

TITLE 14**ZONING AND LAND USE CONTROL****CHAPTER**

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. FLOOD DAMAGE PREVENTION ORDINANCE.
4. MOBILE HOME REGULATIONS.

CHAPTER 1**MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Additional powers.

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of five (5) members; two (2) of these shall be the mayor and an alderman elected by the board of mayor and aldermen; the other three (3) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. The three (3) members appointed by the mayor shall be appointed for terms of: one (1) member for a one (1) year term; one (1) member for a two (2) year term; and one (1) member for a three (3) year term. Thereafter, the terms of the appointed members shall be increased to five (5) years as the initial appointment expires. The terms of the mayor and the alderman selected by the board of mayor and aldermen shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (1977 Code, § 11-101, as amended by Ord. #93-1, Jan. 1993)

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13. (1977 Code, § 11-102)

14-103. Additional powers.¹ Having been designated as a regional planning commission, the municipal planning commission shall have the additional powers granted by, and shall otherwise be governed by the provisions of the state law relating to regional planning commissions. (1977 Code, § 11-103)

¹To make this section effective the city should request the State Planning Office, under authority granted by Tennessee Code Annotated, § 13-3-102, to designate the municipal planning commission as a regional planning commission.

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Copperhill shall be governed by Ordinance #77-707, titled "Zoning Ordinance, Copperhill, Tennessee," and any amendments thereto.¹

¹Ordinance #77-707, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 3**FLOOD DAMAGE PREVENTION ORDINANCE****SECTION**

14-301. Flood damage control to be governed by flood damage prevention ordinance.

14-301. Flood damage control to be governed by flood damage prevention ordinance. Regulations governing flood damage control within the City of Copperhill shall be governed by Ordinance #6, titled "Flood Damage Prevention Ordinance" and any amendments thereto.¹

¹Ordinance #6, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 4

MOBILE HOME REGULATIONS

SECTION

- 14-401. Definitions.
- 14-402. Application requirements.
- 14-403. Design requirements.
- 14-404. Site plan requirements.
- 14-405. Travel trailer parks.
- 14-406. Administration and enforcement.

14-401. Definitions. Except as specifically defined herein, all words used in this chapter have their customary dictionary definitions where not inconsistent with the context. For the purposes of this chapter certain words or terms are defined as follows:

The term "shall" is mandatory.

When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular.

Words used in the present tense include the future.

(1) "Green strip." A strip of land not less than ten (10) feet in width planted in grass, ground covers, shrubs and/or trees.

(2) "Health officer." The director of a city, county or district health department having jurisdiction over the community health in a specific area, or his duly authorized representative.

(3) "Mobile home (trailer)." A detached single-family dwelling unit with any or all of 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 in a flatbed or other trailers or detachable wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling including 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.

(4) "Mobile home park." The term mobile home park shall mean any plot of ground within the City of Copperhill on which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located.

(5) "Mobile home space." The term shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(6) "Mobile home subdivision." A subdivision of land specifically created to accommodate mobile homes on individual lots which are sold in fee simple. Such subdivisions shall meet all of the requirements of the Copperhill Subdivision Regulations.

(7) "Permit (license)". A permit is required for mobile home parks, single mobile homes and travel trailer parks. Fees charged for mobile home and travel trailer parks under the permit requirements are for inspection and the administration of this resolution.

(8) "Set-up." The support system which is a combination of footings, piers, caps and shims that will, when properly installed, support the mobile home.

(9) "Skirting." An enclosure permanently constructed from weather resistant materials, similar in nature and design to the mobile home, which encloses the space directly beneath the mobile home.

(10) "Travel trailer." A travel trailer, pick-up camper, converted bus, tent-trailer, tent, or similar device used for temporary portable housing or a unit which:

(a) Can operate independently of connections to external sewer, water, and electrical systems; and,

(b) Contains water storage facilities and may contain a lavatory, kitchen sink and/or bath facilities;

(c) Is identified by the manufacturer as a travel trailer.

(11) "Travel trailer park." The term travel trailer park shall mean any plot of ground within the City of Copperhill on which two (2) or more travel trailers, occupied for camping or periods of short stay, are located. (Ord. #93-2, March 1993)

14-402. Application requirements. (1) Preapplication review. Whenever a mobile home park is proposed on land within the city limits of Copperhill, the developer is urged to consult early and informally with the planning commission staff. The developer may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the mobile home park. No fee shall be charged for this review and no formal application shall be required.

(2) Application for mobile home park permit and planning commission approval. Following the optional pre-application review of a proposed mobile home park, the developer of the mobile home park, or his agent, shall apply for a mobile home park permit from the city recorder or county health officer. No mobile home park shall be established or maintained by any person unless such person holds a valid mobile home park permit.

