

**SUBDIVISION REGULATIONS
SUMNER COUNTY, TENNESSEE**

PREPARED FOR THE
PLANNING COMMISSION OF SUMNER COUNTY, TENNESSEE

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CHAPTER 1

GENERAL PROVISIONS

1-101 Title -- These regulations shall hereafter be known and cited as the "Subdivision Regulations of the Sumner County Planning Region."

1-102 Authority -- These Subdivision Regulations are adopted by the Sumner County Regional Planning Commission (hereinafter referred to as the "Planning Commission"), acting under the authority granted by resolution of the Tennessee State Planning Commission pursuant to Sections 13-107 and 13-202, Tennessee Code Annotated.

In the adoption of these Subdivision Regulations, the Planning Commission acts in pursuance of the authority and powers granted by Section 13-301 through 13-311, Tennessee Code Annotated. Having adopted a Major Route Plan for the Planning Region, and filed a certified copy of the plan in the office of the county register of deeds, as required by Section 13-302, Tennessee Code Annotated, and having held a public hearing on these regulations as indicated in Section 7-101 of these regulations and as required by 13-303, Tennessee Code Annotated, the Planning Commission has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.

1-103 Jurisdiction -- These Subdivision Regulations shall apply to all subdivisions, as herein defined, located within the Sumner County Planning Region as established by the Tennessee State Planning Office. No land shall be subdivided within the Planning Region until the subdivider submits a plat as required by these regulations, obtains Planning Commission approval of the plat, and files the approved plat with the county register.

The Planning Region consists of all the unincorporated areas of Sumner County except the territory included in the Planning Regions of Gallatin, Hendersonville, Portland, and White Rouse.

1-104 Policy and Purpose -- It is hereby declared to be the policy of the Planning Commission to consider the subdivision of land and development of a subdivision plat as subject to the control of the General Plan of the County for the orderly, planned, and efficient physical and economical development of the County. Land to be subdivided shall be of such character that it can be used for building purposes without danger of health, fire, flood, or other menace. Land shall not be subdivided until proper provisions have been made for drainage, water, sewerage, and other public utilities and for other required public facilities and improvements. The existing and proposed public improvements shall generally conform to and be properly related to the proposals shown in the Future Land Use Plan of the County. These regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the County zoning resolution.

These regulations are adopted for the following purposes:

- (1) To promote the public health, safety, and general welfare of the County.
- (2) To guide the development of the Planning Region in accordance with the adopted General Plan, considering the suitability of nonresidential and public areas of the Planning Region and having regard for the most beneficial land use in such areas.
- (3) To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other dangers; and to prevent overcrowding of the land and undue congestion of population.
- (4) To protect the character and the social and economic stability of the Planning Region and especially the unincorporated areas thereof, and to encourage the orderly and beneficial development of all areas in the Planning Region.
- (5) To conserve the value of land, buildings, and improvements throughout the Planning Region, and to minimize the conflicts among the uses of land and buildings.
- (6) To serve as a guide for public policy and action, adequately providing for transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public needs and for private enterprise in building development, investment, and other economic activity related to uses of land and buildings throughout the Planning Region.
- (7) To provide the most beneficial relationship between the uses of land and buildings and the traffic movement throughout the Planning Region, especially attempting to avoid traffic congestion and to provide for the proper location and width of streets and building lines.
- (8) To establish reasonable standards of design and procedures for subdivisions and resubdivisions, to further the orderly layout and use of land, and to insure proper legal descriptions and proper monumenting of subdivided land.
- (9) To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the Planning Region in order to preserve the integrity, stability, and beauty of the community and the value of the land.
- (10) To preserve the natural beauty and topography of the Planning Region, and to insure appropriate development with regard to these natural features.
- (11) To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots while preserving the density of land as established in the applicable zoning ordinances.

- 1-105 Repeal of Previous Regulations -- Upon the adoption and effective date of these regulations, the Subdivision Regulations of Sumner County, Tennessee, adopted March 16, 1973, as amended, are hereby repealed.
- 1-106 Interpretation, Conflict, and Severability
- 1-106.1 Interpretation -- These regulations are intended to promote the health, safety, and welfare of the persons within this Planning Region, and, toward that purpose, these regulations are to be liberally construed.
- 1-106.2 Conflict with Public and Private Provisions
- 1-106.201 Public Provisions -- These regulations are not intended to interfere with, abrogate, or annul, any resolution, action of the County Commission, or any other federal, state, or local regulation, statute, or other provision of law, provided that, if any provision of these regulations or any resolution, action of the County Commission, or federal, state, or local statute conflicts, whichever provision is more restrictive or impose higher standards shall control.
- 1-106.202 Private Provisions -- These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that, where these regulations are more restrictive or impose higher standards than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose more restrictive obligations and duties or impose higher standards than the requirements of these regulations or than the determinations of the of the Planning Commission in approving a subdivision or in enforcing these regulations; it shall not be the policy of the Planning Commission to intervene into or enforce such regulations.
- 1-106.3 Severability -- If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances, and for such purpose, the provisions or any portion of the provisions in these regulations are considered severable. The Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.
- 1-107 Saving Provision -- These regulations shall not be construed as abating any action now pending under or by virtue of previous subdivision regulations, or as discontinuing, abating, modifying, or altering any

penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the County under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person by lawful action of the County, except as expressly shall be provided otherwise in these regulations.

1-107.1 Previously-approved Subdivisions

1-107.101 Unexpired Preliminary Approval -- The approval granted on any plat prior to the effective date of these regulations shall remain in force and effect for the time period stipulated by the regulations under which the approval was first granted.

1-107.102 Expired Preliminary Approval -- In any instance in which the period of preliminary approval shall have passed with some portion of the subdivision not having received final approval, and the applicant wishes an extension of the preliminary approval, the Planning Commission may:

- (1) Permit the remaining portion of the subdivision to be constructed and to receive approval under provisions set forth in the regulations whereby preliminary approval was originally granted, or
- (2) Stipulate that the plat is null and void and that a new plat be presented subject to the provisions of these regulations.

In making this determination, the Planning Commission shall consider all pertinent facts available to it. The current state and active pursuit of construction and development activities within the subdivision shall be given due consideration in the course of the Planning Commission's deliberation on this question.

1-108 Amendments

1-108.1 Enactment -- For the purpose of providing for the public health, safety, or general welfare the Planning Commission may amend these subdivision regulations by the affirmative vote of a majority of its entire membership. Before the adoption of any amendment to these regulations, a public hearing thereon shall be held by the Planning Commission, thirty (30) days notice of the time and place of which shall be given by publication in a newspaper of general circulation in the Planning Region.

1-108.2 Codification and Distribution -- Subsequent to the adoption of any amendment to these regulations, such amendment shall be incorporated into the text of these regulations in the following manner.

- (1) Replacement pages shall be prepared incorporating the new or changed language with a notation in margin of the page indicating the lines have been amended or added and indicating the number of the amendment. Additionally, each such new or replacement page shall be dated so as to, indicate the date of the last revision of the page.
- (2) In Chapter 7 of these regulations, each adopted amendment shall be numbered consecutively and printed on pages separate from any other amendment and in a manner which fully states any language deleted from these regulations and any language added and the place in the text of each such change.

1-109 Resubdivision of Land

1-109.1 Procedures for Resubdivision -- If any change in an approved or recorded subdivision plat would affect any street layout shown on such plat, or area reserved thereon for public use, or any lot line, or if it would affect any map, plan, or plat legally recorded before the adoption of any subdivision regulations, such amendment must be approved by the Planning Commission by the same procedure, rules, and regulations as for a subdivision.

1-109.2 Procedures for Subdivision Where Future Resubdivision Is Foreseen -- Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land or double the minimum required area for any zoning district in which the lot is located, and the Planning Commission has reason to believe that any such lots will be resubdivided into smaller building sites, the Planning Commission may require that the subdivision and development of such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. The Planning Commission may also require that dedications providing for the future opening and extension of such streets be indicated on the plat. Whenever any areas are dedicated on a plat as rights-of-way or future public way access areas it shall be required that a note be placed on the plat relating to the use and maintenance of such dedicated rights-of-ways or future public way access areas. Such note shall dictate that adjoining property owners shall be obliged to maintain, control and have full use of such dedicated rights-of-way or future public way access areas, until such areas or strips are officially utilized as public ways to access and provide service to adjacent subdivisions.

1-110 Conditions -- Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to the Planning Commission. The developer has the duty of compliance with reasonable conditions imposed by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to provide for the physical and economical development of the Planning Region and the safety and general welfare of the future plot owners in the subdivision and of the community at large.

1-111 Vacation of Plats and Abandonment of Right-of-Way Dedications

1-111.1 Vacation of Plats -- Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot described therein, by a written instrument, to which a copy of such plat shall be attached, declaring the plat or part of the plat to be vacated. The Planning Commission will follow the same procedure for approval of plats. The County Commission may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys. Such an instrument shall be executed, acknowledged, or approved and duly recorded or filed, the instrument shall operate to void the recorded plat and divest all public rights in the streets, alleys, and public grounds and all dedications laid out or described in such plat. When any lot or lots have been sold, the plat may be vacated in the manner herein provided only if all the owners of lots in such plat join in the execution of such writing.

1-111.2 Abandonment of Right-of-Way Dedications - Any dedicated right-of-way shown on a recorded subdivision plat can be abandoned only through the resubdivision of such plat, or through the resubdivision of the affected section of such plat, according to the procedures stated in 1-109.1 of these regulations. Thereby, the planning commission must approve the resubdivision of the initially recorded plat which depicts the dedicated right-of-way or future public way access area, in such a manner wherein such dedicated right-of-way is deleted from said plate. Once this revised plat is officially recorded, it acts to supersede the originally recorded plat, and accordingly abandons the respective dedicated right-of-way or future public way access area. No official action shall be made by the planning commission in relation to the abandonment of any dedicated right-of-way, pending the public notification of adjacent property owners by registered mail as to the time and place of the planning commission meeting, at which time such action is to be officially entertained. Any public way access area or dedicated right-of-way that is abandoned as per the procedures cited herein, shall be deeded solely to the current owners of those lots which were in the originally platted and recorded section of the affected subdivision wherein such public way access area or dedicated right-of-way was depicted.

Prior to taking any official action as pertains to the abandonment of any officially accepted dedicated right-of-way by way of the platted process, the Planning Commission shall obtain an official recommendation thereon, from the Sumner County Highway Commission. In all such cases where the County Commission has through its authority officially accepted any such dedicated right-of-way or future public way access area as shown on any recorded plat, it shall be further required that the county commission after due consideration thereof take the appropriate actions as required by law to abandon any such platted public way right-of-way.

1-112 Variances

1-112.1 General -- If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted; provided, that such variance shall not have the effect of nullifying the intent and purpose of these regulations and provided, further, that the Planning Commission shall not recommend variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located;
- (2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape, or topographical condition of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out; and
- (4) The variance will not in any manner vary the provisions of the adopted Land Use Plan, Major Road Plan, or any Zoning Resolution.

1-112.2 Procedures -- A petition for any such variance shall be submitted in writing by the subdivider along with the initial filing of the plat. The petition shall state fully the grounds for the application and all of the facts upon which the petitioner is relying.

1-112.3 Conditions -- In approving variances, the Planning Commission may impose such conditions as in its judgment will secure substantially the objectives, standards, and requirements of the regulations.

1-113 Enforcement, Violation, and Penalties

1-113.1 General

1-113.101 Authority -- The enforcement of these regulations and the penalties for violations are provided pursuant to Title 13, Chapter 3, Tennessee Code Annotated.

1-113.102 Enforcing Officer -- It shall be the duty of the building official of the County to enforce these regulations and to bring to the attention of the county attorney any violations or lack of compliance herewith.

- 1-113.103 Recording of Plats -- Pursuant to Section 13-302 Tennessee Code Annotated, no plat of a subdivision of land within the Planning Region shall be filed by any person or admitted to the land records of the County or received or recorded by the County Register of Deeds until the plat has received final approval of the Planning Commission, in accordance with these regulations, and such approval has been endorsed in writing on the plat by the Planning Commission in the manner prescribed by Section 2-105 of these regulations.
- 1-113.104 Use of Unapproved Plats -- Pursuant to Section 13-310, Tennessee Code Annotated, no owner or agent of the owner of any land shall transfer or sell or agree to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of a subdivision of such land without first having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required by these regulations and having recorded such plat in the office of the county register, provided, however, that the owner or agent of the owner of any land in the Planning Region may sell, transfer, or agree to sell any lot or lots shown on a plat having been approved by the Planning Commission as required by these regulations and provided, further, that the owner or agent posts bond in a form and amount and with conditions and surety satisfactory to the Planning Commission providing for and securing to the public the actual construction and installation of required improvements and utilities within a period specified by the Planning Commission and expressed in the bond.
- The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt any owner or agent violating the provisions of the preceding paragraph from the penalties or remedies provided in Sections 1-113.2 and 1-113.3 of these regulations.
- 1-113.105 Metes and Bounds Subdivisions -- The subdivision of any lot or parcel of land by use of metes and bounds description without complying with the plat provisions of these regulations shall not be permitted. All such described subdivisions shall be subject to all of the requirements of these regulations.
- 1-113.106 False Statements About Roads -- Pursuant to Section 13-310, Tennessee Code Annotated, no owner or agent of the owner of any land shall falsely represent to a prospective purchaser of real estate that roads or streets will be built or constructed by any City, County, or any other political subdivision.
- 1-113.107 Roads and Utilities -- Pursuant to Section 13-306, Tennessee Code Annotated, no county or court, board, officer, or authority thereof or any other public officer or authority shall accept, lay out, open, improve, grade, pave, or light any street, lay or authorize the laying of water mains or sewers, or construct or

authorize the construction of other facilities or utilities in any street located within the Planning Region unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the attachment of the Planning Commission's jurisdiction, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission or on a street plan made by the Planning Commission, however, that the County Commission may accept or lay out any other street or adopt any other street location, provided the resolution, ordinance, or other measure for such acceptance, laying out or adoption first shall be submitted to the Planning Commission for its approval and, if disapproved by the Planning Commission, shall receive the favorable vote of a majority of the entire membership of the County Commission. A street approved by the Planning Commission upon such submission or accepted, laid out or adopted by the Planning Commission shall have the status of an approved street location as fully as though it originally had been shown on a subdivision plat approved by the Planning Commission or on a plat made and adopted by the Planning Commission. In case, however, of any state highway constructed or to be constructed in the Planning Region by State of Tennessee with state funds as a part of the state highway system, the submission to the Planning Commission shall be by the Tennessee Commissioner of Transportation, who shall have the power to overrule the disapproval of the Planning Commission.

1-113.108 Building Permits -- No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of any provision of these regulations.

Amendment Dated November 7, 2000

1-113.109 Access to Lots by Road or Private Easements -- No building shall be erected on a lot which does not continuously abut at least one public street for at least fifty (50) feet: the lot must be a minimum of fifty (50) feet in width at the building setback line. A lot with more than one-half (1/2) of its frontage on the bulb of a cul-de-sac must continuously abut the street for at least thirty (30) feet; the lot must be a minimum of thirty (30) feet in width at the building setback line. This section shall not apply to a lot of record (previously existing), with an easement of at least fifty (50) feet in width to a public street or to any lot or parcel or tract of land which contains five (5) acres or more.

Amendment Dated June 28, 2005

Gated planned unit developments and gated cluster developments may utilize private streets to provide access to more than one lot or tract provided that such developments meet the following conditions:

A. That such streets will be privately owned and maintained in perpetuity by a condominium association. The legal

documentation of the condominium association shall be submitted to and reviewed by the Planning Commission.

B. That any private street shall be constructed to the current standards for public roads as per these regulations. To insure that private roads are built to the appropriate standards the Planning Commission shall require a bond or other form of surety. The bond shall be released upon documentation by a Registered Engineer to confirm that the private street has been inspected and that it was constructed to County specifications. A Registered Engineer shall confirm that a 4" base of such private street has been inspected and that it was constructed to County specifications prior to the issuance of any building permit located on such private street.

C. Enforcement of Bonds -- Where a bond is accepted in lieu of completion of subdivision improvements and utilities as provided in Section 1-113.104 and Chapter 3 of these regulations, the County may enforce such bond in the manner prescribed by Chapter 3 of these regulations, or the district attorney for the judicial circuit in which the subdivision is located may enforce such bond by all appropriate legal and equitable remedies, and in the event of enforcement by the district attorney, the moneys collected on such bond shall be paid into the state treasury and, upon the order of the Planning Commission, shall be applied to the construction and installation of the bonded improvements and utilities.

1-113.2 Violations and Penalties

1-113.201 Recording of Unapproved Plats -- Any county register receiving, filing, or recording a plat of a subdivision in violation of Section 1-113.103 of these regulations shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

1-113.202 Use of Unapproved Plats -- Any owner or agent of the owner of any land who violates Section 1-113.104 of these regulations shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

1-113.203 False Statement About Roads -- Any owner or agent of the owner of any land who violates Section 1-113.106 of these regulations shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

1-113.3 Civil Enforcement

1-113.301 General -- Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations,

to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premises, and these remedies shall be in addition to the penalties described in Section 1-113.2 of these regulations.

1-113.302 Specific Statutory Remedies

- A. Use of Unapproved Plats -- The County, through its attorney or other official designated by the County Commission, may enjoin by action for injunction any transfer of, sale of, or agreement to sell any land in violation of Section 1-113.104 of these regulations.

- B. Erection of Unlawful Buildings - Where any building or structure is erected or being erected on any lot in violation of the road or easement frontage requirements of Section 1-113.109 of these regulations, the county building official or the county attorney or other official designated by the County Commission may bring action to enjoin such erection or cause the building or structure to be vacated or removed.

CHAPTER 2

PROCEDURES FOR PLAT APPROVAL

2-101 General Procedure

2-101.1 Plat Approval Requirements -- Except as otherwise provided in Section 1-113.104 of these regulations, before any contract is executed for the sale of any part of land which is proposed to be subdivided and before any permit for the erection of any structure in a proposed subdivision shall be granted, the subdividing owner or his authorized agent shall apply for and secure the Planning Commission's approval of the proposed subdivision in accordance with the procedures of this chapter.

2-101.2 Classification of Subdivisions -- The County Building Commissioner shall classify each subdivision proposal as either major or minor as defined herein. Major subdivisions shall be further classified as rural, suburban, or urban based upon design requirements contained herein.

2-101.201 Review Procedure -- The subdivider shall follow the procedure described below in order to secure plat approval.

(1) Minor Subdivisions

- (a) Preapplication conference with the County Building Commissioner including submittal of a scale drawing or survey of the proposal subdivision for preliminary discussion and review.
- (b) Securing of approvals from other public agencies and any affected utility districts or companies.
- (c) Submittal of a final plat, prepared in accordance with the specifications in Section 5-106 for approval by the planning staff, and signature by the Secretary of the Planning Commission.

(2) Major Subdivision

- (a) Preapplication conference on the subdivision with the County Building Commissioner and the staff planner advising the Planning Commission, including a sketch plat.
- (b) For purposes of determining the type of roads to be constructed in major subdivisions the Building Commissioner shall further classify the subdivision as follows:

Rural Subdivisions - Subdivisions of one and two family dwellings with average lot size 80,000 square

feet or greater which yields a net density of .5 dwelling units per acre and with average lot width at the street of 150 feet or more.

Suburban Subdivisions - Subdivisions of one and two family dwellings with average lot sizes between 40,000 and 80,000 square feet (a 40,000 square foot lot yields a net density of 1.1 dwelling units per acre) and average lot widths at the street of 100 feet or more.

