

2023

The City of Shelbyville,
Tennessee

Approved by the
Municipal Planning
Commission on June
22, 2023.

SHELBYVILLE MUNICIPAL SUBDIVISION REGULATIONS

These Subdivision Regulations are written to cover a wide range of activities related to subdivision and/or development of land within the City of Shelbyville, Tennessee. Subdivision/development activities can range from a simple subdivision of one lot into two lots, to the development of a large tract into hundreds of lots with new streets, utilities and other related improvements. Because of this variability, it is not practical to write a step-by-step set of regulations that address every circumstance. Therefore, it is highly recommended that the Planning and Community Development Department be consulted early in the process to review the requirements and identify potential opportunities or obstacles related to the proposal.

Shelbyville Municipal Subdivision Regulations

Adopted June 22, 2023

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**ADOPTION OF
REGULATIONS AND AMENDMENTS**

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 June 22, 2023 and immediately shall be in full force and effect.

The adoption of these Regulations hereby repeals the Shelbyville Subdivision Regulations adopted April 25, 2021.

Pursuant to Sections 13-3-403 and 13-4-303, *Tennessee Code, Annotated*, a public meeting was held on these Regulation on June 15, 2023 at 6:00 p.m., Shelbyville Recreation Center, Meeting Room B, 220 Tulip Tree Road Shelbyville, TN.

**Article I:
General Administrative Provisions**

Section

- 1-1** Title
- 1-2** Authority
- 1-3** Jurisdiction
- 1-4** Interpretation
- 1-5** Policy and Purpose
- 1-6** Comprehensive Land Use Plan
- 1-7** Conflict with Public Provisions
- 1-8** Conflict with Private Provisions
- 1-9** Separability
- 1-10** Building Permits
- 1-11** Saving Provisions
- 1-12** Vested Rights of Developers
- 1-13** Repealer
- 1-14** Amendments
- 1-15** Variances
- 1-16** Enforcement
- 1-17** Penalties

- 1-1** **Title:** These Regulations shall hereinafter be known and cited as the Subdivision Regulations of the City of Shelbyville, Tennessee.
- 1-2** **Authority:** Authority is conferred by the Tennessee General Assembly by §13- 3-401 through §13-3-411 of the *Tennessee Code, Annotated* (hereinafter T.C.A.), as amended, and other pertinent statutes for the establishment of regulations governing the subdivision of land.
- 1-3** **Jurisdiction:** These Subdivision Regulations shall apply to all subdivisions, as herein defined, located within the City of Shelbyville, Tennessee. No land shall be subdivided within the jurisdictional area until the subdivider submits a plat as required by these Regulations, obtains Planning Commission approval of the plat, and files the approved plat with the Bedford County Register of Deeds.
- 1-4** **interpretation:** These Regulations shall be held to be the minimum requirements for the promotion of health, safety, and general welfare.
- 1-5** **Policy and Purpose:** The subdivision regulations are adopted in order to provide for the harmonious development of the City of Shelbyville; for the coordination of roads within the subdivided land, with other existing or planned roads, or with the state or regional plan, for adequate open spaces for traffic, light, air and recreation; for the conservation or production of adequate transportation, water, drainage and sanitary facilities; for the avoidance of population congestion; for the avoidance of such scattered or premature subdivision of land as would involve danger or injury to health, safety or prosperity by

reason of the lack of water supply, drainage, transportation or other public services, or would necessitate an excessive expenditure of public funds for the supply of such services; and, to control the manner in which roads shall be graded and improved, and water, sewer and other utility mains, piping, connections or other facilities shall be installed.

- 1-6 Comprehensive Land Use Plan:** Development in the City of Shelbyville must conform to the Comprehensive Plan of the jurisdictional area for orderly, planned, and efficient physical development. Land to be subdivided shall be of such character that it can be used for building purposes without danger of health, fire, flood, or other menace. Land shall not be subdivided until proper provisions have been made for drainage, water, and all other public infrastructure required for provision of public services. The existing and proposed public improvements shall generally conform to and be properly related to the proposals shown in the Comprehensive Plan. The Regulations herein shall supplement and facilitate the enforcement of the provisions and standards contained in the *Zoning Ordinance* of the City of Shelbyville, Tennessee (hereinafter "Zoning Ordinance").
- 1-7 Conflict with 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.
- 1-8 Conflict with Private Provisions:** These Regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction; provided that where these Regulations are more restrictive or impose higher standards than such easement, covenant, or other private agreement or restriction, the requirements of these Regulations shall govern. Where any private provision exceeds the standards set forth herein, such shall be considered a private contract between the parties of interest, and as such is beyond the jurisdiction of the Planning Commission.
- 1-9 Separability:** Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations, it being the intention of the Planning Commission to adopt each and every provision of these regulations separately.
- 1-10 Building Permits:** No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of any provision of these Regulations.
- 1-11 Saving Provisions:** These regulations shall not be construed as abating any action now or pending under, or by virtue of prior subdivision regulations; or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue; or as affecting the liability of any person; or as waiving any right of the Planning Commission under any section or provision existing at the time of adoption of these regulations; or as vacating or

annulling any rights obtained by any person by lawful action of the Planning Commission, except as expressly provided otherwise in these regulations.

- 1-12 Vested Rights of Developers:** The City of Shelbyville shall adhere to the Vested Property Rights Act of 2014 (T.C.A. §13-4-310) in regard to vested rights of developers.
- 1-13 Repealer:** All ordinances, parts of ordinances, rules, and regulations in conflict with the provisions of these regulations are hereby repealed; except that all plats having preliminary approval prior to the adoption of these regulations for a period of eighteen (18) months. At the end of that period, all preliminary approvals granted prior to the date of the adoption of these regulations shall be canceled. The City of Shelbyville shall adhere to Tennessee Code Annotated with regard to vested rights of developers, where applicable.
- 1-14 Amendments:** The Planning Commission may from time to time revise or modify or amend these regulations by appropriate action taken at a regularly scheduled meeting after the required notice and holding of a public meeting. An amendment becomes effective when the Shelbyville Planning Commission approves it. The Planning Commission's staff is empowered and authorized by the Planning Commission to correct and amend these regulations as to the following non-substantive matters, without public notice or public hearing: spelling; change in case and punctuation; references to sections of the Tennessee Code Annotated to conform with amendments thereto; the enumeration of these regulations so as to provide consistency and clarity; names and titles of organizations and individuals referenced in these regulations, to conform with incumbent names and titles.
- 1-15 Variances:** These land subdivision regulations are adopted only as minimum requirements, and all developers should consider developing their subdivisions at higher standards. Thus, the developer is encouraged to go beyond the standards of these regulations and the Planning Commission may require standards above the minimum contained herein upon finding that the public health, safety, and welfare justify such standards. The Planning Commission also may reduce or otherwise vary the requirements of these regulations whenever it encounters the situation described below. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the reasons that justified the granting of the variance. It shall be incumbent upon the developer to seek and secure any variances required prior to the submittal of any preliminary or final plat to the Planning Commission for consideration. Any plat requiring a variance shall not be approved administratively.
1. **Hardships.** The Planning Commission may reduce or otherwise vary the requirements of these regulations when a definite hardship would occur as a result of strict enforcement of these regulations.

2. **Conditions Required.** Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may, after written application by the developer, grant variations to the regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the Comprehensive Plan.
3. **Evidence of Hardship Required.** The Planning Commission shall not grant variations to these regulations unless they make findings based upon the evidence presented to them in each specific case that:
 - A. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
 - B. The condition upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other properties, and has not been created by any person having an interest in the property.
 - C. The purpose of the variation is not based exclusively upon a desire for financial gain.
 - D. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

1-16 Enforcement: The enforcement of these regulations and penalties for the unapproved recording or transfer of land is provided by state law in the authority granted by public acts of the State of Tennessee. The following procedures are provided in the *Tennessee Code, Annotated* for the enforcement of subdivision regulations.

1. **Recording.** No plat or plan of a subdivision of land into two (2) or more lots, tracts or parcels, any of which are less than five (5) acres in size, located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the Planning Commission as provided in T.C.A. §13-3-402. The subdivision of any parcel by use of description, metes and bounds, without complying with the plat provisions, including recording of plats, of these Regulations is not permitted.
2. **Acceptance of Streets and Utilities.** No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers, or authorize the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened, or otherwise received the legal status of a public street in its location and lines to a street shown on a subdivision plan or plat approved by the Planning Commission, or on a street plan made and adopted by the Planning Commission as provided in T.C.A. § 13-3-406.

1-17 **Penalties and 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. It shall be the Planning Director, or their designee, to enforce these Regulations and to bring to the attention of legal counsel any violations or lack of compliance herewith. For violation of these regulations, the following penalties are provided by T.C.A.:

1. **Recording.** No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in T.C.A. §13-3-402; and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. **Use of Unapproved Plats:** Pursuant to T.C.A. §13-4-306, no owner or agent of the owner shall convey such land contrary to the provisions contained herein. The City, through its attorney or other official designated by the City, may enjoin by action for injunction of any transfer of, sale of, or agreement to sell any land in violation of these Regulations.
3. **Transfer or Sale of Land.** T.C.A. §13-3-410 provides that whoever being the owner or agent of the owner of any land transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of subdivision to the Planning Commission and obtained its approval as required before such plat is recorded in the office of the appropriate county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The county, through its county attorney, the city through its attorney, or other official designated by the appropriate legislative body, may enjoin such transfer or sale or agreement by action or injunction.
4. **Erection of Structures.** Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure and the city building inspector, or the city attorney or other official designated by the city council acting within the corporate limits of the City of Shelbyville may bring action to enjoin such erection or cause it to be vacated or removed as provided in T.C.A. §13-3- 4l 1.

