

# **TULLAHOMA MUNICIPAL – REGIONAL PLANNING COMMISSION MEMBERS**

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**DRAFT DATE- February 11, 2015**

**CITY OF TULLAHOMA  
SUBDIVISION REGULATIONS**

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**ARTICLE 1  
GENERAL PROVISIONS**

**101 Title**

Regulations establishing the minimum requirements for the design standards of subdivisions; for the surveying and platting requirements thereof; providing for certain preliminary and final plat requirements, and for the submission, review, and approval of same; for the recording of the final plat; defining certain terms used herein; providing for the administration and enforcement and the penalties for violation thereof; providing for the means and adoption and amendment; repealing all regulations, resolutions, ordinances and/or codes in conflict herewith.

**101.1 Short Title**

These regulations shall be known as the: Subdivision Regulations of the City of Tullahoma

**102 Intent of Regulations**

**102.1** It is hereby declared to be the policy of the City of Tullahoma to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City of Tullahoma pursuant to the Comprehensive Plan of the City of Tullahoma for the orderly, planned, efficient, and economic development of the City of Tullahoma.

**102.2** Land to be subdivided shall be of such character that it can be used safely for building or other purposes without danger to health or peril from fire, flood, or other menace.

**102.3** The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Comprehensive Development Plan, Major Transportation Plan, and the Capital Improvement Budget Program of the City of Tullahoma and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, zoning ordinances, Comprehensive Plan, and Capital Budget Program of the City of Tullahoma.

**103 Purposes**

The regulations are adopted to provide for the harmonious development of the City of Tullahoma; for the coordination of roads within the subdivided land with other existing or planned roads or with the state or regional plan or with the plans of municipalities in or near the region; for adequate open spaces for traffic, light, air and recreation; for the conservation of or production of adequate transportation, water, drainage and sanitary facilities; for the avoidance of population congestion; and for the avoidance of such scatter or premature subdivision of land as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation or other public services or would necessitate an excessive expenditure of public funds for the supply of such services.

## **104 Authority**

The authority for these regulations has been established by virtue of the powers vested by the State of Tennessee in TCA Sections 13-3-401 through 13-3-411 and TCA Sections 13-4-301 through 13-4-309.

### **104.1 Approving Agency**

In accordance with the provisions of T.C.A. Sections 13-3-402 and 13-4-302 (2) (Public Acts of Tennessee, 1935, as amended, and provisions of these regulations shall be administered by the TULLAHOMA MUNICIPAL REGIONAL PLANNING COMMISSION. The Planning Commission does hereby exercise the power and authority to review, approve, and disapprove plats for the subdivision of land within the limits of the City of Tullahoma and the Tullahoma Planning Region that show lots, blocks, or sites with or without new streets or highways.

**104.2** Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to the Regional Planning Commission and to the Municipal Planning Commissions in T.C.A. 13-3-402 and T.C.A. 13-4-302. The developer has the duty of compliance with reasonable conditions required by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economic development of the City of Tullahoma and to the safety and general welfare of the future lot owners in the subdivision and the community at large. (The T.C.A sections 13-3-402 and 13-4-302 are both included since one deals with Municipal Planning Regulations and the other deals with Regional Planning Regulations, which encompasses not only the Incorporated Municipal Limits of the City of Tullahoma, but also the Unincorporated Planning Region of Tullahoma.)

## **105 Jurisdiction**

**105.1** These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the limits of the incorporated area of the City of Tullahoma and the Tullahoma Planning Region.

**105.2** "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and when appropriate to the context, relates to the process of subdividing or to the land or area subdivided." (See T.C.A. 13-4-301)

**105.2.1** These regulations shall not apply to: (See T.C.A. 13-4-407, 13-4-408, 13-3-401 and 13-4-301);

(a) Any subdivision, the plat of which has been recorded prior to February 14, 1935, or

(b) The subdivision of land which will produce tracts of land, all of which are greater than five (5) acres in size which do not require new street or utility construction.

## **106 Interpretations, Conflict and Separability**

**106.1** In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

### **106.2 Conflict with Public and Private Provisions**

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

**106.2.2 Private Provisions** These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction.

### **106.3 Separability**

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all 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 declared that it would have enacted the remainder of these regulations even without any such part, provision, or application.

## **107 Saving Provision**

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, by lawful action of any local government, except as shall be expressly provided for in these regulations.

## **108 Enforcement, Violations, and Penalties**

**108.1** No plat of a subdivision of land lying within the limits of the City of Tullahoma or the Tullahoma Planning Region shall be filed for recording, or recorded, until it shall have been approved by the Planning Commission, and such approval be endorsed in writing on the plat by the secretary of Commission or his duly appointed representative. (See T.C.A. 13-3-402 and 13-4-302)

**108.2** The County Register shall not receive, file, nor record a plat of a subdivision without the approval of the Planning Commission, and the County Register so doing shall be deemed guilty of a misdemeanor, punishable or other misdemeanors as provided by law. (See T.C.A. 13-3-402 and 13-4-302)

**108.3** Any plat of a subdivision recorded by the County Register without the approval of the Planning Commission shall be void.

**108.4** No changes, erasures, modifications, or revisions shall be made on any plat of a subdivision after the plat has been endorsed by the secretary of the Planning Commission unless said plat is first resubmitted to the Planning Commission.

**108.5** Whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the municipal planning commission and obtained its approval as required by these regulations and before such plat be recorded in the office of the County Register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer of other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The City of Tullahoma through its City Attorney or other official designated by the Tullahoma Board of Mayor and Aldermen may enjoin such transfer or sale or agreement by action for injunction. (See T.C.A. 13-4-306)

## **109 Amendments**

These regulations may be amended by the City of Tullahoma Tennessee Municipal Regional Planning Commission at a regular or called meeting. Before the adoption of any amendment, a public hearing shall be held by the Planning Commission, thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in Tullahoma Tennessee. (See T.C.A. 13-3-403 and 13-4-303)

## **110 Fees for Processing Plats**

The Planning Commission may require a fee for each subdivision plat submitted for review. (See Appendix 5)

## **111 Application for Variances**

The developer or surveyor or surveyor/engineer who wishes to request a variance from the requirements of these subdivision regulations shall submit a letter to the Tullahoma Municipal Regional Planning Commission with his plat. The letter shall:

- (a) State precisely the item(s) for which a variance is being requested,
- (b) State the practical difficulty or unnecessary hardship that would be caused by adhering to these regulations,
- (c) State the design alternative(s) that was considered to eliminate the need for the variance(s), and the reason(s) that the design alternative(s) is not practical, and,
- (d) State the detrimental effect to the subdivision or the community if the variance is not granted.

### **111.1 Planning Commission Action of Variance Requests**

In the Planning Commission's actions on subdivision plats, the Planning Commission shall approve, approve with modifications, defer, or disapprove the request for variances before acting on the individual plat. The Planning Commission may grant variances from these

regulations in cases where the Planning Commission determines:

- (a) That unusual physical or other conditions exist which would cause practical difficulty or unnecessary hardship if these regulations are adhered to, and
- (b) That the granting of a variance will not be detrimental to the public interest, and
- (c) That the variance will not be in conflict with the intent and purpose of these regulations.

**111.2** Any variance that is granted, and the justification for granting the variance, shall be in writing in the minutes' of the Planning Commission.

**111.3** In the event that a variance is denied, the reason(s) for denial shall be stated in writing in the minutes of the Planning Commission.

## **112 Appeal**

Any person, firm, or corporation who believes that he has been aggrieved by a decision of the Planning Commission in approving, denying, deferring, or granting a conditional approval of a plat may present their petition to the Tullahoma Board of Mayor and Aldermen.

## **ARTICLE 2 SUBDIVISION PROCEDURE**

### **201 General Principles**

Any person desiring to subdivide any lot, tract or parcel of land, or to change or rearrange any line dividing two or more lots, tracts or parcels of land within the City of Tullahoma shall comply with the procedures established in these regulations; except for those cases exempted in Art. 1, Section 105.2.1.

**201.1** The developer or surveyor or surveyor/engineer is urged to consult the Planning Commission Staff in the earliest concept stages of development to get advice concerning zoning regulations, flood regulations, [storm water regulations](#), the Comprehensive Plan, etc., affecting the site and subdivision procedures.

**201.2** The [Tennessee Department of Environment and Conservation \(TDEC\) Division of Groundwater Protection](#), herein referred to as 'State Health Department' may require a soil study for any subdivision that is not proposed to be connected to a sanitary sewer system. The developer or surveyor or surveyor/engineer should consult with the [State Health Department](#) to determine if a soil survey is needed.

**201.3** The developer or surveyor or surveyor/engineer is urged to consult with the Tullahoma Planning Department regarding proposed street names, plat drafting guidelines, electronic filing requirements, and other aspects of plat production.

**201.4** All plats must be submitted to the Planning Department no later than the last Development Committee Meeting of the month to be placed on that months agenda.

### **202 Major Subdivisions**

### **202.1 Standard Procedure**

The developer, surveyor or surveyor/engineer shall submit ten copies of the sketch plat, preliminary plat, and/or final plat to the Planning Department staff. ~~along with~~ The computer-aided drafting (CAD) file used to produce the preliminary or final plat should be submitted. The CAD file will be used only for the purpose of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered on a single CD-ROM disk formatted for use in computers utilizing the Microsoft Windows operating system. Acceptable CAD formats are to be the current version of software as used by the City of Tullahoma or compatible to the current version of software as used by the City of Tullahoma. Failure to supply the required plat copies and electronic file will result in rejection of the filing. If the filing is rejected by the Tullahoma Department staff as being incomplete, that agency, at its discretion, may either return the filing to the applicant without further review or forward it to the Planning Commission staff along with a note describing the deficiency. Only complete applications should normally be presented to the Planning Commission for approval or rejection; however, when it serves the public interest to present an incomplete application to the Planning Commission, this restriction may be waived at the discretion of the Tullahoma Planning Department Staff. If the filing is rejected by Planning Department staff and returned to the applicant without further review, then there is no submittal of the plat under TCA 13-4-304. Since the plat is not considered to be submitted, the "30-day" deadline in TCA 13-4-304 does not apply.

### **202.2 Special Procedure**

In special situations the developer or surveyor or surveyor/engineer may elect to submit the preliminary plat and the final plat simultaneously. The two plats may be approved simultaneously if the ~~Health Department, the~~ City of Tullahoma, the Planning Commission staff, and all other affected agencies and/or utilities have no objections. ~~Generally, this procedure will apply only if the soil survey (if required) has been submitted with the plat.~~ Any developer proposing to use this Special Procedure should consult or have his surveyor or surveyor/engineer consult with the Planning Commission staff at an early stage.