Urban Subdivisions - Subdivisions of one and two family dwellings with average lot sizes smaller than 40,000 square feet and yielding a net density higher than 1.1 dwelling units per acre.

- (c) Submittal of the sketch plat prepared in accordance with Section 5-101 herein for Planning Commission approval.
- (d) Submittal of the preliminary plat prepared in accordance with Section 5-103 herein for Planning Commission approval.
- (e) Securing of approvals from other public agencies and any affected utility districts and companies.
- (f) Submittal of the final subdivision plat, prepared in accordance with Section 5-106, herein for Planning Commission approval.

2-101.3 Official Submission Date -- For the purpose of these regulations, for both major and minor subdivisions, the date of the regular meeting of the Planning Commission at which the public hearing on the final subdivision plat, including any adjourned date thereof, is closed, shall constitute the official submittal date of the plat at which the statutory period required in Section 13-304, Tennessee Code Annotated, for formal approval or disapproval of the plat shall commence.

2-101.4 Policy on Flood-prone Areas -- In determining the appropriateness of land subdivision at any site containing a flood-prone area, the Planning Commission, in reviewing any plat, shall consider the policy and purpose set forth in Section 1-104 of these regulations and, additionally:

- (1) The danger to life and property due to the increased flood heights or velocities, either potential or actual, caused by subdivision fill, roads, and intended uses.
- (2) The danger that intended uses or improvements may be swept onto other lands or downstream to the injury of others.

- (3) The adequacy of proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions under flood conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage upon the individual owner.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the subdivision for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed subdivision and land uses.
- (8) The compatibility of the proposed uses with existing development or development anticipated in the foreseeable future.
- (9) The relationship of the proposed subdivision to the adopted General Plan and the floodplain management program for the area.
- (10) The safety of access to the property for emergency-vehicles in times of flood.
- (11) The expected heights, duration, velocity, rate of rise, and sediment transport of the floodwaters expected at the site.
- (12) 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, and water systems; streets; and bridges.
- (13) The effect of the proposed subdivision upon the county government's participation in the National Flood Insurance Program.

No subdivision or part thereof shall be approved by the Planning Commission if proposed subdivision levees, fills, structures, or other features will individually or collectively, substantially increase flood flows, heights, duration, or damages. The regulatory limits (the 100 Year Flood Level) of any flood study prepared by the U.S. Corps of Engineers will be used to determine what can be classified as substantial increases. Specific engineering studies are to be formulated by the developer in those areas in which flood data is not currently available to arrive at a definition of substantial increases, if deemed necessary by the Planning Commission.

In any instance in which the Planning Commission determines that a proposed subdivision may affect the flood height, velocity, or duration in any flood-prone area outside its jurisdiction, the Commission shall take all actions necessary and proper to ensure the coordinated government agencies of the affected area.

In approving plans for subdivision of land containing flood-prone areas, the Planning Commission shall ensure that development will proceed in such a way that property lying within any floodway, as defined by these regulations, will be maintained in a permanent open and natural state and, that such floodway shall not be infringed upon by the subdivision development in any manner whatsoever. The Planning Commission also shall ensure that development within any floodway fringe area (within the 100-Year Flood Level) shall be protected adequately against potential flood hazards by the methods prescribed in Chapter 4 of these regulations.

The Planning Commission shall disapprove the subdivision of any land containing a flood-prone area when the Commission determines that subdivision plans are not consistent with the policy stated in this section.

2-101.5 Special Provisions Governing Unit Ownership(Condominium)Subdivisions

2-101.501 General Provisions

- A. Intent -- This section is intended to augment the general legislation of Sections 64-2701 through 64-2722, Tennessee Code Annotated, entitled "Horizontal Property Act," by providing supplemental rules and regulations for the implementation of the act, as specifically authorized in Section 64-2721, Tennessee Code Annotated.
- B. Applicability -- Whenever a developer, the sole owner, or the co-owners of a building or buildings expressly declare through the submission of a master deed, lease, or plat their desire to submit their property to a regime, as established and provided by Sections 64-2701 through 64-2722, Tennessee Code Annotated, wherein there is established a horizontal property regime, each such condominium or horizontal property regime created under the authority of these provisions for the purpose of sale or transfer of real property is subject to the provisions of these regulations.

- 2-101.502 Submission of Plat Required -- Prior to the sale or transfer of any property incorporated in the property regime, the developer, sole owner, or co-owners of such property shall submit to the Planning Commission a subdivision plat of such property in the manner prescribed by this chapter, and such plat, if approved, shall be filed with the county register of deeds in the manner prescribed by this chapter.

- 2-101.503 Determination of Subdivision Type -- Condominium subdivisions shall be classified by the Planning Commission during the plat review process as either horizontal condominium subdivisions or vertical condominium subdivisions according to the definitions contained in Chapter 6 of these regulations.
- 2-101.504 Procedure -- An applicant seeking approval of either a horizontal condominium subdivision or a vertical condominium subdivision shall proceed through the normal procedure for subdivision approval, as set forth in this chapter.
- 2-101.505 Contents of Plans and Documents -- The plats, plans, and documents submitted by an applicant seeking approval of either a horizontal condominium subdivision or a vertical condominium subdivision shall conform with the specifications set forth in Chapter 5 of these regulations.

2-102 Sketch Plat (Major Subdivisions)

2-102.1 Purpose of Sketch Plat -- The subdivider shall submit, a sketch plat for the preapplication conference with the Building Commissioner and shall submit same to the Planning Commission for approval if the subdivision is classified as a major subdivision. The sketch plat is to be a concept plan for design purposes and should be used to discover all factors which may have an impact on the proposal development and to advise the subdivider of various possibilities before substantial amounts of time and money have been invested in a very detail proposal which may contain elements contrary to these regulations.

2-102.2 Sketch Plat Requirements -- The sketch plat should include:

- (1) A scale drawing of the property and owners of adjacent property.
- (2) Size of the original tract(s) being subdivided.
- (3) Notation of any existing legal rights-of-way or easements or other encumbrances affecting the property.
- (4) Approximate topography of the site extended into adjacent properties.
- (5) Any areas which may be affected by flooding.
- (6) General road on lot pattern.
- (7) Proposed phasing, if any.

Additionally, a vicinity map should be provided showing the relationship of the property to the surrounding area, particularly the area's lot pattern, circulation and street pattern, existing public utilities, and drainage characteristics.

2-102.3 Approval of Sketch Plat -- If a sketch plat is submitted for Planning Commission approval, the number of copies required and timing of the submission shall be as for a preliminary plat. Approval of the plat shall constitute authorization to prepare detailed plans and specifications.

2-102.4 Expiration of Approval -- The approval of the sketch plat shall expire within one (1) year if no other progress is made toward the development. An extension may be granted upon proper application.

2-103 Preliminary Plat (Major Subdivisions Only)

2-103.1 Application Procedure and Requirements - The applicant shall file with the County Building Commissioner a preliminary plat application. The failure of the applicant to satisfy the requirements of this section with full and correct information shall be cause for disapproval of a preliminary plat. The preliminary plat application shall:

- (1) Be made in duplicate on forms available at the office of the County Building Commissioner and shall be accompanied by a fee of \$.50 per lot or \$5.00, whichever is greater.
- (2) Include all land which the applicant proposes to subdivide and all land immediately adjacent, extending two hundred (200) feet there from, or of that directly opposite thereto, extending two hundred (200) feet from the read frontage of such opposite land. The lot pattern of surrounding development shall be shown within that area located within two hundred (200) feet of the proposed development.
- (3) Be accompanied by a minimum of eleven (11) copies of the preliminary plat as described herein. The copies shall be distributed at least seven (7) days prior to the Planning Commission meeting at which the plat is to be considered as follows: one (1) copy to each member of the Planning Commission, one (1) copy to the County Road Superintendent, one (1) copy to staff planner of the Planning Commission and one (1) copy for permanent files.
- (4) Be accompanied by a minimum of five (5) copies of construction plans as described in Section 5-104, of these regulations.
- (5) Be presented to the County Building Commissioner at least twenty (20) days prior to a regular officially opened meeting of the Planning Commission.

2-103.2 Administrative Review -- The County Building Commissioner shall initiate an administrative review of the preliminary plat, construction plans, and any exhibits submitted in conformance with these regulations. This review shall include the staff planner advising the Planning Commission and any other appropriate official. The review meeting shall be held at least three (3) days prior to

the regularly scheduled Planning Commission meeting at which the plat is to be reviewed. The findings of the review committee shall be presented to the Planning Commission.

With expert assistance, when necessary, the subdivider shall prepare a report on any proposed subdivision containing or abutting a flood-prone area which:

- (1) Estimates the discharge of the regulatory flood.
- (2) Determines the specific flooding threat at the site of the proposed subdivision and determines whether the subdivision is located in a floodway or floodway fringe area by:
 - (a) Calculation of water surface elevations and regulatory flood protection elevations based upon a hydraulic analysis of the capacity of the stream channel and overbank areas to convey the regulatory or 100 year flood.
 - (b) Computation of the floodway required to convey the regulatory flood without increasing natural flood heights of the regulatory flood more than one foot at any point. Staff representatives from the U.S. Corps of Engineers are to be consulted in order that this data be accurately derived.
 - (c) Computation of increases in flood heights caused by any encroachment shall be based upon the reasonable assumption that there will be an equal degree of encroachment on both sides of the stream within that reach. No increase in flood stages attributable to encroachments on the floodplain of any river or stream shall be permitted in any one reach or for the cumulative effect of several reaches.

2-103.3 Notice of Hearing -- The Planning Commission shall hold a hearing as required by Section 13-304, Tennessee Code Annotated, on each preliminary plat brought before it.

2-103.4 Preliminary Approval -- After the Planning Commission at the, public hearing has-reviewed the preliminary plat, construction plans, exhibits, and the results of administrative reviews, the applicant shall be advised of any required changes or additions. The Commission shall approve, conditionally approve, or disapprove the preliminary plat within sixty (60) days after the date of the regular meeting of the Planning Commission at which the public hearing on preliminary approval, including adjourned date thereof, is closed.

The failure of the Planning Commission to act upon a preliminary plat within the prescribed time shall be deemed preliminary approval of the plat, and in such event, a certificate of preliminary approval shall be issued by the chairman and secretary of the

Planning Commission upon demand, and the applicant may proceed to apply for final subdivision plat approval in the manner prescribed by Section 2-104 of these regulations.

After the Planning Commission approves, conditionally approves, or disapproves the preliminary plat, one (1) copy of the proposed preliminary plat shall be returned to the developer with the date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat. If a preliminary plat is disapproved, the Planning Commission shall state specific reasons for disapproval which shall be entered into the minutes of the meeting.

Before the Planning Commission approves a preliminary plat showing park reservation or land for other public use proposed to be dedicated to the County the Planning Commission shall obtain approval of the park or land reservation from the appropriate governmental agency.

2-103.5 Public Improvements -- The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the secretary of the Planning Commission. If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final subdivision plat, adequate performance bonds must be approved. The amount of any street bond shall be established by the Planning Commission based upon the recommendation of the County Road Superintendent or based on cost bids from two (2) independent contracting firms equal to making the cost of all necessary street improvements plus an additional ten (10) percent of this cost figure to cover inflation. It is the subdivider's responsibility to furnish these estimates to the Planning Commission. This bond shall be submitted by the applicant at the time of application for final subdivision plat approval. The Planning Commission shall require the applicant to indicate on the plat all roads and public improvements to be dedicated; all districts for water, fire, and utility improvements which shall be required to be established or extended; and any other special requirements deemed necessary by the Planning Commission in order for the subdivision plat to conform to the Major Thoroughfare Plan and the Future Land Use Plan for the Planning Region.

2-103.6 Effective Period of Preliminary Approval - The approval of a preliminary plat shall be effective for a period of one (1) year, at the end of which time final approval of the subdivision plat must have been obtained from the Planning Commission, although the plat need not have been signed and filed with the county register. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to submit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations.

2-103.7 Zoning Regulations -- Every plat shall conform to any existing zoning regulations and subdivision regulations applicable at the

time of proposed final approval, except that any plat which has received preliminary approval shall be exempt from any subsequent amendments to the zoning resolution or these regulations rendering the plat nonconforming as to bulk, use, or development standards, provided, that final approval is obtained within the effective period of preliminary approval set forth in Section 2-103.6, above.

2-104 Final Subdivision Plat (Minor and Major Subdivision)

2-104.1 Application Procedure and Requirements - A subdivider shall file with the County Building Commissioner an application for approval of a final plat. The application shall:

- (1) Be made on forms available at the County Building Commissioner's office.
- (2) Include the entire subdivision, or section thereof, for which final approval is sought.
- (3) Be accompanied by a minimum of eleven (11) copies of the final subdivision plat as described herein. Distribution of the copies shall be as in Section 2-103.1(3).

Amended April 27, 2004

- (4) Comply substantially with the preliminary plat, as approved. Preliminary and final plat review may be held at a single meeting of the Planning Commission for subdivisions of 3 to 5 lots provided that no new roads are proposed and that slopes are less than 20%.
- (5) Be presented to the County Building Commissioner at least twenty (20) days prior to the regular meeting of the Commission at which it is to be considered.
- (6) Be accompanied by all formal irrevocable offers of dedication to the public of all streets, county uses, utilities, parks, and easements, in a form approved by the county attorney, as applicable; and the subdivision plat shall be marked with a notation indicating the formal offers of dedication as shown in Chapter 5 of these regulations.
- (7) Be accompanied by the performance bond, if required, in a form satisfactory to the county attorney and in an amount satisfactory to the Planning Commission upon recommendation by the County Road Superintendent and shall include provisions that the principal of the bond shall comply with all the terms of the resolution of final subdivision plat approval, as determined by the Planning Commission, including, but without limitation, the performance of all required subdivision and off-site improvements, and that all improvements and land included in the irrevocable offer of dedication shall be dedicated to the County free and clear of all liens and encumbrances on the premises.

- (8) Be accompanied by written assurance from any public utility companies serving the area of the subdivision that necessary utilities will be installed and by proof that the applicant has submitted petitions in writing for the creation or extension of any utility districts as required by the Planning Commission upon preliminary plat approval.
- (9) Be accompanied, if the final plat contains open space, recreational facilities, or any portion of the site in common ownership, regardless of the method of ownership, by the following documentation for approval by the Planning Commission and recording with the final plat:
 - (a) Plans for improvement and maintenance of the open space or facilities located thereon.
 - (b) Where open space or facilities are to be deeded to a homeowners association or similar organization acting on behalf of the joint owners of said property articles of incorporation and by-laws of the homeowners association or other legal entity charged with improving or maintaining the open space or facilities, and declaration of covenants and restrictions pertaining to each and every property within the subdivision.
 - (c) Where open space or facilities are to be retained by the developer, declaration of covenants and restrictions pertaining to open space and facilities which assure the continued use of said facilities for the purpose intended.

2-104.2 Endorsement of Notations -- The notations and certifications required by Section 5-106.6 of these regulations to appear upon the final plat shall be endorsed by the appropriate officials and other persons prior to application for final subdivision plat approval, except that the certificate of Planning Commission approval shall be signed at the time specified in Section 2-105 of these regulations. The application for final approval shall not be deemed properly submitted until these signed certifications appear upon the plats submitted with the final application.

2-104.3 Hearing and Decision on Final Plat -- The Planning Commission shall hold a hearing as required by Section 13-304, Tennessee Code Annotated, on each final plat brought before it. The Planning Commission shall, within sixty (60) days after submission of the plat, approve, modify, or disapprove the final subdivision plat by resolution, which shall set forth in detail any conditions to which the approval, is subject or reasons for disapproval. In no event shall the period of time stipulated by the Planning Commission for completion of required improvements exceed one (1) year from the date of final resolution.

The failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat, and in such event, a certificate of approval, entitling the subdivider to proceed as specified in Sections 2-104.4 and 2-105 of these regulations, shall be issued, upon demand, by the chairman and secretary of the Planning Commission of the time permitted for Planning Commission review.

One copy of the final subdivision plat shall be returned to the subdivider with the date of approval, conditional approval, or disapproval noted thereon, along with the reasons for any disapproval.

2-104.4 Vested Rights -- No vested rights, if any, shall accrue to any plat by reason of preliminary or final approval until the actual signing of the plat by the secretary of the Planning Commission. All requirements, conditions, or regulations adopted by the Planning Commission, applicable to the particular subdivision or to all subdivisions generally, shall be deemed a condition for any subdivision prior to the time of the signing of final plat by the secretary of the Planning Commission and the initialing of the plat by the chairman of the Planning Commission. Where the Planning Commission has required the installation of improvements prior to the signing of the final plat, the Planning Commission shall not modify unreasonably the conditions set forth in the resolution of final approval.

2-105 Signing and Recording of Subdivision Plat

2-105.1 Signing of Plat

- (1) When a bond is required, the secretary and chairman of the Planning Commission shall endorse approval on the plat after the bond has been approved by the Planning Commission and after all the conditions of the resolution pertaining to the plat have been satisfied.
- (2) When installation of improvements is required, the chairman and secretary of the Planning Commission shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the County as shown on the certifications by the County Road Superintendent or other appropriate officials that the necessary dedications of public lands and improvements have been accomplished.
- (3) When the conditions of this section are satisfied, the chairman will initial and the secretary will sign the tracing cloth and/or a permanent reproducible original of the subdivision plat. The mylar reproduction shall be returned to the applicant's engineer.

2-105.2 Recording of Plat -- It shall be the responsibility of the County Building Commissioner to file the plat with the county register's office within ten (10) days of the date of signature. When the plat is filed, the building official simultaneously shall record the agreement of dedication together with such legal documents as the County Attorney may require to be recorded.

Amended December 1, 1998

It shall be the responsibility of the property owner or their agent to obtain all required signatures and to file the plat with the county's register's office within two (2) years of the approval date by the Planning Commission. When the plat is filed, the property owner or their agent simultaneously shall record the agreement of dedication together with such legal documents as the County Attorney may require to be recorded. Any plat not being filed with the county register's office within the period of time set forth herein shall be considered null and void. The developer shall therefore be required to submit new subdivision development plans and obtain approvals for such plans, subject to any new zoning restrictions and/or subdivision regulations.

2-105.3 Sectionalizing Major Subdivision Plats -- Prior to granting final approval of a major subdivision plat, the Planning Commission may permit the plat to be divided into two (2) or more sections and may impose such conditions upon the filing of each section as it may deem necessary to assure the orderly development of the subdivision. The Planning Commission may require that the performance bond be in such amount as is commensurate with the section or sections of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for filing. The developer also may file irrevocable offers to dedicate streets and public improvements in the section offered to be filed and defer filing offers of dedication for the remaining sections until such sections, subject to any conditions imposed by the Planning Commission, shall be granted concurrently with final approval of the plat. Such authorized sections must contain at least ten percent (10%) of the total number of lots contained in the proposed plat unless a specific waiver of this requirement is granted by the Planning Commission.

CHAPTER 3

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

3-101 Improvements and Performance Bond

3-101.1 Completion of Improvements -- Before the final subdivision plat is signed by the Planning Commission officers specified in Section 2-105.1 of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the County Building Commissioner or County Road Superintendent as appropriate, all the street, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations, as approved by the Planning Commission, and shall dedicate such improvements to the County free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

3-101.2 Performance Bond -- The Planning Commission in its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plat and may provide that, as an alternative, the applicant may post a bond at the time of application for final subdivision approval in an amount estimated by the Planning Commission as sufficient to secure to the government the satisfactory construction, installation, and dedication of the incompleting portion of required improvements. (See Section 2-103.5).

