

SUBDIVISION REGULATIONS
OF
GOODLETTSVILLE, TENNESSEE

APPROVED BY THE
GOODLETTSVILLE PLANNING COMMISSION
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CHAPTER I
GENERAL PROVISIONS

- 1-101 Title -- These regulations shall hereinafter be known and cited as the Subdivision Regulations of Goodlettsville, Tennessee.
- 1-102 Authority -- These subdivision regulations are adopted by the Goodlettsville Planning Commission (hereinafter referred to as “Planning Commission”), in pursuance of the authority and powers granted by Sections 13-4-308 through 13-4-309, Tennessee Code Annotated. Having adopted a major thoroughfare plan, and filed a certified copy of the plan with the County Register of Deeds (hereinafter referred to as “County Register”), as required by Section 13-4-302, Tennessee Code Annotated, and having held a public hearing as indicated in Section 7-101 of these regulations, and as required by Section 13-4-202 Tennessee Code Annotated the Planning Commission has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.
- 1-103 Jurisdiction -- These subdivision regulations shall apply to all subdivisions, as herein defined, located within Goodlettsville, Tennessee. No land shall be subdivided within the jurisdictional area until the subdivider submits a plat as required by these regulations, obtains Planning Commission approval of the plat and files the approved plat with the county register.
- 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 of the city for orderly, planned and efficient physical and economic 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 use plan.

The regulations herein shall supplement and facilitate the enforcement of the provisions and standards contained in the Zoning Ordinance of Goodlettsville, Tennessee (hereinafter referred to as “Zoning Ordinance”).

These regulations are adopted for the following purposes:

- (1) To promote the public health, safety and general welfare of the jurisdictional area.

- (2) 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.
- (3) To provide for adequate light, air and privacy; to secure safety from fire, flood and other dangers; and to prevent overcrowding of the land and undue congestion of populations.
- (4) To enhance the character and economic stability and encourage the orderly, beneficial development of the jurisdictional area.
- (5) 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.
- (6) To guide public and private policy and action providing for transportation, water, sewerage, schools, recreational areas and other public requirements and facilities.
- (7) To provide for the most beneficial relationship between the uses of land and buildings and the efficient traffic movement throughout the jurisdictional area.
- (8) To establish reasonable standards of design and procedures for subdivisions and resubdivisions; to further the orderly layout and use of land; and to insure proper legal descriptions and proper monumenting of land.
- (9) To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- (10) 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.
- (11) To preserve the natural beauty and topography of the jurisdictional area and to insure appropriate development with regard to these natural features.
- (12) 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.
- (13) 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 and 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 such is beyond the jurisdiction of the Planning Commission.

1-105.3 Serverability -- If any part or provision of these regulations or application thereto 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.

1-105.4 Saving Provision -- These regulations shall not be construed as abating any action 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 governing body under any section or regulations; or as vacating or annulling any rights obtained by any person by lawful action of the governing body, except as expressly provided otherwise in these regulations.

1-106 Previously Approved Subdivisions

1.106.1 Expired 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.

1-106.2 Expired Preliminary Approval -- In any instance in which the period preliminary approval shall have passed with some portion of the subdivision not having received final approval, and the applicant wishes an extension of the preliminary approval, the Planning Commission may:

- (1) Permit the remaining portions of the subdivision to be constructed and to receive approval under provisions set forth in the regulations whereby preliminary approval was originally granted.
- (2) Stipulate that the plat is null and void and that a new plat be presented subject to the provision 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, thirty (30) 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 Chapter 7 of these regulations, each adopted amendment shall be numbered consecutively and printed on pages separate from any other amendment and in a manner which fully states any language deleted from these regulations and any language added and the place in the text of each such change.

1-108 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, 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 be approved by the Planning Commission by the same procedure, rules and regulations as for a subdivision.

1-108.2 Limitation on Resubdivision -- Within any existing subdivision which has been approved, recorded and at least partially developed, no resubdivision or replatting shall be permitted which reduces the average lot size in such recorded subdivision.

1-108.3 Procedures for Subdivision Where Future Resubdivision Is Foreseen -- Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land or double the minimum required area for any zoning district in which the lot is located and the Planning Commission has reason to believe that any such lots(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, dedications, 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 governing body 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 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 alterative 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 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, Violations and Penalties

1.112.1 General

- 1-112.101 Authority -- The enforcement of these regulations and the penalties for violations are provided pursuant to Section 13-4-306, Tennessee Code Annotated.
- 1-112.102 Enforcing Officer -- It shall be the duty of the Planning Director of the City of Goodlettsville 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 Section 13-4-302, Tennessee Code Annotated, no plat of a subdivision of land within the jurisdictional area shall be received or recorded by the county registrar 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 in the manner prescribed by Section 2-105 of these regulations.

- 1-112.104 Use of Unapproved Plats -- Pursuant to Section 13-4-306, Tennessee Code Annotated, 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 Sections 1-113.2 and 1-113.3 of the 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 subdivision shall be subject to all of the requirements of these regulations.
- 1-112.106 False Statements About Roads -- 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 build or constructed by any city, county or any other political subdivision.
- 1-112.107 Public Streets and Utilities -- Pursuant to Section 13-4-307, Tennessee Code Annotated, the governing body shall not, nor shall any public authority, accept, lay out, improve, grade, pave or light any street, lay or authorize the laying of water main, or sewers or construct or authorize the construction of other facilities or utilities in any public street located within the city, unless such street shall have been accepted, opened or otherwise received the legal status of a public street prior to the attachment of the Planning Commission's jurisdiction, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission or on a public street plat made by the Planning Commission.

However, the governing body may override the Planning Commission as provided in Title 13, Tennessee Code Annotated.

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 Street or Private Easement -- Pursuant to Section 13-4-308, Tennessee Code Annotated, no building permit shall be issued and no building or structure shall be erected on any lot within the

jurisdictional area, unless the public street 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 street 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 street 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 fifty (50) 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 streets 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. Such private streets shall meet the specifications required for a public street.

1-112.2 Penalties for Violations

1-112.201 Recording of Unapproved Plats -- No county registrar shall received, file or record a plat of a subdivision within the city without the approval of the Planning Commission as required in Section 13-4-302, Tennessee Code Annotated, 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 Section 1-112.103 of these regulations shall be deemed guilty of a violation of the above cited provision of the Tennessee Code Annotated.

1-112.202 Use of Unapproved Plats -- Any owner or agent of the owner who violates Section 1-112-104, of these regulations shall be deemed of a misdemeanor, punishable as other misdemeanors as provided by law.