### **202.3 Planning Commission Action**

The Planning Commission will act to approve, deny, defer or conditionally approve the sketch plat, preliminary plat, and final plat. The developer and the subdivision surveyor or surveyor/engineer will be notified of the Planning Commission's action. The Planning Commission should not defer action on a subdivision unless the developer has agreed to such a deferral in writing.

### **202.4 Effect of Approval of the Preliminary Plat**

Approval of the preliminary plat indicates general approval of the arrangement of streets, lots, and drainage as a guide to the preparation of the final plat. After the approval of the preliminary plat, the construction plans, and after consultation with the governmental engineer, the developer may start construction of the streets and other improvements.

### **202.5 Reasons for Denial of a Sketch Plat or Preliminary Plat**

The Planning Commission may deny a plat for any of the following reasons:

- (a) Failure of the plat to conform to the standards set out in these regulations,
- (b) Approval of the plat would be detrimental to the public safety, health, or general welfare.

(c) Failure to conform to the standards set out in Articles 4 and 5 of this document.

#### **202.6 Reasons for Denial of a Final Plat**

The Planning Commission may deny a plat for any of the following reasons:

- (a) Failure of the plat to conform to the Preliminary Plat,
- (b) Failure of the plat to conform to the Approved Construction Plans,
- (c) Failure to conform to the standards set out in Article 7 of this document.

#### **202.7 Deed Restrictions, Protective Covenants and Home Owners Association**

If applicable, the Planning Commission may require that one copy of deed restrictions, protective covenants, and/or the document setting up a homeowners association that the developer proposes to impose on the subdivision be filed with the Preliminary Plat or Final Plat as directed.

#### **202.8 Geologic Survey**

If applicable, the Planning Commission may require that a geologic survey be made of the subdivision and that the geologic survey be submitted to the Planning Commission staff before the Planning Commission proceeds with the review process.

### **203 Minor Subdivisions**

#### **203.1 Standard Procedure**

A Minor Subdivision is any subdivision containing less than five (5) lots fronting on an existing street or public way, not involving any new or improvement of streets, the extension of public facilities, or the creation of any public improvements. A Preliminary Plat is not required for a Minor Subdivision, but all other provisions of Section 202 of these regulations for a Major Subdivision apply to the Minor Subdivision.

### **204 Corrective Plats and Revised Plats**

#### **204.1 Purpose**

To facilitate the re-recording of existing plats with minor corrections or amendments.

#### **204.2 Qualifications for Corrective Plats and Revised Plats**

- (a) Minor shifting of lot lines.
- (b) The addition or changing of easements.
- (c) Changes in notations on the original recorded plat. Any other changes which will not increase the number of lots or their suitability for development.

#### **204.3 Corrective Plat and Revised Plat Procedure**

**204.3.1** The plat is drawn to meet corrective and revised plat requirements stated below and submitted to the Tullahoma Planning Department Staff. There is no deadline for this kind of plat.

**204.3.2** All corrected plan/plat files for consideration of the Planning Commission must be submitted at least 15 days prior to the regular Formal Meeting of the Planning Commission. The applicant can submit a filing in several ways. Submit two (2) paper copies if the plat was not prepared using CAD and is otherwise not available in electronic form. If the plat was prepared using CAD or is otherwise available in electronic form,

submit either the CAD file on an acceptable computer medium or as an attachment to an electronic mail note. The applicant may choose to submit two (2) paper copies of any plat, but these are not required with CAD submittals. A CAD file submittal will be used only for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors. It shall be delivered for use in computers utilizing the Microsoft Windows operating system on a single CD-ROM disk formatted or as an electronic mail attachment. Acceptable CAD file formats are to be the current version of software as used by the City of Tullahoma or compatible to the current version of software as used by the City of Tullahoma. Failure to supply the required CAD file, delivery of fewer than two (2) paper copies if an electronic filing is not made, or delivery of unacceptable materials will result in rejection of the filing by the Tullahoma Planning Department staff. If the filing is rejected by the Tullahoma Planning Department staff, then there is no submittal of the plat under TCA 13-4-304, since the plat is not considered to be submitted, the "30day" deadline in TCA 13-4-304 does not apply.

**204.3.3** The Tullahoma Planning Department staff reviews the paper copies, CAD file, or electronic file, as appropriate, to ensure that all required elements are present and legible, that the plat and electronic file, if submitted jointly, are consistent, and that the location data are correct. Any deficiencies or concerns will be noted on a paper or electronic copy of the plat and will be forwarded to the Planning Department Staff. The Planning Department Staff reviews the submittal. If paper copies are submitted, one paper copy is returned to the developer, surveyor, or other appropriate person by the Planning Department Staff. Planning Department Staff response to plats submitted only by electronic means shall be electronically transmitted.

**204.4 Corrective Plat and Revised Plat Requirements** The following are the minimum requirements for corrective plats and revised Plats.

**204.4.1** Subdivision Name that reflects the change, (e.g. Re-subdivision of Lots 25 through 29 and Lots 43 and 44, Highland Estates).

**204.4.2** Purpose statement that tells exact purpose of the plat and/or change, (e.g., Purpose of Plat: To abandon and show new property lines between lots 25 through 29, and to abandon the drainage easement and relocate it as shown in lots 43 and 44. See ROCC Book, Page for previous recording and for other notes and restrictions).

**204.4.3** Vicinity Map.

**204.4.4** Certification of Ownership, address(es), telephone number(s) and signature(s) of all property owners involved.

**204.4.5** Certification of Accuracy of Survey, seal, address and signature of plat surveyor or surveyor / engineer.

**204.4.6** Plat Labeled Corrective Plat or Revised Plat.

**204.4.7** The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, show the full name of the subdivision, deed book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner(s)

name(s); and the deed book and page number in which the property is recorded.

**204.4.8** Show individual lot areas of all lots.

**204.4.9** Dimensions, bearings, error of boundary closure, curve functions, source of water supply, utility easements, drainage easements, lot numbers, etc. if applicable.

**204.4.10** Additional Information -(e.g., power, telephone, gas, water, environmental health service, etc.) may be required and/or approved prior to submittal of the plat and/or recording.

**204.4.11** Deed book and page number of the property subdivided.

**204.4.12** Graphic Scale, North Point, Date, and Revision Dates, if applicable.

**204.4.13** Show the parcel number, including map sheet number and group identifier, for all parcels which are being subdivided or joined in the platted area. This is generally referred to as the "Tax Map and Parcel Number."

**204.4.14** Show the location of existing water lines, fire hydrants, existing and proposed easements and right-of-ways along with their dimensions, storm drainage system including pipe sizes, and sanitary sewer lines. If sanitary sewers are available to all lots note "Sewer available by Tullahoma Utilities Board".

**204.4.15** Show a measured distance to a recognizable point such as a street intersection, landmark, survey monument, ground positioning system reference, etc.

**204.4.16** Show any road intersection within 100' of the site.

**204.4.17** Submit closure data on the boundary of the property being subdivided to the Tullahoma Planning Department.

**204.4.18** The Corrective or Revised Plat shall be drafted so that good, clear, legible prints, copies or negatives can be made. Special attention should be given to the selection of patterned films that may interact with some reproduction methods. Dot patterns or dot shading should not be used on plats. The Tullahoma Planning Department may refuse to accept any plat that it deems illegible or likely to generate inadequate reproductions.

## **205 Copy of the Final Plat or Corrective Plat or Revised Plat for Recording**

### **205.1 Requirements of Submittal**

All plats for recordation must be submitted in a form acceptable to the **county Register of Deeds.** ~~appropriate County Officer charged with the recordation of such plats.~~

#### **205.1.1 Electronic Submittal**

In addition to the submittal listed in Section of this regulation, all subdivisions and plats developed using a CAD program are to submit a copy of the CAD file to the Department of Planning & Codes of the City of Tullahoma. These CAD files will be used only for purposes of creating document images and updating official maps. The electronic file will be treated as a trade secret for purposes of protecting it from disclosure to competitors.

Acceptable CAD formats are to be the current version of software as used by the City of Tullahoma or compatible to the current version of software as used by the City of Tullahoma.

## **205.2 Time of Submittal**

The final submitted plans, in print or electronically, for recordation may be submitted any time after the approvals and changes required by the Planning Commission have been done.

### **205.2.1 PROCEDURE**

**205.3.1** The Tullahoma Planning Department staff reviews copies to be recorded ~~and stamps them~~. The Planning Department staff review consists of checking the plat and electronic file to ensure that all required elements are present and legible, the plat and file are consistent, street names shown are correct and consistent, and location data are correct. Any deficiencies will be noted on a copy of the plat, which will be returned to the applicant for correction. If acceptable, the plat will be signed by appropriate persons. The Planning Department requests that the surveyor draw the appropriate signature block on the copy to be received.

**205.3.2** The copies to be recorded are circulated for signatures by ~~the Health Department, if necessary,~~ the Tullahoma Planning Commission, ~~Tullahoma Public Works Director,~~ and the ~~Tullahoma Utilities Board, appropriate utility companies if necessary,~~ or their designated representatives. ~~Other agencies may be required to provide signatures as necessary based on the applicable utility district or road district.~~

**205.3.3** Before the designated representative can sign the copies to be recorded, the Tullahoma Planning Director or his designated representative shall determine that the improvements have been installed and accepted **in** accordance with the final plat and with the standards of the City of Tullahoma.

**205.3.4** If all of the lots are served by existing, functioning public sanitary sewers or public sanitary sewers to be installed by the developer before the plat is recorded, the **State** Health Department (**TDEC**) does not sign the copies to be recorded. If the above does not apply, the **State** Health Department must sign the copies to be recorded before they can be recorded. If the **State** Health Department must sign the copies to be recorded, then, before the ~~agency representative Health Department~~ can sign the copies to be recorded, the **State** Health Department ~~Officer~~ shall determine that all conditions necessary to protect the public health have been complied with, including, but not limited to, State Health Department Regulations and the Regulations of the City of Tullahoma and the appropriate utility company in relation to sanitary sewage disposal.

**205.3.5** Before the Secretary of the Planning Commission or his designated representative can sign the copies to be recorded, the Secretary or his designated representative shall determine that the copies to be recorded have been duly signed by the **State** Health ~~Department Officer~~, if necessary, ~~street/highway department representative and~~ a representative of the appropriate utility company, and that the copies to be recorded are **in** substantial conformance with the approved, corrective, revised or final plat.

## **206 Improvements and Performance Bond**

### **206.1 Completion of Improvements**

Before the final subdivision plat is signed by the Planning Commission officer, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the appropriate governmental representative, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to the appropriate governmental agency free and clear of all liens and encumbrances on the property and public improvements thus dedicated. The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the secretary of the Planning Commission. If the planning commission does not require that all public improvements be installed and dedicated prior to signing of the final subdivision plat, an adequate performance bond or irrevocable letter of credit shall be approved. The amount of such performance bond or irrevocable letter of credit shall be established by the Planning Commission based upon the recommendation of the appropriate governmental representative. The developer shall have the option of presenting an estimate prepared by his engineer or contractor for review of the Planning Commission to compare with the appropriate governmental representative. Such performance bond or irrevocable letter of credit shall be submitted by the applicant within ten (10) business days from the date of final subdivision plat approval. If the performance bond or irrevocable letter of credit is not received by the close of the tenth (10th) business day, then the final subdivision plat approval is void. 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.

