

## ARTICLE I

### GENERAL PROVISIONS

#### **1-101 Title**

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

#### **1-102 Authority**

These Subdivision Regulations are adopted by the Bell Buckle Municipal Planning Commission (hereinafter referred to as "Planning Commission"), in pursuance of the authority and powers granted by Sections 13-3-401 through 13-3-411 and 13-4-301 through 13-4-309, Tennessee Code. Having adopted a major thoroughfare plan for the jurisdictional area, and filed a certified copy of the plan with the County Register of Deeds (hereinafter referred to as "County Register"), as required by Sections 13-3-402 and 13-4-302, Tennessee Code, and having held a public hearing as indicated in Section 7-101, of these regulations, and as required by Sections 13-3-403 and 13-4-303, Tennessee Code, the Planning Commission has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.

#### **1-103 Jurisdiction**

These Subdivision Regulations shall apply to all subdivisions, as herein defined, located within the Town of Bell Buckle, Tennessee. No land shall be subdivided within the jurisdictional area until the subdivider submits a plat as required by these regulations, obtains Planning Commission approval of the plat, and files the approved plat with the County Register.

#### **1-104 Policy and Purpose**

It is hereby declared to be the policy of the Planning Commission to consider the subdivision of land and development of a subdivision plat as subject to the control of the adopted land use or community development plan (hereinafter referred to as "land development plan") of the jurisdictional area for orderly, planned, and efficient physical and economical development.

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

Land shall not be subdivided until proper provisions have been made for drainage, water, sewerage, other public utilities, and for other required public services. The existing and proposed public improvements shall generally conform to and be properly related to the proposals shown in the land development plan.

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

No building or structure shall be built across any established lot lines. *(Amended June 2013)*

These regulations are adopted for the following purposes:

- A. To promote the public health, safety, and general welfare of the jurisdictional area.
- B. To guide the development of the jurisdictional area in accordance with the land development plan, considering the suitability of nonresidential and public areas and having regard for the most beneficial land use in such areas.
- C. To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other dangers; and to prevent overcrowding of the land and undue congestion of population.
- D. To enhance the character and economic stability and encourage the orderly, beneficial development of the jurisdictional area.
- E. To conserve the value of land, buildings, and improvements throughout the jurisdictional area and to minimize detrimental conflicts among the uses of land and structures.
- F. To guide public and private policy and action providing for transportation, water, sewerage, schools, recreational areas, and other public requirements and facilities.
- G. To provide for the most beneficial relationship between the uses of land and buildings and the efficient traffic movement throughout the jurisdictional area.

- H. To establish reasonable standards of design and procedures for subdivisions and re-subdivisions; to further the orderly layout and use of land; and to insure proper legal descriptions and proper monumenting of land.
- I. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- J. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to preserve the integrity, stability, beauty, and value of the jurisdictional area.
- K. To preserve the natural beauty and topography of the jurisdictional area, and to insure appropriate development with regard to these natural features.
- L. To provide for open spaces through efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in any zoning ordinance.
- M. To encourage subdivision design to maximize the conservation of all forms of energy.

**1-105 Interpretation, Conflict, and Severability**

**1-105.1 Interpretation:** These regulations shall be held to be the minimum requirements for the promotion of health, safety, and general welfare.

**1-105.2 Conflict with Public and Private Provisions**

**1-105.201 Public Provisions**

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

**1-105.202 Private Provisions**

These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction; provided, that where these regulations are more restrictive or impose higher standards than such easement, covenant, or

other private agreement or restriction, the requirements of these regulations shall govern. Where any private provision exceeds the standards set forth herein, such shall be considered a private contract between the parties of interest, and as such is beyond the jurisdiction of the Planning Commission.

### **1-105.3 Severability**

If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning Commission hereby declares that it would have enacted the remainder of these regulations without any such part, provision, or application.

### **1-106 Saving Provision**

These regulations shall not be construed as abating any action now pending under, or by virtue of prior Subdivision Regulations; or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue; or as affecting the liability of any person; or as waiving any right of the Planning Commission under any section or provision existing at the time of adoption of these regulations; or as vacating or annulling any rights obtained by any person by lawful action of the Planning Commission, except as expressly provided otherwise in these regulations.

#### **1-106.1 Previously Approved Subdivisions**

##### **1-106.101 Unexpired Preliminary Approval**

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

##### **1-106.102 Expired Preliminary Approval**

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

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

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

## **1-107 Amendments**

### **1-107.100 Enactment**

For the purpose of providing for the public health, safety, and general welfare the Planning Commission may from time to time amend these regulations by the affirmative vote of a majority of its entire membership. Before the adoption of any amendment to these regulations, a public hearing thereon shall be held by the Planning Commission, fifteen (15) days notice of the time and place of which shall be given by publication in a newspaper of general circulation.

### **1-107.101 Codification and Distribution**

Subsequent to the adoption of any amendment to these regulations, such amendment shall be incorporated into the text of these regulations in the following manner.

1. Replacement pages shall be prepared incorporating the new or changed language. Each such new or replacement page shall have the amendment number and shall be dated so as to indicate the date of the last revision of the page.
2. In Article VII, of these regulations, each adopted amendment shall be numbered consecutively and printed on pages separate from any other amendment and in a manner which fully states any language deleted from these regulations and any language added and the place in the text of each such change.

## **1-108 Re-Subdivision of Land**

### **1-108.100 Procedures for Re-Subdivision**

If any change in an approved or recorded subdivision plat would affect the layout of any public street, alley, or road (hereinafter referred to as public way) shown on such plat, or area reserved thereon for public use, or any lot line, or if it would affect any map, plan, or plat legally recorded before the adoption of any Subdivision Regulations, such amendment shall be approved by the Planning Commission by the same procedure, rules, and regulations as for a subdivision. Re-subdivision of land is permissible only if all conditions are met under the provisions of Article 5 of the Bell Buckle Zoning Ordinance in effect at the time of the proposed subdivision action. (*Amended June 2013*)

### **1-108.102 Procedures for Subdivision Where Future Re-Subdivision Is Foreseen**

Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one (1) acre of land or double the minimum required area for any zoning district in which the lot is located, and the Planning Commission has reason to believe that any such lot(s) will be re-subdivided into smaller building sites, the Planning Commission may require that the subdivision and development of such parcel of land allow for the future opening of public ways and the ultimate extension of adjacent public ways. The Planning Commission may also require that dedications providing for the future opening and extension of such public ways be indicated on the plat. Re-subdivision of land is permissible only if all conditions are met under the provisions of Article 5 of the Bell Buckle Zoning Ordinance in effect at the time of the proposed subdivision action. (*Amended June 2013*)

## **1-109 Conditions**

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

**1-110 Vacation of Plats**

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

**1-111 Modification of Subdivision Regulations**

**1-111.100 General**

If the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, a modification of these regulations may be granted; provided, such modification shall not have the effect of nullifying the general intent and purpose of these regulations and provided, further, that the Planning Commission shall not recommend modifications unless it shall make findings based upon written evidence that compliance is absolutely not possible. *(Amended June 2013)*

**1-111.200 Procedures**

Each and every modification of these Subdivision Regulations sought by a subdivider shall be specifically applied for in numerical order of the Subdivision Regulations, in writing by the subdivider. Any condition shown on the plat which would require a modification shall constitute grounds for disapproval of the plat unless such special application for modification is made. In approving any variation from these regulations, the Planning Commission shall state fully in the minutes the grounds for the modification and all of the facts upon which the decision is made. *(Amended June 2013)*

**1-111.300 Conditions**

In approving variations, the Planning Commission may impose such conditions as in its judgment will secure substantially the objectives, standards, and requirements of the Subdivision Regulations.

## **1-112 Enforcement, Violation, and Penalties**

### **1-112.100 General**

#### **1-112.100.101 Authority**

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

#### **1-112.100.102 Enforcing Officer**

It shall be the duty of the Bedford County Building Inspector (hereinafter referred to as "the enforcing officer") and/or the local jurisdiction's designee to enforce these regulations and to bring to the attention of legal counsel any violations or lack of compliance herewith.*(Amended June 2013)*

#### **1-112.100.103 Recording of Plats**

Pursuant to Sections 13-3-402 and 13-4-302, Tennessee Code Annotated, no plat of a subdivision of land within the jurisdictional area shall be received or recorded by the Bedford County Register until the plat has received final approval of the Planning Commission in accordance with these regulations, and such approval has been endorsed in writing on the plat by the Planning Commission secretary in the manner prescribed by Section 2-105, of these regulations.

#### **1-112.100.104 Use of Unapproved Plats**

Pursuant to Sections 13-3-410 and 13-4-306 Tennessee Code, no owner or agent of the owner of any land shall transfer or sell or agree to sell or negotiate to sell such land by reference to or exhibition of such land without first having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required by these Subdivision Regulations and having recorded such plat in the office of the County Register, provided, that the owner or agent posts bond in a form and amount and with conditions and surety satisfactory to the Planning Commission providing for and securing to the public the actual construction and installation of required improvements and utilities within a period specified by the Planning Commission and expressed in the bond. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt any owner or agent violating the provisions of



the preceding paragraph from the penalties or remedies provided in Subsections 1-113.2 and 1-113.3, of these regulations.

**1-112.100.105            Metes and Bounds Subdivisions**

The subdivision of any lot or parcel of land by use of metes or bounds description without complying with the plat provisions of these regulations shall not be permitted. All such described subdivisions shall be subject to all of the requirements of these regulations.

**1-112.100.106            False Statements About Roads**

Pursuant to Sections 13-3-410 and 13-4-306, Tennessee Code, no owner or agent of the owner of any land shall falsely represent to a prospective purchaser of real estate that roads or streets will be built or constructed by any city, county, or any other political subdivision.

**1-112.100.107            Roads and Utilities**

Pursuant to Sections 13-3-406 and 13-4-307, Tennessee Code, the Planning Commission shall not nor shall any public authority accept, lay out, open, improve, grade, pave, or light any street, lay or authorize the laying of water mains or sewers, or construct or authorize the laying of water mains or sewers, or construction of other facilities or utilities in any street located within the corporate limits of the Town of Bell Buckle unless such street shall have been accepted, opened, or otherwise received the legal status of a public street and corresponds in its location and lines to a way shown on a subdivision plat approved by the Planning Commission or on a street plan made by the Planning Commission; provided, however, that the County Commission or Board of Mayor and Aldermen may accept or lay out any other street or adopt any other street location, provided, the resolution, ordinance or other measure for such acceptance, laying out or adoption first shall be submitted to the Planning Commission for its approval and, if disapproved by the Planning Commission, shall receive the favorable vote of a majority of the entire membership of the County Commission or Board of Mayor and Aldermen appropriate. A street upon such submission or acceptance, laid out, or adopted by the Planning Commission shall have the status of an approved street location as fully as though it originally had been shown on a subdivision plat made and adopted by the Planning Commission. In case, however, of any state highway constructed or to be constructed in the corporate limits of Bell Buckle by the State of Tennessee, with state funds as a part of the

state highway system, the submission to the Planning Commission shall be by the State Commissioner of Transportation, who shall have the power to overrule the disapproval of the Planning Commission.

**1-112.100.108            Grading Permits:**

No grading permits shall be issued by the Bedford County Codes Department and/or the Town of Bell Buckle for the construction of any drainage, structures, utilities or grading activities located on a lot or plat subdivided or sold in violation of any provisions of these regulations.*(Amended June 2013)*

**1-112.100.109            Building Permits**

No building permit shall be issued by Bedford County for the construction of any building or structure located on a lot or plat subdivided or sold in violation of any provision of these regulations.

**1-112.100.110            Access to Lots by Public Way or Private Easement**

Pursuant to Sections 13-3-411 and 13-4-308, Tennessee Code, no building permit shall be issued and no building or structure shall be erected on any lot within the jurisdictional area, unless the public way giving access to the lot upon which the building or structure is proposed to be placed shall have been accepted or opened or shall have otherwise received the legal status of a public way as provided by law; provided, that provisions of this section relating to access shall not apply to subdivisions of property zoned commercial or industrial and that no building permit shall be withheld in such cases of noncompliance with this section.

Provided, further, that when a permanent easement to a public way is used as access to a lot or tract of land having been or being separated by deed or plat from other property, such easement shall be at least fifty (50) feet in width from and after the time of adoption of these regulations and shall not be used to provide access to more than one lot or tract of land.

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

**1-112.200     Penalties for Violations**

**1-112.200.201     Recording of Unapproved Plats**

Any county Register receiving, filing, or recording a plat of a subdivision in violation of Subsection 1-112.103, of these regulations, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

**1-112.200.202     Use of Unapproved Plats**

Any owner or agent of the owner of any land who violates Subsection 1-112.104, of these regulations, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

**1-112.3     Civil Enforcement**

**1-112.301             General**

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

**1-112.302             Specific Statutory Remedies**

A. Use of Unapproved Plats:

The town, through its attorney or other official designated by the town council, may enjoin by action for injunction any transfer of, sale of, or agreement to sell any land in violation of Subsection 1-112.104, of these regulations.

