in which it is located.

E. Abandonment or Discontinuance.

1. Except as otherwise provided herein, when a non-conforming use of part or all of a structure is discontinued or abandoned for a period of 365 consecutive days such use shall not thereafter be re-established or resumed. the resumption or re-establishment of any such non-conforming use shall only be permitted when the structure has been occupied or the establishment has been in operation for at least 30 days prior to the expiration of the 365 consecutive days. Any subsequent use or occupancy of such land or structure shall comply with the regulations of the zoning district in which such land or structure is located.
2. When a non-conforming use of land or a non-conforming use of part or all of a structure in a R-1 Low density residential District is discontinued or abandoned for a period of 180 consecutive days, such non-conforming use or structure shall not thereafter be re-established or resumed.

F. Damage or Destruction. In the event that any structure that is devoted in whole or in part to a non-conforming use is damaged or destroyed, by any means, to the extent of 75% (seventy-five percent) or more of the fair market value of such structure immediately prior to such damage, such structure shall not be restored unless such structure and the use thereof shall thereafter conform to all regulations of the zoning district in which such structure and use are located. When such damage or destruction is less than 75% (seventy-five percent) of the fair market value of the structure immediately prior to such damage, such structures may be repaired and reconstructed and used for the same purposes as it was before the damage or destruction, provided that such repair or reconstruction is commenced and completed within twelve (12) months of the date of such damage or destruction.

11-1402. Non-Conforming Structures.

A. Continuation of a Non-Conforming Structure. Any non-conforming structure which is devoted to a use which is permitted in the zoning district in which such structure is located may be continued so long as it remains otherwise lawful, subject to the provisions of this Section.

B. Enlargement, Repair, Alteration, or Replacement.

1. Any non-conforming structure may be enlarged, maintained, repaired, or altered; provided, however, that no such enlargement, maintenance, repair, or alteration shall create an additional non-conforming or increase the existing non-conformity of all or any part of such structure.
2. A mobile home located on an individual lot prior to the adoption of this ordinance may be replaced; provided, however, that no such replacement shall either create an additional non-conformity or increase the existing non-conformity of all or any part of such structure.

C. Damage or Destruction. In the event that any non-conforming structure is damaged or destroyed, by any means, to the extent of seventy-five percent (75% or more of the fair market value of such structure immediately prior to such damage, such structure shall not be restored unless it shall thereafter conform to the regulations of the zoning district in which it is located. When such non-conforming structure is damaged or destroyed, by any means, by less than seventy-five percent (75%) of the fair market value of such structure, immediately prior to such damage, such structure may be repaired or reconstructed, provided that such repairs or restorations begin and are diligently pursued to completion within one (1) year of the date of such damage.

D. Relocation. No non-conforming structure shall be located in whole or part to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which such structure is located.

11-1403. Authority to Utilize Non-Conforming Lots of Record. In any zoning district a lot of official record established prior to enactment of, or any subsequent amendment to, this ordinance which fails to meet the minimum requirements for area, width or both that are generally applicable to the district in which the lot is located may be allowed to be utilized provided that all the provisions of this section are met.

- A. A non-conforming lot of record may be utilized provided the intent of this ordinance is maintained and the health, safety and welfare of the citizenry are protected.
- B. The lot must represent a single lot of official record which is in separate ownership and not of continuous frontage with other lots in the same ownership at the effective date of adoption of amendment of his ordinance. Contiguous non-conforming lots of record under single ownership shall be combined for the purposes of this ordinance so that the requirements of the district may be more readily met.
- C. If such lot fails to meet the minimum requirements for area or width, or both, that are generally applicable in the district, the required area and width shall not apply to such lot; provided, however, that all yard, density or other requirements of the district in which the lot is located shall be met to the greatest reasonable degree.
- D. Compliance with this section shall be ensured by, and the approval for the utilization of the non-conforming lot of record shall be through action of the Board of Zoning Appeals in the consideration of variance as set forth in Section 11-1600 E. of this ordinance.