Applications shall be in writing, signed by the applicant and accompanied by the owner's certification and any other certification deemed necessary, as well as by a site plan of the proposed mobile home park.

The developer shall notify the Copperhill Municipal Planning Commission at least fifteen (15) calendar days prior to the next regular meeting of the planning commission of what it is he wishes to have on the AGENDA. At this time, the developer shall also submit copies of the site plan and any supporting documents, if any.

(3) Permit fee. An annual permit fee shall be required for mobile home parks and travel trailer parks. The annual permit fee for mobile home park shall be twenty-five dollars (\$25.00). The annual permit fee for travel trailer parks shall be twenty-five dollars (\$25.00). (Ord. #93-2, March 1993)

14-403. Design requirements. (1) Site requirements. Each mobile home park shall be located on a single lot or on adjacent lots of the same ownership and planned so as to facilitate the efficient management and administration of such park. The location of mobile home parks shall also conform to the Zoning Ordinance of the City of Copperhill.

(2) Minimum size of mobile home park. The tract of land for the mobile home park shall comprise an area of not less than two (2) acres. The tract of land shall consist of a single plot so dimensioned and related as to facilitate efficient design and management.

(3) Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is two (2).

(4) Minimum mobile home space and spacing of mobile homes. Each mobile home space shall be adequate for the type of facility occupying the same. Mobile homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes or any attachment such as a garage or porch and at least fifteen (15) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and twenty-five (25) feet from the right-of-way of any public street or highway and ten (10) feet from streets within the park. In addition, each mobile home space shall contain:

- (a) A minimum lot area of three thousand (3,000) square feet;
- (b) A minimum width of at least forty (40) feet and a minimum depth of at least seventy-five (75) feet;
- (c) Minimum depth with side or street parking shall be equal to the length of mobile home plus fifteen (15) feet; and
- (d) In no case shall the minimum width be less than forty (40) feet and the minimum depth less than sixty (60) feet.

(5) Streets. Widths of various streets within mobile home parks shall be:

One-way 11 ft.
(with no on-street parking)

One-way 18 ft.
(with parallel parking on one side only)

One-way 26 ft.
(with parallel parking on both sides)

Two-way 20 ft.
(with no on-street parking)

Two-way 28 ft.
(with parallel parking on one side only)

Two-way 36 ft.
(with parallel parking on both sides)

(6) Parking spaces. Car parking spaces shall be provided in sufficient numbers to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least one (1) car space for each mobile home lot plus an additional car space for each four (4) lots to provide for guest parking, for two-car tenants and for delivery and service vehicles. Car parking spaces shall be located for convenient access to the mobile home spaces. Where practical, one (1) car space shall be located on each lot and the remainder located in adjacent parking bays. The size of the individual parking space shall have a minimum width of not less than ten (10) feet and a length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park.

(7) Buffer strip. An evergreen buffer strip or green strip shall be planted along those boundaries of the mobile home court that are adjacent to the development.

(8) Water supply. Where a public water supply is available, it shall be used exclusively. The development of an independent water supply to serve the mobile home park shall be made only after expressed approval has been granted by the county health officer. In those instances where an independent system is approved, the water shall be from a supply properly located, protected, and operated, and shall be adequate in quantity and approved in quality. Samples of water for bacteriological examination shall be taken before the initial approval of the physical structure and thereafter at least every four (4) months

and when any repair or alteration of the water supply system has been made. If a positive sample is obtained, it will be the responsibility of the trailer court operator to provide such treatment as is deemed necessary to maintain a safe, potable water supply. Water shall be furnished at the minimum rate of one hundred twenty-five (125) gallons per day per mobile home space. An individual water service connection shall be provided for each mobile home space.

(9) Sewage disposal. An adequate sewage disposal system must be provided and must be approved in writing by the county health officer. Each mobile home space shall be equipped with at least a four (4) inch sewer connection, trapped below the frost line and reaching at least four (4) inches above the surface of the ground. All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

Every effort should be made to dispose of the sewage through a public sewerage system. In lieu of this, a septic tank and sub-surface soil absorption system may be used provided the soil characteristics are suitable and an adequate disposal area is available. The minimum size of any septic tank to be installed under any condition shall not be less than seven hundred fifty (750) gallons working capacity. This size tank can accommodate a maximum of two (2) mobile homes. For each additional mobile home on such a single tank, a minimum additional liquid capacity of one hundred seventy-five (175) gallons shall be provided. The sewage from no more than twelve (12) mobile homes shall be disposed of in any one (1) single tank installation. The size of such tank shall be a minimum of two thousand five hundred (2,500) gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and shall be determined only on the basis of the percolation rate of the soil. The percolation rate should be determined as outlined in Appendix A of the Tennessee Department of Health Bulletin, entitled "Recommended Construction of Large Septic Tank Disposal System for School, Factories and Institutions." This bulletin is available on request from the department. No mobile home shall be placed over a soil absorption field.