B. Erection of Unlawful Buildings:

Where any building or structure is erected or being erected on any lot in violation of the road or easement frontage requirements of Subsection 1-112.109, of these regulations, the town building official or the town attorney or other official designated by the town council may bring action

to enjoin such erection or cause the building or structure to be vacated or removed.

- C. Enforcement of Bonds: Where a bond is accepted in lieu of completion of subdivision improvements and utilities as provided in Subsection 1-112.104, and Article III, of these regulations, or the district attorney for the judicial circuit in which the subdivision is located may enforce such bond by all appropriate legal and equitable remedies, and in the event of enforcement by the district attorney, the monies collected on such bond shall be paid into the town treasury and, upon the order of the Planning Commission, shall be applied to the construction and installation of the bonded improvements and utilities.

#### **1-113 Repeal of Previous Regulations**

Upon the adoption and effective date of these regulations, the previously adopted Subdivision Regulations of Bell Buckle, Tennessee are hereby repealed.

#### **1-114 Fees for Plat and Plans Review**

Any individual who is seeking to subdivide property within the jurisdictional area where these regulations are applicable shall pay such filing and review fees as are required by the Town of Bell Buckle. Said fees shall be paid prior to the item being placed on the agenda for consideration by the Planning Commission.

## ARTICLE II

### PROCEDURES FOR PLAT APPROVAL

#### **2-101 General Procedure**

##### **2-101.1 Plat Approval Requirements**

Before any contract is executed for the sale of any parcel of land which is proposed to be subdivided and before any permit for the erection of any structure in a proposed subdivision shall be granted, the subdividing owner or his authorized agent shall apply for and secure the Planning Commission's approval of the proposed subdivision in accordance with the procedures of this article.

##### **2-101.2 Classification of Subdivisions**

The Planning Commission shall classify each subdivision proposal as either major or minor as defined herein. Please refer to the Town of Bell Buckle Zoning Ordinance, Article 4, Section 4.102 and Article 5, Section 5.045, for further information and guidance.

Please note that Residential Conservation Developments are permitted by right and that Conventional Developments must first obtain approval from the Town of Bell Buckle Board of Zoning Appeals prior to the submittal of any plats for review or approval. *(Amended June 2013)*

##### **2-101.201 Review Procedure**

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

###### **a. Minor Subdivision**

- i. Pre-application conference with the Town Planner, including submittal of a scale drawing or survey of the proposed subdivision for preliminary discussion and review. *(Amended June 2013)*

- ii. Submittal of a final plat, prepared, in accordance with the specifications in Section 5-104, herein, for approval by the Planning Commission.
- iii. Securing of approvals from other public agencies and any affected utility districts or companies.

b. Major Subdivision

- i. Pre-application conference on the subdivision with the Planning Commission and/or staff assistant to the Planning Commission, generally including a sketch plat, and discussion of the proposed area to be subdivided.
- ii. Submittal of a sketch plat, prepared in accordance with section 5-101, herein for Planning Commission approval.
- iii. Submittal of a preliminary plat, prepared in accordance with Section 5-102, herein for Planning Commission approval.
- iv. Submittal of the construction drawings in accordance with section 5-103 herein for the approval of the Town Engineering Firm or other Agencies and or affected utility district and companies.
- v. Submittal of the final subdivision plat, prepared in accordance with Section 5-104, herein for Planning Commission approval.

**2-101.3 Official Submission Date**

For the purpose of these regulations, for both major and minor subdivisions, the date of the regular meeting of the Planning Commission at which the public hearing on the final subdivision plat, including any adjourned date thereof, is closed, shall constitute the official submittal date of the plat at which the statutory period required in Section 13-3-404 and 13-4-304, Tennessee Code, for formal approval or disapproval of the plat shall commence.

#### **2-101.4 Policy on Flood Prone Areas**

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

1. The danger to life and property due to the increased flood heights or velocities, either potential or actual, caused by subdivision fill, roads, and intended uses;
2. The danger that intended uses or improvements may be swept onto other lands or downstream to the injury of others;
3. The adequacy of proposed water supply, sanitation, and drainage systems, and the ability of these systems to function under flood conditions;
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage upon the individual owner;
5. The importance of the services provided by the proposed facility to the community at large;
6. The requirements of the subdivision for a waterfront location;
7. The availability of alternative locations not subject to flooding for the proposed subdivision and land uses;
8. The compatibility of the proposed uses with existing development or development anticipated in the foreseeable future;
9. The relationship of the proposed subdivision to the land development plan and the floodplain management program for the area;
10. The safety of access to the property for emergency vehicles in times of flood;
11. The expected heights, duration, velocity, rate of rise, and sediment transport of the floodwaters expected at the site;

12. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, public ways, and bridges; and
13. The effect of the proposed subdivision upon the governing body's participation in the National Flood Insurance Program, if such Planning Commission is, or elects to be, in the program.

No subdivision or part thereof shall be approved by the Planning Commission if proposed levees, fills, structures, or other features within the subdivision will individually or collectively, increase flood flows, heights, duration, or damages. The regulatory limits (the one hundred-year flood level) shall be determined from the latest approved flood study for the jurisdictional area, and any subsequent revisions thereto. Specific engineering studies are to be formulated by the developer in those areas in which flood data are not currently available, if deemed necessary by the Planning Commission.

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

In approving plans for subdivision of land containing flood prone areas, the Planning Commission shall ensure that development will proceed in such a way that property lying within any floodway, as defined by these regulations, will be maintained in a manner as prescribed by any Zoning Ordinance. The Planning Commission shall also ensure that development within any floodway fringe area (within the one hundred-year flood level) will be protected adequately against potential flood hazards by the methods prescribed in Article IV, of these regulations.

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



## **2-102 Sketch Plat**

### **2-102.1 Purpose of Sketch Plat**

The applicant shall submit a sketch plat to the Planning Commission for approval. The sketch plat is to be a concept plan for design purposes and should be used to discover all factors which may have an impact on the proposed development and to advise the subdivider of various possibilities before substantial amounts of time and money have been invested in a very detailed proposal which may contain elements contrary to these regulations.

### **2-102.2 Sketch Plat Requirements:**

The sketch plat shall include the information set forth in Section 5-101 of the Town of Bell Buckle Subdivision Regulations.

### **2-102.3 Approval of Sketch Plat:**

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.

### **2-102.4 Expiration of Approval**

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.

## **2-103 Preliminary Plat (Major Subdivisions Only)**

### **2-103.1 Application Procedure and Requirements**

The applicant shall file with the Planning Commission a preliminary plat. The failure of the applicant to satisfy the requirements of this section with full and correct information shall be cause for disapproval of a preliminary plat. The preliminary plat shall be prepared in accordance with Section 5-102, and:

1. Be presented at the office of the enforcing officer; at least fifteen (15) days prior to the regular meeting of the Planning Commission at which it is to be considered.
2. Include all land which the applicant proposes to subdivide and all land immediately adjacent, extending two hundred (200) feet therefrom, or of that directly opposite thereto, extending two hundred (200) feet from the public way frontage of such opposite land. The lot pattern of surrounding development shall be shown within that area located within two hundred (200) feet of the proposed development;
3. Be accompanied by a minimum of seven (7) copies of the preliminary plat as described herein; and
4. Be accompanied by a minimum of four(4) copies of construction plans as described in Section 5-103, of these regulations, and,
5. Preliminary plat review fee and lot fee shall be paid to the Town Recorder upon submittal of the plat to the enforcing officer;

**2-103.2     Staff Review (Amended June 2013)**

A staff review meeting shall be conducted on the preliminary plat, construction plans, and any exhibits submitted in conformance with these Subdivision Regulations. This review shall include the staff assistant to the Planning Commission and any other appropriate governmental representative. The review shall be held prior to the regularly scheduled Planning Commission meeting at which the plat is to be reviewed. The findings of the staff review shall be presented to the Planning Commission.

With expert assistance, as necessary, the subdivider shall prepare a report, on any proposed subdivision containing or abutting a flood prone area. Such report shall estimate the discharge of the regulatory flood; determine the specific flooding threat at the site of the proposed subdivision; and indicate whether the subdivision is located in a floodway or floodway fringe area by:

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

2. Computation of the floodway required to convey the regulatory flood without increasing natural flood heights of the regulatory flood more than one (1) foot at any point; and
3. Unless otherwise established, computation of increase in flood heights caused by any encroachment shall be based upon the reasonable assumption that there will be an equal degree of encroachment on both sides of the stream within that reach. No increase in flood storage attributable to encroachments on the floodplain of any river or stream shall be permitted in any one reach or for the cumulative effect of several reaches.

### **2-103.3     Notice of Hearing**

The Planning Commission shall hold a hearing as required by Section 13-3-404 and 13-4-304, Tennessee Code, on each plat brought before it.

### **2-103.4     Preliminary Approval**

After the Planning Commission has reviewed the preliminary plat, construction plans, exhibits, and the results of staff review, the applicant shall be advised of any required changes. The Planning Commission shall approve, or disapprove the preliminary plat within thirty (30) days after date of the regular meeting of the Planning Commission at which the hearing on preliminary approval, including adjourned date thereof, is closed. However, the requirements of Section 2-105.2, Hearing and Decision on Final Plat, addressing quorum requirements must be adhered to.

The failure of the Planning Commission to act upon a preliminary plat within the prescribed time shall be deemed preliminary approval of the plat, and in such event, a certificate of preliminary approval shall be issued by the secretary of the Planning Commission, upon demand, and the applicant may proceed to apply for final subdivision plat approval in the manner prescribed by Section 2-104, of these regulations.

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

Before the Planning Commission approves a preliminary plat showing land for any public use, the Planning Commission shall obtain approval for the land reservation from the governing body or appropriate governmental agency.

**2-103.5     Public Improvements**

The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the Secretary of the Planning Commission. If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final subdivision plat, an adequate Letter of Credit shall be approved. The amount of such bond shall be established by the Planning Commission based upon the recommendation of the appropriate governmental representative, town engineer and/or by receipt of cost bids from two (2) or more independent contracting firms equal to the cost of all necessary improvements plus an additional five (5) percent to cover inflation shall be added. Except for the estimate obtained from the town engineer, it is the subdivider's responsibility to furnish these estimates to the Planning Commission.

Such bond shall be submitted by the applicant at the time of application for final subdivision plat approval. The Planning Commission shall require the applicant to indicate on the plat all public ways and improvements to be dedicated; all districts for water, fire, and utility improvements which shall be required to be established or extended; and any other special requirements deemed necessary by the Planning Commission in order for the subdivision plat to conform to the major street or road plan and the land development for the planning region.

**2-103.6     Effective Period of Preliminary Approval**

The approval of a preliminary plat shall be effective for a period of one (1) year, at the end of which time final approval of the subdivision plat must have been obtained from the Planning Commission, although the plat need not have been signed and filed with the county register. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to submit a new plat for approval subject to any zoning provisions and the Subdivision Regulations currently in effect.

### **2-103.7 Zoning Regulations**

Every plat shall conform to any existing zoning regulations and Subdivision Regulations applicable at the time of proposed final approval, except that any plat which has received preliminary approval shall be exempt from any subsequent amendments to such zoning ordinance or these regulations rendering the plat nonconforming as to bulk, use, or development standards, provided, that final approval is obtained within the effective period of preliminary approval set forth in Subsection 2-103.6, herein.

### **2-104 Construction Drawings**

#### **2-104.1 Requirements and Application Procedure**

A subdivider shall file with the enforcing officer, construction drawings. The construction drawings shall be prepared in accordance with Section 3-103 and:

1. Be presented at the office of the enforcing officer not less than fifteen (15) days prior to the Planning Commission meeting at which they are to be considered.
2. For the staff review session, be accompanied by four (4) copies of the construction drawings described herein; a minimum of four (4) copies of the construction drawings are required for the Planning Commission meeting.
3. Construction drawing review fees shall be paid to the Town Recorder upon submittal of the plans to the enforcing officer.

#### **2-104.2 Staff Review and Approval**

A staff review meeting shall be conducted by planning staff, the Town Engineering representative, a representative of the Water and Sewer Department, a representative of the Street Department, and any other governmental representatives as seen necessary.

Prior to the commencement of any construction, a pre-construction conference between the developer or the developer's representative(s), staff planner and the

Water / Sewer / Street Department representative, Town Engineering representative and any other governmental representative shall be required.