Such performance bond shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not in any event exceed one (1) year from date of final approval unless a longer period is specifically authorized by the Planning Commission.

Such bond shall be approved by the Planning Commission or a designated representative as to amount, surety and conditions. The Planning Commission may, upon proof of difficulty, extend the completion date set forth in such bond for a maximum period of one (1) additional year. The Planning Commission may accept, at any time during the period of such bond, a substitution of principal or sureties on the bond.

3-101.3 Temporary Improvements -- The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission, and shall maintain them to the reasonable satisfaction of the Building Commissioner for the period specified by the Planning Commission. Prior to construction of any temporary facility of

improvement, the applicant shall file with the appropriate government a separate suitable bond for temporary facilities, which bond shall insure that the temporary facilities will be properly constructed, maintained, and removed.

- 3-101.4 Costs of Improvements -- All required improvements shall be made by the applicant at his expense. Any provisions for reimbursement by the County or any utility district shall be stipulated clearly in the provisions of the bonds.
- 3-101.5 Governmental Units -- Governmental units to which these bonds and contract provisions apply may file, in lieu of said contract or bond, a certified resolution or ordinance from officers or agencies authorized to act in their behalf agreeing to comply with the provisions of this chapter.
- 3-101.6 Failure to Complete Improvements -- For subdivisions for which no performance bond has been posted if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases in which a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the County thereupon may declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.
- 3-101.7 Acceptance of Dedication Offers -- Acceptance of formal offers of dedication of streets, easements, and parks shall be by formal action of the County Commission. Such action shall be in the form of a resolution recommended by the Planning Commission to the Roads Committee of the County Commission. Final action shall be by the full County Commission. The approval by the Planning Commission of a subdivision plat shall not always be deemed to constitute or imply the acceptance by the County of any street, easement, or park shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

3-102 Inspection of Improvements

- 3-102.1 General Procedure -- The Planning Commission may provide for inspection of required improvements during construction and insure their satisfactory completion. If the County Road Superintendent or County Building Commissioner finds upon inspection that any of the required improvements has not been constructed in accordance with the applicable government's construction standards and specifications, the applicant shall be responsible for completing the improvements to the required standards. Whenever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be liable severally and jointly for completing said improvements according to specifications.
- 3-102.2 Release or Reduction of Performance Bond

3-102.201 Certificate of Satisfactory Completion - The County Commission will not accept dedication of required improvements nor release nor reduce a performance bond until a designated official which may be a county engineer, or the County Road Superintendent submit a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and the County Road Superintendent thorough submission of a detailed "as built" survey plat of the subdivision, indicating location, dimensions, construction materials, and the other information required by the Planning Commission, that the layout of the line and grade of all public improvements is in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the governing body thereafter may accept the dedicated improvements in accordance with the procedure set forth in Section 1-113.107 and Section 3-101.7 of these regulations.

3-102.202 Reduction of Performance Bond -- A performance bond may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below twenty-five (25) percent of the principal amount prior to final acceptance of all items covered under the bond.

3-103 Maintenance of Improvements

- (1) The applicant shall be required to maintain all improvements including all lot improvements, until acceptance of the public improvements by the appropriate governmental body.
- (2) The applicant may be required to file a maintenance bond with the County prior to dedication, in an amount considered adequate by the County Building Commissioner or County Road Superintendent and in a form satisfactory to the County Attorney, in order to assure the satisfactory condition of the required improvements, including all lot improvements, for a period of one (1) year after the date of the acceptance of the public improvements by the governing body.

3-104 Deferral or Waiver of Required Improvements -- The Planning Commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interest of the public health, safety, and general welfare or which are inappropriate because of inadequacy or lack of connecting facilities. Whenever it is deemed necessary by the Planning Commission to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the developer shall either pay his share of the costs of the future improvements to the County prior to signing of the final subdivision plat by the Planning Commission officials or post a bond insuring completion of said improvements upon demand of the County.

3-105 Escrow Deposits for Lot Improvements

- 3-105.1 Acceptance of Escrow Funds -- Whenever, by reason of the season of the year, any lot improvements required by these regulations cannot be performed, the appropriate building official nevertheless may issue a certificate of occupancy, provided that there is no danger to the health, safety, or general welfare, upon, accepting a cash escrow deposit in an amount to be determined by the County Road Superintendent or County Building Commissioner, as appropriate, for the cost of such improvements. The performance bond covering such lot improvements shall remain in full force and effect.
- 3-105.2 Procedures on Escrow Fund -- All required improvements for which escrow monies have been accepted by the Building Commissioner at the time of issuance of a certificate of occupancy shall be installed by the developer with a period of nine (9) months from the date of deposit and issuance of the certificate of occupancy. In the event that the improvements have not been installed properly at the end of the time period, the Building Commissioner shall give written notice of two weeks to the developer requiring him to install the improvements, and in the event they are not installed properly, in the judgment of the Building Commissioner, he may request the County to proceed to install or to contract for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit. At the time of the issuance of the certificate of occupancy for which escrow monies are being deposited, the applicant shall obtain and file with the Building Commissioner prior to obtaining the certificate of occupancy a notarized statement from the purchaser or purchasers of the premises authorizing the Building Commissioner to install the improvements at the end of the nine-month period in the event the improvements have not been installed properly by the developer.

3-106 Issuance of Building Permits and Certificates of Occupancy

- (1) Where a performance bond has been required for a subdivision, or any section of a subdivision, no certificate of occupancy for any building in the subdivision or section thereof shall be issued prior to the completion and dedication of the improvements to the appropriate local government as required in the Planning Commission's resolution of final approval of the subdivision plat.
- (2) The extent of road improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment prior to the issuance of an occupancy certificate. The developer shall at the time of the dedication submit monies in escrow to the County in a sum determined by the County Road Superintendent for any necessary final improvement of the road.
- (3) No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2) lots, for the final two (2) lots of a subdivision, until all public improvements required by the Planning Commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the local governing body.

CHAPTER IV

REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

4-101 General Requirements

4-101.1 Conformance to Applicable Rules and Regulations -- In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, ordinances, resolutions, rules, or regulations, including, but not limited to:

- (1) All applicable provisions of Tennessee Law, regulations, or policy.
- (2) The Zoning Resolution, building and housing codes, and all other applicable laws of Sumner County.
- (3) The adopted Future Land Use Plan and Major Thoroughfare Plan, including all streets shown on the Major Thoroughfare Plan.
- (4) The rules of the county health department and the Tennessee Department of Health and Environment.
- (5) The rules, of the Tennessee Department of Transportation if the subdivision or any lot contained therein abuts a nonlocal highway.
- (6) The standards and regulations adopted by all other boards, commissions, and agencies of the County, where applicable.

Plat approval may be withheld if a subdivision is not in conformity with the above guides or with the policy and purpose of these regulations set forth in Section 1-104 of these regulations.

4-101.2 Self-Imposed Restrictions -- If the owner places restrictions on any of the land contained in the subdivision greater than those required by any zoning ordinance or these regulations, such restrictions or reference thereto shall be required to be recorded along with the final subdivision plat with the County Register on a separate form.

4-101.3 Monuments -- The subdivider shall place permanent reference monuments in the subdivision as required herein and as approved by a registered land surveyor or a registered engineer engaged in the practice of civil engineering. Monuments shall be located and set as follows.

- (1) Monuments shall be located on street right-of-way lines, at street intersections, and at the beginning and ending point of curves. All monuments shall be spaced so as to be within sight of each other.
- (2) The external boundaries of subdivision shall be monumented in the field by monuments meeting one of the following:

Concrete Monuments - shall be no more than four (4) inches diameter, and no less than eighteen (18) inches in length, unless some impregnable material is encountered. The monument must be steel reinforced to facilitate detection by a magnetic locator. The monument shall have a metal cap with the land surveyor's name and license number, or company name, and bear a permanent mark for the exact survey point.

Iron Bar Monuments - shall be less than one half (1/2) inch in diameter, and no less than eighteen (18) inches in length unless some impregnable material is encountered. Each bar shall have a permanent metal cap a minimum diameter of two and one half (2 1/2) inches with the surveyor's name, licensed number and/or company name, and should bear a permanent mark for the exact survey point.

All monuments shall be flush with the ground. In the case where impregnable material is encountered, an iron bar may be shortened to a minimum of length twelve (12) inches. Concrete is to be poured in a six (6) inch radius around the bar and to the depth of twelve (12) inches. When the depth of the soil is less than twelve (12) inches, the monument or bar is to be offset, preferably on a line of the survey, or a prolongation of the line, and shown as such on the recorded plat.

- (3) All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by like monuments as described above. These monuments shall be placed at each end of all curves, at a point where a river changes its radius, and at all angle points in any line. All lot corners not following on any of the above described points shall be marked by iron rods, pipe, or pins at least eighteen (18) inches long and five-eighths (5/8) inch in diameter.
- (4) The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins at least eighteen (18) inches long and five-eighths (5/8) inch in diameter or by round or square iron bars at least eighteen (18) inches long. These pins shall be placed at the point of intersection of the river or stream and lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.
- (5) All such monuments and pins shall be set flush with the ground and planted in such a manner that they will not be dislodged easily.
- (6) All monuments and pins shall be properly set in the ground and approved by a registered land surveyor or a registered engineer engaged in the practice of civil engineering prior to the time the Planning Commission recommends approval of the final plat or release of the bond where bond is made in lieu of improvements.

4-101.4 Character of the Land -- Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of the staff representative to the Planning Commission and the county engineer, if any, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for such uses as will not involve such a danger.

Where protection against flood damage is necessary, in the opinion of the Planning Commission, flood damage protection techniques may include, the following, as deemed appropriate by the Planning Commission:

- (1) The imposition of any sureties and deed restrictions enforceable by the Planning Commission to regulate the future type and design of uses within the flood-prone areas.

All such flood-protection measures shall be designed so as not to substantially increase, either individually or collectively, flood flows, height, duration, or damages, and so as not to infringe upon the regulatory floodway. See Section 3-103.2(2)(b).

The acceptability of any flood protection methods formulated by the subdivider or his agent shall be determined by the Planning Commission, which shall be guided by the policies set forth in Sections 1-104 and 2-101.4, of these regulations.

4-101.5 Subdivision Name -- The proposed name of the subdivision shall not duplicate or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have authority to designate the name of the subdivision which shall be determined at sketch or preliminary plat approval.

4-102 Lot Requirements

4-102.1 Lot Arrangement -- The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography, flood hazards, or other conditions in securing building permits to build on all lots in compliance with any Zoning Resolution and State and County Public Health Department regulations and in providing driveway access to buildings on such lots from an approved street.

Where a lot in a flood-prone area must be improved to provide a building site free from flooding, such improvements shall be made outside the floodway by elevation or fill to at least the regulatory flood protection elevation (100 Year Flood) for a distance extending at least twenty-five (25) feet beyond the limits of intended structures and, additionally, extending a sufficient distance to

include areas for subsurface sewage disposal if the lot is not to be connected to a public sanitary sewage system. Any fill shall be protected against erosion by riprap; vegetative cover, as provided in Section 4-102.5 of these regulations; or other methods deemed acceptable by the Planning Commission.

In nonresidential building sites outside a floodway but subject to flooding, the use of structural floodproofing methods specified in Section 4-101.4 of these regulations, as an alternative to landfill, may be approved by the Planning Commission, as provided in Section 2-101.4, of these regulations.

4-102.2 Lot Dimensions -- Lot dimensions shall comply with the minimum standards of any Zoning Resolution where applicable. Where lots are more than double the minimum area required by any Zoning Resolution, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Resolution and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan.

Dimensions of the corner lots shall be large enough to allow for erection of buildings, observing the minimum front-yard setback requirements from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, and as established in any zoning ordinance, if applicable.

4-102.3 Building Setback Lines -- In the case of electric transmission lines where easement widths are not definitely established, a minimum building setback line from the center of the transmission line shall be established as follows:

<u>Voltage of Line</u>	<u>Building Setback</u>
46 KV	37 1/2 feet
69 KV	50 feet
161 KV	75 feet

4-102.4 Double Frontage Lots and Access to Lots

4-102.401 Double Frontage Lots -- Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials, or to overcome specific disadvantages of topography and orientation.

4-102.402 Access from Arterial or Collector Streets -- The Planning Commission may require that lots shall not, if avoidable, derive access exclusively from arterial or collector streets. Where driveway access from arterial or collector streets may be

necessary for several adjoining lots, the Planning Commission may require that the lots be served by a combined access drive in order to limit possible traffic hazards on such street. Driveways shall be designed and arranged so as to avoid requiring vehicles to back onto arterial or collector streets.

4-102.5 Soil Preservation, Grading, and Seeding

4-102.501 Soil Preservation and Final Grading - No certificate of occupancy shall be issued until final grading has been completed in accordance with the approved construction plan and the lot precovered with soil having an average depth of at least six (6) inches and containing no particles over two (2) inches in diameter over the entire area of the lot, except that portion covered by buildings or included in streets or where the grade has not been changed or natural vegetation seriously damaged.

Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide at least six (6) inches of cover on the lots, and at least four (4) inches of cover between any sidewalks and curbs, and be stabilized by seeding or planting.

4-102.502 Lot Drainage -- Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

4-102.6 Debris and Waste -- No cuts trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy for the lot, and removal of such waste shall be required prior to issuance of any certificate of occupancy. Nor shall any such waste be left nor deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

4-102.7 Fencing -- Each subdivider or developer shall be required to furnish and install all fences wherever the Planning Commission determines that a hazardous condition may exist. Such fences shall be constructed according to standards established by the Planning Commission, as appropriate, and shall be noted as to height and material on the final plat. No certificate of occupancy shall be issued until such fence improvements have been installed.

4-102.8 Water Bodies and Watercourses -- If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The Planning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not

become a county responsibility. No more than ten (10) percent of the minimum area of a lot required under any zoning ordinance may be satisfied by land which is under water. Where a watercourse separates a buildable area of lots from the street by which it has access, provisions shall be made for installation of culvert or other structure of design approved by the Planning Commission and no certificate of occupancy shall be issued for a structure on such a lot until the installation is completed and approved by the Planning Commission and/or the County Road Superintendent, as appropriate.

Amended April 22, 2008; Amended April 27, 2010

4-102.9 Flag Lots -- ~~Residential flag lots shall not be permitted.~~ Flag lots shall not compose more than 20 percent of lots in a proposed subdivision and in no case shall widths be reduced to less than 50 feet. Minor subdivisions containing more than 20 percent of lots as flag lots must receive Planning Commission approval. In both major and minor subdivisions, additional buffering requirements may be required by the Planning Commission of flag lots or lots adjacent to flag lots to minimize the visual impact of adjacent rear yards to front yards.

4-103 Roads

4-103.1 General Requirements

4-103.101 Frontage on Improved Roads -- No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from either an existing public road except as provided in Section 1-113.107 of these regulations; or if any new road construction or improvement is involved, a road approved and dedicated as provided in Chapters 2 and 3 of these regulations. Any such road must be suitably improved to the standards required by this chapter or be bonded by a performance bond required under these regulations, with the roadway and right-of-way widths required by this chapter or the Major Road Plan.

4-103.102 Grading and Improvement Plan -- Roads shall be graded and improved to conform to the standards required by this section and shall be approved as to design and specification by the County Road Superintendent in accordance with the specifications required herein. No surface shall be applied to the base of any proposed street prior to the approval of the final plat of the subdivision or of the final approval of any section of the subdivision in question without having been properly inspected.

4-103.103 Improvements in Floodable Areas -- The finished elevation of proposed streets subject to flood shall be no more than one (1) foot below the regulatory flood protection elevation. The Planning Commission may require profiles and elevations of streets to determine compliance with this requirement. All drainage structures shall be sufficient to discharge flood flows without increasing flood height. Where fill is used to bring the finished elevation of any road to the required elevation,

such fill shall not be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the County Road Superintendent or the Planning Commission.

4-103.104 Topography and Arrangement

- (1) Roads shall be related appropriately to the topography. Minor roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall not be avoided. Specific design standards are contained in Section 4-103.2 of these regulations.
- (2) All streets shall be properly integrated with the existing and proposed system of roads and dedicated rights-of-way as established on the Major Thoroughfare Plan or the adopted Future Land Use Plan.
- (3) All roads shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping centers; to population densities and to the pattern of existing and proposed land uses.
- (4) Minor streets shall be laid out to conform as much as possible to the topography; to discourage use by through traffic; to permit efficient drainage and utility systems; and to require the minimum number of streets necessary to provide convenient and safe access to property.
- (5) The use of curvilinear streets, cul-de-sac, or "U"-shaped streets shall be encouraged where such use will result in a more desirable layout.
- (6) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- (7) In business and industrial developments, the streets and other access routes shall be planned in connection with the grouping of buildings, location of rail facilities, and the provisions of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

4-103.105 Blocks

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways.
- (2) The lengths, widths, and shapes of blocks shall be determined with due regard to:
 - (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - (b) Zoning requirements as to lot sizes and dimensions.
 - (c) Needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic.
 - (d) Limitations and opportunities of topography.
- (3) Block lengths in residential areas shall not exceed sixteen hundred (1,600) feet nor be less than two hundred (200) feet, except as the Planning Commission deems necessary to secure efficient use of land or desired features of the street pattern. Wherever practicable, blocks along arterial or collector streets shall not be less than one thousand (1,000) feet in length.
- (4) Blocks designed for industrial or commercial uses shall be of such length and width as may be deemed suitable by the Planning Commission.
- (5) In long blocks, the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage; facilities, or pedestrian traffic.

Pedestrian walkways, not less than ten (10) feet wide, may be required by the Planning Commission through the approximate center of blocks more than eight hundred (800) feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation facilities, or other community facilities.

4-103.106 Access to Arterials and Collectors -- Where a subdivision borders on or contains an existing or proposed arterial or collector route, the Planning Commission may require that access to such streets be limited by one of the following means:

- (1) The subdivision of lots so as to back on the arterial or collector route and front on a parallel minor street; no access shall be provided from the arterial or collector, and screening shall be provided in a strip of land along the rear property line of such lots.
- (2) A series of cul-de-sac, "U" shaped streets, or short loops entered from and designed generally at right angles to such

a parallel street, with the rear lines of their terminal lots backing onto the arterial or collector route.

- (3) A marginal access or service road (separated from the arterial or collector route by a planting or grass strip and having access thereto at suitable points).

The number of residential or local streets entering an arterial or collector routes shall be kept to a minimum.

4-103.107 Reserve Strips -- The creation of reserve strips adjacent to a proposed street in such a manner as to deny, access from adjacent property to such street shall not be permitted.

4-103.108 Arrangement of Roads and Dead-end Roads

A. Arrangement of Roads -- The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, and efficient provision of utilities and when such continuation is in accordance with the Major Thoroughfare Plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right of way shall be extended to the property line. A temporary cul-de-sac or temporary T- or L-shaped turnabout shall be provided on all temporary dead-end streets as required in the following turnabout standards, with a notation on the subdivision plat that land outside the normal street right of way shall revert to abutting property owners whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

B. Dead-end Roads (Permanent) -- Where a road does not extend beyond the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the design standards of these regulations.

For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

4-103.2 Design Standards

4-103.201 Purpose -- In order to provide for roads of suitable location, width, and improvement to accommodate prospective traffic and

afford satisfactory access to police, firefighting, sanitation, and road-maintenance equipment and to coordinate roads so as to compose a convenient and safe system and avoid undue hardships to adjoining properties, the road design standards set forth in this section are hereby required. (Road classification shall be as indicated on the Future Land Use Plan or Thoroughfare Road Plan; otherwise, the road shall be classified by the Planning Commission according to the definitions in Chapter 6 of these regulations.

