

SUBDIVISION REGULATIONS

EAGLEVILLE, TENNESSEE

**EAGLEVILLE SUBDIVISION REGULATIONS
FOR
EAGLEVILLE, TENNESSEE**

ADOPTED: SEPTEMBER 6, 2007

**SUBSTANTIALLY AMENDED:
SEPTEMBER 12, 2016**

MAYOR

Travis Brown

PLANNING COMMISSION

**Travis Brown, Mayor
Nick Duke, Chairman
Ronnie Hill, Vice-Chairman
Eric Marlin, Secretary
Derrick Lynch, Member**

AMENDMENTS

<u>Date</u>	<u>Resolution No.</u>	<u>Amendments</u>
9/12/2016	PC-RES-2016-001	Substantial Amendment, repealing and replacing document in its entirety.

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ARTICLE I
GENERAL PROVISIONS

1-101 Title

These regulations shall hereinafter be known and cited as the Subdivision Regulations of Eagleville, Tennessee.

1-102 Authority

These subdivision regulations are adopted by the Eagleville Planning Commission (hereinafter referred to as "planning commission"), in pursuance of the authority and powers granted by Sections 13-4-301 through 13-4-411, Tennessee Code. Having adopted a major street or road plan for the jurisdictional area, and filed a certified copy of the plan with the County Register of Deeds (hereinafter referred to as "county register"), as required by Sections 13-4-302, Tennessee Code, and having held a public hearing as indicated in Section 7-101, of these regulations, and as required by Sections 13-4-303, Tennessee Code, 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 Eagleville, Tennessee. No land shall be subdivided within the jurisdictional area until the subdivider submits a plat as required by these regulations, obtains proper approval of the plat, and the same is properly filed with the county register.

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 adopted land use or community development plan (hereinafter referred to as "land development plan") of the jurisdictional area for orderly, planned, and efficient physical and economical development.

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, other public utilities, and for other required public services. The existing and proposed public improvements shall generally conform to and be properly related to the proposals shown in the land development plan.

The regulations herein shall supplement and facilitate the enforcement of the provisions and standards contained in the Zoning Ordinance of Eagleville, Tennessee (hereinafter referred to as "zoning ordinance").

These regulations are adopted for the following purposes:

- A. To promote the public health, safety, and general welfare of the jurisdictional area.

- B. To guide the development of the jurisdictional area in accordance with the land development plan, considering the suitability of nonresidential and public areas and having regard for the most beneficial land use in such areas.
- C. 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.
- D. To enhance the character and economic stability and encourage the orderly, beneficial development of the jurisdictional area.
- E. To conserve the value of land, buildings, and improvements throughout the jurisdictional area and to minimize detrimental conflicts among the uses of land and structures.
- F. To guide public and private policy and action providing for transportation, water, sewerage, schools, recreational areas, and other public requirements and facilities.
- G. To provide for the most beneficial relationship between the uses of land and buildings and the efficient traffic movement throughout the jurisdictional area.
- H. 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 land.
- I. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- J. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to preserve the integrity, stability, beauty, and value of the jurisdictional area.
- K. To preserve the natural beauty and topography of the jurisdictional area, and to insure appropriate development with regard to these natural features.
- L. To provide for open spaces through 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 any zoning ordinance.
- M. To encourage subdivision design which would maximize the conservation of all forms of energy.

1-105 Interpretation, Conflict, and Severability

1-105.1 Interpretation

These regulations shall be held to be the minimum requirements for the promotion of health, safety, and general welfare.

1-105.2 Conflict with Public and Private Provisions

1-105.201 Public Provisions

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

1-105.202 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 any private provision exceeds the standards set forth herein, such shall be considered a private contract between the parties of interest, and as such is beyond the jurisdiction of the planning commission.

1-105.3 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. The planning commission hereby declares that it would have enacted the remainder of these regulations without any such part, provision, or application.

1-106 Saving Provision

These regulations shall not be construed as abating any action now pending under, or by virtue of prior 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 planning commission 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 planning commission, except as expressly provided otherwise in these regulations.

1-106.1 Previously Approved Subdivisions

1-106.101 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.

1-106.102 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:

- a. 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
- b. 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.

1-107 Amendments

1-107.1 Enactment

For the purpose of providing for the public health, safety, and general welfare the planning commission may from time to time amend these regulations. Before the adoption of any amendment to these regulations, a public hearing thereon shall be held by the planning commission, as required by Chapter 4, Title 13, Tennessee Code, at least fifteen (15) days notice of the time and place of which shall be given in a newspaper of general circulation.

1-107.2 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. Each such new or replacement page shall have the amendment number and shall be dated so as to indicate the date of the last revision of the page.
2. In Article VII 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.

1-108 Resubdivision of Land

1-108.1 Procedures for Resubdivision

If any change in an approved or recorded subdivision plat would affect the layout of any public street, alley, or road (hereinafter referred to as public way) 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 shall first require approval by the city as described in these regulations by the same procedure, rules, and regulations as for a subdivision.

1-108.2 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 lot(s) 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 public ways and the ultimate extension of adjacent public ways. The planning commission may also require that dedications providing for the future opening and extension of such public ways be indicated on the plat.

1-109 Conditions

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision are exercises 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 jurisdictional area and for the safety and general welfare of future plot owners in the subdivision and of the community at large.

1-110 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 shall follow the same procedure for approval of plats. The planning commission may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, or public ways. 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 public ways 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 of the owners of lots in such platted area join in the execution of such writing.

1-111 Variances

1-111.1 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, such variance shall not have the effect of nullifying the general intent and purpose of these regulations and provided, further, that the planning commission shall not recommend variations unless it shall make findings based upon written 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 be 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 (not self-imposed) 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 alter the provisions of the land development plan, the major street or road plan, or any zoning ordinance.

Where the planning commission concludes that the purpose of these regulations may be specifically served to an equal or greater extent by an alternative proposal, condition, or circumstance, it may approve other variations to these regulations.

1-111.2 Procedures

Each and every variance or modification of these subdivision regulations sought by a subdivider shall be specifically applied for in the numerical order of the subdivision regulations, in writing by the subdivider in letter form. Any condition shown on the plat which would require a variance or modification shall constitute a grounds for disapproval of the plat unless such special application for modification variance is made. In approving any variation from these regulations the planning commission shall state fully in the minutes the grounds for the variation and all of the facts upon which the decision is made.

1-111.3 Conditions

In approving variations, the planning commission may impose such conditions as in its judgment will secure substantially the objectives, standards, and requirements of the regulations.

1-112 Enforcement, Violation, and Penalties

1-112.1 General

1-112.101 Authority

The enforcement of these regulations and the penalties for violations are provided pursuant to Title 13, Tennessee Code.

1-112.102 Enforcing Officer

It shall be the duty of the Zoning Administrator (hereinafter referred to as "the enforcing officer") to enforce these regulations and to bring to the attention of legal council any violations or lack of compliance herewith.

1-112.103 Recording of Plats

Pursuant to Sections 13-4-302, of the Tennessee Code, no plat of a subdivision of land within the jurisdictional area shall be received or recorded by the county register 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 secretary or chairman in the manner prescribed by Section 2-105, of these regulations and the planning commission by-laws.

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 Subsections 1-112.2 and 1-112.3, of these regulations.

1-112.104 Use of Unapproved Plats

Pursuant to Section 13-4-306, of the Tennessee Code, no owner or agent of the owner of any land shall convey such land contrary to the provisions stated herein.

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 Subsections 1-122.2 and 1-112.3, of these regulations.

1-112.105 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.

1-112.106 False Statements About Roads

Pursuant to Sections 13-4-306, of the Tennessee Code, 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.

1-112.107 Public Ways and Utilities

Pursuant to Section 13-4-306, of the Tennessee Code, the planning commission shall not nor shall any public authority accept, lay out, open, improve, grade, pave, or light any public ay, lay or authorize the laying of water mains or sewers, or construct or authorize the construction of other facilities or utilities in any public way located within the jurisdictional area unless such way shall have been accepted, opened, or otherwise received the legal status of a public way prior to the attachment of the planning commission's jurisdiction, or unless such way corresponds in its location and lines to a way shown on a subdivision plat approved by the planning commission or on a public way plat made by the planning commission. However, the Eagleville City Council may override the planning commission as provided in Title 13, Tennessee Code.

In case of any state highway constructed or to be constructed within the jurisdictional area 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.

1-112.108 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.

1-112.109 Access to Lots by Public Way or Private Easement

Pursuant to Section 13-4-308, of the Tennessee Code, no building permit shall be issued and no building or structure shall be erected on any lot within the jurisdictional area, unless the public way giving access to the lot upon which the building or structure is proposed to be placed shall have been accepted or opened or shall have otherwise received the legal status of a public way as provided by law, or unless such lot fronts upon a permanent easement which conforms to the provisions set forth in these regulations.

Provided, further, that when a permanent easement to a public way is used as access to a lot or tract of land having been or being separated by deed or plat from other property, such easement shall be at least thirty (30) feet in width from and after the time of adoption of these regulations and shall not be used to provide access to more than one lot or tract of land.

The above section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership of such private improvements which have been approved by the planning commission and will be in private ownership and control in perpetuity.

1-112.2 Penalties for Violations

1-112.201 Recording of Unapproved Plats

No county register shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-4-302, of the Tennessee Code, and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law. Any county register, receiving, filing or recording a plat of a subdivision in violation of Subsection 1-112.103, of these regulations, shall be deemed guilty of a violation of the above cited provision of the Tennessee Code.

1-112.202 Use of Unapproved Plats

Section 13-4-306, Tennessee Code, provides that whoever being the owner or agent of the owner of any land transfers, or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The city through its city attorney may enjoin such transfer or sale or agreement by action of injunction.

1-112.203 Illegal Buildings

Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure; and the building inspector or city manager or other official designated by the city council may bring action or enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code.

1-112.3 Civil Enforcement

1-112.301 General

Appropriate actions and proceedings may be taken in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages; to restrain, correct, or abate a violation, or to prevent illegal occupancy of a building, structure, or premise; these remedies shall be in addition to the penalties described in Subsection 1-112.2, of these regulations.

1-112.302 Specific Statutory Remedies

a. Use of Unapproved Plats -- The city, through its attorney or other official designated by the City Council, may enjoin by action for injunction any transfer of, sale of, or agreement to sell any land in violation of Subsection 1-112.104, 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 Subsection 1-112.109, of these regulations, the city building inspector or the city attorney or other official designated by the City Council may bring action to enjoin such erection or cause the building or structure to be vacated or removed.

c. Enforcement of Bonds/Letters of Credit -- Where a bond or irrevocable letter of credit is accepted in lieu of completion of subdivision improvements and utilities as provided in Article III of these regulations, the planning commission may recommend to the city council to call the bond or letter of credit in accordance with the terms or said instrument.

1-113 Repeal of Previous Regulations

These subdivision regulations repeal and replace subdivision regulations adopted on September 6, 2007. Prior to that date, no subdivision regulations existed for the City of Eagleville.

ARTICLE II
PROCEDURES FOR PLAT APPROVAL

2-101 General Procedure

2-101.1 Plat Approval Requirements

Before any contract is executed for the sale of any parcel 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 article.

2-101.2 Classification of Subdivisions

City staff shall classify each subdivision proposal as either major or minor as defined herein.

2-101.201 Review Procedure

The subdivider shall follow the procedure described below in order to secure plat approval.

a. Minor Subdivision

(i) Preapplication conference with the enforcing officer including submittal of a scale drawing or survey of the proposed subdivision for preliminary discussion and review.

(ii) Securing of approvals from other public agencies and any affected utility districts or companies.

(iii) Submittal of a final plat, prepared, in accordance with the specifications in Article V, Section 5-104, herein, for approval.

b. Major Subdivision

(i) Preapplication conference on the subdivision with the planning commission and/or staff assistant to the planning commission, generally including a sketch plat, and discussion of the proposed area to be subdivided.

(ii) Submittal of a preliminary plat, prepared in accordance with Article V, Section 5-102, herein for planning commission approval.

(iii) Securing of approval from other public agencies.

(iv) Submittal of the final subdivision plat, prepared in accordance with Article V, Section 5-104, 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 at which the planning commission considers 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 13-4-304, Tennessee Code, 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 and/or city staf, in reviewing any plat, shall consider the policy and purpose set forth in Article I, 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, sanitation, and drainage systems, and the ability of these systems to function 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 at large;
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 land development 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, public ways, and bridges; and
13. the effect of the proposed subdivision upon the city's participation in the National Flood Insurance Program, if such planning commission is, or elects to be, in the program.

No subdivision or part thereof shall be approved by the planning commission if proposed levees, fills, structures, or other features within the subdivision will individually or collectively, increase flood flows, heights, duration, or damages. The regulatory limits (the one hundred-year flood level) shall be determined from the latest approved flood study for the jurisdictional area, and any subsequent revisions thereto. Specific engineering studies are to be formulated by the developer in those areas in which flood data are not currently available, 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 review of the development with the appropriate governmental 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 manner as prescribed by the zoning ordinance. The planning commission shall also ensure that development within any floodway fringe area (within the one hundred-year flood level) will be protected adequately against potential flood hazards by the methods prescribed in Article IV 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

The platting of individual condominium units in accordance with an approved Preliminary Plan or other document shall be in accordance with the Tennessee Condominium Act of 2008 rules and requirements, (T.C.A. §66-27-309).

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 article; such plat, if approved, shall be filed with the county register in the manner prescribed by this article.

2-101.503 Determination of Subdivision Type

Condominium subdivisions shall be classified by the planning commission during the plat review process as either horizontal condominiums or vertical condominiums as defined in Article VI of these regulations.

2-101.504 Procedure

An applicant seeking approval of a condominium subdivision shall proceed through the normal procedure for subdivision approval, as set forth in this article.

2-101.505 Contents of Plans and Documents

The plats, plans, and documents submitted by an applicant seeking approval of condominium subdivision shall conform with the specifications set forth in Article V of these regulations and shall ensure compliance with the applicable condominium act.

2-102 (LEFT BLANK INTENTIONALLY)

2-103 Preliminary Plat (Major Subdivisions Only)

2-103.1 Application Procedure and Requirements

The applicant shall file with the planning commission a preliminary plat. 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 shall be prepared in accordance with Article V, Section 5-102, and:

1. be presented at the office of the enforcing officer at least thirty (30) days prior to a regular (officially opened) meeting of the planning commission;
2. include all land which the applicant proposes to subdivide and all land immediately adjacent, extending two hundred (200) feet therefrom, or of that directly opposite thereto, extending two hundred (200) feet from the public way 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 five (5) copies of the preliminary plat as described herein; and
4. be accompanied by a minimum of three (3) copies of infrastructure construction plans as described in Article V, Section 5-103, of these regulations.

2-103.2 Administrative Review

An administrative review meeting shall be conducted on the preliminary plat, construction plans, and any exhibits submitted in conformance with these regulations. This review shall include the staff assistant to the planning commission and any other appropriate governmental representative. The review shall be held 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, as necessary, the subdivider shall prepare a report on any proposed subdivision containing or abutting a floodprone area. Such report shall estimate the discharge of the regulatory flood, determine the specific flooding threat at the site of the proposed subdivision, and indicate whether the Subdivision is located in a floodway or floodway fringe area by:

1. calculation of water surface elevations and regulatory flood protections based upon a hydraulic analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood;

2. 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; and

3. unless otherwise established, computation of increase 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 storage 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

A planning commission shall hear, as required by Chapter 3 and 4, of Title 13, Tennessee Code, each plat brought before it.

2-103.4 Preliminary Approval

After the planning commission has reviewed the preliminary plat, construction plans, exhibits, and the results of administrative review, the applicant shall be advised of any required changes. The planning commission shall approve, conditionally approve, or disapprove the preliminary plat within sixty (60) days after date of the regular meeting of the planning commission at which the hearing on preliminary approval, including adjourned date thereof, is closed.

A certificate of preliminary approval shall be issued by the 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 copy of the proposed preliminary plat shall be returned to the developer with the date of approval, conditional approval, or disapproval thereon. 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 land for any public use, the planning commission shall obtain approval for the land reservation from the City Council or 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, an adequate performance bond or irrevocable letter of credit shall be required. The amount of such bond shall be established by the planning commission based upon the recommendation of the appropriate governmental representative. Annually, the bond amount shall be increased by an amount equal to a published inflation rate for the prior year and as documented in a recognized publication by appropriate city staff. Additionally, the bond amount may be required to increase based on city staff's reassessment of current construction costs.

Such 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 public ways and 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 street or road plan and the land development plan for the jurisdictional area.

2-103.6 Effective Period of Preliminary Approval and Vested Rights

The approval of a preliminary plat and subsequent vested property rights shall be effective for the vesting period outlined in the provisions of the Vested Property Rights Act of 2014 (T.C.A. 13-4-310). For preliminary plats, the vesting period is three (3) years; provided the applicant obtains final development plan approval, secures permits, and commences site preparation within the three year vesting period.

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 such zoning ordinance 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 Subsection 2-103.6, herein.

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

2-104.1 Application Procedure and Requirements

A subdivider shall file with the planning commission a final plat. The plat shall be prepared in accordance with Article V, Section 5-104, and:

1. include the entire subdivision, or section thereof, for which final approval is sought;
2. be accompanied by a minimum of five (5) copies of the final subdivision plat as described herein.
3. comply substantially with the preliminary plat, where such plat is required;
4. be presented at the office of the enforcing officer at least thirty (30) days prior to the regular meeting of the commission at which it is to be considered;
5. be accompanied by formal irrevocable offers of dedication to the public of all public ways and uses, utilities, parks, and easements, in a form approved by legal counsel, as applicable. (The subdivision plat shall be marked with a notation indicating the formal offers of dedication as shown in Article V of these regulations);
6. be accompanied by a performance bond, if required, in a form satisfactory to legal counsel and in an amount adequate to complete the required improvements. It 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 limitations, the performance of all required subdivision and offsite improvements, and that all

improvements and land included in the irrevocable offers of dedication shall be dedicated to the planning commission free and clear of all liens and encumbrances on the premise(s);

7. 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; and

8. be accompanied, if the final plat contains open space or recreational facilities, of if any portion of the site is in common ownership, by the following documentation for approval by the planning commission:

(a) plans for improvement and maintenance of the open space or facilities located thereon;

(b) articles of incorporation and bylaws of the co-owners association or other legal entity (where open space or facilities are to be deeded to a co-owners association by similar organization acting on behalf of the joint owners of said property) 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; and

(c) declaration of covenants and restrictions pertaining to open space and facilities which assure the continued use of said facilities for the purpose intended, where open space or facilities are to be retained by the developer.

2-104.2 Endorsement of Notations

The notations and certifications required by Article V, Section 5-104.3, of these regulations, to appear upon the final plat shall be endorsed by 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.

2-104.3 Hearing and Decision on Final Plat

The planning commission shall hear, as required by Section 13-4-304, Tennessee Code, 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.

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 Section 2-104.4 and Section 2-105, of these regulations, shall be issued, upon demand, by the secretary of the planning commission. The applicant, however, may agree to an extension of the time for planning commission review.

One (1) copy of the final subdivision plat shall be returned to the subdivider with the date of approval, conditional approval, or disapproval noted thereon.

2-104.4 Vested Rights

Vested property rights with regards to Final Plat approval shall be in accordance with the Vested Property Rights Act of 2014 (T.C.A. 13-4-310). If the applicant obtains approval of a final development plat, secures permits, and commences site preparation within the 3-year vesting period for preliminary plat approval, then the vesting period is extended an additional two years (to a total of five years) to commence construction from the date of preliminary plat approval. During the two year period, the applicant shall commence construction and maintain any necessary permits to remain vested.

If construction commences within the 5-year vesting period following preliminary plat approval, the development standards in effect on the date of approval remain in effect until final completion of the project, provided however, that the vesting period shall not exceed ten (10) years unless the city grants an extension through an ordinance or resolution; and provided further that the applicant maintain all necessary permits during the 10-year period.

Multi-phase projects – A separate vesting period applies for projects proceeding in two or more sections or phases. The development standards in effect on the date of approval of the preliminary plat showing all sections or phases for the full development remain in effect for all subsequent sections or phases; provided the total vesting period does not exceed fifteen (15) years unless the city grants an extension through an ordinance or resolution; and provided that the applicant maintain all necessary permits during the 15-year period.

2-105 Signing and Recording of Subdivision Plat

2-105.1 Signing of Plat

1. When a security instrument is required, the planning commission secretary, or in his/her absence, the chairman, when allowed by the planning commission by-laws, shall endorse approval on the plat after the instrument 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 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 planning commission as shown on certifications by the appropriate governmental representative(s) that necessary land dedications and improvements have been accomplished.
3. When the conditions of this section are satisfied, the secretary shall sign the permanent reproducible original of the subdivision plat.

2-105.2 Recording of Plat

It shall be the responsibility of the enforcing officer to ensure the plat is filed with the county register's office within ninety (90) days of the date of signature. Simultaneously, with the filing of the plat, the enforcing officer shall record the agreement

of dedication together with such legal documents as shall be required to be recorded by legal counsel.

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 a 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 public ways and 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 (10) percent of the total number of lots contained in the proposed plat unless a specific waiver of this requirements is granted by the planning commission.

