

# SUBDIVISION REGULATIONS

Adopted September 17, 2007



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# ARTICLE I

## GENERAL PROVISIONS

### 1-101 Title

These regulations shall, hereinafter, be known and cited as the Subdivision Regulations of Thompson's Station, Tennessee.

### 1-102 Authority

These subdivision regulations are adopted by the Thompson's Station Municipal Planning Commission (hereinafter, referred to as "Planning Commission"), pursuant to the authority and powers granted by Tenn. Code Ann. §§ 13-3-401 through 13-3-412 and §§ 13-4-301 through 13-4-309. Having adopted a major thoroughfare plan for the jurisdictional area, and filed a certified copy of the plan with the Williamson County Register of Deeds (hereinafter, referred to as "county register"), as required by Tenn. Code Ann. §§ 13-3-402 and 13-4-302, and having held a public hearing as indicated in Subsection 1-108.1, of these regulations, the Planning Commission has fulfilled the requirements set forth in state law as prerequisites to adoption of these regulations.

### 1-103 Jurisdiction

These subdivision regulations shall apply to all subdivisions located within Thompson's Station, Tennessee. No land shall be subdivided within the jurisdictional area until the subdivider submits necessary plans and plats as required by these regulations, obtains Planning Commission approval of such documents, the documents comply with all requirements of these regulations, and the approved final plat is filed with the county register.

### 1-104 Policy and Purpose

It is hereby declared to be the policy of the Planning Commission to consider subdivision of land and development of a subdivision as subject to control 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 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.

These regulations shall supplement and facilitate enforcement of the provisions and standards contained in the Thompson's Station Zoning Ordinance (hereinafter referred to as "zoning ordinance").

These regulations are adopted for the following purposes:

- A. To promote the public health, safety, and general welfare of the present and future inhabitants of the Town.
- B. To guide development of the jurisdictional area, 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.
- 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 planning region 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 movement of traffic throughout the jurisdictional area.
- H. To establish reasonable standards of design and procedures for subdivisions and resubdivisions; to further the orderly layout and use of land; and to insure proper legal descriptions and proper monumenting of land.
- I. To insure that public facilities are available and will have sufficient capacity to serve the proposed subdivision.
- J. To prevent pollution of air, streams, and ponds; to assure adequacy of drainage facilities; to safeguard the water table; and to preserve the integrity, stability, beauty, and value of land within the jurisdictional area.
- K. To preserve the natural beauty and topography of the jurisdictional area, and to ensure appropriate development with regard to these natural features.
- L. To provide for open spaces through efficient design and layout of the land.
- M. To encourage subdivision design maximizing 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 promotion of health, safety, and general welfare.

### *1-105.2 Conflict with Public and Private Provision*

#### 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 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 where 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 governing body 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 governing body, except as expressly provided otherwise in these regulations.

## 1-107 Previously Approved Subdivision

### *1-107.1 Unexpired Approval*

The approval granted on any sketch, preliminary or final plat granted by the Thompson's Station Municipal Planning Commission prior to the effective date of these regulations shall remain in force and effect for the time period stipulated by the regulations under which such approval was first granted and as amended prior to adoption of this revision.

### *1-107.2 Expired Approval*

In any instance where the period of sketch or preliminary approval shall have passed, development and construction of the subdivision may proceed only under one of the three (3) options listed as follows:

1. The Planning Commission may grant up to three (3) one (1) year extensions to allow the subdivision to be developed under the terms of the Subdivision Regulations in effect at the time of the preliminary approval, or
2. The Planning Commission may grant up to three (3) one (1) year extensions under the condition the subdivision be developed and constructed according to any new regulations or standards enacted since preliminary approval, or
3. The Planning Commission may declare the preliminary approval null and void and require that a new plat be presented subject to all laws and provisions of the regulations that are in effect at the time such action is considered.

### *1-107.3 Filing of Previously Approved Plats*

All previously approved final plats shall be filed with the county register's office within six (6) months following adoption of these subdivision regulations. In the event the owner fails to file a plat within the time period stipulated herein the approval shall become void and no building permit may be issued for any lot located therein until action is taken to reinstate the plat. All final plats approved under these regulations shall be filed with the county register's office within six (6) months following final approval.

## 1-108 Amendments

### *1-108.1 Enactment*

For the purpose of providing for the public health, safety, and general welfare the Planning Commission may from time to time amend these regulations. Before adoption of any amendment to these regulations, a public hearing thereon shall be held by the Planning Commission, as required by Chapters 3 and 4, Title 13, Tennessee Code.

### *1-108.2 Codification and Distribution*

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

Replacement pages shall be prepared incorporating the new or changed language.

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 that fully states any language deleted from these regulations and any language added and the place in the text of each such change.

## 1-109 Resubdivision of Land

### *1-109.1 Procedures for Resubdivision*

If any change in an approved or recorded subdivision plat would affect the layout of any public street, alley, or road (hereinafter referred to as public way) shown on such plat, or area reserved for public use, or any lot line, or if it would affect any map, plan, or plat legally recorded before adoption of any subdivision regulations, such amendment shall be approved by the same procedure, rules, and regulations as for a subdivision.

### *1-109.2 Subdivision Procedures Where Future Resubdivision Is Foreseen*

Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than double the minimum required area for any zoning district in which the lot is located, and the Planning Commission has reason to believe that any such lot(s) will be resubdivided into smaller building sites, the Planning Commission may require that the subdivision and development of such parcel of land allow for the future opening of public ways and the ultimate extension of adjacent public ways or that such lots be restricted from further subdivision through a permanent conservation easement. The Planning Commission may also require that dedications providing for future opening and extension of such public ways be indicated on the plat.

## 1-110 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 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.

## 1-111 Vacation of Plats

Any plat, or any part of any plat, may be vacated by the owner of the premises at any time before sale of any lot described on the plat 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. In approving the vacation of plats, the Planning Commission shall follow the same procedure for approval of plats. The governing body may reject any such instrument that 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 described in such plat. When any lot or lots have been sold, the plat may be vacated in the same manner only if all of the owners of all lots in such platted area join in the execution of such writing.

## 1-112 Deviations

### *1-112.1 General*

If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a deviation from these regulations may be granted provided such deviation shall not have the effect of nullifying the general intent and purpose of these regulations.

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

### *1-112.2 Deviation Procedures*

Each and every deviation or modification of these subdivision regulations sought by a subdivider shall be specifically applied for.

### *1-112.3 Conditions*

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

## 1-113 Enforcement, Violation, and Penalties

### *1-113.1 General*

#### **1-113.101 Authority**

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

#### **1-113.102 Enforcement Officer**

It shall be the duty of the Enforcement Officer to enforce these regulations and to bring to the attention of legal counsel any violations or lack of compliance herewith.

#### **1-113.103 Recording of Plats**

Pursuant to Tenn. Code Ann. §§ 13-3-402 and 13-4-302, no plat of a subdivision of land within the jurisdictional area shall be received or recorded by the county register until the plat has received final approval of the Planning Commission in accordance with these regulations, and such approval has been endorsed in writing on the plat by the Planning Commission secretary, or his designee, in the manner prescribed by Subsection 2-109.1 (Signing of Plat) of these regulations.

#### **1-113.104 Use of Unapproved Plats**

Pursuant to Tenn. Code Ann. §§ 13-3-410 and 13-4-306, no owner or agent of the owner of any land shall convey such land contrary to these provisions.

#### **1-113.105 Public Ways and Utilities**

Pursuant to Tenn. Code Ann. §§ 13-3-406 and 13-4-307, neither the governing body or any public authority shall accept, lay out, open, improve, grade, pave, or light any public way, lay or authorize the laying of water

mains or sewers, or construct or authorize the construction of other facilities or utilities in any public way located within the jurisdictional area unless such way shall have been accepted, opened, or otherwise received the legal status of a public way prior to the attachment of the Planning Commission's jurisdiction, or unless such way corresponds in its location and lines to a way shown on a subdivision plat approved by the Planning Commission or on a public way plat made by the Planning Commission.

#### **1-113.106 Building Permits**

No building permit shall be issued for construction of any building or structure located on a lot or plat subdivided or sold in violation of any provision of these regulations. Any individual requesting a building permit for a lot located within an established subdivision shall provide evidence that the plat of subdivision wherein such lot is located has been approved and appropriately recorded.

#### **1-113.107 Illegal Buildings**

Any building or structure erected, or to be erected, in violation of these subdivision regulations shall be deemed an unlawful building or structure. The Enforcement Officer, or other official designated by the chief legislative body, may bring action or enjoin such erection or cause it to be vacated or removed as provided in Tenn. Code Ann. §§ 13-3-411 and 13-4-308.

#### **1-113.108 Access to Lots by Public Way or Private Easement**

Pursuant to Tenn. Code Ann. §§ 13-3-411 and 13-4-308, 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 prior to that time or unless such way corresponds in its location and lines with a way shown on a subdivision plat approved by the Planning Commission, or on a street plat made and adopted by the commission, or unless such lot fronts upon a permanent easement which conforms to all rules, regulations and specifications set forth herein.

In any instance where a permanent easement is used to provide 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. Where a permanent easement is proposed to provide access to more than five (5) lots or tracts of land, an access way shall be constructed within the easement which will meet or exceed the standards for design and construction of public ways set forth in Section 4-103 (Construction Plans) of these regulations and the Planning Commission shall act to ensure that the responsibility for future maintenance of any such access way lying within a permanent easement remains solely with the benefited parties and that in no event shall the maintenance of such access way become a public responsibility.

#### ***1-113.2 Civil Enforcement***

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 1-113.1 of these regulations.

#### 1-114 Repeal of Previous Regulations

Upon the adoption and effective date of these regulations, the Subdivision Regulations of Thompson's Station, Tennessee, previously adopted, as amended, are repealed.

#### 1-115 Fees for Plat 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 required by the town. These fees shall be paid at the time of submittal of the application for plat review and approval.

# ARTICLE II

## PROCEDURES FOR PLAT APPROVAL, BONDING, AND CONSTRUCTION

### 2-101 General Procedure

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

Before any lot is sold and before any permit for erection of any structure in a proposed subdivision shall be granted, the 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 Subdivision Plat*

The subdivider shall follow the following procedure to secure plat approval.

- a. Pre-application conference on the subdivision with the Enforcement Officer.
- b. Submittal of a Site development plan, prepared in accordance with Section 4-101, (Site development plan) and Article III of these regulations, for Planning Commission approval.
- c. Submittal of a Preliminary Plat prepared in accordance with Section 4-102, (Preliminary Plat) and Article III herein, for Planning Commission approval.
- d. Submittal of construction plans, prepared in accordance with the Town of Thompson's Station Subdivision Regulations, for Town Engineer approval.
- e. Submittal of the final subdivision plat, prepared in accordance with Section 4-105 and Article III of these regulations, 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, is closed, shall constitute the official submittal date of the plat at which the statutory period required in Tenn. Code Ann. § 13-4-304, for formal approval or disapproval of the plat shall commence.

#### *2-101.4 Special Provisions Governing Unit Ownership (Condominium) Subdivisions*

##### **2-101.401 General Provisions**

- a. Intent -- This section is intended to augment the general legislation of Tenn. Code Ann. §§ 66-27-101 through 66-27-123, entitled "Horizontal Property Act," by providing supplemental rules and regulations for the implementation of the act as specifically authorized in Tenn. Code Ann. § 66-27-121.
- b. Applicability -- Whenever a developer, the sole owner, or the co-owners of a building or buildings expressly declare through submission of a master deed, lease, or plat their desire to submit their property to a regime, as established and provided by Tenn. Code Ann. §§ 66-27-101 through 66-27-123, where 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.

#### 2-101.402 Submission of Plat Required

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

#### 2-101.403 Determination of Subdivision Type

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

#### 2-101.404 Procedure

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

#### 2-101.405 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.

### 2-102 Site Development Plan

#### *2-102.1 Purpose of the Site development plan*

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

#### *2-102.2 Site Development Plan Requirements*

The site development plan shall include the information set forth in Section 4-101 (Site Development Plan).

#### *2-102.3 Approval of Site Development Plan*

When a site development plan is submitted for Planning Commission approval, the number of copies required and timing of the submission shall be as for a preliminary plat.

#### *2-102.4 Reclamation Bond Required for Clearing, Grading, Reforestation*

Applicant must post a land reclamation and tree protection bond in an amount to be determined by the Planning Commission. The bond must be posted prior to any land disturbance including any removal of trees.

### 2-103 Preliminary Plat

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

The applicant shall file with the Planning Commission a preliminary plat. Failure of the applicant to satisfy

the requirements of this section with full and correct information shall be cause for disapproval of such plat. The preliminary plat shall be prepared by individuals licensed to perform the necessary design services and shall be prepared in accordance with Section 4-102 (Preliminary Plat), Article III, and shall:

1. Be presented at the office of the Enforcement Officer on or before the scheduled deadline as established by the town for consideration at a regular, officially opened, meeting of the Planning Commission.
2. Be accompanied by the number of copies required by the Planning Commission for review and required application fee.

### *2-103.2 Approval of Preliminary Plat*

The Enforcement Officer shall submit the application to the Planning Commission for review, approval, approval with conditions, or denial. Said action shall occur within 60 days of submittal to the Planning Commission or the application shall be considered approved. Approval of the preliminary plat shall constitute authorization to prepare and present detailed construction drawings, plans and specifications for the proposed development. In no event shall the tentative approval of a preliminary plat become final until the construction plans required by Section 2-104 (Construction Plans) are approved.