11-1404. Exception for Repairs Pursuant to Public Order. Nothing in this Section shall be deemed to prevent the strengthening or restoration to a safe condition of a building or structure in accordance with an order of a Public Official who is charged with

protecting the public safety and who declares such structure to be unsafe and orders it to restoration to a safe condition, provided such restoration is not otherwise in violation of the various provisions of this Section prohibiting the repair or restoration of partially damaged or destroyed building, structures, or signs.

11-1405. Non-Conforming Accessory Uses and Structures. Non use or structure which is accessory to a principal non-conforming use or structure shall continue after such principal use or structure shall have ceased or terminated, unless such accessory use or structure shall thereafter conform to all the regulations of the zoning district in which it is located.

11-1406. Change of Tenancy or Ownership.

- A. There may be a change of tenancy, ownership, or management of any existing non-conforming use of land or structure, or non-conforming structures, provided there is no change in the nature or character of such non-conformity uses or non-conforming structures except as otherwise provided herein.
- B. In areas designed as R-1, Low Density Residential District on the Official Zoning Map of Paris, Tennessee, when a change of tenancy, ownership, or management occurs in a non-conforming use of and or a non-conforming use of part or all of a structure, such use shall not thereafter be re-established or resumed.

CHAPTER 15

SUPPLEMENTARY REGULATIONS TO ALL DISTRICTS

SECTION

- 11-1500. Supplementary Regulations to All Districts.
- 11-1501. Accessory Uses.
- 11-1502. Vision Clearance - Sight Triangle.
- 11-1503. Lot restrictions and Required Street Access.
- 11-1504. Grading and Excavation.
- 11-1505. Exterior Lighting.
- 11-1506. Dwelling Density.
- 11-1507. Sidewalk Development.
- 11-1508. Storm Water Management

11-1500. Supplementary Regulations to All Districts. The supplementary regulations listed and described herein apply to a specific district, to several districts, or to all districts. these regulations pertain to certain specific uses, authorities certain exemptions, or relate to unusual conditions.

11-1501. Accessory Uses. The uses of land, buildings, and other structures permitted in each of the districts established by this ordinance are designated by tables or lists of principal uses permitted. In addition to such principal uses, this section shall regulate uses customarily incidental to any principal uses permitted in the district.

A. General Provisions. Each permitted accessory use shall:

- 1. Be customarily to and serve such principal use established on the same lot.
- 2. Be subordinate to and serve such principal use.
- 3. Be subordinate in area, extent, and purpose to such principal use.
- 4. Contribute to the comfort, convenience, or necessity of users of such principal use.

B. Permitted Accessory Structures. Accessory uses shall be permitted as specified above, and such accessory uses shall be applicable to the principal use of the lot as follows:

- 1. For Dwelling.
 - a. Shelter to house animal pets, but not exceeding two shelters per dwelling.
 - b. Children's playhouse and playground equipment.
 - c. Private greenhouse, vegetable, fruit, or flower garden, from which no products are sold or offered for sale.
 - d. Private garage or carport.
 - e. Private swimming pool and bath houses.

- f. Shed for the storage or maintenance of recreation and yard equipment used on the premises.
2. For Church, Chapel, Temple or Synagogue.
- a. Parish house, or residence for the clergymen of the congregation.
 - b. Religious education building.
3. For Educational Institution.
- a. Convent or lay teacher's quarters.
 - b. Dormitories.
 - c. Power or heating plant.
 - d. Stadium, gymnasium, field house, game courts, or field.
4. For Golf and Country Clubs.
- a. Dwelling for caretaker.
 - b. Maintenance equipment storage shed.
 - c. Pro shop.
 - d. Lounge and dining area.
5. For Hospitals and Health Institutions.
- a. Staff quarters.
 - b. Laundry, incidental to the principal use only.
 - c. Medical and nursing instruction.
 - d. Chapel.

6. For Industrial Uses in the Industrial Districts.

- a. Offices.
- b. Restaurant or cafeteria.
- c. Watchmen's quarters.
- d. Research or pilot structure.