**Article II:
Procedures and Provisions Regarding Subdivision of Land**

Section

- 2-1 Concurrent Review by Other Agencies
- 2-2 Policy on Flood Prone Areas
- 2-3 Previously Approved Subdivisions
- 2-4 Vacating of Plats
- 2-5 Abandonment of Right of Way Dedications
- 2-6 Re-Subdivision of Land
- 2-7 General Provisions
- 2-8 Classification of Subdivisions
- 2-9 Review Procedures
- 2-10 Coordinated Review of Planned Unit Developments
- 2-11 Special Provisions Governing Unit Ownership Subdivisions (Condominiums)
- 2-12 Review of Conceptual Plans
- 2-13 Review and Approval of Preliminary Plats
- 2-14 Review and Approval of Construction Plans
- 2-15 Review and Approval of Final Subdivision Plats

- 2-1 Concurrent Review by Other Agencies:** When required, approvals by other agencies of government may be achieved concurrently with the review processes required by these Regulations. Prior to approval of construction plans, applicants shall provide to the City of Shelbyville approval letters from concurrent reviewing agencies. At the time of filing for final plat, agency as-built certifications shall be provided to the City of Shelbyville by any concurrent reviewing agencies. As-built certifications and drawings are required to accompany the final plat submittal and be approved by the City Engineer. Alternatively, they shall be approved by the City Engineer before the recording of the plat.
- 2-2 Policy on Flood Prone Areas:** In determining the appropriateness of land subdivision at any site containing a flood prone area, the Planning Commission, in reviewing any plat, shall consider the policy and purposes set forth in these Regulations, as well as those policies and provisions of the City of Shelbyville in accordance with the National Flood Insurance Program (NFIP).
- 2-3 Previously Approved Subdivisions:** The Vested Property Rights Act of 2014 (T.C.A. §13-4-310) provides a three (3) year vesting period for Preliminary Plats, provided the applicant obtains final development plat approval, secures permits, and commences site preparation within the three year vesting period.
- 2-4 Vacating of Plats:** Upon approval of the Planning Commission, 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 therein, by a written instrument, to which a copy of such plat shall be attached, declaring the plat or part of the plat to be vacated. In approving the vacation of plats the Planning Commission shall follow the same procedure

for approval of major subdivision 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 manner herein provided all of the owners of all lots in such platted area join in the execution of such writing.

- 2-5 Abandonment of Right-of-Way Dedications:** Any dedicated right-of-way shown on a recorded subdivision plat can be abandoned only through the resubdivision of such plat, or through the resubdivision of the affected section of such plat, according to the procedures stated in these Regulations. Thereby, the Planning Commission must approve the resubdivision of the initially recorded plat that depicts the dedicated right-of-way or future public way access area, in such a manner wherein such dedicated right-of-way is deleted from said plat.

Once this revised plat is officially recorded, it acts to supersede the originally recorded plat, and accordingly abandons the respective dedicated right-of-way or future public way access area. No official action shall be made by the Planning Commission in relation to the abandonment of any dedicated right-of-way, pending public notification of adjacent property owners by registered mail as to the time and place of the Planning Commission meeting, at which time such action is to be officially entertained.

Any public way access area or dedicated right-of-way that is abandoned as per the procedures cited herein shall be deeded solely to the abutting property owners of such public way access area or dedicated right-of-way. Should any utilities be located in the abandoned right of way, the utilities will have to abandon in a manner that meets State regulations, or a recorded utility easement shall be placed upon existing utilities.

2-6 Resubdivision of Land

- 1. Procedures for Resubdivision:** If any change in an approved or recorded subdivision plat would affect the layout of any publicly accepted street, alley, or road reserved thereon for public use, lot line or public infrastructure, such amendment shall be approved by the Planning Commission by the same procedure, rules, and Regulations as for a major subdivision.
- 2. Procedures for Subdivision Where Future Resubdivision Is Foreseen:** When a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land or double the minimum required area for any zoning district in which the lot is located, the Planning Commission may require that the subdivision and development of such parcel of land allow for the future opening of public ways and the ultimate extension of adjacent public ways. The Planning Commission may also require that dedications providing for the future opening and extension of such public ways be indicated on the plat.

General Provisions

1General: All plats submitted for consideration by the City of Shelbyville shall be submitted in accordance with the approved Submittal and Review Calendar. All fees shall be paid at the time of application, based on the Planning and Community Development Review Fees as approved by the Shelbyville City Council. A submittal shall not be considered complete if the submittal and fee remittance are not in accordance with the aforementioned provisions or are in violation of these Subdivision Regulations. Each plat application shall have a unique name.

2Conditions: Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision are exercises of valid police power delegated by the State to the Planning Commission. The developer has the duty of compliance with reasonable conditions imposed by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to provide for the physical and economic 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.

3Plat Approval Requirements: Before any contract is executed for the sale of any parcel of land which is proposed to be subdivided and before any permit for the erection of any structure in a proposed subdivision shall be granted, the subdividing owner or his authorized agent shall apply for and secure the Planning Commission's approval of the proposed subdivision in accordance with the procedures of this article and the plat shall be recorded at the Register of Deeds' Office.

4Flag Lots: Flag lots as defined in these Regulations may be only permitted in residential low density zoned areas if the size of each lot is at least 1 acre and the house/houses on the flag lot/lots will be completely visible from the public road and no part of it/them will be hidden by the existing or future house/houses on the original lot/lots.

Classification of Subdivisions: The Planning Commission shall classify each subdivision proposal as either major or minor as defined herein.

1. Minor Subdivisions: A Minor Subdivision contains 3 to 5 lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adopted Zoning Ordinance. Also considered as minor subdivisions are the following:

- A. The creation of any tracts or parcels, of which at least one lot is less than five (5) acres in size shall be deemed a minor subdivision and subject to the approval provisions of these Regulations.
- B. When partitioning a tract into one (1) lot less than five (5) acres and one greater, the procedure outlined for minor subdivisions shall be followed, except the plat drawing shall not require a detailed survey description of the lot greater than five (5) acres unless the easements supporting the lot being created are granted within the tract in excess of five (5) acres.

2. **Major Subdivision:** All subdivisions not classified as Administratively (Staff) Approved Subdivisions or Minor Subdivisions including but not limited to subdivisions of 6 or more lots or subdivisions of any size requiring any new or improved road, improvements within an existing street right-of-way (excluding repair or construction of sidewalks or other pedestrian connections required by these regulations, and fire hydrants), the extension of government facilities, or the creation of any public improvements, or containing any flood prone area. Any development involving access to or by a State highway shall be considered a major subdivision.
3. **Administratively Approved Subdivisions:** Consists of not more than two (2) lots as defined in Article 6 (Definitions), as permitted by T.C.A §13-3-402. If the 2 lots do not comprise the total property being subdivided or if the original parcel was subdivided in the last 10 years, then the proposed subdivision shall not be approved as an Administratively Approved Subdivision. In this case, the proposed subdivision shall be classified as either a Minor Subdivision or a Major Subdivision depending on the need for off-site improvements. Combination plats may also be approved by Administration.

2-9

Review Procedures: The subdivider shall follow the procedure described below in order to secure plat approval. The Pre-Planning Committee shall be provided opportunity to review each submittal, regardless of level of approval. The Pre-Planning Committee consists of representatives from various City departments, including the Planning and Community Development, Fire, Building and Codes, Public Works, City Engineer, Police, Engineering, and Shelbyville Power, Water and Sewerage.

1. **Administrative Approvals:** Submittal of a Final Plat prepared in accordance with the specifications herein, for approval by the City of Shelbyville's Planning Director and Secretary of the Planning Commission. At the discretion of the Enforcing Officer, the Final Plat submitted for Administrative Approval may be referred to the Planning Commission for review and approval should the submittal contain complexities of the application, concerns regarding the configuration or concerns regarding existing or proposed easements.

2. **Minor Subdivisions:** Pre-application conference with the Pre-Planning Committee including submittal of a scale drawing or survey of the proposed subdivision for preliminary discussion and review with the Staff. While a conceptual plan is not required for a minor subdivision submittal, one may be submitted at the applicant's discretion.

There shall be a separately assessed non-refundable fee for review of the associated preliminary, if needed in this case, and final plats. Submittal of a final plat prepared in accordance with the specifications in these Regulations for approval by the Planning Commission is required.

3. **Major Subdivision:**

- A. Submittal of the a Concept Plan, prepared in accordance with these Regulations, for Planning Commission review.

- B.Submittal of a preliminary plat for approval by the Planning Commission.
- C.Submittal of construction plans and design documents.
- D.Securing of approval from other public agencies.
- E.Submittal of the final subdivision plat, prepared in accordance with the regulations herein, for Planning Commission approval.
- F.Reserving 5% of the total land proposed for subdivision of 6 or more residential lots as usable green spaces and locating them away from the edges of the subdivision. The green spaces shall be maintained by the Home Owners' Association (HOA). This requirement does not apply for subdivisions where all the lots are zoned R-1 Low Density Residential.