4-103.202 General Design -- The general design of all roads shall conform to the standards in the following table:

GENERAL DESIGN OF ROADS

<u>IMPROVEMENT</u>	<u>RESIDENTIAL STREET</u>	<u>NONRESIDENTIAL STREET (INDUSTRIAL OR COMMERCIAL)</u>

Minimum Right of Way Width (in feet)		
Minor Road	50	50
Collector Road	60	60
Arterial Road	determined by government engineer	

<u>IMPROVEMENT</u>	<u>RESIDENTIAL STREET</u>	<u>NONRESIDENTIAL STREET (INDUSTRIAL OR COMMERCIAL)</u>

<u>Minimum Width of Roadway or Paved Area (in feet) Not Including Parking Requirements</u>		
Minor Road	22	24
Collector Road	24	24
Arterial Road	24 or 36* as Determined by County Road Superintendent	36 or 48* as determined by County Road Superintendent

* 36' pavement is for 3 lane roads
 48' pavement is for 4 lane roads

<u>IMPROVEMENT</u>	<u>RESIDENTIAL STREET</u>	<u>NONRESIDENTIAL STREET (INDUSTRIAL OR COMMERCIAL)</u>
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Maximum Grade (percent)

Minor Road	10	6
Collector Road	7	6
Arterial Road	6	5

Minimum Grade (percent)

All roads	1	1
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Road Crown

The paved surface shall slope downward from the centerline of the road outward to the edge of the paved surface on each side 2/5ths of an inch per foot.

Minimum Center-line Radius of Curve (in feet)*

Minor Road	100	200
Collector Road	200	200
Arterial Road	500	500

* Applies where a deflection angle of fifteen (15) degrees or more in the alignment of a street occurs.

Minimum Length of Vertical Curves

Minor Road	100 feet, but not less than 20 feet for each algebraic difference in grade.
Collector Road	100 feet, but not less than 20 feet for each algebraic difference in grade.
Arterial Road	300 feet, but not less than 50 feet for each algebraic difference in grade.

<u>IMPROVEMENT</u>	<u>RESIDENTIAL STREET</u>	<u>NONRESIDENTIAL STREET (INDUSTRIAL OR COMMERCIAL)</u>
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Minimum Length of Tangents Between Reverse Curves (In Feet)

Minor Road	100	200
Collector Road	100	200
Arterial Road	300	400

Minimum Sight Distance (In Feet)*

Minor Road	200	250
Collector Road	240	250
Arterial Road	300	400
Intersection	Across Corners 75 feet back	Across Corners 75 feet back

* The sight distance is measured from a point 4 1/2 feet above the center line of the roadway surface to a point 4 inches above the center line of the roadway surface.

Minimum Turnaround on Cul-de-sacs on Minor Roads (In Feet)

Right-of-way Diameter	100	160
Pavement Diameter	80	140

Length of Cul-de-sac

Amended November 6, 2001

Permanent	Not exceeding two thousand five hundred (2,500) feet in length with no limit of the number of houses.
Temporary	Not exceeding two thousand five hundred (2,500) feet in length with no limit of the number of houses.

Minimum Radius (In Feet) of Return at Intersections

At Right-of-way	25	30
At Pavement	35	40

4-103.203 Intersections

- (1) Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) roads shall intersect at any one point unless specifically approved by the Planning Commission.
- (2) Proposed new intersections along one side of an existing road shall coincide, wherever practicable, with any existing intersections on the opposite side of such road. Road jogs with center line offsets of less than one hundred twenty (125) feet shall not be permitted, except where the intersected road has separated dual drives without median breaks at either intersection. Where roads intersect arterial or collector routes, their alignment shall be continuous. Intersections of arterial or collector roads shall be at least eight hundred (800) feet apart.
- (3) Minimum curb radius at the intersection of two (2) minor roads shall be twenty-five (25) feet, and minimum curb radius at an intersection involving a collector road shall be thirty (30) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement. (See the following illustration).
- (4) Where a road intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide adequate sight distance.
- (5) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two (2) percent rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.
- (6) The cross-slope on all streets, including intersections, shall be three (3) percent or less.

4-103.204 Excess Right-of-Way -- A slope easement in excess of the right-of-way designated in these regulations may be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three (3) to one (1).

4-103.204 Railroads and Limited Access Highways --

Railroad right-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:

- (1) In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening. The placement of structures hereon is prohibited."
- (2) In business, commercial or industrial areas, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
- (3) Roads parallel to a railroad, when intersecting a road which crosses the railroad at grade, shall to the extent practicable, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

4-103.206 Bridges -- Bridges of primary benefit to the subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the subdivider without reimbursement from the County. The sharing of expenses for the construction of bridges not of primary benefit to the subdivider, as determined by the Planning Commission, shall be fixed by special agreement between the County Commission and the subdivider. The cost shall be charged to the subdivider pro rata as to the percentage of his development and so served.

4-103.3 Additional Width on Existing Streets -- Where a subdivision adjoins an existing narrow road, or where the Major Thoroughfare Plan or zoning setback regulations indicate plans for realignment or widening of a road that would require use of some of the land in the subdivision, the subdivider shall be required to dedicate, at his expense, areas for widening or realigning such road as set forth below:

- (1) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street, with the exception of roads classified on the official major road plan of Sumner County (The major thoroughfare plan) as rural arterial - 4 lane streets. As applied only to this designation, the required dedication of right-of-way shall extend fifty (50) feet from either side of the centerlines of such streets. From these points, street rights-of-way use easements shall extend

therefrom an additional twenty-five (25) feet, in order to secure the required one hundred-fifty (150) foot road sections (dedication-reservation assignments). Such easements which may be required for subsequent slope requirements and/or road construction requirements as per the adopted Major Thoroughfare Plan or the County must be properly addressed, with the exception of those instances where the only acceptable, subsurface soils that are available for utilization for septic systems on such lots, adjoining Rural Arterial-4 Lane Streets, as designated by the Sumner County Environmentalist fall within the rights-of-way use easements as cited herein.

- (2) When the subdivision is located on only one (1) side of an existing road, one-half (1/2) of the required right-of-way, measured from the centerline of the existing roadway, shall be provided, with the exception of roads classified on the official Major Road Plan of Sumner County (The Major Thoroughfare Plan) as rural arterial-4 lane streets. As applies only to this designation, the required dedication of right-of-way shall extend fifty (50) feet from the centerlines of such roads or streets extending into the respective subdivisions. From these points, street rights-of-way use easements shall extend therefrom an additional twenty-five (25) feet, in order to secure the required seventy-five (75) feet road sections (dedication-reservation assignments). Such easements which may be required for subsequent slope requirements and/or road construction requirements as per the adopted Major Thoroughfare Plan for the County must be properly addressed, with the exception of those instances where the only acceptable, subsurface soils that are available for utilization for septic systems on such lots, adjoining Rural Arterial-4 Lane Streets, as designated by the. Sumner County Environmentalist fall within the rights-of-way use easements as cited herein.

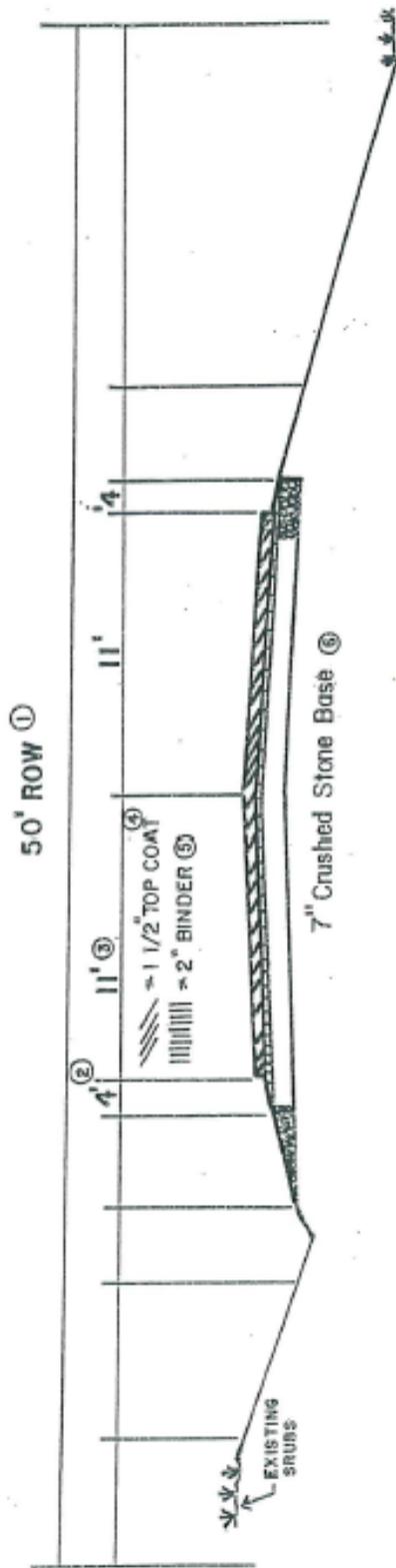
4-103.4 Road Surfacing and Improvements -- After sewer and water utilities have been installed, the subdivider shall construct curbs or curbs with gutters, where required, and shall surface or cause to be surfaced roadways to the widths prescribed in these regulations. No road shall be surfaced until final approval of the subdivision plat has been obtained.

Said surfacing shall be of such character as is suitable for the expected traffic. Types and methods of pavement shall be according to the specifications of the County, but in no event shall such construction be below the road construction specifications set forth in Section 4.104 of these regulations. Adequate provision shall be made for culverts, drains, and bridges, as required.

All road pavements, shoulders, drainage improvements and structures, curb turnabouts, and sidewalks shall conform to all construction standards and specifications adopted by the Planning Commission and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.

Amended March 4, 2003 (plus following diagram)

Roads are to be constructed using a base seven inches deep, a two inch binder, and a one and a half inch top coat. The top coat is not to be placed on any collector or main road of a subdivision until 75% of the entire development's structures have been completed. Likewise, the top coat shall not be applied to cul de sacs or secondary roads until 75% of that street's structures have been completed.



TYPICAL SECTION

N.T.S

1. Fifty (50) Foot Right-of-Way
2. Eleven (11) Foot Wide Lanes (Note: Each Lane Must be to face of curbing)
3. One and one-half (1 1/2) Inch Deep Top Coat (Note: Top Coat Should Not be Applied to Main Artery Road Until ALL Phases of the Development are at Least 75% Completed. Top Coat Should Be Applied to Each Secondary Road After 75% of Residential Buildings Have Been Completed on Each Road)
4. Two (2) Inch Deep Hot Mix Binder (Note: Binder Should be Placed After Stone Compaction Inspection)
5. Seven (7) Inch Deep Compacted Crushed Stone (Note: Stone Compaction Should be Inspected Prior to Application of 2" Binder)

4-104 Road Construction Specifications -- These road construction specifications are adopted by the Planning Commission as minimum standards for road construction in any subdivision in the Planning Region. As used in these specifications, the term "Standard Specifications" shall mean Standard Specifications for Road and Bridge Construction (Nashville: Tennessee Department of Highways, January 1, 1978), as amended.

4-104.1 Road Cross Sections -- Roads shall be constructed to the following cross sections, from which deviation due to special topographic conditions will be allowed only with the approval of the Planning Commission.

4-104.2 Road Construction Specifications

4-104.201 Preparation of the Subgrade -- Before grading is begun, the entire right-of-way shall be cleared of all stumps, roots, brush, and other objectionable material and all trees not intended for preservation. Top soil shall be removed and stockpiled for later use as a topping out material for seeding and sodding.

All tree stumps, boulders and other obstructions shall be removed to a depth of four (4) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade.

All suitable material from roadway cuts may be used in the construction of fills and approaches and at other places as needed. Excess materials shall be removed from the right-of-way.

Fills shall be compacted to ninety-five (95) percent of maximum density, as specified in Section 205.04, Standard Specifications. The procedure specified in Section 205.04, Standard Specifications, shall apply.

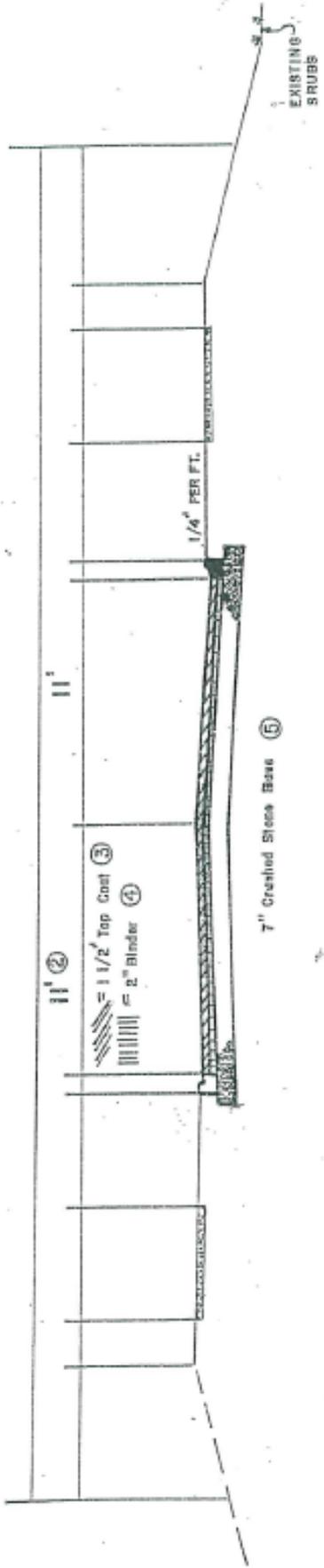
After grading is completed and before any base is applied, all of the underground work--water mains, gas mains, sewerage, telephone cables and service connections from any of the above-- shall be installed completely throughout the entire length and width of the road. Where the subgrade is cut for the installation of underground, the backfill shall be thoroughly compacted by hand or by pneumatic tamping equipment in layers not to exceed (10) inches when loose. When water is used to assist in compaction, the water content shall not exceed the optimum of moisture. Backfills shall be compacted to a density not less than that of the originally compacted fill.

The finished subgrade shall provide for a roadway crown equal to three- sixteenths (3/16) of an inch for each foot of pavement width.

4-104.202 Mineral Aggregate Base -- After preparation of the subgrade, the roadbed shall be surfaced with a mineral aggregate base using the materials, procedures, and equipment specified in Section 303, Standard Specifications.

The base shall be thoroughly compacted to the thickness required by Section 4-104.1 of these specifications. The following portions of Standard Specifications are deleted: Sections 303.13 and 303.14 and paragraph 2 of Section 303.06.

50' ROW ①



TYPICAL SECTION

N.T.S.

1. Fifty (50) Foot Right-of-Way
2. Eleven (11) Foot Wide Lanes (Note: Each Lane Must be to face of curbing)
3. One and one-half (1 1/2) Inch Deep Top Coat (Note: Top Coat Should Not be Applied to Main Artery Road Until ALL Phases of the Development are at Least 75% Completed. Top Coat Should Be Applied to Each Secondary Road After 75% of Residential Buildings Have Been Completed on Each Road)
4. Two (2) Inch Deep Hot Mix Binder (Note: Binder Should be Placed After Stone Compaction Inspection)
5. Seven (7) Inch Deep Compacted Crushed Stone (Note: Stone Compaction Should be Inspected Prior to Application of 2" Binder)

4-104.203 Prime Coat -- Upon completion of the base, a prime coat shall be applied using the materials, procedures, and equipment specified in Section 402, Standard Specifications, excepting sections 402.09 and 402.10. The prime coat of bituminous material shall be applied to the width of the surface to be primed by means of a pressure distributor at a uniform, continuous spread. The prime coat shall be applied at the rate of three-tenths (3/10) gallon per square yard, using cut-back asphalt, grade RC-70 or RC-250, or refined tar, grade RT-2, E-T-3 or emulsified asphalt grade AE-P. This shall be immediately covered, with crushed stone at the rate of ten (10) pounds per square yard. The chips shall be applied with suitable spreading devices to prevent the tires of the truck from tracking over the fresh bituminous material.

4-104.204 Wearing Surface -- Upon completion of the prime coat and before the base has been turned over to traffic, a wearing surface shall be constructed as follows:

- (1) In subdivisions classified as either urban or suburban, a Type A street is required. This surface shall be asphaltic concrete (hot mix). The composition of this mix will be 5-8% (by weight) cement asphalt and 92-95% (by weight) mineral aggregate. The mineral aggregate shall be composed of 50-55% crushed limestone and 50-45% natural or manufactured sand and shall meet the following range of graduations.

Grading Sieve Size	Total Percent Passing (By Weight)
1/2"	100
2/8	88-100
No. 4	56-80
No. 8	40-60
No. 30	18-38
No. 50	8-26
No. 100	5-15
No. 200	2-10

The sand portion of the mineral aggregate shall be so graded that not more than 5% will be retained on the No.4 sieve. The rate of spread for the asphaltic concrete mix will be 200 pounds per square yard in order to provide a minimum thickness of two (2) inches in the center of the roadway that may be feathered down to a minimum thickness of one (1) inch where the roadway abuts the curb.

Construction equipment to be used shall meet the specifications of the "Tennessee Department of Highways Standard Specifications for Road and Bridge Construction," 1968 edition, Sections 407.04 through 407.08. Construction procedures will follow the specifications of Sections 407.09 through 407.18 of the same document. Exceptions to the above specifications: Section 407.04(a) (10) Field Laboratory, and Section

407.10. In Section 407.15 compaction will be as indicated in condition (3) for asphaltic concrete surface course.

- (2) In subdivisions classified as rural by the Planning Commission, the Planning Commission may permit a double bituminous surface treatment. Upon completion of the prime coat and before the base has been turned over to traffic, a double bituminous surface treatment shall be constructed with emulsified asphalt (RS-2) or cutback asphalt (RC-800 or RC-3000) and mineral aggregate meeting the requirements and applied at temperature ranges specified in Subsection 404.03, Standard Specifications. The required equipment for the satisfactory performance of the surface treatment shall be that equipment which is specified in Subsection 404.03, Standard Specifications.

"Bituminous material shall be applied only when the designated surface is dry, firm, and properly cured only between April first and November first; and only when the air temperature in the shade and away from artificial heat is above 60°F." (Subsection 404.04, Standard Specifications.)

"The surface shall be thoroughly cleaned of all dirt and other foreign or loose matter to the first application of bituminous material. Power brooms and power blowers shall be used as required. All holes and surface failures shall be repaired as directed well in advance of the surface construction." (Subsection 404.05, Standard Specifications.)

"The first application of bituminous material shall be applied by pressure distributors at a uniform rate of between 0.38 and 0.42 gallon per square yard. Each width of spread shall not be less than one-half the surface to be treated." (Subsection 404.06, Standard Specifications.) The application of bituminous material shall be according to the procedures specified in Paragraphs 2, 3, and 4 of Subsection 404.06.

"Immediately after each application of bituminous material has been made, it shall be covered uniformly with Size No. 6 mineral aggregate. The aggregate shall be reasonably free of surface moisture. The aggregate shall be spread from trucks equipped with mechanical spreaders at a uniform rate between 30 and 40 pounds per square yard." (Subsection 404.06, Standard Specifications.)

"The second application of bituminous material shall be applied in the same manner as for the first application at a uniform rate between 0.30 and 0.35 gallon per square yard. Mineral aggregate, Size No. 7, shall then be spread in the same manner as for the first spread at a uniform rate between 20 and 25 pounds per square yard." (Subsection 404.06, Standard Specifications.)