## **2-105 Final Subdivision Plat (Minor and Major Subdivision)**

### **2-105.1 Application Procedure and Requirements**

A subdivider shall file with the Planning Commission a final plat. The plat shall be prepared in accordance with Section 5-104 and:

1. Include the entire subdivision, or section thereof, for which final approval is sought;
2. Be accompanied by a minimum of seven (7) copies of the final subdivision plat as described herein. Distribution of the copies shall be as in Subsection 2-103.1(3), herein.
3. Comply substantially with the preliminary plat, where such plat is required;
4. Be presented at the office of the enforcing officer at least fifteen (15) days prior to the regular meeting of the commission at which it is to be considered;
5. Final plat review fee and lot fee shall be paid to the Town Recorder upon submittal of the plat to the enforcing officer;
6. Be accompanied by formal irrevocable offers of dedication to the public of all public ways and uses, utilities, parks, and easements, in a form approved by legal counsel, as applicable. (The subdivision plat shall be marked with a notation indicating the formal offers of dedication as shown in Article V, of these regulations.);
7. Be accompanied by a Letter of Credit, if required, in a form satisfactory to legal counsel and in an amount adequate to complete the required improvements. It shall include provisions that the principal of the bond shall comply with all the terms of the resolution of final subdivision plat approval, as determined by the Planning Commission, including, but without limitations, the performance of all required subdivision and offsite improvements, and that all improvements and land included in the

irrevocable offers of dedication shall be dedicated to the governing body free and clear of all liens and encumbrances on the premise(s); (*amended June 2013*)

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

#### **2-105.2 Hearing and Decision on Final Plat**

The Planning Commission shall hold a hearing as required by Section 13-4-304, Tennessee Code, on each final plat brought before it. Except as provided below the Planning Commission shall, within thirty (30) days after submission of the plat, approve, modify, or disapprove the final subdivision plat by resolution, which shall set forth in detail any conditions to which the approval is subject, or reasons for disapproval. In no event shall the period of time stipulated by the Planning Commission for completion of required improvements exceed one (1) year from the date of final resolution.

Failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat, however lack of a quorum does not constitute a failure to act upon a plat and therefore does not constitute automatic approval. Failure of the Planning Commission to act upon a plat will result in approval, entitling the applicant to proceed as specified in Subsection 2-104.4 and Section 2-105, of these regulations, and a certificate of approval shall be issued, upon demand, by the secretary of the Planning Commission. The applicant, however, may agree to an extension of the time for Planning Commission review.

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

### **2-105.3 Vested Rights**

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

## **2-106 Signing and Recording of Subdivision Plat**

### **2-106.1 Signing of Plat**

1. When a bond is required, the secretary of the Planning Commission shall endorse approval on the plat after the bond has been approved by the Planning Commission and after all the conditions of the resolution pertaining to the plat have been satisfied.
2. When installation of improvements is required, the secretary of the Planning Commission shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the Planning Commission as shown on



certifications by the appropriate governmental representative(s) that necessary land dedications and improvements have been accomplished.

3. When the conditions of this section are satisfied, the secretary shall sign the permanent reproducible original of the subdivision plat.

#### **2-106.2     Recording of Plat**

It shall be the responsibility of the enforcing officer to file the plat with the County Register's office within fifteen (15) days of the date of signature. Simultaneously, with the filing of the plat, the enforcing officer shall record the agreement of dedication together with such legal documents as shall be required to be recorded by legal counsel.

#### **2-106.3     Phasing of Major Subdivision Plats**

Prior to granting final approval of a major subdivision plat, the Planning Commission may permit the plat to be divided into two (2) or more sections and may impose such conditions upon the filing of each section as it may deem necessary to assure the orderly development of the subdivision.

The Planning Commission may require that a Letter of Credit be in such amount as is commensurate with the section or sections of the plat to be filed and may defer the remaining required Letter of Credit principal amount until the remaining sections of the plat are offered for filing. The developer also may file irrevocable offers to dedicate public ways and improvements in the section offered to be filed and defer filing offers of dedication for the remaining sections until such sections, subject to any conditions imposed by the Planning Commission, shall be granted concurrently with final approval of the plat. Such authorized sections must contain at least ten (10) percent of the total number of lots contained in the proposed plat unless a specific waiver of this requirement is granted by the Planning Commission. *(Amended June 2013)*

### **2-107   Special Provisions Governing Unit Ownership (Condominium) Subdivisions**

#### **2-107.1         General Provisions**

- a.     Intent: This section is intended to augment the general legislation of Sections 66-27-101 through 66-27-123, Tennessee Code, entitled "Horizontal Property Act," by providing supplemental

rules and regulations for the implementation of the act, as specifically authorized in Section 66-27-121, Tennessee Code.

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

**2-101.7.2      Submission of Plat Required**

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

**2-107.3      Determination of Subdivision Type**

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

**2-107.4      Procedure**

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

**2-107.5      Contents of Plans and Documents**

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

**2-108 Miscellaneous Platting Situations**  
*(Amended June 2013)*

**2-108.1 Converting Parcels into Building Sites**

A land parcel created by deed or land parcel identified as a reserve parcel on a plat may be converted to a building site within the limits set forth by the Zoning Ordinance and these regulations as follows:

1. Reserve parcels may be converted to building sites by submittal of a plat drawing as described herein. Removal of the reserve status shall require Planning Commission approval.
2. Parcels that a pending an action by a public utility to provide service availability as noted on the face of the approved subdivision plat that created the parcel may not be removed from “reserve” status.

**2-108.2 Combining Two or More Lots**

Any number of lots may be combined into an equal or lesser number of lots by submittal of a Final Plat drawing as described herein. The drawing shall show the original lot lines as dashed line and proposed lot lines as solid lines. Combining lots shall require approval by the Planning Commission. Any lots resulting from such combination shall meet all applicable Zoning and Subdivision regulations. Administrative approval may be granted if easements, utilities, rights of way are not affected, and the proposed action meets all applicable regulations. No building or structures may be built across property lines.

**2-108.3 Shifting Lot Lines**

Shifting of lots lines shall be subject to the same procedures as described herein for a minor subdivision. No shifting of lot lines may be permitted that result in nonconforming parcels.

**2-108.4 Dedication of Right of Way, Public Use Lands, or Easements.**  
*(Amended June 2013)*

The dedication of land or use of land for public purposes may be accomplished by one of the following methods, both of which require Planning Commission approval.

**1. Dedication by Plat:**

A reproducible plat shall be prepared depicting the area to be dedicated by lines and survey description. The location of surrounding property lines, roads and public utilities shall be shown for reference. The placing of monuments and the location of such shall be shown on the plat. Signatory data shall also be included in the same manner as for a Final Plat. If the dedication for a road right of way that, by location of the dedication area, would divide a tract into two parcels, the plat shall be created as a Final Subdivision Plat in accordance with applicable Subdivision and Zoning regulations.

**2. Dedication by Written Document (Deed or Instrument):**

A written document in a form acceptable by the Town of Bell Buckle may be used for dedications in lieu of a plat. The document shall contain the following minimum information:

- A. Statement of Purpose
- B. A survey description of the area to be dedicated.
- C. Conditions imposed by the Grantor, if any.
- D. The document shall contain the same signatory data as required for a Final Plat.

## ARTICLE III

### ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

#### **3-101 Surety Instruments (Amended June 2013)**

##### **3-101.101 Performance and Maintenance Securities and Agreements**

After the necessary information has been provided, a Performance or Maintenance Agreement shall be prepared and sent to the Applicant. The agreement is a legal document, which binds the Applicant to the Town, and states that the Applicant shall install the required public improvements and if the Applicant fails to complete said improvements, the Town shall have the right to make demand for payment of the Guarantee In Lieu Improvement that is provided with the Agreement. The Agreements shall be in a form and contain requirements and conditions that the Applicant must accomplish.

##### **3-101.102 Security Documents**

The security or surety documents shall be in the form of an irrevocable Letter of Credit or cashier's check. Irrevocable Letters of Credit and/or cashier's checks are the only surety accepted.

All Letters of Credit are required to be renewed automatically with no expiration date (also referred to as "evergreen".) Letters of Credit will be sent to the Town directly from the issuing bank. The Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits fixed by the International Chamber of Commerce applicable at the date of the issuance of the Letter of Credit.

##### **3-101.103 Letters of Credit**

If a letter of credit will be used to secure the agreement, a cover letter will be sent to the applicant stating the information, as it must appear on the letter of credit, such as beneficiary, amount, and any verbatim statements. Letters of credit must be issued by a bank with a branch located within the physical limits of Bedford County, Tennessee, and the letter of credit must state that documents calling for

payment of the letter of credit may be presented at a branch location in Bedford County.

If the issuing bank is not located Bedford County, Tennessee, it must have a reciprocal agreement with a bank located within Bedford County, Tennessee, and the letter of credit must state that presentation of the documents calling for payment of the letter of credit may be made at that bank's location.

As stated above, all letters of credit are now required to be automatically renewed, with no expiration date, containing a clause that requires a minimum of sixty (60) days prior written notice from both the bank and the applicant, should the bank decide it does not intend to renew the letter of credit, delivered to the Planning Commission by overnight courier (or other delivery means such as certified mail that requires a recipient signature). The expiration period and expiration date shall be set by the Planning Commission. The Planning Commission will consider setting the expiration date to be between April and November to facilitate the completion of paving. The Planning Commission can call for the payment of the letter of credit 3-months before the expiration date.

**3-101.104      Cashier's Checks**

If a cashier's check is used to secure the agreement, the check shall be made payable to the Bell Buckle, TN Government. The check will be deposited into a NON-INTEREST BEARING escrow account. If the performance agreement is reduced at a later time, the Town will reimburse the applicant for the difference between the original performance agreement amount and the reduced performance agreement amount. When the performance agreement is released and placed under a maintenance agreement, the Town will reimburse the applicant for the difference between the performance agreement amount and the maintenance agreement amount, once the fully executed maintenance agreement is returned to the Planning Commission. When the maintenance agreement is released, the Town will reimburse the applicant for the maintenance agreement amount.

**3-101.105      Governmental Units**

Governmental units to which these bonds and contract provisions apply may file, in lieu of said contract or bond, a certified resolution or ordinance from officers or agencies authorized to act in their behalf agreeing to comply with the provisions of this article.

### **3-102 Improvements**

#### **3-102.1 Completion of Improvements**

Before the final subdivision plat is signed by the Planning Commission secretary as specified in Subsection 2-105.1, of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the appropriate governmental representative, all public ways, 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 free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

#### **3-102.2 Temporary Improvements**

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

#### **3-102.3 Costs of Improvements**

All required improvements shall be made by the applicant at his/her expense. Any provisions for reimbursement by the governing body or any utility agency shall be stipulated clearly in the provisions of any bonds.

#### **3-102.4 Failure to Complete Improvements**

In subdivisions for which no Letter of Credit has been posted, if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases in which a Letter of Credit has been posted and required improvements have not been installed within the terms of such Letter of Credit, the governing body thereupon may declare the Letter to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

**3-102.7     Acceptance of Dedication Offers**

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

**3-102.8             Inspection of Improvements**

**3-102.801             General Procedure**

The Planning Commission may provide for inspection of required improvements during construction and ensure their satisfactory completion. If the appropriate governmental representative finds upon inspection that any of the required improvements have 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 Letter of Credit, the applicant and the bank shall be liable severally and jointly for completing said improvements according to specifications.

**3-102.802             Release or Reduction of Letter of Credit**

**3-102.802.1         Certificate of Satisfactory Completion**

The governing body shall not recommend dedication of required public improvements, nor release, nor reduce a Letter of Credit, until the appropriate governmental representative submits a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the Planning Commission) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision. Upon



such approval and recommendation, the governing body, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in these regulations.

**3-102.802.2      Reduction of Letter of Credit**

A Letter of Credit 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 Letter of Credit be reduced below twenty-five (25) percent of the principal amount prior to final acceptance of all items covered under the Letter of Credit

**3-102.9      Maintenance of Improvements**

The applicant shall 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 Letter of Credit with the governing body prior to dedication, in an amount considered adequate by the Planning Commission 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 (1) year after the date of acceptance of the public improvements by the governing body.

**3-102.10      Deferral or Waiver of Required Improvements**

The Planning Commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interest of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

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

### **3-102.11      Escrow Deposits for Lot Improvements**

#### **3-102.11.1      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 Letter of Credit covering such lot improvements shall remain in full force and effect.

#### **3-102.11.2      Procedures on Escrow Fund**

All required improvements for which escrow funds 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 governing body to proceed to install or to contract for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit.

At the time of the issuance of the Certificate of Occupancy for which escrow funds are being deposited, the applicant shall obtain and file with the enforcing officer, prior to obtaining the Certificate of Occupancy, a notarized statement from the purchaser(s) of the premise authorizing the enforcing officer to install the improvements at the end of the nine (9) month period in the event the improvements have not been installed properly by the developer.