### **206.2 Surety Instrument**

If the developer chooses to 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 performance bond or irrevocable letter of credit 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 uncompleted portion of required improvements. Such performance bond or irrevocable letter of credit 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 irrevocable letter of credit shall be drawn from a United States Bank, shall be printed on Bank Letterhead, and shall read as follows:

IRREVOCABLE LETTER OF CREDIT

DATE: \_\_\_\_\_

TO: City of Tullahoma (Beneficiary)

201 West Grundy Street

Tullahoma, TN 37388

Gentlemen:

(Name of Bank), hereby opens its irrevocable credit in favor of (Name of Developer), hereinafter referred to as "Developer" with their principal place of business (Developer's Address) for the benefit of the CITY OF TULLAHOMA in the following manner and on the following terms:

1. Developer is required by Contract and Agreement for the installation of \_STREETS, \_DRAINAGE, \_WATER & \_SEWER to serve (Name of Development), Tullahoma, TN.
2. The extent of the LETTER OF CREDIT shall be \$(Dollar amount approved by Planning Commission).
3. In the event the Developer fails to install and/or maintain the IMPROVEMENTS, the City can call on the Letter of Credit in the amount necessary to complete the work, the cost thereof not to exceed the extent of the credit in Paragraph 2.
4. In the event the Developer fails to pay the partial payment required within 10 days of invoice, then and in such event the cost thereof will be paid by (Name of Bank).
5. Draws in part or in full will be accompanied by a statement from a properly authorized City Official that an invoice for goods or services has been submitted and that the Developer refused to pay and is in default.
6. After acceptance of the IMPROVEMENTS the extent of this Letter of Credit may be reduced: the reduction to be included in the acceptance notification. A written copy of the acceptance will be forwarded to the Bank.

This Letter of Credit expires no later than (Two Years from Current Date) unless a prior claim by the City of Tullahoma is made.

(Signed and Attested by Bank Officials)

The period within which required improvements must be completed shall be specified by the City Administrator, or his designee, prior to the planning commission signing the final subdivision plat and shall be incorporated in the bond or irrevocable letter of credit not to exceed one (1) year and shall extend one (1) year from the date of acceptance of required improvements by the governing body. Such bond or irrevocable letter of credit shall be approved by the City Administrator, or his designee, as to amount and conditions. The planning commission may, upon proof of difficulty, extend the completion date set forth in such bond or irrevocable letter of credit for a maximum period of one (1) additional year. The planning commission may accept at any time during the period of such bond or irrevocable letter of credit a substitution of principal.

### **206.3 Temporary Improvements**

The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission, and shall maintain them to a reasonable satisfaction for the period specified by the Planning Commission. Prior to construction of any temporary facility or improvement, the applicant shall file with the Planning Commission a separate suitable bond or irrevocable letter of credit for temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

### **206.4 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 or irrevocable letters of credit.

### **206.5 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 standards and specifications of the City of Tullahoma.

### **206.6 Failure to Complete Improvements**

In subdivisions for which no performance bond or irrevocable letter of credit has been posted, if the improvements are not completed within the period specified by the Planning Commission upon approving the plat where the period does not exceed one (1) year from the date of the approved final plat, the approval shall be deemed to have expired. In those cases in which a performance bond or irrevocable letter of credit has been posted and required improvements have not been installed within the terms of such performance bond or irrevocable letter of credit, the governing body thereupon shall declare the bond or irrevocable Letter of Credit to be in default and take steps to use such bond or irrevocable Letter of Credit to complete the necessary improvements.

### **206.7 Acceptance of Dedication Offers**

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

## **207 Inspection of Improvements**

### **207.1 General Procedure**

The Planning Commission shall 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.

## **207.2 Release or Reduction of Performance Bond**

### **207.2.1 Certificate of Satisfactory Completion**

The Planning Commission shall not recommend dedication of required public improvements nor shall the Planning Commission release nor reduce a performance bond until the appropriate governmental representative submits a recommendation stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the planning commission) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the governing body, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in these regulations.

### **207.2.2 Reduction of Performance Bond**

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

### **207.2.3 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 shall be required to file a maintenance bond with the Planning Commission prior to dedication, in an amount considered adequate by the appropriate governmental representative and in a form satisfactory to legal counsel in order to assure the satisfactory condition of the required improvements, including all lot improvements, for a period of one year after the date of acceptance of the public improvements by the Tullahoma Board of Mayor and Aldermen. Where a performance bond is already in place, the bond shall remain effective for a period of one (1) year in lieu of issuing a separate maintenance bond.

### **207.2.4 Deferral or Waiver of Required Improvements**

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

## **207.3 Escrow Deposits for Lot Improvements**

### **207.3.1 Acceptance of Escrow Funds**

Whenever, by reason of the season of the year, any lot improvements required by these regulations cannot be performed, the enforcing officer nevertheless may issue a certificate of occupancy upon accepting a cash escrow deposit in an amount to be determined by the appropriate governmental representative for the cost of such improvements; provided, there otherwise is no danger to the health, safety, or general welfare. The performance bond covering such lot improvements shall remain in full force and effect.

### **207.3.2 Procedures on Escrow Fund**

All required improvements for which escrow moneys have been accepted by the enforcing officer at the time of issuance of a certificate of occupancy shall be installed by the developer within a period of nine (9) months from the date of deposit and issuance of the certificate of occupancy. In the event that the improvements have not been installed properly at the end of the time period, the enforcing officer shall provide written notice of two (2) weeks to the developer requiring him to install the improvements, and in the event they are not installed properly, in the judgment of the enforcing officer, he may request the planning commission to proceed to install or to contract for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit. At the time of the issuance of the certificate of occupancy for which escrow moneys are being deposited, the applicant shall obtain and file with the enforcing officer, prior to obtaining the certificate of occupancy, a notarized statement from the purchaser( s) of the premise authorizing the enforcing officer to install the improvements at the end of the nine (9) month period in the event the improvements have not been installed properly by the developer.

### **207.3.3 Issuance of Building Permits and Certificates of Occupancy**

A. Where a performance bond has been required for a subdivision, or any phase of a subdivision, no certificate of occupancy for any building in the subdivision shall be issued until roadways have base and binder, all water and sewer lines are installed and drainage ways are completed.

B. No building permit shall be issued for the final ten (10) percent of lots in a subdivision (or any phase of a subdivision), or if ten (10) percent be less than two (2) lots, for the final two (2) lots of a subdivision, until all public improvements required by the planning commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the governmental body.

## **208 Effect of Approval and Recording of Final Plats**

Final approval, signing of the Final Plat and recording of the plat in the Registrar's Office shall not be an acceptance by the public or governmental jurisdiction of the offer of dedication of any street, or other public way, or open space shown upon the Final Plat. The effect of recording of the plat is for recording purposes only. Recording enables the developer to sell lots subject to any conditions specified or referred.

## ARTICLE 3 DESIGN STANDARDS

### 301 General Principles

301.1 Design with the land Subdivisions should be planned to take advantage of the natural topography of the land to economize in the construction of drainage facilities, to reduce the amount of grading, to minimize the destruction of top soil and trees, and to preserve such natural features as water course, unusual rock formations, large trees, sites of historical significance, and other assets which, if preserved, will add attractiveness and value to the subdivision and community.

Due to the need to comply with the Runoff Reduction requirements of the Tullahoma Stormwater Management Ordinance, the clearing of existing vegetation on land proposed to be subdivided will not be allowed until Construction Plans are completed and approved. It is anticipated that preserving some existing vegetation will be beneficial in meeting the requirements of the Runoff Reduction standards.

### 302 Streets

#### 302.1 Street Construction

Streets shall be constructed in accordance with the Street, Curb & Sidewalk **Design Standards and Specifications Ordinance** located in Appendix 1.

### 303 Required Access, Frontage, Depth and Area for All Lots

#### 303.1 Required Access for Residential **and Non-Residential** Lots

All residential **and non-residential** lots shall have frontage on an existing public street or road that has been accepted by the City or shown on a Planning Commission approved, and recorded Final Plat. **Residential and non-residential lots shall not front onto a named or unnamed City alley.**

~~Residential Lot access by private **road right-of-way** or easement or unopened street only shall not be permitted. is generally not permitted but may be granted by the Tullahoma Planning Commission if topographic barriers or obstructions exist and the requirements listed in 303.1.1 through 303.1.3 below are met.~~

#### ~~303.2 Required Access for Non-Residential Lots~~

~~All non-residential lots shall have frontage on an existing, City accepted and City maintained public street or road. The Tullahoma Planning Director or City Administrator may permit any non-residential lot to obtain access by means of a private road or private easement provided the requirements mentioned in 303.2.1 thru 303.2.3 below are met.~~

**303.2 1.1** Easements or **private** rights-of-ways used for access shall be shown on the subdivision plat along with all engineering data necessary to locate the easements or **private** right-of-ways on the ground.

**303.2 1.2** Easements or **private** rights-of-ways used for access shall provide readily apparent physical means of pedestrian and vehicular access from the lot onto the public street or road.

**303.2 1.3** Easements or **private** rights-of-ways used for access shall be further defined and described by notes added to the plat which set forth the limits of public liability and responsibilities to properties and citizens which are served by such access ways. These notations shall include, but shall not be limited to the following:

A. The permanent access easement is to be privately maintained by the owners and not by the City of Tullahoma.

B. The owners are responsible for providing for all desired utilities and services to the public **street road**. The City of Tullahoma is not responsible for providing services beyond the limits of the public **street road**.

### **303.3 Lot Frontage for Residential Lots**

**303.3.1** Lot frontage on the street ~~or private easement~~ for residential lots shall conform to the minimum lot frontage required by the Tullahoma Zoning Ordinance.

**303.3.2** Lot frontage on cul-de-sac turn-arounds or short radius curves may be less than the lot frontage required by the Tullahoma Zoning Ordinance provided that the lot has the required minimum lot frontage at (1) the rear of the required front yard, or (2) the building setback line as shown on the plat, or (3) in case of a flag lot, the narrowest part not in that part that extends to the street.

**303.3.3** The minimum lot frontage on the street ~~or private drive or easement~~ for a residential flag lot shall not be less than ~~twenty-five (25) fifty (50) feet. , (except in cases where an existing structure(s) and its required side yard could not be accommodated, then the width shall not be less than fifteen (15) feet) capable of being used for ingress and egress.~~

### **303.4 Lot Depth for Residential Lots**

The minimum lot depth for residential lots shall conform to the minimum lot depth required by the Tullahoma Zoning Ordinance.