C. Location of Accessory Buildings.

- 1. No accessory building shall be located in any required front or side yard.
- 2. Accessory buildings shall not cover more than thirty (30) percent of any rear yard and shall be at least five (5) feet from all rear lot lines and from any other building on the same lot.
- 3. On any corner lot adjoining in the rear another lot which is in a residential district, accessory buildings within the rear yard shall conform to the side yard setback on corner lots as indicated in subsection D. of this section.

11-1502. Vision Clearance - Sight Triangle.

- A. Parking and Landscaping at Driveway and Street Intersections. To insure that landscape materials and parked vehicles do not constitute a driving hazard, a sight triangle will be observed at all street intersections or intersections of driveways with streets. Within this sight triangle, there shall be no obstruction to vision between a height of two and one-half (2-1/2) and twelve (12) feet. In addition, no landscape material (except for required grass, shrubs, or other ground cover nor parked vehicles shall be permitted in the sight triangle which shall be determined as follows:
- B. Driveway Intersection Sight Triangle. At intersections of driveways with streets, the sight triangle shall be formed by the intersection of each side of the driveway and the public right-of-way line with two sides of each triangle ten (10) feet in length from the point of intersection on the third side connecting these points.
- C. Street Intersection Sight Triangle. At street intersections, the sight triangle shall be formed by measuring at least twenty-five (25) feet along public right-of-way lines and connecting these points.

11-1503. Lot Restrictions and Required Street Access.

- A. Setback Exceptions. Notwithstanding the provisions included in Table 2 or any other section of this Title the following exceptions may be allowed:
1. In residential districts. If twenty-five (25) percent or more of the lots on one side of the street between two intersecting streets are improved with buildings all of which have observed an average setback line, then no building shall be erected closer to the street line than the minimum setback so established by the existing buildings; but, this regulation shall not require a front yard of greater depth than fifty (50) feet (Ord. #739, 09/06/90).
 2. In commercial districts. In instances where the right-of-way is in excess of the maximum right-of-way required by the Paris Major road Plan and the requirements of the Paris Subdivision Regulations, the minimum front yard setback may be reduced upon action of the Paris Municipal Regional Planning Commission. Prior to any such actions, certification by the Paris City Engineer, and if applicable, the Tennessee Department of Transportation shall be required to determine the long-range impact. In no case shall the front yard be reduced by a greater amount than the "excess" noted earlier, nor shall the front yard setback be reduced to less than 15 feet from the right-of-way (Ord. #739, 09/06/90).
- B. Double frontage lots shall provide the required front yard setbacks along those streets.
- C. For all buildings located on corner lots, there shall be required a front yard setback only on one (1) street and one-half (1/2) of the required front yard setback on the intersecting street. The interior side yard requirement shall be the same as that required for an interior lot (Ord. #771, 11/07/91).
- D. Division of a lot. No recorded lot shall be divided into two or more lots unless such division results in the creation of lots each of which conforms to all of the applicable regulations of the district in which the property is located. No reduction in the size of a recorded lot below the minimum requirements of this Ordinance shall be permitted.
- E. Principal Buildings on a Lot. On any residential or commercial lot the following restrictions shall apply:
1. On any residential lot, only one principal building and its customary accessory buildings may hereafter be erected. In any residential district, the dwelling shall be deemed to be the principal building on the lot on which the same is situated.
 2. On any commercial lot more than one principal business shall be allowed. The principal businesses must all be housed in permanent buildings. Any such principal building or buildings and any accessory buildings shall:
 - a. Meet all the area and bulk regulations contained in this title.
 - b. Meet the minimum lot and area setback requirements contained in this title.
 - c. Meet all building code requirements necessary for a principal building. (Ord. #945, 04/06/99) (Ord. #1208, 6/1/2017).