ARTICLE III

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 secretary of the planning commission, all applicants shall complete, in accordance with the planning commission's decision and to the satisfaction of the appropriate governmental representative, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the planning commission, and shall dedicate such improvements to the planning commission free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

3-101.2 Surety Instrument

The planning commission at its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plat by providing that, as an alternative, the applicant post a bond at the time of submission for final subdivision approval in an amount estimated by the planning commission as sufficient to guarantee to the governing body the satisfactory construction, installation, and dedication of the incompleting portion of required improvements. (See Article II, Section 2-103.5).

Such performance bond shall comply with all statutory requirements and shall be satisfactory to legal counsel as to form, sufficiency, and manner of execution, as set forth in these regulations. The period within which required improvements, excluding final asphalt surface course and other minor finishings, 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 exceed six (6) months from the date of issuance of the first building permit or exceed two (2) years from date of final plat approval, whichever is lesser.

The planning commission shall specify in the resolution approving the final subdivision plat, and shall be incorporated in the bond, the time within which final asphalt surface course and all other finishings must be complete.

Such bond shall be approved by the planning commission as to amount 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.

If it is necessary for surety instruments to be renewed as a result of the work not having been completed prior to the expiration of the instrument, the amount of the security instrument that is being renewed will be required to be automatically adjusted by the most recently published percentage change in the December-December Consumer Price Index as published by the U.S. Bureau of Labor Statistics.

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 a reasonable satisfaction for the period specified by the planning commission. Prior to construction of any temporary facility or improvement, the applicant shall file with the planning commission a separate suitable bond for temporary facilities, which shall ensure 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 governing body or any utility agency shall be stipulated clearly in the provisions of any 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 article.

3-101.6 Failure to Complete Improvements

In 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 planning commission 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 public ways, easements, and parks shall be by formal action of the governing body. Such action shall be in the form of a resolution recommended by the planning commission to the governing body. The approval by the planning commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government of any public way, easement, or other ground shown on the plat. The planning commission may require the plat to be endorsed with appropriate notes to this effect.

3-101.8 Performance Bond Renewal Procedure

A developer posting a performance bond for infrastructure improvements will be required to read and sign a Performance Bond Policy Form, which certifies that the developer has read and understands the requirements contained in the form, including the deadlines established for renewal on the form.

3-102 Inspection of Improvements

3-102.1 General Procedure

A pre-construction conference shall be conducted before any improvements are constructed. The pre-construction conference shall be attended by the developer, the contractor, the design engineer, the city's contract engineer, and a representative from the Consolidated Utility District. The planning commission may provide for inspection of required improvements during construction and ensure their satisfactory completion. If the appropriate governmental representative finds upon inspection that any of the required improvements has not been constructed in accordance with the governing body'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 planning commission shall not recommend dedication of required public improvements nor shall the planning commission release nor reduce a performance bond until the appropriate governmental representative submits 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 appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the planning commission) that the layout and the line and grade of all public improvements are 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 procedures set forth in Article I, Section 1-112.107 and Article 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

The applicant shall be required to maintain all improvements including all lot improvements, until acceptance of the public improvements by the governmental body.

The applicant may be required to file a maintenance bond with the planning commission prior to dedication, in an amount considered adequate by the appropriate governmental representative and in a form satisfactory to legal counsel in order to assure the satisfactory condition of the required improvements, including all lot improvements, for a period of one year after the date of acceptance of the public improvements by the planning commission.

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 other reasons, the developer shall either pay his share of the costs of the future improvements to the planning commission prior to signing of the final subdivision plat by the appropriate governmental representative(s) or post a bond or irrevocable letter of credit ensuring completion of said improvements upon demand of the planning commission.

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 enforcing officer nevertheless may issue a certificate of occupancy upon accepting a cash escrow deposit in an amount to be determined by the appropriate governmental representative for the cost of such improvements; provided, there otherwise is no danger to the health, safety, or general welfare. 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 moneys have been accepted by the enforcing officer at the time of issuance of a certificate of occupancy shall be installed by the developer within 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 enforcing officer shall provide written notice of two (2) weeks to the developer requiring him to install the improvements, and in the event they are not installed properly, in the judgment of the enforcing officer, he may request the planning commission 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 moneys are being deposited, the applicant shall obtain and file with the enforcing officer, prior to obtaining the certificate of occupancy, a notarized statement from the purchaser(s) of the premise authorizing the enforcing officer to install the improvements at the end of the nine (9) 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

A. 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 governmental unit, as required in the planning commission's resolution of final approval of the subdivision plat.

B. The extent of public way 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 planning commission in a sum to be determined by the appropriate governmental representative.

C. No building permit shall be issued for the final ten (10) percent of lots in a subdivision, or if ten (10) percent 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 governmental body.

ARTICLE 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. any zoning ordinance, any building and housing codes, and all other applicable laws or policies of the planning commission;
3. the adopted general plan and major road or streets (public way) plan;
4. the rules of the county health department and the Tennessee Department of Health and Environment;
5. the rules, as applicable, of the Federal Highway Administration or Tennessee Department of Transportation, if the subdivision or any lot contained therein abuts a nonlocal highway;
6. the city's Wastewater Regulations ordinance; and
7. the standards and regulations adopted by all other boards, commissions, and agencies of the planning commission, where applicable.

Plat approval may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in Article I, 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 recorded with the county register on a separate form, along with the final subdivision plat in the office of the county register.

4-101.3 Monuments

The subdivider shall place permanent reference monuments on the subdivision as required herein and as approved by a licensed surveyor. Monuments shall be located and set as follows:

1. Monuments shall be located on public way right-of-way lines, at public way intersections, and sections, and at the beginning and ending point of curves.
2. The external boundaries of a subdivision shall be monumented in the field by iron pins or other durable material securely embedded. These monuments shall be placed not more than fourteen hundred (1,400) feet apart in any straight line

and at all corners or breaks at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along a meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a public way or proposed future public way, the monuments shall be placed on the side line of the public way.

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. Such monuments shall be placed at each end of all curves, at a point where a river changed its radius, and at all angle points in any line. All lot corners not falling 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 stream 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. Such 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 monuments and pins shall be properly set in the ground and approved by a licensed land surveyor 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 would 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 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, as deemed appropriate by the planning commission:

1. the imposition of any surety and deed restrictions enforceable by the planning commission to regulate the future type and design of uses within the flood prone areas; and
2. flood protection measures designed so as not to increase, either individually or collectively, flood flows, height, duration, or damages, and so as not to infringe upon the regulatory floodway;
3. installation of flood warning systems;
4. the use of fill, dikes, levees, and other protective measures;

5. the use of floodproofing measures, which may include:
 - (a) anchorage to resist flotation and lateral movement;
 - (b) installation of watertight doors, bulkheads, shutters, or other similar methods of closure;
 - (c) reinforcement of walls to resist water pressures;
 - (d) use of paints, membranes, or mortars to reduce seepage through walls;
 - (e) addition of mass or weight to structures to resist flotation;
 - (f) installation of pumps to lower water levels in structures;
 - (g) construction of water supply and waste treatment systems so as to prevent the entrance of or contamination of flood waters;
 - (h) installation of pumps or comparable facilities for subsurface drainage systems to relieve external foundation wall and basement flood pressures;
 - (i) building design and construction to resist rupture or collapse caused by water pressure or floating debris;
 - (j) installation of valves or controls on sanitary and storm drains which permit the drains to be closed to prevent backup of sewage and stormwater into buildings or structures;
 - (k) location and installation of all electrical equipment, circuits, and appliances so that they are protected from inundation by the regulatory flood;
 - (l) location of storage facilities for chemicals, explosives, buoyant material, flammable liquids, or other toxic materials which would be hazardous to the public health, safety, and welfare at or above the regulatory flood protection elevation, or design of such facilities to prevent flotation of storage containers or damage to storage containers which could result in the escape of toxic materials.
6. consultation, recommendations, comments, or other input from other agencies as may be needed or called upon by the planning commission.

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 Article I, Section 1-104 and Article II, Section 2-101.4, of these regulations.

All such flood protection measures shall be designed so as not to increase, either individually or collectively, flood flows, heights, duration, or damages so as not to infringe upon the regulatory floodway.

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

4-102.101 General

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 ordinance and state and county public health department regulations and in providing driveway access to buildings on such lots from an approved public way.

4-102.102 Reserved

4-102.103 Lots Subject to Flood

Where a lot in any 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 (one hundred-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 sewer system. Any fill shall be protected against erosion by rip-rap, vegetative cover, 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 Article II, Section 2-101.4, of these regulations.

4-102.104 Lots Located on Steep Slopes

Due to the potential threat to health and safety posed by development located on lands with slopes in excess of fifteen (15) percent, the following regulations shall apply.

a. Site Development Plan Required -- No building permit shall be issued for a building or any lot with slopes fifteen (15) percent or over until a site plan meeting the following requirements has been approved by the planning commission. Said site plan shall show:

- (i) The exact size, shape, and location of the lot,
- (ii) The proposed location of all buildings, driveways, drainageways, and utilities,

- (iii) Proposed contours at vertical intervals of no more than two (2) feet,
- (iv) The extent of natural tree cover and vegetation,
- (v) The location of any onsite soil absorption sewage disposal systems,
- (vi) The type and location of erosion control methodology.
- (vii) The surveyor's stamp that prepared the plan,
- (viii) Certification as to the stability of the structures and slope and compliance with sound construction methods for areas with steep slopes and landslide problems by a registered civil or geotechnical engineer.

b. Site Development Standards -- The following standards shall be used as a guide in determining the suitability of the construction proposed for the particular site in question. The engineer's certification required in Section 4-102.104, a, (viii), above, shall address these standards.

- (i) Natural vegetation shall be preserved to the maximum extent possible,
- (ii) Natural drainageways and systems shall be maintained, except that surface water may be diverted around a house or slope area to a natural drain using acceptable construction techniques,
- (iii) LEFT BLANK INTENTIONALLY,
- (iv) Operations that increase loads, reduce slope support, and cause instability of the slope shall be prohibited to the maximum extent possible which will permit reasonable development of the site. These include filling, irrigation systems, accessory buildings, and onsite soil absorption sewage disposal systems,
- (v) Where sanitary sewers are not available any onsite sewage disposal system shall be shown on the site plan and located to avoid slide-prone areas. Said system shall be approved by the county health department prior to the planning commission's review taking into account these requirements,
- (vi) Erosion control measures shall be employed to prevent all soil material from leaving the site. Additionally, soil from excavation on the site shall not be disposed as fill on a potential slide area,
- (vii) No construction which would cut the top of the slope shall be permitted. This shall apply as well to subdivision roads constructed in compliance with these regulations.

4-102.2 Lot Dimensions

Lot dimensions shall comply with the minimum standards of any zoning ordinance, where applicable. Where lots are more than double the minimum area required by any zoning ordinance, the planning commission may require that such lots be arranged so as to allow further subdivision and the opening of future public ways where they would be necessary to serve such potential lots, all in compliance with any zoning ordinance and these regulations. Generally side lot lines shall be at right angles to street lines or radial to curving street lines, except where the planning commission recognizes alternate angles that might better support future development due to terrain or other existing conditions.

Dimensions of the corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback requirements from both public way rights-of-way, except where the second public right-of-way is an alley in which case planning for the standard side setback for the alley-facing side will suffice.

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.

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>
7.2 KV	10 feet
13 KV	20 feet
46 KV	20 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 Public Ways

The planning commission may require that lots shall not derive access exclusively from arterial or collector public ways. Where driveway access from such public ways 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. Driveways shall be designed and arranged so as to avoid requiring vehicles to back onto arterial or collector public ways.

4-102.5 Soil Preservation, Grading, Erosion Control, 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 any areas that were undisturbed during construction.

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 which includes subsurface drainage. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

The planning commission reserves the right to set minimum elevations on all floors, patios, and building equipment. This prerogative to establish elevation exists in addition to any ordinances that refer to floodplain elevation requirements. The content of the preceding paragraph is to give summary review powers over any calculated or historical evidence of storm water presence in overland or channel conditions.

The subdivision developer will insure that all artesian ground waters of a permanent or temporary nature will be intercepted and carried away to primary drainage conduits along swaled ditches or in underground pipes on property line easements. Regardless of the location of property lines, intercept will be allowed by the planning commission at the point of artesian surfacing. The intent of this paragraph is to prevent flooding by overland flow. The developer is obligated to perform this work upon evidence of artesian water for a period of one (1) year following acceptance of all roads and utilities.

Any sinkhole or natural channel served at any time as a means of moving ground water into the subterranean will be protected by structure as approved by the planning commission. The allowed alternative to this is the construction of an alternative means of storm water relief as approved by the planning commission. In any event, location and elevation of future construction will be designated to allow for the worst possible conditions.

4-102.503 Erosion and Sediment Control

There shall be a minimization of changes in the rate of natural erosion and sedimentation which result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with Article V, Section 5-103, of these regulations. Such plans shall incorporate the following principals:

- a. clearing and grading shall be integrated with layout design;
- b. clearing shall be minimized and existing vegetation shall be preserved to the maximum feasible degree;
- c. grading shall be strictly limited to those areas involved in current construction activities;

- d. disturbed areas shall be protected and stabilized as soon as possible;
- e. structural and vegetative measures to control the velocity and volume of runoff shall be required;
- f. sediment basins and traps shall be required as necessary;
- g. adequate maintenance of all planting and structures shall be assured.

4-102.6 Debris and Waste

No cut trees, timber, debris, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or public way 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. Neither 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 exists. Such fences shall be constructed according to standards established by the planning commission, as appropriate, and shall be noted on the final plat as to height and required materials. No certificate of occupancy shall be issued for any affected lot 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 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 governmental 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 a lot from the public way by which it has access, provisions shall be made for installation of culvert or other structure 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 appropriate governmental representative.

4-103 Public Ways

4-103.1 General Requirements

4-103.101 Frontage on Improved Public Ways

No subdivision shall be approved unless the area to be subdivided shall meet the requirements for access set forth in Article I, Section 1-112.107, of these

regulations. If any new street construction or improvements are involved, such shall be approved and publicly dedicated as provided in Articles II and III, of these regulations. Any such public way must be suitably improved to the standards required by this article or be bonded by a performance bond required under these regulations, with the roadway and right-of-way widths required by this article or the major street or road plan.

4-103.102 Grading and Improvement Plan

Public ways 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 appropriate governmental representative in accordance with the specifications required herein. No surface shall be applied to the base of any proposed public way 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 public ways subject to flood shall be no more than one foot below the regulatory flood protection elevation. The planning commission may require profiles and elevations of public ways 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 public way to the required elevation, such fill shall not encroach upon a floodway, and the fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the planning commission.

4-103.104 Private Streets

Where the ownership, control and maintenance of any street is proposed to remain in private ownership such streets shall be constructed to the design and construction standards for public ways as herein provided. A permanent access easement over such streets shall be provided to each and every parcel or lot which is to gain access therefrom. All such private improvements shall be maintained by the developer/owner or by a legally established homeowners' association or other similar group approved by the planning commission. The legal documents establishing ownership and maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.

4-103.105 Topography and Arrangement

a. All public ways shall be arranged so as to obtain as many of the building sites as possible at or above the grades of the public ways. Grades of public ways shall conform as closely as possible to the original topography. Specific design standards are contained in Section 4-103.2, of these regulations.

b. All public ways shall be properly integrated with the existing and proposed system of public ways and dedicated rights-of-way as established on the major street or road plan or the land development plan.

c. All public ways shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping areas or centers; to population densities; and to the pattern of existing and proposed land use.

d. Minor public ways 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 ways necessary to provide convenient and safe access to property.

e. 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, but networks of streets are preferred where possible to allow for alternate traffic flows when doing so can be accomplished without encouraging through-traffic.

f. Proposed public ways 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 subdivision design with the existing layout or the most advantageous future development of adjacent tracts.

g. In business and industrial developments, public ways and other access routes shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision 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.

4-103.106 Blocks

a. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block format may be permitted in blocks adjacent to major public ways, railroads, or waterways.

b. The lengths, widths, and shapes of blocks shall be determined with due regard to:

- (i) provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (ii) any zoning requirements as to lot sizes and dimensions;
- (iii) needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic; and
- (iv) limitations and opportunities of topography.

c. 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 public way pattern. Wherever practicable, blocks along arterial or collector routes shall not be less than one thousand (1,000) feet in length.

d. Blocks designed for industrial or commercial uses shall be of such length and width as may be deemed suitable by the planning commission.

e. In any long block, the planning commission may require the reservation of an easement through the block to accommodate utilities, drainage, facilities, and/or pedestrian traffic.

4-103.107 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 public way be limited by:

a. the subdivision of lots such that the front of a constructed building once built, will face a parallel minor route and be accessed by vehicular traffic therefrom;

b. a series of cul-de-sac, "U" shaped public ways, or short loops entered from and designed generally at right angles to such a parallel public way, with the rear lines of their terminal lots backing onto the arterial or collector route; or

c. a marginal access or service public way, 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 public ways entering on arterial or collector routes shall be kept to a minimum.

4-103.108 Reserve Strips

The creation of reserve strips adjacent to a proposed public way in such a manner as to deny access from adjacent property to such public way shall generally not be permitted.

However, in extraordinary circumstances the planning commission may allow creation of a reserve strip to enable a more appropriate pattern of lots or public ways. Where such is created the planning commission must

agree to any and all future depositions of same. A notation to this effect shall be entered on the final plat or approved as an auxiliary instrument attached thereto.

4-103.109 Arrangement of Continuing and Dead-End Public Ways

a. Arrangement of Continuing Public Ways -- The arrangement of public ways shall provide for the continuation of major public ways between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provisions of utilities, and when such continuation is in accordance with the major street or road plan. If the adjacent property is undeveloped and the public way must be a dead-end public way temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary T-, or L-shaped turnabout shall be provided on all temporary dead-end public ways as required in the following turnabout standards, with a notation on the subdivision plat that land outside the normal public way right-of-way shall revert to abutting

property owners whenever the public way is continued. The area of the temporary cul-de-sac outside the normal lane widths maybe constructed without the asphalt concrete wearing surface if the roadway is to be extended and the cul-de-sac abandoned within three (3) years of the approval of the final plat and a bond posted by the developer for the construction of a permanent cul-de-sac. If the roadway is not extended within the three (3) year time frame, the cul-de-sac must be paved according to Eagleville standards or the bond will be utilized to perform this work.

b. Dead-End Public Ways -- Where a public way 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 turnabout shall be provided at the end of a dead-end public way in accordance with the design standards of these regulations.

For greater convenience to traffic and more effective police and fire protection, permanent dead-end public ways 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 public ways of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, sanitation, and road-maintenance equipment, and to coordinate public ways so as to compose a convenient and safe system and avoid undue hardships to adjoining properties, the public way design standards set forth in this section are hereby required. (Public way classification shall be as indicated on the land development plan or major street or road plan; otherwise, the public way shall be classified by the planning commission according to the definitions in Article VI of these regulations.)

4-103.202 General Design

The general design of all public ways shall conform to the standards in the tables entitled "General Design Standards for Public Ways", which follow hereafter.

4-103.203 Intersections

a. Public ways shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new public ways at an angle of less than seventy-five (75) degrees shall not be permitted. An oblique public way 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) public ways shall intersect at any one point unless specifically approved by the planning commission.

b. Proposed new intersections along one side of an existing public way shall coincide, wherever practicable, with any existing intersections on the opposite side of such public way. Jogs within public ways having center line offsets of less than one hundred fifty (150) feet shall not be permitted,

except where the intersected public ways have separated dual drives without median breaks at either intersection. Where public ways intersect arterial or collector routes, their alignment shall be continuous. Intersections of arterial or collector public ways shall be at least eight hundred (800) feet apart.

c. Minimum curb radius at the intersection of two (2) minor public ways shall be thirty-five (35) feet, and minimum curb radius at an intersection involving a collector public way shall be forty (40) 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.

d. Where a public way 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 site distance.

e. The cross-slope on all public ways, including intersections, shall be two (2) percent.

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 less than three to one (3:1). Where solid rock is encountered such slopes shall not be less than two to one (2:1).

4-103.205 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:

a. 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."

b. In commercial or industrial areas, the nearest public way 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.

c. Public ways parallel to a railroad, when intersecting a public way 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.

GENERAL DESIGN STANDARDS FOR PUBLIC WAYS

IMPROVEMENT	RESIDENTIAL PUBLIC WAY	NONRESIDENTIAL PUBLIC WAY (INDUSTRIAL, COMMERCIAL: OTHER)
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Minimum Right-of-Way Width (in Feet)

Minor	50	60
Collector	60	60 or (See Below)*
Arterial	80-150*	

Minimum Width of Roadway or Paved Area (in Feet) not Including Parking Requirements

	<u>Ditch Section</u>	<u>Curb & Gutter</u>	<u>Ditch Section</u>	<u>Curb & Gutter</u>
Minor	22	28	24	38
Collector	24	30	24	38
Arterial	(See Below)*			(See Below)*

Maximum Percentage Grade

Minor	10	6
Collector	7	6
Arterial	6	5

Pavement Crown

The paved surface shall slope downward from the centerline of the street outward to the edge of the paved surface on each side at a slope of two (2) percent.

Minimum Center Line Radius of Curve (in Feet)**

Minor	100	200
Collector	300	300
Arterial	500	500

* As determined by appropriate governmental representative.