### **303.5 Flag Lots**

**303.5.1** Purpose Statement Flag lots are intended to be used for access to property which otherwise would prove infeasible or impractical to access with a public road. Flag lots are intended to be used to preserve the natural features or to create more beautiful building sites. Use of flag lots is not intended to abrogate standard subdivision development when it is feasible to construct public roads.

**303.5.2** Criteria for Platting Three or More Flag Lots on a Single Tract of Land:

- A. Topographic considerations (e.g., steep terrain, slopes greater than 15 percent presence of sink holes or natural depressions, drainage ravines or water courses geologic features)
- B. Irregular land configurations and ownership patterns
- C. Limited public road frontage
- D. Existing land use
- E. Excessively deep lots

**303.5.3** In proposed subdivision, the Tullahoma Planning Commission staff and Tullahoma City Planner Planning Director shall determine the appropriateness of platting multiple flag lots based on the above criteria.

### **303.6 Lot Area for Residential Lots**

**303.6.1** The minimum lot area for residential lots shall be as specified in the Tullahoma Zoning Ordinance. The State Health Department (TDEC) may require additional lot area for any residential lot which uses a septic tank and field lines for sewage disposal.

**303.6.2** For lots served by septic tank systems, any area separated from the building site by a drainage easement, and the drainage easement, (except the standard ~~five (5) ten (10)~~ foot drainage easements along the side and rear lot lines), shall not be included in the minimum lot area. Areas subject to flooding, or standing water during brief periods of high rainfall, or with seasonally high water tables, as determined from a soil survey, shall not be included in the minimum lot areas. This regulation may be varied by the State Health Department.

**303.6.3** Lots that do not have public water furnished must be a minimum of 25,000 square feet, and be approved by the State Health Department.

### **303.7 Lot Frontage, Depth and Area for Recreational or Open Space Areas ~~Non-residential Lots and Community Lots~~**

There shall be no minimum lot frontage, depth or area for private recreational or open space areas as created by a Planned Unit Development. There shall be no minimum lot frontage, depth or area for public recreational or open space areas created for a public park as dedicated to and accepted by the City of Tullahoma. ~~non-residential lots and community lots except as required by the Health Dept. or the Tullahoma Planning Commission.~~

### **304 Miscellaneous Lot Requirements**

#### **304.1 Lot Lines**

**304.1.1** Generally, side lot lines should be straight and perpendicular to the street, or radial to street curves or the center of cul-de-sac turn-arounds.

**304.1.2** Side lot lines may be at an angle to the street (more nearly parallel to the contour lines on steep land) to reduce driveway and lot grades.

**304.1.3** Lot lines should follow drainage ways or easements (where practical) rather than leaving a portion of the lot separated from the main body of the lot by a drainage way or easement.

#### **304.2 Flag Lots**

Flag lots may be allowed by the Planning Commission in accordance with Section 303.5

**304.3 Building Setback Lines** All lots shall have a usable building site area exclusive of the building setback (yard areas) as required by the Tullahoma Zoning Ordinance, or as

required by the Planning Commission and shown and labeled on the lots on the plat.

#### **304.4 Lots Divided by County Lines**

The division of lots by county lines should be avoided, without approval of the Planning Commission.

#### **304.5 Reserve Strips and Remnants Prohibited**

**304.5.1** There shall be no reserve strips controlling access to streets or any parcel of land.

**304.5.2** No remnants of property shall be left which do not conform to lot requirements, or which are not required for a private or public utility purpose, or which are not accepted by the City of Tullahoma and/or any other public body, or home owners' association for an appropriate use.

#### **305 Property Corners**

**305.1** All lot corners shall be marked with iron pins not less than one-half (1/2) inch in diameter and minimum of eighteen (18) inches long and driven so as to be flush with the finished grade.

**305.2** All iron pins shall be permanently installed prior to the signing of the Final Plat by the City of Tullahoma Planning Commission. Boundary monuments shall be installed on the exterior of the entire subdivision for major subdivisions but need not be installed on the boundaries or each unit in phase subdivisions. If monuments and pins are not installed prior to the time that the Final Plat is ready for signing, the developer may post a bond with the City Planning Department in an amount sufficient to ensure that the monuments and pins can be installed.

#### **306 Drainage**

**306.1** Drainage shall be constructed in accordance with the City of Tullahoma Stormwater Ordinance located in Appendix 2.

#### **307 Sanitary Sewage Disposal Systems**

##### **307.1 Public Sewer Systems**

All lots must have the Tullahoma Utilities Board public system available. If the Tullahoma Utilities Board's public sewer system is not available to any lot the developer must install at his expense a public sewer line or lines to serve all lots. The developer is responsible for all design and construction costs for new sewer lines. Public sewer line extensions must be designed by an Engineer licensed to practice in the State of Tennessee and must meet the Tullahoma Utilities Board's design standards. If new public roads are to be constructed and public sewers are to be extended in addition to the new public roads the plat must be stamped by an engineer licensed to practice in the State of Tennessee. Show the address of the engineer and he must sign a statement on the plat that he reviewed or designed all new public sewer lines shown on the plat and that the design meets proper engineering criteria. All public sewer line extensions are subject to review and approval by the Tullahoma Utilities Board and the State of Tennessee. The Tullahoma Utilities Board may make exceptions from the public sewer requirements.

These regulations do not supersede any other City of Tullahoma regulations pertaining to the design, financing or installation of sewers, nor do they supersede any regulations pertaining to the payments of fees to the appropriate utility company to pay for the installation of sewers.

### **307.1.1 Record Sewer Plans**

The developer or surveyor/engineer shall submit to the Tullahoma Utilities Board acceptable record sanitary sewer plans and profiles to include the location of each lot's access or tap-on point when sanitary sewers are installed. The Tullahoma Utilities Board may require a bond in an amount and form sufficient to complete these record plans if they have not been submitted and approved when the copy of the final plat to be recorded are signed.

### **307.2 Private Sewer System**

Private sewer systems with private sewer treatment plants are not allowed in the City of Tullahoma.

**307.3 Individual On-Site Subsurface Sewage Disposal Systems (Septic Tanks and Field Lines)** Individual on-site subsurface sewage disposal systems are not allowed in the City of Tullahoma unless approved by the Tullahoma Utilities Board, or the Tennessee Department of Environment and Conservation as appropriate.

**307.3.1** Rules and Regulations to Govern Subsurface Sewage Disposal Systems, Tullahoma, Tennessee requires that for subdivisions using on-site, subsurface sewage disposal systems "No proposed subdivision shall be approved by the Planning Department, a local or regional planning commission or other agency authorized to approve subdivisions until the plans for such subdivisions have been approved by the health authority."

**307.3.2** Rules and regulations to govern Subsurface Sewage Disposal Systems, Tullahoma, Tennessee requires an acceptable soil survey, approved by the State Health Department for subdivisions using on-site, subsurface sewage disposal systems before preliminary approval.

## **308 Water Facilities**

### **308.1 Public Water Supply**

**308.1.1** Where a public water main is accessible, the developer shall install, or cause to be installed, adequate water facilities (including fire hydrants) subject to the specifications and approval of the Tennessee Department of Environment and Conservation, the local water company or utility district, and local fire authority having jurisdiction.

**308.1.2** Water supply lines are to be located in accordance with the regulations of the appropriate utility supplying the water.

### **308.2 Individual Wells**

If a public water system is not available, as determined by the Planning Commission, individual wells may be used, subject to the standards and approval of the appropriate County Health Department. Wells are to be located uphill and at least fifty (50) feet from

any septic disposal system and sewer lines.

### **308.3 Fire Hydrants**

The developer shall install fire hydrants on all new streets/roads or private easements of all major subdivisions except:

- (1) those served by individual wells, outside the corporate limits of the City of Tullahoma
- (2) subdivisions that meet the requirements given below based on existing fire hydrants
- (3) subdivisions that meet the requirements given below based on proposed fire hydrant locations on existing streets.

The location of all fire hydrants shall be approved by the Tullahoma Fire Department and/or the Planning Commission. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions:

1. For One and Two Family-Dwellings and Utility occupancies, the distance requirement shall be 600 feet.
2. For buildings equipped throughout with an approved automatic sprinkler system installed, the distance requirement shall be 600 feet.

Fire hydrants shall be not less than a three-way hydrant with two 2½ inch discharges with National Standards threads, and with one large hydrant opening with a 4½ inch discharge with National Standard threads.

### **309 Flood Hazards**

#### **309.1 Flood Requirements**

The subdivision shall conform to the flood requirements for both lots and Subdivisions as required by the Tullahoma Zoning Ordinance.

#### **309.2 Additional Flood Information Required**

Where appropriate, the Floodway Borders (Floodway line and the 100 Year Flood line) shall be shown on the plat. Also, a note shall be added to the plat stating the base flood (100 Year Flood) elevation.

#### **309.3 Minimum Street Elevations**

All streets shall be at an elevation which is not lower than the base flood elevation (100 Year Flood elevation).

#### **309.4 Utilities in Floodable Areas**

##### **309.4.1 Sewers**

Sewers and manholes constructed below the 100 Year Flood elevations shall be watertight. All manholes shall be constructed so that the manhole covers are not below the base flood elevation.

#### **309.5 Setback and Elevation Requirements on Unmapped Watercourses**

Due to the potential flood hazard on property adjacent to an unmapped watercourse draining 100 acres or more above the property under construction, the Planning Commission may require that each unmapped watercourse draining 100 or more acres be investigated by a professional engineer and the elevation of adjacent structures with setbacks from the centerline of the watercourse marked on the subdivision plat. The minimum elevation of the proposed structure shall be determined on the basis of a 100 year storm elevation water level. The minimum setback shall be determined by an evaluation of the unmapped watercourse based on the erosion potential of the watercourse and lot elevation as determined by the engineer. All subdivisions adjacent to an unmapped watercourse draining 100 or more acres and for which 100 year storm elevation calculations were required shall have a certification by a professional engineer which reads as follows:

I \_\_\_\_\_ have made a flood hazard study of the subdivision and the drainage area above it and all affected lots within this subdivision are marked with a minimum building elevation. A benchmark of public record for reference is noted on the plat, and established on the subdivision. Unmarked lots have been determined to not require a minimum building elevation.  
SEAL Name \_\_\_\_\_ P.E. # \_\_\_\_\_

### **310 Signs**

The developer shall be required to provide and install at his expense all necessary street and traffic signs according to specifications set by the Public Works Director and Planning Commission. No certificate of occupancy shall be issued until the street signs are installed and inspected by the Public Works Department.