- F. Buildings must be on lot that abuts public street. No building shall be erected on a lot which does not abut at least one public street for at least fifty (50) feet. This shall not be construed to apply to properties abutting a cul-de-sac type street; minimum street abutment distance of twenty-five (25) feet shall apply to cul-de-sacs, provided that the minimum required lot width at the building line is complied with. (See Resolution # 1261 Regarding Permanent Easements)
- G. Principal uses without buildings. Where a permitted use is not housed in a building, such use shall be considered a temporary use. Any such permitted use shall only be allowed for a maximum two (2) week period twice during any calendar year. Provided, however, such permitted use shall also comply with all yard and minimum lot area requirements applicable to the districts in which the permitted use is located, as well as obtaining any other license or permit applicable to that particular use.(Ord. #1208, 6/1/2017.)
- H. An attached or detached private garage which faces on a street shall not be located closer than twenty-five (25) feet to the street right-of-way lines.
- I. Accessory buildings shall not be located in any front yard.
- J. Outdoor display of merchandise. Where permitted, shall set back from street right-of-way lines not less than one-half (1/2) the distance of the required building setback.

11-1504. Grading and Excavation.

- A. No excavation, cut or fill of earth or debris shall hereafter be undertaken unless a permit is issued by the building inspector for such excavation, cut or fill.
- B. All grading and excavation shall conform to the standards provided in the Standard Excavation and Grading Code.

11-1505. Exterior Lighting. All lighting for parking areas, or for the external illumination of buildings or grounds, or for the illumination of signs, shall be directed away from and shall be shielded from adjacent residential districts, and shall be arranged so as not to affect driver visibility on adjacent thoroughfares.

11-1506. Dwelling Density. In computing dwelling densities (dwelling units per acre) the following standards apply:

- A. For a single-family area with curvilinear streets, approximately twenty-five (25) percent of a gross acre will be consumed by street rights-of-way and other open space (net dwelling density).
- B. For a townhouse development, approximately twenty-five (25) percent of a gross acre will be consumed by streets and parking bays and open space.
- C. For multi-family development, the assigned lot area is modified by building height, building coverage, number of stories, and spacing between structures in relation to lot area.

11-1507. Sidewalk Development.

- A. Sidewalks are required when developing a lot on an existing street where sidewalks are present or it is determined that future development of sidewalks will occur on either side of the lot being developed. Sidewalks shall be required to conform to the width of the existing sidewalks in the area or to the standards as provided in the Subdivision Regulations of the City of Paris.
- B. When development occurs in the B-2 (Central Business District) either by new construction, repair or replacement any such new construction, repair, or replacement shall conform to the existing adjacent sidewalks or to the sidewalks that are being repaired or replaced.

- C. Any sidewalk construction in the City of Paris, including the provisions of paragraph 1, and 2, above shall conform to the standards of the Local Government Public Works Standards and Specifications as adopted by the Board of Commissioners of the City of Paris. (Ord. #714, 08/03/89).
- D. In all districts, the construction, reconstruction, relocation, or alteration of sidewalks, in addition to meeting the provisions of Paragraphs A-C above, shall meet the development requirements and conform to the provisions of the Americans with Disabilities Act. (Ord. #1186 , 4/11/16 / 5/5/2016)

11-1508. Storm Water Management.

- A. Purpose. This article is adopted to improve public safety, to control the rate of flow of storm water, to minimize increases in the peak flow rates of storm water runoff caused by development, to minimize any detrimental effect on water quality by the completed facility, and to avoid such adverse effects during construction.
- B. Applicability: All new development (new construction, expansion, modification or alteration), which results in an increase in storm water runoff of 10% or more, shall comply with this Storm Water Management Ordinance, excluding any single residential lot or minor residential subdivision. All major residential subdivisions, commercial and/or industrial developments shall comply with this ordinance.
- C. Critical Areas and No Increase Zones. The Planning Commission hereby establishes four Critical Areas and four No Increase Zones, the boundaries of which are depicted on the City of Paris, Storm Water Management, Critical Areas and No Increase Zones map.

A critical area shall be defined as any area of the city that, after careful review and research, the city manager, city planner, and city planning commission agree shall be regarded as extremely sensitive to increases in storm water runoff.

A no increase zone shall be defined as an area designated by the city planning commission, within which no increase in storm water runoff shall be allowed, except as expressly authorized in Section B of this ordinance.