In lieu of a public sewerage or septic tank system, an officially approved package treatment plant may be used.

(10) Refuse. The storage, collection and disposal of refuse, in the park shall be so managed as to create no health hazards. All refuse shall be stored in fly proof, water tight and rodent proof containers. Satisfactory container racks or holders shall be provided. Garbage shall be collected and disposed of in an approved manner at least twice per week.

(11) Required recreation area. A centrally-located recreation area for the use of all mobile home park residents shall be provided in all mobile home parks having more than ten (10) mobile home spaces. The recreation area shall contain a minimum of five hundred (500) square feet per mobile home space. Mobile home parks with ten (10) or less spaces shall have the option of providing

a centrally located recreation area with a minimum of three thousand (3,000) square feet, or five hundred (500) square feet per unit if this is greater; or may incorporate the recreation area into each individual lot, in which case each individual mobile home space shall be five hundred (500) square feet more than the otherwise required minimum per individual space.

Such recreational land, when provided separately by the mobile home park, shall be maintained in an attractive manner and shall be well-drained and usable for recreation.

(12) Utilities to each space. Each mobile home park shall contain utility connections for each mobile home space.

(13) Skirting. The owner or operator of a mobile home park shall require individual mobile homes within the park to be skirted.

(14) Individual mobile homes. Application for individual mobile home permits shall be filed and issued by the city recorder. Applications shall be in triplicate form and signed by the applicant. The application shall contain the following:

(a) The name of the applicant and all people who are to reside in the mobile home;

(b) The location of the mobile home;

(c) A description of the mobile home, make, model and year. The state mobile home license number and date; or if property taxes are being paid by the applicant for said mobile home, applicant shall indicate date taxes last paid and amount.

(d) Any additional information as may be required by said city to enable it to determine if the mobile home and site will comply with all legal requirements of this chapter and also the Zoning Chapter of the City of Copperhill. (Ord. #93-2, March 1993)

14-404. Site plan requirements. The mobile home park site plan shall be clearly drawn at a scale not smaller than one hundred (100) feet to one (1) inch and shall contain:

(1) Name, address and phone number of owner of record;

(2) Proposed name of park;

(3) North point and graphic scale and date;

(4) Vicinity map showing location and acreage of mobile home park;

(5) Exact boundary lines of the tract by bearing and distance;

(6) Names of owners of record of adjoining land;

(7) Existing streets, utilities, easements, and water courses on and adjacent to the tract;

(8) Proposed design including streets, proposed street names, lot lines with appropriate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than mobile home spaces;

(9) Provisions for water supply, sewerage and drainage;

(10) Such information as may be required by said city to enable it to determine if the proposed park will comply with legal requirements; and

(11) The applications and all accompanying plans and specifications shall be filed in triplicate. (Ord. #93-2, March 1993)

14-405. Travel trailer parks. Travel trailer parks should be located in commercial areas or recreational areas.

NOTE: Travel trailer parks, properly regulated, fit well into general commercial complexes, in which a variety of complimentary facilities are available nearby - groceries, general stores, filling stations, coin operated laundries, for example, are often in demand by persons looking for trailer parks.

(1) Requirements that are the same as for mobile home parks. Many of the procedures and requirements for travel trailer parks are the same as for mobile home parks. The developer of a travel trailer park must follow the requirements of the following sections in §§ 14-402 and 14-403 after changing the words mobile home or mobile home park to read travel trailer or travel trailer park:

- (a) Pre-application review (See § 14-402, § 1)
- (b) Application (See § 14-402, § 2)
- (c) Permit Fee (See § 14-402, § 3)
- (d) Site Requirements (See § 14-403, § 1)
- (e) Parking Spaces (See § 14-403, § 6)
- (f) Buffer Strip (See § 14-403, § 7)
- (g) Water Supply (See § 14-403, § 8)
- (h) Refuse (See § 14-403, § 10)

(2) Minimum travel trailer park size. The tract of land designed to be used as a travel trailer park shall conform to those same minimum lot area standards as established by the Copperhill Subdivision Regulations.

(3) Minimum size of travel trailer space. Each travel trailer space shall have a minimum width of thirty (30) feet and a minimum length of sixty (60) feet.

Each space, upon which the travel trailer will be located, shall be situated such that there is at least fifteen (15) feet from side-to-side and at least eight (8) feet end-to-end from the edge of one travel trailer to the edge of the next.