** Applies where a deflection angle of 15 degrees or more in the alignment of pavement occurs.

IMPROVEMENT	PUBLIC WAY	NONRESIDENTIAL PUBLIC WAY (INDUSTRIAL, COMMERCIAL: OTHER)
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Minimum Length of Vertical Curves

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

Minimum Length of Tangents Between Reverse Curves (in Feet)

Minor	75	200
Collector	100	200
Arterial	300	400

Minimum Sight Distance (in Feet)*

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

Minimum Turnaround on Cul-de-sacs on Minor Public Ways (in Feet)

Right-of-way Diameter	110	120
Pavement Diameter	90	100

Maximum Length of Cul-de-sac

Permanent	1,000 Feet
Temporary	1,000 Feet

Minimum Radius (in Feet) of Return at Intersections

At Right-of-way	35	40
At Pavement	30	50

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.
Note: See Appendix B for Standard Drawings for Public Ways

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. When construction of bridges is not of primary benefit to the subdivider, as determined by the planning commission, the planning commission shall recommend to the city council a special agreement between the city and the subdivider assigning costs and responsibilities as appropriate. The cost shall be charged to the subdivider pro rata as to the percentage of his development so served. The city's cost sharing shall be contingent upon approval of the city council and may be subject to further negotiation as the city council may choose.

4-103.3 Right-of-Way Width Dedication on Existing Public Ways

Where a subdivision adjoins an existing narrow public way or where the major street or road plan or any zoning setback provisions indicate plans for realignment or widening of a public way 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 public way 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 public way; or
2. when the subdivision is located on only one side of an existing public way, one-half (1/2) of the required right-of-way, measured from the center line of the existing pavement, shall be provided.

4-103.4 Public Way Surfacing and Improvements

After underground utilities have been installed, the subdivider shall construct curbs or curbs with gutters, where required, and shall surface or cause to be surfaced public ways to the widths prescribed in these regulations. No public way shall be surfaced until preliminary approval of the subdivision plat and the infrastructure construction plan has been obtained. Surfacing shall be of such character as is suitable for the expected traffic. Types and methods of paving shall be according to the specifications of the planning commission, but in no event shall such construction be below the construction specifications set forth in Appendix B, of these regulations. Adequate provisions shall be made for culverts or other drains, and bridges, as required.

All public ways pavements, shoulders, drainage improvements and structures, any 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.

4-104 Road Construction Specifications

The road construction specifications are included in these regulations as Appendix B, and are adopted as a part hereof. These specifications shall be the minimum standards for any subdivision within the jurisdictional area.

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 provisions for stormwater or floodwater run-off channels or basins. The stormwater drainage system shall be separate and independent from any sanitary sewer system.

4-105.2 Nature of Stormwater Facilities

4-105.201 Location

The subdivider may be required by the planning commission to transport by pipe or open ditch any spring or surface water that may exist prior to or as a result of the subdivision. Such drainage facilities shall be located in the public way right-of-way, where feasible, or in perpetual unobstructed easements of appropriate width and shall be constructed in accordance with the construction specifications contained in these regulations.

4-105.202 Accessibility to Public Storm Sewers

a. 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 stormwaters, subject to the specifications of the appropriate governmental representative; inspection of facilities shall be conducted to assure compliance. Inspection of facilities shall be conducted by the enforcing officer.

b. 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 stormwater disposal by a public system at the time the plat receives final approval. Provisions 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. Necessary facilities shall be sized based on the construction specifications and assuming conditions of maximum potential watershed development permitted by any zoning ordinance.

4-105.204 Effect on Downstream Drainage Areas

The planning commission 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 place public way elevations at no more than twelve (12) inches below the regulatory flood elevation and first floor elevations (including basements) at no less than one (1) foot above the regulatory flood elevation. The plat of such subdivision shall provide for a floodway along the bank of any stream or watercourse of width sufficient to contain or move the water of the regulatory flood, and no fill shall be placed in the floodway; neither shall any building nor flood-restrictive 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 Article II, Section 2-103.2, of these regulations, and the submission of flood data in construction plans as specified in Article V, Section 5-103, 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 for 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 Article II, Section 2-101.4, and Sections 4-101.4, 4-104, and 4-105.2, 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 stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction as will be adequate. Where open drainageways are utilized they shall be designed for the twenty-five (25) year frequency flood.

4-105.302 Drainage Easements

a. Where topography or other conditions are such as to make impracticable the inclusion of drainage facilities within a public way right-of-way, perpetual unobstructed easements at least ten (10) feet in width for such facilities shall be provided across property outside the public way lines and with satisfactory access to public ways. Easements shall be indicated on the preliminary and final plats. Drainage easements shall be carried from the public way to a natural watercourse or to other drainage facilities.

b. 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.

c. 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 an existing watercourse to a distance to be determined by the planning commission.

d. Along watercourses, low-lying lands within any floodway, as determined by the planning commission pursuant to Article II, 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.

4-105.303 Ditching, Concrete Ditch Paving, Curbs, and Culverts and Storm Drains

The design and construction details of drainage facilities shall be in accordance with the provisions of these regulations. The design and construction details of all such facilities shall be approved by the appropriate governmental representative.

Residential Subdivisions are allowed to install curbs and storm drainage at their option. All subdivisions developed with curbed streets shall also install catch basins and concrete pipe storm sewers. These facilities are to be designed in compliance with the provisions set forth in Appendix B, of these regulations, and approved by the city's consulting engineer.

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. The subdivider shall install adequate water facilities, including fire hydrants, subject to Consolidated Utility District construction and material specifications, approval of the planning commission, the Tennessee Department of Environment and Conservation and these regulations.
3. Where new water lines are necessary as part of a development or subdivision, water mains shall not be less than six (6) inches in diameter, except that hydraulic analysis may require a larger water main. where water mains are not to be utilized for fire protection, the planning commission may approve smaller lines, as necessary, to meet potable water demand.

4-106.2 Fire Hydrants

Fire hydrants shall be required in all subdivisions where new water lines are necessary as part of the development or subdivision; they shall be located no more than one thousand (1,000) feet apart and be within five hundred (500) feet of any residential, commercial, or industrial lot. However, the planning commission may require closer spacing where physical conditions or types of structures so warrant. To eliminate future public way butting 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 public way shown on the subdivision plat, unless otherwise approved by the planning commission. Fire hydrants and the installation thereof shall additionally meet current Tennessee Department of Environment & Conservation standards.

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 Tennessee Department of Environment and Conservation and by any other applicable standards and specifications. All plans shall be designed and approved in accordance with the rules, regulations, specifications, and standards, of any applicable governmental agency or appropriate unit thereof. Properties to connect to the city's sewer system shall also comply with the city's Wastewater Regulations ordinance.

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 the facilities to the public system. The subdivider shall provide sewers which meet standards set forth in the regulations of the Tennessee Department of Environment and Conservation.

2. All sanitary sewer facilities located in a flood hazard area shall be floodproofed to the regulatory flood protection elevation. All sewer facilities 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.

4-107.3 Individual Disposal System Requirements

If public sewer facilities are not available and individual disposal systems are proposed, lot areas shall not be less than the minimums specified in Subsection 4-102.2, of these regulations; all pertinent soil 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 also be approved by the Rutherford County Environmentalist.

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.

4-107.4 Design Criteria for Sanitary Sewers

Sanitary sewer systems shall be designed for the ultimate tributary population based upon appropriate plans and zoning regulations, Wastewater Regulations and associated Design and Specification Criteria.

The Planning Commission may recommend that the City Council invest in increasing the size of sanitary sewer infrastructure related to the development for the benefit of future expansion. With approval by the City Council for the city's financial investment in incremental cost, the Planning Commission may require said changes to the developer's design.

Specifications for service lines, tanks, and other sanitary sewer equipment on individual lots shall be in accordance with the city's adopted Wastewater Regulations and associated Design and Specification Criteria.

Sanitary sewers shall be located within a public street right-of-way, unless topography dictates otherwise. Public utility easements shall be provided across private property for access to lines and manholes such easements to be of an adequate width for service purposes, but in no case less than twenty (20) feet.

4-107.401 General

These design criteria are not intended to cover extraordinary situations. Deviations can be allowed and may be required in those instances where considered justified by the planning commission.

4-107.402 Design Factors

Sanitary sewer systems shall be designed for the ultimate tributary population. Due consideration may be given to any current zoning regulations and approved planning reports, where applicable. Sewer capacities shall be adequate to accommodate the anticipated maximum hourly quantity of sewage and industrial wastes, together with an adequate allowance for infiltration and other extraneous flow. Industry standard design flow rates shall be utilized for determining the potential future capacity flows that may warrant increased infrastructure sizing.

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 public ways as indicated in the following table and shall be improved as required by Subsection 4-103.4, of these regulations. Concrete curbs are required for all public ways where sidewalks are to be constructed. A median strip of grassed or landscaped area at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

SIDEWALK DESIGN

<u>Class of Street</u>	<u>Sidewalk Width</u>	
	<u>Residential Public Way</u>	<u>Nonresidential Public Way (Industrial, Commercial; Other)</u>
Minor Public Way	4 feet wide	6 feet wide
Collector Public Way	5 feet wide	6 feet wide
Arterial Public Way	5 feet wide	6 feet wide

4-108.2 Pedestrian Accesses

The planning commission may require, in order to facilitate pedestrian access from the public way to schools, parks, playgrounds, or other nearby public ways, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plat.

4-109 Utility Easements

A. Easements down rear lot lines or additionally across lots, if deemed necessary by the planning commission, shall be provided for utilities (private or public). Such easements shall be at least twenty (20) feet wide. The subdivider shall take such actions as are necessary to ensure the coordination and continuation of utility easements established on adjacent properties with those proposed within his development.

B. Where topographical or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least twenty (20) feet in width shall be provided along side lot lines with satisfactory access to public ways or rear lot lines. Easements shall be indicated on the plat.

C. Temporary construction easements exceeding the width of permanent easements may be required as necessary until completion of any one project.

4-110 Public Uses

4-110.1 Plat to Provide for Public Uses

Whenever a tract to be subdivided includes a school, recreation use, a portion of a major public way, or other public use, as indicated on the land development plan and/or major street or road 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 governmental representative(s) 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 the Governmental Agency Concerned

The planning commission shall refer any plat presented in accordance with Section 4-110.1, to the governmental agency concerned with acquisition of the land. The planning commission may propose alternate areas for such acquisition and shall allow the appropriate governmental 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 these regulations, is any land within a floodway or floodway fringe determined according to the procedure outlined herein.

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 any governmental agency. 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 development 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 governmental 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 a proposed development and a tentative schedule of construction. Failure on the part of the governmental 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 area as a whole, such as trees, watercourses and falls, historic spots, and similar irreplaceable assets, shall be preserved in the design of the subdivision, as required by the planning commission. No change of grade of the land shall be affected nor shall any natural features be removed or relocated until a preliminary subdivision plat has been approved by the planning commission.

4-112 Nonresidential Subdivisions

4-112.1 General

If a proposed subdivision includes land which is zoned for a commercial or industrial purpose, 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 any zoning ordinance. Site plan 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 set forth by the planning commission, and shall conform to the proposed land development plan, major street or road plan, and any zoning ordinance.

4-112.2 Standards

In addition to the principles and standards in the regulations, which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the planning commission that the public way, 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 nonresidential development anticipated;

2. public way rights-of-way and pavements shall be adequate to accommodate the type and volume of traffic anticipated;
3. special requirements may be imposed by the governing body with respect to any public way, curb, gutter, and sidewalk design and construction specifications;
4. special requirements may be imposed by the governing body 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; and
6. public ways carrying nonresidential traffic, especially trucks, normally shall not be extended to the boundaries of adjacent existing or potential residential areas.

ARTICLE V

SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

5-101 LEFT BLANK INTENTIONALLY

5-102 Preliminary Plat

5-102.1 General

The preliminary plat shall be prepared by a licensed land surveyor at a convenient scale no smaller than two hundred (200) feet to an inch. The plat may sheets shall be numbered in sequence if more than one sheet is used.

5-102.2 Features

The preliminary plat shall include:

1. the location of the property to be subdivided with respect to surrounding property(s) and public way(s);
2. the names of all adjoining property owners of record, or the names of adjoining developments;
3. the names of adjoining public ways;
4. the location and dimensions of all boundary lines of the property, figured to the nearest hundredth (100th) of a foot;
5. the location of existing public ways, 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;
6. the location and width of all existing and proposed easements, alleys, and other public ways, and building setback lines;
7. the location, dimension, and area of all proposed or existing lots;
8. culverts, driveway tiles, associated drainage structures sized along with all necessary easements;
9. the position and function of all existing or proposed buildings within proposed condominium developments;
10. the location and dimension 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;
11. the limits of floodway and floodway fringe areas and the associated regulatory flood elevation and regulatory flood protection elevation, as determined according to flood maps or flood studies as required;

12. the name and address of the owner(s) of land to be subdivided, the subdivider if other than the owner, and the land surveyor preparing the plat;
13. the date of the plat, approximate true north point, scale, and title of the subdivision;
14. sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines upon the ground;
15. name of the subdivision and all new public ways, as approved by the planning commission;
16. the zoning classification of all zoned lots, as well as an indication of all uses other than residential proposed by the subdivider;
17. the distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing public ways and to the original corner of the original survey of which it is a part;
18. key map showing relation of the subdivision to all public ways, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile (suggested scale: one (1) inch to one thousand (1,000) feet);
19. contours at vertical intervals of not more than two (2) feet (contours to be field surveyed or taken from aerial photographs acceptable to the planning commission);
20. map parcel numbers as recorded on the land tax maps of the county;
21. The following notations:
 - (a) explanation of drainage easements;
 - (b) explanation of site easements;
 - (c) explanation of reservations; and
 - (d) for any lot where public sewer or water systems are not available, the following:
 - (i) areas to be used for sewage disposal and their percolation results, 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); and
 - (iii) rock outcroppings, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features;
22. draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions; and

23. a form for endorsement of planning commission approval of the preliminary plat which shall read as follows:

Preliminary Plat approved by the Eagleville Planning Commission, with such exceptions or conditions as are indicated in the minutes of the Commission on _____. This shall not constitute final approval for recording purposes.

Date _____

5-103 Infrastructure Construction Plans

5-103.1 General

Infrastructure construction plans shall be prepared for all improvements required by these regulations. Plans shall be drawn at a scale of no more than fifty (50) feet to an inch. Plans shall be in compliance with the specifications in Article IV, of these regulations. Approval of plans must precede actual construction, and no final plat shall be considered by the planning commission until the required plans have been approved. The construction plans shall be prepared and stamped by a State of Tennessee licensed engineer engaged in the practice of civil engineering.

5-103.2 Features

The following shall be shown on the construction plans.

1. Profiles showing existing and proposed elevations along center lines of all public ways.
2. Where a proposed road intersects an existing public way and ways, the elevation along the center line of the existing public way within one hundred (100) feet of the intersection.
3. Approximate radii of all curves, lengths of tangents, and central angles on all public ways.
4. Proposed public ways, as required by the planning commission; where such are required, horizontal stationing shall be at fifty (50) foot intervals and cross-sectional elevations shall be to an accuracy of one tenth foot vertical on a line at right angles to the center line of the public way at the following points: the center line of the public way, each property line, and points twenty-five (25) feet inside each property line.
5. Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins.
6. The location of public way signs.
7. The location, size, and invert elevations of existing and proposed sanitary sewers, stormwater drains, and fire hydrants, showing connection to any existing or proposed utility system.
8. Exact location and size of all water, gas, or other underground utilities or structures.

9. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, and features noted on the land development plan or major street or road plan.

10. The water elevations of adjoining lakes or streams and the approximate high- and low-water elevations of such lakes or streams shall be shown. All elevations shall be referred to the U.S.G.S. datum plane.

11. 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.

12. The developer shall prepare for any portion of a subdivision containing a flood prone area, or an area known to be subject to flooding, information necessary for the planning commission to determine the suitability of the particular site for the proposed development, as follows:

(a) plans in triplicate drawn to scale showing the nature, location, dimensions, and elevation of any part of the subdivision within a flood prone area; existing or proposed structures or building sites, fill, storage of materials and floodproofing measures, as specified in 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;

(d) pertinent structures, fill, or elevations of public ways;

(e) water supply, sanitary facilities, soil types, and other pertinent information, as required by the planning commission; and

(f) specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities.

13. Contours at the same vertical interval as on the preliminary plat.

14. 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 governing body.

15. A notation of construction plans approval by appropriate persons or governmental representatives.

16. Title, name, address, stamp and signature of engineer who prepared the plans.

17. Date of plans, including any revision dates.

18. An erosion and sediment control plan shall be prepared for each development required to submit construction plans. Such plan shall demonstrate the manner in which the general principals for erosion and sediment control set out in Article IV, Section 4-102.503, are to be implemented on the site covered by the construction plans.

5-104 Final Subdivision Plat

5-104.1 General

The final subdivision plat shall be prepared on reproducible drafting material at a scale no smaller than two hundred (200) feet to the inch on sheets of county register plat book size. The use of an appropriate smaller scale may be permitted for lots larger than two (2) acres. When more than one (1) 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 5-103, of these regulations, shall have been approved prior to planning commission approval of the final subdivision plat.

5-104.2 Features

The final plat shall include:

1. The location of the property to be subdivided with respect to surrounding property(s) and public ways.
2. The names of all adjoining property owners of record or the names of adjoining developments.
3. The names of adjoining public ways.
4. The exact boundary lines of the tract, determined by a field survey, showing angles to the nearest minute and distance to the nearest one hundredth (1/100) of a foot. The adjusted accuracy of the survey shall meet or exceed the standards set forth in Title 62, Chapter 18, of the Tennessee Code, for the class of survey required by these regulations. The class of survey shall be determined according to the average size of lots (see Table below) within the proposed subdivision. The survey shall be tied into the Tennessee Grid Coordinate System.

ACCURACY OF SURVEYS

<u>Average Lot Size</u>	<u>Unadjusted Accuracy</u>
One (1) Acre or Less	Category I Suburban Land Survey
Greater than One (1) Acre, but Less than Ten (10) Acres	Category II Rural Land Survey
Ten (10) Acres or More	Category III Farm land Survey

A distance and bearing shall be provided which will link a point on the boundary of the subdivision to a monument in the right-of-way of the nearest prominent public way intersection.

5. The location of all public ways, easements, water bodies, large streams or rivers, railroads, parks, and cemeteries.
6. The limits of floodway and floodway fringe areas and the regulatory flood elevation and regulatory flood protection elevation; as determined by the planning commission.
7. The location and width of all easements and rights-of-way for public ways, as well as the building setback lines on all lots.
8. 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 (1/10) of a square foot.
9. The location, area, and dimensions, to the accuracy set forth in Item 8, 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.
10. The final plat of a condominium subdivision shall contain, in addition to the other information required by this section:
 - (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 locations relative to those boundaries of the building(s) which constitute the condominium subdivision;
 - (b) some sort of datum plane 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; and

(c) copies of deed covenants, the charter and by-laws of any homeowners' association established; and special information which the planning commission may require to protect the rights of future owners of the condominium or the public in general.

11. The name and address of the owner(s) of the land being subdivided.
12. The name and address of the subdivider if other than the owner.
13. The name and stamp of the land surveyor preparing the plat.
14. The date of the plat, approximate true north point, scale, and title of the subdivision.
15. Sufficient data to determine readily the location, bearing, and length of all lines necessary to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the center line of the curved public ways and curved property lines that are not the boundary of curved public ways. The location of all monuments and pins shall be indicated on the plat.
16. The names of all public ways.
17. The zoning classification of all lots, as well as an indication of uses other than residential proposed by the subdivider.
18. The total acreage within the subdivision.
19. Lot numbers, where required.
20. The line size and location of water and sewer facilities.
21. The location of all fire hydrants and valves.
22. The diameter and width of all driveway culverts.
23. For any lot where public sewer or water system is not available, the following shall be shown:
 - (a) areas to be used for sewage disposal; and
 - (b) water wells (existing and proposed).
24. Applicable certifications in the form reproduced in this section shall appear upon the final plat. 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.
25. State Department of Environment and Conservation, public water and sewer design layout and approval stamps, if applicable; also, actual design plans for filing in appropriate governmental representative's office.
26. Commitment notes may be printed or stamped on the final plat reflecting location and dimension of easements, or extent of other agreements or factual

data, in lieu of drafted illustration, when applicable, and as approved by the planning commission.

5-104.3 Plat Certificates

1. Certification showing that the applicant is the landowner; that he offers for dedication public ways, rights-of-way, and any site for public use; and that he consents to the subdivision plan.

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 of irrevocable dedication for all public ways, utilities, and other facilities have been filed.

_____, 20_____
Date Owner

Title (if acting for partnership or corporation)

2. Certification by a registered land surveyor as to the accuracy of the land survey.

CERTIFICATE OF SURVEY ACCURACY

I (we) hereby certify that to the best of my (our) knowledge and belief this is a true and accurate survey of the property shown hereon; that this is a Class "_____" Land Survey as defined in Title 62, Chapter 18, Tennessee Code, and that the ratio of precision is greater than or equal to 1: _____.

_____, 20_____
Date Registered Land Surveyor Number _____.

3. Certification by appropriate governmental or quasi-governmental official(s) that sewage disposal and/or water system(s) has/have been installed.

CERTIFICATE OF APPROVAL OF WATER SYSTEM

I hereby certify that the subdivision plat entitled _____ of Tax Map _____, Group and Parcel _____ has been approved by the engineers of Consolidated Utility District of Rutherford County for water service, provided however, that the lines, valves, and fittings must be installed in accordance with C.U.D. specifications as determined by its engineers. No water service will be provided until that certification has been made in writing.