2-10 Coordinated Review of Planned Unit Developments: The Final Planned Unit Development Conceptual Plan required in accordance with applicable provisions of the Zoning Ordinance provides sufficient information to meet the needs for Conceptual Plan approval. No separate submission of a Conceptual Plan shall be required provided all information required for Conceptual Plans is included in the Planned Unit Development drawings, Conceptual Plans, Construction Plans and Final Plans.

2-11 Special Provisions Governing Unit Ownership (Condominium) Subdivisions

1. **Intent:** This section is intended to augment the general legislation of §66-27-101 through 66-27-123, *Tennessee Code, Annotated*, entitled "Horizontal Property Act," by providing supplemental rules and Regulations for the implementation of the act, as specifically authorized in §66-27-121, *Tennessee Code, Annotated*.
2. **Applicability:** Whenever a developer, the sole owner, or the co-owners of a building or buildings expressly declare through the submission of a master deed, lease, or plat their desire to submit their property to a regime, as established and provided by §66-27-101 through 66-27-123, *Tennessee Code, Annotated*, wherein there is established a horizontal property regime, each such condominium or horizontal property regime created under the authority of these provisions for the purpose of sale or transfer of real property is subject to the provisions of these Regulations.
3. **Submission of Plat Required:** Prior to the sale or transfer of any property incorporated in the property regime, the developer, sole owner, or co-owners of such property shall submit to the Planning Commission a subdivision plat of such property in the manner prescribed by this article; such plat, if approved, shall be filed with the Bedford County Register of Deeds in the manner prescribed by this article.
4. **Determination of Subdivision Types:** Condominium subdivisions shall be classified by the Planning Commission during the plat review process as either horizontal condominiums or vertical condominiums as defined in these Regulations.
5. **Review Procedures:** An applicant seeking approval of a condominium subdivision shall proceed through the normal procedure for a major subdivision approval, as set forth in this article.

6. **Contents of Plans and Documents:** The plats, plans, and documents submitted by an applicant seeking approval of condominium subdivision shall conform with the specifications set forth in these Regulations.

2-12 Review of Conceptual Plans:

1.**General:** A request to subdivide land shall be made by the owner of the land, or an authorized representative, by filing an application for approval of a Conceptual Plan with the Planning Commission. The Conceptual Plan shall be prepared by persons licensed in the State of Tennessee to perform the required design services.

2.**Purpose of the Conceptual Plan:** The applicant shall be required to submit a Conceptual Plan for review by the Enforcing Officer and the Planning Commission. The Conceptual Plan is to be a basis of discussion of design, approval process and should be used to discuss factors which will have an impact on the proposed development.

3.**Pre-Planning Review of the Conceptual Plan:** The Pre-Planning Review Committee shall hold a mandatory meeting with the applicant to review the conceptual plan for general compliance with each stakeholder department. The Conceptual Plan review will serve to advise the applicant of various issues, requirements and possibilities before substantial amounts of time and money have been invested in a very detailed proposal which may contain elements contrary to these Regulations. The applicant shall be provided a comment list containing recommendations stemming from the Pre-Planning meeting; the applicant shall have an opportunity to modify and resubmit the conceptual plan for review by the full Planning Commission.

4.**Planning Commission Review of Conceptual Plan:** The purpose of the Conceptual Plan review is to inform the Planning Commission of the proposed plan and does not require a vote or approval by the Planning Commission. The Planning Commission review of the Conceptual Plan is meant to give feedback to the applicants before they submit the preliminary plat.

Any comments from the Planning Commission regarding Conceptual Plans are non-binding and shall not be construed or interpreted as conditions or requirements for approval, nor vesting any rights conferred upon the applicant/applicants.

5.Revisions to Reviewed Conceptual Plans: The applicant shall submit proposed revisions to the reviewed Conceptual Plans to the Planning Director. The Planning Director shall initiate a review of the proposed revisions in accordance with the approved Submittal and Review Calendar. The review is to be performed by the Pre-Planning Review Committee. For all revisions determined to be major revisions, Planning Commission review of the revised Conceptual Plan shall be required. The Planning Director reserves the right to forward any revisions to the Planning Commission for review.

A. **Minor Revisions:** If the Planning Director, on the advice of the Pre-Planning Review Committee deems the revision(s) to be minor, the Director is authorized to accept the revision(s) to the Conceptual Plan without referring it to the Planning Commission. Minor revisions are insignificant shifts in street and open space locations, minor changes to lot size, minor changes to unit size and distribution of intensity not inconsistent with a final Planned Unit Development approval and its associated plan, or the current effective *Zoning Ordinance*.

B. **Major Revisions:** All other revisions, including revisions that are determined by the Planning Director, on the advice of the Pre-Planning Committee, to constitute a public interest, shall be deemed to be major revisions and shall be referred to the Planning Commission.

6.Expiration of Review of Conceptual Plans: The review of the Conceptual Plan by the Planning Commission shall be valid for a period of 1- year from the date of review. After 1-year from the date of review, the Conceptual Plan must be re-reviewed and shall meet the standards in effect at the time of the re-review. For the purposes of these Subdivision Regulations, a Conceptual Plan is not a Development Plan as outlined in T.C.A. §13-3-413 and as amended, regarding the vesting period for development standards.

7.Renewal of Previously Reviewed Conceptual Plans: Should the Conceptual Plan expire for any reason, any submittal for Planning Commission re-review shall be subject to current Zoning and Subdivision Regulations in effect at the time the re-review is sought. The renewal shall be in effect for one (1) additional year.

8.Required Features/Contents of Conceptual Plans: Please refer to Appendix 1 of these Regulations for content specifications.

2-13 Review and Approval of Preliminary Plats (Major Subdivisions Only)

I. **Zoning Regulations:** Every plat shall conform to any existing zoning and subdivision regulations applicable at the time of proposed Final Plat approval, except that any Final Plat which has received Preliminary Plat approval shall be exempt from

any subsequent amendments to such Zoning Ordinance or these Regulations rendering the plat nonconforming as to bulk, use, or development standards, provided that Final Plat approval is obtained within the effective period of Preliminary Plat approval set forth in herein.

2. **Application Procedure and Requirements:** The applicant shall file with the Planning Commission a preliminary plat. The failure of the applicant to satisfy the requirements of this section with full and correct information shall be cause for disapproval of a preliminary plat. The preliminary plat shall be prepared in accordance with the provisions of these Regulations.
3. **Pre-Planning Review of Preliminary Plats for Major Subdivisions:** A mandatory Pre-Planning Review Committee meeting shall be conducted on the preliminary plat, construction plans, and any exhibits submitted in conformance with and as required by these Regulations. The final findings of the Pre-Planning Committee shall be presented to the Planning Commission.
4. **Notice of Meeting:** The Planning Commission shall hold a meeting as required by T.C.A. on each plat brought before it.
5. **Preliminary Approval:** After the Planning Commission has reviewed the preliminary plat, the exhibits, and the comments and recommendations from staff, the Planning Commission shall approve, conditionally approve, or disapprove the preliminary plat within thirty (30) days after date of the regular meeting of the Planning Commission at which the meeting on preliminary approval, including adjourned date thereof, is closed. After the Planning Commission approves, conditionally approves, or disapproves the preliminary plat, one copy of the proposed preliminary plat shall be returned to the developer with the date of approval, conditional approval, or disapproval thereon. If a preliminary plat is disapproved, the Planning Commission shall state specific reasons for disapproval which shall be entered into the minutes of the meeting. If approved and upon request, a Certificate of Preliminary Approval shall be issued by the Secretary of the Planning Commission. The applicant may proceed to apply for final subdivision plat approval after completing all the requirements prescribed in these Regulations, including the approval of the Construction Plans.
Before the Planning Commission approves a preliminary plat showing land for any public use, the Planning Commission shall be provided evidence of approval for the land reservation from the appropriate governmental agencies.
6. **Expiration of Preliminary Plat Approval:** The City of Shelbyville shall adhere to The Vested Property Rights Act of 2014 (T.C.A. §13-4-310) in regard to vested rights of developers.
7. **Revisions to Preliminary Plats After Approval:** All proposed revisions to approved Preliminary Plats must be submitted to the Planning Department in accordance with the approved Submittal and Review Calendar, and the appropriate non-refundable review fee remitted timely. Revised Preliminary Plats shall be

reviewed by the Pre-Planning Committee, whose final recommendations shall be forwarded to the Planning Commission for final approval.

Changes to revised Preliminary Plats are not eligible for administrative approval.

2-14 Review and Approval of Construction Plans:

- J. General:** Construction plans shall be prepared for all improvements required by these regulations. Plans shall be drawn at a scale of no more than fifty (50) feet to an inch and shall be in compliance with the specifications contained in these Regulations. Should plans be too crowded for review, staff may require another scale to allow for adequate review.
- 2. Authorization to Construct Improvements:** Construction may proceed when a Preliminary Plat has been approved by the Planning Commission. When improvements are being constructed as a result of such approval, the approval of Construction Plans must be gained before any such construction of improvements begins.
- 3. Review of Construction Plans:** A meeting shall be conducted for the purpose of assuring a coordinated review of Construction Plans. The purpose of this meeting is to ensure that the Construction Plans are in compliance with the provisions of these regulations, other appropriate laws and sound engineering practice. Where revisions may be required for unconditional approval, such revisions shall be made prior to such notice being forwarded to the Planning Commission. In the event of plan disapproval, a notice shall be provided to the applicant in writing. Such notice shall include specific provisions of these regulations and/or other provisions with which such plans do not comply.
- 4. Approval of Construction Plans:** Approval of plans must precede actual construction, and no final plat shall be submitted to the Planning Commission until the required plans have been reviewed and approved. The construction plans shall be prepared and stamped by a licensed professional engineer in accordance with the policies and regulations contained in these Subdivision Regulations. The Planning Commission shall resolve any disputes regarding approval of Construction Plans.
- 5. Modification of Construction Plans or Improvement Design:** If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the City Engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the City Engineer may authorize modifications, provided these modifications are within the spirit and intent of the Planning Commission's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Commission. The

City Engineer shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Commission at their next regular meeting. No change shall be implemented and no construction associated therewith shall be initiated until revised Construction Plans have been submitted to the office of the Planning Director and approved so as to reflect the proposed change. Shelbyville Power, Water and Sewerage shall review and approve any field red-lined modifications prior to signature by the City Engineer.