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 the City Manager or other official designated by the chief legislative body may bring action or enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

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, to prevent illegal occupancy of a building, structure, or premise, and these remedies shall be in addition to the penalties described in Section 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 Commission, may enjoin by action for injunction any transfer of, sale of, or agreement to sell any land in violation of Section 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 Section 1-112.109 of these regulations, the city building official or the City Attorney or other official designated by the City Commission may bring action to enjoin such erection or cause the building or structure to be vacated or removed.
- C. Enforcement of Bonds -- Where a bond is accepted in lieu of completion of subdivision improvements and utilities as provided in Chapter 3 of these regulations, the city may enforce such bond in the manner prescribed by Chapter 3 of these regulations.

1-113 Repeal of Previous Regulations -- Upon the adoption and effective date of the regulations, the Subdivision Regulations of Goodlettsville, Tennessee, as previously adopted and amended, are hereby repealed.

CHAPTER II

PROCEDURES FOR PLAT APPROVAL

2-101 General Procedures

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 -- The enforcing officer 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.

(1) Minor Subdivision

- (a) Pre-application conference with the Planning Director including submittal of a scale drawing or survey of the proposed subdivision for preliminary discussion and review.
- (b) Securing of approvals from other public agencies and any affected utility districts or companies.
- (c) Submittal of a final plat, prepared, in accordance with the specifications in Section 5-107, herein, for approval by the Planning Commission.

(2) Major Subdivision

- (a) Pre-application conference on the subdivision with the Planning Director including a sketch plat or preliminary plat for discussion of the proposed area to be subdivided.
- (b) Submittal of a sketch plat, if required, prepared in accordance with the Section 5-101 herein for Planning Commission approval.
- (c) Submittal of the preliminary plat, prepared in accordance with Section 5-102, herein for Planning Commission approval.

- (d) Securing of approval from other public agencies and utility districts.
- (e) Submittal of the final subdivision plat, prepared in accordance with 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 of the Planning Commission at which the public hearing on the final subdivision plat, including any adjourned date thereof, is closed, shall constitute the official submittal date of the plat at which the statutory period required in Section 13-4-304, Tennessee Code Annotated, for formal approval or disapproval of the plat shall commence.

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

- (1) the danger to life and property due to the increased flood heights or velocities, either potential or actual, caused by subdivision fill, roads and intended uses;
- (2) the danger that intended uses or improvements may be swept onto other lands or downstream to the injury of others;
- (3) the adequacy of proposed water supply, 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 governing body's participation in the National Flood Insurance 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 any zoning ordinance. The Planning Commission shall also ensure that development within any floodway fringe area (within the one hundred-year level) will be protected adequately against potential flood hazards by the methods prescribed in Chapter 4 of these regulations.

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

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

2-101.501 General Provisions

- A. Intent -- This section is intended to augment the general legislation of Sections 66-27-01 through 66-27-123, Tennessee Code Annotated, entitled "Horizontal Property Act," by providing supplemental rules and regulations for the implementation of the

act, as specifically authorized in Section 66-27-121, Tennessee Code Annotated.

- B. Applicability -- Whenever a developer, the sole owner, or the co-owner of a building or buildings expressly declare through the submission of a master deed, lease or plat their desire to submit their property to a regime, as established and provided by Sections 66-27-101 through 66-27-123, Tennessee Code Annotated, wherein there is established a horizontal property regime, each such condominium or horizontal property regime created under the authority of these provisions for the purpose of sale or transfer of real property is subject to the provisions of these regulations.

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

2-101.503 Determination of Subdivision Type -- Condominium subdivision shall be classified by the Planning Director during the plat review process as either horizontal condominiums or vertical condominiums as defined in Chapter 6 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 5 of these regulations.

2-102 Sketch Plat (Major Subdivisions Only)

2-102.1 Purpose of Sketch Plat -- The applicant may submit a sketch plat to the Planning Commission for approval. The sketch plat is to be a concept plan for design purposes and should be used to discover all factors which may have an impact on the proposed development and to advise the subdivider of various possibilities before substantial amounts of time and money have been invested in a very detailed proposal which may contain elements contrary to these regulations. The sketch plat shall include all contiguous holdings of the owner/developer including any land that may be in "common ownership" as defined in these regulations.

2-102.2 Sketch Plat Requirements -- The sketch plat shall include the information set forth in Section 5-101.

2-102.3 Approval of Sketch Plat -- The number of copies required and timing of the submission shall be as for a preliminary plat. Approval of the plat shall constitute authorization to prepare detailed plans and specifications.

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

2-103 Preliminary Plat (Major Subdivisions Only)

2-103.1 Application Procedure and Requirements -- The applicant shall file with the 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 Section 5-102, shall include all aspects of the sketch plat if approved, and:

- (1) be presented at the office of the enforcing officer at least thirty (30) days prior to the regular meeting of the Planning Commission and be accompanied by the required fee;
- (2) include all land which the applicant proposes to subdivided and all land immediately adjacent, extending two hundred (200) feet from the subject property, 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 seventeen (17) copies of the preliminary plat as described herein; and
- (4) be accompanied by a minimum of three (3) copies of construction plans as described in 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 Planning Director 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 flood prone 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 in a floodway or floodway fringe area by:

- (1) calculations 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 hold a public hearing as required by Sections 13-4-304 and 8-44-102 through 8-44-104, Tennessee Code Annotated, on each plat brought before it.

2-103.4 Preliminary Approval -- After the planning commission has reviewed the preliminary plat, construction review, exhibits and the results of administrative review, the applicant shall be advised of any required changes. The planning Commission shall approve or disapprove the preliminary plat within thirty (30) days after date of the regular meeting of the planning commission at which the hearing on preliminary approval, including adjourned date thereof, is closed. The applicant may waive this requirement and consent to the extension of such period.

A certificate of preliminary approval shall be issued by the planning director 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 or disapproves the preliminary plat, one copy of the proposed preliminary plat shall be returned to the developer with the date of 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. The planning commission is authorized to disapprove the preliminary plat even though the land proposed for subdivision is zoned for the use proposed and the proposed use is consistent with general or land use plan. Failure to comply with these regulations shall be sufficient cause for disapproval.

Before the planning commission approves a preliminary plat showing land for any public use, the planning commission shall obtain approval for the land reservations from the governing body 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 shall be approved provided that no performance bond shall be accepted until at least fifty (50) percent of such improvements are installed. The amount of such bond shall be established by the planning commission based upon the recommendation of the city engineer or by receipt of cost bids from two (2) or more independent contracting firms equal to the cost of all necessary improvements plus ten (10) percent to cover inflation. It is the subdivider's responsibility to furnish these estimates to the planning commission.