- D. Waivers. The Planning Commission shall reserve the right to waive the detention requirements for any development which is physically located entirely outside of the boundaries of a No Increase Zone, as shown on the City of Paris, Storm Water Management, Critical Areas and No Increase Zones map, and meets the conditions of one of the following:
 - 1. Results in an increase in storm water flow of 10% or less, as calculated by comparing the post-development runoff to the predevelopment runoff, or
 - 2. Results in an increase in storm water flow of 5 cfs or less, as calculated by comparing the post-development runoff to the predevelopment runoff.
- E. Design Criteria. The following designs standards shall be adopted:
 - 1. Storm drains and culverts shall be designed to pass the storm water flow associated with a 25-year storm event.
 - 2. Bridges shall be designed to pass the storm water flow associated with a 100-

3. Detention facilities and outfall structures shall be designed to provide a minimum of 0.5 feet of freeboard above the maximum water surface level and retain the increase(s) in storm water flow associated with the following storm events:

1. 1-year event
2. 5-year event
3. 10-year event
4. 25-year event

4. Detention facility overflow structures shall be designed to pass the storm water flow associated with a 50-year storm event.

5. The detention facility shall be analyzed based on the storm water flow associated with a 100-year storm event, and shall be designed such that the facilities shall not encounter damage due to the 100-year flow.

6. Detention facilities may be provided by use of detention ponds, underground detention piping, parking area depressions, or other methods that meet the approval of the City Manager, City Planner and Regional Planning Commission. Such facilities shall be clearly delineated on the grading plan.

F. Design Computations. The following computations, if applicable, shall be submitted to the Planning Department as required for inclusion on the agenda of the monthly Planning Commission meeting:

1. Pre- and Post-development runoff calculations.
2. Storm drain capacity.
3. Culvert analysis.
4. Bridge design.
5. Channel analysis.
6. Detention analysis.

For drainage areas less than 100 acres, storm water runoff shall be computed using the Rational Equation method as follows: $Q=ciA$, where "i" is the rainfall intensity for the applicable storm event. Rainfall intensity shall be determined from the IDF curve for the City of Memphis, Tennessee. The IDF curve can be found in either of the following documents:

1. Local Government Public Works Standards & Specifications, Drawing Number RIDFC- 1; Rainfall Intensity-Duration-Frequency Curves.
2. Tennessee Department of Transportation, Design Division, Roadway Design Guidelines, First Edition, October 1987, Chapter 2, Figure 2-10.

The rainfall intensity shall be computed based on the time of concentration for the drainage area. Time of concentration shall be determined from an acceptable nomograph or other method. In no case shall the time of concentration be less than 5 minutes. An acceptable nomograph for computing time of concentration can be found in:

Tennessee Department of Transportation, Design Division, Roadway Design Guidelines, First Edition, October 1987, Chapter 2, Figure 2-11.

For drainage areas exceeding 100 acres, storm water runoff shall be computed using the Regional Regression Equations for Hydrologic Area 4 of Tennessee. The Regression equations can be found in:

Tennessee Department of Transportation, Design Division, Roadway Design Guidelines, First Edition, October 1987, Chapter 2, Table 2-4.

If computer software is used to complete the design, the drainage submittal shall include all inputs, outputs, warnings, and errors produced by the software. (Ord. # 984, 09/06 /01).

CHAPTER 16

BOARD OF ZONING APPEALS

SECTION

- 11-1600. Creation of the Board of Zoning Appeals-Membership and Appointment.
- 11-1601. Meetings of the Board.
- 11-1602. Powers of the Board.
- 11-1603. Application and Procedure for Appeals.
- 11-1604. Variances.
- 11-1605. Conditions and Restrictions by the Board.
- 11-1606. Enforcement Powers of the Standard Building Code.

11-1600. Creation of the Board of Zoning Appeals – Membership, Appointment and General Rules. A Board of Zoning Appeals is hereby established in accordance with T.C.A. 13-7-205. The Board of Commissioners hereby appoints the Paris Municipal Regional Planning Commission to also serve as the Board of Zoning Appeals. Any person appointed as a member of the Paris Municipal Regional Planning Commission shall also become a member of the Board of Zoning Appeals. The Board of Commissioners and the Board of Zoning Appeals may adopt general rules to govern the organization and procedures and jurisdiction of the Board of Zoning Appeals as is set out more fully in 11-1601 of the Paris Municipal Code and T.C.A. 13-7-205(b)

The Board of Commissioners, pursuant to T.C.A. 13-7-205(c)(9), opts out of the training requirements of T.C.A. 13-7-205(c)(1-8) (Ord. No. 1182, 11/5/15.)