6. **Pre-Construction Conference Required:** A pre-construction conference will be held with the Public Works Director, representatives from Shelbyville Power, Water and Sewerage, the City Engineer, and other appropriate stakeholders prior to the start of construction on each project. At the pre-construction conference, the contractor and owner shall sign documentation acknowledging construction and inspection requirements.
7. **Inspection Schedule:** The contractor shall give twenty-four (24) hours notification to the applicable departments or agencies prior to beginning work on each phase of construction. All completed work shall be inspected and approved. Failure to obtain the required inspections and approvals may require work to be removed, certifications and testing by a licensed geotechnical engineering firm to be provided or any future acceptance by the applicable department or agency to be jeopardized.
8. **Proper Installation of Improvements:** If City Officials shall find, upon inspection of improvements, that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the subdivider, this information shall be reported to the governing body and Planning Commission. The governing body shall then notify the subdivider and take all necessary steps to preserve the City's rights.
9. **As Built Drawings Required:** As built drawings are required to be submitted as part of the final plat submission or before the recording of the plat. The required improvements shall not be considered to be completed until the information that is to be shown on the as-built plans is determined to be sufficient enough to ascertain that all proposed improvements that are shown on the approved construction plans have been constructed according to those plans. Water and sewer as-built plans shall be based on corresponding stations off manholes and water line stationing including service taps. As-built plans shall have adequate dimensions to relay out in the field with hard structures. Copies of the as-built drawings shall be submitted to the Planning Department for distribution to appropriate government offices. The Planning Department shall then circulate plans for signature by each government stakeholder, returning one copy to the developer and copies to each signatory. No Certificates of Occupancy shall be issued until such as-built drawings have been accepted by the City of Shelbyville and Shelbyville Power, Water and Sewerage.

2-15 Review and Approval of Final Subdivision Plats (Minor and Major Subdivision)

1. **Purpose of Final Plat:** The Final Plat provides the legal instrument whereby ownership of lots may be transferred; constitutes a means whereby the person subdividing the property may offer streets and other infrastructure for acceptance and maintenance by the City; and finally, places into the legal record restrictive covenants and other legally binding commitments associated with such Final Plat.
2. **Final Plat Review Fee:** A non-refundable fee shall be collected by the Planning Department for review of the final plat. The fee assessed shall be in conformance with the current effective Planning and Community Development Fee Schedule as adopted by the Shelbyville City Council.
3. **Application Procedure and Requirements:** When an application for a major subdivision includes only a portion of a landowner's entire tract, or when such portion is contiguous to an adjoining tract of the landowner, a layout shall be included showing future potential subdivision of all the contiguous property belonging to the landowner to ensure that subdivision may be accomplished in accordance with current regulations and with appropriate access. The plat shall be prepared in accordance with all provisions of these Regulations.
4. **Endorsement of Notations:** The notations and certifications required by these Regulations, to appear upon the final plat shall be endorsed by appropriate officials and other persons prior to application for final subdivision plat approval, except that the certificate of Planning Commission approval shall be signed at the time specified in these Regulations.
5. **Phasing Major Subdivision Plats:** Prior to granting final approval of a major subdivision plat, the Planning Commission may permit the plat to be divided into two (2) or more sections and may impose such conditions upon the filing of each section as it may deem necessary to assure the orderly development of the subdivision. The Planning Commission may require that an Irrevocable Letter of Credit be in such amount as is commensurate with the section(s) of the plat to be filed and may defer the remaining required Irrevocable Letter of Credit principal amount until the remaining sections of the plat are offered for filing. The developer also may file irrevocable offers to dedicate public ways and improvements in the sections offered to be filed. The developer may defer filing offers of dedication for phase's anticipated for future development until such sections are granted approval concurrent with final approval of the plat.
6. **Review Procedures:** The subdivider shall follow the procedure for internal review as conducted for the submittal of the Preliminary Plat. The Pre-Planning Committee shall be provided opportunity to review each submittal, regardless of level of approval. The Pre-Planning Committee consists of representatives from various City departments, including the Planning and Community Development, Fire, Building

and Codes, Public Works, City Engineer, Police, Engineering, and Shelbyville Power, Water and Sewerage. The final recommendations of the Pre-Planning Committee shall be presented to the Planning Commission for their consideration.

7. **Meeting and Decision on Final Plat:** The Planning Commission shall hold a meeting as required by T.C.A. §13-4-404 and 13-4-304 on each final plat brought before it. The Planning Commission shall, within ninety (90) days after submission of the plat, approve, approve with conditions, or disapprove the final subdivision plat. The decision of the Planning Commission shall set forth in detail any conditions to which the approval is subject, or reasons for disapproval. In no event shall the period of time stipulated by the Planning Commission for completion of required improvements exceed one (1) year from the date of approval for the Final Plat. Failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat, and in such event, a certificate of approval, entitling the subdivider to proceed as specified in these Regulations, shall be issued, upon request, by the Secretary of the Planning Commission. The applicant, however, may agree to an extension of the time for Planning Commission review. One (1) copy of the final subdivision plat shall be returned to the subdivider with the date of approval, conditional approval, or disapproval noted, thereon.
8. **Signing of Plat:**
 - A. When a surety is required, the Secretary of the Planning Commission shall endorse approval on the plat after the surety has been approved by the Planning Commission and after all the conditions of the resolution pertaining to the plat have been satisfied.
 - B. When installation of improvements is required, the Secretary of the Planning Commission shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the Planning Commission as shown on certifications by the appropriate governmental representative(s) that necessary land dedications and improvements have been accomplished.
 - C. When the conditions of this section are satisfied, the Secretary shall sign the permanent reproducible original of the subdivision plat.
9. **Recording of Plat:** It shall be the responsibility of the City of Shelbyville to file the plat with the Bedford County Register of Deeds Office within forty-five (45) days of the date of signature. Simultaneously, with the filing of the plat, the Enforcing Officer shall record the agreement of dedication together with such legal documents as shall be required to be recorded by legal counsel. The final plat shall be accompanied by such legal recording fees as required.
10. **Plat Void If Revised Following Approval:** No changes, erasures, modifications, or revisions shall be made on any Final Plat after Planning Commission approval, unless

said revisions are submitted as revisions for approval by the Planning Commission. In the event that any Final Plat is modified in any way after approval and before recording, said Final Plat shall be considered null and void, and the City of Shelbyville shall commence proceedings to have the Plat stricken from the records of the County Register.

11. Exercising of Power: In exercising the powers granted to it by T.C.A. § 13-4-302, the Planning Commission shall not require an owner of private property to dedicate real property to the public, or pay money to a public entity in an amount that is determined on an individual and discretionary basis, unless there is an essential nexus between the dedication or payment and a legitimate local governmental interest and the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed use or development of the property. An owner of private property required to make a dedication or pay money in violation of this Subsection may seek relief through a common law writ of certiorari in chancery court. T.C.A. § 13-4-303; T.C.A. § 13-3-403.

**Article III:
Access**

Section

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3-1 General Provisions

1. **Public Ways and Utilities:** Pursuant to §13-3-410 and 13-4-306, *Tennessee Code, Annotated*, the Planning Commission shall not nor shall any public authority 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. However, the governing body may override the Planning Commission as provided in Title 13, *Tennessee Code, Annotated*. In case of any state highway constructed or to be constructed within the jurisdictional area with state funds as a part of the state highway system, the submission to the Planning Commission shall be by the Tennessee Commissioner of Transportation, who shall have the power to overrule the disapproval of the Planning Commission.
2. All proposed electric secondary utility service lines shall be installed underground. The City Engineer may waive this requirement in minor Administratively approved subdivisions and minor subdivisions in areas that have existing overhead utilities. All communication utility systems to residential units shall be installed underground.
3. **Frontage on Improved Public Ways:** No subdivision shall be approved unless the area to be subdivided shall meet the requirements for access set forth these Regulations. If any new street construction or improvements are involved, such shall be approved and, where public, dedicated as provided in these Regulations. Any such public way must be suitably improved to the standards required by these Regulations,

or be guaranteed by an Irrevocable Letter of Credit as required under these Regulations, with the roadway and right-of-way widths required by this article or the major street or road plan.

Direct vehicular access to individual lots may only be permitted on roads classified as "Local Roads" in the Major Thoroughfare Plan.

3. **4. Grading and Improvement Plan:** Public ways shall be graded and improved to conform to the standards required by this section and shall be approved as to design and specification by the appropriate governmental representative in accordance with the specifications required herein. No surface shall be applied to the base of any proposed public way prior to the approval of the final plat of the subdivision or of the final approval of any section of the subdivision in question without having been properly inspected. All improvements are subject to inspection at will by the appropriate City of Shelbyville representative.