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 -- The approval of a preliminary plat shall be effective for a period of one (1) year, at the end of which time final approval of the subdivision plat must have been obtained from the planning commission, although the plat need not have been signed and filed with the county register. Any plat not receiving final approval within the period of time set forth herein shall be null and void and the developer shall be required to submit a new plat for approval subject to any zoning provisions and the subdivision regulations currently in effect. Prior to the expiration of the preliminary approval and upon proper request by the developer, the approval may be extended for one (1) additional year if the commission deems such to be advisable based upon progress made in developing the subdivision.
- 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 Section 2-103.6, herein.
- 2-103.8 Grading of Site Prior to Final Approval -- Subsequent to preliminary plat approval and approval of the construction plans, the developer may apply to the Department of Public Works for a grading permit. Upon receipt of such permit, the developer may commence construction to the grades and elevations and may commence installation of the utility systems required by the preliminary plat and construction plans.

2-104 Final Subdivision Plat (Minor or 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 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 seventeen (17) 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 planning director 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 streets 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 Chapter 5 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 off-site improvements and that all improvements and land included in the irrevocable offers of dedication shall be dedicated to the governing body free and clear of all liens and encumbrances on the premises(s);
- (7) be accompanied by a written assurance from any public utility companies serving the are 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 recreations facilities or if any portion of the site is in common ownership, by the following documentation for approval by the planning commission:
 - (a) plans for improvements and maintenance of the open space or facilities located thereon;
 - (b) articles of incorporation and bylaws of the homeowners association or other legal entity (where open space or facilities are to be dedeed

to a homeowners association or 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 continues 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 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 hold a public hearing as required by Sections 13-4-304 and 8-44-102 through 8-44-104, Tennessee Code Annotated, on each final plat brought before it. The planning commission shall, within thirty (30) days after submission of the plat, approve 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. The applicant may waive this requirement and consent to the extension of such period.

Failure of the planning commission to act upon a plat within the prescribed time shall be deemed approval of the plat and in such event, a certificate of approval, entitling the subdivider to proceed as specified in Sections 2-103.4 and 2-105, of these regulations shall be issued, upon demand, by the planning director.

One copy of the final subdivision plat shall be returned to the subdivider with the date of approval, conditional approval or disapproval noted thereon. A copy of the minutes of the meeting at which the plat was considered may be substituted in this case.

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

2-105 Signing and Recording of Subdivision Plat

2-105.1 Signing of Plat

- (1) When a bond is required, the secretary of the planning commission shall endorse approval on the plat after the bond has been approved by the planning commission and filed with the city to be held as required; 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 governing body 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 subdivider to file the plat with the county register's office within thirty (30) days of the date of signature. After recording, a mylar original and seventeen (17) prints shall be returned to the city for official records. No building permits shall be issued until the recording is complete. In the event the subdivider fails to record said plat within thirty (30) days, said approval shall expire.

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 streets 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 percent (10%) of the total number of lots contained in the proposed plat unless a specific waiver of this requirement is granted by the planning commission.

CHAPTER 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 as specified in Section 2-105.1 of these regulations, all applicants shall complete, in accordance with the planning commission's decision and to the satisfaction of the appropriate governmental representative, all public streets, sanitary and other improvements, including lot improvement on the individual lots of the subdivision, as required in these regulations and as approved by the planning commission and shall dedicate such improvement to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

3-102.1 Performance Bond -- 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 incomplete portion of required improvements. (See Section 2-103.5). The bond may be in the form of an insurance surety bond, a letter of credit or a cashier's check drawn on a local bank.

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 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 one (1) year from date of final approval unless a longer period is specifically authorized by the planning commission.

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 governing body 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 chapter.
- 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 governing body 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 streets, 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 street, easement or other ground shown on the plat. The planning commission may require the plat to be endorsed with appropriate notes to this effect.

3-102 Inspection of Improvements

- 3-102.1 General Procedure -- 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 Certification of Satisfactory Completion -- The governing body shall not accept dedication of required public improvements nor 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 location, dimensions, construction materials and any other information required by the planning commission) that the layout and the lien 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 Sections 1-112.107 and 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 ration 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 percent (25%) 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 governing body 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 lost improvements, for a period of one (1) year after the date of acceptance of the public improvements by the governing body.

3-104 Deferral or Waiver of Required Improvements -- The planning commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interest of the public health, safety and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

Whenever it is deemed necessary by the planning commission to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or other reasons, the developer shall either pay his share of the costs of the future improvements to the governing body prior to signing of the final subdivision plat by the appropriate governmental representative(s) or post a bond or other surety instrument ensuring Completion of said improvements upon demand of the governing body.

3-105 Escrow Deposits for Lot Improvements

3-105.1 Acceptance of Escrow -- Whenever, by reason of the season on the year, any lot improvements required by these regulations cannot be performed, the codes department nevertheless may issue a certificate of occupancy upon submission by the developer of 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 planning director 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 ten of the time period, the planning director 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 governing body 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 planning director, 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-month period in the event the improvements have not been installed properly by the developer.

3-106 Issuance of Building Permits and Certificates of Occupancy

- (1) Where a performance bond has been required for a subdivision, or any section of a subdivision, ~~no~~ a certificate of occupancy for any building in the subdivision or section thereof may ~~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 the final approval of the subdivision plat if the bond is adequate in amount and time left until expiration to assure completion of the required improvements.
- (2) The extent of public street 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 governing body in a sum to be determined by the appropriate governmental representative.
- (3) No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2) lots, for the final two (2) lots of a subdivision, until all public improvements required by the planning commission's resolution of final plat approval have been fully completed, dedicated and accepted by the governmental body.

CHAPTER IV

REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

4-101 General Requirements

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

- (1) all applicable provisions of Tennessee law, regulations or policy;
- (2) any zoning ordinance, any building and housing codes and all other applicable laws or policies of the governing body;
- (3) the adopted general plan and major road or street 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 non-local highway; and
- (6) the standards and regulations adopted by all other boards, commissions and agencies of the governing body, 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 Sections 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 the zoning ordinance or these regulations, such restrictions or reference thereto shall be required to be recorded 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 may be of one of the following types: (1) concrete monuments shall be of concrete not less than eighteen (18) inches in length and must be steel reinforced; not less than four (4) inches square or five (5) inches in diameter; and marked on top with a metal cap bearing the surveyor's name and license number, or company name and have a permanent mark to indicate the exact survey point. or (2) an iron bar monument shall be no less than 5/8 inch in diameter and no less than 24 inches in length with a permanent metal cap a minimum of 2 1/2 inches in diameter with the land surveyor's name, license, or company name and have a permanent mark for the exact survey point. All such monuments shall be set flush with the ground. In case impregnable subsurface material is encountered, an iron

bar may be shortened to a minimum of 12 inches in length, and concrete shall be poured in a 6 inch radius around the bar to a depth of 12 inches. Monuments shall be located and set as follows.