### **3-102.12      Issuances of Building Permits and Certificates of Occupancy**

- A. Where a Letter of Credit has been required for a subdivision, or any section of a subdivision, no Certificate of Occupancy for any building in the subdivision or section thereof shall be issued prior to the completion and dedication of the improvements to the appropriate governmental unit, as required in the Planning Commission's resolution of final approval of the subdivision plat.

- B. The extent of public way improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment prior to the issuance of a Certificate of Occupancy. The developer shall at the time of the dedication submit funds in escrow to the Planning Commission in a sum to be determined by the same.
  
- C. No building permit shall be issued for the final ten (10) percent of lots in a subdivision, or if ten (10) percent be less than two (2) lots, for the final two (2) lots of a subdivision, until all public improvements required by the Planning Commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the governmental body.

## ARTICLE IV

### REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

#### 4-101 General Requirements

##### 4-101.1 Conformance to Applicable Rules and Regulations

In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, ordinances, resolutions, rules, or regulations, including, but not limited to:

1. All applicable provisions of Tennessee Law, regulations, or policy;
2. Any zoning ordinance, any building and housing codes, and all other applicable laws or policies of the governing body;
3. The adopted general plan and major road or street (public way) plan;
4. The rules of the county health department and the Tennessee Department of Environment & Conservation;
5. The rules, as applicable, of the Federal Highway Administration or Tennessee Department of Transportation, if the subdivision or any lot contained therein abuts a non-local highway; and
6. The standards and regulations adopted by all other boards, commissions, and agencies of the governing body, where applicable.

Plat approval may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in Section 1-104, of these regulations.

##### 4-101.2 Self-Imposed Restrictions

If the owner places restrictions on any of the land contained in the subdivision greater than those required by any zoning ordinance or these regulations, such restrictions or reference thereto shall be recorded with the county register on a separate form, along with the final subdivision plat in the office of the county register.

#### **4-101.3 Monuments**

The subdivider shall place permanent reference monuments on the subdivision as required herein and as approved by a licensed surveyor. These monuments shall be concrete not less than thirty (30) inches in length; not less than four (4) inches square or five (5) inches in diameter; and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded. Monuments shall be located and set as follows.

1. Monuments shall be located on public way right-of-way lines, at public way intersections, and sections, and at the beginning and ending point of curves. All monuments shall be spaced so as to be within sight of each other.
2. The external boundaries of a subdivision shall be monumented in the field. These monuments shall be placed not more than fourteen hundred (1,400) feet apart in any straight line and at all corners or breaks at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along a meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a public way or proposed future public way, the monuments shall be placed on the side line of the street.
3. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by like monuments as described above. Such monuments shall be placed at each end of all curves, at a point where a river changes its radius, and at all angle points in any line. All lot corners not falling on any of the above described points shall be marked by iron rods, pipe, or pins at least eighteen (18) inches long and five-eighths (5/8) inch in diameter.
4. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins at least eighteen (18) inches long and five-eighths (5/8) inch in diameter or by round or square iron bars at least eighteen (18) inches long. These pins shall be placed at the point of intersection of the river or stream and lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.
5. All such monuments and pins shall be set flush with the ground and planted in such a manner that they will not be dislodged easily.

6. All monuments and pins shall be properly set in the ground and approved by a registered land surveyor prior to the time the Planning Commission recommends approval of the final plat or release of the bond where bond is made in lieu of improvements.

#### **4-101.4 Character of the Land**

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

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

1. The imposition of any surety and deed restrictions enforceable by the Planning Commission to regulate the future type and design of uses within the flood prone areas; and
2. Flood protection measures designed so as not to increase, either individually or collectively, flood flows, height, duration, or damages, and so as not to infringe upon the regulatory floodway.
3. Installation of flood warning systems.
4. The use of fill, dikes, levees, and other protective measures.
5. The use of flood proofing measures, which may include:
  - a. Anchorage to resist flotation and lateral movement.
  - b. Installation of watertight doors, bulkheads, shutters, or other similar methods of closure.

- c. Reinforcement of walls to resist water pressures.
- d. Use of paints, membranes, or mortars to reduce seepage through walls.
- e. Addition of mass or weight to structures to resist flotation.
- f. Installation of pumps to lower water levels in structures.
- g. Construction of water supply and waste treatment systems so as to prevent the entrance of or contamination of flood waters.
- h. Installation of pumps or comparable facilities for subsurface drainage systems to relieve external foundation wall and basement flood pressures.
- i. Building design and construction to resist rupture or collapse caused by water pressure of floating debris.
- j. Installation of valves or controls on sanitary and storm drains which permit the drains to be closed to prevent backup of sewage and stormwater into buildings or structures.
- k. Location and installation of all electrical equipment, circuits, and appliances so that they are protected from inundation by the regulatory flood.
- l. Location of storage facilities for chemicals, explosives, buoyant material, flammable liquids, or other toxic materials which would be hazardous to the public health, safety, and welfare at or above the regulatory flood protection elevation, or design of such facilities to prevent flotation of storage containers or damage to storage containers which could result in the escape of toxic materials.

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

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

**4-101.5      Subdivision Name**

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

**4-101.6      Authorization to Construct Improvements**

Construction may proceed upon issuance in accordance with Subsection 2-103, of a “Certificate of Preliminary Approval.” Such certificate shall be issued only when surety is in place to assure land reclamation in event the development is not completed.

**4-101.7      Maintenance of Improvements**

**4-101.701      Streets Designated as Construction Routes**

Streets designated as construction routes within a subdivision shall be maintained for a minimum of at least one (1) year or longer time period specified in the Dedication Agreement submitted in accordance with Section 5-105, (Form of Dedication Offer).

**4-101.702      Other Streets**

Streets Other than those designated as construction routes shall be maintained as provided herein.

Generally, the final paving course shall not be applied until seventy-five (75) percent of the houses fronting along a street are completed, but not exceeding two years from application of the binder course. However, when an undue hardship is created by disallowing the final paving of a street prior to construction of seventy-five (75) percent, but not less than fifty (50) percent, of the houses fronting along a street, the Planning Commission may permit final paving to occur prior to the two year period from application of the binder course, and the city may allow subsequent release of the performance surety provided a maintenance Letter of Credit is substituted therefore. Under no circumstances shall final paving occur



until all utility installations, including service lines to individual lots are complete.

The maintenance Letter of Credit may be released after a period of one year from completion of final paving and the subdivision lots have been satisfactorily completed, inspected and released by the inspecting departments. The maintenance Letter of Credit shall be in an amount and for a term as recommended by the enforcing officer and shall be posted in conformance with the procedures presented in these regulations.

#### **4-102 Lot Requirements**

##### **4-102.1 Lot Arrangement**

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

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

Where a lot in any flood prone area must be improved to provide a building site free from flooding, such improvements shall be made outside the floodway by elevation or fill to at least the regulatory flood regulatory flood protection elevation (100-year flood) for a distance extending at least twenty-five (25) feet beyond the limits of intended structures and, additionally, extending a sufficient distance to include areas for subsurface sewage disposal if the lot is not to be connected to a public sanitary sewer system. Any fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Planning Commission.

In nonresidential building sites outside a floodway, not subject to flooding, the use of structural flood proofing methods specified in Subsection 4-101.4, of these regulations, as an alternative to landfill, may be approved by the Planning Commission, as provided in Subsection 2-101.4, of these regulations.

**4-102.2                    Lot Dimensions**

Lot dimensions shall comply with the minimum standards of any zoning ordinance, where applicable. Where lots are more than double the minimum area required by any zoning ordinance, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future public ways where they would be necessary to serve such potential lots, all in compliance with any zoning ordinance and these regulations. Where solar access is a primary consideration, side lot lines shall generally run from due north to due south, regardless of the resulting angle of incidence with a public way. A variation of up to twenty-five (25) degrees east or west of this axis is permitted; further variations may be allowed, but only to provide a better public way or lot plan.

Dimensions of the corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback requirements from both public way rights-of-way.

Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, and as established in any zoning ordinance.

**4-102.3                    Building Setback Lines**

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

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

**4-102.4      Double Frontage Lots and Access to Lots**

**4-102.401      Double Frontage Lots**

Double frontage lots shall adhere to the setback requirements of the applicable zone in which the lot is located. *(Amended June 2013)*

**4-102.402      Access from Arterial or Collector Public Ways**

The Planning Commission may require that lots shall not derive access exclusively from arterial or collector public ways. Where driveway access from such public ways may be necessary for several adjoining lots, the Planning Commission may require that the lots be served by a combined access drive in order to limit possible traffic hazards. Driveways shall be designed and arranged so as to avoid requiring vehicles to back onto arterial or collector public ways.

**4-102.5      Soil Preservation, Grading, and Seeding**

**4-102.501      Grading Permits**

A grading permit shall be obtained prior to any grading activity, as designated by approved construction plans. A grading permit must be obtained for each phase of subdivision development as approved by the Planning Commission. The original grading permit must be posted on-site for inspection by the enforcing officer.

**4-102.502      Soil Preservation and Final Grading**

No Certificate of Occupancy shall be issued until final grading has been completed in accordance with the approved construction plan.

Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide cover on the lots, cover between any sidewalks and curbs, and be stabilized by seeding or planting.

**4-102.503      Lot Drainage**

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area.

**4- 102.504      Erosion and Sediment Control**

Erosion and sediment control measures shall be provided during construction and shall conform to all applicable local, state, and federal regulations.

**4-102.6      Debris and Waste**

No cut trees, timber, debris, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or public way at the time of the issuance of a Certificate of Occupancy for the lot, and removal of such waste shall be required prior to issuance of any Certificate of Occupancy. Neither shall any such waste be left nor deposited in any area of the subdivision at the time of request for release or reduction of the Letter of Credit or dedication of public improvements, whichever is sooner.

**4-102.7      Fencing**

Each subdivider or developer shall be required to furnish and install all fences wherever the Planning Commission determines that a hazardous condition exists. Such fences shall be constructed according to standards established by the Planning Commission, as appropriate, and shall be noted on the final plat as to height and required materials. No Certificate of Occupancy shall be issued for any affected lot until such fence improvements have been installed.

**4-102.8      Water Bodies and Watercourses**

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

No more than ten (10) percent of the minimum area of a lot required under any zoning ordinance may be satisfied by land which is under water. Where a watercourse separates a buildable area of a lot from the public way by which it has access, provisions shall be made for installation of culvert or other structure approved by the Planning Commission and no Certificate of Occupancy shall be issued for a structure on such a lot until the installation is completed and approved by the Planning Commission and/or the appropriate governmental representative.

#### **4-103 Streets**

##### **4-103.1 General Requirements**

###### **4-103.101 Frontage on Improved Streets**

No subdivision shall be approved, unless the area to be subdivided shall meet the requirements for access set forth in Subsection 1-112.107, of these regulations. If any new street construction or improvements are involved, such shall be approved and, where public dedicated as provided in Articles II and III, of these regulations. Any such public way must be suitably improved to the standards required by this article or be secured by a Letter of Credit required under these regulations, with the roadway and right-of-way widths required by this article or the major street or road plan.

###### **4-103.102 Grading and Improvement Plan**

Streets shall be graded and improved to conform to the standards required by this section and shall be approved as to design and specification by the appropriate governmental representative in accordance with the specifications required herein. No surface shall be applied to the base of any proposed street prior to the approval of the final plat of the subdivision or of the final approval of any section of the subdivision in question without having been properly inspected.

###### **4-103.103 Improvements in Floodable Areas**

The finished elevation of proposed streets subject to flood shall be no more than one foot below the regulatory flood protection elevation. The Planning Commission may require profiles and elevations of streets to determine compliance with this requirement. All drainage structures shall

be sufficient to discharge flood flows without increasing flood height. Where fill is used to bring the finished elevation of any public street to the required elevation, such fill shall not encroach upon a floodway, and the fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Planning Commission. All development shall occur in accordance with the Town of Bell Buckle Zoning Ordinance.

**4-103.104     Topography and Arrangement**

1. All streets shall be arranged so as to obtain as many of the building sites as possible at or above the grades of the public streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall not be permitted. Specific design standards are contained in Subsection 4-103.2, of these regulations.
2. The use of streets running in an east-west direction and lots on a north-south axis is encouraged for energy conservation of developments.
3. All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way as established on the major street or road plan or the land development plan.
4. All streets shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping areas or centers; to population densities; and to the pattern of existing and proposed land use.
5. Minor streets shall be laid out to conform as much as possible to the topography; to discourage use by through traffic; to permit efficient drainage and utility systems; and to require the minimum ways necessary to provide convenient and safe access to property.
6. The use of curvilinear streets, cul-de-sac, or "U" shaped streets shall be encouraged where such use will result in a more desirable layout.
7. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical

conditions or, unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the subdivision design with the existing layout or the most advantageous future development of adjacent tracts.