### **311 Street Lights**

The developer shall be responsible for the installation of street lights in all subdivisions. The developer shall coordinate with Tullahoma Utilities Board (TUB) on the lighting design and shall submit the design to the Planning Director for review and approval. All street lighting shall be installed by TUB and paid for by the developer. The lights shall be dedicated to TUB upon approval. The City shall be responsible for electrical usage costs upon acceptance by TUB.

## **ARTICLE 4 SKETCH PLAT REQUIREMENTS**

### **401 Specifications and Content of the Sketch Plat**

The applicant may elect to submit a sketch plat to the planning commission for approval for a major or minor subdivision. The sketch plat is to be a concept plan for design purposes and may be used to discover all factors which may have an impact on the

proposed development. The sketch plat review process is 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 Tullahoma Planning Department may require the applicant to submit a sketch plat prior to submittal of a preliminary plat.**

**401.1** When a sketch plat is submitted for planning commission approval, the number of copies required and timing of the submission shall be as for a preliminary plat. Approval of the sketch plat shall constitute authorization to prepare a preliminary plat for planning commission review.

**401.2** The approval of the sketch plat shall expire within one (1) year if no further progress is made toward the development. An extension may be granted upon proper application.

**401.3** Sketch plats submitted to the planning commission, prepared in pen or pencil, shall be drawn to a convenient scale no smaller than two hundred feet to an inch (200':1"). The sketch plat shall show the following features:

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. proposed phasing, if any;
8. vicinity map of property;
9. date and approximate north point;
10. name of owner;
11. name of plat designer; and
12. zoning classification.
13. a preliminary drainage assessment including off-site drainage areas flowing to the subdivision and estimated pre-developed and post developed runoff rates for each drainage basin within the subdivision. Plan must indicate any detention basins and/or improvements to off-site drainage structures;
14. a water availability analysis for the subdivision indicating, at a minimum, pressures and flows at critical areas. Show location and size of existing water lines;
15. a sanitary sewer analysis for the subdivision indicating, at a minimum sewer flows and the impact to the existing system. Any proposed pump stations shall be located on the plan. Show location and size of existing sewer lines;
16. a traffic evaluation for the subdivision indicating, at a minimum, projected traffic counts generated and any off-site improvements to existing system; and
17. a system to control construction traffic throughout planned phases of subdivision development.

**ARTICLE 5  
PRELIMINARY PLAT REQUIREMENTS**

**501 Specifications for and Content of the Preliminary Plat**

The subdivider or surveyor or surveyor/engineer shall submit to the Tullahoma Planning Department copies of the Preliminary Plat drawn to a minimum scale of one inch equals one hundred feet, which shall contain the following information:

**501.1** Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in The City of Tullahoma, or in Coffee County. Plat labeled "Preliminary Plat."

**501.2** The full name and mailing address with zip code (telephone number requested) of the owner(s) and/or developer(s).

**501.3** The name and mailing address with zip code, and telephone number of the person, firm, or organization preparing the Preliminary Plat.

**501.4** North point, and scale.

**501.5** A vicinity map, showing the following features, if applicable, within an area large enough to locate the subdivision:

**501.5.1** Outline of proposed subdivision and north point.

**501.5.2** Location and name of all principal roads, streets, railroads, water courses, etc.

**501.5.3** State, county, or municipal boundaries shown and labeled.

**501.5.4** Name and/or shown an easily identifiable landmark (store, road intersection, creek, etc.) and shown the number of miles (to the nearest tenth) from the landmark to the site.

**501.5.5** The current zoning classification of the lot **and of all adjacent lots.**

**501.6** The boundary line of the proposed subdivision drawn to scale and showing all bearings and distances, including existing road curve functions and dimensional data.

**501.6.1** Parcel number, including map sheet number and group identifier, for all parcels which are being subdivided or joined in the platted area. This is commonly referred to as the "Tax Map Number."

**501.6.2** The location of control monuments on the on the boundary line of the proposed subdivision showing the horizontal position in Tennessee State Plane coordinates

**501.7** Lots drawn and numbered in a logical numerical order, showing the approximate dimensions of lots. (Where parallel lot lines exist, the distances may be dittoed.) Every parcel of land within the subdivision should have a lot number. Subdivisions developed in phases or units are to continue numbering the lots, and not start with lot number 1 for each new unit. The use of lot numbers by block, in which lot numbers are repeated in

each block, is prohibited.

**501.7.1** Show the size of each lot. List the total acreage of the property being subdivided.

**501.8** The property lines of all adjoining property shall be shown with dashed lines

**501.9** Show the location, widths, and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, on or adjacent to the subdivision.

**501.9.1** Proposed street names shall not duplicate or closely approximate, phonetically or in spelling, the name of any other street in Coffee County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name.

**501.9.2** Show the station numbers for all proposed streets. Station numbers shall begin at a known existing and reproducible street centerline.

**501.9.3** Split Road Cross Sections --A typical cross section of all split roads in the subdivision shall be shown on the preliminary plat, if applicable.

**501.9.4** Show the proposed phasing plan for the subdivision development.

## **501.10 Drainage**

**501.10.1** Show all existing drainage easements and the approximate location and width of all proposed drainage easements.

**501.10.2** If drainage areas and/or easements are to be relocated, show the new location; label "relocated"; and state the treatment of the new drainage area and/or easement. If drainage areas in the subdivision are to be filled, label "to be filled," and show and label existing and proposed finished contours within the area to be filled and within the area to be cut.

**501.10.2** Label any existing natural drains, streams, rivers, ponds, lakes, sinkholes or other significant features.

**501.10.3** Show proposed locations of culverts, bridges, catch basins, detention basins, or other drainage structures.

**501.10.4** Provide contours at vertical intervals of one foot for areas with average slopes up to 20% and two foot contours where average slopes exceed 20%.

**501.10.5** Show the limits of floodway and flood fringe areas and the associated regulatory flood elevation and regulatory flood protection elevation, as determined according to flood maps or flood studies as required.

**501.10.6** List approximate off-site drainage areas flowing to the subdivision. List approximate drainage area to each drainage basin within the subdivision.

**501.10.7** Show the location and type of improvements to off-site drainage structures if required.

### **501.11 Utilities**

**501.11.1** For all existing and proposed water lines, show size, location of lines, and outline and size of easements (if applicable) in and adjacent to the subdivision. Show location of existing wells, springs, or other natural sources of water supply within the subdivision and within fifty (50) feet of the boundaries of the subdivision. Show the location of all existing fire hydrants in and within six hundred (600) feet of the subdivision

**501.11.2** For all existing and proposed gas lines and mains, show size, location, name of mains, and outline of easements (if applicable) in and adjacent to the subdivision.

**501.11.3** For all existing electrical and telephone lines and easements, show size, location, name of major easements, and outline of easements in and within fifteen (15) feet of the subdivision.

**501.11.4** For all existing and proposed sanitary sewers and sewer easements, show sizes, locations, direction of flow, outlines of easements, manholes, and pump stations in and adjacent to the site. If sanitary sewers are not available on or adjacent to the site, but are required by the local government, state the nearest location and size of nearest sewer sanitary sewer.

**501.12** Contours shall be indicated on the preliminary plat as outlined in section 501.10.4 above. The surveyor shall field check for accuracy of the contour lines if he has obtained the information from sources other than his own. The surveyor or engineer shall establish a benchmark on the site and note it on the final plat. The source of the elevation must be indicated on the preliminary plat.

**501.13** Contour line or limit of 100-year flood and/or Floodway Zone, if applicable. Unless the developer or the plat designer has consulted with the staff prior to the submission of the Preliminary Plat, the staff shall delineate pertinent flood information on the plat during the review of the plat.

**501.14** Municipal, county, state boundaries, water courses, railroads, etc., in and adjacent to the subdivision.

**501.15** The Preliminary Plat shall be drafted so that good, clear, legible prints, copies or negatives can be made. Special attention should be given to the selection of patterned films that may interact with some reproduction methods. Dot pattern or dot shading should not be used on plats. The Planning Department staff may refuse to accept any plat that it deems illegible or likely to generate inadequate reproductions.

### **502 Statements to Be Included on the Plat**

**502.1** Present zoning of tract, and zoning applied for, if applicable.

**502.2** Source of water supply. If public water supply is not available; state nearest location, size of line, utility company's name, and whether water supply will be from wells.

**502.3** Number of acres subdivided.

**502.4** Source of Topo Quotation

- (a) If the topo was obtained from a source other than an actual field survey, use the following quote: "Topo was obtained from (source) and has been field verified to insure its accuracy."
- (b) If the topo was taken from an actual field survey, use the following quote: "Topo was obtained from an actual field survey dated \_\_\_\_\_ conducted by \_\_\_\_\_. Elevations were determined from benchmark or monument located at \_\_\_\_\_ elevation\_\_\_\_\_."

**502.5** If Community Lot(s) are shown, note the following: "No building permit is to be issued for a residential, commercial, or industrial building on the Community Lot. Lot to be used for recreational purposes only. Maintenance to be assumed by the developer until lot is deeded to home owners in the subdivision, or to a homeowners association.

**502.6** A statement of the proposed use of the lots (e.g. single-family dwellings, two-family dwellings, multiple-family dwellings, commercial development, industrial development, etc.).

**502.7** Special notations and information, if required.

### **503 Information Required In Addition To the Preliminary Plat**

#### **503.1 Requests for Variances**

Requests for variances shall be submitted in writing with the submittal of the preliminary plat, in accordance with Article I, Section 111.

#### **503.2 Existing Utilities and Railroads**

The Planning Commission may require that a letter be submitted with the preliminary plat from the affected utility or railroad approving the proposed crossing of the utility, utility easement or railroad by any street, driveway, field lines or other utility, etc.

## **ARTICLE 6**

### **CONSTRUCTION PLAN REQUIREMENTS**

#### **601 Specifications for and Content of the Construction Plans**

A subdivider shall file with the enforcing officer the construction drawings for review after approval of the preliminary plat and prior to any construction on site. A pre-construction conference between the developer or the developer's representative(s), the Public Works Director, and any other governmental representative shall also be required prior to construction. The construction drawings shall conform to the requirements outlined in this section.

**601.1** Construction plans drawn at a scale of no more than fifty (50) feet to an inch shall be prepared for all improvements required by these regulations. All construction plans

shall be prepared and stamped by a Tennessee licensed engineer engaged in the practice of civil engineering. The territory included within construction plans shall correspond to that included within the proposed preliminary plat.