- (1) Monuments shall be located on public street right-of-way lines, at public street intersections and sections and at the beginning and ending point of curves. All monuments shall be spaced so as to be within sight of each other.
- (2) The external boundaries of a subdivision shall be monumented in the field. 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 street or proposed future public street, the monuments shall be placed on the side line of the public street.
- (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 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 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 registered 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 the flooding, improper drainage, unstable soils, 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 flood-proofing 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 pressure;
 - (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 of 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 materials, 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.

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

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

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

4-102 Lot Requirements

4-102.1 Lot Arrangement -- The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography, flood hazards, or other conditions in securing building permits to build on all lots in compliance with the zoning ordinance and state and county public health department regulations and in providing driveway access to buildings on such lots from an approved public street.

Where a reasonably feasible, lot arrangement shall be such that building sites will afford maximum utilization of energy conservation measures, such as providing for solar access purposes.

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 riprap, vegetative cover or other methods deemed acceptable by the planning

commission. Any such fill shall first be approved by the City Engineer and shall be in accord with Goodlettsville Storm Water Management Ordinance.

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

4-102.2 Lot Dimensions -- Lot dimensions shall comply with the minimum standards of the zoning ordinance, where applicable. Where lots are more the 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 streets 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 right angles to street liens or radial to curving street lines.

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.

The minimum lot frontage on a public street shall be fifty (50) feet except for the radius of a cul-de-sac which shall be thirty (30) feet.

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 the 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 established as follows:

<u>Voltage of Line</u>	<u>Building Setback</u>
7.2 KV	15 feet
13 KV	25 feet
46 KV	37 ½ feet
69 KV	50 feet
161 KV	75 feet

4-102.4 Double Frontage Lots and Access to Lot

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 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 pre-covered with soil having an average depth of at least six (6) inches and containing no particles over two (2) inches in diameter over the entire area of the lot, except that portion covered by buildings or included in streets or where the grade has not been changed or natural vegetation seriously damaged.

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

4-102.502 Lot Drainage -- Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area 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 swallowed ditches or in underground pipes on property line easements. Regardless of the location of property lines, intercept will be allowed by 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 year following acceptance of all roads and utilities.

Any sinkhole or natural channel that served at any time as a means of moving ground water into the subterranean conveyances will be protected

by structures 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 minimization of changes in the rate of natural erosion and sedimentation that result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with 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 structural measures 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 street at the time of the issuance of a certificate of occupancy for the lot, and removal of such waste shall be required prior to issuance of any certificate of occupancy. 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.

Materials buried on the site shall be restricted to construction material residue and covered with at least two (2) feet of soil. Any materials with a potential for leaching or groundwater contamination will not be buried on any site under any circumstances.

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 fees of adjacent lots. The planning commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a governmental responsibility.

No more than ten percent (10%) 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 street 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 director.

4-103 Streets

4.103.1 General Requirements

- 4-103.101 Frontage on Improved Public Streets -- No subdivision shall be approved unless the area to be subdivided shall meet the requirements for access set forth in Section 1-112.109 of these regulations. If any new street construction or improvements are involved, such shall be approved and, where public dedicated, as provided in Chapter 2 and 3 of these regulations. Any such public street must be suitably improved to the standards required by this chapter or be bonded by a performance bond required under these regulations, with the roadway and right-of-way widths required by this chapter or the major thoroughfare, street or road plan.
- 4-103.102 Grading and Improvement Plan -- Public streets 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 street prior to the approval of the final plat of the subdivision or of the final approval of any section of the subdivision in question without having been properly inspected.
- 4-103.103 Improvements in Floodable Areas -- The finished elevation of proposed public streets 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 streets to determine compliance with this requirement. All drainage structures shall be sufficient to

discharge flood flows without increasing flood height. Where fill is used to bring the finished elevation of any public street 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. Any such fill shall first be approved by the City Engineer and shall be in accord with the Goodlettsville Storm Water Management Ordinance.

4-103.105 Topography and Arrangement

- (1) All public streets 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 streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall not be permitted. Specific design standards are contained in Section 4-103.2 of these regulations.
- (2) All public streets shall be properly integrated with the existing and proposed system of public streets and dedicated rights-of-way as established on the major street or road plan or the land use plan.
- (3) All public streets 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.
- (4) Minor public streets shall be laid out to conform as much as possible to the topography; to discourage use by through traffic; to permit efficient drainage and utility systems; and to require the minimum ways necessary to provide convenient and safe access to property.
- (5) The use of curvilinear streets, cul-de-sac, or “U” shaped streets shall be encouraged where such use will result in a more desirable layout.
- (6) Proposed public streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the planning commission, such extension is not necessary or desirable for the coordination of the subdivision design with the existing layout or the most advantageous future development of adjacent tracts.
- (7) In business and industrial developments, public streets 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

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block width may be permitted in blocks adjacent to major public streets, railroads or waterways.
- (2) The lengths, widths and shapes of blocks shall be determined with due regard to:
 - (a) provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - (b) any zoning requirements as to lot sizes and dimensions;
 - (c) needs for convenient access, circulation, control and safety of vehicular and pedestrian traffic; and
 - (d) limitations and opportunities of topography.
- (3) Block lengths in residential areas shall not exceed sixteen hundred (1,600) feet nor be less than two hundred (200) feet, except as the 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.
- (4) Blocks designed for industrial or commercial uses shall be of such length and width as may be deemed suitable by the planning commission.
- (5) In 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.

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

- 4-103.107 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:

- (1) the subdivision of lots so as to back on the arterial or collector route and front on a parallel minor route;
- (2) 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 street, with the rear liens of their terminal lots backing onto the arterial or collector route; or
- (3) a marginal access or service public street, 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 streets entering on arterial collector routes shall be kept to a minimum.

4-103.108 Reserve Strips -- The creation of reserve strips adjacent to a proposed public street in such a manner as to deny access from adjacent property to such public way shall generally not be permitted.