_____, 20_____
Date Name, Title and Agency or 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 irrevocable letter of credit or cash has been filed which will guarantee said installation.

Sewer System _____, 20____
Date Name, Title, and Agency of
Authorized Approving Agent

**CERTIFICATE OF APPROVAL PRIVATE
SUBSURFACE SEWAGE DISPOSAL**

General approval is hereby granted for lots proposed hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions.

Before the initiation of construction, the location of the house or other structures and plans for the subsurface sewage disposal system shall be approved by the local health authority.

_____, 20____
Date Local Health Authority

- 4. Certification on the final plat by appropriate governmental representative that the subdivider has complied with one of the following:
 - (a) installation of all public way improvements in accordance with the requirements of these regulations; or
 - (b) in lieu of compliance with subdivision improvement requirements, certification that surety has been posted by the subdivider in an amount approved by appropriate governmental representative to guarantee completion of all improvements.

**CERTIFICATE OF APPROVAL OF
PUBLIC WAYS FOR BOND POSTING**

I hereby certify: (1) that all designated public ways on this final subdivision plat have been installed in an acceptable manner and according to the specifications of the Eagleville Subdivision Regulations, or (2) that a performance bond or irrevocable letter of credit has been posted with the planning commission to guarantee completion of all required improvements in case of default.

_____, 20____
Date Appropriate Governmental Representative

5. 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

_____ in recording this plat has designated certain areas of land shown hereon as common areas intended for use by the homeowners within _____

(Name of Subdivision)

for recreation and related activities. The above described areas are not dedicated for use by the general public, but are dedicated to the common use of the homeowners within the named subdivision.

"Declaration of Covenants and Restrictions," applicable to the above named subdivision, is hereby incorporated and made a part of this plat.

_____, 20_____
Date Owner

6. Certification on the final plat of planing commission 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 Eagleville 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.

_____, 20_____
Date Secretary, Planning Commission

7. 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 within plat is prohibited and that development within floodway fringes 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 flood prone areas also shall be indicated on the plat.

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

9. Notation of Private Restrictions -- Private restrictions and trusteehips and their periods of existence shall be indicated on the plat. Should these restrictions or trusteehips be of such length as to make their lettering 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 trusteehips are of record, the plat shall note where they are recorded.

5-105 Form of Dedication Offer

The form of the offer of irrevocable dedication, required by Article II, Section 2-104.1, Item 5, of these regulations, shall be as reproduced in this section and approved by the city attorney. The form may be modified as required by the city attorney.

Copies of this form may be obtained at the office of the enforcing officer.

**FORM FOR OFFER OF
IRREVOCABLE DEDICATION**

AGREEMENT made this _____ day of _____, 20____, by and between _____, a _____, having its office and place of business at _____, Eagleville, Tennessee, hereinafter designated as the "local government".

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

WHEREAS, said map designates certain public improvements consisting of _____ to be dedicated to the City of Eagleville free and clear of all encumbrances and liens, pursuant to the requirements of the planning commission and the local government; 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;

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

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

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) lawful money of the United States paid by the city to the developer and other good and valuable consideration, it is mutually **AGREED** as follows:

- A. The developer herewith delivers to the city deeds of conveyance for the premises described in Schedule _____ attached hereto, said delivery being a formal offer of dedication to the city until the acceptance or rejection of such offer of dedication by the City Council.
- B. The developer agrees that said formal offer of dedication is irrevocable and can be accepted by the city at the time.
- C. The developer agrees to complete the construction and maintenance of the land and improvements pursuant to the performance bond and the requirements of the Eagleville Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by the city with respect thereto and, upon acceptance by the city of the offer of dedication, furnish

to the city a sworn statement certifying that the premises are free and clear of all liens and encumbrances and shall furnish to the city a check for all necessary fees and taxes to record the deeds heretofore delivered.

D. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, guarantees, successors, or heirs of the developer.

_____, 20 _____
Date Developer

(CORPORATE SEAL)

ATTEST: FOR THE COUNTY OF _____ BY

_____, 20 _____

**ACKNOWLEDGEMENT:
COPARTNERSHIP**

STATE OF TENNESSEE

(COUNTY OF _____) SS.: _____

On this ____ day of _____, 20____, before me personally appeared _____, to me known and known to me to be one of the firm _____, 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 _____, 20____, before me personally appeared _____, to me known, who, being by me first duly sworn, did depose and said that he resides in _____; that he is the _____ of _____, 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

ARTICLE VI
DEFINITIONS

6-101 Usage

A. 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 article.

B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular; the word "herein" means "in these regulations"; and the word "regulations" means "these regulations".

C. 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 "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 premise(s).

Architect -- An architect or landscape architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Title 62, Chapter 2, Tennessee Code, to practice in Tennessee.

Arterial Street or Road -- A major public way 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 three thousand (3,000).

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

Bond -- An instrument with a clause, with a sum of money fixed as a penalty, binding the parties to pay the same: conditioned, however, that the payment of the penalty may be avoided by the performance by some one or more of the parties of certain acts.

Building -- Any structure built for the support shelter, or enclosure of persons, animals, chattels, or movable property of any kind; the term includes a mobile home.

Capital Improvements Program -- A proposed schedule of 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 of the community are included.

City Council -- The legislative body of the City of Eagleville, Tennessee.

Collector Street or Road -- A major public way intended to move traffic from local ways to arterial routes. Collector routes serve a neighborhood or large subdivision(s), and normally have an average daily traffic count ranging from one thousand and one (1,001) to three thousand (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 the provisions of Title 66, Chapter 27, Tennessee Code, which provides the mechanics and facilities for formal filing and recoordination of divided interests in real property, whether the division is vertical or horizontal.

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

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

Vertical Condominium Subdivision -- A subdivision of a multi-story building in which one (1) or more units do not occupy ground space.

Condominium Unit -- A space conveyed by separate title and located within a condominium structure.

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.

Contractor -- An individual, firm, or corporation with whom an owner or authorized agent has executed a work agreement.

County Environmentalist -- An agent designated to administer local and/or state health regulations for Rutherford 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; definition includes: dead end, turn-around, or turn-about.

Design Specifications -- Written descriptions of a technical nature of materials, equipment, construction systems, standards, and workmanship required for a project intended for local government ownership or maintenance.

Developer -- The owner of land proposed to be subdivided or his authorized representative.

Dwelling Unit -- A room, or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other room(s) 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.

Enforcing Officer -- The building inspector, zoning administrator, or such person designated by the chief executive officer to be responsible for enforcing the provisions of these regulations.

Engineer -- An engineer certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Title 62, Chapter 2, Tennessee Code, to practice in Tennessee.

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 fiduciary agreement with the local government in lieu of actual performance and intended to assure performance. An escrow account may be provided as a bond subject to agreement of the planning commission.

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

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 by the commission, is recorded with the county register of deeds.

Flood -- A temporary rise in stream level that results in inundation of areas not ordinarily covered by water.

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

Flood Hazard Boundary Map -- An official map on which the boundaries of the floodplain areas having special flood hazards have been delineated.

Flood Hazard or Flood prone 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 (1) percent chance of being flooded in any year).

Floodplain -- A land area adjoining a river, stream watercourse, bay, or lake which is likely to be flooded. It 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.

Floodproofing -- 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 areas required to carry and safely discharge the 100-year flood without increasing flood levels more than one foot above natural flood levels.

Floodway Encroachment Limits -- The lines marking the limits of floodways on official federal, state, and local floodplain maps.

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.

Frontage -- That side of a lot abutting a public way ordinarily regarded as the front of the lot. It shall not be considered as the ordinary side of a corner lot.

General Plan -- The official statement of the planning commission which sets forth major policies concerning future development of the jurisdictional area and meeting the provisions set forth in Sections 13-4-201, 13-4-203, and 13-4-102, Tennessee Code.

Governmental Agency -- Any public body other than the governing body.

Governing Body -- The chief legislative body of any government (same as City Council).

Governmental Representative -- An outside person or designated local official or employee authorized to act on behalf of the governing body in making determinations regarding legal, public works, planning, community development, or other public business.

Grade -- The slope of a public way specified in percentage terms.

Highway, Limited Access -- A freeway or expressway providing a trafficway for through traffic, in respect to which owners or occupants of abutting property(s) 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 Property Act -- "The Tennessee Horizontal Property Act" as codified in Title 66, Chapter 2, Tennessee Code.

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 governmental representative.

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 for the purpose of imposing subdivision regulations.

Jurisdictional Area -- Planning boundary(s) established in keeping with Sections 13-4-201, Tennessee Code.

Land Development Plan -- An element of the general plan which sets out a plan or scheme of future land usage.

Land Surveyor -- A land surveyor certified and registered by the State Board of Land Survey Examiners pursuant to Title 62, Chapter 18, Tennessee Code, to practice in Tennessee.

Legal Counsel -- The person designated by the governing body to provide legal assistance for the administration of these and other regulations.

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

Lot, Corner -- A lot situated at the intersection of two (2) public ways.

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 Street or Road -- A public way which is classified as a collector or arterial public way according to these regulations or by the major street or road plan for the jurisdictional area.

Major Street or Road Plan -- The plan adopted by the planning commission, pursuant to Section 13-4-302, Tennessee Code, 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 Subdivision -- All subdivisions not classified as minor subdivisions including but not limited to subdivisions of five (5) or more lots or subdivisions of any size requiring any new or improved road, the extension of government facilities, or the creation of any public improvements, or containing any flood prone area.

Minor Street or Road -- A public way which is not classified as an arterial or collector.

Minor Subdivision -- Any subdivision containing less than five (5) lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adopted general plan, major street or road 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 a flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce floodplain 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.

Offsite -- Any premise 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.

Performance Bond -- See "Bond".

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

Planning Commission -- A public planning body established pursuant to Title 13, Chapter 4, Tennessee Code, to execute a partial or full planning program within authorized area limits.

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.

Premise(s) -- 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 local government may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which government responsibility is established.

Public Way -- Any publicly owned street, alley, sidewalk, or lane right-of-way which provides for movement of pedestrians or vehicles.

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 area where flood or natural obstruction. In an urban area, the segment of a stream or river between two (2) consecutive bridge crossings typically would constitute a reach.

Regulatory Flood -- The one hundred-year flood.

Regulatory Flood Protection Elevation -- The elevation of the regulatory flood plus one (1) foot of freeboard to provide a safety factor.

Resubdivision -- A change in a map of any approved or recorded subdivision plat altering the number of lots incorporated within the confines of the original plat.

Right-of-Way -- A strip of land occupied or intended to be occupied by a public way crosswalk, railroad, electric transmission line, 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 shall not be included within the dimensions or areas of such lots or parcels.

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 wall and the nearest public way right-of-way.

Sketch Plat -- A sketch preparatory to the preliminary plat (or final subdivision plat, in the case of minor subdivisions).

Special Flood Hazard Map -- The official map designated by the Federal Insurance Administrator to identify floodplain areas having special flood hazards.

Staff Assistant to the Planning Commission -- The person(s) employed by the local governing body to assist the planning commission in planning and land use regulation activities.

Start of Construction -- For purposes of subdivision control any alteration of the original surface area of the land, from and after the date of adoption of these regulations.

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 an 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.

Subdivision -- "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres 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 resubdividing or to the land or area subdivided. (See Section 13-4-301, Tennessee Code.)

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 in an instance where only legal counsel is provided.

Temporary Improvement -- Any improvement built and maintained by a subdivider during construction of the subdivision and prior to release of the surety for completion of required improvements.

Twenty-Five Year Flood -- A flood having an average frequency of occurrence of once in twenty-five (25) years.

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

Zoning Ordinance or Resolution -- A statute, legally adopted pursuant to Title 13, Chapter 4, of the Tennessee Code, for the purpose of regulating by district, land development or use for a designated area.

ARTICLE VII

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 **6th day of September, 2007**, and shall immediately be in full force and effect. Pursuant to Section 13-4-304, Tennessee Code, a public hearing was held on these regulations on **September 6, 2007**, at Eagleville City Hall, in Eagleville, Tennessee, notice of which was given by publication in the **Daily News Journal**, on _____.

Done E. McCord
Chairman

September 6, 2007
Date

ATTEST:

Harold Vincion
Secretary

September 6, 2007
Date

7-102 First Amendment

The adoption of this Subdivision Regulation amendment wholly voids, vacates, and supersedes any previously adopted Subdivision Regulations and amendments thereto.

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 **12th day of September, 2016** and shall immediately be in full force and effect. Pursuant to Section 13-4-304, Tennessee Code, a public hearing was held on these regulations on **August 1, 2016** at Eagleville City Hall, in Eagleville, Tennessee, notice of which was given by publication in the **Rutherford Reader** on **July 14, 2016**.

Nick Duke, Planning Commission Chairman

Date

ATTEST:

Eric Marlin, Planning Commission Secretary

Date

APPENDICES

APPENDIX A
FORMS

EAGLEVILLE PLANNING COMMISSION

Form Number 3

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 Rutherford as obligee, in the sum of _____ Dollars
(\$_____) lawful money of the United States, 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 DATED, This _____ day of _____, 20_____.

WHEREAS, application was made to the Eagleville Planning Commission for
approval of a subdivision shown on plat entitled
"_____", filed with
the chief enforcing officer of the City of Eagleville on _____, 20_____, said final
plat being approved by the Eagleville Planning Commission upon certain
conditions, one of which is that a performance bond 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 (1) 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 _____, 20_____, then this obligation is to
be void; otherwise to remain in full force and effect.

**Eagleville Planning Commission
Form Number 3
Performance Bond
Page 2**

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 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. _____

**ACKNOWLEDGEMENT:
COPARTNERSHIP**

STATE OF TENNESSEE

(CITY OF EAGLEVILLE) SS.:

On this ____ day of _____, 20____, 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

(CITY OF EAGLEVILLE) SS.:

On this ____ day of _____, 20____, 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 _____, 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

(CITY OF EAGLEVILLE) SS.:

On this ____ day of _____, 20____, 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.

EAGLEVILLE PLANNING COMMISSION

Form Number 4

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. **ACCOMTEE** _____
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, Credit No. _____ accompanied by the following document: A certificate of default signed under oath by the Chairman of the Eagleville Planning Commission and the Mayor of Eagleville 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 duly 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.

**Eagleville Planning Commission
Form Number 4
Irrevocable Documentary Letter of Credit
Page 2**

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

FORM NUMBER 5
BOND RENEWAL POLICY
EAGLEVILLE PLANNING COMMISSION

SUBDIVISION NAME: _____

NAME OF DEVELOPER: _____

DATE OF BOND: _____

AMOUNT OF BOND: _____

EXPIRATION DATE OF BOND: _____

DEADLINE FOR RECEIPT OF WRITTEN REQUEST FOR FINAL INSPECTION OF COMPLETED IMPROVEMENTS* _____
(60 Days Prior to Expiration Date of Bond)

*In order to allow adequate time for the process of final acceptance of the subdivision improvements by the Eagleville Planning Commission, it is necessary that the developer contact (in writing) the office of the Eagleville Planning Commission by this date indicating that he has completed the improvements and is ready for a final inspection of the improvements. If written notice is not received by this date or if the improvements are not satisfactorily constructed by this date, the developer will be required to renew the bond prior to the expiration date of the bond. If the developer chooses to renew the bond, but would like the bond amount reduced due to partial completion of the improvements, notice of such request must, also, be received by this date.
NOTE: It is the sole responsibility of the developer to contact (in writing) the Eagleville Planning Commission to request a final inspection by this date. It is, also, the sole responsibility of the developer to renew the bond before the expiration date of the previous bond if the request for final inspection of the completed improvements is not received by this date or if the improvements are not satisfactorily constructed.

A maintenance bond will, also, be required for a period of one (1) year from the date that the Eagleville Planning Commission accepts the subdivision improvements. If at the end of the maintenance bond period corrections to deficiencies are necessary, the developer will be required to correct the deficiencies or the maintenance bond will be utilized to make these corrections.

CERTIFICATION

I, hereby, certify that I have read all of the above requirements and fully understand them. I, also, certify that I received on this date a signed and dated copy of this form.

SIGNATURE OF DEVELOPER

DATE

APPENDIX B

**STREET CONSTRUCTION AND DRAINAGE SPECIFICATIONS
STANDARD DRAWINGS**

SECTION I

GENERAL

A. JURISDICTION

These rules and regulations governing the construction of roads and streets shall apply within the City of Eagleville, Tennessee.

B. PURPOSE

The purpose of these specifications is to establish standards of design and construction, including construction procedures and quality of materials, that are adequate to assure the safety, convenience, and welfare of the people within the planning jurisdiction.

C. DEFINITIONS

1. Local Government - The city government having jurisdiction within the area where a development is located.

2. City's Contract Engineer - That individual designated by the local government to receive and review plans submitted in conformance with the provisions of this section.

3. Engineer - An engineer certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-202, Tennessee Code annotated.

4. Enforcing Officer - That individual designated by the chief executive officer of the local government to enforce these provisions.

5. Standard Specifications - Standard Specifications for Road and Bridge Construction, Tennessee Department of Transportation, Bureau of Highways, Nashville, Tennessee, January 1, 2015, and subsequent revisions and additions.

6. A.A.S.H.T.O. - American Association of State Highway and Transportation Officials.

7. A.S.T.M. - American Society for Testing Materials.

8. Basic Regulations - The basic subdivision regulations of Eagleville, Tennessee to which this material is attached as an appendix.

D. APPROVALS

All construction plans shall be prepared and submitted to the city's contract engineer. The content and submission procedure shall be as set forth in SECTION II, PLANNING.

E. ACCEPTANCE

Acceptance for public maintenance of any facilities or improvements located within any subdivision may only be accomplished by formal action of the governing body in the manner established in Subsection 3-101.7, Basic Regulations. Any approval of plans, etc., submitted in conformance with these provisions, shall not in any manner bind or presuppose acceptance of these facilities by the governing body.

F. RESPONSIBILITY FOR COMPLIANCE

In all matters involving enforcement of, or compliance with, the provisions contained herein, the subdivider (as defined in Basic Regulations, Section 6-102) is considered as the party legally responsible for performance; and the use of engineers, contractors, or other agents shall in no way diminish or absolve the subdivider of this basic responsibility.

SECTION II PLANNING

A. PLAN PREPARATION

All construction plans for improvements within land subdivisions shall be prepared by engineers registered to practice within the State of Tennessee. The plans shall bear the stamp and signature of the individual responsible for their preparation.

B. CONTENT

The information set forth in Section 5-103, Basic Regulations, shall be required upon each and every plan submitted hereunder. In any instance where special conditions may warrant, additional data may be required.

C. SUBMISSION, REVIEW, AND APPROVAL

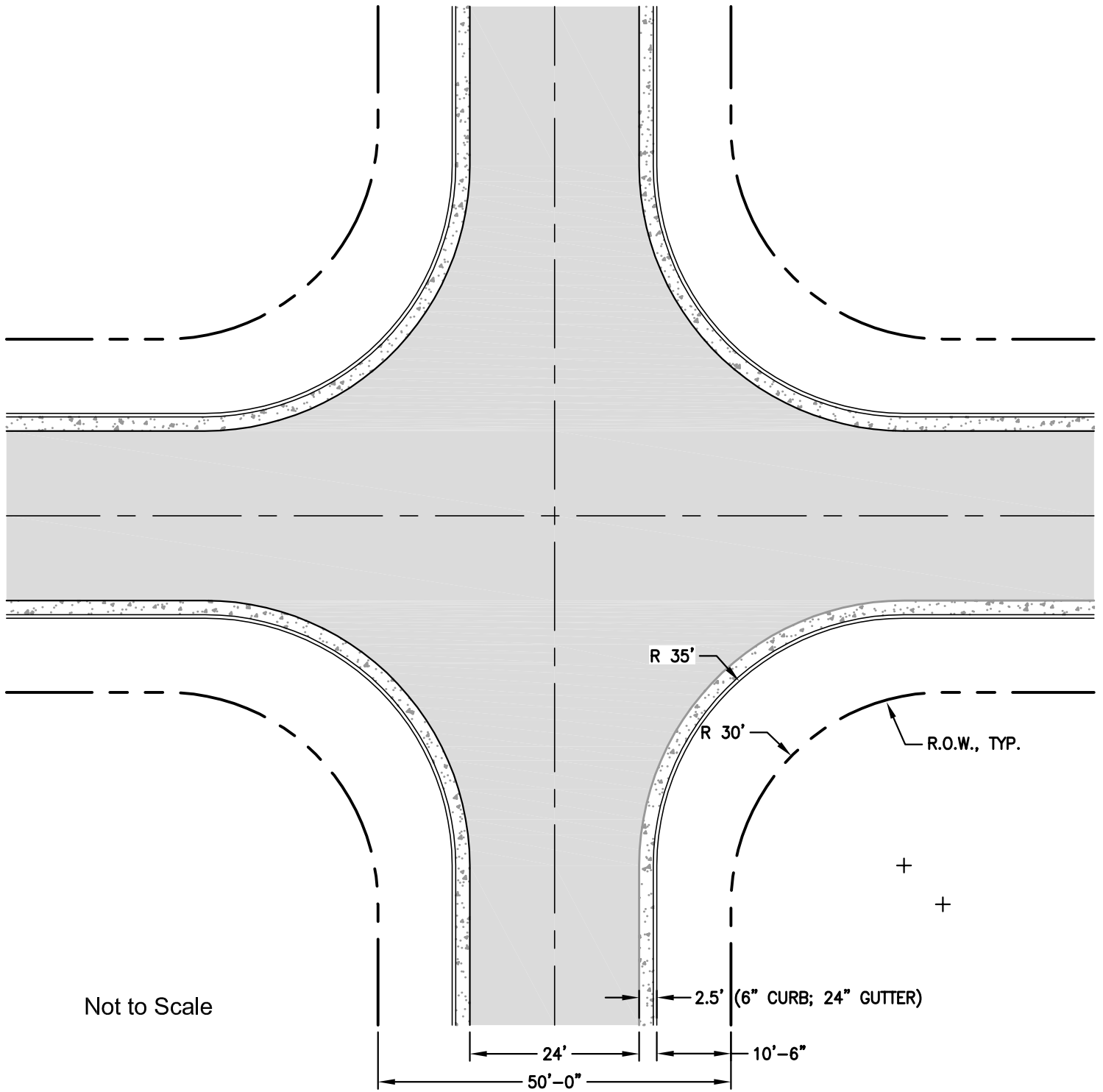
When the plans are complete, with all required data entered thereon, they shall be submitted to the city's contract engineer for review and comment prior to formal presentation before the planning commission. If the city's contract engineer finds that the plans are in order and all required information is presented, he shall forward the plans to the planning commission for review and approval. Should any disagreement between the city's contract engineer and the subdivider (or his engineer) arise as to the nature of, or requirement for, any particular improvement or facility, the plans may be forwarded to the planning commission for arbitration of the dispute.