"Immediately after each spread of cover aggregate, uniform coverage shall be achieved by handbrooming. Additional aggregate shall be placed by hand on thin or bare areas." (Subsection 404.06, Standard Specifications.)

"Immediately after spreading and brooming the cover aggregate, the entire surface shall be rolled in accordance with the conditions and procedures specified in Subsection 404.07, Standard Specifications."

*Note: Testing and inspection responsibilities which Standard Specifications places with "the Department" or "the Engineer" shall be the responsibility of the County Road Superintendent or his appropriate designee.

4-104.3 Erosion Control and Stabilization of Ditches -- All newly graded earthen areas, within the right-of-way which are not paved shall be seeded or sodded, using equipment, materials, and procedures set forth in Sections 801 and 803, Standard Specifications.

Ditches shall be stabilized in accordance with the following requirements:

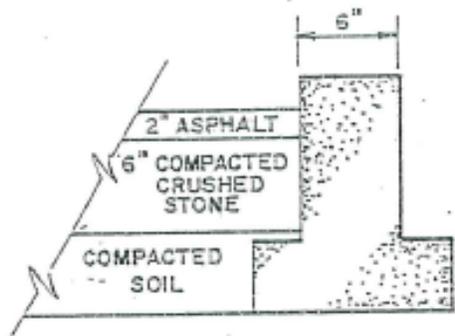
<u>Size of Nearest Upstream Culvert</u>	<u>Seeding Required</u>	<u>Sod Required</u>	<u>Concrete Lining Required</u>
15"	Grades less than 3%	Grades 3 pct.-12 pct.	Grades exceeding 12 pct.
18" through 24"	Grades less than 1.5%	Grades 3 pct.-7 pct.	Grades exceeding 12 pct.
30" through 36"	Grades less than 1%	Grades 1 pct.-4 pct.	Grades exceeding 12 pct.
42" through 72"		Grades 2.5 pct. or less	Grades exceeding 12 pct.

Where concrete ditch paving is required, the equipment, materials, and procedures set for in Section 703, Standard Specifications, shall apply. Ditches which require paving shall be lined to a height above the bottom of the ditch not less than one-half (1/2) the diameter of the nearest upstream culvert. In no case, however, shall the lining extend less than one foot above the bottom of the ditch.

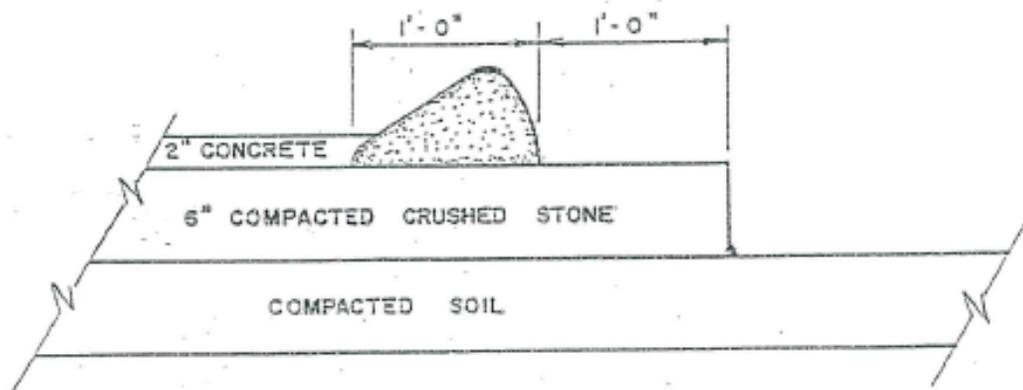
4-104.4 Curbs and Gutters -- Curbs and gutters may be installed throughout the subdivision where the lot size is less than 40,000 square feet. Cross-sections must be submitted with the required construction plans as a portion of the preliminary subdivision plat, for approval. All curbs must be concrete. No asphalt curbing is allowed within the Sumner County Planning Region. See following page for cross section.

TYPICAL CROSS SECTIONS OF ALTERNATIVE CURB DESIGNS

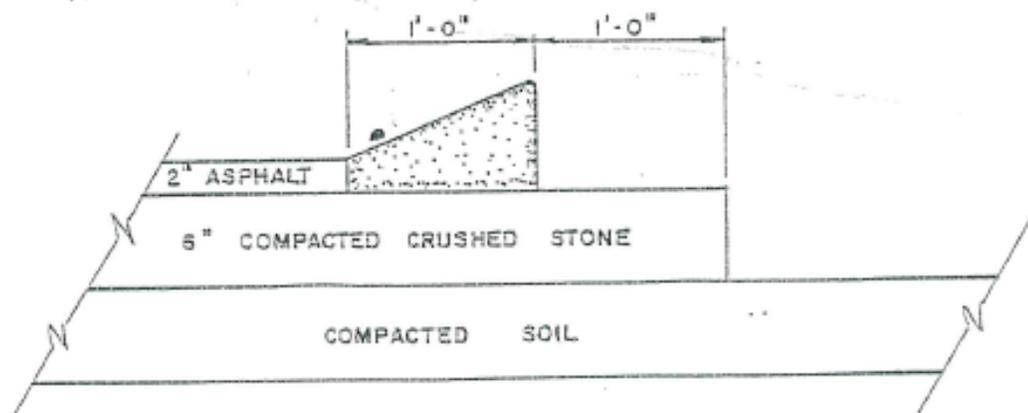
(NOT DRAWN TO SCALE)



A. PERMANENT CONCRETE CURBS



B. CONCRETE CURBS



C. FORMED CONCRETE CURBS

4-105 Drainage and Storm Sewers

4-105.1 General Requirements -- The Planning Commission shall not approve any plat of a subdivision which does not make adequate provision for storm or floodwater runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system.

4-105.2 Nature of Storm Water Facilities

4-105.201 Location -- The subdivider may be required by the Planning Commission to carry away by pipe or open ditch any spring or surface water that may exist either prior to or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way, where feasible, or in perpetual unobstructed easements of appropriate width and shall be constructed in accordance with the construction specifications of the appropriate local government.

4-105.202 Accessibility to Public Storm Sewers

- (1) Where a public storm sewer is accessible, the developer shall install storm sewer facilities or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the County Road Superintendent. Inspection of facilities shall be conducted by the appropriate local government engineer or official.
- (2) If a connection to a public storm sewer will be provided eventually, as determined by the Planning Commission, the subdivider shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the final subdivision plat.

4-105.203 Accommodation of Upstream Drainage Areas -- A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The subdivision engineer determines the necessary size of the facility based on the provisions of the local government's construction specifications and assuming conditions of maximum potential watershed development permitted by the applicable zoning regulations.

4-105.204 Effect on Downstream Drainage Areas -- The local government also shall study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility the Planning Commission may withhold approval of the subdivision until

provision has been made for adequate improvement of such drainage facilities in such sum as the Planning Commission shall determine. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

4-105.205 Areas of Poor Drainage -- Whenever a plat is submitted for an area which is subject to flooding, the Planning Commission may approve such subdivision provided that the applicant fills the affected floodway fringe area of said subdivision to an elevation sufficient to place the elevation of streets at no more than twelve (12) inches below the regulatory flood protection elevation and of lots at no less than the regulatory flood protection elevation. The plat of such subdivision shall provide for a floodway along the bank of any stream or watercourse in a width which shall be sufficient to contain or move the water of the regulatory flood, and no fill shall be placed in the roadway, nor shall any structure be erected or placed therein. The boundaries of the floodway and floodway fringe area and the regulatory flood elevation shall be determined by the Planning Commission based upon the review specified in Section 2-103.2 of these regulations and the submission of flood data in construction plans as specified in Section 5-105 of these regulations.

4-105.206 Floodplain Areas -- The Planning Commission may, when it deems it necessary for the health, safety, or welfare of the present and future population of the area or necessary to the conservation of water drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the floodplain of any stream or drainage course. The regulatory floodway shall be preserved from any and all destruction or damage resulting from clearing; grading; or dumping of earth, waste material, or stumps. Any subdivision which contains flood-prone land shall be subject to the special provisions set forth in Sections 2-101.4; 4-101.4; 4-105; and 105.2, item 6, of these regulations.

4-105.3 Dedication of Drainage Easements

4-105.301 General Requirements -- Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction as will be adequate for the purpose. Where open drainageways are utilized they shall be designed for the twenty-five (25) year design flood.

4-105.302 Drainage Easements

- (1) Where, topography or other conditions are such as to make impractical the inclusion of drainage facilities within a road right-of-way, perpetual unobstructed easements at least ten (10) feet in width for such facilities shall be

provided across property outside the road line and with satisfactory access to the road. Easements shall be indicated on the preliminary and final plats. Drainage easements shall be carried from the road to a natural watercourse, or to other drainage facilities.

- (2) When a new drainage system is to be constructed which will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (3) The applicant shall dedicate, when required by the Planning Commission either in fee or by drainage or conservation easement, the land on both sides of existing watercourses to a distance to be determined by the Planning Commission.
- (4) Along watercourses, low-lying lands within any floodway, as has been determined by the Planning Commission, pursuant to Section 2-103 of these regulations, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands lying within floodway fringe areas may be computed in determining the number of lots to be utilized for average density procedure but shall not be used in determining any minimum yard requirements set forth in the Zoning Ordinance or these regulations.

4-105.303 Ditching -- All drainage ditches shall be constructed adjacent to the roadway shoulders and shall feed to and from culverts under or adjacent to the roadway. All such ditches shall be graded in their entirety during the time in which the roadways are being graded and such grading is to be completed prior to final inspection of the roadways.

4-105.304 Concrete Ditch Paving -- Concrete ditch paving shall consist of the construction of paved ditches on a prepared subgrade. The subgrade shall be shaped and compacted to a firm even surface. All soft material shall be removed and replaced, with suitable material and compacted. Concrete ditch pavement shall be four (4) inches in thickness throughout and shall be backfilled immediately after the concrete has set and the forms removed. The backfill material shall be thoroughly compacted. Expansion joints shall be appropriately located.

4-105.305 Culverts and Storm Drains -- Pipe culverts and storm drains shall be installed as shown on the subdivision plat and construction plans. No metal pipe shall be used without specific approval of the Planning Commission and the County Road Superintendent. Reinforced concrete pipes shall conform to minimum standards for Class III Reinforced Pipe, ASTM C76. Bedding for pipe culverts shall be Class "B" material which shall be six (6) inches thick and backfilled to a depth of thirty (30) percent of the diameter of the pipe. Recess shall

be dug in the bedding material to accommodate the bell. Class "B" bedding shall be Size Number 7 as shown in Chart 903.23 of the Standard Specifications.

Concrete headwalls shall be constructed at both ends of cross drains.

4-106 Water Facilities

4-106.1 General Requirements

- (1) Necessary action shall be taken by the developer to extend a water supply system capable of providing domestic water use and fire protection.
- (2) Where a public water main is within reasonable access of the subdivision, as determined by the Planning Commission, the subdivider shall install adequate water facilities, including fire hydrant, subject to the construction and materials specifications and approval of the Tennessee Department of Public Health and requirements herein.
- (3) The sizes of water mains shall not be less than six (6) inches in diameter except for permanent dead-end streets no longer than 500 feet as specifically approved by the Planning Commission.
- (4) All water systems, whether public or private, located in a flood-prone area shall be flood-proofed to the regulatory flood protection elevation. All water supply facilities located below the regulatory flood protection elevation shall be designed to prevent the infiltration of floodwaters into the water supply system and discharges from the system into floodwaters.

4-106.2 Individual Wells

- (1) Where a public water main is not within reasonable access of a subdivision, as determined by the Planning Commission, residential lots meeting the requirements of Section 4-102.2 may, upon the approval of the county environmentalist, utilize an individual well as a source of potable water.
- (2) If the Planning Commission requires that a connection to a public water main eventually be provided as a condition to approval of an individual well, the developer shall make arrangements for future water service at the time the plat receives final approval. Performance or cash bonds may be required to insure compliance.

4-106.3 Fire Hydrants -- Fire hydrants shall be required by all subdivisions except those under Section 4-106.2 of these regulations.

Amended March 17, 2004

Fire hydrants shall be located within 500 feet of each lot as measured from the servicing street. However, the Planning Commission may require closer spacing where physical conditions or types of structures so warrant. To eliminate future street cutting's or openings, all underground utilities for fire hydrants together with the fire hydrants themselves, and all other water supply improvements shall be installed before any final paving of a street shown on the subdivision plat.

Amended _____

In areas of the county where water service and infrastructure capacity are not adequate to effectively accommodate new fire hydrant operation per prevailing industry standards the requirement to install fire hydrants as described above may be lifted until such time as adequate water service and infrastructure capacity are made available, provided the following conditions are met:

- (1) The water utility service provider that maintains and delivers water service to the site of the proposed subdivision shall formally identify and substantiate in writing to the Sumner County Planning Commission that adequate fire flow capacity and water service are not currently available for effective fire hydrant operation, and are not scheduled to be made available immediately.
- (2) The Sumner County Commission shall be formally advised by the Sumner County Planning Commission that there is not adequate fire flow capacity at the site of the proposed subdivision, and a copy of the letter from the utility district shall be provided to the county commission.
- (3) The water utility service provider shall formally substantiate in writing to the Sumner County Planning Commission its agreement to accept a fire hydrant installation deposit from each applicant for use in installing fire hydrant(s) at such time in the future that water capacity and service are made available.
- (4) The water utility service provider shall formally substantiate in writing to the Sumner County Planning Commission that the amount(s) of the deposit(s) collected from the applicant shall be held in an escrow structure for installation use at such time in the future that water capacity and service are made available, and that no additional funds are to be required for collection to effect such future installation.
- (5) The water utility service provider shall formally substantiate in writing to the Sumner County Planning Commission its agreement to provide formal notice to the

Planning Commission at such time in the future that water service capacity is increased to accommodate the effective operation of the new fire hydrant(s) for which deposit(s) have been collected. Upon installation of the hydrants, the water utility service provider shall further agree to provide notice to the Planning Commission that such fire protection has been made available to the subdivision.

- (6) The applicant shall include a formal notation on the plat submittal for the proposed subdivision stating the following:
 - (a) that no fire hydrants are to be immediately installed at the subdivision due to current inadequate fire flow capacity and water service availability, as formally substantiated by the water service utility provider;
 - (b) the distance from the proposed subdivision to the nearest operable fire hydrant with adequate water pressure availability, and the water service utility provider for that hydrant;
 - (c) and, the amount(s) of the fire hydrant installation deposit(s) paid by the applicant to the water service utility provider, to be held in an escrow structure for use in installing fire hydrants at such time in the future that water capacity and service are made available to the proposed subdivision location.
- (7) It shall be the responsibility of the applicant to coordinate the completion of the fire hydrant deposit process with the water utility service provider.

4-107 Sewage Facilities

4-107.1 General Requirements The applicant shall install sanitary sewer facilities in a manner prescribed by the regulations of the State Department of Public Health and by the local government construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards, where applicable, of the County Health Department, the State Department of Public Health and other appropriate agencies. Plans shall be approved by the above agencies.

4-107.2 Mandatory Connection to Public Sewer System

- (1) When public sanitary sewers are within reasonable access of the subdivision, as determined by the Planning Commission, the subdivider shall provide sanitary sewer facilities to each lot therein and shall connect these facilities to the public system. The subdivider shall provide sewers which

meet standards set forth in the regulation of and approved by the Tennessee Department of Health and Environment.

- (2) All sanitary sewer facilities located in a flood hazard area shall be flood-proofed to the regulatory flood protection elevation. All sewerage located below the regulatory flood protection elevation shall be designed to prevent infiltration of floodwaters into the sewer system, and discharges from the system into floodwaters.

Amended February 20, 2001

4-107.3 Individual Disposal System Requirements -- If public sewer facilities or alternative Decentralized Treatment Systems are not available and individual disposal systems are proposed, lot areas shall not be less than the minimums specified in Section 4-102.2 of these regulations, and all pertinent absorption tests shall be made as directed by the county environmentalist and the results submitted to the County Health Department for approval.

The individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device shall be located on the same platted lot as the dwelling unit it will service, and shall also be approved by the Sumner County Environmentalist. Appeals to this rule may be granted by the Planning Commission and shall not be unreasonably withheld.

The Planning Commission may prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high groundwater, flooding, or unsuitable soil characteristics or constitute a public nuisance. To this effect, any alternative subsurface disposal system to be placed on any individually platted lot, as certified by the staff of the Tennessee Department of Environment and Conservation shall be individually specified as per the affected lot and a recommendation as pertains to the suitability and acceptability of the subject lot being serviced by such alternative system in relation to adjoining lots and properties shall be made by the Planning Commission to the approval or certifying state agency. The Planning Commission may require that the subdivider note on the face of the plat and any deed of conveyance that soil absorption fields are prohibited in designated areas.

Decentralized Wastewater Treatment Systems may be utilized as an alternative to individual units. These systems are defined as those using a multi-stage system in which, part of the wastewater is treated at or near the dwelling unit by a septic tank or similar device and the remaining effluent is treated at a separate treatment unit located at an off-site location. This second phase of the treatment process may be a unit designed to serve a cluster of parcels or the effluent may be transferred to an existing traditional system operated by a public utility.

Any decentralized wastewater treatment system shall meet all applicable State regulations as to design and construction. Likewise the system may be accepted by an existing Publicly Owned Treatment Works or by other agencies authorized under State law. In no case shall the treatment system be owned by the developer or a homeowners association. Any easements for the system located on individual lots shall be noted on the plat.

All appropriate documentation shall be submitted to the Sumner County Planning Commission at or before the time of preliminary plat approval to demonstrate that the system has been approved by all applicable regulatory agencies and the provisions of these regulations.

A performance bond or other instrument shall be obtained for uncompleted systems. The Sumner County Engineer or his/her designee shall set the bond amount for systems not completed at the time of final plat submittal. This amount shall be 125% of the estimated cost of completing the system.

In addition to the bond amount required to insure construction of the system, an additional performance bond shall be required for decentralized septic systems. The intent of this bond is to insure that the equipment used in the system is properly constructed and that the homeowner would not be unreasonably burdened by a partial failure of the system. This bond shall be sufficient for pay for any capital equipment that is part of the system including septic tanks, lines, pumps, filters, disposal fields, and other part of the system that fails to operate properly. This bond need not include regular maintenance.

This performance bond shall be sufficient so as to insure that, the system could be repaired, modified, rebuilt, or connected in part to a traditional sewer system in the event of a failure of the system to meet regulatory performance requirements. Consideration shall be given to redundancy built into any system. Likewise, an agreement with an existing publicly owned and operated sewer system to accept partially treated effluent in the event of failure of part of the system shall be considered in determining the amount of the bond. The amount of the performance bond shall be determined by the Sumner County Engineer or his/her designee and shall be sufficient to cover 150% the capital costs of the system.

The performance bond shall be effective for a period of 5 years after 80% build out of the system.

The Planning Commission shall require documentation to show that any proposed system not accepted for ownership by a Public Utility or Publicly Owned Treatment Works will be managed in a way as to insure that funds will be allocated for the replacement of components of the system at the end of their expected lifespan.

4-107.4 Design Criteria for Sanitary Sewers

4-107.401 General -- These design criteria are not intended to cover extraordinary situations. Deviations will be allowed and may be required in those instances where considered justified by the Planning Commission.