### *2-103.3 Effective Period of Approval*

Any subdivision, or the first phase of a subdivision, not receiving final plat approval by the Planning Commission within two (2) years from the date of preliminary approval and any subdivision, the final phase of which has not received final subdivision plat approval by the Planning Commission within five (5) years, may proceed only in accordance with one of the three following options:

1. The Planning Commission may grant up to three (3) one (1) year extensions to allow the subdivision to be developed under the terms of the Subdivision Regulations in effect at the time of the preliminary approval, or
2. The Planning Commission may grant up to three (3) one (1) year extensions under the condition the subdivision be developed and constructed according to any new regulations or standards enacted since preliminary approval, or
3. The Planning Commission may declare the preliminary approval null and void and require that a new plat be presented subject to all laws and provisions of the regulations that are in effect at the time such actions is considered.

For subdivisions in excess of 300 lots, the applicant may request that the Planning Commission approve a period of approval in excess of five (5) years to obtain final plat approval on the final phase.

### *2-103.4 Application of Changes of Zoning Regulations to Approved Preliminary Plats*

Every preliminary plat shall conform to all applicable existing zoning provisions and subdivision regulations in effect at the time of approval, except that any final plat for land contained within the bounds of a preliminary plan, the approval of which remains in effect, shall be exempt from any subsequent amendments to such zoning ordinance or these regulations that may render such plan nonconforming as to bulk, use, or development standards. No final plat shall be approved unless the preliminary plat of the development or affected portion thereof is in effect at the time of such approval. (See Subsection 2-103.4, Effective Period of Approval).

### *2-103.5 Changes to Approved Preliminary Plats*

As a result of unforeseen conditions associated with a particular site, changes may be required in approved preliminary plats. No change shall be implemented and no construction associated therewith shall be initiated until a revised preliminary plat and construction plans have been submitted to the office of the Enforcement Officer. The Enforcement Officer, upon written recommendation of the Town Engineer, may approve changes that involve minor revisions including, but not limited to:

1. minor shifts in the location of lot lines, streets, or open space, or
2. minor changes in lot or unit count, or redistribution of less than 10% of the total number of dwelling units

- among unit types, or
3. other changes which do not significantly alter the overall layout of the plan and its basic development concept.

Major revisions, including those listed below, shall require the approval of the Planning Commission:

1. change in the number of lots or units resulting in an increase (or decrease) of 5% or more in total lot or unit count, or
2. modification(s) to the pattern of streets or street connections, internal and external to the project area, that decrease connectivity or significantly alter traffic patterns, excepting changes that result directly from discovery of topographical or environmental obstacles that could not reasonably have been known at the time of initial subdivision approval, or
3. changes affecting 10% or more of the open space, including but not limited to its area, location, accessibility, or degree of contiguity, or
4. reduction in dedications to the public, or
5. changes to subdivision boundaries that exceed 5% of the area of initial approval, or
6. changes which will increase the area of disturbance of slopes of 25% or greater or increase the area of manipulation of the floodplain.
7. any change that significantly alters the overall layout of the plan and its basic development concept.

### *2-103.6 Reclamation Bond Required for Clearing and Grading*

Subsequent to approval of the preliminary plan, the developer may submit a reclamation bond and proceed with clearing and grading as per Section 2-102.4.

## 2-104 Construction Plans

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

Construction plans may be prepared and presented, at any point in time concurrent with or following approval of a preliminary plan. Construction plans shall contain the information required by and be prepared in accordance with the Town of Thompson's Station Subdivision Regulations, and shall:

1. be presented at the office of the Enforcement Officer;
2. include the entire subdivision, or, (when phasing has been approved in the preliminary plan), the entire phase or phases for which final approval will be sought.
3. be accompanied by such copies of the construction plans as the town may require.

### *2-104.2 Construction Plan Preparation and Content*

Construction plans shall be prepared and submitted by a Tennessee Licensed Engineer engaged in the practice of civil engineering. At a minimum, such plans shall conform to the Town of Thompson's Station Subdivision Regulations.

### *2-104.3 Plan Review and Approval*

It shall be the responsibility of the Town Engineer to assure that the construction plans are in compliance with the provisions of these regulations and other appropriate town ordinances. The Town Engineer shall approve or disapprove the construction plans. Where revisions may be required for plans to receive unconditional approval, such revisions shall be accomplished prior to final approval of the preliminary plan. In the event of plan disapproval, the Town Engineer shall provide notice of the disapproval to the submitter in writing. Such notice shall include specific provisions of these regulations and/or other ordinances with which such plans do not comply.

### *2-104.4 Dispute Resolution*

The Planning Director shall act to resolve any disputes concerning interpretation or application of these regulations to

the information contained within construction plans.

## 2-105 Final Subdivision Plat

### *2-105.1 Purpose of Final Plat*

The purpose of a final subdivision plat is twofold. First, such plat provides the legal instrument whereby transfer of the ownership of lots may be accomplished. Secondly, final plats constitute a means whereby the person subdividing property may offer streets and other infrastructure for acceptance and maintenance by the public.

### *2.105.2 Application Procedure and Requirements*

A subdivider shall file with the Planning Commission a final plat. The plat shall be prepared in accordance with Section 4-105, Final Subdivision Plat, Article III, and shall:

1. include the entire subdivision, or phase, for which final approval is sought;
2. be accompanied by the number of copies required by the Planning Commission for review and the required application fee;
3. substantially conform to the approved preliminary plan;
4. be presented at the office of the Enforcement Officer on or before the scheduled deadline as established by the town for consideration at a regular (officially opened) meeting of the Planning Commission;
5. include all relevant plat certificates as per 4-105.3, Plat Certificates, including an owner's certificate which includes the owner's dedication of all easements and all rights-of-way, streets, alleys, walkways, parks and other open space as noted on the plat; (Improvements within the rights-of-way and easements shall not be accepted by the Town until completion in accordance with Section 2-117, Acceptance of Streets and Other Improvements.)
6. be accompanied by the following documentation for approval by the Planning Commission if the final plat contains jointly held open space, recreational facilities, or any portion of the site that is held in common ownership:
  - a. plans for improvement and maintenance of the open space or facilities located on the plat;
  - b. articles of incorporation and by-laws of the co-owners association or other legal entity (where open space or facilities are to be deeded to a co-owners association or similar organization acting on behalf of the joint owners of said property) charged with improving or maintaining the open space or facilities, and declaration of covenants and restrictions pertaining to each and every property within the subdivision; and
  - c. declaration of covenants and restrictions pertaining to open space and facilities which assure the continued use of said facilities for the purpose intended, where open space or facilities are to be retained by the developer.
7. construction plans shall be substantially complete, as determined by the Town Engineer, prior to the granting of final plat approval by the Planning Commission.

### *2-105.3 Endorsement of Notations*

The notations and certifications required by Subsection 4-105.3, Plat Certificates, to appear upon the final plat shall be endorsed by appropriate officials and other persons prior to application for final subdivision plat approval except that the certificate of Planning Commission approval shall be signed at the time specified in Section 2-109, Signing and Recording of Subdivision Plat.

### *2-105.4 Hearing and Decision on Final Plat*

The Planning Commission shall hold a hearing, as required by Tenn. Code Ann. §13-3-404, on each final plat brought before it. Within sixty (60) days after submission, the Planning Commission shall approve, approve with conditions, or disapprove the final subdivision plat. In any instance where special conditions are attached to any plat approval, the commission shall set forth, in detail, such conditions. If a final plat is disapproved, specific reasons for such action shall be noted in the minutes of the meeting where such action is taken.

Failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat. The applicant, however, may agree to an extension of the time for Planning Commission review.

### *2-105.5 Effective Period of Approval*

Final approval is effective for six (6) months from the date of approval by the Planning Commission. If the plat has not been recorded within this time period, the applicant may request of the Planning Commission two (2) one (6) month extensions, otherwise, the applicant must re-apply for final approval, or preliminary approval if preliminary approval has expired.

### *2-105.6 Changes to Final Plat*

As a result of unforeseen conditions associated with a particular site, changes may be required in approved final plats. No change shall be implemented and no associated construction shall be initiated until a revised final plat and construction plans have been submitted to the office of the Enforcement Officer. The Enforcement Officer may approve changes that involve minor shifts in the location of lot lines, easements, building lines, streets, open space, notes, or similar matters. Otherwise, Planning Commission approval of said revised plat shall be required.

## 2-106 Development Agreement Required Prior to Construction

Following preliminary plat and construction plans approval, a completed "Development Agreement" (less the required bond) shall be prepared and executed prior to construction of any infrastructure within any development to which these regulations are applicable. A draft development agreement, substantially conforming to the Development Agreement contained in Appendix "A", shall be prepared by the Enforcement Officer. The draft agreement shall reference the design incorporated within the approved construction plans and shall be sufficient in form to assure that proposed construction methods and materials meet or exceed minimum standards established by the Town. The draft development agreement shall be sent to the applicant for approval. Upon acceptance of the agreement by the applicant, the proposed development agreement shall be forwarded to the Mayor for execution. Said execution shall be completed within ten (10) days. In the event the Mayor does not execute the agreement or reject in writing within said period, it shall be deemed approved. Infrastructure construction may begin upon approval of the agreement. If a reclamation bond has not already been provided as specified in 2-102.4 (Reclamation Bond Required for Clearing and Grading), such a reclamation bond shall be provided at this time, however, the final plat shall not be recorded until and unless a bond is provided to guarantee the remaining improvements.

## 2-107 Bond Required

Prior to recording the final subdivision plat, the applicant shall provide a bond conforming to Section 2-108 (Bond Standards and Requirements) guaranteeing construction of the remaining required improvements. The amount and form of such bond shall be sufficient to guarantee to the governing body or other agency ultimately responsible for acceptance of the facilities, satisfactory construction, installation, and dedication, free and clear of any encumbrances, of the incomplete portion of required improvements. If a development agreement has not already been provided as specified in 2-106 (Development Agreement Required Prior to Construction), such an agreement shall be provided at this time.

Such bond instruments shall comply with all statutory requirements and shall be satisfactory to legal counsel as to form, sufficiency, and manner of execution, as set forth in these regulations. The Planning Commission may, upon proof of difficulty, extend the completion date set forth in the bond for a maximum time period covered by the development agreement. Each such extended time amendment shall be for a period of at least six (6) months.

## 2-108 Bond Standards and Requirements

### *2-108.1 General*

All improvements proposed in conjunction with any subdivision must be covered by an adequate bond unless such work is completed prior to filing of any final plat for any portion of the development site.

### *2-108.2 Amount of Bond*

The subdivider shall post a good and sufficient bond with the Planning Commission in the amount of one hundred ten (110%) percent of the Town Engineer's estimate of cost to assure completion of the work. Good and sufficient surety shall include the types of bond specified in subsection 2-108.3, Types of Bond. Each bond shall be accompanied by a "Development Agreement" as per Section 2-106 (Development Agreement Required Prior to Construction), and Appendix "A" where the subdivider agrees to make and install the improvements in accordance with the approved plans and specifications.

### *2-108.3 Types of Bond*

Subject to the standards and requirements of this Article and acceptance by the Planning Commission, the following types of bond may be accepted for purposes of guaranteeing completion of improvements required by these regulations. Each bond must remain effective for at least one (1) year unless the Enforcement Officer approves a lesser period.

- Irrevocable Standby Letter of Credit
- Cash Escrow or bank assignment of certificates of deposit with a federally insured bank having assets of at least \$50 million.

#### **2-108.301 Irrevocable Standby Letters of Credit**

An irrevocable standby letter of credit may be utilized as the means of providing bond for improvements required under the various provisions of these regulations. Any letter of credit shall be drafted so as to represent an obligation of the financial institution to the town and not an obligation to the permittee. All letters of credit, shall be governed and construed in accordance with the Uniform Customs and Practice for Documentary Credits (1983 Revision), International Chamber of Commerce, Publication 400 and Tenn. Code Ann. §47-5-101 through §47-5-118. Such letters shall be for one (1) year and shall be automatically renewed for successive one (1) year periods until released by the town. However, said letters may be revoked after giving the town written notice with 90 days opportunity to cash the letter. Such notice shall be by certified mail, return receipt requested. All letters of credit shall be cashable in Williamson County, or in a County which adjoins Williamson County (within a 60 mile radius), and shall be substantially in the form as shown in Appendix "B".

The financial institution that will be issuing the letter of credit or bond must demonstrate its good standing with the State of Tennessee and shall not issue in excess of 10% of its total capital to an applicant. The branch of the issuing financial institution shall be located within a 60 mile radius of Thompson's Station, TN. This branch must also be available for contact and for making draws on the letter of credit or bond. The Planning Commission shall be the accepting authority for all letters of credit and bonds and will make a determination on the above referenced items and shall also consider the Thomson Bank Watch or Schushenoff ratings of A. If an outside rating system is utilized a minimum of 2 major rating agencies shall be required of no less than BBB. In addition, the bank must have a passing grade by the FDIC with no deficiencies.

#### **2-108.302 Escrow Deposits for Improvements**

##### **a. Acceptance of Escrow Funds**

The term "Cash Escrow," as used in these regulations, refers to two types of performance guarantees: cash escrows and bank assignment of funds. In the case of either cash or other near cash (i.e. certificates of deposit) guarantees, all funds shall be maintained in accounts that are beyond the reach of the developer and subject to an escrow agreement.

b. Procedures on Escrow Fund

All escrows shall be held by the town, kept in its bank accounts, and be totally under control of the town. A detailed “Escrow Agreement” shall be prepared and appropriately endorsed by all parties to such agreement at the time of creation of any escrow account. The developer’s tax identification number shall be used for the escrow and the developer shall be responsible for paying tax on any interest credited to the escrow account.