Action by the planning commission may come in the form of unconditional approval of the plans as submitted, conditional approval, or disapproval. Should the commission's action come in the form of conditional approval, the applicant may modify and resubmit the plans to the engineer for further review. Should the engineer find that the conditions established by the commission have been met, he may so certify in which instance the plans shall be considered approved. Should the commission act to conditionally approve the plans and no subsequent action is pursued by the subdivider (or his engineer) for a period of six (6) months following the date on which action was taken by the planning commission, the plans shall become null and void and any subsequent action shall require submission of new plans.

D. ACTION UPON APPROVAL

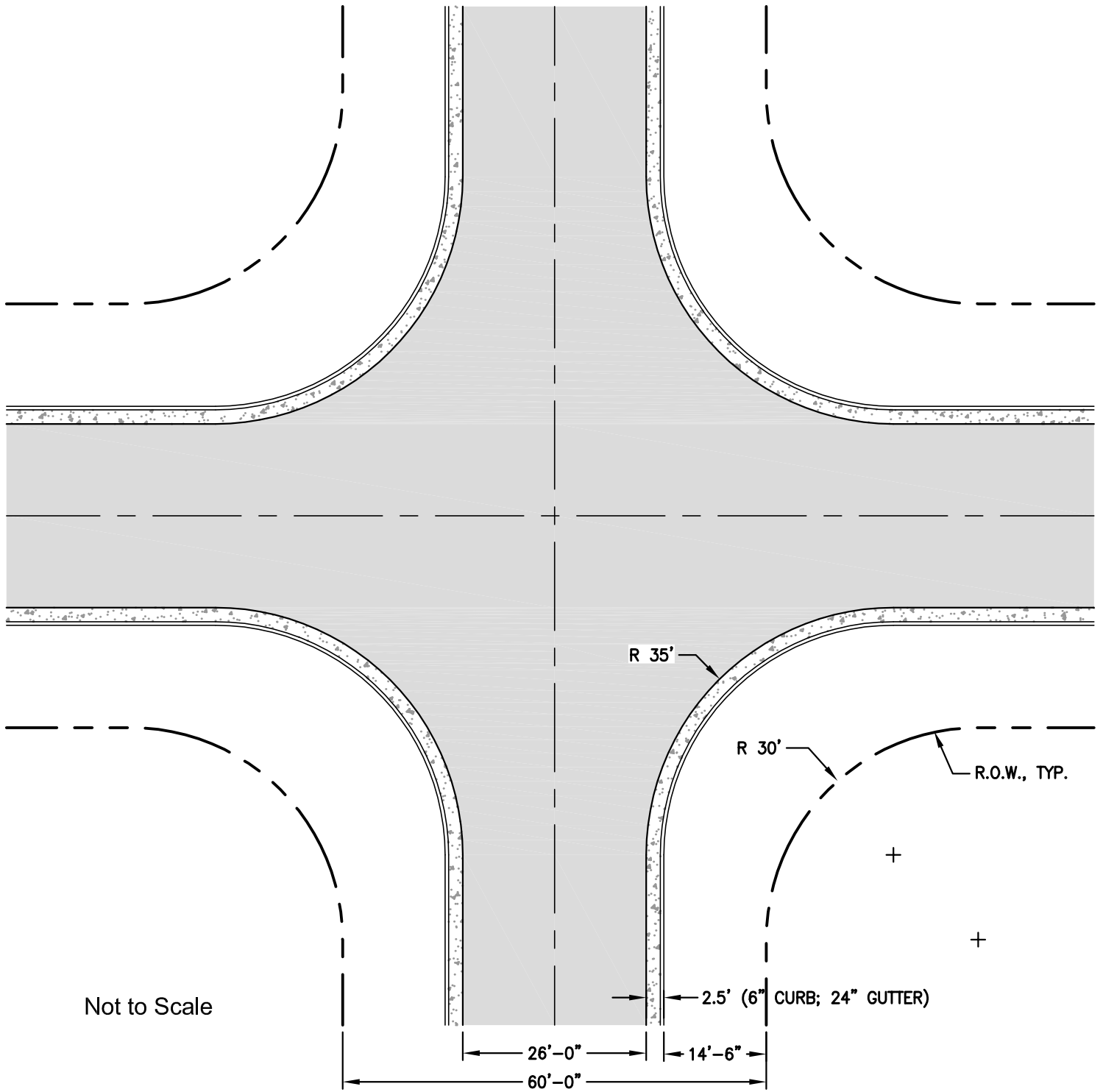
Once the plans have received approval as set forth above, construction may begin.

SECTION III
STANDARD DRAWINGS



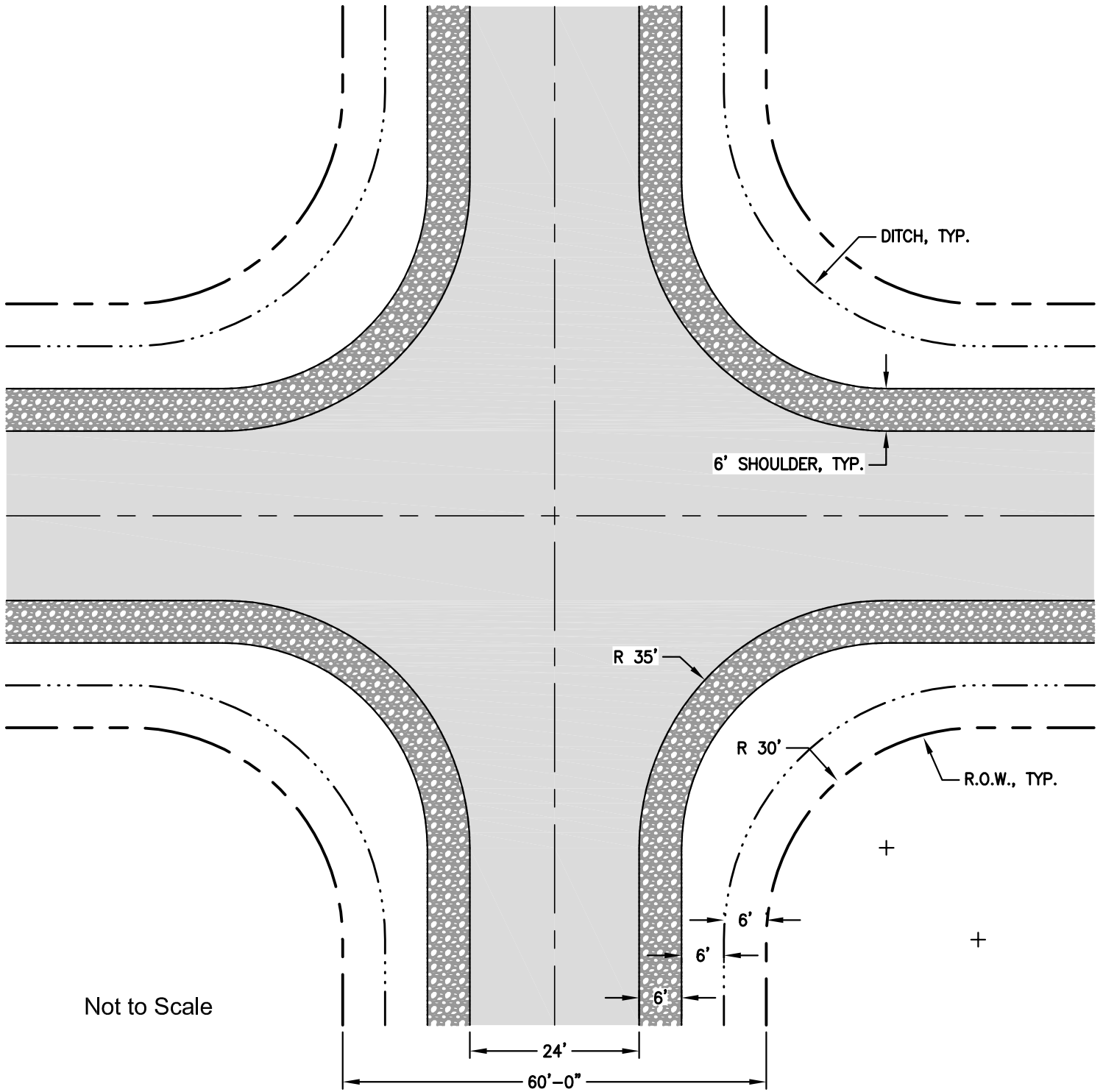
PLAN FOR CURB & GUTTER SECTION
RESIDENTIAL PUBLIC WAY - MINOR

Detail 02
Standard Details
Eagleville, Tennessee
August, 2016



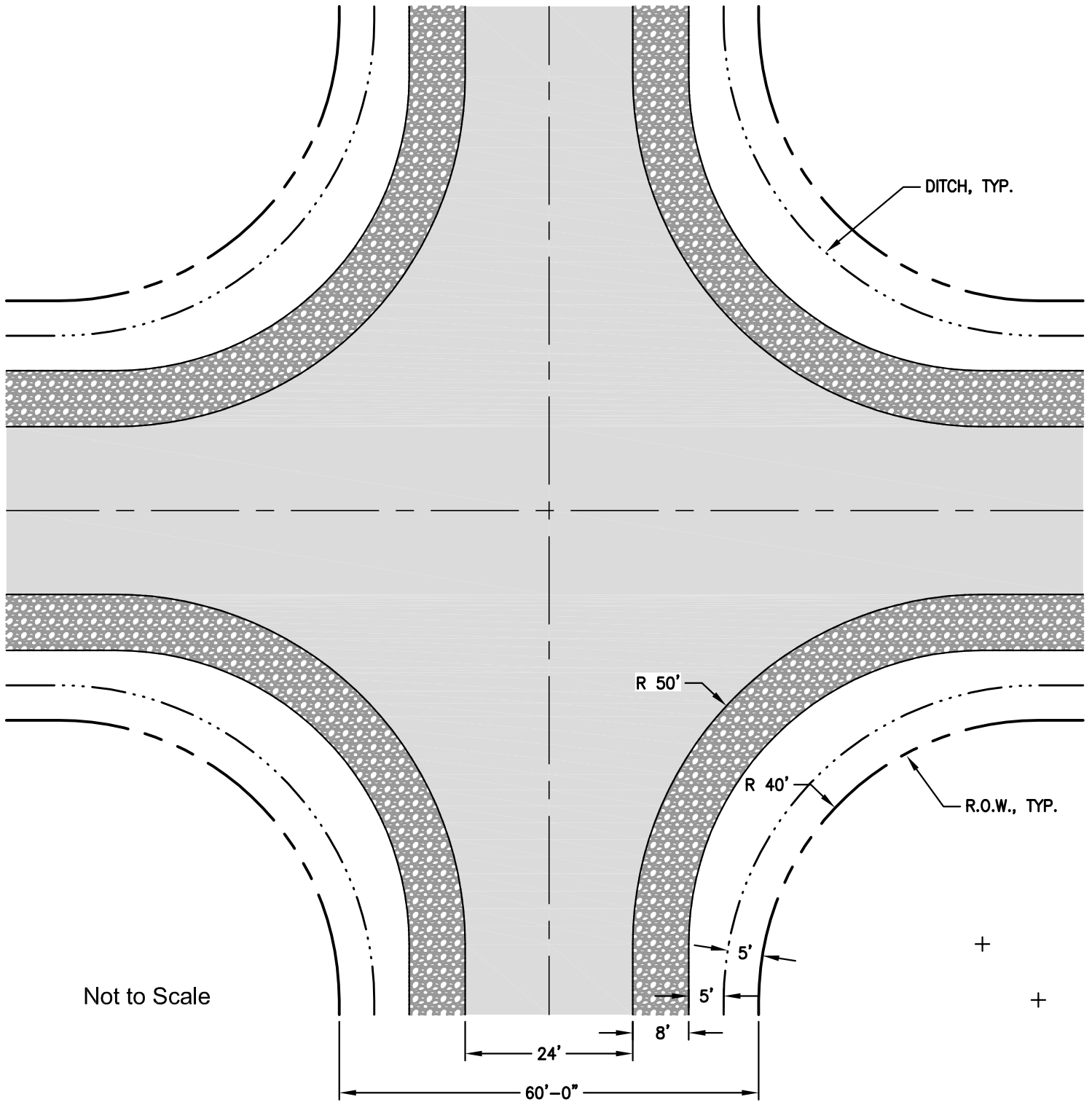
PLAN FOR CURB & GUTTER SECTION
RESIDENTIAL PUBLIC WAY - COLLECTOR

Detail 04
Standard Details
Eagleville, Tennessee
August, 2016



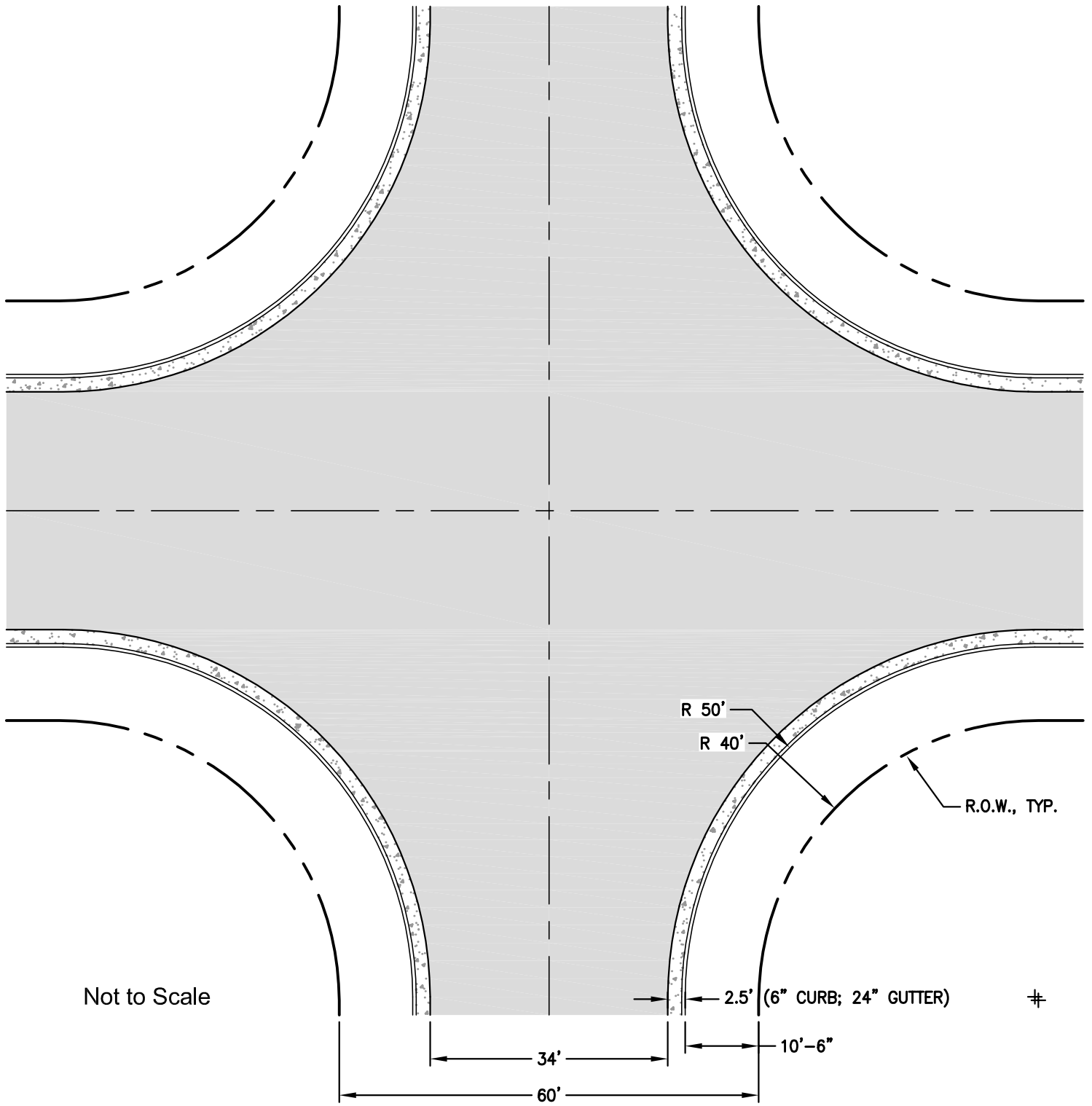
PLAN FOR DITCH SECTION
RESIDENTIAL PUBLIC WAY - COLLECTOR

Detail 03
Standard Details
Eagleville, Tennessee
August, 2016



PLAN FOR DITCH SECTION
 NON-RESIDENTIAL PUBLIC WAY - MINOR & COLLECTOR

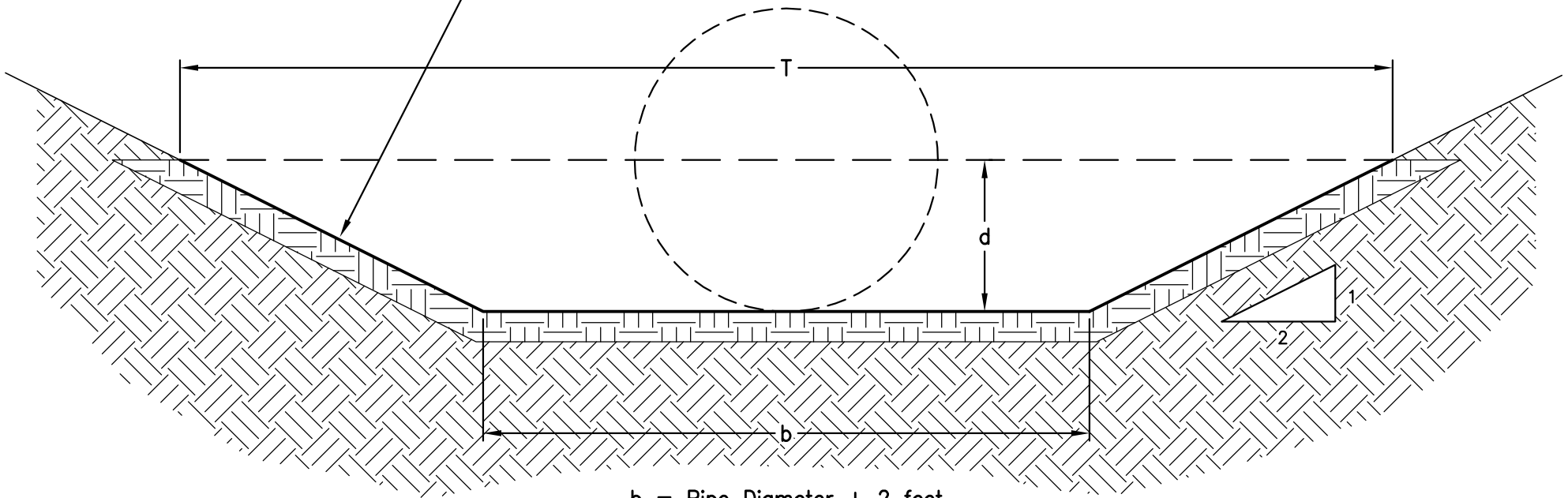
Detail 05
 Standard Details
 Eagleville, Tennessee
 August, 2016