Amended March 8, 2001

In any instance where a decentralized wastewater treatment system is to be owned and/or operated by any individual or agency other than an agency that is a part of a local general purpose government some form of surety shall be provided such that in the event of a failure of such facility no agency of government shall become liable for the operation and/or maintenance of such facility. Such surety shall be adequate at all points in time such that the county shall be held harmless by all persons and agencies of any responsibility or liability for the continuing operation of such facility.

4-107.402 Design Factors - Sanitary sewer systems shall be designed for the ultimate tributary population. Due consideration shall be given to current zoning regulations and approved planning reports, where applicable. Sewer capacities shall be adequate to handle the anticipated maximum hourly quantity of sewage and industrial wastes together with an adequate allowance for filtration and other extraneous flow. The unit design flows presented hereinafter should be adequate in each case for the particular type of development indicated. Sewers shall be designed for the total tributary area using the following criteria.

SEWER DESIGN FLOWS

<u>BUILDING TYPE</u>	<u>DESIGN FLOW</u>
One and Two Family Dwellings	0.02 cubic feet per second (c.f.s.)/acre
Apartments	
One and Two Story	0.02 c.f.s./acre
Three through Six Story	0.02 c.f.s./acre
Commercial	
Small Stores, Offices and Miscellaneous Business	0.02 c.f.s./acre
Shopping Centers	0.02 c.f.s./acre
Industrial	As suggested by engineer

These design factors shall apply to watersheds of 300 acres or less. Design factors for watersheds larger than 300 acres and smaller than 1,000 acres shall be computed on the basis of a linear decrease from the applicable design factor for an area of 300 acres to a design factor of .1 c.f.s. per acre for an area of 1,000 acres unless otherwise directed by the local government engineer. Design factors for watersheds larger than 1,000 acres shall be .01 c.f.s. per acre unless otherwise directed.

All sanitary sewer materials shall be A.S.T.M. and/or A.W.W.A. approved.

- 4-107.403 Maximum Size -- The diameter of sewers proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable.
- 4-107.404 Minimum Size -- No public sewer shall be less than eight (8) inches in diameter. All homes shall have minimum four (4) inches sewer service.
- 4-107.405 Minimum Slope -- All sewers shall be designed to give mean velocities when flowing full of not less than 2.0 feet per second. All velocity and flow calculations shall be based on Kutter's formula using a N value of 0.013. The design slopes shall be evenly divisible by four (4). The slopes shall be no less than the minimums specified in the following table. Exceptions to these minimum slopes shall be made upon the approval of the local government engineer and the State

Department of Public Health, at the upper end of lateral sewers serving under thirty (30) houses. Said sewers shall have a minimum slope of 0.76 percent. Where lateral sewers serve less than ten (10) houses, the minimum slope shall be not less than 1 per cent.

MINIMUM SLOPES FOR SEWER LINES

<u>Sewer Size (in inches)</u>	<u>Minimum Slope (In feet per 100 feet)</u>
8	0.60
10	0.44
12	0.36
15	0.28
18	0.24
21	0.20
24	0.16

4-107.406 Alignment -- All sewers shall be laid with straight alignment between manholes, unless otherwise directed or approved.

4-107.407 Manhole Location -- Manholes shall be installed at the end of each line; at all changes in grade, size or alignment; at all intersections; and at distances not greater than 350 feet for sewers 15 inches or less in diameter, 400 feet for sewers 18 inches or 21 inches in diameter, and 500 feet for sewers 24 inches or greater in diameter.

4-107.408 Manholes -- The difference in elevation between any incoming sewer and the manhole invert shall not exceed 12 inches, except where required to match crowns. The use of drop manholes will require approval. The minimum inside diameter of the manholes shall conform to those specified. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a smaller sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.2 feet.

4-107.409 Sewerage Locations -- Sanitary sewers shall be located within street or alley right-of-way, unless topography dictates otherwise. When located in easements on private property, access shall be available to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley rights-of-way where possible. Imposed loading shall be considered in all locations. Not less than six (6) feet of cover shall be provided over the top of pipe in street and alley rights-of-way or three (3) feet in all other areas.

- 4-107.410 Cleanouts and Lampholes -- Cleanout and lampholes will not be permitted.
- 4-107.411 Water Supply Interconnections -- There shall be no physical connection between a public or private potable water supply system and a sewer which will permit the passage any sewage or polluted water into the potable supply. Sewers shall be kept removed from water supply wells or other water supply sources and structures.
- 4-107.412 Relation of Sewers to Water Mains -- A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least two (2) feet below the bottom of the water main. When the elevation of the sewer cannot be varied to meet the above requirement, the water main, upon the approval of the State Department of Public Health, shall be relocated to provide this vertical separation or reconstructed with mechanical joint pipe for a distance of ten (10) feet on each side of the sewer. One full length of water main shall be centered over the sewer so that both joints will be as far from the sewer as possible.

When the horizontal and vertical separation specified above is impossible, both the water main and sewer shall be constructed of mechanical joint cast-iron pipe and shall be pressure tested to assure water tightness.

4-108 Pedestrian Ways

- 4-108.1 Sidewalks and Bicycle Paths -- Sidewalks and bicycle paths where required by the Planning Commission, shall be included within the dedicated nonpavement right-of-way of all roads as indicated in the following table and shall be improved as required by Section 4-103.4 of these regulations. Concrete curbs are required for all roads where sidewalks are required or constructed. A median strip of grassed or landscaped areas at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

Amended March 23, 2004

Special requirements may include a payment in lieu of construction of such improvements.

SIDEWALK DESIGN

CLASS OF ROAD

SIDEWALK WIDTH

	<u>RESIDENTIAL ROAD</u>	<u>NONRESIDENTIAL ROAD (COMMERCIAL OR INDUSTRIAL)</u>
Minor Road	4 feet wide	6 feet wide
Collector Road	5 feet wide	6 feet wide
Arterial Road	5 feet wide	6 feet wide

4-108.2 Pedestrian Accesses -- The Planning Commission may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plat.

4-109 Utility Easements

- (1) Easements centered on rear lot lines shall be provided for utilities (private or public). Such easements shall be at least five (5) feet wide. The subdivider shall take such actions as are necessary to insure the coordination and continuation of utility easements established on adjacent properties with those proposed within his development.
- (2) Where topographical or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least five (5) feet in width shall be provided alongside lot lines with satisfactory access to road or rear lot lines. Easements shall be indicated on the plat.

4-110 Public Uses

4-110.1 Plat to Provide for Public Uses -- Except when a developer utilizes planned unit development or density zoning, in which land is set aside by the developer as required by provisions of the zoning ordinance, whenever a tract to be subdivided includes a school, recreation use, a portion of a major thoroughfare, or other public uses, as indicated on the adopted Future Land Use Plan and Major Thoroughfare Plan or any portion thereof, such tract shall be suitably incorporated by the developer into his plat when first presented for review by the Planning Commission. After proper determination of its necessity by the Planning Commission and the appropriate County official or other agency involved in the acquisition and use of such site and after a determination has been made to acquire the site by the public agency, the site shall be

suitably incorporated by the developer into the plat prior to final approval by the Planning Commission and recording of the plat.

- 4-110.2 Referral to Public Body -- The Planning Commission shall refer any plat presented in accordance with Section 4-110.1 to the public body concerned with acquisition for its consideration and report. The Planning Commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply.

Among the areas which the Planning Commission may propose for public acquisition, when the commission deems it appropriate and consistent with the policies and purposes set forth in Sections 1-104, 2-101.4, 4-101.4 and 4-111 of these regulations, is any land within a floodway or floodway fringe area determined according to the procedure described in Section 2-103 of these regulations.

The acquiring agency's recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.

- 4-110.3 Notice to Property Owner -- Upon receipt of an affirmative report, the Planning Commission shall notify the property owner and shall designate on all plats any areas proposed to be acquired by public body. Upon such designation by the Planning Commission, any reserved portion of any floodway or floodway fringe shall not be altered from its natural state by the developer in any manner whatsoever, except upon written approval of the Planning Commission.

- 4-110.4 Duration of Land Reservation -- The acquisition of land reserved by a public agency on the final plat shall be initiated within twenty-four (24) months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a plat of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twenty-four (24) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations.

- 4-111 Preservation of Natural Features and Amenities - Existing features which would add value to residential development or to the Planning Region as a whole, such as trees, watercourses and falls, beaches, historic spots and similar irreplaceable assets, shall be preserved in the design of the subdivision as required by the Planning Commission. No trees shall be removed from any subdivision nor change of grade of the land affected until approval of a preliminary subdivision plat has been granted. All trees on the plat required to be retained shall be preserved, and all trees, where required, shall be welled and protected against change of grade. When required the preliminary plat shall show the number and location of existing trees and shall indicate all those marked for retention.

4-112 Nonresidential Subdivisions

4-112.1 General -- If a proposed subdivision includes land which is zoned for commercial or industrial purposes, or if unzoned, includes land intended by the applicant as a commercial or industrial use, the layout of the subdivision with respect to such land shall make such provisions as the Planning Commission may require. A nonresidential subdivision also shall be subject to all the requirements of site plan approval set forth in the applicable zoning regulations. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Planning Commission. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards by the Planning Commission, and shall conform to the proposed land use and standards established in the Future Land Use Plan, Major Thoroughfare Plan, and applicable zoning ordinance.

4-112.2 Standards -- In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in areas and dimensions to the types of industrial development anticipated.
- (2) Street rights-of-way and pavements shall be adequate to accommodate the type and volume of traffic anticipated.

Amended January 27, 2004

- (3) Special requirements may be imposed by the County with respect to road, curb, gutter, parks, greenways, pedestrian ways and sidewalk design and construction specifications. Special requirements may include a payment in lieu of construction of such improvements.
- (4) Special requirements may be imposed by the County with respect to the installation of public utilities, including water, sewer, and stormwater drainage.
- (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed nonresidential subdivision, including the provision of extra depth in parcels backing on existing or potential residential development and provisions for permanently landscaped buffer strips, when necessary.

- (6) Roads carrying nonresidential traffic, especially truck traffic, normally shall not be extended to the boundaries of adjacent existing or potential residential areas.

4-113 Electric, Cable Television, and Telephone Lines

All residential electric, cable television, and telephone lines shall be underground from the street curb or pole to the dwelling.

CHAPTER 5

SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

5-101 Sketch Plat

5-101.1 General -- Sketch plats submitted to the Planning Commission, prepared in pen or pencil, shall be drawn to a convenient scale no smaller than two hundred (200) feet to an inch.

5-101.2 Features -- The sketch plat shall show the following information:

- (1) A scale drawing of the property and the names of the owners of adjoining property.
- (2) Size of the original tract(s) being subdivided.
- (3) Notation of any existing legal rights-of-way or easements or other encumbrances affecting the property.
- (4) Approximate topography of the site extended into adjacent properties.
- (5) Any areas which may be affected by flooding.
- (6) General road and lot pattern.
- (7) Proposed phasing, if any.
- (8) Location map of the property.

5-102 Application for Sketch Plat Approval -- The form of the application for sketch plat approval, required by Section 2-102.2 of these regulations, shall be as reproduced below. Such forms are available at the office of the county building commissioner and must be completed in duplicate by the applicant in order to apply for sketch plat approval.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

FORM NUMBER 1

APPLICATION FOR SKETCH PLAT APPROVAL
(To be filed in duplicate)

Date Filed _____

1. Name of Subdivision _____

2. Name of Applicant _____ Phone _____

3. Name of Local Agent _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

4. Owner of Record _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

5. Engineer _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

6. Land Surveyor _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

7. Attorney _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

8. Subdivision Location: on the _____ side of _____
_____ feet _____ of _____
(Direction) (Street)

9. Total Acreage _____ Number of Lots _____

Number of Dwelling Units _____

Zoning Classification, if applicable _____

10. Does the proposed subdivision include or abut any flood-prone area, as defined in the Subdivision Regulations? _____ If so the area must be delineated in the sketch plat.

11. Tax Map Designation: Map Parcel Number(s) _____
12. Is any open space being offered as part of this subdivision application?

 If so, what amount? _____
13. Has the Zoning Board of Appeals granted any variance, exception, or special permit concerning this property? _____ If so, list Case No. and name _____
14. Attach eleven (11) copies of sketch plat, if to be submitted for Planning Commission review.
15. List all contiguous holdings in the same ownership (as defined in the Subdivision Regulations). _____
16. Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the county register deed's office. This affidavit shall indicate the legal owner of the property, the contract owner of the property, and date the contract of sale was executed.

STATE OF TENNESSEE)
 COUNTY OF _____) SS.:

I, _____, hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

 Mailing Address _____
 (Street)

 (City) (State) (Zip Code)

Subscribed and Sworn before me this _____ day of _____,
 19 ____

 Notary Public

MY COMMISSION EXPIRES:

5-103 Preliminary Plat

5-103.1 General -- The preliminary plat shall be prepared by a registered land surveyor, landscape architect, architect, land planner, or licensed engineer engaged in the practice of civil engineering at a convenient scale no smaller than one inch equals two hundred (200) feet. The plat may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one sheet is used. The map prepared for the preliminary plat may be used for the final subdivision plat and, therefore, should be drawn on satisfactory or permanent reproducible material. Preparation in pencil will make required changes and additions easier.

5-103.2 Features -- The preliminary plat shall show the following:

- (1) The location of the property to be subdivided with respect to surrounding property and streets; the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.
- (2) The location and dimensions of all boundary lines of the property, expressed to the nearest hundredth of a foot.
- (3) The location of existing streets, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges, as determined by the Planning Commission.
- (4) The location and width of all existing and proposed streets and easements, alleys, and other public ways and easements and proposed street rights of way and building setback lines.
- (5) The location, scale dimensions, and areas of all proposed or existing lots.
- (6) In the instance of condominium subdivisions, the position of all existing or proposed buildings.
- (7) The location and scale dimensions of all property proposed to be set aside for park or playground use or other public or private reservation, with designation of the purpose thereof, and conditions if any, of the dedication or reservation.
- (8) The limits of floodway and floodway fringe areas and the associated regulatory flood elevation and regulatory flood protection elevation, as determined by the Planning Commission pursuant to Section 2-103 of these regulations.
- (9) The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider, if other than the owner; and the name of the land surveyor or

other professional person responsible for preparation of the plat.

- (10) The date of the map, approximate true north point, scale, and title of the subdivision.
- (11) Sufficient data to determine readily the general location, bearing and length of all lines, and to reproduce such lines upon the ground.
- (12) Names of the subdivision and all new streets as approved by the Planning Commission.
- (13) The zoning classification of all zoned lots, as well as an indication of all uses other than residential proposed by the subdivider.
- (14) The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads and to an original corner of the original survey of which it is a part.
- (15) Key map showing relation of the subdivision to all streets, railroads, and water courses in all directions to a distance of at least one-half mile. Suggested scale: one inch equals one thousand (1,000) feet.
- (16) Contours at vertical intervals of not more than two (2) feet where the proposed subdivision has an average slope of five (5) percent or less and at vertical intervals of not more than five (5) feet where the average slope exceeds five (5) percent. Such contours shall be field surveyed or taken from acceptable aerial photographs.
- (17) The following notations:
 - (a) Explanation of drainage easements, if any.
 - (b) Explanation of site easements, if any.
 - (c) Explanation of reservations, if any.
 - (d) For any lot where public sewage or water systems are not available, the following shall be shown:
 - (i) Areas to be used for sewage disposal and their percolation results at the discretion of the Sumner County Environmentalist, or if the Planning Commission desires any other acceptable data to show that the site can be served effectively by septic tanks.
 - (ii) Water wells (existing and proposed).

(iii) Rock outcropping, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features.

(18) Draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions.

(19) A form for endorsement of Planning Commission approval of the preliminary plat which shall read as follows:

Approved by the Sumner County Regional Planning Commission, with such exceptions or conditions as are indicated in the minutes of the Commission on _____(date).

This preliminary plat approval does not constitute approval of this subdivision in final form and does not constitute approval for recording of the plat.

Chairman

Date

Secretary

Date

5-104 Application for Preliminary Plat Approval -- The form of the application for preliminary plat approval, required by Section 2-103.1 of these regulations, shall be as reproduced in this section.

Copies of the form may be obtained at the office of the county building commissioner. The completed and signed application shall be filed in duplicate.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 2

APPLICATION FOR PRELIMINARY PLAT APPROVAL
(To be filed in duplicate)

Date Filed _____

1. Name of Subdivision _____

2. Name of Applicant _____ Phone _____

3. Name of Local Agent _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

4. Owner of Record _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

5. Engineer _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

6. Land Surveyor _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

7. Attorney _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

8. Subdivision Location: on the _____ side of _____
(Street)

_____ feet _____ of _____
(Direction) (Street)

9. Total Acreage _____ Number of Lots _____

Number of Dwelling Units _____

Zoning Classification, if applicable _____

10. A preliminary plat application fee of \$_____ is attached. (See Section 2-103.1 of the Subdivision Regulations in order to determine the amount of the fee.)

11. Tax Map Designation: Map Parcel Number(s) _____

12. Has the Zoning Board of Appeals granted any variance, exception, or special permit concerning this property? _____ If so, list Case No. and name _____
13. Date of sketch plat approval _____
14. Classification of subdivision, as determined according to Section 2-101.2 _____
15. Have any changes been made since this plat was last before the Commission? _____ If so, describe _____
16. Attached are eleven (11) copies of proposed preliminary plat.
17. Attached are five (5) copies of construction plans.
18. List all contiguous holdings in the same ownership, as defined in the Subdivision Regulations.
19. Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the county register deed's office. This affidavit shall indicate the legal ownership of the property, the contract owner of the property, and date the contract of sale was executed.

STATE OF TENNESSEE)
 COUNTY OF _____) SS.:

I, _____, hereby depose any say that all of the above statements and the statements contained in the papers submitted herewith are true.

Mailing Address

Subscribed and Sworn to before me this _____ day of _____, 19____.

 Notary Public

My Commission Expires:

5-105 Construction Plans

5-105.1 General -- Construction plans shall be prepared for all required improvements as specified by Section 2-103.(4). Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall if possible be of the same size as the preliminary plat. These plans shall be in compliance with the specifications in Chapter 4 of these regulations. Construction plan approval must precede actual construction, and no final plat shall be considered by the planning commission until the required construction plans have been approved.

5-105.2 Features -- The construction plans shall show the following:

- (1) Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all streets.
- (2) The Planning Commission shall require cross-sections or left and right right-of-way profiles of all proposed streets where the centerline grade exceeds the maximum allowable grade as defined in Section 4-103.202 of these regulations or if the natural grade of the back-slope exceeds 15%. The cross-sections shall be shown at five (5) points as follows: on a line at right angles to the centerline of the road and said elevation points shall be at the centerline of the road, each property line, and points twenty-five (25) feet inside each property line.

In cases where only a portion of a proposed roadway exceeds the maximum allowable grades cross-sections will be required only on that portion of the proposed roadway and any minimal transition areas.

- (3) Plans and profiles showing the locations and typical cross-section of street pavements, including curbs and gutters, sidewalks, drainage easements, servitude, rights-of-way, manholes, and catch basins, the location of street trees, street lighting standards, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility system; and exact location and size of all water, gas, or other underground utilities or structures.
- (4) Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, and

other pertinent features, such as swamps, railroads, buildings, and features noted on the Future Land Use Plan or Major Thoroughfare Plan at the point of connection to proposed facilities and utilities within the subdivision. The water elevations of adjoining lakes or streams and the approximate high- and low- water elevations of such lakes or streams. All elevations shall be referred to the U.S.G.S. datum plane. If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than twenty (20) feet back from the ordinary high water mark of such waterways.