11-1601. Meetings of the Board. Meetings of the Board of Zoning Appeals shall be held on a called meeting basis with ten (10) days public notice by the city manager or city manager's designee and at such other times as the Board may determine, at the call of the chairman. All meetings of the Board shall be open to the public. The Board shall adopt rules of procedure and shall keep records of applications and action thereon, which shall be a public record. The Board is authorized and empowered to adopt such reasonable rules and regulations as it or a majority thereof may deem necessary and proper for the operation and supervisions of the business of the Board. Provided, however, that such rules and regulations must be submitted to the Board of Commissioners of the City of Paris, Tennessee, for approval before they have any force and effect. (Ord. #680, 04/01/88, Ord. #711, 06/01/89, Ord. #751, 05/02/91, Ord.# 851, 06/02/94, Ord. # 984, 09/06/01).

11-1602. Powers of the Board. The Board is hereby vested with the powers to:

- A. Hear and decide appeals where it is alleged that there is error in any order, requirement, permit, decision, or refusal made by the building inspector or any other administrative official in the carrying out or enforcement of any provision of this ordinance.

- B. Hear and act upon application for variances as provided herein.
- C. Hear and decide, in accordance with the provisions of Section 11-800. et. seq., requests for special permit uses (special exceptions).
- D. Interpret the official zoning map and decide upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the zoning ordinance.

11-1603. Application and Procedure for Appeals.

- A. The Board of Zoning Appeals shall act only on appeals from decisions of the Building Inspector. Such appeal shall be taken by filing with the city manager or city manager's designee a "Notice of Appeal to the Board of Zoning Appeals". Forms for appeal are provided for this purpose by the office of the Building Inspector. Duplicate copies shall be prepared; one copy shall be filed with the city as a permanent public record and the other copy forwarded to the Board of Zoning Appeals for its action along with all papers constituting the record upon which the action appealed was taken.
- B. The appeals form must be accompanied by a small-scale vicinity map, showing the location of the property with respect to existing streets, street numbers and size of lots, nature of adjacent property uses, and other important features within and contiguous to the property. The names of the owners of all lots within three hundred (300) feet in all directions from the property shall also be shown.
- C. The Board shall give ten (10) days public notice for the hearing of an appeal as well as due notice to the parties of interest and decide the same within a reasonable time. Upon the hearing any person or party may appear in person or by agent or by attorney. (Ord. #680 04/01/88, Ord. # 851, 06/02/94).
- D. The fee for filing a "Notice of Appeal to the Board of Zoning Appeals" shall be \$50.00. Said fee shall be paid at the time the forms required in 11-1603.A. are filed with the city manager or city manager's designee. (Ord. # 984, 09/06/01).

11-1604. Variances.

- A. Purpose and Intent. Pursuant to Section 13-7-207, Tennessee Code Annotated, the Board of Zoning Appeals shall have the power to hear and decide applications for variances from the terms of this ordinance, but only where, by

reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of the adoption of this ordinance was a lot of record; or where, by reason of exceptional topographic conditions, or other extraordinary or exceptional situation or condition of a piece of property, the strict application of the provisions of this ordinance would result in practical difficulties to or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intents and purpose of this ordinance.

The purpose of the variance is to modify the strict application of the specific requirements of this Ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the Zoning Ordinance intended.

- B. Application. After written denial of a building permit from the Building Inspector, a property owner may make application for variance, using forms obtainable.