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

- (1) Arrangement of Continuing Public Streets -- The arrangement of public streets shall provide for the continuation of public streets 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 street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary T-shaped or L-shaped turnout shall be provided on all temporary dead-end streets as required in the following turnout standards, with a notation on the subdivision plat that land outside the normal public street right-of-way shall revert to abutting property owners whenever the street is continued.
- (2) Dead-End Public Streets -- Where a public street 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 utilizes. A cul-de-sac turnout shall be provided at the end of a dead-end street in accordance with the design standards of these regulations.

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

4.103.2 Design Standards

- 4.103.201 Purpose -- In order to provide streets 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 streets so as to compose a convenient and safe system and avoid undue hardships to adjoining properties, the street design standards set forth in this section are hereby required. (Public street classification shall be as indicated on the land use plan or major street or road plan; otherwise the street shall be classified by the planning commission according to the definitions in Article 6 of these regulations.)
- 4.103.202 General Design -- The general design of all public streets shall conform to the standards in the tables which follow hereafter.
- 4.103.203 Intersections
- (1) Public streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be permitted. An oblique street 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) streets shall intersect at any one point unless specifically approved by the planning commission.
 - (2) Proposed new intersections along one side of an existing street shall coincide, wherever practicable, with any existing intersections on the opposite side of such street. Jogs within streets having center line offsets of less than one hundred fifty (150) feet shall not be permitted, except where the intersected streets have separated dual drives without median breaks at either intersection. Where street intersect arterial or collector routes, their alignment shall be continuous. Intersections of arterial or collector streets shall be at least eight hundred (800) feet apart.
 - (3) Minimum curb radius at the intersection of two (2) minor streets shall be twenty-five (25) feet and minimum curb radius at an intersection involving a collector street shall be thirty (30) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

GENERAL DESIGN STANDARDS FOR PUBLIC STREETS

IMPROVEMENT	RESIDENTIAL STREET	NONRESIDENTIAL STREET (INDUSTRIAL COMMERCIAL; OTHER)
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Minimum Right-of-Way Width (In Feet)

Minor	50	60
Collector	60	60 or (See Below)*
Arterial	*	*

Minimum Width of Roadway or Paved Area (In Feet) Not Including Parking Requirements, Shoulders or Ditches

	<u>Ditch Section</u>	<u>Curb & Gutter</u>	<u>Ditch Section</u>	<u>Curb & Gutter</u>
Minor	24	24	24	38
Collector	24	38	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 2/5ths of an inch per foot.

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

Minor	100	200
Collector	300	300
Arterial	500	500

* As determined by city engineer.

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

IMPROVEMENT	RESIDENTIAL STREET	NONRESIDENTIAL STREET (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	100	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 Culs-de-sac on Minor Street (In Feet)

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

Length of Cul-de-sac

Permanent	500 feet
Temporary	1,000 feet

Minimum Radius (In Feet) of Return at Intersections

At Right-of-way	25	30
At Pavement	30	50

*** The sight distance is measured from a point 4 ½ feet above the center line of the street surface to a point 4 inches above the center line of the street surface.

- (4) Where a street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide adequate sight distance.
- (5) Intersections shall be designed with a flat grade wherever practicable. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2) grade for a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.
- (6) The cross-slope on all streets, including intersections, shall be three percent (3%) or less.
- (7) An alternative paving scheme for a cul-de-sac may be required. A fourteen (14) foot travel lane may be constructed in the turn-around area with the remaining center island to be landscaped and containing at least one (1) canopy tree.

4-103.204 Excess Right-of-Way -- A slope easement in excess of the right-of-way designated in these regulations may be required 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 to 1). Where solid rock is encountered, slopes shall be one-half to one (1/2 to 1).

4-103.205 Railroads and Limited Access Highways -- Railroad rights-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:

- (1) In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designed on the plat: "This strip is reserved for screening; the placement of structures hereon is prohibited."
- (2) In commercial or industrial areas, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial.
- (3) Public streets parallel to a railroad, when intersecting a street which crosses the railroad at grade, shall to the extent practicable, be at a distance at least one hundred fifty (150) feet from the

railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

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

4-103.3 Right-of-Way Width Dedication on Existing Streets -- Where a subdivision adjoins an existing narrow street or where the major street or road plan or any zoning setback provisions indicate plans for realignment or widening of a street 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 street as set forth below:

- (1) the entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street; or
- (2) when the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the center line of the existing pavement, shall be provided.

4-103.4 Street Surfacing and Improvements -- After all underground utilities have been installed, the subdivider shall construct curbs or curbs with gutters, where required, and shall surface or cause to be surfaced streets to the widths prescribed in these regulations. No street shall be surfaced until preliminary approval of the subdivision plat 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 city, but in no event shall such construction be below the construction specifications as adopted by the Department of Public Works. Adequate provision shall be made for culverts or other drains, and bridges, as required.

All street pavements, shoulders, drainage improvements and structures, any curb turnabouts and sidewalks shall conform to all construction standards and specifications adopted by the Department of Public Works and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.

4-104 Street Construction Specifications -- The street construction specifications are-adopted by the Department of Public Works. 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 is not in conformity with the Stormwater Management Ordinance as adopted and amended by the city. 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 either prior to or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width and shall be constructed in accordance with the construction specifications adopted by the Department of Public Works.

4-105.202 Accessibility to Public Storm Sewers

- (1) Where a public storm sewer is accessible, the developer shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of stormwaters, subject to the specifications of the city engineer. Inspection of facilities shall be conducted to assure compliance and be conducted by the city engineer.
- (2) If a connection to a public storm sewer will be provided eventually, as determined by the city engineer, the subdivider shall make arrangements for future stormwater disposal by a public system at the time the plat receives a 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 or land use plan.

4-105.204 Effect on Downstream Drainage Areas -- The governing body 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 city engineer 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 street 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-restricted 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 city engineer based upon the review specified in Section 2-103.2 of these regulations and the submission of flood data in construction plans as specified in Section 5-103 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 populations of the are or necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the floodplain of any stream or drainage course. The regulatory floodway shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material or stumps. Any subdivision that contains flood-prone land shall be subject to the special provisions set forth in Sections 2-101.4, 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, drainage way, channel or stream, a stormwater easement or drainage right-of-way shall be provided conforming substantially to the lines of such watercourse and of such width and construction as shall be adequate for the purpose. Where open drainage ways are utilized, they shall be designed in accord with the Goodlettsville Storm Water Management Ordinance.

4-105.302 Drainage Easements

- (1) Where topography or other conditions are such as to make impracticable the inclusion of drainage facilities within a street right-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such facilities shall be provided across property outside the street lines and with satisfactory access to streets. The

planning commission may approve a lesser or greater width for special situations upon the recommendation of the City Engineer. Easements shall be indicated on the preliminary and final plats. Drainage easement shall be carried from the public way to a natural watercourse or to other drainage facilities.