**2-108.303 Performance Bonds**

A performance bond may be used as the means of providing bond for improvements required under the various provisions of these Regulations. In no instance shall any performance bond be accepted as a guarantee unless a “Development Agreement” accompanies such bond. All performance bonds shall provide a location within Williamson County, or a county adjoining Williamson County, where such bond(s) may be drawn upon. Bonds must be rated A/AA+15 by A.M. Best. All performance bonds shall be drafted so that the only requirement for the Town to draw upon such bond is to notify the financial institution (grantor) that:

“We have incurred liability by reason of the failure of the applicant/developer/ owner to complete the construction of their project [insert name of subdivision and plans] in accordance with the definitive subdivision plans and development agreement and the rules and regulations governing the subdivision of land within Thompson’s Station, Tennessee. The amount drawn, which may be more than required to complete the project, will be held in a segregated bank account until the work can be bid competitively and the bid awarded and paid for or until the contract for the work is otherwise let and the work paid for. Any excess over the cost of completing the work will be returned to the grantor.”

The performance bond shall be substantially in the form as shown in Appendix “C”.

*2-108.4 Time to Post Bond*

Bond must be posted within 60 days of the Planning Commission action establishing the bond amount. Failure to post the bond within the allotted time period will require reapproval of the final plat. All review fees will apply.

**2-109 Signing and Recording of Subdivision Plat**

*2.109.1 Signing of Plat*

Upon posting of a bond or upon completion and acceptance of all required improvements, and upon all other required signatures on the plat, the secretary of the Planning Commission, or other designee, shall endorse approval on the final plat.

*2.109.2 Recording of Plat*

It shall be the responsibility of the Enforcement Officer to file all approved final plats with the county register’s office. The owner of the property or his authorized agent shall pay the appropriate filing fee.

**2-110 Issuances of Building Permits and Use and Occupancy Permits**

Upon recording the plat, lots may be sold and building permits may be issued subject to any applicable conditions.

The extent of public way improvements shall be adequate for vehicular access by the prospective occupant and by police, fire, and emergency equipment prior to the issuance of a building permit. Before a use and occupancy permit will be granted, water, sewer, street name signs, and traffic signs must be installed.

### 2-111 Reduction of Bonds

The surety instruments guaranteeing installation of improvements may be reduced upon completion of the base asphalt and again upon completion, dedication and acceptance of such improvements and then only to the ratio that the cost of the public improvements dedicated bears to the total cost of public improvements included in said plat. As a general rule, a bond will not be reduced below fifteen (15) percent of the total estimated cost of the required improvements.

### 2-112 Completion of Improvements

All required improvements shall be completed in accordance with these regulations, the Development Agreement, and the approved construction plans. As a general rule, final asphalt shall be completed after 75% of the houses are completed and prior to 90% completion. Likewise, all other remaining required improvements, except sidewalks, shall be completed prior to 90% completion. Building permits may be withheld on the final 10% of the houses if said improvements are not complete. The Town Engineer may specify that the final asphalt be completed before 75% of the houses are complete if housing construction has been slow and the lack of final asphalt is presenting maintenance or safety problems. Likewise, the Town Engineer may specify that the final asphalt be completed after 90% of the houses are complete if said street(s) are used as a construction entrance.

### 2-113 Failure to Complete Improvements

In those cases where required improvements have not been installed within the terms of the Development Agreement, the Town Engineer thereupon may declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default. If the improvements are not completed within the time period specified, including any approved extension, no additional building permits shall be issued for any lot or portion of such property until such facilities are completed.

### 2-114 Deferral or Waiver of Required Improvements

The Planning Commission may defer or waive at the time of final plat 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 construction of any required improvement 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 or post a bond ensuring completion of said improvements.

### 2-115 Inspection of Improvements

The town may provide for inspection of required improvements during construction. If the appropriate governmental representative finds upon inspection that any of the required improvements have not been constructed in accordance with the accepting body's construction standards and specifications, the applicant shall be responsible for completing such improvements to the required standards. The fact that the town inspects the facilities in no way relieves the developer from designing or installing such facilities in accordance with the provisions of these regulations and the established development agreement.

### 2-116 Certificate of Satisfactory Completion

Prior to acceptance of required improvements, the developer's engineer in charge of construction of such improvements shall be required to certify that such improvements have been installed in accordance with provisions of these regulations, the completed development agreement and the approved plans and specifications. Subsequently, the governing body may accept the streets and other improvements in accordance with the procedures set forth in Section 2-117, Acceptance of Streets and Other Improvements, of these regulations.

### 2-117 Acceptance of Streets and Other Improvements

Acceptance of streets and other public improvements for public maintenance, except utilities, shall be by action of the governing body. Such action shall be in the form of a resolution recommended by the Planning Commission to the accepting body. Approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government or other agency ultimately responsible for acceptance of the facilities, 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.

### 2-118 Maintenance of Improvements

The applicant shall be required to maintain all improvements for one (1) year after acceptance of the public improvements by the governing authority. A portion of the developer's bond shall be retained to guarantee said maintenance. The amount retained shall be set by the Town Engineer.

### 2-119 Release of Bond

Upon completion of the one (1) year maintenance/warranty period, and upon correction of any and all defects in the required improvements, the remaining bond shall be released by the Town Engineer.

# ARTICLE III

## DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS

### 3-101 General Requirements

#### *3-101.1 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 and 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;
6. the standards and regulations adopted by all other boards, commissions, and agencies of the governing body, where applicable; and

Plat approval may be withheld if a subdivision is not in conformity with the above rules or with provisions set forth in Section 1-104 (Policy and Purpose), of these regulations. The Town Engineer reserves the right to require changes and/or additions to these design standards when the public health or safety would so require.

#### *3-101.2 Subdivision Name*

The proposed name of the subdivision shall not duplicate or too closely approximate phonetically the name of any other subdivision within Williamson County. The Planning Commission shall have authority to designate the name of the subdivision, which shall be determined at preliminary plan approval.

#### *3-101.3 Character of the Land*

##### **3-101.301 Land Unsuitable for Development**

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 be designated as “conservation lands” and may be utilized as provided in Subsection 3-101.302, Use of Conservation Lands. Land included within this category shall be as specified below or by the Tennessee Department of Environment and Conservation, the United States Environmental Protection Agency, or the Town Engineer:

1. wetlands and land that is generally inundated (land under ponds, lakes, creeks, etc.),
2. all of the floodway and floodway fringe as shown on official Federal Emergency Management Agency maps,
3. land with slopes exceeding twenty-five (25) percent, or soils subject to slumping,
4. land situated within sink holes and other karst areas,
5. land under permanent easement prohibiting future development (including easements for drainage,

access, and utilities).

### 3-101.302 Use of Conservation Lands

It is intended that, within residential subdivisions, the areas indicated in Subsection 3-101.301 (Land Unsuitable for Development) shall generally be designated as open space, to facilitate easement monitoring and enforcement, and to promote appropriate management by a single entity according to approved land management standards. However, it is recognized that in certain instances it may be desirable to include such lands in portions of lots beyond the designated “building site” (see definition). Where, in the opinion of the Planning Commission, the inclusion of such lands in building lots, or even building sites, is desirable, these areas may be included.

All undivided open space shall be restricted from further subdivision through a permanent conservation easement, in a form acceptable to the town and duly recorded in the office of the County Register of Deeds. Any lot capable of further subdivision that contains “Land Unsuitable for Development” may be restricted so as to prohibit such action.

Stormwater management ponds or basins may be located within these areas. If a homeowners association is to be established, stormwater management ponds may be included within the areas preserved as “conservation lands”.

## 3-102 Lot Requirements

### *3-102.1 Lot Arrangement*

#### 3-102.101 General

Each lot shall contain a sufficient “building site ” (See Definition) such that there will be no foreseeable difficulties, for reasons of topography, slope/foundation stability, flood hazards, or other conditions in locating the structures and driveway access to the structures upon such lot. All lots shall have dimensions and area sufficient to ensure that the building setbacks and yards are in compliance with any zoning ordinance. No “building site” may include any land defined as “unsuitable for development” by the provisions of Subsection 3-101.301 (above).

#### 3-102.102 Evaluation Criteria

In evaluating the layout of lots and open space the following criteria will be considered by the Planning Commission as indicating design appropriate to the site’s natural, historic, and cultural features, and meeting the purposes of these regulations. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas. Accordingly, the Planning Commission shall evaluate proposals to determine whether the proposed plan:

- a. Protects and preserves all floodplains, wetlands, and steep or unstable slopes from clearing, grading, filling, or construction (except as may be approved by the town for essential infrastructure or active or passive recreation amenities).
- b. Designs around existing hedgerows and tree lines between fields or meadows, and minimizes impacts on large woodlands, (greater than five (5) acres), especially those containing many mature trees or significant wildlife habitat. Also, woodlands of any size on highly erodible soils with slopes greater than twenty-five (25) percent should be avoided. When any woodland is developed, great care shall be taken to the fullest extent that is practicable to design all disturbed areas (for building, roads, yards, septic disposal fields, etc.) in locations where there are no large trees or obvious wildlife areas.
- c. Protects wildlife habitat areas of species listed as endangered or threatened by the U.S.

Environmental Protection Agency or the Tennessee Department of Environment and Conservation.

- d. Designs around and preserves sites of historic, archaeological, or cultural value, and their environs, insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, cellar holes, earthworks, and burial grounds.
- e. Protects rural roadside character and improves public safety and vehicular carrying capacity by avoiding development fronting directly onto existing public roads. Establishes buffer zones along the scenic corridor of rural roads with historic buildings, stone walls, hedgerows, etc.
- f. Landscapes common areas (such as community greens), cul-de-sac islands, and both sides of new streets with native species shade trees and flowering shrubs with high wildlife conservation value. These trees shall generally be located between the sidewalk or footpath and the edge of the street, within a planting strip not less than five (5) feet in width.
- g. Provides active recreational areas in suitable locations that offer convenient access by residents and adequate screening from nearby house lots.
- h. Includes a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, between properties and activities or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails, which in turn should link with potential open space on adjoining undeveloped parcels.
- i. Provides open space that is reasonably contiguous. To the greatest extent practicable this land shall be designed as a single block with logical, straightforward boundaries. Long thin strips of conservation land shall be avoided, unless the conservation feature is linear or unless such configuration is necessary to connect with other streams or trails. The open space shall generally abut existing or potential open space land on adjacent parcels (such as in other subdivisions, public parks, or properties owned by or leased to private land conservation organizations). Such subdivision open space shall be designed as part of large contiguous and integrated pedestrian, bikeway and greenway systems.

### 3-102.103 Lots Subject to Flood

The creation of buildable lots in areas subject to flooding requires special use approval by the Board of Zoning Appeals.

### 3-102.104 Lots with Building Sites on Steep Slopes

Due to the potential threat to health and safety posed by development located on lands with steep slopes, the following regulations shall apply:

a. **Building Sites on Slopes over 25%**

As per 3-101.301 land with slopes in excess of 25% shall be considered land unsuitable for development and shall not be subdivided into lots except as per 3-101.302.

b. **Building Sites with Slopes of 15 to 25%**

The preliminary and final plats shall identify each lot with a slope of 15 to 25% by placing a star on the lot. The legend of the plat shall specify that no building permit will be issued on said lots until and unless the Town Engineer has received and approved a site plan conforming to the following requirements.

1. The exact size, shape, and location of the lot,
2. The proposed location of all buildings, driveways, drainage ways, and utilities,
3. Proposed contours at vertical intervals of no more than two (2) feet,
4. The extent of natural tree cover and vegetation,
5. The location of any on-site sewage disposal systems,
6. A building foundation plan,
7. The type and location of erosion control facilities.

8. The stamp of the Tennessee registered engineer who prepared the plan, or, if approved by the Town Engineer, a Tennessee registered land surveyor.

c. **Site Development Standards**

The following standards shall be used as a guide in determining the suitability of the construction proposed for the particular site in question. The engineer's certification required in Subsection 3-102.104, a, (viii), above, shall address these standards:

1. Natural vegetation shall be preserved to the maximum extent possible,
2. Natural drainage ways and systems shall be maintained, except that surface water may be diverted around a house or slope area to a natural drain using acceptable construction techniques,
3. Operations that increase loads, reduce slope support, and cause instability of the slope shall be prohibited to the maximum extent possible. These methods include filling, irrigation systems, accessory buildings, and on-site soil absorption sewage disposal systems,
4. Where sanitary sewers are not available all on-site sewage disposal systems (including both primary and secondary drainage fields) shall be shown on the site plan and located to avoid slide-prone areas.
5. Erosion control measures specified in the Tennessee Erosion and Sediment Control Handbook shall be employed and maintained to prevent soil from leaving the site. Additionally, soil from excavation on the site shall not be deposited as fill on a potential slide area.
6. No construction that would cut the toe of the slope beyond the soil's natural angle of repose shall be permitted unless approved by the Town Engineer. This shall apply as well to subdivision roads constructed in compliance with these regulations.