**601.2** The following shall be shown on the construction plans.

1. Profiles showing existing and proposed elevations along centerlines of all public ways. Roadway grades, tangent lengths between vertical curves, vertical curve lengths, "K" values for vertical curves, and grades at intersections shall be shown on roadway profiles. All roadway design criteria shall conform to the requirements established in the Tullahoma Street, Curb & Sidewalk Ordinance (Appendix 1).
2. Where a proposed road intersects an existing public way or ways, the elevation along the centerline of the existing public way within one hundred (100) feet of the intersection.
3. Approximate radii of all curves, lengths of tangents, and central angles on all public ways.
4. Stationing of all proposed public ways. Horizontal stationing shall be at fifty (50) foot intervals and cross-sectional elevations shall be to an accuracy of one tenth (1/10) foot vertical on a line at right angles to the center line of the public way at the following points: the center line of the public way, each property line, and points twenty-five (25) feet inside each property line.
5. Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, curb inlets, and catch basins.
6. The location of public way signs.
7. The location, size, and invert elevations of existing and proposed sanitary sewers and storm sewers and must show the connection to any existing or proposed utility system.
8. Location and size of all water, gas, or other underground utilities or structures. The water line design shall indicate all features such as tees, valves, fire hydrants, meters, etc.
9. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains, easements, water bodies, streams and other pertinent features, such as swamps, railroads, buildings, and features noted on the land development plan or major street or road plan.
10. The water elevations of adjoining lakes or streams and the approximate high and low water elevations of such lakes or streams shall be shown. All elevations shall be referred to the U.S.G.S. datum plane.
11. If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
12. A proposed grading and drainage plan shall be shown meeting the design criteria and requirements established in the Tullahoma Stormwater Ordinance (Appendix 2).
- 12.3. The developer shall submit a storm water drainage report prepared by a Tennessee registered engineer and shall address the requirements herein for the Storm Water Report (Section 601.3). The developer shall also prepare for any portion of a subdivision containing a flood prone area, or an area known to be subject to flooding, information necessary for the Planning Commission to determine the suitability of the particular site for the proposed development, as follows:

- (a) plans 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;
- (c) surface-view plans showing elevations and contours of the ground;
- (d) pertinent structures, fill, or elevations of public ways;
- (e) water supply, sanitary facilities, soil types, and other pertinent information, as required by the Planning Commission; and
- (f) specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities.

**13 4.** Existing contours at the same vertical interval as the preliminary plat.

**14 5.** In addition to the other requirements of this section, construction plans for condominium subdivisions shall contain "as built" drawings of all underground utilities, regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication to the governing body.

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

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

**17 8.** Date of plans, including any revision dates.

**18 9.** An erosion and sediment control plan shall be prepared for each development submitting construction plans. Such plan shall demonstrate the manner in which the general principles for erosion and sediment control are to be implemented on the site. The plan shall meet the requirements established in the Tullahoma Stormwater Ordinance (Appendix 2).

**601.3** A Storm Water Report shall accompany the construction plans. As a minimum, this report shall include the following:

1. Maps showing pre-construction and post-construction drainage areas (basins) and sub-areas (sub-basins) including those located within the project site and area up-stream that is off-site. At least one separate drainage sub-area shall be identified for each existing and proposed drainage structure, culvert, ditch or swale.
2. The permanent hydrologic data for each sub-area including total land area, appropriate runoff coefficient, time of concentrations as calculated using the SCS-TR-55 method or approved equal, total runoff for the two (2), five (5), twenty-five (25), and one-hundred (100) year storm events for each area using the SCS-TR-55 method for drainage areas greater than 100 acres or rational method for drainage areas up to one-hundred (100) acres. Nashville Tennessee intensity-duration-frequency curves shall be used for runoff calculations if local data is not available.
3. Hydraulic capacity of existing and proposed storm water conveyance structures and channels located on the site and off-site (two structures downstream) using Mannings Formula. Each structure or channel shall be capable of passing the

referenced event without surcharge:

- (a) Twenty-five (25) year design storm -Residential areas, minor street culverts.
- (b) Fifty (50) year design storm -Major drainage channels (existing "blue-line" or intermittent streams), collector and minor arterial street culverts.
- (c) One hundred (100) year design storm -Major Arterial street culverts

Each drainage structure and/or channel shall be designed to not cause flooding of any structure during the one-hundred year event.

- 4. Erosion Control calculations for each channel based on the applicable design storm event including calculations of velocities. Lining treatment of open channels and erosion control measure plan shall be provided.
- 5. Erosion control calculations for slopes having a grade of twenty (20) percent or greater and a length longer than twenty (20) feet for the applicable design storm event. .
- 6. Net pre-construction and post construction runoff exiting the site resulting from the two (2), five (5), twenty-five (25), and one-hundred (100) year storm events using the SCS-TR-55 method for drainage areas greater than 100 acres or rational method for drainage areas up to one-hundred (100) acres. Runoff velocities shall also be determined.
- 7. Detention pond inflow/outflow calculations for the two (2), five (5), twenty-five (25), and one hundred (100) years storm events. Detention calculations shall include stage-storage calculations, elevation-discharge calculations, inflow hydrograph development, routing calculations, and discharge calculations. A one (1) foot minimum freeboard shall be maintained for each design storm event in the detention basin design. The design shall ensure post-development discharge rates do not exceed pre-development discharge rates for the two (2), five (5), and twenty-five (25) year storm events. The design shall ensure that the post-development discharge for the one hundred (100) year design storm can be managed safely by the detention facility, incorporating spillways as necessary, but not necessarily equaling pre-development discharge rates.
- 8. [Post-construction best management practices \(BMPs\) that will be utilized to meet the Runoff Reduction requirements of the Tullahoma Stormwater Management Ordinance \(Appendix 2\). Details of all BMPs shall be included in the construction plans.](#)

## **ARTICLE 7 FINAL PLAT REQUIREMENTS**

### **701 Specifications for and Content of the Final Plat**

The developer or his representative shall submit to the Planning Department copies of the Final Plat, drawn to a minimum scale one inch equals one hundred feet (1" = 100'). Sheet size and stamp block shall conform to the specifications shown on Appendix 67. The Planning Department requests that the surveyor draw the appropriate signature block on the final plats. The Final Plat shall be drafted so that good, clear legible, prints, copies or negatives can be made. Special attention should be given to the selection of patterned films that may interact with some reproduction methods. Dot patterns or dot shading

should not be used on plats. The Planning Department staff may refuse to accept any plat that it deems illegible or likely to generate inadequate reproductions or which fails to contain all required elements. The Final Plat shall include the following information:

**701.1** Proposed name of the subdivision, which shall not duplicate or closely approximate, phonetically or in spelling, the name of any other subdivision in Coffee County. The most recent recorded deed book number and page number for each deed constituting part of the property being platted. Plat labeled "Final Plat."

**701.2** The full name and mailing address, with zip code, and telephone number of the owner(s) and/or developer(s) of record.

**701.3** The name, full mailing address, zip code, telephone number, and seal (to include license number) of the Registered Land Surveyor preparing the plat. Where sanitary sewer lines are to be extended or where drainage structures with storm water flows in excess of the capacity of a 42" diameter concrete pipe or equivalent, as determined by Section 306.4.1, are to be placed, these facilities shall be designed and the plat stamped by a registered engineer licensed to practice in the State of Tennessee. In no instance will a plat be accepted that does not contain the seal of a Registered Land Surveyor licensed to practice in the State of Tennessee.

**701.4** The date of plat preparation and revisions, north point, and scale-both written and graphic.

**701.5** A vicinity map showing the following features, if applicable, within an area large enough to locate the subdivision:

**701.5.1** Outline of proposed subdivision and north point (oriented consistent with the north point of the plat, preferably pointing to the top of the plat).

**701.5.2** Location and name of all principal roads, streets, railroads, water courses, etc.

**701.5.3** State, county, or municipal boundaries, shown and labeled.

**701.5.4** Name and/or show an easily identifiable landmark (store, road intersection, creek, etc.) and show the number of miles (to nearest tenth) from the landmark to the site.

**701.6** The boundary lines of the subdivision shall be determined by an accurate survey in the field, to include a closed traverse. The boundary survey shall close with an error of closure to exceed 1:5000.

**701.6.1** Show parcel number, including map sheet number and group identifier, for all parcels which are being subdivided or joined in the platted area. This is generally referred to as the "Tax Map Number."

**701.6.2** The location of control monuments on the boundary line of the proposed subdivision showing the horizontal position in Tennessee State Plane coordinates.

**701.6.3** Show utilities including water and sewer lines and line sizes.

**701.6.4 Show storm drainage system including culverts, catch basins, and detention basins.**

**701.7** Lots drawn and numbered in a logical numerical order. Every parcel of land within the subdivision shall have a lot number. Subdivisions developed in phases or units are to continue numbering the lots and not start with lot number 1 for each new unit. The use of lot numbers by block in which lot numbers are repeated in each block is prohibited.

**701.7.1** Sufficient data to readily determine and reproduce on the ground the Location, bearing, and length of every lot line and boundary line, whether curved or straight. This shall include the radius, central angle (delta), length of curve, and tangent distance for the curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner. Chord bearings and dimensions may be used for irregular lines, such as creeks, shore lines, etc.

**701.7.2** Minimum building setback lines, other than those required by the local zoning regulations, shall be shown and labeled on the lot(s).

**701.7.3** Show location of the boundary monument benchmark for major subdivisions.

**701.7.4** Show the size of each lot.

**701.8** The property lines of all adjoining property shall be shown with dashed lines. For adjoining subdivisions, show the full name of the subdivision, ROHC book and page numbers, and the lot numbers (dashed). For other adjoining property, show the owner(s) name(s); and the ROHC deed book and page number in which the property is recorded.

**701.9** Show the location, widths, and names of all existing, proposed, or recorded streets, public rights-of-way, or access easements, etc., intersecting or paralleling the subdivision, in and adjacent to the subdivision. Show any street or street intersection within 100' of the site.

**701.9.1** Proposed street names shall not duplicate or closely approximate phonetically or in spelling, the name of any other street in Coffee County. The change of a street name prefix (East, North) or suffix (Road, Lane, Circle) shall not be construed as a different street name. All proposed new street names must be approved by the Tullahoma Planning Department.

**701.9.2** Sufficient data to readily determine and reproduce on the ground the location, bearing, and length of every street line, whether curved or straight. This shall include the radius, central angle, (delta), length of curve, and tangent distance for the center line of curved streets and curved property lines. The point of curvature and the point of tangency of all curves on all right-of-way lines shall be located by distance to the nearest lot corner.

**701.9.3** Show a measured distance to a recognizable point such as a street intersection, landmark, survey monument, ground positioning system reference, etc.

**702 Statements to Be Included On the Plat**

**702.1** Present zoning of tract.

**702.2** Source of water supply and the size and location of existing and proposed water lines.

**702.3** Plat labeled, "Final Plat."

**702.4** Number of acres subdivided.

**702.5** Certification of Ownership and Dedication of Rights-of-Way; "I hereby adopt this as my plan of subdivision and certify that the rights-of-way are dedicated to the public use forever. I also certify that there are no encumbrances on the property to be dedicated and that I am owner of the property shown in fee simple."