PLAN FOR CURB & GUTTER SECTION
 NON-RESIDENTIAL PUBLIC WAY - MINOR AND COLLECTOR

Detail 06
 Standard Details
 Eagleville, Tennessee
 August, 2016

DITCH STABILIZATION IN ACCORDANCE
WITH SECTION V



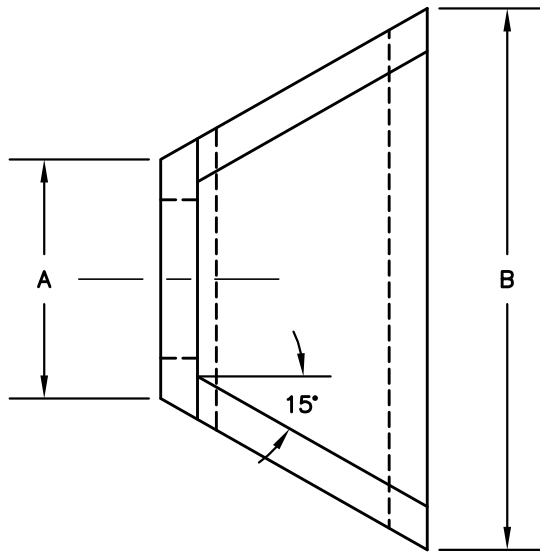
$$b = \text{Pipe Diameter} + 2 \text{ feet}$$

$$T = b = 4d$$

$$d = \frac{1}{2} \text{ Pipe Diameter}$$

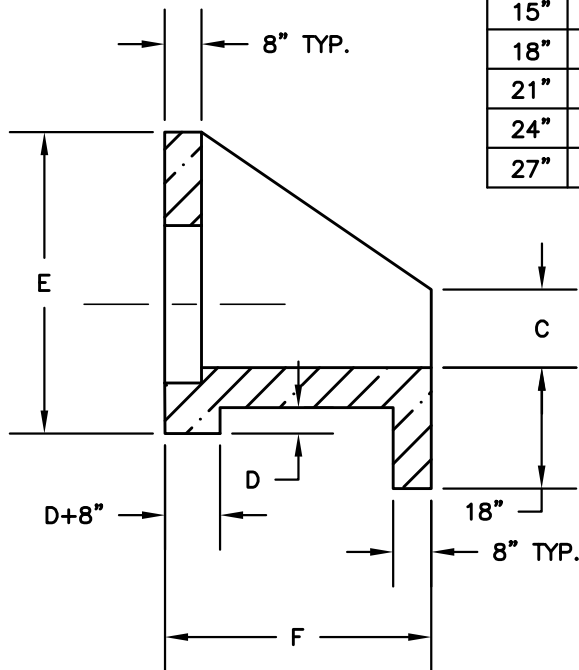
TYPICAL STABILIZED DITCH SECTION
Not to Scale

Detail 07
Standard Details
Eagleville, Tennessee
August, 2016



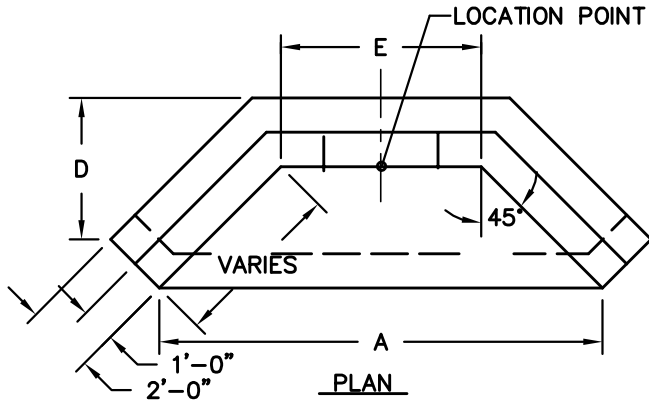
CONCRETE: 3500 PSI AT 28 DAYS
 REINFORCED WITH #4 REBAR AT 12" C/C
 EACH WAY (GRADE 40)
 ALL EXPOSED EDGES HAVE A 3/4" CHAMFER
 PREFORMED OPENING SIZE CAST IN TO BE
 PIPE O.D. + 3"
 NON-SHRINK GROUT TO BE USED FOR
 CONNECTING PIPE TO HEADWALL

PIPE DIA.	A	B	C	D	E	F	WEIGHT
15"	33"	90 1/2"	7 1/2"	2 1/4"	34 1/4"	48"	3605#
18"	36"	100"	9"	2 1/2"	37 1/2"	54"	4415#
21"	39"	108"	10 1/2"	2 3/4"	40 3/4"	60"	5265#
24"	42"	118"	12"	3"	44"	66"	6237#
27"	45"	128"	13 1/2"	3 1/2"	47 1/4"	72"	7250#



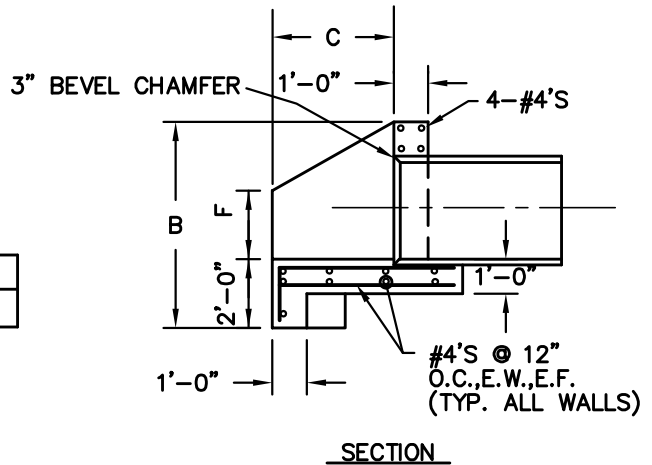
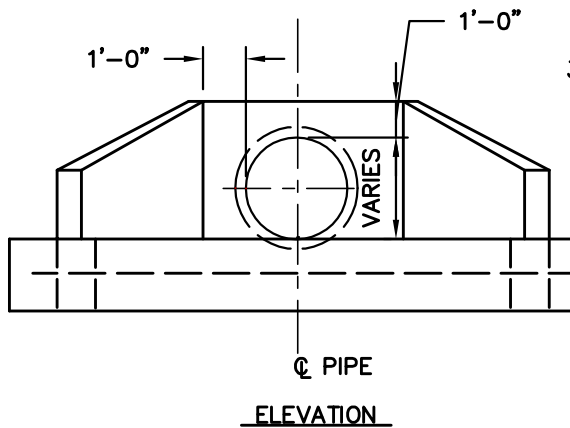
HEADWALL WITH WINGWALLS DETAIL
 (PIPE DIA. 15"-27")
 Not to Scale

Detail 08
 Standard Details
 Eagleville, Tennessee
 August, 2016



NOTE:

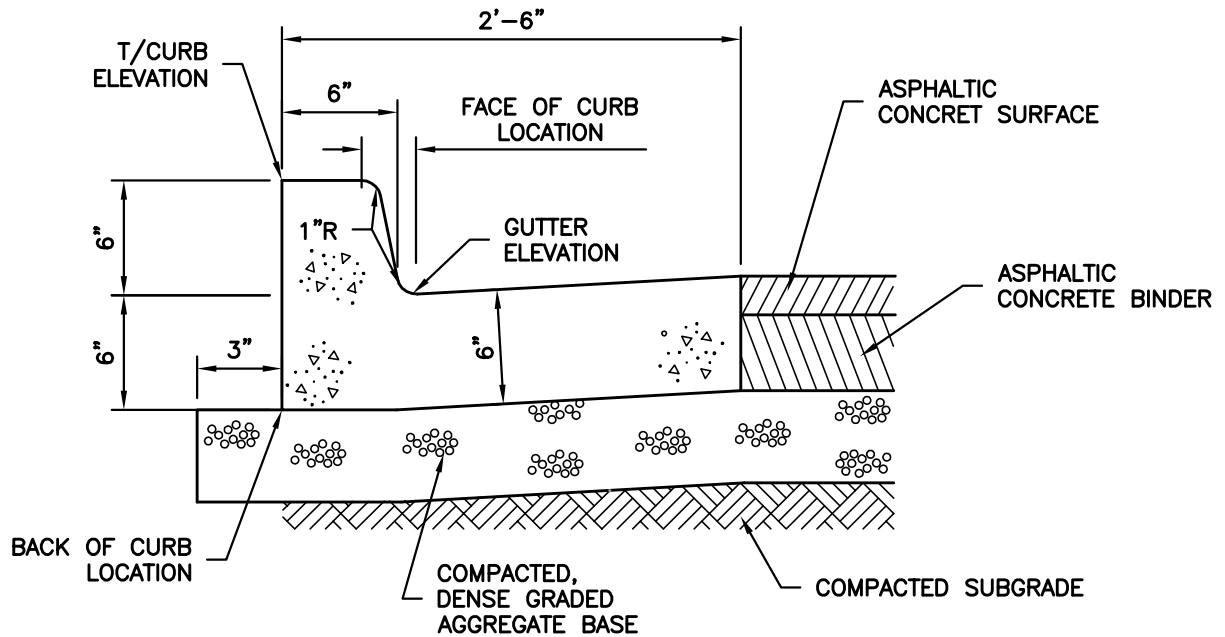
1. SEE PLAN FOR LOCATION, ELEVATION AND SIZE OF PIPE.
2. ALL CONCRETE TO COMPLY WITH ACI 318 WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAY TEST.
3. ALL EXPOSED EDGES TO HAVE A 3" CHAMFER.
4. REINFORCEMENT: 2" CLEAR WHEN FORMED: 3" CLEAR WHEN POURED ON GROUND
5. EXTERIOR SURFACES TO HAVE RUB FINISH.



PIPE DIA.	A	B	C	D	E	F
30	7'-6"	5'-6"	4'-5"	4'-4"	3'-0"	1'-3"
36	8'-8"	6'-0"	5'-0"	5'-0"	3'-8"	1'-6"
42	10'-0"	6'-7"	5'-5"	5'-8"	4'-3"	1'-9"
48	11'-2"	7'-1"	6'-2"	6'-4"	4'-10"	2'-0"
54	12'-6"	7'-8"	6'-9"	7'-0"	5'-5"	2'-3"
60	13'-8"	8'-2"	7'-4"	7'-8"	6'-0"	2'-6"

**HEADWALL WITH WINGWALLS DETAIL
(PIPE DIA. 30"-60")
Not to Scale**

Detail 09
Standard Details
Eagleville, Tennessee
August, 2016

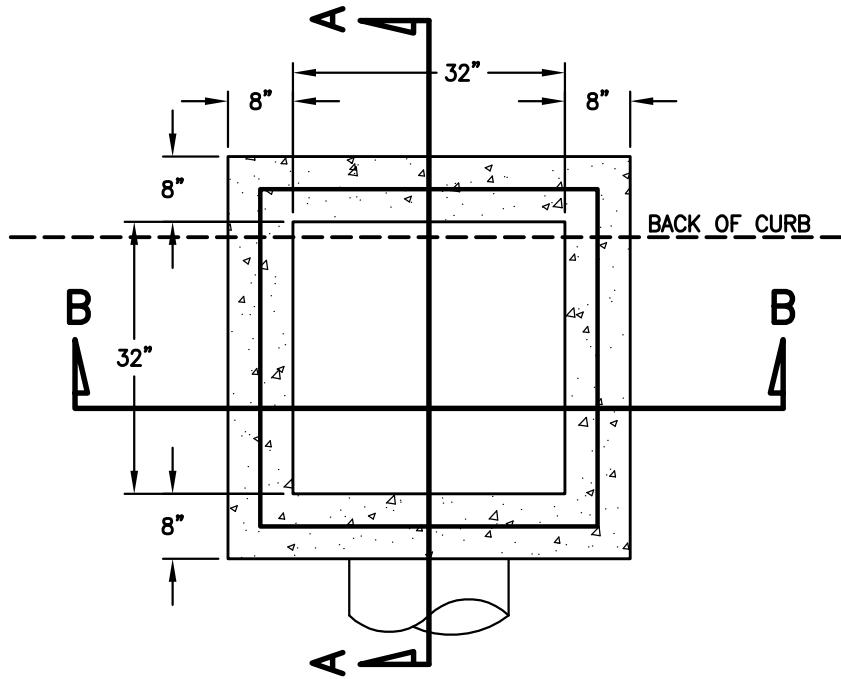


NOTES:

1. CONTRACTION JOINTS: 1/4" WIDE, FULL DEPTH, AT MAXIMUM OF 50' LONGITUDINAL INTERVALS, AT ALL ABUTTING STRUCTURES, DRIVEWAYS AND TANGENT POINTS OF RADIUS RETURNS.
2. TOOLED CURB CONTROL JOINTS 1/4" WIDE, 1" DEEP, 5' O.C.
3. ALL CONCRETE TO COMPLY WITH ACI 318 WITH MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 22 DAY TEST.
4. CONCRETE TO BE AIR-ENTRAINED WITH AN AIR CONTENT OF 4-6%.
5. JOINTS TO BE FILLED WITH BITUMINOUS EXPANSION MATERIAL.

CURB AND GUTTER DETAIL
Not to Scale

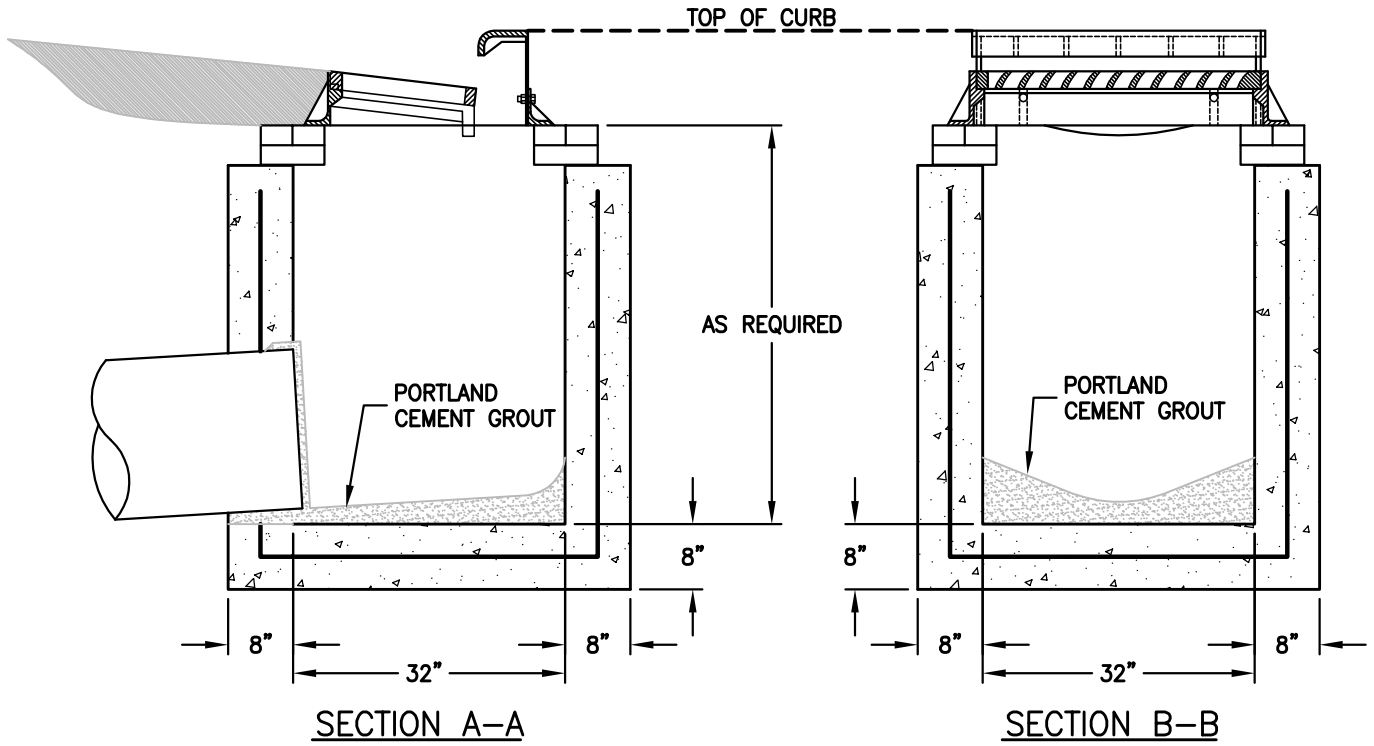
Detail 10
Standard Details
Eagleville, Tennessee
August, 2016



TOP VIEW

NOTES

1. GRATE AND CASTING TO BE JOHN BOUCHARD & SOANS NO. 3080 OR EQUAL
2. GRADE 60 STEEL

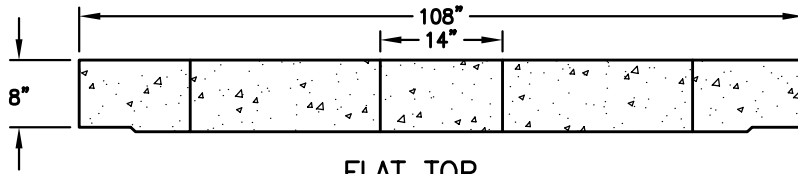


SECTION A-A

SECTION B-B

CONCRETE SINGLE INLET CATCH BASIN
Not to Scale

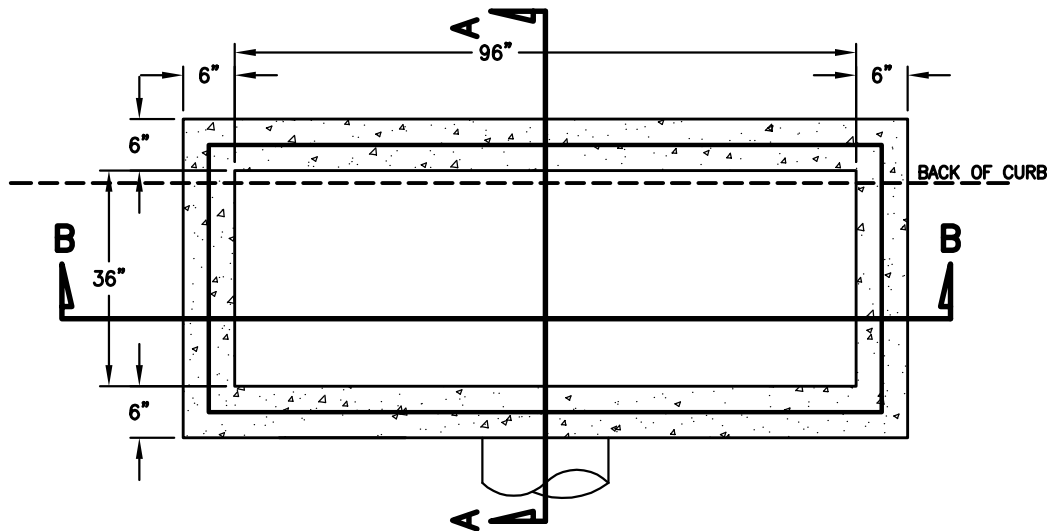
Detail 11
Standard Details
Eagleville, Tennessee
August, 2016