- C. Public Notice and Hearing. Public notice and hearing on the application for a variance shall be as prescribed in Section 11-601 above.
- D. Standard for Variance. In granting a variance, the Board shall insure that all of the following criteria are met.
1. Variances shall be granted only where special circumstances or conditions (such as exceptional narrowness, topography, or sitting) fully described in the findings of the Board, do not apply generally in the district.
 2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
 3. Variances shall not be granted that will confer on the applicant any special privilege that is prohibited by this Ordinance to other lands, structures, or buildings in the same district.
 4. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of any reasonable use of his land. Loss in property value shall not justify a variance; there must be a deprivation of beneficial use of land.
 5. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land.
 6. The granting of any variance is in harmony with the general purposes and intent of this Ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
- E. Prohibition of Use Variances. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

11-1605. Conditions and Restrictions by the Board. The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the standards set forth above to reduce or minimize the effect of such variance upon surrounding property and carry out the general intent of this Ordinance. The Board may establish expiration dates as a condition or as a part of the variances.

CHAPTER 17

AMENDMENTS

SECTION

- 11-1700. Amendments.
 11-1701. Application.
 11-1702. Initial Action by City Commission.
 11-1703. Planning Commission Recommendation to City Commission.

11-1700. Amendments. The regulations, restrictions, boundaries, and standards set forth in this ordinance may, upon proper application by the property owner or designated representative, or by an appropriate governmental agency, or the City Commission, or the Planning Commission, be amended,

supplemented, revised or repealed from time to time in view of changing physical, social and economic conditions, and as further provided herein.

11-1701. Application.

- A. An application for a zoning amendment shall be submitted to the city manager or city manager's designee. Such application shall contain a complete metes and bounds description of the affected property and a scale plan indicating the shape, size, and location of the property, the surrounding land use and zoning, accessibility to the property, and the location of all essential services as defined in this Ordinance. The applicant shall be responsible for providing the metes and bounds description and scale plan to the Building Inspector at the time of application.
- B. The city manager or city manager's designee shall check the application for completeness and insure that all required information has been provided by the applicant. Incomplete applications will be returned to the applicant for the required information. A complete application shall be forwarded by the city manager or city manager's designee to the City Recorder at least seven (7) days prior to the preparation of the agenda for the regular City Commission meeting. (Ord. 984, 09/06/01).

11-1702. Initial Action by City Commission. The City Commission may approve or disapprove the request for rezoning; however, no zoning amendment shall become effective unless it be first submitted to and approved by the Planning Commission, or if disapproved, shall receive the favorable vote of a majority of the entire membership of the City Commission.

11-1703. Planning Commission Recommendation to City Commission. If the rezoning petition is referred to the Planning Commission from the City Commission, the following procedures shall apply:

- A. Within thirty (30) days of receipt of a petition from the City Commission, the Planning Commission shall advise the petitioner of the date upon which they will act.
- B. Action on a petition must be taken within sixty (60) days of the date the petition is first received by the Planning Commission from the City Commission.
- C. After the Planning Commission has acted upon a petition to change the zoning classification of a particular piece of property, additional petition to change the zoning classification of particular piece of property may not be introduced for another six (6) month period.
- D. In making its recommendation to the City Commission for a change in zoning classification of a particular piece of property, the Planning Commission shall make written findings for all of the following:
 - 1. As to the suitability of the property for the proposed amendment in terms of relations to the Comprehensive Plan, physical characteristics of the site, and its relation to the surrounding area and existing and probable future development.
 - 2. As to relation to major transportation facilities, utilities, public facilities, and services.
 - 3. As to adequacy of evidence of verified control and suitability of any proposed agreements, contracts, deed restrictions, sureties, or other instruments of the need for such instruments or for amendments in those proposed.
- E. Based on such findings, the Planning Commission shall recommend: approval of the amendment, as proposed; approval conditioned on stipulated modification; or disapproval.

11-1704. Final Action by City Commission.

- A. Before enacting any amendment to the zoning ordinance, the City Commission shall hold a public hearing thereon, at least fifteen (15) days notice of the time and the place of which shall be published in the official municipal journal or in a newspaper of general circulation in the municipality. At the time the City Commission shall set such a public hearing date, the City Commission shall direct the city manager or city manager's designee to notify all owners of property whose lots are within 300 feet in any direction of the property requested to be rezoned that the City Commission will consider such a request of rezoning at a public hearing. Such notification to property owners shall be by first class mail to the address shown for the property on the city property tax roles (Ord. #700, 01/05/89, Ord. # 984, 09/06/01).
- B. No change in or departure from the text or maps as certified by the Planning Commission shall be made unless such change or departure is submitted to and approved by the Planning Commission. The Planning Commission shall act on such change within forty-five (45) days from referral from the City Commission. Failure of the Planning Commission to act on such change within forty-five (45) days shall constitute approval by the City Commission. If disapproved by the Planning Commission, such change shall require the favorable vote of the majority of the entire membership of the City Commission for enactment and amendment to the zoning ordinance.