5. **Reserve Strips:** The creation of reserve strips adjacent to a proposed public way in such a manner as to deny access from adjacent property to such public way shall generally not be permitted. However, in extraordinary circumstances the Planning Commission may allow creation of a reserve strip to enable a more appropriate pattern of lots or public ways. Where such is created the Planning Commission must agree to any and all future depositions of same. A notation to this effect shall be entered on the final plat or approved as an auxiliary instrument attached thereto.

- 3-2 **Traffic Studies:** The Planning Commission may require a traffic impact study to be conducted based on combinations of density and uses in particular developments.

A. **Purpose:** The purpose of a traffic impact study shall be to identify what improvements, if any, are necessitated to offset the additional traffic generated by a proposed level of development. Such improvements might include the provision of traffic signals, turning lanes or road widenings. A traffic impact study (TIS) shall be required at the Preliminary Plat stage, but it may be required at the Conceptual Plan stage at the discretion of the Planning Commission for projects having access from arterial, collector or local collector roads. The TIS is required at the time of application for the Planned Unit Development.

B. **Requirements for a Traffic Impact Study:** A traffic impact study (TIS) may be required by the Planning Commission or City Engineer for any development that meets any of the following conditions:

1. Residential developments with more than fifty (50) dwelling units;
2. Nonresidential developments of more than twenty-five thousand (25,000) square feet;
3. Combinations of residential and nonresidential uses that would be expected to generate one thousand (1,000) vehicle trips or more per day, or one hundred (100) or more peak-hour trips; or,
4. Traffic safety considerations based on the evaluation of the City Engineer.

C. **Timing of Traffic Study Preparation:** A traffic impact study (TIS) shall be prepared and presented prior to the approval of the Preliminary Plat, or the Conceptual Plan, if applicable, where such study is required by these Regulations.

D. Scoping and Conducting a Traffic Study: If a Traffic Impact Study is required, the Developer or duly authorized agent shall:

1. Schedule and conduct a scoping meeting with the Developer and Engineer performing the Traffic Impact Study, the Public Works Director and City Engineer. This meeting will determine the scope and breadth of the Traffic Impact Study.
2. Consult with the Public Works Director and City Engineer prior to completing traffic projections and traffic analysis to obtain approval for background assumptions, directional distributions, and internal and pass-by reductions.
3. Submit a Draft Traffic Impact Study to the Public Works Director and City Engineer. The Public Works Department and City Engineer will review and comment on the draft report in conjunction with the review period of the offer.

E. Approval of Traffic Impact Study: The traffic impact study shall be approved by the Planning Commission, with all applicable performance requirements incorporated into any site and building plans.

F. Implementation of a Traffic Impact Study: The traffic impact study may take into account the capital improvements budget and may rely on improvements for which the City has adopted a resolution appropriating funds. Any required traffic improvements that have not been funded or otherwise completed by the City shall be completed by the developer prior to the issuance of a use and occupancy permit. When it can be demonstrated that a development will only partially contribute to the need for additional off-site improvements, the Planning Commission may require a pro-rata contribution. The City Engineer will certify that all traffic improvements to be provided by the developer or property owner have been properly bonded prior to building permit issuance and completed before a use and occupancy permit shall be issued.

- 33 **Public Way Surfacing and Improvements:** After underground utilities have been installed, the subdivider shall construct curbs with gutters, where required, and shall surface or cause to be surfaced public ways to the widths prescribed in these Regulations. No public way shall be surfaced until preliminary approval of the subdivision plat has been obtained. Surfacing shall be of such character as is suitable for the expected traffic. Types and methods of paving shall be according to the specifications of the Planning Commission, but in no event shall such construction be below the construction specifications set forth in Appendix 4, of these Regulations. Adequate provisions shall be made for culverts or other drains, and bridges, as required. All public ways pavements, shoulders, drainage improvements and structures, any curb turnabouts, and sidewalks shall conform to all construction standards and specifications adopted by the Planning Commission and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.
- 34 **Road Construction Specifications:** The road construction specifications are included in these Regulations as Appendix 4, and are adopted as a part hereof. These specifications shall be the minimum standards for any subdivision within the jurisdictional area.
- 35 **Right-of-Way Width Dedication on Existing Public Ways:** Where a subdivision adjoins an existing narrow public way or where the major street or road plan or any zoning setback provisions indicate plans for realignment or widening of a public way that would require use of some of the land in the subdivision, the subdivider shall be required to dedicate, at his expense, areas for widening or realigning such public way as set forth below:
- A. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing public way; or
 - B. When the subdivision is located on only one side of an existing public way, one-half (1/2) of the required right-of-way, measured from the center line of the existing pavement, shall be provided.
- 36 **Improvements in Floodable Areas:** The finished elevation of proposed public ways subject to flood shall be no more than one (1) foot above the regulatory flood protection elevation. The City may require profiles and elevations of public ways to determine compliance with this requirement. All drainage structures shall be sufficient to discharge flood flows without increasing flood height. Where fill is used to bring the finished elevation of any public way to the required elevation, such fill shall not encroach upon a floodway, and the fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Shelbyville Public Works Director or their designee.
- 37 **Access to Lot by Public Way or Private Easement:** Pursuant to §13-3-408, *Tennessee Code, Annotated*, no building permit shall be issued, and no building or structure shall be erected on any lot within the jurisdictional area, unless the public way giving access to the lot upon which the building or structure is proposed to be placed shall have been

accepted or opened or shall have otherwise received the legal status of a public way as provided by law. Provided, further, that when a permanent easement to a public way is used as access to a lot or tract of land having been or being separated from other property, such easement shall be at least 50 feet in width for the entire length and shall not be used to provide access to more than 2 lots or tracts of lands.

3-7-1 Two points of access to existing R.O.Ws. shall be required for all residential developments consisting of 125 -249 lots (and or units). For residential developments consisting of 250 or more lots, a third point of access will be required. The second and the third points of access may connect to adjacent developments as long as the adjacent development had direct access to existing R.O.Ws. In certain limited instances where the second or the third points of access cannot be reasonably provided, a traffic study is required to demonstrate that an adequate level of service can be met.

- 3-8** **Private Easements Functioning a Private Streets:** An easement to provide access for three or more lots shall be required to construct the access drive (i.e. the Private Street), that is located within the easement to the same standards as if it were being constructed and dedicated as a public street. Ownership, control, and maintenance of the Private Street shall be as outlined in Section 3-4 below.

Further, the Final Plat and the deed must show the easement and shall contain the following language: **"The easement for the common driveway shall run with the land and shall be binding on and shall insure to the benefit of all parties for whose benefit the common driveway exists, their heirs, successors and assigns."**

The above section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership of such private improvements which have been approved by the Planning Commission and will be in private ownership and control in perpetuity. Utility meters shall be located no further than 10 feet from the public right of way.

- 3-9** **Private Streets:** Where the ownership, control and maintenance of any street are proposed to remain in private ownership, such streets shall be constructed to the design and construction standards for public ways as herein provided. A permanent access easement over such streets shall be provided to each and every parcel or lot which is to gain access therefrom. All such private improvements shall be maintained by the developer/owner or by a legally established homeowners' association or other similar group approved by the Planning Commission. The legal documents establishing ownership and maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.

3-10 **Access to Arterials and Collectors:**

A. Residential Areas: Where a residential subdivision borders on or contains an existing or proposed arterial or collector route, the Planning Commission shall require that access to such public way be limited by one of the followings options:

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

3. The number of residential or local public ways entering on arterial or collector routes shall be kept to a minimum;
4. The provision of an alley for individual accesses. If an alley is used, then it shall be at least 20 feet in width.
5. A 10 foot landscaped buffer along minor collectors , a 15 foot landscaped buffer along major collectors, a 25 landscaped buffer along arterials. If the landscaped buffer is included, then access can be permitted to be directly from the new road that will be located between the landscaped buffer and the residential units.

B. Commercial/Industrial Areas: In areas zoned for commercial or industrial use, or where a change in zoning is requested for commercial or industrial use, the Planning Commission may require the street width be increased or that a service road be constructed to assure the free flow of traffic without interference by parked vehicles to ensure the public safety and welfare.

3-11 Topography and Arrangement of Public Access Ways:

1. **Arrangement of Continuing Public Ways:** The arrangement of public ways shall provide for the continuation of major public ways between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and when such continuation is in accordance with the major street or road plan. If the adjacent property is undeveloped and the public way must be a dead-end public way temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary T-, or L-shaped turnabout shall be provided on all temporary dead-end public ways as required in the following turnabout standards, with a notation on the subdivision plat that land outside the normal public way right-of-way shall revert to abutting property owners whenever the public way is continued.
2. **Arrangement of Dead-End Public Ways.** Where a public way does not extend beyond the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnabout shall be provided at the end of a dead-end public way in accordance with the design standards of these Regulations. For greater convenience to traffic and more effective police and fire protection, permanent dead-end public ways shall, in general, be limited in length in accordance with the design standards of these Regulations.
3. **Temporary Turnarounds.** A temporary turnaround, approved by the City Engineer, shall be provided on all temporary stub streets exceeding three hundred (300) feet in length, with a notation on the final plat that land outside the normal street right-of-way shall revert to abutting property owners' whenever the street is continued. The reconstruction of the temporary turnaround into the normal right-of-way shall be the responsibility of the attaching developer. Temporary turnabouts shall have a minimum slope of one (1) percent as measured from the center. Additionally, a sign shall be placed, in accordance with the requirements of these Regulations, at the terminus of

the temporary cul-de-sac that reads as follows: "Temporary Dead-End Street, Street to be extended by the authority of the City of Shelbyville".