- (2) When a new drainage system is to be constructed which will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- (3) The applicant shall dedicate, when required by the planning commission, either in fee or by drainage or conservation easement, the land on both sides of an existing watercourse to a distance to be determined by the planning commission.
- (4) Along watercourses, low-lying lands within any floodway, as determined by the planning commission pursuant to Section 2-103 of these regulations, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways.

4-105.303 Ditching, Concrete Ditch Paving 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 city 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) Where a public water main is within reasonable access of the subdivision, as determined by the planning commission, the subdivider shall install adequate water facilities, including fire hydrants, subject to construction and material specifications, approval of the Department of Public Works, the Tennessee Department of Health and Environment and these regulations.
- (3) The sizes of water mains shall not be less than (6) inches in diameter except for dead-end streets specifically authorized by the planning commission. Where the commission deems appropriate, water main sizes shall be determined by the required fire flow.
- (4) All water systems, whether public or private, located in a flood-prone area shall be flood-proofed to the regulatory flood protection elevation. All water supply facilities located below the regulatory flood protection

elevation shall be designed to prevent the infiltration of floodwaters into the water supply system and discharges from the system into floodwaters.

- (5) All water systems shall comply with the specifications for construction of the appropriate utility districts, water department and/or the Goodlettsville Public Works Department.

4-106.2 Fire Hydrants -- Fire hydrants shall be required in all subdivisions; 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 type of structures so warrant. To eliminate future street cuttings 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 or a street shown on the subdivision plat, unless otherwise approved by the planning commission.

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 Health and Environment and by standards and specifications of the Goodlettsville Department of Public Works. All plans shall be designed and approved in accordance with the rules, regulations, specifications and standards of the Department of Public Works.

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 Health and Environment.
- (2) All sanitary sewer facilities located in a flood hazard area shall be flood-proofed to the regulatory flood protection elevation. All 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 these and all other applicable 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.

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. The design specifications of the Department of Public Works shall apply.

The minimum size of a public sewer line shall be eight (8) inches in diameter with individual lot service liens a minimum of four (4) inches.

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 easement are to be of an adequate width for service purposes, but in no case less than twenty (20) feet.

4-108 Pedestrian Ways

4-108.1 Sidewalks and Bicycle Paths -- Sidewalks shall be provided on both sides of a street in any development with lot sizes of 20,000 square feet or smaller, on one side of a street in any development with lot sized of more than 20,000 square feet, and shall be included within the dedicated non-pavement right-of-way of all streets and shall be improved as required by the Department of Public Works. Concrete curbs are required for all public ways where sidewalks are to be constructed (exceptions may be made, on a case by case basis, where it is determined by the Department of Public Works that site drainage is improved by the installation of ditch section streets. In those instances, sidewalks may be placed at a location other than immediately adjacent to the grassed or landscaped area. A median strip of grassed or landscaped area at least two (2) feet wide shall separate all sidewalks from adjacent curbs. All sidewalks shall be a minimum of five (5) feet width.

The planning commission may require bicycle paths or lanes where it is determined such paths would be beneficial to a development and to the city to meet alternative transportation needs.

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

4-109 Utility Easements

- (1) Easements along 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.
- (2) Where topographical or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least twenty (20) feet in width shall be provided along side lot liens with

satisfactory access to public ways or rear lot lines. Easements shall be indicated on the plat.

- (3) 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, or other public facility use, as indicated on the land use plan 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 purchase or required dedication, 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 or use 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 outlines 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 of Property Owner -- Open 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 Reservations -- 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 said owner 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 the 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 the 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 street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) proposed industrial parcels shall be suitable in areas and dimensions to the types of 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 planning commission with respect to any street, curb, gutter and sidewalk design and construction specifications;
- (4) special requirements may be imposed by the Department of Public Works 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 nuisances 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) streets carrying nonresidential traffic, especially truck, normally shall not be extended to the boundaries of adjacent existing or potential residential areas.

4-113 Electrical, Telephone and Cable Services – All electrical, telephone and cable service wires shall be placed underground.

4-114 Street Lights

Street lights: Subdivider shall make provision for the installation of all street lighting poles, brackets and lights, the specifications for which shall comply with standards established by Nashville Electric Service (NES). When such equipment is to be placed within any area or street proposed for dedication and city acceptance, it shall be both supplied and installed by NES or their designee. (Sample Language)

Sub-divider shall make provisions to furnish and install complete underground street lighting system including, but not limited to, conduit, conductors, concrete footings, street lighting poles, hardware, lights, controls, etc. The materials and installation for the street lighting system shall comply with standards established by Nashville Electric Service (NES). When such equipment is to be placed within any area or street proposed for dedication and City of Goodlettsville acceptance and/or maintained by NES, it shall be both inspected and approved by NES.

Sub-divider shall submit to the City of Goodlettsville scaled drawings of lighting locations and photometric calculations for approval of lighting levels by the City of Goodlettsville. Footcandle levels shall be in accordance with requirements set forth by the City of Goodlettsville.

The City will pay the cost of electricity to operate lights in new residential developments once the development is accepted by the city commission. Payment will be made only for street intersections, hazardous curves, cul-de-sacs longer than 200 feet, and areas with a high accident rate. Developers and homeowners' associations desiring additional lighting must make other arrangements with NES for payment of installation and operating cost.

CHAPTER V

SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

5-101 Sketch Plat

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

5-101.2 Features -- The sketch plat shall show:

- (1) a scale drawing of the property and the names of the owners of adjoining property;
- (2) size of the original tract(s) being subdivided;
- (3) notation of any existing legal rights-of-way or easements, or other encumbrances affecting the property;
- (4) approximate topography of the site, at no more than five (5) foot intervals, extended into adjacent properties;
- (5) any areas which may be affected by flooding;
- (6) general street and lot patterns;
- (7) preliminary proposals for water and sewer services;
- (8) proposed phasing, if any;
- (9) vicinity map of property;
- (10) date and approximate north point;
- (11) name of owner;
- (12) name of plat designer and surveyor's stamp;
- (13) zoning classification.

5-102 Preliminary Plat

5-102.1 General -- The preliminary plat shall be prepared by a surveyor, landscape architect, architect, land planner or engineer engaged in the practice of civil engineering, at a convenient scale no smaller than two hundred (200) feet to an inch. The sheets shall be numbered in sequence if more than one sheet is used.