CHAPTER 18

ENFORCEMENT AND ADMINISTRATION

SECTION

- 11-1800. Enforcing Officer.
- 11-1801. Building Permit Required.
- 11-1802. Issuance of Building Permit.
- 11-1803. Certificate of Occupancy.

11-1800. Enforcing Officer. The provisions of this Ordinance shall be administered and enforced by the city manager or city manager's designee, who shall have the power to make inspections of buildings or premises necessary to carry out the enforcement of this Ordinance. (Ord. # 984, 09/06/01).

11-1801. Building Permit Required. It shall be unlawful to commence the excavation or filling of any lot for the construction of any building, including accessory buildings, or to commence the moving or alteration of any buildings including accessory buildings, until the Building Inspector has issued a building permit for such work.

11-1802. Issuance of Building Permit.

- A. In applying to the Building Inspector for a building permit, the applicant shall submit a dimensional sketch or scale plan indicating the shape, size and location of the lot to be built upon, the shape, size, height and location of all buildings to be erected, altered or moved, and of any buildings already on the lot. The applicant shall also state the existing and intended use of all such buildings and supply such other information as may be required by the Building Inspector for determining whether the provisions of this Ordinance are being observed.
- B. If the proposed excavation, filling, or construction, as set forth in the application, are in conformity with the provisions of this ordinance and other ordinances of the City of Paris, then in force, the Building Inspector shall issue a building permit for such excavation or construction upon payment of the required fees. If a building permit is refused, the Building Inspector shall state such refusal in writing with the cause.

- C. Building permits must be used within six (6) months from date of issue. If no substantial progress on construction has been made six (6) months after the permit is issued, the permit is invalid and must be renewed.

11-1803 Certificate of Occupancy. Upon the completion of the construction or alteration of a building or structure for which a building permit has been granted, application shall be made to the Building Inspector for a certificate of occupancy. Within three (3) days of such application, the Building Inspector shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of this ordinance and the statements made in the application for the building permit. If such a certificate is refused, the Building Inspector shall state such refusal in writing with the cause. No land or building hereafter erected or altered in its use shall be used until such a certificate of occupancy has been granted.

CHAPTER 19

LEGAL STATUS PROVISIONS

SECTION

- 11-1900. Conflict with Other Ordinances.
11-1901. Validity.
11-1902. Repeal of Prior Ordinance.
11-1903. Effective Date.

11-1900. Conflict with Other Ordinances. All ordinances and parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed; provided, however, that nothing herein contained shall be deemed to repeal or amend any building, housing plumbing or electric codes and ordinances previously adopted by the City of Paris or any ordinance requiring a permit or license for a business, trade or occupation.

11-1901. Validity. If any section or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

11-1902. Repeal of Prior Ordinance. The existing zoning ordinance of the City of Paris, Tennessee, as amended, is hereby repealed. The adoption of this Ordinance shall not effect nor prevent any pending or future prosecution of an action to abate any existing violation of said existing ordinance, as amended, if the violation is also a violation of this ordinance.

11-1903. Effective Date. This Ordinance shall take effect and be enforced immediately upon the second and final reading by the City Commission of Paris, Tennessee.

SECTION 2: All ordinances and parts of ordinances in conflict with the provisions of this chapter are hereby repealed.

SECTION 3: This ordinance shall take effect and be enforced on and after its final passage and adoption.

Passed and adoption May 28, 1992.

Passed and adoption June 4, 1992.

Passed and adoption July 7, 1992.

s/Evonne J. Phifer
Finance Director

s/John T. Van Dyck, III
Mayor