- A. **Local Access Stub Streets.** Local Access stub 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 plan.
- B. **Collector and Lane Stub Streets.** Stub streets may be permitted or required by the City on collector streets provided that the future extension of the street is deemed desirable by the City and conforms to the adopted Major Street Plan.

4. **Reversed Frontage Lots and Access to Lots**

- A. Reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials, or to overcome specific disadvantages of topography and orientation.
- B. *Access from Arterial or Collector Public Ways:* In the interest of public safety, the Planning Commission may require that lots shall not derive access exclusively from arterial or collector public ways. Where driveway access from such public ways may be necessary for several adjoining lots, the Planning Commission may require that the lots be served by a combined access drive in order to limit possible traffic hazards. Driveways shall be designed and arranged so as to avoid requiring vehicles to back onto public ways of any classification.

5. **General Layout of Public Streets.**

- A. All public ways shall be arranged so as to obtain as many of the building sites as possible at or above the grades of the public ways. Grades of public ways shall conform as closely as possible to the original topography. A combination of steep grades and curves shall not be permitted. Specific design standards are contained in these Regulations.
- B. The use of public ways running in an east-west direction and lots on a north-south axis is encouraged for energy conservation of developments.
- C. All public ways shall be properly integrated with the existing and proposed system of public ways and dedicated rights-of-way as established on the major street or road plan or the land Conceptual Plan
- D. All public ways shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping areas or centers; to population densities; and to the pattern of existing and proposed land use.
- E. Minor public ways shall be laid out to conform as much as possible to the topography; to discourage use by through traffic; to permit efficient drainage and

utility systems; and to require the minimum ways necessary to provide convenient and safe access to property.

- F. The use of curvilinear streets, cul-de-sac, or "U"-shaped streets shall be encouraged where such use will result in a more desirable layout.
- G. Proposed public ways shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the subdivision design with the existing layout or the most advantageous future development of adjacent tracts.
- H. In business and industrial developments, public ways and other access routes shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

3-12 General Design Standards of Public Streets

1. **Purpose:** In order to provide public ways of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, sanitation, and road-maintenance equipment, and to coordinate public ways so as to compose a convenient and safe system and avoid undue hardships to adjoining properties, the public way design standards set forth in this Section are hereby required. (Public way classification shall be as indicated on the land Conceptual Plan or major street or road plan; otherwise, the public way shall be classified by the Planning Commission according to the definitions in Article VI, of these Regulations.)
2. **Intersections:**
 - A. Public ways shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new public ways at an angle of less than seventy-five (75) degrees shall not be permitted. An oblique public way should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) public ways shall intersect at any one point unless specifically approved by the Planning Commission.
 - B. Proposed new intersections along one side of an existing public way shall coincide, wherever practicable, with any existing intersections on the opposite side of such public way. Jogs within public ways having center line offsets of less than one hundred fifty (150) feet shall not be permitted, except where the intersected public ways have separated dual drives without median breaks at either intersection. Where public ways intersect arterial or collector routes, their alignment shall be continuous. Intersections of arterial or collector public ways shall be at least eight hundred (800) feet apart.

- C. Minimum curb radius at the intersection of two (2) minor public ways shall be twenty-five (25) feet, and minimum curb radius at an intersection involving a collector public way shall be thirty (30) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
- D. Where a public way intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide adequate sight distance.
- E. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two (2) percent grade for a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting public way.
- F. The cross-slope on all public ways, including intersections, shall be three (3) percent or less.

3. Minimum Width of Asphalt Roadway (exclusive of concrete curb & gutter)

Residential Public Ways

Minor	22'	(add 11' for each additional lane over 2)
Collector	24'	(add 12' for each additional lane over 2)
Arterial		As determined by appropriate government agency

Non-Residential Public Ways

Minor	24'	(add 12' for each additional lane over 2)
Collector	24'	(add 12' for each additional lane over 2)
Arterial		As determined by appropriate government agency

- 6. **General Design:** The general design of all public ways shall conform to the standards in the tables entitled "General Design Standards for Public Ways", which follow hereafter in this Article. Please refer to Appendix 2 of these Regulations for table of "General Design Standards for Public Ways".
- 7. **Excess Right-of-Way:** A slope easement in excess of the right-of-way designated in these Regulations may be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be less than three to one (3:1). Where solid rock is encountered slopes shall be one-half to one (1/2:1). A geotechnical engineer licensed to practice in the State of Tennessee shall certify the final cut slope.

3-13 Railroads and Limited Access Highways: Railroad right-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:

- A. In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening; the placement of structures hereon is prohibited."
- B. In commercial or industrial areas, the nearest public way extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial usage.
- C. Public ways parallel to a railroad, when intersecting a public way which crosses the railroad at grade, shall to the extent practicable, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

3-14 Bridges: Bridges of primary benefit to the subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the subdivider without reimbursement from the Planning Commission. The sharing of expenses for the construction of bridges not of primary benefit to the subdivider, as determined by the Planning Commission, shall be fixed by special agreement between the Planning Commission and the subdivider. The cost shall be charged to the subdivider pro rata as to the percentage of his development so served.

3-15 Design Standards and Layout of Blocks

- 1. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth. Exceptions to this prescribed block width may be permitted in blocks adjacent to major public ways, railroads, or waterways.
- 2. The lengths, widths, and shapes of blocks shall be determined with due regard to Provision of adequate building sites suitable to the special needs of the type of use contemplated; any zoning requirements as to lot sizes and dimensions; needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic; and limitations and opportunities of topography.
- 3. Block lengths in residential areas shall not exceed sixteen hundred (1,600) feet nor be less than two hundred (200) feet, except as the Planning Commission deems necessary to secure efficient use of land or desired features of the public way pattern. Wherever practicable, blocks along arterial or collector routes shall not be less than one thousand (1,000) feet in length.
- 4. Blocks designed for industrial or commercial uses shall be of such length and width as specified by any state, local or federal Regulations.
- 5. In any block, the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage, facilities, and/or pedestrian traffic.

3-16 Easements through Blocks: The Planning Commission may require the dedication of an easement through blocks to accommodate utilities, drainage facilities, or pedestrian traffic.

3-17 Pedestrian Ways:

1. A pedestrian walkway, not less than ten (10) feet wide, may be required by the Planning Commission through the approximate center of any block more than eight hundred (800) feet long, where deemed essential to provide circulation or access to a school, playground, shopping center, transportation facility, or other community facility.
2. Sidewalks and bicycle paths, where required by the Planning Commission, shall be included within the dedicated no pavement right-of-way of all public ways as indicated in the following table and shall be improved as required by these Regulations. Further, the Planning Commission may require perpetual easements at least 20 feet in width indicated on the plat to achieve such dedication.
3. Sidewalks shall be installed on both sides of the street. All pedestrian ways and curb ramps on public ways shall be installed in accordance with the most current Federal Americans with Disabilities Act standards. Concrete curb and gutter is required for all public ways where sidewalks are to be constructed.

MINIMUM SIDEWALK WIDTH (IN FEET)		
<i>Class of Street</i>	<i>Residential Public Ways</i>	<i>Non-Residential Public Ways</i>
Minor	5	6
Collector	5	6
Arterial	5	6

Article IV:
Specifications for Documents to be Submitted

Section

All submissions for the Concept Plans, the Pre-liminary Plats, the Construction Plans, the Final Plats and the “As-Built” drawings are required to include the PDF electronic files of drawings .

- 4-1 Concept Plan
- 4-2 Preliminary Plat
- 4-3 Construction Plans
- 4-4 Final Subdivision Plat

4-1 Concept Plan

1. **Purpose.** The Concept Plan is the first official plan required by these regulations. The purpose of this plan is to provide the Planning Commission and the Planning Commission staff with sufficient information to determine the practicality, suitability, and conformance with regulations of the proposed concept.
2. **When Concept Plans are Required.** A Concept Plan shall be required for any subdivision that will divide land into six (6) or more lots, include the construction and dedication of a public street, consist of phased development, or contain Critical Lots as defined by these Regulations. A concept plan may be required by staff pursuant to these Regulations for subdivisions with joint permanent easements, or due to drainage, grading, topographic and environmental considerations, access, or other such problems.
3. **Submission of Concept Plan.** The applicant shall submit the Concept Plan to the Planning Commission for consideration. Sufficient copies of the plan and related data, as required in these Regulations, shall be submitted to Planning Commission staff for distribution to each administrative agency having subdivision review responsibility.
4. **Public Meeting.** The Planning Commission shall consider the Concept Plan in a public meeting at its first regular meeting consistent with closing date for filing proposals as prescribed in the Shelbyville Municipal Planning Commission Bylaws. The developer will be notified of such meeting; their representative should be present.
5. **Planning Commission Action.** Following the public meeting, the Planning Commission will consider all recommendations and approve, approve subject to conditions, disapprove, or upon request of the developer, either in writing or at the meeting, postpone action or permit withdrawal of the Concept Plan. Approval of the Concept Plan by the Planning Commission is based on certification of City staff and reviewing agencies that the proposed development meets the development standards of the City of Shelbyville, and of the authorities having development review responsibilities, and all applicable regulations in effect at the time of certification of Preliminary Plat.