The map prepared for the preliminary plat may be used for the final subdivision plat and should be permanently reproducible.

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 street(s);
- (2) the names of all adjoining property owners of record, or the names of adjoining developments;
- (3) the names of adjoining streets;
- (4) the location and dimensions of all boundary lines of the property, expressed to the nearest hundredth of a foot;
- (5) the location of existing streets, easements, water bodies, streams and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches and bridges, as determined by the planning commission;
- (6) the location and width of all existing and proposed easements, alleys and other streets and building setback lines;
- (7) the location, scale dimensions and area of all proposed or existing lots;
- (8) the location of culverts, driveway tiles and associated drainage structures along with necessary easements; electrical and telephone easements;
- (9) the position 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, 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 or other professional person 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 streets, 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 streets and to an original corner of the original survey of which it is a part;
- (18) key map showing relation of the subdivision to all streets, railroads and water courses in all directions to a distance of at least on-half mile (suggested scale: one inch to one thousand (1,000) feet);
- (19) contours at vertical intervals of not more than two (2) feet where the proposed subdivision has an average slope of five percent (5%) or less, or at vertical intervals of not more than five (5) feet where the average slope exceeds five percent (5%); contours to be field surveyed or taken from acceptable serial photographs;
- (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 shall be shown:
 - (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, or an alternative on site disposal system;
 - (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:

Approved by the Goodlettsville Planning Commission, with such exceptions or conditions as are indicated in the minutes of the Commission on _____.
Date

Preliminary plat approval shall not constitute final approval for recording or other purposes.

5-103 Construction Plans

5-103.1 General -- 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 Chapter 4 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 licensed engineer engaged in the practice of civil engineering.

Formatted

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 streets.
- (2) Where a proposed road intersects an existing street, the elevation along the center line of the existing street within one hundred (100) feet of the intersection.
- (3) Approximate radii of all curves, lengths of tangents, percent grade and central angles on all streets.
- (4) Proposed streets, as required by the planning commission; where such as required, horizontal stationing shall be 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 street at the following points: the center line of the street, 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 street pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes and catch basins.
- (6) The location of street signs, lights and trees.

- (7) The location, size and invert elevations of existing and proposed sanitary sewers, storm water drains and fire hydrants showing connection to any existing or proposed utility system.
- (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 streets, sewers, drains, water mains, easements, water bodies, streams and other pertinent features such as swamps, railroads, buildings and features noted on the land use plan or major street or road plan.
- (10) The water elevations of adjoining lakes or streams and the approximate high-water 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 know 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 flood proofing 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 streets;
 - (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.
- (14) Contours at the same vertical interval as on the preliminary plat.
- (15) 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 city.
- (16) A notation of construction plans approval by appropriate persons or governmental representatives.
- (17) Title, name, address, stamp and signature of engineer who prepared the plans.
- (18) Date of plans, including any revision dates.
- (19) An erosion and sediment control plan shall be prepared to submit construction plans for each development. Such plan shall demonstrate the manner in which the general principals for erosion and sediment control set out in 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 transparent drafting material at a scale no smaller than one hundred (100) 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 acres. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets numbered in sequence.

Construction plans, if required as described in Section 5-103 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 streets.
- (2) The names of all adjoining property owners of record or the names of adjoining developments.
- (3) The names of adjoining streets.

- (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 of a foot balanced and closed with a closure error not to exceed one (1) to five thousand (5,000). The survey shall be tied into the Tennessee Grid Coordinate System.

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 street intersection.

- (5) The location of all streets, 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 of all easements and rights-of-way for streets and the building envelope for each lot.
- (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 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 reservations, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservations.
- (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 character and by-laws of any homeowners association established; and 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 or other person 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 streets and curved property lines that are not the boundary of curved streets. The location of all monuments and pins shall be indicated on the plat.
- (16) The names of all streets.
- (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.
- (20) Lot numbers.
- (21) The line size and location of water and sewer facilities.
- (22) The location of all fire hydrants.
- (23) The diameter and width of all driveway culverts.
- (24) 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).
- (25) 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.

- (26) State Department of Health and Environment, public water and sewer design layout and approval stamps, if applicable; also, actual design plans for filing in appropriate governmental representative's office.
- (27) Commitment notes may be printed and stamped on the final plat reflecting location and dimensions 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

- (a) Certification showing that the applicant is the landowner; that he offers for dedication streets, 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 streets, utilities, and other facilities have been filed.

_____, 20__ _____

Title (if acting for partnership or corporation)

- (b) Certification by a registered land surveyor as to the accuracy of the land survey and placement of monuments.

CERTIFICATE OF ACCURACY

I (we) hereby certify that this is a true and accurate survey of the property shown hereon to the accuracy required by the Goodlettsville Planning Commission and that the monuments have been placed as required by those regulations. This is a category I Land Survey and the ratio of precision of the unadjusted survey is equal to or greater than 1:10,000.

_____, 20__ _____
Date Registered Land Surveyor, Number ____

- (c) Certification by appropriate 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 water system(s) outlined or indicated on the final subdivision plat entitled _____ has/have been installed in accordance with current local and state government requirements, or a sufficient bond or other surety has been filed to guarantee said installation.

_____, 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 cash has been filed which will guarantee said installation.

_____, 20____
Date Name, Title and Agency or
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 systems shall be approved by the local health authority.

_____, 20____
Date Local Health Authority

- (d) Certification on the final plat by the Director of Public Works that the subdivider has complied with one of the following:

- (i) installation of all street(s) improvements in accordance with the requirements of these regulations, or

- (ii) in lieu of compliance with subdivision improvement requirements, certification that surety has been posted by the subdivider in an amount approved by the city engineer to guarantee completion of all improvements.

CERTIFICATE OF APPROVAL OF STREETS OR BOND POSTING

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

_____, 20____ _____
Date Director of Public Works

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

CERTIFICATION OF COMMON AREAS DEDICATION

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

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.

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

_____, 20____ _____
Date Owner

- (f) Certification on the final plat of planning commission approval for recording of the plat.

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Goodlettsville 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

(g) Notation of Possible Flooding – If any portion of the land being subdivided is subject to flooding as defined in these regulations, a notation shall be made on the plat that development or modification of the land within any floodway delineated 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.

(h) 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.

(i) Notation of Private Restrictions -- Private restrictions and trusteeships and their periods of existence shall be indicated on the plat. Should these restrictions or trusteeships 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 trusteeships are of record, the plat shall note where they are recorded.

5-105 Form of Dedication Offer -- The form of the offer or irrevocable dedication, required by 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 planning director.