**702.6** Dedication of Land, if applicable: Add to the above: "... and dedicate the lots so specified on the plat to (governmental jurisdiction)."

**702.7** "The City of Tullahoma is not responsible to construct or maintain drainage easements" (Applies only to subdivisions where drainage easements are shown).

~~**702.8** Special Setbacks, (private septic system) if applicable.~~

~~A. "There is a minimum 25 ft. field line setback from all drainage easements shown."~~

~~B. "There is a minimum 25 ft. field line and building setback from all sink hole(s) shown."~~

~~**702.9** Engineer's Statement of Design on plat and the first sheet of sewer profiles. (If applicable) "I, hereby, certify that I have designed all drainage structures, with Stormwater flows in excess of the capacity of a 42" diameter concrete pipe or equivalent and all sanitary sewers as shown on this plat and that the design meets proper engineering criteria." \* (Signature)~~

~~\*This note should refer only to the facilities designed by the engineer, i.e., if the plat has no sewers and only one drainage structure designed by an engineer, the statement should refer only to the specific structure designed by the engineer.~~

**702.10 Certification of Survey**

"I hereby certify that I have surveyed the property shown hereon; that this survey is correct to the best of my knowledge and belief and that the ratio of precision of the unadjusted survey is 1 per as shown hereon." (Signature of Surveyor)

**702.11** If Community Lot(s) are shown, note the following: "No building permit is to be issued for a residential, commercial, or industrial building on the 'Community Lot.' The 'Community Lot' is to be used for recreational purposes only. The maintenance of the 'Community Lot' is to be assumed by the developer until the lot is deeded to the homeowners in the subdivision, or to a homeowners association. The City of Tullahoma is not responsible to construct or maintain any ground facility or building on any Community lot."

**702.12** "This plat re-subdivides deeds \_\_\_\_\_ as recorded at the R.O.C.C."

**702.13** "This subdivision has been (will be) developed according to the design standards of the Subdivision Regulations of the City of Tullahoma."

**702.14** Special notations and information, if required.

**702.15** When a plat shows future or dedicated right-of-way for the future extension of a cul-de-sac, add the following note: "Approval of this plat does not imply that Tullahoma will approve any subsequent development using roads, rights-of-way, or easements shown on this plat."

### **703 Information Required In Addition To the Final Plat for Major Subdivisions**

**703.1** A letter from the Division of Water ~~Resources Quality Control~~, Tennessee Department of ~~Environment and Conservation Public Health~~, approving the design of the extension of the water lines, if applicable.

**703.2** A letter from a Division of ~~Water Resources Sanitary Engineering~~, Tennessee Department of ~~Environment and Conservation Public Health~~, approving the design of the sewer lines, if applicable.

~~\*NOTE: This letter must be preceded by a letter from the Division of Water Quality Control, Tennessee Department of Public Health, approving the site for the location of the sewage treatment facility and establishing effluent limits for the discharge.~~

**703.3** Documents pertaining to the operation and maintenance of privately owned sewage treatment facilities, if applicable.

### **703.4 Requests for Variances**

Requests for variances, if applicable, shall be submitted in writing with the submittal of the Final Plat, in accordance with Article I, Section 111, unless the variance was granted in the approval of the preliminary plat.

### **703.5 House Locations and Building Setback Lines**

Suggested house locations and building setback lines may be required by the **State** Health Department and should then be shown on the plat. The actual house location may, however, deviate from the area shown on the plat if the location is approved by the **State** Health Department. If suggested house locations are shown on the plat, a note should be added to the plat showing the symbol for the house location, and wording similar to the following: "House should not be greater than \_\_\_\_ feet from its closest side lot line as shown (see plat for exceptions, if applicable)," and/or "Building setbacks and suggested house locations may be changed with written permission on the **State** Health Department."

### **704 Information Required In Addition To the Final Plat for All Plats**

**704.1** The surveyor shall submit closure data on the boundary of the property being surveyed to the Tullahoma Planning Department.

## 705 Form for Dedication Offer

705.1 The Form for Offer of Dedication shall be submitted along with the final plat for the formal irrevocable offer of dedication to the public of all public ways and uses, utilities, parks, open spaces, and easements. The plat shall be clearly marked with a notation indicating the areas or items to be dedicated to the public. The Form for Offer of Dedication is included in Appendix 7.

### **ARTICLE 8 DEFINITIONS WORDS AND PHRASES**

For the purposes of these regulations, certain terms, words, and phrases are defined as follows: Words with a masculine gender include the feminine gender. Words used in the future tense include the present. Words used in the present tense include the future. Words used in the singular include the plural. Words used in the plural include the singular. The word "may" is permissive. The words "ordinance" and "regulations" are used interchangeably. The word "person" includes a firm, association, corporation, organization, partnership, trust, company, and an unincorporated association of persons such as a club, as well as an individual. The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

**APPLICANT:** The owner of land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises.

**BLOCK:** A parcel of land that is normally bounded by streets or bounded by streets and the exterior boundary of a subdivision.

**BASE FLOOD:** The flood having a one percent change of being equaled or exceeded in any given year --commonly referred to as the '100-Year Flood.' (See also, 'High Water Stage')

**BOND:** Any form of security (including a cash bond, surety bond, cashier's check, collateral, property, or instrument of credit) in an amount and form satisfactory to the City of Tullahoma for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans. (See Article 2, Section 208)

**BUILDING INSPECTOR OR OFFICIAL:** A qualified inspector from the City of Tullahoma who is designated by the City of Tullahoma to enforce the Tullahoma Zoning Ordinance.

**CAD:** Computer-aided drafting; a.k.a., computer-aided design

**CAPITAL IMPROVEMENTS PROGRAM:** A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. Any major projects requiring the expenditure of public funds, over and above the annual Tullahoma operating expenses, for the construction or replacement of the physical assets of the community may be included.

**CITY ATTORNEY:** The licensed attorney designated by the Tullahoma City Government

to provide legal assistance to the City of Tullahoma.

**CITY ENGINEER:** The licensed engineer designated by the City of Tullahoma to administer these regulations or his designated representative.

**COMPREHENSIVE PLAN:** A plan, or any portion thereof, adopted by the Planning Commission, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, streets, parks, schools, and other community facilities. This plan established the goals, objectives, and policies of the community.

**CONTROL MONUMENT:** A survey marker used to position the remaining boundary survey corners on the surface of the earth. A type of monument.

**CORRECTIVE PLAT:** A plat used to record minor changes to a recorded plat. (See Article 2, Section 206.)

**CUL-DE-SAC STREET:** See Street, Cul-de-sac.

**CUL-DE-SAC, SHORT:** A cul-de-sac street which provides access to ten (10) or less lots, including corner lots, provided all the lots will be developed for single family houses only, the street is not an extension of a road with a wider right-of-way and the street cannot be extended due to topographic barriers (See Appendix. 6)

**DEED RESTRICTIONS:** A private covenant among the residents of a subdivision or development limiting the use or conditions within the subdivision or development.

**DEVELOPER:** Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land here under for himself or for another.

**EASEMENT:** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

**EASEMENT, DRAINAGE:** A perpetual, unobstructed easement across property reserved to carry surface water drainage along specified routes to natural water courses. Drainage easements shall not be filled or built upon in any way that will impede the flow of surface water.

**EASEMENT, OVERHEAD POWER AND COMMUNICATION:** An easement for the installation, operation, inspection, maintenance, repair or replacement of overhead electric power, telephone, cable TV, and other communication lines, cables, poles, anchors, structures, etc., and the appurtenances thereto belonging.

**EASEMENT, PERMANENT:** A recorded permanent easement at least 50 feet in width which provides access to a publicly accepted municipal or county street, and such permanent easement shall have been determined by the Planning Commission, and so indicated in their minutes, to be at least of such length, width, grade, surfacing, alignment, and design as to offer the same degree of public safety access and utility access.

EASEMENT, POWER AND COMMUNICATION: An easement for the installation, operation, inspection, maintenance, repair or replacement of underground, ground level or overhead electric power, telephone, cable TV, and other communication lines, cables, poles, anchors, ditches, pipes, duct, structures, manholes, etc., and the appurtenances thereto belonging.

EASEMENT, UTILITY: An easement for the installation, operation, inspection, maintenance, repair, or replacement of public utility lines, cables, poles, ditches, pipes, manholes, etc., and the appurtenances thereto belonging.

ENGINEER: Any person registered to practice professional engineering in Tennessee by the State Board of Examiners for Architects and Engineers.

FINAL PLAT: A subdivision plat prepared in accordance with the provisions herein, in which said plat is designed to be plated on record with the County Registrar after approval by the Planning Commission.

FLAG LOT: An interior lot located to the rear of another lot but with a narrow portion of the lot extending to the street. The narrow portion of the lot that extends to the street shall be suitable for ingress and egress, and shall ~~not~~ be included in the calculation of the minimum lot area. No part of the narrow portion of the lot shall be less than ~~twenty-five (25)~~ **fifty (50)** feet in width, ~~except in cases where an existing structure(s) and its required side yard cannot be accommodated, then the width shall not be less than fifteen (15) feet in width.~~

FLOOD, 100-YEAR: (Base Flood Elevation) The flood having a one percent chance of being equaled or exceeded in any given year as defined by Federal Emergency Management Administration (formerly Federal Insurance Administration) in its Flood Insurance Study for the City of Tullahoma.

FLOODWAY ZONE: The channel of a river or other water course and adjacent land areas that must be reserved in order to discharge the base flood (100 year flood) without increasing the water surface elevation.

GEOLOGIC SURVEY: Involves study of the bedrock, regolith, and ground water. Requires a detailed mapping of the rock strata and structural relationships of these units. Also, may include nature and significance of possible metallic and non-metallic mineral deposits.

GOVERNING BODY: The Tullahoma Board of Mayor and Aldermen.

GOVERNMENTAL ATTORNEY: The licensed attorney designated by the Tullahoma Board of Mayor and Aldermen to furnish legal assistance to the Tullahoma City Board of Mayor and Aldermen.

GOVERNMENTAL ENGINEER: The licensed engineer designate by the City of Tullahoma to administer these regulations. Also known as City Engineer.

GRADE: The slope of a street, or the ground, specified in percentage (%) terms.

~~HEALTH DEPARTMENT AND HEALTH OFFICER: The agency and person designated~~

~~by the Governing Body to administer the health regulations of the local government and of the state.~~

HIGH WATER STAGE (base flood elevation): The high water stage as determined by the Federal Insurance Administration (Federal Emergency Management Administration) in its Flood Insurance Study for the City of Tullahoma.