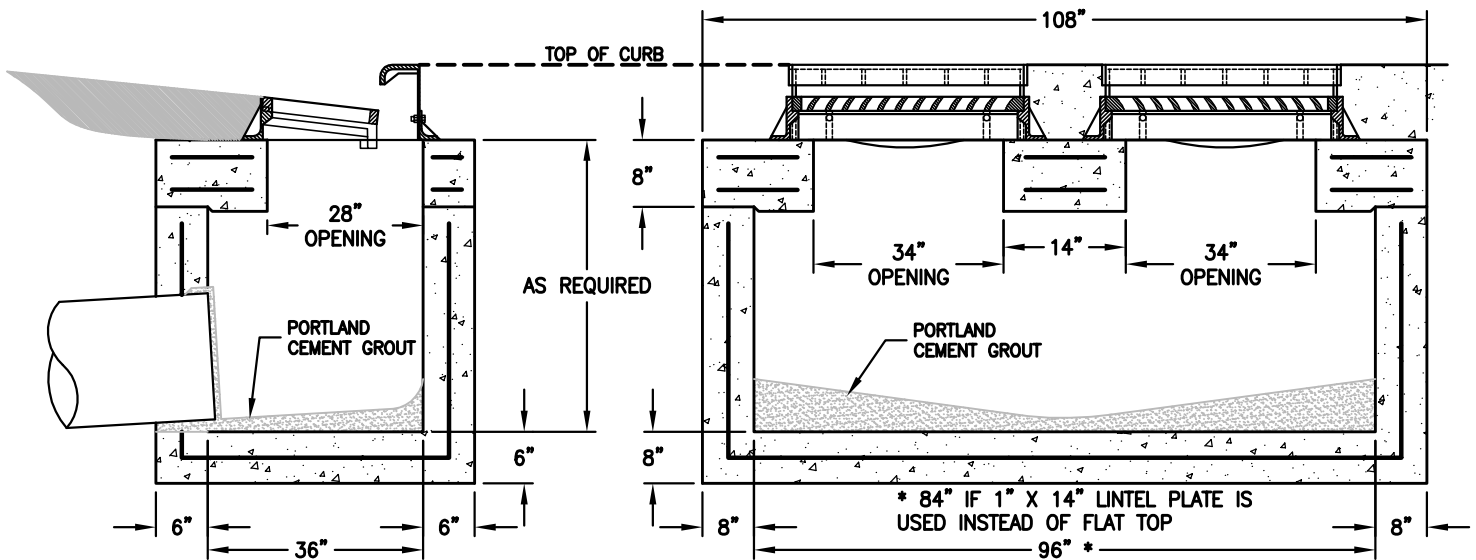
FLAT TOP

NOTES

1. GRATE AND CASTING TO BE JOHN BOUCHARD & SOANS NO. 3080 OR EQUAL
2. GRADE 60 STEEL



TOP VIEW

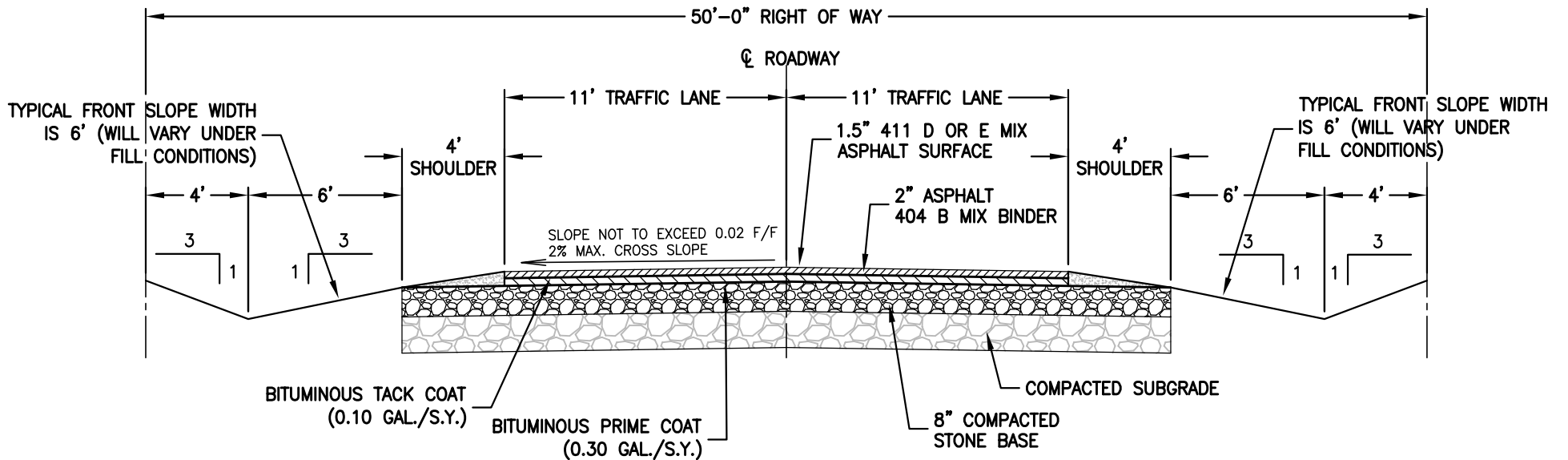
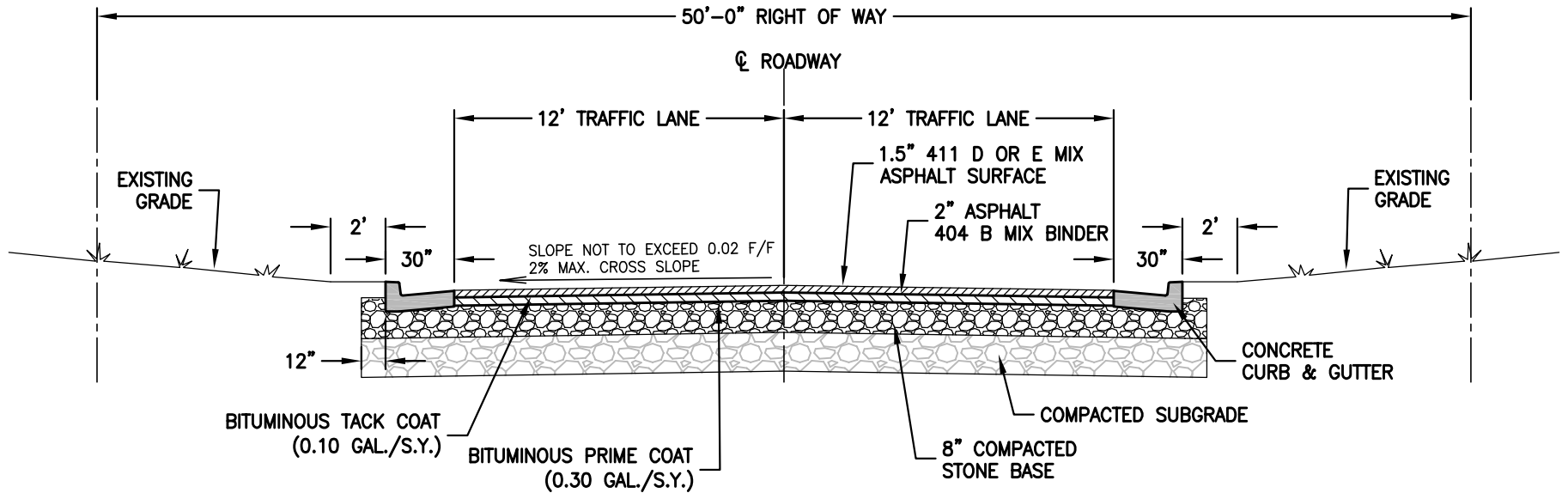


SECTION A-A

SECTION B-B

CONCRETE DOUBLE INLET CATCH BASIN
Not to Scale

Detail 12
Standard Details
Eagleville, Tennessee
August, 2016

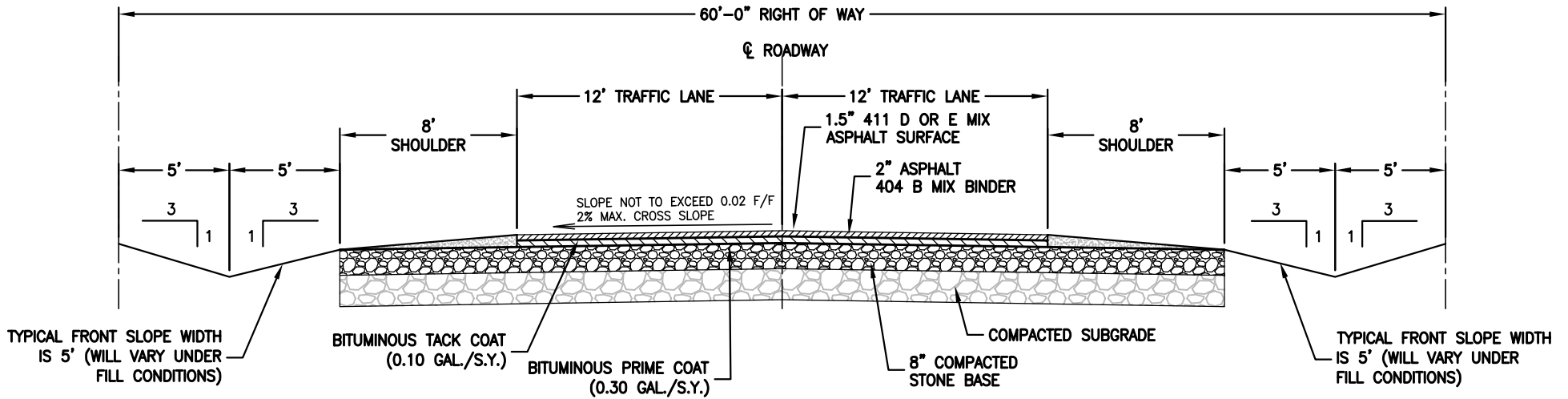
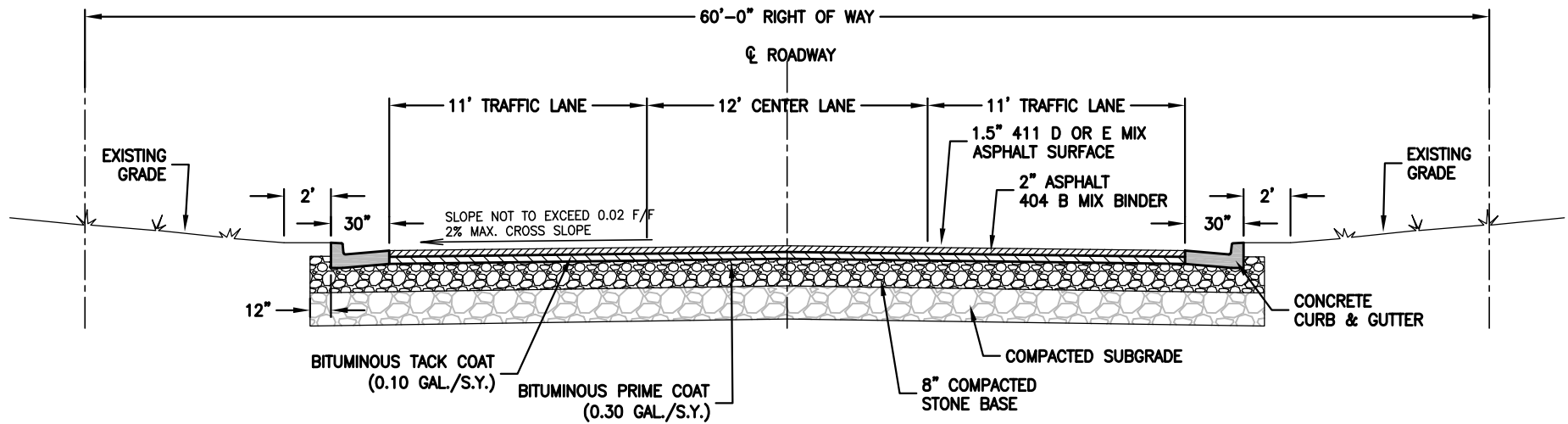


ROAD SECTIONS FOR RESIDENTIAL PUBLIC WAY - MINOR

Not to Scale

Detail 13
Standard Details
Eagleville, Tennessee

August, 2016

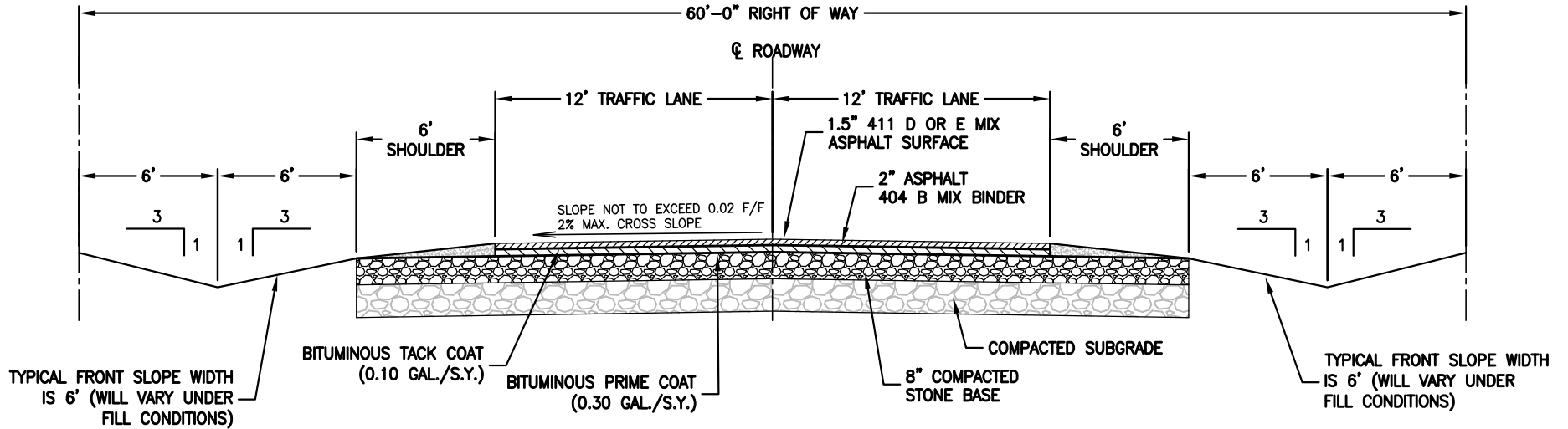
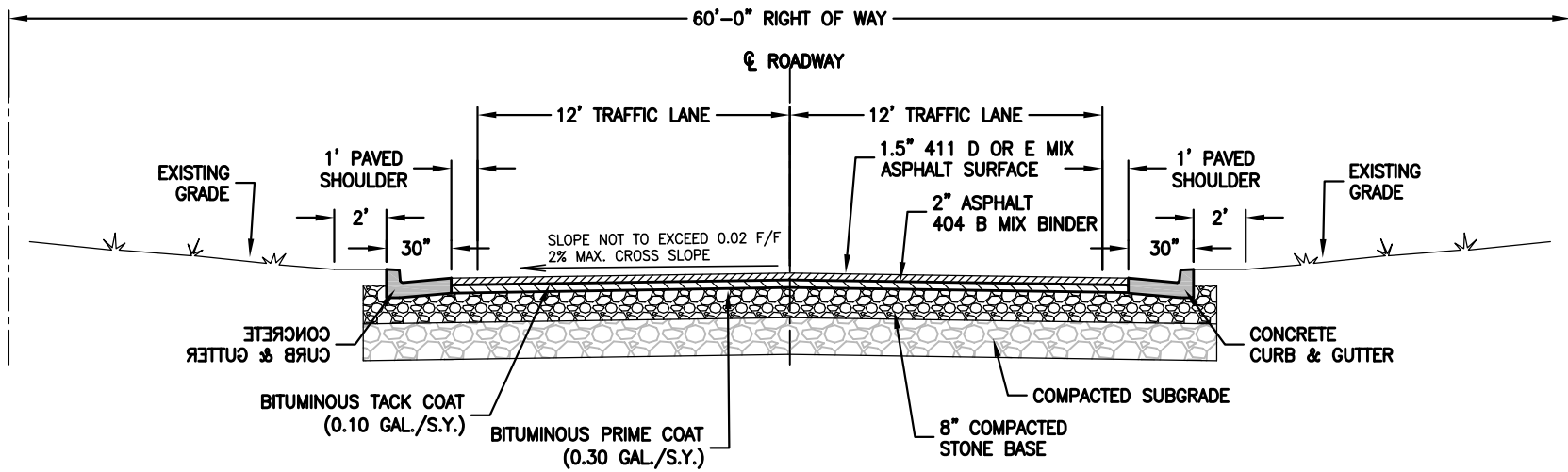


ROAD SECTIONS FOR NON-RESIDENTIAL PUBLIC WAY - MINOR & COLLECTOR

Not to Scale

Detail 14
Standard Details
Eagleville, Tennessee

August, 2016

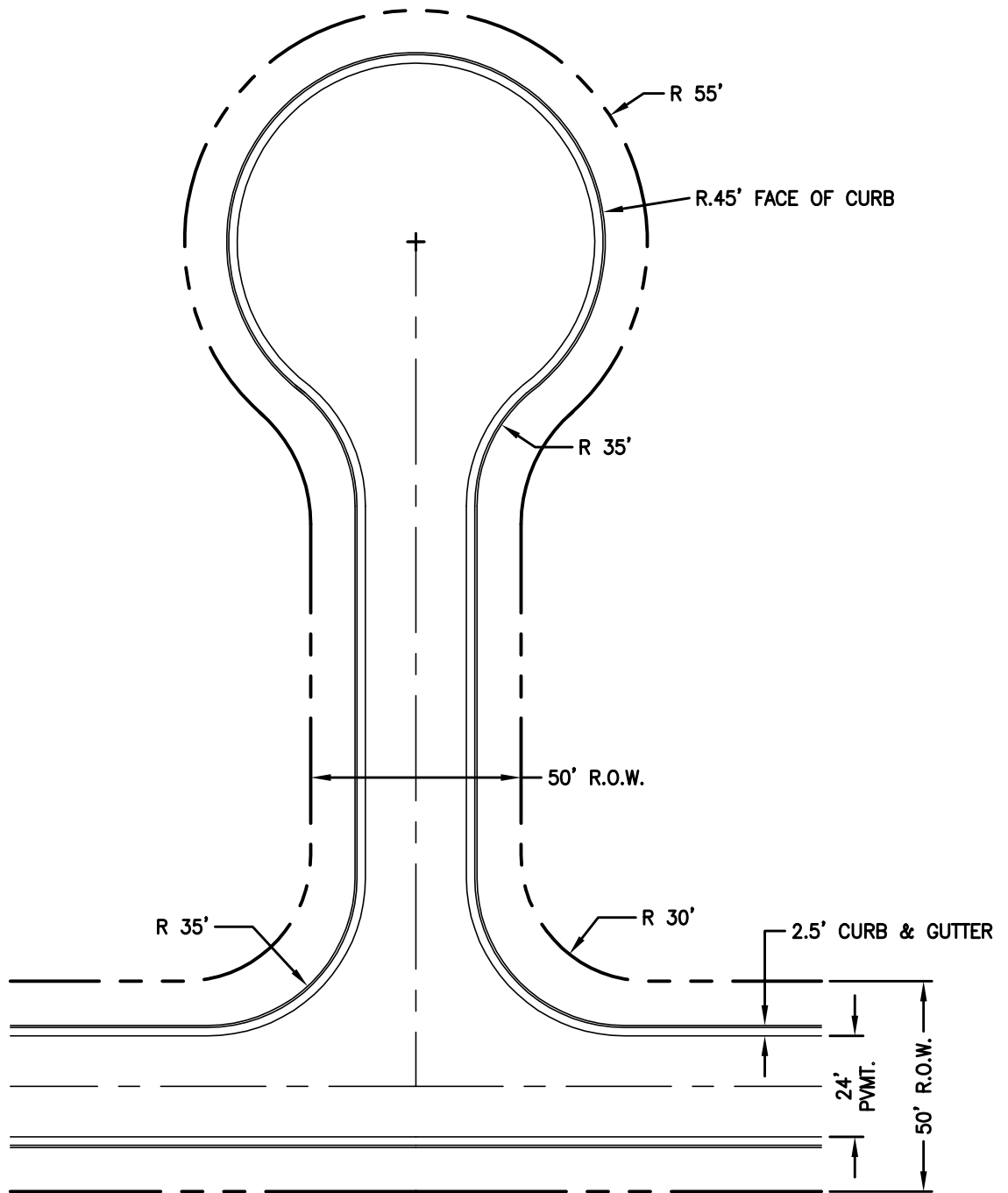


ROAD SECTIONS FOR RESIDENTIAL PUBLIC WAY - COLLECTOR

Not to Scale

Detail 15
Standard Details
Eagleville, Tennessee

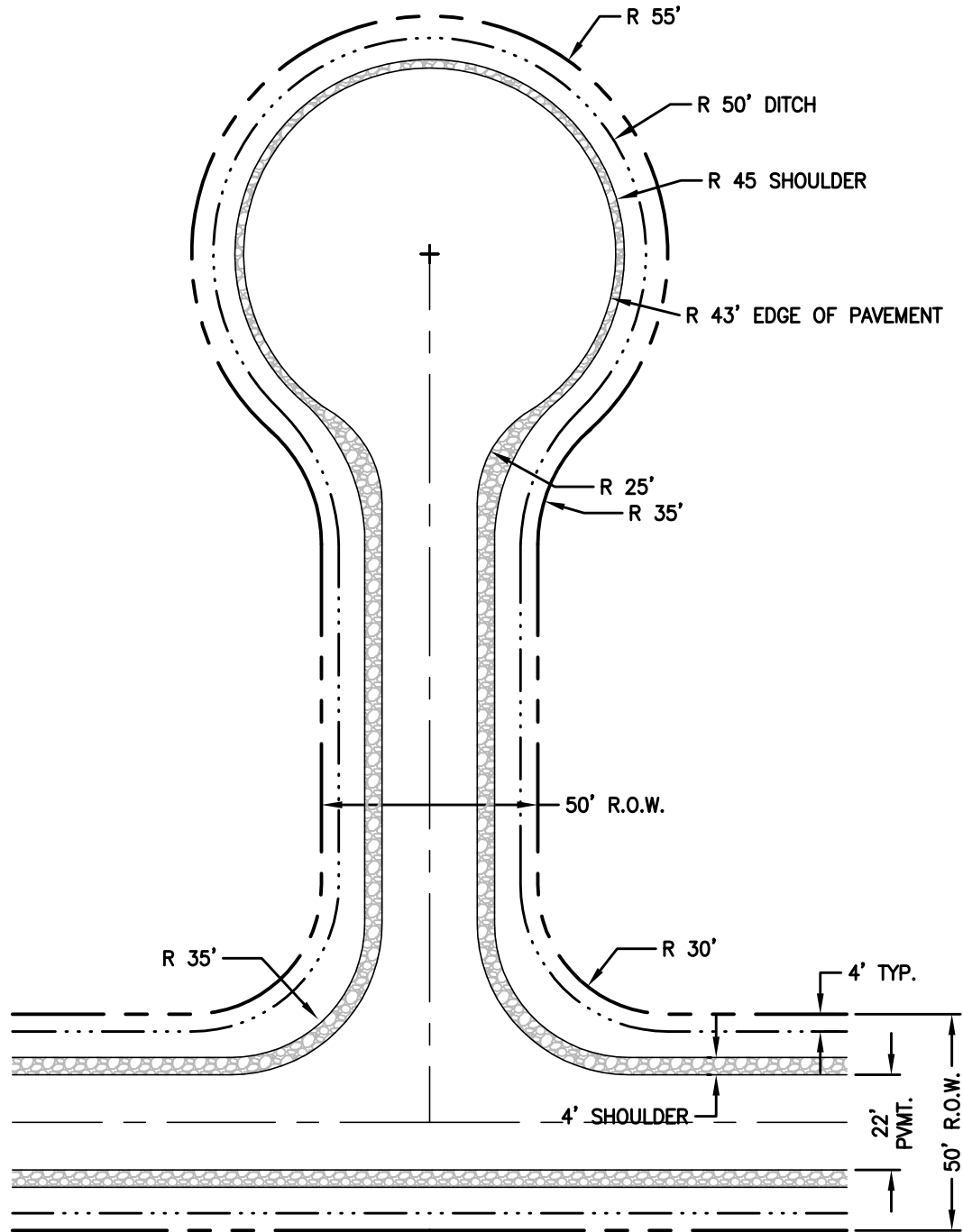
August, 2016



Not to Scale

CUL-DE-SAC 45' RADIUS WITH
CURB & GUTTER CROSS SECTION

Detail 17
Standard Details
Eagleville, Tennessee
August, 2016



Not to Scale

CUL-DE-SAC 43' RADIUS
 WITH DITCH CROSS SECTION

Detail 16
 Standard Details
 Eagleville, Tennessee
 August, 2016

SECTION IV
MATERIALS SPECIFICATION
AND CONSTRUCTION PROCEDURES

A. PRELIMINARY WORK

1. Location and Protection of Underground Utilities

Prior to beginning excavation or grading, the subdivider shall determine, insofar as possible, the actual locations of all underground utilities in the vicinity of his operations and shall clearly mark them so that they can be avoided by equipment operators. Where such utility lines or services appear to lie in the path of construction, they shall be uncovered in advance to determine their exact location and depth and to avoid damage due to excavation or grading operations. Existing facilities shall be protected during construction or removed and replaced in equal condition, as necessary.