***3-102.2 Lot Dimensions***

Minimum dimensions of lots shall comply with the standards of the zoning ordinance. The "building envelope" shall be indicated for each lot shown on the plat.

Where lots are more than double the minimum area required by the zoning ordinance, the Planning Commission may require that such lots be restricted to prevent further resubdivision or be arranged so as to allow further subdivision and the opening of future public ways where such routes would be necessary to serve such potential lots.

Dimensions of 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. Access shall be from the minor street unless approved by the Town Engineer.

The minimum lot frontage on a public way shall be fifty (50) feet, except for the radius of a cul-de-sac that shall be thirty-five (35) feet and except as otherwise permitted by the Zoning Ordinance for high density subdivisions.

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.

***3-102.3 Building Setbacks from High Voltage Electric 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:

Voltage of Line	Building Setback
-----------------	------------------

7.2 KV	15 feet
13 KV	25 feet
46 KV	37.5 feet
69 KV	50 feet
161 KV	75 feet

### *3-102.4 Lot Resubdivision Compatibility*

#### **3-102.401 Review of Approved Plat(s)**

The land area and building setbacks of lots located upon any proposed plat involving resubdivision shall be generally governed by that noted on the original plat of subdivision or previously approved plans of development of which such subdivision is part. In any instance where such information was not incorporated in such instruments or is otherwise unavailable, the Enforcement Officer shall review lots as provided in Subsection 3-102.402.

#### **3-102.402 Determining Compatibility**

Within areas previously subdivided and predominantly developed, lot sizes(area and width) and building setbacks resulting from a proposed resubdivision shall be generally in keeping with the frontage and area of the surrounding lots. The term “surrounding lots” shall mean all lots located within the same section of the original subdivision plat which meets the following criteria:

- a. Are located on the same and opposing block face that are within three hundred (300) feet of the boundary of the property proposed for resubdivision;
- b. Abut each quadrant of a street intersection, when the proposal involves a corner lot; and
- c. Abut or are directly across a public way from the proposed resubdivision.

To determine if a proposed resubdivision meets the requirements of this section, the average lot frontage and area of surrounding lots shall be calculated as follows:

- a. Determine the average lot frontage of the applicable surrounding lots and multiply the result by ninety percent (90%). This result is the minimum lot frontage required for compatibility.
- b. Determine the average area of the applicable surrounding lots and multiply the result by seventy-five percent (75%). This result is the minimum lot area required for compatibility.
- c. Any lot varying more than fifty percent (50%) from the median of surrounding lots shall not be included in the above calculations.
- d. Regardless of the calculated area and frontage, no lot may be created with less than fifty (50) feet of frontage (thirty-five (35) feet on a cul-de-sac) or less area than the minimum required for zone district where such lot is located.

### *3-102.5 Double Frontage Lots*

Double frontage and reversed frontage lots shall be avoided, except where necessary to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.

### *3-102.6 Driveways/Access to Lots*

#### **3.102.601 Access from Arterial or Collector Public Ways**

The Planning Commission may require that lots shall not derive access from arterial or collector public ways. Where driveway access from such public ways may be necessary for several adjoining lots, the

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 streets.

### 3-102.602 Minimum Separation Between Residential Driveways

For each permitted residential driveway, there shall be a corresponding minimum road frontage of fifty (50) feet or an approved easement access. Driveways must be approved on each lot's site plan and connect only to permanent road sections.

### 3-102.603 Minimum Corner Clearance

The minimum corner clearance between proposed new non-residential driveways shall be two-hundred (200) feet for streets designated as "places" and four-hundred (400) feet for streets designated as "lanes", "sub-collector and collector" streets. In order to ensure adequate storage space for vehicles stopped at a signalized intersection, the Town Engineer may require additional corner clearance. All residential driveways shall be a minimum of fifty (50) feet from the nearest point of curvature.

### 3-102.604 Design Standards for Nonresidential Driveways

For access to thoroughfares where the posted speed limit is 35 m.p.h. or less, all nonresidential driveways shall be constructed with a minimum horizontal width of twenty-five (25) feet. All drives serving nonresidential property shall be paved with concrete or an asphalt surface. Lanes shall be clearly designated and lane uses shall be clearly and permanently marked. The minimum separation from an intersection and between drives shall be two hundred (200) feet along places and three hundred thirty-five along all other streets.

Where the posted speed limit is 45 m.p.h. or greater, nonresidential driveways shall be constructed with a right turn deceleration lane.

The Town Engineer will review proposed driveway designs for access to other thoroughfares on a case by case basis.

The centerline of every nonresidential two (2) way driveway shall intersect the centerline of the public way at an angle between seventy-five (75) and ninety (90) degrees.

For other nonresidential driveways, the intersection angle shall be subject to the approval of the Planning Commission

### 3-102.605 Design Standards for Residential Driveways

Where permitted, residential driveways fronting collector and arterial routes shall be designed so as to avoid requiring vehicles to back onto these highways. Any driveway should be constructed in a manner such that the drive has a maximum slope of eight percent (8%) for the first fifteen (15) feet (measured from the back of the town approved sidewalk). Driveways greater than 8% slope shall be reviewed and approved by the Town Engineer prior to a building permit being issued. In no case shall the driveway slope exceed 10% in the first 15 feet from the street. Where the potential exists for gravel or soil to be washed from a driveway onto the public right-of-way such driveways shall be paved or otherwise stabilized for a distance sufficient to prevent material from migrating onto public property.

### 3-102.606 Relationship to State Standards

Where the driveway design and location standards listed above are not in conformance with the standards of the Tennessee Department of Transportation, the Town Engineer may require conformance with whichever standard is more restrictive.

### *3-102.7 Soil Preservation, Grading, Erosion Control, and Seeding*

#### **3-102.701 Soil Preservation and Grading**

No Certificate of Satisfactory Completion as set forth in Section 2-116 shall be issued until final grading operations have been completed in accordance with the approved site grading permit and drainage plan, approved site erosion control plan, and the approved site 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.

Permanent or temporary soil stabilization shall be applied to denuded areas within fifteen (15) days after final grade is reached on any portion of the site. Soil stabilization shall also be applied within fifteen (15) days to denuded areas that may not be at final grade.

#### **3-102.702 Lot Drainage**

Lots shall be laid out so as to provide positive drainage away from all buildings but not across public sidewalks or other pedestrian ways. Drainage of individual lots shall be coordinated with the existing or proposed general storm drainage pattern for the area.

Drainage shall be designed so as to avoid concentration of stormwater from each lot to adjacent lots, except within drainage easements or street rights-of-way. Surface water drainage patterns for each and every lot shall be shown on the road and drainage plans. Drainage flow and conveyance arrows shall be indicated on the topographic grading and drainage plan. Driveways shall be either paved or graded in such manner as to avoid any collection of soil or gravel within any public right-of-way.

It shall be the responsibility of the builder of any building or other structure to design and construct a suitable drainage scheme that will convey surface water, without ponding on the lot or under the building, to the drainage system constructed within the subdivision.

The Town Engineer reserves the right to require that the developer set minimum elevations on all floors, patios, building equipment, or other amenities that serve the overall development. This prerogative to establish elevation exists in addition to any ordinances or provision of these regulations that refer to floodplain elevation requirements. This provision is intended to give the Planning Commission summary review powers over any calculated or historical evidence of stormwater presence in overland or channel conditions.

The subdivision developer will ensure that all artesian ground waters of a permanent or temporary nature encountered within the right-of-way will be intercepted and carried away to primary drainage conduits along swaled ditches or in underground pipes located on property line easements. Regardless of the location of property lines, intercept will be allowed at the point of artesian surfacing.

#### **3-102.703 Erosion and Sediment Control**

There shall be a minimization of changes in the rate of natural erosion and sedimentation that result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with these regulations.

### *3-102.8 Debris and Waste*

No cut trees, timber, construction debris, junk, rubbish, or other waste materials of any kind shall be buried in any land, left on any lot, or deposited, in any natural drainageway (such as sinkholes, underground streams or channels, or wet weather stream beds or floodways) 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. Waste shall not be left or deposited in any area of the subdivision at any time. Debris dumpsters shall be required for construction debris disposal. Such dumpsters shall be of adequate size and shall be removed in a timely manner. All natural, vegetated material shall be shredded, chipped, or other means to use on-site. Burning of materials on-site shall be prohibited unless otherwise approved by the Town Engineer.

### *3-102.9 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.

### *3-102.10 Water Bodies and Watercourses*

If a tract being subdivided contains a water body, or portion thereof, such area shall generally be placed within jointly held open space. 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 portion of the minimum area of a lot required under any zoning ordinance may be satisfied by land that is underwater. Where a watercourse separates a buildable area of a lot from the public way to which such lot has access, provisions shall be made for installation of a culvert of adequate overflow size or other structure approved by the Planning Commission. No certificate of occupancy shall be issued for a structure on such a lot until the installation is completed and approved.

### *3-102.11 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, alleys, railroads, or waterways.
- b. The lengths, widths, and shapes of blocks shall be determined with due regard to:
  - a. provision of adequate building sites suitable to the special needs of the type of use contemplated;
  - b. any zoning requirements as to lot sizes and dimensions;
  - c. needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic; and limitations and opportunities of topography.
- c. Block lengths in residential areas shall not exceed twelve hundred (1,200) 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 eight hundred (800) 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.

### *3-102.12 Monuments*

Permanent reference monuments of non-degradable material shall be placed in all subdivisions where new streets are to be constructed. All monumentation shall be placed on property corners or referenced to property lines or road alignments. Certification by a licensed surveyor of placement of monuments shall be required. Monuments shall be located and set as follows:

- a. **Control Monuments** -- At the discretion of the Town Engineer, a minimum of three (3) permanent control

monuments, containing both vertical and horizontal data, shall be located within each subdivision where new roads are to be constructed. Such monuments shall be constructed of concrete not less than thirty (30) inches in length; or 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. Iron Bar Monuments may be used and shall be no less than five-eighths (5/8) inch in diameter and not less than twenty-four (24) inches in length. Both shall have a permanent metal cap with a minimum diameter of two and one-half (2½) inches with the Land Surveyor’s name and license number. Monuments shall have horizontal coordinates and vertical elevations shown on the final plat. Reference notes (field ties) defining magnetic bearings and distances to the nearest established street line or official benchmark shall be accurately described on the plat. All control monuments shall be located within dedicated right-of-way along curve points or lot lines and within line of sight of one another. All horizontal and vertical data shall be referenced to TN NAVD83 4100 State Plan Coordinates and North American Vertical Datum 1988 (NAVD88) or current acceptable equivalent. These monuments are to be placed near the entrance to the subdivision and, if possible within a non-fill area or be affixed to natural rock outcrops. The location of all control monuments shall be described on the final plat with words and symbols that facilitate locating them at the site.

- b. **Internal Monuments and Lot Pins** -- One internal (1) monument, for each four (4) lots located within the subdivision, shall be placed within line of sight of one another. Such monuments shall be placed within dedicated right-of -way, when possible, and shall be located within non-fill areas or affixed to rock natural outcrops. An internal monument shall be constructed to the same standards as a control monument minus the elevation data. In all subdivisions, lot corners and all lot line breaks shall be staked by iron rods, pipe, or pins at least eighteen (18) inches long and five-eighths (5/8) inch in diameter. Placement of iron pins under sidewalks should be avoided.
- c. **Along Rivers and Streams** -- 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. Such pins shall be placed at the point of intersection of the river or stream and lot line, with a meander line established not more than forty (40) feet back from the bank of the river or stream. At the discretion of the Planning Commission, a control monument meeting the specifications of Subpart 1, above, may be required upon any lot affected by the 100-year floodplain of any stream.

### 3-103 Streets and Pedestrian Ways

#### *3-103.1 Pedestrian Ways*

##### 3-103.101 Sidewalks Along New Streets

Sidewalks shall be required along both sides of all streets and completely around all cul-de-sacs.

##### 3-103.102 Sidewalks along Existing Streets

Sidewalks shall be required along the proposed subdivision’s frontage on existing public streets.

##### 3-103.103 Sidewalk Width

The width of sidewalks shall be as follows. Width shall be exclusive of encroachments such as utility poles, fire hydrants, parking meters, sign standards, street furniture, etc.

Street Classification	Land Use Classification		
	<i>Residential</i>	<i>Commercial</i>	<i>Industrial</i>
<b>Local</b>	5 feet	6 feet	6 feet
<b>Collector</b>	5 feet	6 feet	6 feet
<b>Arterial</b>	5 feet	6 feet	6 feet

### 3-103.104 Design Criteria

The following criteria shall apply to the design of all sidewalks.

- a. Sidewalks shall be included within the dedicated non-traffic way portion of the right-of-way or public access easement. Concrete curbs and gutters are required for all public ways where sidewalks are to be constructed. A median strip of grassed or landscaped area at least five (5) feet wide shall separate all sidewalks from adjacent streets.
- b. Where extraordinary difficult topographic conditions exist, other design solutions, such as a wider separation, may be used.
- c. Where necessary, the Planning Commission may require pedestrian access ways from a public way to schools, parks, playgrounds, or other nearby public ways. To accomplish this purpose, the Planning Commission may require perpetual unobstructed easements at least twenty (20) feet in width.
- d. Sidewalks shall be designed and constructed so as to comply with ADA Standards and any subsequent amendments or supplements.