8. In business and industrial developments, streets and other access routes shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks from parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

**4-103.105     Blocks**

- a. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block width may be permitted in blocks adjacent to major public ways, railroads, or waterways.
- b. The lengths, widths, and shapes of blocks shall be determined with due regard to:
  - i. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
  - ii. Any zoning requirements as to lot sizes and dimensions;
  - iii. Needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic; and
  - iv. Limitations and opportunities of topography.
- c. Block lengths in residential areas shall not exceed sixteen hundred (1,600) feet nor be less than two hundred (200) feet, except as the Planning Commission deems necessary to secure efficient use of land or desired features of the public way pattern. Wherever practicable, blocks along arterial or collector routes shall not be less than one thousand (1,000) feet in length.

- d. Blocks designed for industrial or commercial uses shall be of such length and width as may be deemed suitable by the Planning Commission.
- e. In any long block, the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage, facilities, and/or pedestrian traffic.
- f. A pedestrian walkway, not less than ten (10) feet wide, may be required by the Planning Commission through the approximate center of any block more than eight hundred (800) feet long, where deemed essential to provide circulation or access to a school, playground, shopping center, transportation facility, or other community facility.

**4-103.106      Access to Arterials and Collectors**

Where a subdivision borders on or contains an existing or proposed arterial or collector route, the Planning Commission may require that access to such street be limited by:

- a. the subdivision of lots so as to back on the arterial or collector route and front on a parallel minor route;
- b. a series of cul-de-sac, "U" shaped public ways, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial or collector route; or
- c. a marginal access or service street, separated from the arterial or collector route by a planting or grass strip and having access thereto at suitable points.

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

**4-103.107      Reserve Strips**

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



However, in extraordinary circumstances the Planning Commission may allow creation of a reserve strip to enable a more appropriate pattern of lots or streets. Where such is created the Planning Commission must agree to any and all future depositions of same. A notation to this effect shall be entered on the final plat or approved as an auxiliary instrument attached thereto.

**4-103.108      Arrangement of Continuing and Dead-End Streets**

- a.    Arrangement of Continuing Streets -- The arrangement of streets shall provide for the continuation of major streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provisions of utilities, and when such continuation is in accordance with the major street or road plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary T-, or L-shaped turnabout shall be provided on all temporary dead-end streets as required in the following turnabout standards, with a notation on the subdivision plat that land outside the normal public way right-of-way shall revert to abutting property owners whenever the street is continued.
  
- b.    Dead-End Streets -- Where a street does not extend beyond the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnabout shall be provided at the end of a dead-end street in accordance with the design standards of these regulations.
  
- c.    For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

**4-103.109      Access Control and Driveways**

The number of driveways shall be based upon the amount of lot frontage a parcel of land has directly adjoining a public street. The number of drives onto a given street shall be as follows:

<i>Amount of Lot Frontage (see note a)</i>	<i>Max. # of Driveways</i>
Less than 75 feet	1
75 feet to 149 feet	1 (see note b and c)
150 feet to 299 feet	2 (see note b)
Each additional 300 feet	1 (see note b)

***Notes:***

- a.** In the case of corner or double front lots, each individual street and its associated lot frontage shall be considered separately rather than combined to orient all driveways onto one particular street.
  
- b.** Single family residences and drive-thru business enterprises whereby a service is provided without the patron leaving the vehicle may have two (2) driveways separated by a distance equal to the width of the widest driveway or a minimum of twenty five (25) feet, whichever is greater, unless otherwise not permitted by the Bell Buckle Planning Commission due to the concern for public safety.
  
- c.** *Unless otherwise determined by the Bell Buckle Planning Commission.*

All driveways shall be located subject to the following controls:

1. No driveway shall be constructed within thirty (30) feet of an adjacent street right of way line. On collector or arterial streets this minimum shall be forty (40) feet; or in such a manner that the driveway curb cut is less than five (5) feet from the point of tangency of a street radius except that a compound curve including both the driveway radius and street radius may be utilized where the street radius exceeds fifty (50) feet. A reduction of up to ten (10) feet in any or all dimensions may be allowed by the Planning Commission at locations where such reduction would not result in a hazardous condition.

2. All driveway radii at the point of intersection with the public street shall be set back from the side property line a minimum of one (1) foot as measured by the extension of the side property line into the right of way at a right angle to the paved surface with the exception of joint use of driveways where written consent from both property owners is provided to the Planning Commission.
3. No curb on city streets or right of way shall be cut or altered without a permit from the Town of Bell Buckle, and, if a State Highway, a permit also must be obtained from the Tennessee Department of Transportation.
4. In no case shall a commercial or industrial driveway or parking area be arranged such that vehicles are required to back directly into a public street of any classification. No residential driveway or parking directly into a collector or arterial street. A minimum of 10' wide by 15' deep turnaround bay shall be provided within the driveway and outside of the right of way.

The width of driveways shall be within the minimum and maximum dimensions as follows:

<i>Land Use</i>	<i>Driveway</i>		<i>Curb Cut</i>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
All Resid. Dist.	10 feet	26 feet	18 feet	40 feet
Non Resid. Dist	15 feet	40 feet	35 feet	90 feet
Uses served by a substantial # of large trucks daily(5 or more)	20 feet	40 feet	60 feet	90 feet

Major traffic generators defined as those uses and facilities utilizing in excess of 150 parking spaces shall be reviewed on an individual basis by the Planning Commission to determine appropriate entrance driveway requirements in relation to traffic generated by the use or facility.

In no case shall the total driveway widths exceed 50% of their respective road frontage. The Planning Commission may require additional restrictions on driveway widths and lengths of curb cuts where access control is warranted.

Any parcel of land in which the driveway configuration including width, radius, and positioning is contrary to these provisions and becomes vacant and remains unoccupied

for a continuous period of one (1) year shall be required to remove and modify said driveways into conformance with applicable provisions contained herein for access and driveways unless otherwise authorized by the Planning Commission.

#### **4-103.2      Design Standards**

##### **4-103.201      Purpose**

In order to provide streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, sanitation, and road-maintenance equipment, and to coordinate streets so as to compose a convenient and safe system and avoid undue hardships to adjoining properties, the street design standards set forth in this section are hereby required. (Street classification shall be as indicated on the land development plan or major street or road plan; otherwise, the street shall be classified by the Planning Commission according to the definitions in Article VI, of these regulations.)

##### **4-103.202      General Design**

The general design of all streets shall conform to the standards in the tables on the following pages.

##### **4-103.203      Intersections**

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be permitted. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet, therefrom. Not more than two (2) streets shall intersect at any one point, unless specifically approved by the Planning Commission.
  
2. Proposed new intersections along one side of an existing street shall coincide, wherever practicable, with any existing intersections on the opposite side of such street. Jogs within streets having center line offsets of less than one hundred fifty (150) feet shall not be permitted, except where the intersected streets have separated dual drives without median breaks at either intersection. Where streets intersect arterial or collector routes, their alignment shall be continuous.

Intersections of arterial or collector streets shall be at least eight hundred (800) feet apart.

3. Minimum curb radius at the intersection of two (2) minor streets shall be twenty-five (25) feet, and minimum curb radius at an intersection involving a collector street shall be forty (40) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
4. Where a street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide adequate sight distance.
5. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two (2) percent grade for a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.
6. The cross-slope on all streets, including intersections, shall be three (3) percent or less.

## GENERAL DESIGN STANDARDS FOR STREETS

	RESIDENTIAL STREET	NONRESIDENTIAL STREETS
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Minimum Right-of-Way Width (in Feet)

Minor	50	60
Collector	60	60 (See * Below)
Arterial	120-150 *	80-150 *

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

Minor	24	24
Collector	24	24
Arterial	24 (See * Below)	36 (See * Below)

36' Pavement is for 3 Lane Roads / 48' Pavement is for 4 Lane Roads

Maximum Percentage Grade

Minor	10	6
Collector	7	6
Arterial	6	5

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

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

Minor	100***	200***
Collector	<i>(See****Below)</i>	<i>(See****Below)</i>
Arterial	<i>(See****Below)</i>	<i>(See****Below)</i>

\* As determined by appropriate governmental representative.

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

\*\*\* Based on normal crown at 30 mph. Superelevation is not permitted unless otherwise authorized by Bell Buckle Street Department.

\*\*\*\* Minimum radius shall be designed based on design speed and super elevation rate in accordance with “Geometric Design of Highways and Streets”, AASHTO, latest edition.

**GENERAL DESIGN STANDARDS FOR STREETS (Continued)**

	RESIDENTIAL STREET	NONRESIDENTIAL STREETS
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Minimum Length of Vertical Curves

Minor	Vertical curve lengths for minor, collector, and arterial streets shall be designed based on algebraic difference in grade and design speed for crest or sag curves in accordance with “Geometric Design of Highways and Streets” ,AASHTO, latest edition. “K” values shall be calculated and provided on design documents	
Collector	.	
Arterial		

Minimum Length of Tangents Between Reverse Curves (in Feet)

Minor	100	200
Collector	100	200
Arterial	300	400

Minimum Sight Distance (in Feet)\*

Minor	200	200 **
Collector	275	325 **
Arterial	325	400 **
Intersection	Across Corners-- 75 Feet Back	Across Corners-- 75 Feet Back

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

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

Length of Cul-de-sac

Permanent or Temporary	1200 feet (maximum)
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Subdivision streets with only one point of improved access for emergency vehicles shall be limited to a maximum length of 1200 feet. This distance shall be measured from start of the street (center line intersection with existing street) to the end of the cul-de-sac or to the point of intersection of a loop street if that condition is provided. The length of the looping segment is not measured.

Minimum Radius (in Feet) of Return at Intersections

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

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- \* The sight distance is measured from a point 4 1/2 feet above the center line of the roadway surface to a point 4 inches above the center line of the roadway surface.
  - \*\* Based on 30 mph

**4-103.204      Excess Right-of-Way**

A slope easement in excess of the right-of-way designated in these regulations may be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be less than three to one (3:1). Where solid rock is encountered slopes shall be one-half to one (1/2:1).

**4-103.205      Railroads and Limited Access Highways**

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

- A. In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening; the placement of structures hereon is prohibited."
- B. In commercial or industrial areas, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial usage.



- C. Streets parallel to a railroad, when intersecting a street which crosses the railroad at grade, shall to the extent practicable, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

#### **4-103.206 Bridges**

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

#### **4-103.3 Right-of-Way Width Dedication on Existing Streets**

Where a subdivision adjoins an existing narrow street or where the major street or road plan or any zoning setback provisions indicate plans for realignment or widening of a street that would require use of some of the land in the subdivision, the subdivider shall be required to dedicate, at his expense, areas for widening or realigning such street, as set forth below:

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

#### **4-103.4 Street Surfacing and Improvements**

After underground utilities have been installed, the subdivider shall construct curbs or curbs with gutters, where required, and shall surface or cause to be surfaced streets to the widths prescribed in these regulations. No street shall be surfaced until preliminary approval of the subdivision plat has been obtained. Surfacing shall be of such character as is suitable for the expected traffic. Types and methods of paving shall be according to the specifications of the Planning Commission, but in no event shall such construction be

below the construction specifications set forth in Appendix B, of these regulations. Adequate provisions shall be made for culverts or other drains, and bridges, as required.

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

#### **4-104 Road Construction Specifications**

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

#### **4-105 Drainage and Storm Sewers**

##### **4-105.1 General Requirements**

The Planning Commission shall not approve any plat of a subdivision which does not make adequate provisions for storm water or floodwater run-off channels or basins. The storm water drainage system shall be separate and independent from any sanitary sewer system.

##### **4-105.2 Nature of Storm Water Facilities**

###### **4-105.201 Location**

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

###### **4-105.202 Accessibility to Public Storm Sewers**

- i. Where a public storm sewer is accessible, the developer shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the

appropriate governmental representative; inspection of facilities shall be conducted to assure compliance. Inspection of facilities shall be conducted by the enforcing officer.

- ii. If a connection to a public storm sewer will be provided eventually, as determined by the Planning Commission, the subdivider shall make arrangements for future storm water disposal by a public system at the time the plat receives final approval. Provisions for such connection shall be incorporated by inclusion in the Letter of Credit required for the final subdivision plat.

#### **4-105.203      Accommodation of Upstream Drainage Areas**

A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. Necessary facilities shall be sized based on the construction specifications and assuming conditions of maximum potential watershed development permitted by any zoning ordinance.

#### **4-105.204      Effect on Downstream Drainage Areas**

The Subdivider shall prepare and submit to the Town Engineer a study of the effect of each subdivision on existing downstream properties and drainage facilities outside the area of the subdivision. Requirements for the storm water report to be submitted are included in Section 5-103.3. Pre-development and post-development runoff rates, volumes and velocities along with associated calculations and maps shall be submitted with a storm water drainage report prepared by a Tennessee registered engineer. If increased runoff rate or total volume impacts downstream drainage structures then these structures shall be improved with the permission of the appropriate property owners. It shall be the responsibility of the developer to obtain permission from the property owners to make these improvements. If existing drainage easements do not exist, the Planning Commission may require that they be obtained by the developer.