- (5) In addition to the other requirements of this section, the developer shall prepare for any portion of a subdivision containing a floodprone area or an area known to be subject to flooding the following information necessary for the planning commission to determine the suitability of the particular site for the proposed development:
 - (a) Five (5) copies of plans drawn to scale showing the nature, location, dimensions, and elevation of any part of the subdivision within a floodprone area, existing or proposed structures or building sites, fill, storage of materials, flood proofing measures, as specified in Section 4-101.4 of these regulations, and the relationship of the above to the location of the stream channel, floodway, floodway fringe, the regulatory flood elevation, and the regulatory flood protection elevation.
 - (b) A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information, if required by the Planning Commission.
 - (c) Surface-view plans showing elevations and contours of the ground; pertinent structures, fill or storage elevations of streets and water supply and sanitary facilities; soil types, and other pertinent information, if required by the Planning Commission.
 - (d) Specifications for building construction and materials, flood-proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities.
- (6) Contours at the same vertical interval as on the preliminary plat. (See Section 5-104.2, item 15, of these regulations for preliminary plat contour specifications).
- (7) In addition to the other requirements of this section, construction plans for condominium subdivisions shall contain "as built" drawings of all underground utilities,

regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication to the County.

(8) A notation of construction plan approval as follows:

Owner Date

These construction plans have been reviewed by me and are approved with the exception of such modifications indicated by me on the plans.

County Road Superintendent Date
or other designated official

These construction plans are approved by the Sumner County Regional Planning Commission with such exceptions or modifications indicated in the minutes of the Commission for

(Date)

Chairman Date

Secretary Date

(9) Title, name, address, and signature of professional engineer and surveyor, and date, including revision dates.

5-106 Final Subdivision Plat

5-106.1 General -- The final subdivision plat shall be prepared in india ink on tracing cloth or reproducible mylar at a scale no smaller than one (1) inch equals one hundred (100) feet (on sheets eighteen (18)

by twenty-four (24) inches) if possible. The use of an appropriate smaller scale is permitted for lots larger than two acres. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets numbered in sequence.

Construction plans, if required as described in Section 5-105 of these regulations, must have been approved prior to Planning Commission approval of the final subdivision plat.

The final plat shall show the following:

- (1) The location of the property to be subdivided with respect to surrounding property and roads; the names of all adjoining property owners of record or the names of adjoining developments; the names of adjoining roads.
- (2) The exact boundary lines of the tract, determined by a field survey, giving angles to the nearest minute and distances to the nearest hundredth of a foot, balanced and closed with a closure error not to exceed one (1) to five thousand (5,000). This survey shall be tied into the Tennessee rectangular coordinate system. The distance in terms of miles or feet shall be provided which will link a point on the boundary of the subdivision to the right-of-way of the nearest prominent intersection of existing roads.
- (3) The location of all streets, easements, water bodies, large streams or rivers, railroads, parks, and cemeteries.
- (4) The limits of floodway and floodway fringe areas and the associated regulatory flood elevation and regulatory flood protection elevation, as determined by the Planning Commission pursuant in Section 2-103 of these regulations.
- (5) The location and width of all easements and rights-of-way for streets, alleys, and other public ways, as well as the building setback lines on all lots.
- (6) The location, dimensions, and area of all lots. All dimensions shall be field run to the nearest one hundredth of a foot and angles to the nearest minute. Lot areas shall be shown to the nearest tenth of an area.
- (7) The location, area, and dimensions, to the accuracy set forth in item (6) above, of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- (8) The final plat of all condominium subdivisions shall contain, in addition to the other information required by this section, the following:

- (a) An "as-built" building location and boundary survey, to "American Land Title Association" or other similar standards, showing complete and accurate dimensions and angles of the boundary of the parcel(s) on which the condominium is located, together with exterior dimensions and location relative to those boundaries of the building(s) which constitute the condominium subdivision.
 - (b) Some sort of datum plan or other suitable vertical location reference. In meeting these requirements, it is only necessary that the upper and lower limits of each level of each condominium unit be identified specifically in relation to the vertical reference, (e.g., an appropriate permanent monument or other acceptable reference datum or fixed known point). Elaborate exterior elevations and architectural detail are not necessary to satisfy this requirement.
 - (c) Any other special information which the Planning Commission may find necessary to protect the rights of future owners of the condominium or the public in general.
- (9) The name and address of the owner or owners of the land being subdivided, the name and address of the subdivider if other than the owner, and the name of the land surveyor or other professional who was responsible for preparation of the plat.
 - (10) The date of the plat, approximate true north point, scale, and title of the subdivision.
 - (11) Sufficient data to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved roads. The location of all monuments and pins shall be indicated on the plat. The location of monuments on minor plats shall be limited to the exterior boundaries of a subdivision which face a public street or a permanently dedicated easement.
 - (12) The names of all roads.
 - (13) The zoning classification of all lots, if applicable, as well as an indication of all uses other than residential proposed by the subdivider.
 - (14) The total acreage within the subdivision.
 - (15) Lot numbers and house numbers.

- (16) The line size and location of water and sewer facilities, and the size of all drainage culverts.
- (17) The location of the nearest existing fire hydrant(s). The location of proposed fire hydrants except in the case of minor subdivisions.
- (18) For any lot where public sewer or water system is not available, the following shall be shown:
 - (a) Specific areas to be used for sewage disposal, at the discretion of the Sumner County Environmentalist.
 - (b) Water wells (existing and proposed). Where wells are proposed, the distance from the nearest six inch water line(s) shall be shown.
 - (c) A note on the plat when water wells are to be used stating that the property in question may not be suitable for use by water well(s).
- (19) Key map showing relation of the subdivision to all streets, railroads, and water courses in all directions to a distance of at least one-half mile. Suggested scale: one inch equals one thousand (1,000) feet.
- (20) Notations and certifications in the form reproduced in this section shall appear upon the final plat, if applicable. All required certificates shall bear the signature of the approving or authorizing agent at the time of application for final plat approval, except that the form for endorsement of the Planning Commission's approval for recording shall appear unsigned at the time of application for approval.
 - (a) Certification showing that the applicant is the landowner; that he dedicates roads rights-of-way, and any site for public use; and that he consents to the subdivision plan:

5-106.3 Plat Certificates

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in Book Number _____, page _____, County Registers Office, and that I (we) hereby adopt, this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offers or irrevocable dedication for all public roads, utilities, and other facilities have been filed as required by the Sumner County Regional Subdivision Regulations.

_____, 19_____
Date Owner

Title (if acting for partnership or corporation)

(b) Certification by surveyor or professional engineer to accuracy of the survey and plat and the placement of monuments:

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Sumner County Planning Commission and that the monuments have been or will be placed, as shown hereon, to the specifications in these regulations.

_____, 19_____
Date Registered Engineer or Surveyor

(c) Certification by appropriate officials that sewage disposal and water systems have been installed as required by local and state law and regulations:

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I hereby certify that the water systems outlined or indicated on the final subdivision plat entitled have been installed in accordance with current local and state government requirements or a sufficient bond or cash has been filed which will guarantee said installation.

Water System _____, 19_____
Date Name, Title, and Agency of Authorized Approving Agent

CERTIFICATE OF APPROVAL OF SEWER SYSTEMS

I hereby certify that the sewer systems outlined or indicated on the final subdivision plat entitled _____ have been installed in accordance with current local and state government requirements or a sufficient bond or cash has been filed which will guarantee said installation.

Sewer System _____, 19_____
Date Name, Title, and Agency of Authorized Approving Agent

CERTIFICATE OF APPROVAL BY COUNTY HEALTH DEPARTMENT

I hereby certify that the sewage disposal systems installed or proposed for installation in the subdivision entitled _____ fully meet the requirements of the County Health Department and are hereby approved.

_____, 19_____
Date County Environmentalist

- (d) Certification by the County Road Superintendent that the subdivider has complied with one of the following alternatives:
 - (i) Installation of all public way improvements in accordance with the requirements of these regulations.
 - (ii) In lieu of compliance with subdivision improvement requirements, certification

shall be made on the final plat that surety bond has been posted by the subdivider in an amount approved by the County Road Superintendent to assure completion of all required improvements.

CERTIFICATE OF APPROVAL OF BONDING OF ROADS

I hereby certify: (1) that all designated roads on this final subdivision plat have been installed in an acceptable manner and according to the specifications of the Sumner County Regional Subdivision Regulations, or (2) that a surety bond has been posted with the planning commission to assure completion of all required improvements in case of defaults.

_____, 19_____
Date County Road Superintendent

(e) For a subdivision containing common open space or facilities, certification on the final plat of dedication of common areas in accordance with procedures established in these regulations.

CERTIFICATION OF COMMON AREAS DEDICATION

(Owner) in recording this plat has designated certain areas of land shown hereon as common areas intended for use by the homeowners within _____ for recreation and related (Name of Subdivision) activities. The above described areas are not dedicated hereby for use by the general public, but are dedicated to the common use and enjoyment of the homeowners in _____ as more fully (Name of Subdivision) provided in Chapter _____, Declaration of Covenants and Restrictions, applicable to _____ and recorded with this (Name of Subdivision) plat. Said Chapter _____ is hereby incorporated and made a part of this plat.

_____, 19_____
Date Owner

(f) Certification of the Planning Commission's approval for recording of the plat.

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivisions plat shown hereon has been found to comply with the Sumner County Regional Subdivision Regulations, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission, and that it has been approved for recording in the Office of the County Register.

_____, 19_____
Date

Secretary, Planning Commission

_____, 19_____
Date

Chairman's Initials

(g) Notation of Possible Flooding -- If any portion of the land being subdivided is subject to flooding as defined in these regulations, a notation shall be made on the plat that development or modification of the land within any floodway delineated on the plat is prohibited and that development within floodway fringe areas delineated on the plat shall be done in such a manner that any structure shall be protected against flood damage to at least the regulatory flood protection elevation, which elevation shall be stated in the notation. Any additional restrictions imposed by the planning commission upon development within floodprone areas also shall be indicated on the plat.

(h) Notation of Health Restrictions - Any modifications or limitations which may be imposed by the state or county public health department shall be clearly indicated on the plat.

(i) Notation of Private Restrictions - Private restrictions and trusteeships and their periods of existence shall be indicated. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat or, if the restrictions and trusteeships are of record, the plat shall note where they are recorded.

5-107 Application for Final Plat Approval -- The form of the application for final subdivision plat approval, required by Section 2-104.1 of these regulations, shall be as reproduced in this section.

Copies of the form may be obtained at the office of the county building commissioner. The completed and signed application shall be filed in duplicate.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 3

APPLICATION FOR FINAL PLAT APPROVAL
(To be filed in duplicate)

Date Filed _____

1. Name of Subdivision _____

2. Name of Applicant _____ Phone _____

3. Name of Local Agent _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

4. Owner of Record _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

5. Engineer _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

6. Land Surveyor _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

7. Attorney _____ Phone _____

Address _____
(Street No. and Name) (City) (State) (Zip Code)

8. Subdivision Location: on the _____ side of _____
_____ feet _____ of _____
(Direction) (Street)

9. Total Acreage _____ Number of Lots _____

Number of Dwelling Units _____

Zoning Classification, if applicable _____

10. Date of sketch plat approval, if applicable _____

11. Date of preliminary plat approval _____

12. Classification of subdivision, as determined by the Building Commissioner

13. Have any changes been made since this plat was last before the Commission?

_____ If so, describe _____

14. List all contiguous holdings in the same ownership, as defined in the Subdivision Regulations.

Tax Map Parcel Number(s) _____

15. Attached are eleven (11) copies of the proposed final subdivision plat.

16. Attached are three (3) copies of construction plans, if required, if not previously submitted to and approved by the Planning Commission.

17. Attached, if applicable, is Planning Commission Form Number 5, entitled "Offer of Irrevocable Dedication," as reproduced at Section 5-108 of the Subdivision Regulations and approved by the county attorney. The form may be modified as required by the county attorney and/or the County Road Superintendent.

18. Attached, if the subdivision plat contains open space, recreational facilities, or any portion of the site in common ownership, regardless of the method of ownership, are the plans and comments required by Section 2-104.1, item 9, of the Subdivision Regulations.

19. Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the county register of deeds office. This affidavit shall indicate the legal owner of the property, the contract owner of the property, and the date the contract of sale was executed.

STATE OF TENNESSEE)

COUNTY OF _____) SS.:

I, _____, hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true.

Mailing Address _____

Subscribed and sworn to before me this _____ day of _____, 19 _____.

My Commission Expires:

5-108 Form of Dedication Offer -- The form of the offer of irrevocable dedication, required by Section 2-104.1, item 6, of these regulations, shall be as reproduced in this section and approved by the county attorney. The form may be modified as required by the county attorney.

Copies of this form may be obtained at the office of the County Building Commissioner.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 4

OFFER OF IRREVOCABLE DEDICATION

AGREEMENT made this _____ day of _____, 19____, by and between _____, a _____, having its office and place of business at _____, hereinafter designated as "developer," and Sumner County, Tennessee, having its principal office at Gallatin, Tennessee, hereinafter designated as the "local government."

WHEREAS, the Sumner County Regional Planning Commission is in the process of approving a subdivision plat entitled _____, dated _____, and made by _____; and

WHEREAS, the developer, simultaneously herewith, shall post a performance bond with the county for the construction, maintenance, and dedication of said improvements, if required; and

WHEREAS, the developer is desirous of offering for dedication the said improvements and land to the local government more particularly described in Schedule _____ attached hereto;

WHEREAS, the developer has delivered deeds of conveyance to the local government for the said land and improvements as described herein;

NOW, THEREFORE, in consideration of the sum of \$1.00 lawful money of the United States paid by the local government to the developer and other good and valuable consideration, it is mutually AGREED as follows:

1. The developer herewith delivers to the local government deeds of conveyance for the premises described in Schedule _____ attached hereto, said delivery being a formal offer of dedication to the local government until the acceptance or rejection of such offer of dedication by the governing body of the local government.
2. The developer agrees that said formal offer of dedication is irrevocable and can be accepted by the local government at any time.
3. The developer agrees to complete the construction and maintenance of the land and improvements pursuant to the performance bond and the requirements of the Sumner County Regional Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by the local government with respect thereto and, upon acceptance by the local government of the offer of dedication, shall within thirty (30) days after written notice from the local government of the acceptance of the offer of dedication, furnish to the local government a sworn statement certifying that the premises are free and clear of all liens and encumbrances and shall furnish to the local

government a check for all necessary fees and taxed to record the deeds heretofore delivered.

_____, 19____
Date Developer
(CORPORATE SEAL)

ATTEST: FOR THE (name of local government):
BY _____
County

_____, 19____
Date Date

ACKNOWLEDGMENT:
COPARTNERSHIP

STATE OF TENNESSEE)
COUNTY OF) SS.:

On this _____ day of _____, 19 _____, before me personally appeared _____, to me known and known to me to be one of the firm of _____, described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed such instrument as and for the act and deed of said firm.

CORPORATE

STATE OF TENNESSEE)
COUNTY OF) SS.:

On this _____ day of _____, 19 _____, before me personally appeared _____, to me known, who being by me first duly sworn, did depose and say that he resides in _____; that he is the _____ of _____, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and

authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.

INDIVIDUAL

STATE OF TENNESSEE)

COUNTY OF _____) SS.:

On this _____ day of _____, 19 _____, before me personally appeared _____, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

5-109 Forms of Performance Bond -- The form of the performance bond, required by Section 2-104.1, item 7, and Chapter 3 of these regulations, shall be as one of those (Forms Number 6 and 7) reproduced in this section and approved by the county attorney.

Copies of these forms may be obtained at the office of the County Building Commissioner.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 5

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That We, _____, _____, as Principals, _____, State of _____, and the _____ INSURANCE COMPANY, a _____ Corporation authorized to do business in the State of Tennessee, having an office and place of business at _____, as Surety, are held and firmly bound unto the County of Sumner as obligee, in the sum of _____ DOLLARS (\$ _____) lawful money of the United State, for the payment whereof to the Obligee, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents:

SIGNED, SEALED, AND DATES, this _____ day of _____, 19_____.

WHEREAS, application was made to the Sumner County Regional Planning Commission for approval of a subdivision shown on plat entitled "_____"

_____,"
filed with the Building Commissioner of the County of Sumner on _____,
_____, 19_____, said final plat being approved by the Sumner County
Regional Planning Commission upon certain conditions, one of which is that a
performance bond in the amount of _____ DOLLARS (\$ _____)
is to be filed with the Planning Commission and accepted by the local governing
body to guarantee certain improvements in the subdivision named above,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the
above named Principal shall within one (1) year from the date hereof (time may
be extended for one year only beyond this period by the local governing body
upon the recommendation of the Planning Commission with the consent of the
parties) will and truly make and perform the required improvements and
construction of public improvements in said subdivision in accordance with the
local government specifications and the Resolution of _____,
19_____, then this obligation is to be void; otherwise to remain in full force
and effect.

It is hereby understood and agreed that in the event that any required
improvements have not been installed as provided by said resolution, within the
term of this Performance Bond, the governing body may thereupon declare this
bond to be in default and collect the sum remaining payable thereunder, and
upon receipt of the proceeds thereof; the local government shall install such
improvements as are covered by this bond and commensurate with the extent of
building development that has taken place in the subdivision but not exceeding
the amount of such proceeds.

Principal

Principal

_____ INSURANCE COMPANY

BY _____
Attorney-in-fact

BOND NO. _____

ACKNOWLEDGMENT:
COPARTNERSHIP

STATE OF TENNESSEE)

COUNTY OF _____) SS.:

On this _____ day of _____, 19 _____, before me
personally appeared _____, to me known and
known to me to be one of the firm of _____,
described in and who executed the foregoing instrument, and he thereupon

acknowledged to me that he executed such instrument as and for the act and deed of said firm.

CORPORATE

STATE OF TENNESSEE)

COUNTY OF _____) SS.:

On this _____ day of _____, 19 _____, before me personally appeared _____, to me known, who being by me first duly sworn, did depose and say that he resides in _____; that he is the _____ of _____, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.

INDIVIDUAL

STATE OF TENNESSEE)

COUNTY OF _____) SS.:

On this _____ day of _____, 19 _____, before me personally appeared _____, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 6

IRREVOCABLE DOCUMENTARY LETTER OF CREDIT

1. DATE OF ISSUE _____

2. CREDIT NO. OF ISSUING BANK _____

- 3. CREDIT NO. OF ADVISING BANK _____
- 4. ADVISING BANK _____
- 5. ACCOUNTEE _____
- 6. BENEFICIARY, MAIL TO _____
- 7. LATEST PERFORMANCE DATE _____
- 8. LATEST DATE FOR NEGOTIATION _____
- 9. MAXIMUM AMOUNT _____

10. We hereby issue this Documentary Letter of Credit in your (the beneficiary's) favor which is available against your drafts at _____ drawn on _____ Bank, _____, Tennessee, bearing the clause "Drawn under _____ Bank, Credit No. _____" accompanied by the following document:

A Certificate of Default signed under oath by the Chairman of the Sumner County Regional Planning Commission and the County Executive of the County of Sumner certifying that the Accountee has not complied with the terms of the agreement between the Planning Commission and the Accountee and the amount of approximate damage to the local government, which amount shall be identical to the face amount of the accompanying draft.

11. SPECIAL CONDITIONS

We hereby engage with the bona fide holders of all drafts or documents presented under and in compliance with the terms of this Letter of credit that such drafts or documents will be dully honored upon presentation to us.

The amount of each drawing must be endorsed on the reverse of this Letter of Credit by the negotiating bank.

The advising bank is requested to advise this Letter of Credit without engagement of their part.