### 3-103.105 Waivers and Alternative Pedestrian Ways

Developers and the Planning Commission may reach alternative arrangements concerning sidewalks where strict compliance with the provisions of this section would be unfair or cause an undue hardship due to previously approved plats and/or development plans. Such alternative provisions may include (1) payment to a Town fund for construction of the sidewalks by the Town at this location at a later date, (2) the construction of elsewhere or (3) the actual construction of sidewalks at another location. In the absence of mutual agreement, the developer shall construct the sidewalks in the manner provided herein.

### 3-103.106 Maintenance

The lot owner shall maintain grass and vegetation between the roadway and the property line.

## *3-103.2 Street Standards*

The following standards shall apply to all streets, both public and private.

### 3-103.201 Frontage on Improved Public Ways

No subdivision shall be approved, unless the area to be subdivided shall meet the access requirements set forth in Subsection 1-113.108, Access to Lots by Public Way or Private Easement, of these regulations. If any new street construction is proposed, all construction shall be in accordance with the provisions of these regulations and accompanying appendices.

### 3-103.202 Grading and Improvement Plan

No clearing, grading or construction of streets shall begin until construction plans, prepared in accordance with the specifications required herein, are approved, reclamation surety posted and a grading permit issued by the Town Engineer. Following approval of such plans and accompanying development agreement, public ways shall be graded and improved to conform to the approved construction plans.

### 3-103.203 Improvements in Floodable Areas

The finished elevation of proposed public ways subject to flood shall be no less than one foot above the one hundred year flood plain elevation. To determine compliance with this requirement the Town Engineer shall require profiles and elevations of public ways subject to flood. All drainage structures shall be sufficient to discharge flood flows without increasing flood height. Where fill is approved by the Town Engineer to bring the finished elevation of any public way to the required elevation, such fill shall not encroach upon a floodway, and the fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Planning Commission.

### 3-103.204 Topography and Arrangement

- a. All public ways shall be arranged so as to obtain as many building sites as possible at or above the grades of the public ways. Grades of public ways shall conform as closely as possible to the original topography. A combination of steep grades and curves shall not be permitted.
- b. All public ways shall be properly integrated with the existing and proposed system of public ways and dedicated rights-of-way as established on the major road plan or the land development plan.
- c. All public ways shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping areas or centers; of population density; and to the pattern of existing and proposed land use.
- d. In commercial and industrial developments, public ways and other access routes shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, pedestrian walks and parking areas, so as to minimize conflict of movement among the various types of traffic, including pedestrian traffic.

### 3-103.205 Access to Arterial and Collector Routes

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

- a. The configuration of subdivision lots so that such lots derive vehicular access from streets other than the arterial or collector route.
- b. A series of cul-de-sacs, "U" shaped public ways, or short loops entered from and designed generally at right angles to such a parallel public way; or
- c. A marginal access or service public way, separated from the arterial or collector route by a planting or grass strip and having access thereto at suitable points.

### 3-103.206 Traffic Impact Study

Any subdivision containing lots for one hundred (100) or more dwelling units shall be required to prepare at the expense of the developer or individual proposing the subdivision a traffic impact study. At the discretion of the Town Engineer and/or Planning Commission, any subdivision may be required to prepare a traffic impact study at the expense of the applicant. A Tennessee licensed engineer shall prepare such study in accordance with standard practices and procedures. The traffic study is intended to provide information as to current and proposed or projected traffic levels along all streets touching, immediately abutting or directly impacted by the subdivision. Prior to development of the study, the applicant and/or the individual selected by the developer to prepare the study shall meet with the Town Engineer for purposes of establishing scope and design parameters to be used in preparing such study. The study should differentiate between improvements made necessary by current conditions versus improvements which will be needed because of the proposed subdivision. Any improvements determined by the approved Traffic Study as being required to offset the traffic impact of the subdivision shall be so indicated. The Town Engineer shall prepare a master plan for any streets to be improved so that the developer's improvements will align vertically and horizontally and in all other ways with future improvements to adjoining sections of said roads(s).

### 3-103.207 Reserve Strips

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, where in the opinion of the Planning Commission the use of a reserve strip would protect the public safety by providing a safer roadway configuration or other element of design that is clearly in the public interest, this prohibition may be waved. In any instance where a wavier to this provision is granted the grounds for and extent of such wavier shall be noted in the minutes of the Planning Commission meeting where such wavier is approved.

### 3-103.208 Street Name, Regulatory and Warning Signs

- a. **Public Streets** – Within all subdivisions, the developer shall purchase and install Town approved street name and traffic control signs. All signage shall conform to the current edition of the Manual of Uniform Traffic Control Devices, published by the United States Department of Transportation. All signs shall meet the Town of Thompson’s Station design standards.
- b. **Private Streets** – The developer shall purchase and install appropriate street name and traffic control signs. Written confirmation of this action shall be required prior to issuance of any building permit or filing of a final plat. All signs shall meet the Town of Thompson’s Station design standards.
- c. **Street Signage** – No building permit shall be issued for any lot shown on this plat until street names, regulatory signs, and warning signs are installed and verified by the Town Engineer.

### 3-103.209 Designation of Construction Routes

Streets to be utilized as construction routes shall be designated within all subdivisions. Where possible, these construction routes shall coincide with the network of collector and arterial routes designated upon the road and street plan or as a completely separate constructive drive and within the plan of development for the particular subdivision. Where this is not possible, efforts shall be made to minimize direct contact between streets designated as construction routes and streets classified as “Local.” Road protection bonds may be required for any public roads designated as construction routes.

### *3-103.3 Private Streets*

Private streets are those not dedicated to and maintained by a government entity. Where the ownership, control and maintenance of any street is proposed to remain in private ownership, such street shall be constructed to Thompson’s Station’s design and construction standards for public streets. A permanent access easement over such streets shall be provided to each and every parcel or lot that is to gain access there from. All such private improvements shall be maintained by the developer/owner or by a legally established homeowner's association or other similar group approved by the Planning Commission. The legal documents establishing ownership and maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat. A plan also is to be provided for emergency access.

### *3-103.4 Dedication of Right-of-Way and Improvements to Existing Streets*

Whenever a proposed subdivision borders or encompasses an existing street, the developer shall be required to dedicate right-of-way and to widen such street and to otherwise improve such street as per the standards contained herein for a new street. If the subdivision borders said existing street only on one side, the developer shall be required to improve only that side of said existing street upon which it borders.

### *3-103.5 Conformance to Major Thoroughfare Plan*

Whenever a proposed subdivision borders or encompasses the route of any street in the Major Thoroughfare Plan, the developer of said subdivision shall be required to dedicate right-of-way and to construct said street to the standards specified by the Major Thoroughfare Plan and these regulations. If the route borders the proposed subdivision only on one side, the developer shall be required to dedicate and construct only that side of said existing street upon which

it borders. Streets of higher order in the street hierarchy shall not intersect existing public roadways unless provided for in the Major Thoroughfare Plan.

### *3-103.6 Dedications and Improvements Warranted by Traffic Study*

All new street construction, improvements to existing streets, and other traffic improvements identified as being required in a traffic study prepared in accordance with the requirements of Subsection 3-103.206 (Traffic Impact Study), including offsite improvements, shall be made by the developer to the extent specified by the Planning Commission, with input from the Town Engineer.

## 3-104 Functional Design Criteria

### *3-104.1 Purpose*

The public way design standards set forth in this section are hereby required in order to provide public ways of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, sanitation, and road-maintenance equipment, and to coordinate public ways so as to compose a convenient and safe system and avoid undue hardships to adjoining properties. These provisions are intended to establish appropriate standards for the design of streets in residential subdivisions that will:

1. Promote the safety and convenience of vehicular traffic;
2. Protect the safety of neighborhood residents;
3. Minimize crime in residential areas;
4. Protect the residential qualities of neighborhoods by limiting traffic volume, traffic speed, noise and fumes;
5. Encourage the efficient use of land;
6. Promote construction methods and criteria that provide high quality and efficient design;
7. To provide for initial cost concerns, future maintenance cost and general liability cost for the community;
8. Minimize the construction of impervious surface thereby protecting the quantity and quality of the community's water resources; and
9. Provide satisfactory access for emergency vehicles.

### *3-104.2 Design Hierarchy*

A design hierarchy is established according to street function. The purpose of the hierarchy is to establish clear functional guidelines and limitations to be utilized in the design of streets. Street classification is at the discretion of the Planning Commission.

#### 3-104.201 New Streets

Each proposed street shall be classified and designed for its entire length to meet or exceed the minimum standards for one of the following street types:

<b>Street Classification</b>	<b>Design Capacity (ADT)</b>
<b>Local</b>	300
<b>Collector</b>	6,000
<b>Arterial</b>	As designated

#### 3-104.202 Existing Streets

During the plan review process, each street abutting or affecting the design of a subdivision or land development that is not already classified on the Major Thoroughfare Plan shall be classified according to

its function, design and use by the Planning Commission at the request of the applicant. The classification of existing streets shall include the hierarchy of Subsection 3-104.201 (New Streets), and may also include classifications of higher order as determined by the adopted Major Thoroughfare Plan.

### 3-104.203 Traffic Volume Calculations

a. Trip Generation Rates

The following chart shall be used to determine the anticipated average daily traffic level of proposed residential development:

Housing Type	Average Weekday Trip Generation Rates (ADT) per Dwelling Unit
Single-Family Detached Dwellings	8 trips
Cluster or Townhouses	7 trips
Garden Apartments (1-4 story)	6 trips
Retirement Complex	3.5 trips

b. Volume Calculations

Calculation of traffic volumes shall be accomplished by using the following formula:

$$(\text{Regeneration Rate per Dwelling}) \times (\# \text{ Units Receiving Access from Street}) = \text{Design ADT}$$

### 3-104.3 Residential Street Design Criteria and Service Restrictions

The material contained within this segment is intended to provide information as to the intended function, design capacity and service limitations of the various street types presented in Subsection 3-104.2 (Design Hierarchy). The order of presentation proceeds from smallest capacity street to the greatest. For each street identified within the hierarchy, the following design elements are presented:

- Street Function
- Design Capacity and Service Restrictions
- Street Access Criteria

#### 3-104.301 Local

- Street Function** - A local street is a frontage street that provides access to abutting properties; it shall be designed to carry no more traffic than that generated by those properties that gain direct access from the street.
- Design Capacity and Service Restriction** - Each residential access place shall be designed so that no section of the street conveys an average daily traffic (ADT) volume greater than three-hundred (300).
- Street Access** - Local streets may intersect or take access from any street type.

#### 3-104.302 Collector

- Street Function** - Collector streets collect and distribute traffic from residential collector and other residential streets to the arterial transportation systems.
- Design Capacity and Service Restriction** - The collector street is designed for anticipated traffic volumes ranging from three-hundred (300) to six-thousand (6,000) trips per day. Collector streets shall be designed to have no residential lots fronting directly on them.

### 3-104.303 Arterial

- a. **Street Function** - A major public way intended to move traffic to and from major industrial areas or a route for traffic between communities or large areas and has an average daily traffic count in excess of three-thousand (3,000).
- b. **Design Capacity and Service Restriction** – Arterial streets are intended to serve anticipated traffic volumes greater than three-thousand (3,000).

### 3-104.4 General Design

The general design of all public ways shall conform to the American Association of State and Highway Transportation Officials (AASHTO) Geometric Design of Highways and Streets except as provided in the tables below.

<b>Design Speed (MPH)</b>	<i>Residential</i>	<i>Non-Residential</i>
Local	25	30
Collector	40	40
Arterial	*	*

\* As determined by the Major Road and Street Plan

<b>Minimum Right-of-Way Width*</b>	<i>Residential</i>	<i>Non-Residential</i>
Local	50 feet	50 feet
Collector	60 feet	60 feet
Arterial	84 feet	84 feet

\* Except as approved in planned developments.

<b>Maximum Percentage Grade</b>	<i>Residential</i>	<i>Non-Residential</i>
Local	10%	7%
Collector	7%	7%
Arterial	6%	6%

<b>Minimum Percentage Grade</b>	<i>Residential</i>	<i>Non-Residential</i>
All Streets	1%	1%

<b>Maximum Superelevation (foot/foot)</b>	<i>Residential</i>	<i>Non-Residential</i>
All Streets	0.08	0.08

<b>Minimum Radius of Return at Intersections</b>	<i>Residential</i>	<i>Non-Residential</i>
At Right-of-Way	25 ft.	40 ft.
At Pavement	30 ft.	45 ft.

<b>Maximum Grade at Intersections</b>	<i>Residential</i>	<i>Non-Residential</i>
Local (within 50' from edge of pavement)	4%	4%
Collector (within 50' from edge of pavement)	3%	3%
Arterial (within 100' from edge of pavement)	2%	2%

**3-104.401 Intersections**

- a. Pavement shall intersect as nearly as possible to a 90 degree angle for a minimum of one hundred (100) feet from the stop bar. A proposed intersection of two (2) new public ways at an angle of less than seventy-five (75) degrees shall not be permitted. Not more than two (2) public ways shall intersect at any one point, unless specifically approved by the Planning Commission.
- b. Centerline off-sets of less than three hundred fifty (350) feet between T-type intersections within public ways shall not be permitted, except where the intersected public ways have separated dual drives without median breaks at either intersection. Where public ways intersect arterial or collector routes, the alignment of such streets shall be continuous. Intersections of collector streets shall be at least two-hundred (200) feet apart. Intersections of arterial streets shall be at least four-hundred (400) feet apart.
- c. Minimum curb or edge of pavement radius shall be determined according to the specifications for the street of higher classification in the street system hierarchy, as specified below.
- d. Whenever a proposed street intersects an existing or proposed street of higher order in the street hierarchy, the street of lower order shall be made a stop street. The street of lower order shall also be designed to provide a minimum corner sight distance as specified in Table 3. The Town Engineer reserves the right to revise sign placement.
- e. Where a public way intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the sub-divider 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. The developer shall provide assurance of continuing maintenance for sight triangle concerns.