IMPROVEMENTS: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

LOCAL GOVERNMENT: The City of Tullahoma

LOT: A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or building group as permitted in the applicable zoning ordinance or regulation, together with their accessory building or uses and such access, yards, and other open spaces as required in these regulations and the applicable zoning ordinance or regulation. If on-site waste disposal systems are used the lot must be capable of sustaining such a disposal system within the limits of the particular lot.

LOT MEASUREMENTS: Lots shall be measured and their dimensions calculated as given below.

LOT FRONTAGE: The width of the lot measured at (1) the required front yard set-back line, or (2) in the case of a flag lot, the narrowest part not in that narrow part that extends to a street.

LOT WIDTH: The width of the lot measured along a straight line between side lot lines (generally parallel to the street) and measured at: (a) the rear of the front yard required by the local zoning regulations, or (b) the building setback line as shown on the plat.

LOT DEPTH: The depth of the lot measured along a straight line(s) perpendicular to the street and measured from the street right-of-way to the rear of the lot in accordance with the most applicable of the following conditions:

- (a) For rectangular lots; the length of the side lot line.
- (b) For lots that are generally rectangular or trapezoidal, except where either side lot line is less than fifty (50) feet; the average of the depths to the rear lot corner.
- (c) Lots that are generally rectangular, or trapezoidal where one side lot line is less than fifty (50) feet, or triangular; the average of the depth of the long side lot line and the length of a line perpendicular to the street but seventy-five (75) feet away from side measured above. (Note: the lot width must be at least seventy-five (75) feet to make this measurement.
- (d) Lots with irregular front or rear lot lines; the average of the shortest side lot line and a line to the portion of the rear lot line that is closest to the street.
- (e) Flag lots; the depth of the major part of the lot, as measured above, but excluding the narrow portion of the lot that extends to the street.

LOT AREA: The area bounded by the lot lines of a lot with the following exceptions:

- ~~(a) the narrow portion of a flag lot that extends to a street.~~

(b) for lots served by septic tanks; drainage ways and/or easements and the area separated from the main portion of a lot by a drainage way, or drainage easement.

(c) Access easements to other lots.

**LOT OF RECORD:** A designated tract of land as shown on a recorded plat or tax map on record in the Registrar's Office or the Assessor of Property's Office created prior to the adoption of a Zoning Ordinance.

**LOT TYPES:** Terminology used in these regulations with reference to corner lots, interior lots, and through lots, and reversed frontage lots is as follows:

**CORNER LOT:** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

**INTERIOR LOT:** A lot other than a corner lot with only one frontage on a street.

**THROUGH LOT:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

**REVERSED FRONTAGE LOT:** A lot on which frontage is at right angles to the general pattern of the area. A reversed frontage lot may also be a corner lot.

**MAJOR STREET PLAN:** See Comprehensive Plan.

**MINOR ARTERIALS:** This system should interconnect with and augment the urban principal arterial system and provide service to trips of moderate length at a somewhat lower level of travel mobility than principal arterials. Minor arterials, ideally, do not penetrate identifiable neighborhoods.

**MONUMENTS:** Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision including all corners, boundary lines and points of change of street alignment.

**NON-RESIDENTIAL LOT:** A lot intended to be used for purposes other than residential and accessory uses; such as for commercial or industrial uses.

**NON-RESIDENTIAL SUBDIVISION:** A subdivision intended to be used other than residentially, such as for commercial or industrial development. Such subdivision shall comply with the applicable provisions of these regulations.

**OFFER OF DEDICATION:** The act of granting land or streets to an entity, such as the government, association, person, etc. The offer of dedication shall not constitute the acceptance of such land or streets by the local government, association or person.

**OPEN SPACE AREA:** A public or private area created by a Planned Unit Development or by dedication of a lot or portion of a lot for use other than a building lot such as recreational, natural, or conservational use. Private open space areas shall be owned and maintained by a homeowner's or property owner's association as outlined in the private

subdivision covenants and not owned by or benefiting an individual.

**ORDINANCE:** Any legislative action, however dominated, of a local government that has the office of law, including any amendment or repeal of any ordinance

**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 land sought to be subdivided under these regulations.

**PERFORMANCE BOND:** Assurance that required work will be done after a plat is recorded.

**PLANNING COMMISSION:** The Tullahoma Municipal Regional Planning Commission, a regional planning commission created in accordance with Tennessee Code Annotated 13-3-401 and also serving as the municipal planning commission for the cities and towns listed in Article I, Section 101.1 in accordance with Tennessee Code Annotated 13-3-401. The term "Planning Commission", as used in these regulations, may refer to the Tullahoma Municipal Regional Planning Commission or its staff, as appropriate

**PLANNING DEPARTMENT:** The agency designated by the City of Tullahoma as the official source of electronic maps and related geographic information system support. The head of this agency is the Director of the Planning Department.

**PLAT:** The map, plan or drawing on which the developer's plan of a subdivision is presented to the Planning Commission for approval and, after such approval, to the Registrar of the appropriate county for recording. "Plat" includes plat, replat, plan, plot or re-plot.

**PLAT DESIGNER:** An individual or firm that surveyed and designed the preliminary plat, final plat.

**PRINCIPAL ARTERIALS:** Significant intra-area travel; such as between central business districts and outlying residential areas, between major inner city communities, or between major suburban centers should be served by this system. Principal arterials are not restricted to controlled access routes. For principal arterials, the concept of service to abutting land should be subordinate to the provision of travel service to major traffic movements.

**PUBLIC RIGHT-OF-WAY:** Land owned by a government, but developed and reserved for the public's use. (See Right-of-Way)

**PUBLIC UTILITY:** See Utility, Public.

**RESERVE STRIP:** A remnant of land created by the subdivision of contiguous land.

**RESIDENTIAL LOT:** A lot intended to be used for residential and accessory uses.

**RESIDENTIAL SUBDIVISION:** A subdivision intended to be used for residential and accessory uses.

**RESUBDIVISION:** A change in a map of an approved or recorded subdivision plat.

**REVISED PLAT:** A plat used to record minor changes to a recorded plat.

**RIGHT-OF-WAY:** A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, 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 of parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

**ROAD:** Any public right-of-way designed for vehicular movement, except alleys, dedicated to and accepted by the local government. "Road" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Road" includes "street", "highway", or any other designation of a public right-of-way designed for vehicular movement.

**SALE OR LEASE:** Any immediate or future transfer of ownership or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer, or an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat map, lease, intestate succession, or other written instrument.

**SETBACK LINE:** A line established by the subdivision regulations and/or zoning ordinance (resolution), generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes.

**SEWER AVAILABLE:** This note on a plat means that every lot has an existing, functioning sanitary sewer line on that lot or in a street adjacent to that lot and that every lot can access sanitary sewers by gravity flow or that a bond has been submitted to install sanitary sewers that meet this standard.

**SHORT CUL-DE-SAC:** See Cul-de-sac, short.

**STAGING:** The development of tracts of land in a piecemeal fashion to avoid adhering to a longer subdivision procedure.

**STREET:** Any public right-of-way designed for vehicular movement, except alleys, dedicated to and accepted by the local government. "Street" includes the full width of the right-of-way between property lines as well as the traveled portion thereof. "Street" includes "road", "highway", or any other designation of a public right-of-way designed for vehicular movement.

**STREET, DEDICATED:** A street shown on a subdivision plat which has been dedicated to the local government, but which has not yet been accepted by the local government.

**STREET, COLLECTOR:** This system provides both land access and traffic circulation within residential neighborhoods as well as commercial/industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate through the area to the ultimate destination. In the central business (CBD), and in other areas of like development and traffic density, the collector system may include the street grid, which forms a logical entity for traffic circulation.

**STREET, CUL-DE-SAC:** A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround. (See Appendix. 6)

**STREET, FREEWAY:** A divided, multi-lane street with full control of access designed to move large volumes of traffic at high speeds.

**STREET, LOCAL:** The local street system comprises all facilities not on one of the higher systems. It serves primarily to provide direct access to abutting land and access to the higher order systems. It offers the lowest level of mobility and through traffic movement usually is deliberately discouraged.

**STREET, SPLIT:** A street, designed to lessen road cross grades and lot grades, that has two one-way levels or street segments with a median that is a part of the right-of-way. Split streets shall have a paved turn-around of at least 40 feet in diameter at each end of the median to facilitate access to property on the reverse lane of the split street. The developer may be required to install facilities to reduce maintenance and erosion at the discretion of the City Engineer.

**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 plat in a subdivision, or who (3), engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or developing a subdivision or any interest, lot, parcel site, unit, or plat in a subdivision, and who (4), is directly or indirectly controlled by or under direct, or indirect common control with any of the foregoing. (See also Applicant, and Developer)

**SUBDIVISION:** See Article 1, Sections 105.2 and 105.2.1

**SUBDIVISION, ADMINISTRATIVELY APPROVED:** See Article 2, Section 204 and 205.

**SUBDIVISION, CORRECTIVE PLAT:** See Article 2, Section 206.

**SUBDIVISION, MAJOR:** Any subdivision in which new streets are to be constructed dedicated to the public; or any subdivision requiring the extension of public water and/or sewer lines or any subdivision with five or more lots. ~~whose only access is an easement.~~

**SUBDIVISION, Minor:** Any subdivision with four or less lots and not requiring new streets or extension of public water and/or sewer lines.

**SURVEYOR:** A land surveyor properly licensed and registered in the State of Tennessee.

**SURVEYOR/ENGINEER:** Any person registered to practice professional engineering in

the State of Tennessee and also licensed and registered to practice surveying in the State of Tennessee.

UTILITY, PUBLIC: A public utility is a business, organization, or government entity which is regularly supplying the public with some commodity of service to include but not limited to such commodities or services as natural gas, electricity, water, telephone, sewage collection, cable television, etc., which requires the extension of lines, cables, wires, pipes, etc., to individual buildings and which is being regulated for the public convenience and necessity by federal, state or local government.

VARIANCE: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

WATERCOURSE, UNMAPPED: Any watercourse or watercourses for which 100 year flood elevations have been mapped by the Federal Emergency Management Administration or its successor on Flood Insurance Rate Maps.

ZONING REGULATIONS: The Tullahoma Zoning Regulations as adopted and amended by the Tullahoma Board of Mayor and Aldermen.

**ARTICLE 9  
ENACTMENT AND REPEAL**

**801 Enactment, Effective Date**

These regulations shall become effective from and after the date of their approval and adoption by the Tullahoma Municipal Regional Planning Commission for the City of Tullahoma.

**802 Repeal**

Henceforth, any other subdivision regulations previously adopted by the Tullahoma Municipal Regional Planning Commission for the City of Tullahoma shall be deemed to be repealed.

ADOPTED: November 19, 2007

Secretary  
Tulahoma Municipal-  
Regional Planning Commission

Chairman  
Tulahoma Municipal-  
Regional Planning Commission

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Director of Planning  
City of Tullahoma