GOODLETTSVILLE MUNICIPAL PLANNING COMMISSION
FORM FOR
OFFER OF IRREVOCABLE DEDICATION

AGREEMENT made this _____ day of _____, 20____,
by and between _____, a _____, having its
office and place of business at _____, hereinafter designated
as “developer” and Goodlettsville, Tennessee, having its principal office at Goodlettsville,
Tennessee, hereinafter designated as the “local government”.

WHEREAS, the Goodlettsville Municipal 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 Goodlettsville 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 city 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 \$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:

1. 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 commission.
2. The developer that said formal offer of dedication is irrevocable and can be accepted by the city at any time.
3. The developer agrees to complete the construction and maintenance of the land and improvements pursuant to the performance bond and the requirements of the Goodlettsville Municipal 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.
4. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, grantees, successors or heirs of the developer.

_____, 20____ _____
Date Developer

(CORPORATE SEAL)

ATTEST:

_____, 20____

FOR THE CITY OF GOODLETTSVILLE BY: _____

_____, 20____
Date

ACKNOWLEDGEMENT:
CO-PARTNERSHIP

STATE OF TENNESSEE)

COUNTY OF SUMNER/DAVIDSON) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me know and know to me to be one of the firm of _____, described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed such instrument as and for the act and deed of said firm.

CORPORATE

STATE OF TENNESSEE)

COUNTY OF SUMNER/DAVIDSON) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me know, who, being by me first duly sworn, did depose and say that he resides in _____; that he is the _____ of _____, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.

INDIVIDUAL

STATE OF TENNESSEE)

COUNTY OF SUMNER/DAVIDSON) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me known and know to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

5-106 Forms of Performance Bond -- The form of the performance bond, required by Section 2-104.1, item 6, and Chapter 3 of these regulations, shall be as one of the forms reproduced in this section and approved by the city attorney.

Copies of these forms may be obtained at the office of the planning director.

GOODLETTSVILLE MUNICIPAL PLANNING COMMISSION
FORM FOR
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 City of

Goodlettsville 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 Goodlettsville Municipal Planning Commission for approval of a subdivision shown on plat entitled " _____

_____,"
filed with the planning director of the City of Goodlettsville on _____, 20__, said final plat being approved by the Goodlettsville Municipal Planning Commission upon certain conditions, one of which is that a performance bond in the amount of _____ DOLLARS (\$) is to be filed with the planning commission to guarantee certain improvements in the subdivision named above,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above named Principal shall within one (1) year from the date hereof (time may be extended for one year only beyond this period by the 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, then this obligation is to be void; otherwise to remain in full force and effect.

It is hereby understood and agreed that in the event that nay required improvements have not been installed as provided by said regulations, within the term of this Performance Bond, the

planning commission may there upon declare this bond to be in default and collect the sum remaining payable thereunder, and install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in the subdivision but not exceeding the amount of such proceeds.

Principal

Principal

INSURANCE COMPANY
BY _____
Attorney-in-fact

BOND NO. _____

GOODLETTSVILLE MUNICIPAL PLANNING COMMISSION
FORM FOR
IRREVOCABLE DOCUMENTARY LETTER OF CREDIT

1. DATE OF ISSUE _____
2. CREDIT NO. OF ISSUING BANK _____
3. CREDIT NO. OF ADVISING BANK _____
4. ADVISING BANK _____
5. ACCOUNTEE _____
6. BENEFICIARY, MAIL TO _____
7. LATEST PERFORMANCE DATE _____
8. LATEST DATE FOR NEGOTIATION _____
9. MAXIMUM AMOUNT _____
10. We hereby issue this Documentary Letter of Credit in your (the beneficiary's) favor which is available against your drafts at _____ drawn on _____ Bank,

_____, Tennessee, bearing the clause “Drawn under _____
Bank, _____, Tennessee, Credit No. _____” accompanied by the
following document:

A Certificate of Default signed under oath by the city manager of the City of Goodlettsville 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 city, 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 use.

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

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

_____ Bank

Authorized Signature, Issuing Bank

Authorized Signature, Issuing Bank

The City of Goodlettsville may also accept a letter of credit on a standard form for the bank that issues the letter of credit.

CHAPTER VI

DEFINITIONS

6-101 Usage

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

Arterial Street or Road -- A major public street as identified by the adopted Major Thoroughfare Plan.

Block -- A tract of land bounded by streets or by a combination of streets, 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 -- The incorporated City of Goodlettsville, Tennessee.

Collector Street or Road -- A major public street intended to move traffic from local streets to arterial routs. Collector routes serve a neighborhood or large subdivision(s) and normally have an average daily traffic count ranging from 1,001 to 3,000.

Common Elements -- Any portion of a condominium which is held in common by owners or 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 the land or of a building or system of buildings under the provisions of Title 66, Chapter 27, Tennessee Code Annotated, which provides the mechanics and facilities for formal filing and recordation 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 -- 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.

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 city 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 planning director 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 Annotated, 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 governing body.

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.

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 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 street 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 13-3-301, 13-3-302 and 13-4-102, Tennessee Code Annotated.

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

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 Annotated.

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

Internal Subdivision Boundary -- All property or street lines 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.

Land Use 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 Annotated, 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 (also city attorney).

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

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

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 street which is classified as a collector or arterial street 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 Annotated, showing, among other things, “the general location, character and extent of public streets...(and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public streets...”

Major Subdivision -- All subdivisions not classified as minor subdivisions including but not limited to subdivisions of more than five (5) lots or subdivisions of any size requiring any new or improved road, the extension of utilities, or the creation of any public improvements or containing any floodprone area.

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

Minor Subdivision -- Any subdivision containing five (5) or fewer lots fronting on an existing street not involving any new or improved street, the extension of utilities, or the 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 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.

Off-Site -- 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 one (1) percent 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 -- The Goodlettsville Planning Commission established pursuant to Title 13, Tennessee Code Annotated, 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.

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 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 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 street, 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 street 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.

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 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 division requiring new street or utility construction, or any division of five (5) acres or less for the purpose, whether immediate or future, or 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 Annotated.)

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, collectors or water which may be expected to be found above or below surface.

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

CHAPTER 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 _____ day of _____, 20__, and shall be in full force and effect 180 days after adoption. Pursuant to Section 13-4-303, Tennessee Code Annotated, a public hearing was held on these regulations May 2, 2005 at 5:00 PM at the Goodlettsville City Hall, in Goodlettsville, Tennessee, in Goodlettsville, Tennessee notice of which was given by publication in The Community Ledger of March 31, 2005.

Chairman

Date

ATTEST:

Secretary

Date