Where it is anticipated that drainage and/or runoff from a development will overload an existing downstream drainage facility, the Planning Commission shall withhold approval of the subdivision until provision has been made for adequate improvement of such drainage facilities. The subdivider shall be required to construct adequate downstream facilities or contribute his pro-rata share toward the construction of adequate downstream facilities and install on-site storm water detention to mitigate the downstream impacts.

On site storm water detention proposed to reduce the peak rate of discharge to off site drainage systems downstream shall not cause increased peak flows or velocities detrimental to downstream properties or facilities. When detention facilities are utilized, the peak rate of discharge after development shall not exceed the predevelopment peak rate.

Because detention in downstream areas of a large watershed can cause increased peak flows in downstream channels, the Town reserves the right to alter the detention criteria and to prohibit it where it is not in the best interest of the Town. This decision shall be based on sound engineering judgment and/or studies. The Town may also allow in-stream mitigation measures in lieu of detention, where it can be shown that such measures are of equal or greater benefit. In all cases where detention facilities are required, the location and design must comply with any master drainage plans that may have been developed.

Controlled releases of discharge from a detention basin shall include “v-notch”, rectangular or other weir configurations which prevent increased discharge (above predevelopment conditions for required storm events as listed in Section 5-103.3).

Detention facilities shall be platted as perpetual drainage easements and shall be maintained by the property owner or the owners’ association, as applicable. A Storm Water Detention Agreement shall also be executed as outlined in Section 4-105.304. The Town will in no way be responsible for maintenance of drainage facilities on private property. Estimated increases in discharge velocity shall be mitigated by energy dissipation devices where required to prevent erosion.

The drainage system shall be designed to honor natural drainage divides, where practical. Surface waters shall not be concentrated and discharged onto adjoining property at rates and/or velocities exceeding predevelopment conditions, unless an easement expressly authorizing such discharge has been granted by the owner of the affected land and the discharge is into an adequate natural watercourse or drainage system.

#### **4-105.205     Areas of Poor Drainage**

Whenever a plat is submitted for an area which is subject to flooding, the Planning Commission may approve such subdivision; provided, that the applicant fills the affected floodway fringe area of said subdivision to place street elevations at no more than twelve (12) inches below the regulatory flood elevation and first floor elevations (including basements) at no less than one (1) foot above the regulatory flood elevation. The plat of such subdivision shall provide for a floodway along the bank of any stream or

watercourse of width sufficient to contain or move the water of the regulatory flood, and no fill shall be placed in the floodway; neither shall any building nor flood-restrictive structure be erected or placed therein. The boundaries of the floodway and floodway fringe area, and the regulatory flood elevation, shall be determined by the Planning Commission based upon the review specified in Subsection 2-103.2, of these regulations, and the submission of flood data in construction plans as specified in Section 5-103, of these regulations.

#### **4-105.206      Floodplain Areas**

The Planning Commission may when it deems it necessary for the health, safety, or welfare of the present and future population of the area or necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the floodplain of any stream or drainage course. The regulatory floodway shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps. Any subdivision which contains flood prone land shall be subject to the special provisions set forth in Subsections 2-101.4; 4-101.4; Section 4-104; and Subsection 4-105.2, of these regulations.

#### **4-105.3            Dedication of Drainage Easements**

##### **4-105.301      General Requirements**

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction as will be adequate. Where open drainage ways are utilized they shall be designed for the applicable frequency flood outlined in Subsection 5-103.3.

##### **4-105.302      Drainage Easements**

- A. Where topography or other conditions are such as to make impracticable the inclusion of drainage facilities within a street right-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such facilities shall be provided across property outside the street lines and with satisfactory access to streets. Easements shall be indicated on the preliminary and final plats. Drainage easements shall be carried from the street to a natural watercourse or to other drainage facilities.

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

**4-105.302     Drainage Construction**

All ditch, channelization, culvert, storm drain, or catch basin construction shall be governed by the Specifications for Drainage Construction included as Appendix B. These specifications are adopted and made a part of these regulations.

**4-105.304     Storm Water Detention Agreement**

If storm water detention facilities are a requirement for approval of construction plans and final plat, a Storm Water Detention Agreement as included in Appendix C shall be executed by the developer prior to approval of the construction plans and final plat.

**4-106     Water Facilities**

**4.106.1     General Requirements**

1. Necessary action shall be taken by the developer to extend a water supply system capable of providing domestic water use and fire protection.
2. Where a public water main is within reasonable access of the subdivision, as determined by the Planning Commission, the subdivider shall install adequate water facilities, including fire hydrants, subject to construction and material specifications, approval of the Tennessee Department of Environment and Conservation and all requirements herein.

3. The sizes of water mains shall not be less than six (6) inches in diameter, except for permanent dead-end streets no longer than five hundred (500) feet as specifically approved by the Planning Commission.
4. All water systems, whether public or private, located in a flood prone area shall be flood proofed to the regulatory flood protection elevation. All water supply facilities located below the regulatory flood protection elevation shall be designed to prevent the infiltration of floodwaters into the water supply system and discharges from the system into floodwaters.
5. All water systems shall comply with the general instructions and detailed specifications for construction of water projects of the Tennessee Department of Environment and Conservation, Water Supply Division and the Town of Bell Buckle Water and Sewer Department.
6. No customer shall be connected to City Water Service until the main has been properly installed, flushed, disinfected, inspected and bacteriological testing approved. The Town may withhold permits and refuse to connect until all requirements are met.

#### **4-106.2 Fire Hydrants**

Fire hydrants shall be required in minor and major subdivisions. Re-subdivision of existing lots in which no additional lots are created shall not require fire hydrant installation by the developer. In residential subdivisions, fire hydrants shall be located no more than one thousand (1000) feet apart or such that fire hydrant coverage to each proposed house or existing building shall be no more than five hundred (500) feet. However, the Planning Commission may require closer spacing where physical conditions or types of structures so warrant. To eliminate future street cutting or openings, all underground utilities for fire hydrants, together with the fire hydrants themselves, and all other water supply improvements shall be installed before any final paving of a street shown on the subdivision plat.

#### **4-107 Sewage Facilities**

##### **4-107.1 General Requirements**

The applicant shall install sanitary sewer facilities in a manner prescribed by the regulations of the Tennessee Department of Environment and Conservation and

the Town of Bell Buckle and by any other applicable standards and specifications. All plans shall be designed and approved in accordance with the rules, regulations, specifications, and standards, where applicable of the Tennessee Department Environment and Conservation and the Town of Bell Buckle Water and Sewer. Plans shall be approved by the above agencies where applicable. No customer shall be connected to the public sewer until the system has been installed per Town Standards, inspected, tested and approved. Any construction that damages or causes foreign deposits to be placed in the sewer system shall be corrected immediately. The Town may withhold permits; and after notice from the Water and Sewer Director the Town may remove deposits or obstructions and bill the developer. The developer shall pay for the Town's expenses. The Town shall approve the location of the connection or tap. Servicing pipe shall not be located under driveways. The Town shall approve the location of all meters. Upon completion of utility construction, one set of "as built" plans shall be submitted to the Town.

#### **4-107.2 Mandatory Connection to Public Sewer System**

1. When public sanitary sewers are within reasonable access of the subdivision, as determined by the Planning Commission, the subdivider shall provide sanitary sewer facilities to each lot therein and shall connect the facilities to the public system. The subdivider shall provide sewers which meet standards set forth in the regulations of the Tennessee Department of Health and Environment.
2. All sanitary sewer facilities located in a flood hazard area shall be flood proofed to the regulatory flood protection elevation. All sewer facilities located below the regulatory flood protection elevation shall be designed to prevent infiltration of floodwaters into the sewer system and discharges from the system into floodwaters.

#### **4-107.3 Individual Disposal System Requirements**

If public sewer facilities are not available and individual disposal systems are proposed, lot areas shall not be less than the minimums specified in these regulations; all pertinent soil absorption tests shall be made as directed by the county environmentalist and the results submitted to the county health department for approval.



The individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device, also shall be approved by the county.

The Planning Commission may prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high groundwater, flooding, or unsuitable soil characteristics. The Planning Commission may require that the subdivider note on the face of the plat and any deed of conveyance that soil absorption fields are prohibited in designated areas. No portion of the septic system, including the tank, field lines, or drain fields, may be located outside of the boundaries of the parcel it is intended to serve.

#### **4-107.4 Design Criteria for Sanitary Sewers**

##### **4-107.401 General**

These design criteria are not intended to cover extraordinary situations. Deviations will be allowed and may be required in those instances where considered justified by the town consulting engineer. The following sections cover the basic design of sanitary sewer systems. More specific design criteria are covered in the Town of Bell Buckle's Standard Water and Sewer Specifications. These Specifications shall be utilized for all sewer line extensions being submitted to the State of Tennessee Department of Environment and Conservation, Division of Water Pollution Control for approval.

##### **4-107.402 Design Factors**

Sanitary sewer systems shall be designed for the ultimate tributary population. Due consideration shall be given to current zoning regulations and approved planning reports, where applicable. Sewer capacities shall be adequate to handle the anticipated maximum hourly quantity of sewage and industrial wastes together with an adequate allowance for infiltration and other extraneous flow.

Flows used for the design of sanitary sewers shall be as required by the latest version of the Design Criteria for Sewage Works, issued by the State

of Tennessee Department of Environment and Conservation, Division of Water Pollution Control.

**4-107.403 Maximum Size**

The diameter of sewers proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable.

**4-107.404 Minimum Size**

No public sewer shall be less than eight (8) inches in diameter. All homes shall have a minimum four (4) inch sewer service.

**4-107.405 Minimum Slope**

All sewers shall be designed to give mean velocities when flowing full of not less than 2.0 feet per second. All velocity and flow calculations shall be based on Kutter's Formula, using a N Value of 0.013. The design slopes shall be as required by the latest version of the Design Criteria for Sewage Works, issued by the State of Tennessee Department of Environment and Conservation, Division of Water Pollution Control.

**4-107.406 Alignment**

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

**4-107.407 Manhole Location:** Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections; and at distances not greater than three hundred-fifty (350) feet for sewers fifteen (15) inches or less in diameter, four hundred (400) feet for sewers eighteen (18) inches or twenty-one (21) inches in diameter, and five hundred (500) feet for sewers twenty-four (24) inches or greater in diameter.

**4-107.408 Manholes**

The difference in elevation between any incoming sewer and the manhole invert shall not exceed 1.9 feet, except where required to match crowns. The use of drop manholes will require approval. The minimum inside

diameter of the manholes shall conform to those specified. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a smaller sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.1 feet.

**4-107.409**      **Sewerage Locations**

Sanitary sewers shall be located within street or alley right-of-way, unless topography dictates otherwise. When located in easements on private property, access shall be available to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley rights-of-way where possible. Imposed loading shall be considered in all locations. Not less than six (4) feet of cover shall be provided over the top of pipe in street and alley rights-of-way or three (3) feet in all other areas. Sanitary sewers shall not typically be designed within the pavement section of the right-of-way. Exceptions must be approved by the Bell Buckle Water and Sewer Department.

**4-107.410**      **Cleanouts and Lamp holes**

Cleanout and lamp holes will not be permitted.

**4-107.411**      **Water Supply Interconnections**

There shall be no physical connection between a public or private potable water supply system and a sewer that will permit the passage of any sewage or polluted water into the potable supply. Sewers shall be kept removed from the water supply wells or other water supply sources and structures.

**4-107.412**      **Relation of Sewers to Water Mains**

A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least two (2) feet below the bottom of the water main. When the elevation of the sewer cannot be varied to meet the above requirement, the water main, upon approval of the town's engineer and the Tennessee

Department of Environment and Conservation, shall be relocated to provide this vertical separation or reconstructed with mechanical-joint pipe for a distance of ten (10) feet on each side of the sewer. One full length of water main shall be centered over the sewer so that both joints will be as far from the sewer as possible.

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

#### **4-108 Pedestrian Ways**

##### **4-108.1 Sidewalks and Bicycle Paths**

Sidewalks and bicycle paths, where required by the Planning Commission, shall be included within the dedicated non-pavement right-of-way of all streets as indicated in the following table and shall be improved as required by the enforcing officer. Concrete curbs are required for all streets where sidewalks are to be constructed. A median strip of grassed or landscaped area at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

##### **4-108.2 Pedestrian Accesses**

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

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### **SIDEWALK DESIGN**

#### **Class of Road**

**Residential Street**

***Nonresidential,  
Commercial or  
Industrial Street***

Minor Road	5 feet wide	6 feet wide
Collector Road	5 feet wide	6 feet wide
Arterial Road	5 feet wide	6 feet wide

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**4-109 Utility Easements**

**4-109.1** Easements down rear lot lines or additionally across lots, if deemed necessary by the Planning Commission, shall be provided for utilities (private or public). Such easements shall be at least ten (10) feet wide, except for across-lot easements which shall be at least twenty (20) feet wide. The subdivider shall take such actions as are necessary to ensure the coordination and continuation of utility easements established on adjacent properties with those proposed within his development.