_____ Bank

Authorized Signature, Issuing Bank

Authorized Signature, Issuing Bank

CHAPTER 6

DEFINITIONS

6-101 Usage

- (1) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this chapter.
- (2) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural number include the singular; the word "herein" means "in these regulations"; and the word "regulations" means "these regulations."
- (3) A "person" includes a corporation, a partnership, and an unincorporated association of persons, such as a club "shall" is always mandatory; a "building" or "structure" includes any part thereof; "used" or "occupied," as applies to any land or building, shall be construed to include the word "intended, arranged, or designed to be used or occupied."

6-102 Words and Terms Defined

Alley -- A public or private right of way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Applicant -- The owner of land proposed to be subdivided or his authorized representative. Consent shall be required from the legal owner of the premises.

Architect -- See "registered architect."

Arterial Road -- A road intended to move traffic to and from major industrial areas or a route for traffic between communities or large areas and which has an average daily traffic count in excess of 3,000.

Block -- A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights of way, or shorelines of waterways.

Bond -- A letter of credit or insurance bond in a form specified by Chapter 5 of these regulations.

Building -- Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind. The term includes any permanent structure including mobile homes.

Building Official -- The person designated by the County Commission to enforce building codes and zoning ordinances. (Same as Building Commissioner.)

Capital Improvements Program -- A proposed schedule of all future projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. All

major projects requiring the expenditure of public funds, over and above the annual local government operating expenses, for the purchase, construction, or replacement of the physical assets for the community are included.

Collector Road -- A road intended to move traffic from local roads to arterial routes. A collector road serves a neighborhood or large subdivision. Collector streets have an average daily traffic county ranging from 1,001 to 3,000.

Common Elements -- Any portion of a condominium which is held in common by owners of condominium units. These elements may be either general common elements or limited common elements, as defined below.

General Common Elements -- Any of the common elements of a condominium which are held in joint ownership by all owners of the condominium.

Limited Common Elements -- Any of the common elements of a condominium which are reserved for use by the owner of a particular condominium unit or group of units.

Condominium -- A form of ownership of less than the whole of a building or system of buildings under a statute which provides the mechanics and facilities for formal filing and recordation of divided interests in real property, where the division is vertical as well as horizontal.

Condominium Subdivision -- The subdivision of property through the establishment of a condominium or horizontal property regime.

Horizontal Condominium Subdivision -- A condominium subdivision where each unit occupies some ground space.

Vertical Condominium Subdivision -- A condominium subdivision of a multi-story building in which one or more units do not occupy ground area.

Condominium Unit -- A dwelling unit conveyed by separate title and located within a condominium.

Construction Plan - The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of said plate

County -- The County of Sumner, Tennessee.

County Attorney -- The attorney holding the position of attorney for the County or such licensed attorney designated by the county attorney to furnish legal assistance for the administration of these regulations.

County Commission -- The chief legislative body for Sumner County, Tennessee.

Cul-de-Sac -- A minor street having only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Developer -- The owner of land proposed to be subdivided or his authorized representative. Consent shall be required from the legal owner~ of the premises.

Dwelling Unit -- One room or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other rooms or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.

Easement -- Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.

Engineer -- See "registered engineer," "city engineer," or "county engineer", as appropriate depending upon the context.

Equal Degree of Encroachment -- The delineation of floodway limits so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows. This is determined by considering the hydraulic conveyance of the floodplain along both sides of a stream for a significant reach.

Escrow -- A deposit of cash with the County in lieu of an amount required and still in force on a performance or maintenance bond.

External Subdivision Boundary -- All points along the periphery of a subdivision.

Final Plat -- See "final subdivision plat."

Final Subdivision Plat -- The final map or drawing and accompanying materials, described in these regulations, on which the subdivider's plan of the subdivision is presented to the Planning Commission for approval and which, if approved, may be submitted to the county register of deeds for recording.

Amended April 22, 2008

Flag Lot -- The term flag lot means a lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip at least fifty (50) feet in width connecting the main building site with the frontage street.

Flood -- A temporary rise in stream level that results in inundation of areas not ordinarily covered by water. See "one-hundred-year flood.

Flood Frequency -- The statistically determined average for how often a specific flood level or discharge may be equaled or exceeded.

Flood Hazard Area -- The maximum area of the floodplain that, on the average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded in any year).

Flood Hazard Boundary Map -- An official map, issued by the federal insurance administrator, on which the boundaries of the floodplain areas having special flood hazards have been delineated.

Floodplain -- A land area adjoining a river, stream, watercourse, bay, or lake which is likely to be flooded. See "one-hundred-year flood," "floodway," and "floodway fringe." The floodplain is composed of a floodway and floodway fringe.

Floodplain Management Program -- The overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, building code regulations, health regulations, zoning ordinance regulations, and these Subdivision Regulations.

Flood Profile -- A graph showing the water-surface elevation or height of a particular flood event for any point along the longitudinal course of a stream. The flood profile is determined through the use of standard open-channel hydraulic calculations.

Flood-prone Area -- Same as "flood hazard area."

Flood Proofing -- Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures which reduce or eliminate potential flood damage to lands; water facilities, sanitary facilities and other utilities; structures; and contents of buildings and which prevent pollution of floodwaters from such natural or man-made sources.

Floodway -- The stream channel and adjacent overbank area required to carry and safely discharge the 100-year flood without increasing flood levels more than one foot above natural flood levels. See "one-hundred-year flood."

Floodway Encroachment Limits -- The lines marking the limits of floodways on official federal, state, and local floodplain maps, including such maps as are included in the appendix of these regulations.

Floodway Fringe -- The area adjoining a watercourse which, although not lying within a floodway, has been or may hereafter be covered by a 100-year flood.
See "one-hundred-year flood."

Frontage -- That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

Frontage Street -- Any street to be constructed by the developer or any existing street in which development shall take place on both sides.

Future Land Use Plan -- The general development plan for Sumner County, Tennessee. This plan meets the intent, of Sections 13-204 and 13-205, Tennessee Code Annotated.

General Common Elements -- See "common elements."

Grade -- The slope of a road or other public way, specified in percentage terms.

Health Authority -- See County environmentalist.

Highway, Limited Access -- A freeway or expressway providing a trafficway for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the trafficway, except at such points and in such manner as may be determined by the public authority having jurisdiction over such trafficway.

Horizontal Condominium Subdivision -- See "condominium subdivision."

Horizontal Property Act -- The Tennessee Horizontal Property Act as codified in Sections 64-2701 through 64-2722, Tennessee Code Annotated.

Hundred-Year Flood -- See "one-hundred-year flood."

Improvements -- See "lot improvement" or "public improvement."

Individual Sewage Disposal System -- A septic tank, seepage tile sewage disposal system, or any other sewage treatment device other than a public treatment system approved by the appropriate local or state government authorities.

Internal Subdivision Boundary -- All points within a subdivision which do not constitute external boundaries.

Joint Ownership -- Joint ownership among persons shall be construed as the same owner; constructive ownership for the purpose of imposing subdivision regulations.

Land Surveyor -- See "registered land surveyor."

Lot -- A tract, plot, or portion of a subdivision or parcel of land intended as a unit for the purpose, whether immediate or future, of transfer or ownership or for building development.

Lot Corner -- A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

Lot Improvement -- Any building, structure, place, work of art, or other object or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

Major Road -- A road which is classified as a collector or arterial road according to these regulations or by the Major Thoroughfare Plan for the Planning Region. See "arterial road," "collector road," and "Major Thoroughfare Plan."

Major Thoroughfare Plan -- The plan adopted by the Planning Commission, pursuant to Section 13-204, Tennessee Code Annotated, showing, among other things, "the general location, character, and extent of public ways ...(and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public ways ..."

Major Street -- See "major road."

Major Street Plan -- See "Major Road Plan."

Major Subdivision -- All subdivisions not classified as minor subdivisions, including but not limited to subdivisions, of five or more lots or subdivisions of any size requiring any new or improved road, the extension of city or county facilities, or the creation of any public improvements or containing any flood-prone area.

Minor Road -- A road which is not classified as an arterial or collector road. See "arterial road" and "collector road."

Minor Street -- See "minor road."

Minor Subdivision -- Any subdivision containing not more than two (2) lots fronting on an existing street; not involving any new or improved road, the extension of county facilities, or the creation of any public improvements and not containing any flood-prone area, not adversely affecting the remainder of the parcel or adjoining property, not requiring any variance, and not in conflict with any provision of the adopted Future Land Use Plan, Major Thoroughfare Plan, Zoning Ordinance, or these regulations.

National Flood Insurance Program -- A program established by the U.S. government in the National Flood Insurance Act of 1968 and expanded in the Flood Disaster Protection Act of 1973 in order to provide flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce flood plain management programs meeting the requirements of the National Flood Insurance Program regulations. The program regulations are found at 24 Code of Federal Regulations, Chapter X, Subchapter B.

Off-Site -- Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

One-Hundred-Year Flood -- A flood having an average frequency of occurrence of once in 100 years, although it may occur in any year. It is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed.

Owner -- Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the real property.

Ownership, Same -- See "same ownership."

Perimeter Street -- Any existing street to which the parcel of land to be subdivided abuts on only one side.

Planning Commission -- The Sumner County Regional Planning Commission created in accordance with Title 13 of the Tennessee Code Annotated.

Planning Region -- All land, both incorporated and unincorporated, lying within the boundaries of the Sumner County Planning Region as established by the Tennessee State Planning Office by actions further described in Section 1-103 of these regulations.

Preliminary Plat -- The preliminary drawing or drawings, described in these regulations, indicating the proposed manner of layout of the subdivision to be submitted to the Planning Commission for approval.

Premises -- A tract of land together with any buildings or structures which may be thereon.

Public Improvement -- Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the City or County may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for City or County responsibility is established.

Reach -- A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach generally includes the segment of the flood hazard area where flood heights are influenced by a man-made or natural obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings typically would constitute a reach.

Registered Architect -- An architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-202, Tennessee Code Annotated, to practice in Tennessee; or a landscape architect certified and licensed by the State Board of Landscape Architects pursuant to Section 62-203, Tennessee Code Annotated, to practice in Tennessee.

Registered Engineer -- An engineer certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-202, Tennessee Code Annotated, to practice in Tennessee.

Registered Land Surveyor -- A land surveyor certified and registered by the State Board of Land Survey Examiners pursuant to Section 62-1803, Tennessee Code Annotated, to practice in Tennessee.

Regulatory Flood -- The one-hundred-year flood. See "one-hundred-year flood."

Regulatory Flood Elevation -- The water-surface elevation of the regulatory flood.

Regulatory Flood Protection Elevation -- The elevation of the regulatory flood plus one foot of freeboard to provide a safety factor.

Resubdivision -- A change in a map of any approved or recorded subdivision plat if such change affects any street layout on such map or any area reserved thereon for public use, or any lot line, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

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.

Road, Classification -- For the purpose of providing for the development of the streets, highways, roads, and rights-of-way in the Planning Region and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks, each existing street, highway, road, and right-of-way and those located on approved and filed plats have been designated on the Major Road Plan and classified herein. The classification of each street, highway, road, and right-of-way is based upon its location in the respective zoning districts of the Planning Region, its present and estimated future traffic volume, and its relative importance and function as specified in the Land Use Plan.

Road, Dead-end -- A road or a portion of a road with only one vehicular-traffic outlet.

Road Right-of-way Width -- The distance between property lines measured at right angles to the center line of the road.

Sale or Lease -- Any immediate or future transfer of ownership, including contract of sale or transfer, of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, or other written instrument.

Same Ownership -- Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

Setback -- The distance between a building and the street line nearest thereto.

Sketch Plat -- A sketch preparatory to the preparation of the preliminary plat (or final subdivision plat, in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations.

Special Flood Hazard Area -- See "flood hazard area."

Special Flood Hazard Map -- The official map designated by the federal insurance administrator to identify flood plain areas having special flood hazards.

Start of Construction -- The first placement of permanent construction on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation; land clearing; grading; filling; excavation for basement, footings, piers, or foundations; erection of temporary forms; the installation of piling under proposed subsurface footings; installation of sewer, gas, and water pipes and of electric or other service lines from the street; or existence on the property of accessory buildings.

Street -- See "road."

Structure -- Anything constructed above or below ground.

Subdivider -- Any person who (1), having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases or develops or offers to sell, lease or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plot in a subdivision or who (3) engages, directly or indirectly or through agent, in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel site, unit, or plot in a subdivision or who (4) is directly or indirectly controlled by or under direct or indirect common control with any of the foregoing. See "subdivision."

Subdivision -- As defined in Section 13-301, Tennessee Code Annotated, "...'subdivision' means the division of a tract or parcel of land into two (2) or more lots, sites or other divisions for the purpose, whether immediate or future, of sale or building development and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided, provided, however, that 'subdivision' does not include a division of any tract or parcel of land into two (2) or more tracts or parcels when such parts or parcels are larger than five (5) acres in size..." The term "subdivision" includes the process of subdivision or division of

residential or non-residential land, whether by deed, metes and bounds description, map, plat, or other recorded instrument. See also "major subdivision," "minor subdivision," and "resubdivision." Also see subdivisions, suburban, urban, and rural.

Subdivision Agent -- Any person who represents or acts for or on behalf of a subdivider or developer in selling, leasing, or developing or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plot in a subdivision, except an attorney at law whose representation of another person consists solely of rendering legal service.

Subdivision, Major -- See "major subdivision."

Subdivision, Minor -- See "minor subdivision."

Subdivision, Plat -- See "final subdivision plat."

Subdivision, Suburban -- Subdivisions of one- and two-family houses with average lot sizes between 40,000 and 80,000 square feet (a 40,000 square foot lot yields a net density of 1.1 dwelling units per acre) and average lot widths at the street of 100 feet or more.

Subdivision, Urban -- Subdivisions of one- and two-family dwellings with average lot sizes smaller than 40,000 square feet and yielding a net density higher than 1.1 dwelling units per acre.

Subdivisions, Rural -- Subdivisions of one- and two-family dwellings with average lot size 80,000 square feet or greater which yields a net density of .5 dwelling units per acre and with average lot widths at the street of 150 feet or more.

Substantial, Improvement -- Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the actual cash value of the structure either before the improvement in begun or, if the structure has been damaged and is being restored, before the damage occurred. Substantial improvement begins when the first alteration of any structural part of the building commences.

Temporary Improvement -- Any improvement built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond, the cash deposited in escrow, or a letter of credit designed to ensure completion of required improvements.

Thoroughfare Plan -- See "Major Road Plan."

Vertical Condominium Subdivision -- See "condominium subdivision."

Water Surface Elevation -- The heights in relation to mean sea level expected to reach by floods of various magnitudes and frequencies at pertinent points in the floodplain. Also the level of natural flows or collections of water which may be expected to be found above or below surface.

CHAPTER 7

ADOPTION OF REGULATIONS AND AMENDMENTS

7-101 Original Enactment -- In order that land shall be subdivided in accordance with the objectives and standards set forth in these regulations, these Subdivision Regulations are hereby adopted this second day of August, 1989, and immediately shall be in full force and effect. Pursuant to Section 13-303, Tennessee Code Annotated, a public hearing was held on these regulations on 8/2/89 at 7:50 PM. at County Courthouse in Gallatin, notice of which was given by publication in the News Examiner on 7/21/89.
(time) (place) (name of newspaper)
(date)

John W. Reeper
Chairman

8/2/89
Date

ATTEST:

Paul Dean Freese
Secretary

8/2/89
Date

APPENDIX 1
FORMS FOR GOVERNMENT USE

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 7

PRELIMINARY PLAT CHECKLIST

NAME OF SUBDIVISION _____

- _____ 1. Two copies of application.
- _____ 2. Application fee: received check for \$_____.
- _____ 3. Eleven copies of plat.
- _____ 4. Location of property with respect to surrounding property and streets.
- _____ 5. Names of all adjoining property owners, or names of adjoining developments.
- _____ 6. Names of adjoining streets.
- _____ 7. Location and dimensions of all boundary lines of the property to the nearest hundredth of a foot.
- _____ 8. Location of existing streets.
- _____ 9. Location of existing easements.
- _____ 10. Location of existing water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges.
- _____ 11. Locations, dimensions, and areas of all proposed or existing lots.
- _____ 12. Location and dimensions of all property proposed to be set aside for park or playground use or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- _____ 13. Date of plat.
- _____ 14. Approximate true north point.
- _____ 15. Scale of plat.
- _____ 16. Title of subdivision.
- _____ 17. Data from which the location, bearing, and length of all lines can be determined and reproduced on the ground.
- _____ 18. Location of all proposed monuments.

- _____ 19. Names of new streets.
- _____ 20. Indication of the use of any lot and all uses other than residential.
- _____ 21. Lots numbered.
- _____ 22. Explanation of drainage easements.
- _____ 23. Explanation of site easements.
- _____ 24. Explanation of utility (including overhand) easements.
- _____ 25. Explanation of reservations.
- _____ 26. Three copies of the construction plans (at a scale of not more than 1" = 50'), if required.
 - _____ a. Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection shall be shown.
 - _____ b. Approximate radii of all curves, lengths of tangents, and central angles on all streets.
 - _____ c. If required, where steep slopes exist, cross sections of all proposed streets at one-hundred-foot stations shown at five (5) points as follows: on a line at the right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, and points twenty-five (25) feet inside each property line.
 - _____ d. Plans and profiles showing the locations and typical cross-section of street pavements, including curbs and gutters, sidewalks, drainage easements, servitudes, rights-of-way, manholes, and catch basins.
 - _____ e. Location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing and proposed utility systems.
 - _____ f. Location and size of all water, gas, or other underground utilities or structures.
 - _____ g. Location, size, elevation, and other appropriate description of any existing facilities or utilities including, but not limited to, existing streets, sewer, drains, water mains, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, and buildings.

- _____ h. If the subdivision contains a flood-prone area, plans in triplicate and other required data relating to flooding, as required by Section 5-105.2, item 5, of the Subdivision Regulations.
- _____ i. If the subdivision borders a lake, river, or stream, the distances and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
- _____ j. Topography at the same scale as preliminary plat, with required contour interval.
- _____ k. Title, name, address, and signature of professional engineer and surveyor.
- _____ l. Date, including revision dates.
- _____ m. Notation of approval.

SUMNER COUNTY REGIONAL PLANNING COMMISSION

Form Number 9

CHECKLIST FOR FILING OF FINAL
SUBDIVISION PLAT
(For Local Government Use Only)

PLAT NAME _____

LOCATION _____

OWNER _____

1. Date of Final Approval _____

Date(s) of Reapproval _____

2. Bonds:

Water _____

Sewer _____

Street _____

3. Reproducible Original:

Received _____

Checked:

_____ a. Signature Block

_____ b. Owner's Signature

_____ c. Seal(s)

_____ d. _____

_____ e. _____

_____ f. _____

_____ g. _____

4. Instruments Necessary for Public Improvements (checked by County Building Commissioner)

a. Off-site (easements, servitudes, agreements, deeds)

1. _____

2. _____

3. _____

4. _____

b. Roads

1. _____

2. _____

3. _____

4. _____

5. _____

c. Road Widening (City, County, State)

1. _____

2. _____

3. _____

4. _____

d. On-site Drainage (easements)

1. _____
2. _____
3. _____
4. _____

e. Sewer Line (easements)

1. _____
2. _____
(Purpose)

f. Reserved Lands

1. _____
2. _____

g. Other Right-of-Way

1. _____
2. _____

(Instruments checked above to be recorded immediately)

APPENDIX 2

MAPS