**Minimum Intersection Sight Distance (Y)**

Street Classification	Design Speed	Y (feet)
Local (Residential)	25 mph	280
Local (Non-residential)	30 mph	335
Collector	40 mph	445

**Note:** The entire area of the clear sight triangle, shall be designed to provide an unobstructed view across it from three and one-half (3.5) to all points three and one-half (3.5) feet above the roadway along the centerline.

- f. The cross-slope on all public ways, including intersections, shall be two (2) percent or otherwise specified in this document.

**3-104.402 Acceleration and Deceleration Lanes**

- a. Deceleration or turning lanes may be required by the Town Engineer along existing and proposed streets as determined by a traffic impact study.
- b. Deceleration Lanes Shall Be Designed to the Following Standards:
  - i. On a State Route, the lane shall be designed in conformance with the requirements of the Tennessee Department of Transportation or as approved by the Town Engineer, whichever is greater.
  - ii. The lane width shall be the same as the required width of the roadway moving lanes for its full stacking length.
  - iii. A taper shall begin at the end of the deceleration lane and shall be 8:1 up to thirty (30) mph and 15:1 up to fifty (50) mph.
  - iv. The minimum lane length shall be as follows:

Design Speed of Road	Minimum Deceleration Lane Length
30 mph	235 feet
40 mph	315 feet
50 mph	435 feet

- c. Acceleration lanes are also required when indicated as needed by a traffic impact study. The design shall be as per the recommendation of the Town Engineer. As necessary, a paved taper shall be provided for right turns.

### 3-104.403 Frontage Streets and One-Way Streets

- a. Classification and Design of Marginal Access Streets

Frontage or marginal access streets may be utilized as an alternative to creating a row of lots along existing or proposed collector or higher order streets.

- i. Intersection Spacing

The minimum distance between intersections of the marginal access street with minor or residential collectors shall be three hundred thirty-five (335) feet.

- ii. Distance Between Travelways

A minimum green space of thirty (30) feet shall be provided between the right-of-way of the marginal access street and the right-of-way of the higher order street. This area shall be used to provide a visual screen between the roadways by landscaping and/or use of a berm.

- b. Utilization and Design of One-Way Streets

One-way streets may be permitted as loop streets or marginal access streets where there is need to separate the directional lanes to preserve natural features to avoid excessive grading for street construction on steep slopes. One-way streets shall have a minimum of a twenty (20) foot paved surface and a forty (40) foot right-of-way. Pavement and curb transitions shall be designed and constructed in accordance with standards provided by the Town Engineer.

### 3-104.404 Arrangement of Dead-End Streets

- a. Temporary Stub Streets

- i. Local Streets

Local streets may be required, or, such may be permitted but only within subsections of phased development for which the proposed street extension, in its entirety, has been approved as part of a conceptual preliminary plan.

- ii. Collector Streets

Collector stub streets may be permitted or required by the Town on collector streets provided that the future extension of the street is deemed desirable by the Town and conforms to the adopted Major Thoroughfare Plan.

- iii. Temporary Turnarounds

All stub streets shall be provided with a turnaround paved to an outside radius of fifty (50) feet. No turnaround is required if the stub street provides access to two (2) or less lots or housing units.

- b. Permanent Dead-End Public Ways

i. General Design Standards

Where a public way does not extend beyond the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than one hundred fifty (150) 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 shall be provided at the end of a dead-end public way in accordance with the design standards of these regulations.

ii. Design of Turnarounds

The type of turnaround required shall be determined by the Planning Commission based upon recommendation of the Town Engineer. Turnarounds shall be designed to accommodate emergency and service vehicles as well as passenger cars. The maximum length of a street leading to turnarounds shall be 800 feet, unless otherwise approved by the Town Engineer. The Planning Commission will consider alternative shapes for terminations when the street is located upon steep slopes and excessive cut or fill will be required to meet the design standards of the typical sections.

### 3-104.405 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 shall be required adjacent to the railroad right-of-way or limited access highway.
- b. In commercial or industrial areas, the nearest public way extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance to ensure suitable depth for commercial or industrial usage.
- c. Intersections with a public way which crosses the railroad at grade shall be at a distance of at least one-hundred-fifty (150) feet from the railroad right-of-way.

### 3-104.406 Bridges

Bridges of primary benefit to the subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the subdivider without reimbursement from the governing body. Bridge design shall be in accordance with appropriate Tennessee Department of Transportation (TDOT) specifications and stamped by a Tennessee Licensed Engineer.

### 3-104.407 Temporary Construction Routes

The construction routing plan shall be approved by the Town Engineer prior to issuance of a grading permit. In any instance where temporary construction routes are proposed within a subdivision and such routes are designed and intended to serve as accesses only during the period of construction of such development, the removal of such routes shall be guaranteed.

## 3-105 Road Construction Specifications

The road construction specifications are included in these regulations. These specifications shall be the minimum standards for construction of public or private improvements located within any subdivision within the jurisdictional area. No asphalt binder shall be installed unless temperature is at least 40°F and rising unless otherwise approved by the Town Engineer.

## 3-106 Drainage and Storm Sewers

### *3-106.1 General Requirements*

All plats shall make adequate provisions for stormwater or floodwater runoff basins or channels. The stormwater drainage system shall be separate and independent from any sanitary sewer system. Each lot shall have necessary drainage easements. Easements at least twenty (20) feet in width shall be required for pipes with diameters of sixty (60) inches or less or as required by the Town Engineer.

### *3-106.2 Nature of Stormwater Facilities*

#### **3-106.201 Stormwater Design and Construction Specifications**

The stormwater design and construction specifications included in these regulations shall be the minimum standards for any subdivision within the jurisdictional area.

#### **3-106.202 Location**

Drainage facilities shall be located in the public right-of-way, wherever feasible, or in perpetual unobstructed easements of appropriate width.

#### **3-106.203 Accommodation of Upstream Drainage Areas**

A culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area whether inside or outside the subdivision.

#### **3-106.204 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.

Pre-development and post-development runoff rates, volumes and velocities for the two (2), ten (10), twenty-five (25) and one-hundred (100) year occurrences as determined using the SCS TR-55 method, or approved equal, along with associated calculations and maps shall be submitted with a stormwater drainage report prepared by an engineer licensed in the state of Tennessee. 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 stormwater detention to mitigate the downstream impacts.

On-site stormwater detention proposed to reduce the peak rate of discharge to offsite 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 pre-development peak rate.

Controlled releases of discharge from a detention basin shall include “v-notch”, rectangular or other weir configurations which prevent increased discharge above pre-development conditions for storm events of two (2), ten (10) and twenty-five (25) year occurrences. The developer shall ensure that the one-hundred (100) year design storm can be managed safely by the detention facility, incorporating spillways as necessary. At the town’s discretion, funds in lieu of detention may be offered as an alternative to providing onsite detention.

Funds in lieu amount shall be based on the estimated cost of the eliminated on-site detention.

Detention facilities shall be platted in open space as perpetual drainage easements and shall be maintained by the homeowners' association. Estimated increases in discharge velocity shall be mitigated by energy dissipation devices where required to prevent erosion. The developer shall file copies of the covenants and/or homeowners' association charter and bylaws with the Town.

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 or unless the discharge is into an adequate natural watercourse or drainage system.

### 3-106.205 Areas of Poor Drainage

In general, areas of poor drainage shall be classified as "land unsuitable for development" (see Subsection 3-101.301) and shall not be included in streets and lots. In any instance where it may be necessary to locate a roadway in an area subject to flooding that is not located within the one-hundred year regulatory flood boundary, the Planning Commission may approve such subdivision; provided, the applicant fills the affected flood area of said subdivision to place public way elevations no lower than one (1) foot above the known flood elevation.

For drainage ways, creeks, streams, etc. not included within any existing flood study area as shown on the most current FEMA Flood Maps for the project area, the boundaries of the 100 hundred year floodway and floodway fringe area, and the regulatory flood elevation, shall be determined by the Town Engineer upon receipt of appropriate flood study data supplied by the applicant. Said flood study shall be conducted using procedures and methodology recognized by and acceptable to FEMA.

As general policy, sinkholes shall be classified as "land unsuitable for development" (see Subsection 3-101.301) and shall not be included in streets and lots. When sinkholes are encountered, the limits of standing water shall be determined by the developer based upon competent engineering. Any alteration of a sinkhole or the drainage pattern shall receive prior approval by the Board of Zoning Appeals.

### 3-106.206 Floodway Areas

In all instances, the regulatory floodway shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps. Any subdivision that contains flood prone land shall be subject to the special provisions set forth in Subsections 3-102.103 Lots Subject to Flood; of these regulations.

### 3-106.207 Stormwater Detention and Discharge Control

The general policy of the Town is to provide detention for the increased volume of water generated by a development. The major factors in evaluating drainage designs will be the effect of increased runoff rates on downstream water levels and the proximity of any structures.

## 3-106.3 Dedication of Drainage Easements

### 3-106.301 General Requirements

Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of the one-hundred (100) year flood elevation of such watercourse. Where new open drainageways are utilized they shall be designed for the twenty-five (25) year frequency flood.

### 3-106.302 Drainage Easements

- a. Where topography or other conditions are such as to make impracticable inclusion of drainage facilities within the right-of-way of a public way, perpetual unobstructed easements at least twenty (20) feet in width for such facilities shall be provided across property outside the public way lines and with satisfactory access to public ways. Easements shall be indicated on the final plats. Drainage easements shall be carried from the public way to a natural watercourse or to other drainage facilities.
- b. When downstream drainage improvements are proposed that will require additional easements across private land outside the subdivision, appropriate drainage easements must be secured by the developer and indicated on a plat amendment for that property.
- 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 for a distance to be determined by the Town Engineer.

### 3-106.303 Ditching, Culverts and Storm Drains

The design and construction details of drainage facilities shall be in accordance with the provisions of these regulations. The Town Engineer shall approve the design and construction details of all such facilities.

## 3-107 Sewage Facilities

### *3-107.1 General Requirements*

The applicant shall install sanitary sewer facilities in a manner prescribed by the regulations of the Tennessee Department of Environment and Conservation, the Town of Thompson's Station Wastewater and Water Reuse Ordinance, and by any other applicable standards and specifications. All plans shall be designed and approved in accordance with the rules, regulations, specifications, and standards, of any applicable governmental agency or appropriate unit.

### *3-107.2 Mandatory Connection to Public Sewer System*

- a. When public sanitary sewers are accessible to the subdivision, as determined by the Planning Commission, the subdivider shall provide such facilities to each lot therein and shall connect the facilities to the public system. The subdivider shall provide sewers that meet standards set forth in the regulations of the Tennessee Department of Environment and Conservation.
- b. 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.
- c. All public sanitary sewer systems shall be constructed utilizing materials that are American Society for Testing and Materials (ASTM) and/or American Water Works Association (AWWA) approved.

### *3-107.3 Individual Disposal System Requirements*

If public sewer facilities are not available and individual disposal systems are proposed, the individual disposal system, including the size of the septic tank and size of the tile fields, or other secondary treatment device, shall be approved by the Williamson County Department of Sewage Disposal Management. The entire individual disposal system, including all associated drainage fields, shall be located within the area of fee simple ownership with the principal structure such system is to serve.

### *3-107.4 Design Criteria for Sanitary Sewers*

Sanitary sewer systems shall be designed for the ultimate tributary population and shall be gravity flow systems

where possible. Due consideration shall be given to any current zoning regulations and approved planning reports, where applicable. Sewer capacities shall be adequate to accommodate the anticipated maximum hourly quantity of sewage and industrial wastes together with an adequate allowance for infiltration and other extraneous flow. Sewer connections to dwellings shall not be less than six (6) inches in diameter. Short laterals and all other lines shall be eight (8) inches or larger in diameter, depending on anticipated flow.

### 3-108 Utility Easements

#### *3-108.1 Permanent Easements*

Easements shall be provided for proposed utilities (private or public). Additionally, public utility and drainage easements a minimum of 5 feet in width shall be provided along all other side and rear lot lines. Utility easements, a minimum of 10 feet in width, shall be provided along all street frontage. The subdivider shall take such actions as necessary to ensure the coordination and continuation of utility easements established on adjacent properties with those proposed within his development. All easements shall be indicated on the plat.

#### *3-108.2 Temporary Construction Easements*

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

### 3-109 Electrical and Communication Service Lines

#### *3-109.1 Underground Utilities*

Following adoption of these regulations all electrical and communication service lines located within any subdivision approved under authority of these regulations shall be placed underground.

Any right of way requiring repair after utilities have been placed underground shall be repaired to the level of standard prior to any road work and shall be completed to the satisfaction of the Town Engineer.

#### *3-109.2 Above Ground Utilities*

Except as provided in subsection 3-109.3 (Exceptions), it shall be unlawful to erect or construct permanent above ground utility equipment (see definition) within any subdivision approved under authority of these regulations.

#### *3-109.3 Exceptions*

The following exceptions shall apply to the application of this section.