(4) Street requirements. A loop or other system of internal private roads shall be built so that all travel trailer spaces take their access from such internal roads rather than directly from a public road. The use of pull-through spaces shall be allowed if the owner wants this arrangement.

The minimum widths of various streets or roads within a travel trailer park shall comply with the following:

One-way street 10 feet wide;
(with no on-street parking)

Two-way street 16 feet wide;
(with no on-street parking)

Parallel parking 8 ft. of add'l width;
(on one side)

Parallel parking 16 ft. of add'l width.
(on two sides)

(5) Sewage disposal. Each travel trailer park shall provide an adequate sewage disposal system approved in writing by the health officer. Each travel trailer space designed to accommodate travel trailers requiring external connections to the sewage disposal system shall have such connections approved by the health officer. A collection and disposal system for liquid wastes shall also be provided within the park for those travel trailers having self-contained waste systems. The liquid disposal and collection system shall meet all health department requirements.

The developer of a travel trailer park shall first attempt to dispose of sewage through a public sewerage system. If this attempt is not feasible, then a septic tank and subsurface soil absorption system may be used provided the soil characteristics are suitable and an adequate disposal area is available.

No travel trailer shall be placed over a soil absorption field.

An officially-approved treatment plant may be used instead of a public sewerage or septic tank system.

(6) Length of occupancy. Travel trailer spaces shall be rented by the day or week only, and the occupant of such space shall remain in the same travel trailer park not more than fourteen (14) days. Travel trailer spaces are not intended for the establishment of permanent-type residence and shall not be used as such. (Ord. #93-2, March 1993)

14-406. Administration and enforcement. (1) Highest standards applies. In any case where a provision of this chapter is found to be in conflict with a provision of any private or public act or local ordinance or code, the provision which establishes the higher standard for promotion and protection of the health and safety of the people shall prevail.

(2) Enforcement. It shall be the duty of the county health officer and city recorder to enforce the provisions of this chapter.

(3) Copperhill municipal planning commission to hear appeals. The applicability of this chapter or the validity or applicability of a regulation promulgated pursuant to this chapter, may be determined in a hearing before the Copperhill Municipal Planning Commission. The planning commission shall grant a hearing to aggrieved persons upon request. The complainant shall file a written petition. The planning commission shall hold a hearing on the appeal

within sixty (60) days of receipt of petition. The complainant and all other interested parties shall be given notice of the time and place of the hearing.

The complainant may appeal such decision of the planning commission to the Copperhill Board of Mayor and Aldermen. Such an appeal shall be in writing. After an appeal to the county legislative body, the complainant may seek judicial review.

(4) Variance process. Variance from the requirements of these regulations shall only be based upon hardship created through lot conditions necessitating such when the intent of these regulations shall not be changed. Variance shall be through the approval of the site plan by a two-thirds vote of the quorum present. Such variance and the reason as to why granted shall be noted in the minutes of the planning commission.

(5) Improper utility connection. If a utility company or similar public facility corporation connects with the system of a structure or initiates service in violation of this chapter or the regulations promulgated hereunder, the planning commission through the city attorney shall direct such company or corporation to close the connection and discontinue service at the company's or corporation's expense.

(6) Violations. Violations of this chapter or the regulations promulgated hereunder shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense. Each day a violation is continued shall constitute a separate offense. Prior to the levy of a fine, written notice shall be given to the offender specifying in what manner he has violated this chapter. This notice shall specify the manner and ordinances necessary to correct conditions in violation.

(7) Existing mobile home parks (grandfather clause). Any mobile home park or travel trailer park permitted pursuant to the provisions of this chapter, may be continued even though such use does not entirely conform with the provisions of this chapter provided they do not violate public health regulations and provided, however, that this chapter will govern:

(a) Mobile home parks or travel trailer parks re-established after a discontinuance for more than one (1) year;

(b) The extension or enlargement of any mobile home park or travel trailer park in existence prior to the adoption of this chapter; and

(c) Mobile home parks or travel trailer parks rebuilt, altered, or repaired after the effective date of this chapter due to damage or destruction of more than one-half (1/2) of the park's total capacity.

(8) Amendment. Any member of the board of mayor and aldermen may introduce such amendment, or any official, board or any other person may present a petition to the board of mayor and aldermen requesting an amendment or amendments to this chapter. All changes and amendments shall be effective only after a fifteen day (15) official notice and public hearing. No such amendment shall become effective unless it is first submitted to the planning commission for approval. If such amendment is disapproved by the

planning commission, it shall receive the favorable vote of a majority of the entire membership of the Copperhill Board of Mayor and Aldermen. (Ord. #93-2, March 1993)