Should any existing utility line or service be damaged during or as a result of the subdivider's operations, the subdivider shall take such emergency measures as may be necessary to minimize damage and shall immediately notify the utility agency involved. The subdivider shall then repair the damage to the satisfaction of the utility agency or shall pay the utility agency for making the repairs. In all cases the damaged structure shall be in as good or better condition as before the damage occurred.

2. Surveying and Staking

The subdivider shall be responsible for his own surveys and establish his own grades unless otherwise directed by the enforcing officer.

3. Removal of Obstructions

The subdivider shall be responsible for the removal, safeguarding, and replacement of fences, walls, structures, culverts, street signs, billboards, shrubs, mailboxes, or other obstructions which must be moved to facilitate construction. Such obstructions shall be restored to at least their original condition.

4. Clearing and Grubbing

The subdivider shall be responsible for cutting, removing, and disposing of all trees, brush, stumps, roots, and weeds within the construction area. Disposal shall be by means of chippers, landfills, or other approved methods not in conflict with state or local ordinances.

Care shall be taken to avoid unnecessary cutting or damage to trees not in the construction area. The subdivider shall be responsible for loss or damage to trees outside the permanent easement or rights-of-way.

5. Traffic Control and Safety

The subdivider shall provide and maintain access to and from all properties along the line of his work. The subdivider shall also provide temporary bypasses and bridges where necessary to route traffic and shall maintain them in a safe and usable condition whenever, in the opinion of the enforcing officer, detouring of traffic to parallel routes cannot be done without hardship or excessive increase in travel by the public.

Where single-lane bypasses are provided the subdivider shall furnish signalmen to control traffic operations and minimize delays.

The subdivider shall provide, erect, and maintain adequate barricades, warning signs, and lights at all excavations, closures, detours, points of danger, and uncompleted pavement.

B. ROADWAY CONSTRUCTION

1. Stripping, Stockpiling, and Placing Topsoil

All topsoil shall be stripped within the street right-of-way and from any other area designated by the enforcing officer. Topsoil shall be stored in stockpiles. All organic matter within the right-of-way shall be stripped and disposed of unless directed otherwise by the enforcing officer.

A three (3) or four (4) inch layer of topsoil shall be placed where seeding is required or where required by the enforcing officer.

After the stockpiled topsoil has been placed as specified above, the area where the topsoil was stockpiled shall be neatly graded and dressed.

2. Excavation

Excavation shall conform to limits indicated on the plans. Excavation materials shall be removed in such manner that the slopes can be neatly trimmed. Excavation shall not be made below grade except where rock or stone masonry is encountered or undercutting of unstable materials is required. Materials removed below grade shall be replaced with approved materials thoroughly compacted. Where borrow materials are required to complete embankments or fills the subdivider shall be responsible for providing them.

Rock excavation shall be removed to a minimum depth of twelve (12) inches below the subgrade and backfilled with approved materials which shall be thoroughly compacted.

Where a spring or seepage water is encountered that is not provided for on drainage plans it shall be reported to the enforcing officer.

3. Fills and Embankments

Embankment and fill materials shall be free from frost, stumps, trees, roots, sod, or mud. Materials shall not be placed on frozen ground.

Where excavated materials are used in fill construction and the materials consist of earth and various grades of rock, the fills shall be carefully constructed with the larger or hard rock on the bottom followed by the smaller or soft rock and finally the earth fill to provide a well-compacted and void-free embankment.

All depressions or holes below the natural ground surface, whether caused by grubbing, rock removal, undercutting, or otherwise, shall be filled with suitable materials and compacted to ground surface before fill construction is started.

Backfilling around a structure shall have been completed and thoroughly compacted to ground surface before any embankment materials are placed thereon.

Embankments shall be so constructed that adequate surface drainage will be provided at all times.

Fill areas shall be compacted by a sheep's foot roller, to a density of not less than ninety-five (95) percent of optimum density and within three (3) percent of optimum moisture content per ASTM D 698, and each lift of fill materials shall be rolled until the roller "walk out".

The finished grade shall be test rolled with a truck to be selected by the enforcing officer. Any areas found to be soft or "pumping" shall be cut out and replaced with suitable materials in lifts, each lift shall be compacted until the excavation has been brought back to finish grade.

Fill materials shall be placed in eight (8) inch lifts, maximum thickness. Where excavated materials consist mainly of rock too large to be placed in the normal eight (8) inch thickness without crushing or further breaking down the pieces, such materials shall be placed in the fill in layers not exceeding three (3) feet in depth. No rock larger than eighteen (18) inches in dimension shall be placed in fill. Care shall be taken to fill all voids between large rock and to assure that fill materials are compacted such that settling is minimized. Compaction of the top six (6) inches of cuts or fills shall be accomplished with pneumatic-tire rollers.

Backfill around structures shall be of crushed stone or earth meeting the approval of the enforcing officer; and the fill shall be placed and compacted in eight (8) inch lifts and brought up evenly on all sides of the structure.

4. Undercutting

This work shall consist of the removal and disposal of unsatisfactory materials below grade in cut sections or areas upon which embankments are to be placed. It shall also include undercutting for pipes and box culverts where required.

Known areas to be undercut shall be designated on the construction plans. The backfill materials shall be placed in eight (8) inch lifts and compacted as specified for fill construction.

5. Subgrade Construction and Preparation

The subgrade shall be prepared in reasonably close conformity with the lines and grades as shown on the plans.

Grading of subgrade shall be performed in such manner as to provide ready drainage of water. Ditches and drains shall be maintained to provide proper drainage during construction.

Hauling over finished subgrade shall be limited to that which is essential for construction purposes, and all ruts or rough places that develop in a completed subgrade shall be smoothed and recompacted. Soft areas shall be removed and replaced with crushed stone.

The subgrade shall be checked and approved by the enforcing officer for adherence to the plans before any base materials are placed.

6. Shoulders and Slopes

All shoulders and slopes shall be trimmed and shaped to conform with the cross sections shown on the plans and as specified in Section C-5, below. Rock cuts shall be sealed of all loose fragments, projecting points, etc., so as to leave a clean and neat appearance. Shoulders shall be completed where required as shown on the plans and shall be double bituminous surface treated, with care being taken to protect the surface and edges of pavement. Shoulder materials shall be placed in uniform layers and compacted by overlapped rolling of both base course and pavement. The finished shoulder shall be firm against the pavement.

C. BASE AND PAVING

1. Base Stone

The base course of stone shall be a pug mill mix of Type A, Grading D, mineral aggregate conforming to placed and compacted in layers or lifts upon the prepared subgrade to a finish thickness as described and shown on the plans. No single layer or lift shall exceed four (4) inches in depth.

The base course shall be a pugmill mix of mineral aggregate conforming to the technical specifications set forth in Section 303, Standard Specifications. The aggregate base shall not be spread on a subgrade that is frozen or that contains frost. The base shall be placed and spread in uniform layers or lifts without segregation of size; each layer shall be compacted to a thickness no greater than four (4) inches. The stone shall be mixed with graders or other equipment until a uniform mixture is obtained. Each layer shall be compacted by rolling with alternate blading until a smooth, even, and uniformly compacted finish is obtained.

The base stone shall be graded and rolled while it is still moist from the pugmill mix. No pavement shall be placed until the stone base has been approved by the enforcing officer.

2. Prime Coat

After the base stone has been prepared as outlined above, a bituminous prime coat shall be applied uniformly over the surface of the base by the use of an approved bituminous distributor. The prime coat shall be applied at the rate of the three-tenths (3/10) gallon per square yard, using Grade RC-70 or RC-250, or refined tar Grade RT-2, RT-3, or emulsified asphalt, Grade AE-P. If, after the bituminous materials have been applied, they fail to penetrate before the time that the roadway is to be used by traffic, dry cover materials shall be spread at a rate of between eight (8) and twelve (12) pounds per square yard to prevent damage to the primed surface. An excess of cover materials shall be avoided. No succeeding stage of construction shall be placed upon the prime coat until it has properly cured. Aggregate for cover materials shall be Size No. 78 or 8.

In addition to these general requirements, unless, otherwise, stipulated, all materials and methods of installation shall conform to the technical specifications set forth in Section 402, Standard Specifications.

3. Binder Course

Upon completion of the Prime Coat, an asphaltic concrete base course (binder) shall be applied. The base course shall be the thickness shown on the detail sheet for that class street. All materials and methods of installation shall conform to the technical specification set forth in Section 307, Standard Specifications for asphaltic concrete base. The asphaltic base shall be constructed of Grade C materials (or comparable materials approved by the City's contract engineer) described in Section 307.03, Standard Specifications.

4. Tack Coat

A tack coat shall be applied to old or existing pavement surface or to a previously prepared base or surface to provide bond for an overlaid course. The tack coat shall be applied at the rate of one-tenth (1/10) gallon per square yard using materials and methods of installation set forth in Section 403, Standard Specifications.

5. Wearing Surface

Upon completion of the application of the prime coat, or tack coat, an asphaltic concrete surface (hot mix) shall be applied. The wearing surface shall be the thickness shown on the detail sheet for that class street. All materials and methods of installation shall conform to the technical specifications set forth in Section 411, Standard

Specifications for asphaltic concrete surface. The wearing surface shall be constructed of Grade D or E materials described in Section 903, Standard Specifications. The asphalt mix design shall be submitted to the city's contract engineer for review and approval prior to the placement of any asphalt.

6. Shoulders

Shoulder construction shall be completed by bleeding, moistening as necessary, and by thoroughly compacting. The shoulders shall be the width and thickness shown on the typical section as required herein and covered with the typical section as required herein and covered with a double bituminous surface treatment. The surface shall be prepared as directed in advance of the surface construction. Upon completion of the prime coat, a double bituminous surface treatment shall be applied with the first course being at a rate of between 0.38 and 0.42 gallons per square yard. If the width of application is wider than the distributor, each width of spread shall not be less than one-half (1/2) the surface to be treated. Areas inaccessible to the distributor shall be treated either with hand sprays or pouring pots. Immediately after each application of bituminous materials has been made, it shall be covered uniformly with Size No. 6, mineral aggregate. The aggregate shall be spread at a rate of between thirty (30) and forty (40) pounds per square yard. This first application shall be allowed to cure for an appropriate amount of time.

The second application of bituminous materials shall be applied in the same manner as the first application, at a uniform rate between 0.30 and 0.35 gallons per square yard. Mineral aggregate, Size No. 7, shall then be spread in the same manner as for the first spread at a rate between twenty (20) and twenty-five (25) pounds per square yard.

Immediately after each spread of cover aggregate, uniform coverage shall be achieved by hand brooming. Additional aggregate shall be placed by hand on thin or bare areas.

Immediately after spreading and brooming the cover aggregate, the entire surface shall be rolled, beginning at the edges and progressing to the edge of the pavement. Rolling shall begin within thirty (30) minutes after the aggregate has been spread. The same rolling and curing procedures required in making the first application shall be repeated in making the second application.

In addition to these general requirements, unless otherwise stipulated, all materials and methods of installation shall conform to the technical specifications set forth in Section 404, Standard Specifications.

D. DRAINAGE SYSTEM DESIGN

1. Ditching and Channelization

This work shall consist of the construction of ditches adjacent to roadway shoulders and feeding to and from culverts under or adjacent to the roadway. All drainage ditches shall be graded in their entirety during the time the roadways are being graded; such grading shall be completed prior to final inspection of the roadways.

2. Stabilization of Ditches

All open ditches shall be stabilized in accordance with the following requirements:

Size of Nearest Culvert (Upstream)	Seeding Required	Sod Required	To be Concrete Lined
15"	Grades 1.00%-3.00%	Grades Grades Exceeding 3.00%-12.00%	12.00%
18" thru 24"	Grades 1.00%-1.50%	Grades Grades Exceeding 1.50%-7.00%	7.00%
30" thru 36"	Grades 1.00%-1.50%	Grades Grades Exceeding 1.00%-4.00%	4.00%
42" thru 72"	Grades	Grades Grades Exceeding 2.50% or Less	2.50%

3. Concrete Ditch Pavings

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 materials shall be removed and replaced with acceptable materials and then 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 have been removed. The backfilled materials shall be thoroughly compacted. Expansion joints shall be located appropriately.

4. Culverts and Storm Drains

This work shall consist of the construction of pipe culverts and storm sewers as shown on the plans. All culverts and storm sewers under county roads shall be reinforced concrete pipes.

Driveway culverts shall be a minimum diameter of fifteen (15) inches and a minimum length of twenty (20) feet; cross drains shall be a minimum diameter of eighteen (18) inches.

Reinforced concrete pipes shall conform to minimum standards for Class III, Reinforced Pipes, A.S.T.M. C76. Corrugated metal pipes shall conform to Section 915.02 or 915.04, Standard Specifications, and to gage as follows:

<u>Rounded Concrete Pipes</u>	
Size	Gage
15" - 24"	16
30"	14
36" - 48"	12
54" - 72"	10
78" - 84"	8

<u>Arched Concrete Pipes</u>	
Size	Gage
18" x 11" - 22" x 13"	16
25" x 16" - 36" x 22"	14
43" x 27" - 65" x 40"	12
72" x 44" or Larger	10

For pipes smaller than forty-eight (48) inches in diameter, a minimum cover of one (1) foot, exclusive of base and paving, is required from top of pipes to finished subgrade. A minimum cover of two (2) feet is required for pipes forty-eight (48) inches in diameter and larger. All pipes shall be built on straight line and grade and shall be laid with the spigot end pointing in the direction of the flow, with the ends fitted and matched to provide tight joints and smooth uniform invert.

Pipes shall be bedded on a six (6) inch thickness of Class B materials and backfilled to a depth of thirty (30) percent of the diameter of the pipes. Recesses shall be dug in the bedding materials to accommodate the bell. Class B bedding shall be Size No. 7, as shown in Chart No. 903.23, Standard Specifications. Culverts and storm drains in existing roadways shall be backfilled to the depth of the cut.

5. Headwalls

Concrete headwalls shall be constructed at both ends of cross drains as shown and detailed on the standard drawings included herein.

6. Catch Basins

This work shall consist of constructing catch basins complete within inlets, outlets, and inverts. Tops and inlets shall be constructed to conform to roadway grade so that drainage can easily be caught and no ponding created. Catch basins shall be constructed as shown and detailed on the standard drawings contained herein.

7. Box Culverts and Bridges

Design of box culverts and bridges shall be submitted to the city's contract engineer for approval before construction is permitted.

8. Roadside Ditches

Roadside ditches, in conventional sections, shall be built to a grade that will permit good drainage, and in no case shall the slope of the ditch be less than one (1) percent (a fall of 1.00 foot in 100 feet). All drainage ditches shall be stabilized, as indicated in these specifications.

9. Changes in Water Channels

Where the subdivider rechannelizes through a subdivision he will be responsible for replacing cross drains under streets. This work shall be done at the expense of the subdivider.

10. Curb and Gutter (Formed)

Concrete curbs and gutter shall conform to the standard drawings as detailed herein. Concrete for curbs and gutter shall be Class A, at 35000 psi.

Curb and gutter shall be constructed to the lines and grades shown on the plans. The final subgrade for curb and gutter shall be carefully graded and compacted to an even density and shall be smooth and true to grade. Curb and gutter shall be constructed with materials and methods which conform to the technical specifications set forth in Section 702, Standard Specifications.

Concrete driveway ramps shall be required on all curb and gutter streets. The ramps shall extend a minimum of five (5) feet behind the curb.

Materials for the remaining portion of the driveway shall be determined by the subdivider. Driveway ramp construction shall conform to detailed standard drawings included herein.

Any driveway ramp to be placed after initial laying of curb shall require a permit and shall be installed in accordance with the standard drawings included herein.

Any ramp not conforming to the foregoing requirements shall be removed and replaced by the subdivider at his expense and shall be enforced under provision of the maintenance bond.

E. FINAL DRESSING, SEEDING, AND SODDING

1. Final Dressing

This work shall consist of dressing all slopes and areas to within reasonable close conformity to the lines and grades indicated on the plans. Final dressing shall be performed by hand or machine to produce a uniform finish to all parts of the roadway including embankments, ditches, etc. Rock cuts shall be cleaned of all loose fragments; side slopes shall be laid back to a three to one (3:1) slope and seeded as described in these specifications.

The entire right-of-way shall be cleaned of all weeds and brush and all structures both old and new shall be cleared of all brush, rubbish, sediment, or other objectionable materials.

2. Seeding

In all areas damaged or disturbed by the construction operation where established ground cover was present before beginning of construction, the subdivider shall be responsible for restoring the ground cover after completion of construction, unless noted otherwise on drawings. All areas seeded shall be graded smooth prior to seeding and the subdivider shall be responsible for maintenance of the smooth finished grade until grass is established.

After designated areas have been carefully hand graded, soil shall be prepared for fertilizing and seeding. Fertilizer shall be a standard commercial fertilizer Grade 15-15-15, or equivalent, and shall be applied at a rate of not less than ten (10) pounds per one thousand (1,000) square feet. The fertilizer shall be lightly harrowed, raked, or otherwise incorporated into the soil for a depth of approximately one half (1/2) inch. The subdivider shall be responsible for any regrading or reseeding required to produce an acceptable grass cover. Rutting and washing shall be restored by reseeding and strawing; in areas of extreme erosion sodding may be required.

The seed shall be as follows:

<u>Name</u>	<u>Percent by Weight</u>
Lespedeza	20
Sericea Lespedeza	15
Kentucky 31 Fescue	40
English Rye	15
White Dutch Clover	5
Weeping Love Grass	5
or	
Kentucky 31 Fescue	55
Redtop	15
English Rye	20
White Dutch Clover	5
Weeping Love Grass	5

The seed shall be sown uniformly at the rate of one and one-half (1 1/2) pounds per one thousand (1,000) square feet.

3. Sodding

Sodding shall consist of furnishing and placing sod at all locations shown on the plans. Work shall include the furnishing and placing of new sod, consisting of live, dense, well-rooted growth of permanent grasses free from johnson grass and other obnoxious grasses or weeds, well suited for the soil on which it is placed. All sod shall be cleanly cut in strips having a uniform thickness of not less than two and one-half (2 1/2) inches. Sod shall be set when the soil is moist and favorable to growth. No setting shall be done between November 1 and March 1. The area to be sodded shall be brought to the lines and grades shown on the plans.

The surface of the ground to be sodded shall be loosened to a depth of not less than one (1) inch with a rake or other device. If necessary, it shall be sprinkled until saturated for a minimum depth of one (1) inch and kept moist until the sod is placed. Immediately before placing the sod, fertilizer and lime shall be applied uniformly to the

prepared surface of the ground. Fertilizer shall be applied at the rate of eight pounds of Grade 15-15-15, or equivalent, per one thousand (1,000) square feet.

Sod shall be placed as soon as practical after removal from the point of origin, it shall be kept in a moist condition during the interim. Sod shall be carefully placed by hand on the prepared ground surface with the edges in close contact and, as far as possible, in a position to break joints. Each strip of sod laid shall be fitted into place and tamped. Immediately after placing, the sod shall be thoroughly wetted and rolled with an approved roller. On slopes of two to one (2:1) or steeper, pinning or pegging may be required to hold the sod in place.

The sod shall be watered for a period of two (2) weeks. The subdivider shall not permit any equipment or materials to be placed on any planted area and shall erect suitable barricades and guards to prevent equipment, labor, or the public from traveling on or over any area planted with sod.

F. Street and Traffic Signs

Street signs and traffic signs shall be installed as required by the appropriate governmental body. The installation of these signs shall be coordinated with the Eagleville Planning Commission.

G. Road Construction and Testing Requirements

Testing of the subgrade crushed stone base and asphaltic concrete installed shall be performed according to the latest procedures of the Eagleville Planning Commission.

The enforcing officer must be contacted at least forty-eight (48) hours prior to construction of each of the following phases of construction: earthwork, placing of crushed stone base, placing of asphalt, and bedding and backfilling of culverts.

All testing must be performed in a laboratory which is approved by either the city's contract engineer or the enforcing officer at the time the road is constructed. The developer shall pay all costs associated with testing requirements. The selection of test points may be determined by either the city's contract engineer or the enforcing officer.

H. Striping

All roadways constructed shall be striped with centerline striping in accordance with the latest edition of the Manual of Uniform Traffic Control Devices.

I. Standard Drawings

Standard drawings are provided in Section III of this document. These drawings are to be used in conjunction with the specifications.

Details concerning the construction of sewer and service lines shall be referenced to the specifications for collector sewers, service lines, and house connections for Eagleville, Tennessee.

Any special construction problems or conditions not covered by these specifications or drawings, shall be submitted to the Eagleville Planning Commission for approval.