- a. Above ground utility equipment may be installed, maintained and utilized by utility companies for a period not to exceed ninety (90) days in order to provide emergency utility services. This time limit may be extended, if warranted, by the Planning Commission.
- b. Utility equipment utilized for vehicular or pedestrian traffic control purposes.
- c. Utility equipment appurtenant to underground facilities, such as service-mounted, pedestal-mounted, or pad-mounted transformers, terminal boxes, meters and meter cabinets.
- d. Temporary utility equipment utilized exclusively in conjunction with construction projects. Upon installation of permanent utility equipment the temporary equipment shall be removed.
- e. Fire hydrants, fire plugs and other utility equipment utilized exclusively for fire-fighting purposes.
- f. Telephone and television transmission towers.
- g. Equipment installed by an electric utility which should not be installed underground for engineering or safety reasons.
- h. Upgrade of existing electric lines.

### *3-109.4 Street Lights*

When street lights are proposed in a subdivision, the lighting plan must be reviewed and approved by the Town Engineer relative to design, height, luminaire intensity and cutoff. The developer bears responsibility for maintenance and utility service costs.

### 3-110 Water Facilities

Water facilities shall be installed per the requirements of the HB&TS Utility District. The maximum fire hydrant spacing shall be no more than five-hundred (500) feet. The minimum fire flow shall be one-thousand (1,000) gallons per minute for a four (4) hour run while maintaining a residual pressure of 25 pounds per square inch (psi).

# ARTICLE IV

## SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

### 4-101 Site Development Plan

#### *4-101.1 General*

Site development plans submitted to the Planning Commission shall be drawn to a convenient scale no smaller than two hundred (200) feet to an inch.

#### *4-101.2 Features*

The site development plan shall show:

- a. a scale drawing of the property and the names of the owners of adjoining property;
- b. size of the original tract(s) being subdivided;
- c. total number of lots and proposed general use classifications;
- d. notation of any existing legal rights-of-way or easements, or other encumbrances affecting the property;
- e. approximate topography of the site, at no more than five (5) foot intervals, extended into adjacent properties;
- f. preliminary natural resource assessment;
- g. general public way and lot patterns;
- h. proposed phasing, if any;
- i. vicinity map of property;
- j. date and approximate north point;
- k. name of owner;
- l. name of plat designer;
- m. zoning classification;
- n. location of all streets, intersections, and driveway openings within two-hundred-fifty (250) feet of each of the boundaries of the proposed subdivision; and
- o. Town's information block as identified in Appendix E.

### 4-102 Preliminary Plat

#### *4-102.1 Site Analysis*

Preliminary plans submitted to the Planning Commission are intended to provide an analysis of each site's special features and the designer's response to those features. Such plans are required for all subdivisions as these plans form the basis of the design process for greenway lands, house locations, street alignments, and lot lines.

A site analysis shall accompany each preliminary plan. At a minimum, the site analysis shall include

- a. A contour base map at least upon topographical maps published by the U.S. Geological Survey;
- b. The location of severely constraining elements such as steep slopes (over 15 percent) wetlands, watercourses, intermittent streams and 100-year floodplains, and all existing rights-of-way and easements;
- c. The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and drainageways, fences or stone walls, rock outcrops, and existing

structures, roads, tracks, and trails per the natural and cultural resource evaluation requirements set forth in the Zoning Ordinance.

#### *4-102.2 Features of Preliminary Plats*

The preliminary plat shall be prepared at a convenient scale no smaller than one hundred (100) feet to an inch. The scale shall be no smaller than fifty (50) feet to an inch for developments with lots 15,000 square feet or smaller. The plat shall be prepared by electronic means and submitted as electronic and printed copies. The sheets shall be numbered in sequence, if more than one sheet is used, and the first sheet shall be an index sheet showing how all other sheets fit together. The plat shall be prepared and certified by a Licensed Land Surveyor licensed to practice land surveying in the State of Tennessee. The preliminary plat shall include:

1. The location of the property to be subdivided with respect to surrounding property(s) and public way(s). Include the entire subdivision, or section when phasing is being requested, for which the preliminary approval is sought and all land immediately adjacent extending two hundred (200) feet from the property or adjacent public way. The lot pattern of surrounding development shall be shown.
2. The topographic contours with an interval of not more than two (2) feet.
3. The names of all adjoining property owners of record, with the deed or record book and page reference or the names of adjoining developments.
4. The names of adjoining public ways.
5. The bearing, shown to the nearest second, length of all tangent boundary lines of the property figured to the nearest one-hundredth ( $1/100^{\text{th}}$ ) of a foot, and complete curve data for all curved boundary lines.
6. Bearings shall be referenced to true north or add adequate notes as to the reference.
7. The location of existing public ways, easements, water bodies, streams, and other prominent features, such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, sink holes, bridges, and other features as determined by the Planning Commission.
8. The width of all existing easements, alleys, and other public ways, and building setback lines.
9. The location, dimension, and area (to the nearest square foot) of all proposed or existing lots.
10. Within proposed condominium developments, the position of all existing or proposed buildings.
11. Preliminary storm drainage design noting approximate volumes, direction of flows and location of proposed detention or retention areas.
12. Proposed extension(s) of water and/or sanitary sewer service to the property along with the proposed routing of such within the subdivision including fire hydrants.
13. Culverts and associated drainage structures located and sized along with necessary drainage easements; all other required utility easements.
14. The location of all "Land Unsuitable for Development" as specified in Subsection 3-101.301 of these regulations.
15. The location and boundary of all open space with the proposed owner and designating the entity responsible for care, operation and maintenance.
16. 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.
17. The minimum finished floor elevation of houses to be constructed on lots within the floodway fringe areas.
18. The date of the plat, approximate true north arrow, scale, and title flood elevation and regulatory flood protection elevation as determined according to flood maps or flood studies as required.
19. Sufficient data to determine readily the general location, bearing, and length of all lines necessary to reproduce such lines upon the ground.
20. Name of subdivision and all new public ways, as approved by Williamson County Emergency Communications Agency.
21. The zoning classification of all zoned lots, as well as an indication of all uses other than residential, proposed by the subdivider.
22. The distance and bearing of one of the corners of the boundary of the subdivision, to the boundary of the existing public ways and to the original corner of the original survey of parcel of which it is a part.
23. Key map showing relation of the subdivision to all public ways, railroads and water courses in all directions to a distance of at least one-half ( $1/2$ ) mile (suggested scale: one (1) inch to one thousand (1,000) feet).
24. Property tax map parcel numbers as recorded on the land tax maps of the county.
25. The following notations:
  - a. Classification of easement: (public use; access, drainage, utility, etc.);
  - b. Explanation of site easements;

- c. Explanation of reservations;
  - d. For any lot where public sewer or water systems are not available, the following:
    - i. Areas designated for use as septic fields by the Williamson County Department of Sewage Disposal Management;
    - ii. Water wells (existing and proposed); and
    - iii. Rock outcroppings, marshes, springs, sinkholes, natural storm drains, and other outstanding topographical features.
26. 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.

#### 4-103 Construction Plans

Construction plans shall be approved by the Town Engineer.

#### 4-104 Development Agreement

The development agreement required by Subsection 2-106 (Development Agreement Required Prior to Construction), shall be substantially as shown in Appendix “A” and shall be sufficient to assure construction of the following:

1. All offsite improvements required to serve the development.
2. All on-site improvements located within the section of the project contained within the construction plans, including improvements that are required to serve future portions of the development not contained within such plans.
3. All improvements required to serve the lots shown on the plan that are not constructed and offered for public acceptance prior to or concurrently with submittal of final plats covering such lots.

#### 4-105 Final Subdivision Plat

##### *4-105.1 General*

The final subdivision plat shall be prepared on transparent drafting material at a scale no smaller than one-hundred (100) feet per inch on sheets of county register plat book size. The use of an appropriate smaller scale may be permitted for lots larger than two (2) acres. The scale shall be no smaller than fifty (50) feet per inch for developments with lots of 15,000 square feet or smaller. 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. Provide to the Town, after approval by the Planning Commission, an electronic copy of the final plat and the documents to be recorded.

Final plats within subdivisions with common open space must include a proportionate amount of the open space within each section. No more than sixty (60) percent of the lots may be plated prior to the platting of all of the open space as approved on the site development plan.

##### *4-105.2 Features*

The final plat shall include:

1. The location of the property to be subdivided with respect to surrounding property(s) and public ways.
2. The names of all adjoining property owners of record or the names of adjoining developments.
3. The names of adjoining public ways.
4. The exact boundary lines of the tract, determined by a field survey, showing angles to the nearest second and distance to the nearest one-hundredth (1/100<sup>th</sup>) of a foot. The adjusted accuracy of the survey shall meet or exceed the standards set forth in Tenn. Code Ann. Title 62, Chapter 18 for the category of survey required by these regulations. The category of survey shall be determined according to the average size of lots (see Table

below) within the proposed subdivision. The survey shall be tied into the Tennessee Grid Coordinate System.

**ACCURACY OF SURVEYS**

<b>Average Lot Size</b>	<b>Unadjusted Accuracy</b>
One (1) Acre or Less	Category 1 - Urban & Subdivision
Greater than One (1) Acre but Less than Ten (10) Acres	Category 2 - Suburban & Subdivision
Ten (1) Acres or More	Category 3 - All other land surveys

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

5. The location of all public ways, easements, water bodies, streams or rivers, railroads, parks, and cemeteries.
6. The limits of floodway and floodway fringe areas and the regulatory flood elevation and regulatory flood protection elevation; as determined by the Planning commission.
7. The location and width of all easements and rights-of-way for public ways, as well as the building setback lines on all lots.
8. The location, dimensions, and area of all lots. All dimensions shall be field run to the nearest one hundredth (1/100) of a foot and angles to the nearest second. Lot areas shall be shown to the nearest square foot. Provide three (3) monuments within the subdivision.
9. The location, area, and dimensions, to the accuracy set forth above, of all property to be set aside for park or playground use or other public or private reservation, with a designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
10. The final plat of a condominium subdivision shall contain, in addition to the other information required by this section:
  - a. an "as-built" building location and boundary survey, to "American Land Title Association" or other similar standards, showing complete and accurate dimensions and angles of the boundary of the parcel(s) on which the condominium is located, together with exterior dimensions and locations relative to those boundaries of the building(s) which constitute the condominium subdivision;
  - b. for vertical condominiums, some sort of datum plane or other suitable vertical location reference. In meeting these requirements, it is only necessary that the upper and lower limits of each level of each condominium unit be identified specifically in relation to the vertical reference, (e.g., an appropriate permanent monument or other acceptable reference datum or fixed known point). Elaborate exterior elevations and architectural detail are not necessary to satisfy this requirement; and
  - c. copies of deed covenants, the charter and by-laws of any homeowners' association established; and special information which the Planning Commission may require to protect the rights of future owners of the condominium or the public in general.
  - d. In addition to the other requirements of this section, construction plans for condominium subdivisions shall contain "as built" drawings of all underground utilities for each individual unit, regardless of proposed ownership, and the construction design of all public facilities which are proposed for dedication.
11. The name and address of the owner(s) of the land being subdivided.
12. The name and address of the subdivider if other than the owner.
13. The name and stamp of the land surveyor or other person preparing the plat.
14. The date of the plat, approximate true north point, scale, and title of the subdivision.
15. Sufficient data to determine readily the location, bearing, and length of all lines necessary to reproduce such lines upon the ground. This shall include the radius, central angle, and tangent distance for the centerline of the curved public ways and curved property lines that are not the boundary of curved public ways. The location of all monuments and pins shall be indicated on the plat.
16. The names of all public ways.
17. The zoning classification of all lots as well as an indication of uses other than residential proposed by the subdivider.
18. The total acreage within the subdivision.
19. Lot numbers and street numbers.
20. The line size and location of water and sewer facilities.
21. The location of all fire hydrants.
22. 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; by the Williamson County Department of Sewage Disposal Management; as approved.
  - b. Water wells, existing and proposed.

23. Applicable certifications in the form reproduced in this section shall appear upon the final plat. All required certificates shall bear the signature of the approving or authorizing agent at the time of application for final plat approval, except that the form for endorsement of the Planning Commission's approval for recording shall appear unsigned at the time of application for approval.
24. 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.
25. For stormwater detention facilities:
  - a. Show as a permanent drainage easement, and
  - b. Provide a note of reference to the deed book and page reference in which the Stormwater Detention Maintenance Agreement is recorded.

#### *4-105.3 Plat Certificates*

The plat shall contain signature blocks as identified in Appendix D.

# ARTICLE V

## DEFINITIONS

### 5-101 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".

### 5-102 Words and Terms Defined

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).

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

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

Bond -- An instrument with a sum of money fixed as a penalty, binding the party(s) to pay the same: conditioned, however, that the payment of the penalty may be avoided by the performance and maintenance by one or more of the parties of certain acts. As used in these regulations, the term bond may include a variety of financial instruments including performance bonds, letters-of-credit, escrow accounts and similar sureties. Such surety instruments shall comply with all statutory requirements and shall be satisfactory to legal counsel as to form, sufficiency, and manner of execution, as set forth in these regulations.

Bond, Reclamation -- A bond established for purposes of assuring the ability of the Town to secure and stabilize a development site in the event of default by the developer and/or contractor. A Reclamation Bond is intended to prevent soil erosion, uncontrolled drainage or other conditions associated with an abandoned development site from harming either public streets and other facilities or nearby private property.