**4-109.2** Where topographical or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least ten (10) feet in width shall be provided along side lot lines with satisfactory access to streets or rear lot lines. Easements shall be indicated on the plat.

**4-109.3** Temporary construction easements exceeding the width of permanent easements may be required as necessary until completion of any one project.

**4-110 Public Uses**

**4-110.1 Plat to Provide for Public Uses**

Whenever a tract to be subdivided includes a school, recreation use, a portion of a major street, or other public use, as indicated on the land development plan and/or major street or road plan, or any portion thereof, such tract shall be suitably incorporated by the developer into his plat when first presented for review by the Planning Commission.

After proper determination of its necessity by the Planning Commission and the appropriate governmental representative(s) involved in the acquisition and use of such site, and after a determination has been made to acquire the site by the public agency, the site shall be suitably incorporated by the developer into the plat prior to final approval by the Planning Commission and recording of the plat.

#### **4-110.2     Referral to the Governmental Agency Concerned**

The Planning Commission shall refer any plat presented in accordance with Subsection 4-110.1, to the public body concerned with acquisition of the land. The Planning Commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply.

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

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

#### **4-110.3     Notice to Property Owner**

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

#### **4-110.4 Duration of Land Reservation**

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

#### **4-111 Preservation of Natural Features and Amenities**

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

#### **4-112 Nonresidential Subdivisions**

##### **4-112.1 General**

If a proposed subdivision includes land which is zoned for a commercial or industrial purpose, or if unzoned, includes land intended by the applicant, the layout of the subdivision with respect to such land shall make such provisions as the Planning Commission may require. A nonresidential subdivision also shall be subject to all the requirements of site plan approval set forth in any zoning regulations. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Planning Commission. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Planning

Commission, and shall conform to the proposed land development plan, major thoroughfare plan and zoning ordinance.

#### **4-112.2     Standards**

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

1. Proposed industrial parcels shall be suitable in areas and dimensions to the types of nonresidential development anticipated.
2. Street rights-of-way and pavements shall be adequate to accommodate the type and volume of traffic anticipated.
3. Special requirements may be imposed by the city with respect to any road, curb, gutter, and sidewalk design and construction specifications.
4. Special requirements may be imposed by the city with respect to the installation of public utilities, including water, sewer, and storm water drainage.
5. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed nonresidential subdivision, including the provision of extra depth in parcels backing on existing or potential residential development and provisions for permanently landscaped buffer strips, when necessary.
6. Roads carrying nonresidential traffic, especially trucks, normally shall not be extended to the boundaries of adjacent existing or potential residential areas.

#### **4-113     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 Planning Commission. No Certificate of Occupancy shall be issued until the street signs are installed and inspected by the enforcing officer.



**4-114     Street Lights**

The subdivider shall be responsible for the installation of street lights in all subdivisions. Street lights shall be located at a spacing of every other side lot line on one side of the street right-of way but no more than (400) feet apart. The Planning Commission may require a closer spacing where physical conditions so warrant. The developer shall coordinate with Duck River Electric Membership Corporation on the lighting design and submit the design to the office of the enforcing officer. All lighting will be installed by DREMC and paid for by the developer. The lights shall be dedicated to DREMC upon approval. The Town of Bell Buckle shall be responsible for electrical usage costs upon acceptance by DREMC.

## ARTICLE V

### SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

#### 5-101 Sketch Plat

##### 5-101.1 General

Sketch plats submitted to the Planning Commission, prepared in pen or pencil, shall be drawn to a convenient scale no smaller than two hundred feet to an inch (200':1"). (*Amended June 2013*)

##### 5-101.2 Features

The sketch plat shall show:

1. A scale drawing of the property and the names of the owners of adjoining property;
2. Size of the original tract(s) being subdivided;
3. Notation of any existing legal rights-of-way or easements, or other encumbrances affecting the property;
4. Any areas which may be affected by flooding;
5. General street and lot patterns;
6. Proposed phasing, if any;
7. Vicinity map of property;
8. Date and approximate north point;
9. Name of owner;
10. Name of plat designer; and
11. Zoning classification of property and all adjoining properties;

## **5-102 Preliminary Plat**

### **5-102.1 General**

The preliminary plat shall be prepared by a surveyor, landscape architect, architect, land planner, or engineer engaged in the practice of civil engineering, at a convenient scale no smaller than two hundred feet to an inch (200' - 1"). The plat may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one sheet is used. The map prepared for the preliminary plat may be used for the final subdivision plat and should be permanently reproducible.

### **5-102.2 Features**

The preliminary plat shall include:

1. the location of the property to be subdivided with respect to surrounding property(s) and street(s);
2. the names of all adjoining property owners of record, or the names of adjoining developments;
3. the names of adjoining streets;
4. the location and dimensions of all boundary lines of the property, figured to the nearest hundredth (100th) of a foot;
5. the location of existing streets, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, and bridges, as determined by the Planning Commission;
6. the location and width of all existing and proposed easements, alleys, and other streets, and building setback lines;
7. the location, dimension, and area of all proposed or existing lots;
8. the position of all existing or proposed buildings within proposed condominium developments;
9. the location and dimension of all property proposed to be set aside for park or playground use or other public or private reservation, with

designation of the purpose thereof, and conditions, if any, of the dedication or reservation;

10. the limits of floodway and floodway fringe areas and the associated regulatory flood elevation and regulatory flood protection elevation, as determined according to flood maps or flood studies as required;
11. the name and address of the owner(s) of land to be subdivided, the subdivider if other than the owner, and the land surveyor or other person preparing the plat;
12. the date of the plat, approximate true north point, scale, and title of the subdivision;
13. sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines within the area to be subdivided;
14. name of the subdivision and all new streets, as approved by the Planning Commission;
15. the zoning classification of all zoned lots, as well as an indication of all uses other than residential proposed by the subdivider;
16. the distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets and to the original corner of the original survey of which it is a part;
17. key map showing relation of the subdivision to all streets, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile (suggested scale: one (1) inch to one thousand (1,000) feet);
18. the number and location of existing trees and shall indicate all those marked for retention;
19. contours at vertical intervals of not more than two (2) feet where the proposed subdivision has an average slope of five (5) percent or less, or at vertical intervals of not more than five (5) feet where the average slope exceeds five (5) percent (contours to be field surveyed or taken from aerial photographs acceptable to the Planning Commission);
20. map parcel numbers as recorded on the land tax maps of the county

21. The following notations:
  - i. explanation of drainage easements;
  - ii. explanation of site easements;
  - iii. explanation of reservations; and
  - iv. for any lot where public sewer or water systems are not available, the following:
    - a. areas to be used for sewage disposal and their percolation results, or if the Planning Commission desires, any other acceptable data to show that the site can be served effectively by septic tanks;
    - b. water wells (existing and proposed); and
    - c. rock outcroppings, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features;
22. Draft of proposed restrictive covenants, if any, to be imposed and designation of areas subject to special restrictions; and
23. Items 14 through 17 of the sketch plat requirements if no sketch plat was submitted for the subdivision.
24. A form for endorsement of Planning Commission approval of the preliminary plat which shall read as follows:

**Approved by the Bell Buckle Municipal Planning Commission, with such exceptions or conditions as are indicated in the minutes of the Commission on \_\_\_\_\_.**  
**date**

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

## 5-103 Construction Plans

### 5-103.1 General

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. **Approval of construction plans must precede any clearing, grading, or site construction and no action by the Planning Commission tentatively approving a preliminary plat shall become final until construction plans have been approved.** 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.

### 5-103.2 Features

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.
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 on 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, manholes, and catch basins.

6. The location of public way signs.
7. The location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility system.
8. Location and size of all water, gas, or other underground utilities or structures.
9. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains, easements, water bodies, streams and other pertinent features, such as swamps, railroads, buildings, and features noted on the land development plan or major street or road plan.
10. The water elevations of adjoining lakes or streams and the approximate high and low water elevations of such lakes or streams shall be shown. All elevations shall be referred to the U.S.G.S. datum plane.
11. If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
12. The developer shall submit a storm water drainage report prepared by a Tennessee registered engineer and addressing the requirements in Subsection 5-103.3, Storm Water Report. 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. Contours at the same vertical interval as the preliminary plat.
14. In addition to the other requirements of this section, construction plans for condominium subdivisions shall contain “as built” drawings of all underground utilities, regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication to the governing body.
15. A notation of construction plans approval by appropriate persons or governmental representatives.
16. Title, name, address, stamp and signature of engineer who prepared the plans.
17. Date of plans, including any revision dates.
18. An erosion and sediment control plan shall be prepared for each development submitting construction plans. Such plan shall demonstrate the manner in which the general principals for erosion and sediment control set out in Subsection 4-102.504, (Erosion and Sediment Control) are to be implemented on the site covered by the construction plans.



### 5-103.3 Storm Water Report

A comprehensive 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 co-efficient, 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.

## **5-104 Final Subdivision Plat**

### **5-104.1 General**

The final subdivision plat shall be prepared on mylar or transparent drafting material at a scale no smaller than one inch equals one hundred feet (1" = 100'), (on sheets eighteen by twenty-four inches (18' x 24")). The use of an appropriate smaller scale may be permitted for lots larger than two (2) acres. When more than one (1) sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets numbered in sequence.

Construction plans, if required as described in Section 5-103, of these regulations, must have been approved prior to Planning Commission approval of the final subdivision plat.

**5-104.2 Features**

The final plat shall include:

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

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**ACCURACY OF SURVEYS**

<b><u>Average Lot Size</u></b>	<b><u>Unadjusted Accuracy</u></b>
<b>One (1) Acre or Less</b>	<b>Class "B" Suburban Land Survey</b>
<b>Greater than One (1) Acre, but Less than Ten (10) Acres</b>	<b>Class "C" Rural Land Survey</b>
<b>Ten (10) Acres or More</b>	<b>Class "D" Farm land Survey</b>

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5. A distance and bearing shall be provided which will link a point on the boundary of the subdivision to a monument in the right-of-way of the nearest prominent street intersection.
6. The location of all streets, easements, water bodies, large streams or rivers, railroads, parks, and cemeteries.
7. The limits of floodway and floodway fringe areas and the regulatory flood elevation and regulatory flood protection elevation; as determined by the Planning Commission.
8. The location and width of all easements and rights-of-way for streets, as well as the building setback lines on all lots.
9. The location, dimensions, and area of all lots. All dimensions shall be field run to the nearest one hundredth (1/100) of a foot and angles to the nearest minute. Lot areas shall be shown to the nearest tenth (1/10) of a square foot.
10. The location, area, and dimensions, to the accuracy set forth in Item 8, above, of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
11. The final plat of a condominium subdivision shall contain, in addition to the other information required by this section:
  - (a) an "as-built" building location and boundary survey, to "American Land Title Association" or other similar standards, showing complete and accurate dimensions and angles of the boundary of the parcel(s) on which the condominium is located, together with exterior dimensions and locations relative to those boundaries of the building(s) which constitute the condominium subdivision;
  - (b) some sort of datum plane or other suitable vertical location reference. In meeting these requirements, it is only necessary that the upper and lower limits of each level of each condominium unit be identified specifically in relation to the vertical reference, (e.g., an appropriate permanent monument or other acceptable reference datum or fixed known point). Elaborate exterior elevations and

architectural detail are not necessary to satisfy this requirement;  
and

- (c) any other special information which the Planning Commission may require to protect the rights of future owners of the condominium or the public in general.
12. The name and address of the owner(s) of the land being subdivided.
  13. The name and address of the subdivider if other than the owner.
  14. The name and stamp of the land surveyor or other person preparing the plat.
  15. The date of the plat, approximate true north point, scale, and title of the subdivision.
  16. Sufficient data to determine readily the location, bearing, and length of all lines necessary to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the center line of the curved public streets and curved property lines that are not the boundary of curved streets. The location of all monuments and pins shall be indicated on the plat.
  17. The names of all streets.
  18. The zoning classification of all lots, as well as an indication of uses other than residential proposed by the subdivider.
  19. The total acreage within the subdivision.
  20. Lot numbers, where required.
  21. The line size and location of water and sewer facilities.
  22. The location of all fire hydrants.
  23. The diameter and width of all driveway culverts.
  24. For any lot where public sewer or water system is not available, the following shall be shown:

- (a) areas to be used for sewage disposal; and
  - (b) water wells (existing and proposed).
25. A notation stating that developer is responsible for any drainage or flooding damages to adjacent lands as a result of his/her subdividing and development shall be noted on the plat.
26. Notifications and certifications in the form reproduced in this section shall appear upon the final plat. All required certificates shall bear the signature of the approving or authorizing agent at the time of application for final plat approval, except that the form for endorsement of the Planning Commission's approval for recording shall appear unsigned at the time of application for approval.
27. Tennessee Department of Environment and Conservation, public water and sewer design layout and approval stamps, if applicable; also, actual design plans for filing in appropriate governmental representative's office.
28. Commitment notes may be printed or stamped on the final plat reflecting location and dimension of easements, or extent of other agreements or factual data, in lieu of drafted illustration, when applicable, and as approved by the Planning Commission.

**5-104.3                    Plat Certificates**

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

***CERTIFICATE OF OWNERSHIP AND DEDICATION***

**I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in Book Number \_\_\_\_\_, Page \_\_\_\_\_, Bedford County Registers Office, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offers of irrevocable dedication for all streets, utilities, and other facilities have been filed.**

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Title (if acting for partnership or corporation)

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

**CERTIFICATE OF SURVEY ACCURACY**

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

\_\_\_\_\_, 20\_\_\_\_ No\_\_\_\_\_  
Date Registered Land Surveyor

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

**CERTIFICATE OF APPROVAL OF WATER SYSTEM**

I hereby certify that the water system(s) outlined or indicated on the final \_\_\_\_\_ subdivision \_\_\_\_\_ plat \_\_\_\_\_ entitled \_\_\_\_\_ has/have been installed in accordance with current local and state government requirements, or a sufficient bond or other surety has been filed to guarantee said installation.

\_\_\_\_\_, 20\_\_\_\_  
Date

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**Name, Title and Agency or Authorized Approving Agent**

**CERTIFICATE OF APPROVAL OF PUBLIC SEWER SYSTEMS**

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

\_\_\_\_\_, 20\_\_\_\_  
**Date**

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**Name, Title, and Agency and Authorized Approving Agent**

**CERTIFICATE OF APPROVAL  
PRIVATE SUBSURFACE SEWAGE DISPOSAL**

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

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

\_\_\_\_\_, 20\_\_\_\_  
**Date**

\_\_\_\_\_  
**Local Health Authority**



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

**CERTIFICATE OF APPROVAL OF  
PUBLIC STREETS OR BOND POSTING**

**I hereby certify: (1) that all designated streets on this final subdivision plat have been installed in an acceptable manner and according to the specifications of the Bell Buckle Subdivision Regulations, or (2) that a Letter of Credit or other surety has been posted with the Planning Commission to guarantee completion of all required improvements in case of default.**

\_\_\_\_\_, 20\_\_\_\_

**Date** **Appropriate Governmental Rep.**

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

**CERTIFICATION OF COMMON AREAS DEDICATION**

\_\_\_\_\_ in recording this plat has designated certain areas of land shown hereon as common areas intended for use by \_\_\_\_\_ the \_\_\_\_\_ homeowners within \_\_\_\_\_ subdivision for recreation and related activities. The above described areas are not dedicated for use by the general public, but are dedicated to the common use of the homeowners within the named subdivision.

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

\_\_\_\_\_, 20\_\_\_\_  
**Date** **Owner**

6. Certification on the final plat of Planning Commission approval for recording of the plat.

**CERTIFICATE OF APPROVAL FOR RECORDING**

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

\_\_\_\_\_, 20\_\_\_\_  
**Date** **Secretary, Planning Commission**

7. Notation of Possible Flooding

If any portion of the land being subdivided is subject to flooding as defined in these regulations, a notation shall be made on the plat that development or modification of the land within any floodway delineated within plat is prohibited and that development within floodway fringes delineated on the plat shall be done in such a manner that any structure shall be protected against flood damage to at least the regulatory flood protection elevation, which elevation shall be stated in the notation. Any additional restrictions imposed by the Planning Commission upon development within flood prone areas also shall be indicated on the plat.

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

9. Notation of Private Restrictions

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

**5-105 Form of Dedication Offer**

The form of the offer of irrevocable dedication, required by Subsection 2-105.1, Item 6 of these regulations, shall be as reproduced in this section and approved by the Town of Bell Buckle Attorney.

Copies of this form may be obtained at the office of the Town Recorder.

**FORM FOR OFFER OF IRREVOCABLE DEDICATION**

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, a \_\_\_\_\_, having its office and place of business at \_\_\_\_\_, Tennessee, hereinafter designated as the “local government.”

WHEREAS, the Bell Buckle Municipal Planning Commission is in the process of approving a subdivision plat entitled, \_\_\_\_\_, dated \_\_\_\_\_, and made by \_\_\_\_\_; and

WHEREAS, said map designates certain public improvements consisting of \_\_\_\_\_ to be dedicated to the Town of Bell Buckle free and clear of all encumbrances and liens, pursuant to the requirements of the Bell Buckle Planning Commission and the legislative body; and

WHEREAS, the developer, simultaneously herewith, shall post a Letter of Credit with the Town for the construction, maintenance, and dedication of said improvements, if required;

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

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

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

- A. The developer herewith delivers to the Town deeds of conveyance for the premises described in Schedule \_\_\_\_\_, attached hereto, said delivery being a formal offer of dedication to the Town until the acceptance or rejection of such offer of dedication by the Town Legislative Body.
- B. The developer agrees that said formal offer of dedication is irrevocable and can be accepted by the Town at any time.
- C. The developer agrees to complete the construction and maintenance of the land and improvements pursuant to the Letter of Credit and the requirements of the Bell Buckle Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by the Town with respect thereto and, upon acceptance by the Town of the offer of dedication, furnish to the Town a sworn statement certifying that the premises are free and clear of all liens and encumbrances and shall furnish to the Town a check for all necessary fees and taxes to record the deeds heretofore delivered.
- D. That this irrevocable offer of dedication shall run with the land and shall be binding on all assigns, guaranties, successors, or heirs of the developer.

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_  
Developer

*(CORPORATE SEAL)*

*ATTEST:*      *FOR THE COUNTY OF:* \_\_\_\_\_

\_\_\_\_\_

**ACKNOWLEDGMENT:  
COPARTNERSHIP**

(COUNTY OF \_\_\_\_\_)                      SS: \_\_\_\_\_

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

\_\_\_\_\_  
CORPORATE

**STATE OF TENNESSEE**

(COUNTY OF \_\_\_\_\_)                      SS: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who, being by me first duly sworn, did depose and said that he resides in \_\_\_\_\_; that he/she is the \_\_\_\_\_ of \_\_\_\_\_, the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his/her name thereto by like order and authority.

\_\_\_\_\_  
INDIVIDUAL

## ARTICLE VI

### DEFINITIONS

#### 6-101 Usage

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

#### 6-102 Words and Terms Defined

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

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

Architect -- An architect or landscape architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-2-201, Tennessee Code, to practice in Tennessee; or a landscape architect certified and licensed by the State Board of Landscape Architects pursuant to Section 62-2-202, Tennessee Code, to practice in Tennessee.

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

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

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

Capital Improvements Program -- A proposed schedule of future projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government operating expenses, for the purchase, construction, or replacement of the physical assets of the community are included.

City -- Town of Bell Buckle, Tennessee.

City Attorney -- The attorney holding the position of attorney for the town or such licensed attorney designated by the town attorney to furnish legal assistance for the administration of these and other regulations.

City Specifications -- Written descriptions of a technical nature of materials, equipment, construction systems, standards, and workmanship required by the Town of Bell Buckle for a project intended to become a part of the municipal system.

City Staff -- The staff employed by the city to assist the planning commission in planning and land use regulation activities.

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

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

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

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

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

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

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

Construction Plan -- The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the planning commission.

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

County Environmentalist -- An agent designated to administer local and/or state health regulations.

Cul-de-sac -- A minor street having only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement; definition includes: dead end, turn-around, or turn-about.

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

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

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



dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.

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

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

Engineer -- An engineer certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Section 62-2-202, Tennessee Code, to practice in Tennessee.

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

Escrow -- A fiduciary agreement with the local government in lieu of actual performance and intended to assure performance. An escrow account may be provided as a bond subject to agreement of the governing body.

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

Final Subdivision Plat -- The final map or drawing and accompanying materials, described in these regulations, on which the subdivider's plan of the subdivision is presented to the planning commission for approval and which, if approved by the commission, is recorded with the county register of deeds.

Flood or Flooding -- Means a general and temporary condition or partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or run-off of surface waters from any source.

Flood Control Works -- Any man-made construction, such as a dam, levee, groin or jetty designed to alter the flood potential of the body of water on or adjacent to which it is built.

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

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

Flood Hazard or Flood Prone Area -- The maximum area of the floodplain that, on the average, is likely to be flooded once every one hundred (100) years (i.e., that has a one (1) percent chance of being flooded in any year).

Flood Insurance Study -- Is the official report provided by the Federal Insurance Administration. The report may contain flood profiles, as well as the Flood Hazard Boundary--Floodway Map and the water surface elevation of the base flood.

Floodplain -- Any normally dry land area that is susceptible to being inundated by waters of the one (1) percent annual chance flood, i.e., the 100-year flood.

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

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

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

Floodway -- The stream channel and adjacent overbank areas required to carry and safely discharge the 100-year flood without increasing flood levels more than one (1) foot above natural flood levels.

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

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

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

General Plan -- The official statement of the planning commission which sets forth major policies concerning future development of the jurisdictional area and meeting the provisions set forth in Sections 13-3-301, 13-3-302, and 13-4-102, Tennessee Code.

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

Governing Body -- The chief legislative body of any government.

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

Grade -- The slope of a street specified in percentage terms.

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

Horizontal Property Act -- "The Tennessee Horizontal Property Act", as codified in Sections 66-27-122, Tennessee Code.

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

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

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

Jurisdictional Area -- Planning boundary(s) established in keeping with Sections 13-3-102, 13-3-201, and 13-3-301, Tennessee Code.

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

Land Surveyor -- A land surveyor certified and registered by the State Board of Land Survey Examiners pursuant to 62-18-103, Tennessee Code, to practice in Tennessee.

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

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

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

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

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

Major Street or Road Plan -- The plan adopted by the planning commission, pursuant to Section 13-3-402 and 13-4-302, Tennessee Code, showing, among other things, "the general location, character, and extent of streets...(and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing streets..."

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

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

Minor Subdivision -- Any subdivision containing less than five (5) lots fronting on an existing street; not involving any new or improved street, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adopted general plan, major street or road plan, zoning ordinance, or these regulations.

National Flood Insurance Program -- A program established by the U.S. Government in the National Flood Insurance Act of 2068, and expanded in the Flood Disaster Protection Act of 2073, in order to provide a flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce floodplain management programs meeting the requirements of the National Flood Insurance Program Regulations. The program regulations are found at 24 Code of Federal Regulations, Chapter X, Subchapter B.

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

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

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

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

Planning Commission -- A public planning body established pursuant to Title 13, Chapters 2 or 5, Tennessee Code, to execute a partial or full planning program within authorized area limits.

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

Premise(s) -- A tract of land together with any buildings or structures which may be thereon.

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

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

Reach -- A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach generally includes the segment of the flood hazard area where flood heights are influenced by a man-made area where flood or natural obstruction. In an urban area, the segment of a stream or river between two (2) consecutive bridge crossings typically would constitute a reach.

Regulatory Flood -- The one hundred-year flood.

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

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

Right-of-Way -- A strip of land occupied or intended to be occupied by a street crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line, or for another special use. The usage of the term "right-of-way", for land platting purposes, shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and shall not be included within the dimensions or areas of such lots or parcels.

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

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

Setback -- The distance between a building wall and the nearest street right-of-way.

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

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

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

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

Structure -- Anything constructed above or below ground.

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

Subdivision (applies within the corporate limits) -- "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. (See Sections 13-4-301, Tennessee Code.)

Subdivision (applies within the planning region, but outside of corporate limits) -- "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. (See Sections 13-4-301, Tennessee Code.)

Subdivision Agent -- Any person who represents or acts for or on behalf of a subdivider or developer in selling, leasing, or developing or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plot in a subdivision, except in an instance where only legal counsel is provided.

Substantial Improvement -- Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

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

Town – Town of Bell Buckle, Tennessee.

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

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



**ARTICLE VII**

**ADOPTION OF REGULATIONS AND AMENDMENTS**

**7-101 Original Enactment**

In order that land shall be subdivided in accordance with the objectives and standards set forth in these regulations, these Subdivision Regulations are hereby adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and immediately shall be in full force and effect. Pursuant to Sections 13-3-403 and 13-4-303, Tennessee Code, a public hearing was held on these regulations on \_\_\_\_\_, 20\_\_\_\_ at The **Town Hall, Bell Buckle, Tennessee** notice of which was given by publication in the \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_..

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

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