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

Building Site -- A portion of the building envelope where a house or building may be constructed, including five (5) feet beyond the outer extremities of the building foot-print. This area is sometimes referred to as the building pad.

Cash Escrow -- As used in these regulations the term "cash escrow" can refer to two types of performance guarantees. A true cash escrow is cash that is beyond the reach of the persons who are guaranteeing performance of specific work subject to an escrow agreement. A second form is an irrevocable standby letter of credit as defined herein below.

Collector Street or Road -- A major public way intended to move traffic from local streets to arterial routes. Collector routes serve a neighborhood or large subdivision(s), and normally have an average daily traffic count ranging from three-hundred and one (301) to three thousand (3,000).

Condominium -- A form of ownership of less than the whole of a building or system of buildings under the provisions of Title 66, Chapter 27, Tennessee Code, which provides the mechanics and facilities for formal filing and recordation of divided interests in real property, whether the division is vertical or horizontal.

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

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

Construction Plans -- 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 requirements of the Planning Commission.

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.

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

Deviation -- A proposed variation from the standards, specifications or other provisions of this ordinance.

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.

Electrical and Communication Service Lines -- Electrical and communication systems serving limited geographic areas of residential neighborhoods and providing service directly to a residence or group of residences and not designed to provide service more than one-half mile or transmit service for street lighting.

Enforcement Officer -- 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 Tenn. Code Ann. Title 62, Chapter 2 to practice in Tennessee.

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

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

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

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

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

Flood, Regulatory -- (See One-Hundred-Year Flood)

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

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 one-hundred-year (100) flood without increasing flood levels more than one (1) foot above natural flood levels.

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

Frontage -- That side of a lot abutting a public way ordinarily regarded as the front of the lot.

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

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

Horizontal Property Act -- "The Tennessee Horizontal Property Act", as codified in Tenn. Code Ann. Title 66, Chapter 2.

Irrevocable Standby Letter of Credit -- An irrevocable standby letter of credit is a commitment from a financial institution to pay an agreed sum of money to a third party in compliance with the terms of the letter. (See Appendix "B")

Land Development 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 Tenn. Code Ann. §§ 13-3-301 through 13-3-304.

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

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

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

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

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

Major Thoroughfare Plan -- The plan adopted by the Planning Commission, pursuant to Tenn. Code Ann. §§ 13-3-402 and 13-4-302, showing, among other things, "the general location, character, and extent of public ways.... (and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public ways...."

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

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 one-hundred (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.

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

Preliminary Plat -- The preliminary written and graphic documents described in these regulations, that indicate in a conceptual form the proposed pattern of open spaces, streets and building lots within a subdivision

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

Private Street -- Streets not dedicated to and maintained by a government entity.

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 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 or natural obstruction. In an urban area,

Regulatory Flood Protection Elevation -- The elevation not less than one (1) foot above the water surface profile associated with the Regulatory Flood.

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

Right-of-Way -- A strip of land occupied or intended to be occupied by a public way crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line, or for another similar 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.

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

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

Structure -- Anything constructed above or below ground.

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

Subdivision -- "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. (See Sections 13-3-401 and 13-4-301, Tennessee Code.)

Subdivision, Major – a subdivision of a lot, tract, or parcel into five (5) or more lots.

Subdivision, Minor – a subdivision of a lot, tract, or parcel into less than five (5) lots.

Utility Equipment – Includes poles, support towers, wires, conductors, circuits, guys, stubs, platforms, cross arms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliances, attachments and appurtenances used or useful in supplying electric, natural gas, water, communication or similar associated services to residential areas within the planning region of the Town.

# ARTICLE VI

## ADOPTION OF REGULATIONS AND AMENDMENTS

### 6-101 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 the 17th day of September, 2007 and shall be in full force and effect on the 18<sup>th</sup> day of September, 2007. Pursuant to Tenn. Code Ann. §§ 13-3-403 and 13-4-30, a public hearing was held on these regulations September 17, 2007, at 7:00 p.m. at the Thompson's Station Community Center, in Thompson's Station, Tennessee, notice of which was given by publication in The Tennessean, Williamson A.M. Edition, on September 2, 2007.

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**Date**

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**Nina Cooper, Chairman**

*ATTEST*

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**Date**

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**Tom Evans, Secretary**

## 6-102 Modifications

In order that land shall be subdivided in accordance with the objectives and standards of the Town of Thompson's Station, modifications are set forth in these regulations and are hereby adopted this the 23<sup>rd</sup> day of March, 2010 and shall be in full force and effect on the 24<sup>th</sup> day of March, 2010.

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**Date**

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**Nina Cooper, Chairman**

***ATTEST***

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**Date**

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**Tom Evans, Secretary**

# **APPENDIX A**

## **SUBDIVISION DEVELOPMENT AGREEMENT**

# SUBDIVISION DEVELOPMENT AGREEMENT

This Agreement is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, between the Town of Thompson's Station, Tennessee (the "Town"), and \_\_\_\_\_ (the "Developer").

## WITNESSETH:

WHEREAS, the Developer desires to develop a subdivision to be known as \_\_\_\_\_;  
and

WHEREAS, the plat of said subdivision received final approval from the Thompson's Station Municipal Planning Commission (the "Planning Commission") on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, pursuant to the laws of the State of Tennessee and the Subdivision Regulations of the Town:

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties herein contained, it is agreed and understood as follows:

### *SECTION 1. Construction of Subdivisions*

The Developer shall construct all required improvements and complete its subdivision in accordance with the Town's Subdivision Regulations, the approved construction plans, and the final subdivision plat approved by the Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. Required improvements include all streets, storm drainage systems, storm water detention and retention structures, water systems, fire hydrants, sanitary sewer, street lights, all other utilities, curb and gutter, sidewalks, lot and subdivision corner monuments, street name signs, traffic control signs and devices, fences, and any required off-site improvements.

## *SECTION 2. Bonding*

Prior to the recording of the final subdivision plat, the Developer shall post a bond or other sufficient surety (the "Bond") in the amount specified by the Town Engineer, being 10% greater than the estimated amount necessary to complete required improvements, including roads, sidewalks, drainage, and other improvements specified by the plans and plats of the development approved by the Town and the Planning Commission. The Bond may be called for failure to comply with the provisions of this Agreement in whole or in part according to the terms of the Bond. The Bond will not be released until there has been full compliance with this Agreement and certification by a licensed engineer that the development has been completed in full compliance with the approved plat and construction plans.

## *SECTION 3. Interpretation, venue, attorney's fees*

This agreement shall bind the Developer upon execution and may not be revoked without permission of the Town. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Circuit Court for Williamson County, Tennessee, and Tennessee appellate courts. In the event this Agreement is breached by the Developer and litigation is commenced, the Developer shall be responsible for the reasonable attorney's fees and expenses incurred by the Town as a result of the Developer's breach.

## *SECTION 4. Transferability*

Except for the sale of individual lots after recording the final plat, the Developer shall not transfer the subdivision property without first giving notice to the Town as to the name, address, and telephone number of the transferee. If it is the transferee's intention to develop this subdivision in accordance with the Agreement, the Developer agrees to provide the Town an Assumption Agreement in which the transferee agrees to perform the improvements required under this Agreement and to provide the security needed to assure such performance. Said agreement will be subject to the approval of the Town Attorney. The Developer shall remain liable under the terms of this Agreement unless an Assumption Agreement is entered into between the new owners and the Town.

## *SECTION 5. Acceptance of Improvements*

Formal acceptance of improvements shall follow the procedure established in the Subdivision Regulations. Subsequent to acceptance by the Town, the Developer shall have no claim, direct or implied, in the title or ownership of the improvements. The Town, upon final approval and acceptance, will take full title to the improvements and will

provide maintenance thereafter, except that the Developer is responsible for construction failures and defects in the subdivision improvements for a period of one (1) year after the date of final acceptance of the subdivision improvements. During this period, it shall remain the responsibility of the Developer to correct and cure these defects and failures.

***SECTION 6. Warranty***

The Developer warrants that all improvements to be accepted by the Town will be free from defects in design, materials, or workmanship for a period of one (1) year from the date of acceptance by the Town. The Developer shall immediately repair, at its own costs, all defects of any type whatsoever which occur within said one (1) year period. If repairs required herein are not timely completed, the Town shall have the right, at its option, to make said repairs at the expense of the Developer. In such event, the Town may call the Developer's bond to pay for said repairs. Additionally, the Developer shall execute a maintenance bond as required by the Subdivision Regulations.

***SECTION 7. Special Provisions***

The Developer and the Town further agree to the following:

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IN WITNESS WHEREOF, the parties have executed this Agreement for the purposes herein expressed.

\_\_\_\_\_  
*Developer*

**TOWN OF THOMPSON'S STATION, TENNESSEE**

BY:

\_\_\_\_\_  
*Mayor*

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
*Town Attorney*

# APPENDIX B

## IRREVOCABLE STANDBY LETTER OF CREDIT

(MUST BE ON ORIGINAL BANK LETTER HEAD)

### IRREVOCABLE STANDBY LETTER OF CREDIT NO. #

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

IN FAVOR OF (BENEFICIARY):

Town of Thompson's Station  
P.O. Box 100  
1550 Thompson's Station Road West  
Thompson's Station, Tennessee 37179

FOR ACCOUNT OF (APPLICANT): \_\_\_\_\_

AMOUNT: \_\_\_\_\_

We hereby establish our Irrevocable Standby Letter of Credit (hereinafter "Credit") in your favor available by your draft(s) drawn at SIGHT on (Name of Bank) in (City, County, State) (must be in Williamson County or adjoining county) and accompanied by the documents specified below:

1. Certificate of default, signed by the Chairman of the Thompson's Station Municipal Planning Commission or the Mayor of the Town of Thompson's Station, certifying that: The applicant has not completed, in accordance with the Thompson's Station Subdivision Regulations and the attached Development Agreement, the streets, water lines, sewer lines and/or other improvements required by said subdivision regulations for (name of subdivision including phase and/or section) approved by Thompson's Station Regional Planning Commission on (date approved), which approval was conditioned upon the completion of the said improvements. The certificate shall also state the approximate dollar amount of damage to the Town which amount shall be identical to the face amount of the accompanying draft.
2. Original Letter of Credit and Amendments if any.

This Letter of Credit is valid for an initial period of one (1) year and shall be automatically renewed for successive periods of one (1) year without any effort on the part of the Town. We reserve the right to revoke this Letter of Credit, but only after providing the Beneficiary with 90 days notice by certified mail, return receipt requested.

All drafts must be marked: "Drawn under (Name of Bank) in (bank address), Credit No.# \_\_\_\_\_."

Except so far as otherwise expressly stated, this Credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500.

We hereby engage with you that all drafts drawn under and in compliance with the terms of this Credit will be duly honored if drawn and presented for payment at this office on or before the expiration date of this Credit.

\_\_\_\_\_  
*Signed by Officer of Bank with Title*

# APPENDIX C

## PERFORMANCE BOND

**Bond Number:** \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENTS THAT WE,** \_\_\_\_\_ as Principal and \_\_\_\_\_ with offices at \_\_\_\_\_ (must be in Williamson County or adjoining Tennessee County) as Surety, a corporation authorized to do business in the state of Tennessee, are held and firmly bound unto the Town of Thompson's Station, 1550 Thompson's Station Road West, Thompson's Station, Tennessee 37179 as Obligee, in the full and just sum of \_\_\_\_\_ (\$ \_\_\_\_\_) lawful money of the United States, to the payment of which sum, well and truly to be made, the Principal and the Surety bond themselves, their successors and assigns, jointly and severally, firmly by these presents.

**WHEREAS,** the Principal has entered into the attached Development Agreement with the Town of Thompson's Station, Tennessee, as Obligee, guaranteeing that the Principal will construct, install, and complete the improvements in accordance with the Town of Thompson's Station Subdivision Regulations at certain land known as (subdivision name, phase and/or section).

**NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH,** that if the Principal shall carry out all the terms of said agreement and perform all the work as set forth therein, all within the time set forth in said agreement, then this obligation shall be null and void; otherwise to remain in full force and effect. **FURTHERMORE,** the rights of the obligee thereunder are exclusive to it and the surety shall have no obligation hereunder to any person or entity other than the named obligee herein. The rights of such obligee are not assignable.

SIGNED, SEALED AND DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

*Principal*

Attest: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

*Surety*

Attest: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

*Attorney-In-Fact*

Attachments:

Power of Attorney

Certificate of Authority of Attorney-In-Fact





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**Date**

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**Town Engineer**

Certificate of Approval of Middle Tennessee Electric Membership Corporation

I hereby certify that the requirements set forth in rules, regulations, by-laws, policy and operational bulletins, plat approval checklist and tree planting guidelines have been met for MTEMC. Any approval is at all times contingent upon continuing compliance with the aforementioned requirements.

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**Date**

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

*Middle Tennessee Electric Membership Corporation (MTEMC) will provide electric service to the subject property according to the normal operating practices of MTEMC as defined in the rules and regulations, bylaws, policy bulletins and operational bulletins of MTEMC, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained on the MTEMC website at [www.mtemc.com](http://www.mtemc.com) (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's Requirements.*

# **APPENDIX E**

## **TOWN'S INFORMATION BLOCK**

# **APPENDIX F**

## **CONSTRUCTION SPECIFICATIONS**

# **APPENDIX G**

## **SANITARY SEWER REGULATIONS**

# **APPENDIX H**

## **STORMWATER REGULATIONS**