6. **Plan.** The Concept Plan shall consist of a scale drawing of the proposed concept of design, showing general roadway layout, tentative lot layout, and a general drainage plan. The drawing shall generally be contained on one sheet at a scale of not more than one hundred (100) feet to the inch. For large plans which cannot meet these specifications, the Planning Commission staff may allow the submission of drawings on multiple pages and/or a scale of up to two hundred (200) feet to the inch. The following information shall be shown on the plan. A specific checklist reflecting the text below can be found in Appendix 1 of these Regulations.
7. **Location Map.** A sketch showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or left corner, or other suitable place. The location sketch shall be drawn large enough to show the proposed subdivision's relationship to existing community facilities such as major traffic arteries, schools, and natural features, such as rivers and streams.
8. **Topography with contours at two foot intervals.** In areas where five foot contours are not available, the Planning Commission staff may allow the submission of lesser contours if they determine that closer intervals are not necessary for review.
9. **Boundary, existing and proposed roads.** Boundary of tract, name and location of all existing and proposed roads within and adjacent to tract, and all intersecting roads across adjacent roads from tract.
10. **Physical characteristics of the site.** Physical characteristics of the site, such as wetlands, sinkholes and depressions, major rock outcroppings, woods, natural waterways and other prominent physical features.
11. **Existing structures, existing utilities.**
12. **Title Block.** The title block of the Concept Plan shall contain the following information:
 - A. **Subdivision Name.** The proposed name of the subdivision shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Bedford County or the City of Shelbyville and shall be preceded by the words, "Concept Plan of _____."
 - B. **Person Identification:** The name, mailing address and telephone number of the property owner, the developer, the engineer, and any other persons directly involved in the transaction shall be indicated.
 - C. **Date and Scale.** The plan shall show the date of design, the north arrow pointing towards the top of the sheet and the scale which shall be at not more than one hundred (100) feet to the inch.

D. **Property Identification.** The property being subdivided shall be identified by the county tax collectors identification, block and parcel or lot number.

13. **Number of lots proposed and total acreage of tract.**

14. **Certification.** The Concept Plan and all accompanying drawings, documents and statements shall be certified as prescribed in these Regulations.

15. **Public or Private Roadways.** The Concept Plan shall designate whether the roadways shown to be developed are to be public roadways or joint permanent easements.

16. **Digital Media.** Submission of the Concept Plan in digital format (.pdf).

17. **Accompanying Drawings, Documents, Statements.** The following information shall accompany the Concept Plan:

A. **General Drainage Plan.** Showing existing drainage ways and probable location of major drainage structures including detention basins.

B. **Road Profiles.** At a horizontal scale equal to the horizontal scale of the land subdivision plan and a vertical scale of one-tenth (1/10) of the horizontal scale.

C. **List of required and proposed improvements.**

D. **Statement(s) or Letter(s) indicating the availability of public utilities.**

E. **Staking Roads.** The point of intersection of all perimeter roads with existing roads or with the boundary line of the tract must be staked prior to submission of the Concept Plan and the subdivision designer must meet in the field with reviewing agencies at their convenience; or the centerline of all roads must be staked prior to submission of the Concept Plan.

4-2 **Preliminary Plat**

1. **Purpose.** The Preliminary Plat is the second required submission. The purpose of this plan is to provide engineering documentation in sufficient detail to insure that the subdivision, including all improvements, is in conformance with the approved Concept Plan and Subdivision Regulations and meets the standards of the City of Shelbyville and of the utilities and administrative agencies having development review responsibilities.
2. **Submission of Preliminary Plat.** The applicant shall submit the required Preliminary Plat and related data to the appropriate utility and administrative agencies having development review responsibility.

3. **Approval of Preliminary Plat by Reviewing Agencies.** Approval of the Preliminary Plat by the appropriate reviewing agency assures consideration of a final plat of the subdivision which conforms with the approved Preliminary Plat. Such verification represents a commitment by the verifying agency to recommend the acceptance of improvements built according to the approved Preliminary Plat and its accompanying engineering documents so long as those are in minimum compliance with the requirements of these regulations. The Preliminary Plat shall not be approved until it is determined that the Plan is in compliance with the approved Concept Plan including all conditions of the Concept Plan approval that must be met prior to Preliminary Plat approval. Approval of Preliminary Plat shall not require or be interpreted to mean that a roadway shown on such plan will be recommended or accepted as a public roadway.
4. **Plat.** The Preliminary Plat shall consist of all detailed engineering design and construction drawings, calculations, and related documents necessary to construct the proposed subdivision in conformance with the approved Concept Plan, the standards of the City of Shelbyville and the standards set forth in these regulations. If the Preliminary Plat is not in substantial conformance with the Concept Plan, or all standards and design criteria cannot be met, a new or revised Concept Plan must be submitted for Planning Commission approval. The following information shall be shown on the plan. A checklist for the information below may be located in Appendix 1 of these Regulations.
5. **Plat Information.** Location map, number of lots and total acreage, subdivision name and unit number, person identification, date and scale, property identification, as prescribed in these Regulations.
6. **Dimensional Information.** Final dimensions and bearings for all lot lines, tract boundary, roads, and required or proposed easements and lot numbers, and proposed building setback with distance from street right-of-way if other than the minimum required by zoning.
7. **Benchmarks.** All subdivisions of five (5) or more lots must have a benchmark installed or be referenced to an existing benchmark. Such structures as poured concrete headwalls or sewer inverts may be deemed acceptable for designation as benchmarks at the discretion of the responsible administrative agency.
8. **Drainage and Utilities.** Location, size and capacity of all drainage facilities including ditches, culverts, pipes, catch basins, detention basins, including final location, location of utilities, and related easements.
9. **Non-Residential Designations.** The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc., and the name, acreage, and any other uses (except houses) such as multi-dwelling structures, shopping centers, churches, etc., shall be indicated.

10. **Other Conditions.** Other conditions on the tract to be shown on the Preliminary Plat shall include the following information: Watercourses, wetlands, sinkholes and depressions, major rock outcroppings, woodlots, railroads, bridges, or other structures.
11. **Public or Private Roadways.** The Preliminary Plat shall designate and identify each roadway as to whether it shall be a public roadway or joint permanent easement.
12. **Accompanying Drawings, Documents, Calculations.** The following detailed information shall be submitted to the reviewing agencies and must be approved by the appropriate agency as an integral part of the Preliminary Plat.
13. **Horizontal and vertical roadway design data.** Typical cross sections of each proposed type of street at a scale of ten (10) feet or less to the inch showing the width and depth of pavement, the location and width of rights-of-way and sidewalks, the location of sewer, water, and drainage facilities, must be included.
14. **Drainage Plan.** Calculations of structure sizes and storage requirements.
15. **Detention basin details and available storage.**
16. **Horizontal and vertical design data.** Horizontal and vertical design data including typical cross sections for open drainage ways and ditches and proposed treatment of disturbed drainage ways to avoid erosion and sedimentation (seeding, sodding, riprap, paving, other).
17. **Utility Plans.** The utility plans shall contain the following information concerning existing and proposed utilities including sanitary sewers, water lines, storm sewers, and existing gas, telephone, and electrical lines.
 - A. The location, sizes, and capacities, where appropriate, of all water mains, manholes, pumping stations, standpipes, reservoirs, valves, fire hydrants, and similar facilities, and the locations and dimensions of specific easement areas related thereto.
 - B. A plan and profile including invert elevation of all sanitary sewers, manholes, lift stations, treatment plants, and similar facilities, and the locations and dimensions of specific easement areas related thereto. The vertical scale of profiles shall be one tenth (1/10) of the horizontal scale, as required by the Tennessee Department of Health.

4-3 Final Plat:

1. **Purpose.** All subdivision plats shall receive their second official consideration by the Planning Commission as Final Plats.

2. **Submission of Final Plat.** After the Design Plan has been approved by the appropriate utilities and reviewing agencies, the applicant may submit the final plat for Planning Commission consideration.
3. **Incomplete Final Plats.** Incomplete final plats must be completed and paper copies containing all relevant corrections, certifications, verifications, and approvals must be submitted not less than 9 days prior to the date of the scheduled public meeting or such plat will not be approved by the Planning Commission. Any plat remaining incomplete after this deadline may be postponed to a subsequent meeting or withdrawn upon request in writing. The Planning Commission may waive the nine (9) day deadline with just cause presented to the Commission at a scheduled meeting.
4. **Time Lapse.** Unless a time extension has been requested by the developer and granted by the commission, the Final Plat of the first unit shall be submitted within twenty-four (24) months of the approval date of the Concept Plan; otherwise the plat cannot receive Final Plat consideration, but shall be considered as, and resubmitted as, a new Concept Plan. Final Plat approval of each unit of the subdivision will extend the valid period of the Concept Plan twenty-four (24) months. However, no Concept Plan shall be in effect after five (5) years unless a time extension of up to five years from the last unit is requested by the developer and granted by the Planning Commission.
5. **Public Meeting.** The Planning Commission shall consider the Final Plat in public meeting at its first regular meeting consistent with the closing date for filing proposals as prescribed in the Shelbyville Municipal Planning Commission Bylaws. The developer will be notified of such meeting, and he or his representative should be present.
6. **Planning Commission Action.** Following the public meeting, the Planning Commission will review all recommendations and information presented at the meeting, and consider approval of the Final Plat.
7. **Certification for Recording.** Within twelve (12) months from the date of approval by the Planning Commission, the Final Plat shall be submitted to Planning Commission staff for final certification and recorded in the office of the Bedford County Register of Deeds; otherwise, the plat cannot be certified, but shall be resubmitted for consideration by the Planning Commission.
8. **Plat.** The Final Plat is the official survey instrument to be recorded with the Bedford County Register of Deeds. It provides all surveying data necessary for the accurate and legal transfer of property. The record plat, together with statements from the appropriate agencies certifying approval of the Design Plan and its related documents, comprises the Final Plat submission package. The Final Plat shall conform to the Preliminary Plat and shall be prepared in the following manner:

- A. **Scale.** The Final Plat shall be drawn to a scale of one hundred (100) feet or less to the inch. Under special circumstances, the plat may be drawn at a larger scale with the approval of the Secretary of the Planning Commission or his or her designee, and so long as the information required to be placed on the plat is legible.
- B. **Size and Border.** The Final Plat shall be drawn on a sheet eighteen (18) inches by twenty-four (24) inches. In order to reduce the number of pages in a multi-sheet final plat, the plat may be drawn on a sheet twenty-four (24) inches by thirty-six (36) inches. All information placed on the plat shall be at a scale that is legible.
- C. **North Point.** The Final Plat shall be so oriented that the north point will be directed as nearly as possible toward the top of the page with the two (2) inch binding edge on the left.
- D. **Page Numbering.** When more than one sheet is used for any Final Plat, each sheet shall be numbered consecutively and shall contain a notation indicating the total number of sheets in the plat. In addition, an index sheet of the same dimensions shall be required showing the entire subdivision, the sheet numbers, and outlines for each separate sheet of the Final Plat.
- E. **Survey Accuracy.** All subdivision plats shall comply with the standards of practice of the current edition of *Tennessee Land Surveyors Laws and Regulations*, and shall be Category I surveys as defined by those regulations.
- F. **Mapping and Engineering Information.** The lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract or intersecting roads adjacent to or paralleling the boundaries of the tract.
- G. **Street Lines on Adjacent Land.** Show the exact location with dashed lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract or intersecting roads adjacent to or paralleling the boundaries of the tract.
- H. **Monument References and Survey Control Requirements.**
 - 1. **Monument References.** Show the accurate location of all permanent reference monuments and show the bearings and distances to the nearest established street boundaries, established survey lines, or other official monuments.
 - 2. **Survey Control System Requirements.** All subdivisions within the City of five (5) or more lots and all re-subdivisions within the City which combine or alter five (5) or more lots that have a property line or iron pin located within two thousand (2000) feet of an approved control point in the city survey

control system shall be tied to the system. All other subdivisions within the city that have a property line or iron pin located within two hundred (200) feet of an approved control point in the city survey control system shall be tied to the system. Coordinates of the approved control point shall be shown on the plat and all bearings shown on the plat shall be oriented to the survey control system. The tie line shall show the bearing and distance between the approved control point and the subdivision.

- I. **Owners of Adjacent Land.** For adjacent land which is platted, show the boundaries with dashed lines and the recorded name of the subdivision. For adjacent land which is unplatted, show the boundaries with dashed lines and the name of the owners of record.
- J. **Boundary Lines of Tract.** In a line style and weight which will distinguish the developer's property from all adjacent property show the tract boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest minute, or better. These boundaries shall be determined by an accurate survey in the field. A boundary closure sheet, utilizing the bearings and distances shown on the plat, is required and shall be submitted when the Final Plat application or Administrative Plat is filed with the Planning Commission.
- K. **Street, Easement, and Lot Lines on Tract.** For street rights-of-way, show the names, bearings, angles of intersection, and widths including the widths along the line of any obliquely intersecting street. For all arcs, show the arc lengths, radii, points of curvature and tangency, and their chord bearings and lengths. For all easements or other rights-of-way, show the location, width, and actual name and purpose (gas line easements, etc.). For all lot lines, show horizontal dimensions to hundredths of a foot and their bearings to the nearest one-half minute of horizontal arc unless they lie normal to street boundaries. The Final Plat shall designate and identify each proposed street and road as to whether it shall be a public roadway or joint permanent easement.
- L. **Easements, Dedications and Reservations.**
 - 1. **Customary and Special Easements.** The Final Plat shall show customary and special easements as required in these Regulations.
 - 2. **Reservations and Dedications on Tract.** Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision with the purpose also plainly printed thereon.
- M. **Site Physical Features.** The Final Plat shall clearly indicate the location of lakes, streams, and floodway zones or such other physical features as may be required to be shown by the Planning Commission or other appropriate administrative agency.

- N. **Location Map.** A sketch showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or upper left corner. The location sketch shall be drawn to a scale large enough to show the proposed subdivision's relationship to existing community facilities, such as major traffic arteries, schools, and natural features, such as rivers and streams.
- O. **Lot Numbers, Setback Lines, and Restrictions on Tract.** Show the lots numbered in numerical order and blocks lettered in alphabetical order; if use of blocks is not desired, number all lots in the entire subdivision in numerical order; show the front yard setback building lines with depth only when they are greater than the building setback required by the Zoning Ordinance; and if any private restrictions exist, show boundaries of each type of use restriction and any other restrictions.
- P. **Title Block.** The title block for the Final Plat drawing shall contain the following information:
1. **Subdivision Name.** The name of the subdivision and, where the plat at hand is only part of a larger subdivision bearing the same name, the unit number shall be indicated. Such subdivision name **shall not duplicate or closely approximate any other subdivision name in the city or county.** A subdivision divided by an expressway, major or minor arterial street or major or minor collector street must have a different name for the subdivision located on each side of said street. Each unit of a subdivision with the same name must be connected by interior streets. The name of the subdivision shall be preceded by the words "Final Plat of _____."
 2. **Property Identification.** The property being subdivided shall be identified by the Bedford County Property Assessor's identification number and city ward, block, and lot number.
 3. **Person Identification.** The name, mailing address and telephone number of the property owner, the developer, the engineer, and any other persons directly involved in the transaction shall be indicated.
- Q. **Legend Information.** The graphic scale, written scale, north point, date of preparation, acreage, number of lots and any other pertinent legend information should be indicated.
- R. **Plat Certifications.** The appropriate certifications with required signatures shall be affixed to all plans and Final Plats. Plat Certificates may be located in Appendix 2 of these Regulations.

4-4 **Construction Plans**

1. **General.** Construction plans shall be prepared for all improvements required by these Regulations. Plans shall be drawn at a scale no larger than fifty feet to one inch (1"=50'). Plans shall be in compliance with the specifications in Article IV, of these Regulations. Approval of plans must precede actual construction, and no final plat shall be considered by the Planning Commission until the required plans have been approved. The construction plans shall be prepared and stamped by a licensed engineer engaged in the practice of civil engineering.
2. **Construction Plan Contents.** The required contents of construction plans may be found in Appendix 1 of these Regulations. All elevation information shall be tied to State Plane NADA 83 network.
3. **Approvals:** Approval of plans must precede actual construction, and no final plat shall be submitted to the Planning Commission until the required plans have been reviewed and approved. The construction plans shall be prepared and stamped by a licensed professional engineer in accordance with the following policies:
 - A. Land surveying, measurement and calculation of areas, boundaries, property lines, the subdivision of property and the platting thereof must be done by a surveyor and his drawing must bear their seal.
 - B. Subdivision road alignment, road grades, cutting and filling of subdivision lots, and changes to the topography which involves a final grading plan may be performed by either an engineer or a surveyor, the designer's seal must be applied to the drawing. In localities where instability of final grades and slopes requires analysis of soils to prevent conditions hazardous to life and property, design of roads, slopes, ditches, and building sites must be done by an engineer.
 - C. Water lines, sewer lines, electric power lines or other utilities not existing prior to development shall not be shown on construction plans unless that drawing bears the seal of the engineer who designed them. Culverts under roads, having open ends, leading from one road ditch to the other, which are prefabricated manufactured pipes, may be shown on a subdivision drawing sealed by either a surveyor or an engineer.
 - D. Drainage design for special consideration, such as storm water retention/detention ponds, flood control or curb inlets and integrated storm sewers, may be performed by either an engineer or surveyor, except in situations where the city engineer has determined that a more detailed engineering study is warranted. In such cases, additional calculations shall be required and must be prepared and stamped by a licensed engineer.
 - E. Design of road alignment, grades, and drainage for all streets identified as collector or arterial streets on the major road plan shall be completed and sealed by a licensed professional engineer.

Article V:
Assurance for Completion and Maintenance of Improvements

Section

- 5-1 Letters of Credit and Required Improvements
- 5-2 Public Improvements and Letters of Credit
- 5-3 Completion of Improvements
- 5-4 Inspection of Improvements
- 5-5 Release or Reduction of Letters of Credit
- 5-6 Issuance of Building Permits and Certificates of Occupancy

5-1 Letters of Credit and Required Improvements

1. The Planning Commission shall not waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the final subdivision plat unless the applicant posts an Irrevocable Letter of Credit at the time of submission for final subdivision approval in an amount calculated in accordance with these Regulations and considered sufficient by the City Engineer and City staff to guarantee the satisfactory construction, installation, and dedication of the uncompleted portion of required improvements.
2. Such Irrevocable Letter of Credit shall comply with all statutory requirements and shall be satisfactory to legal counsel as to form, sufficiency, and manner of execution, as set forth in these Regulations. The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the final subdivision plat; said date shall be incorporated in the Irrevocable Letter of Credit and shall not exceed two (2) years from date of final approval. If improvements are not completed in a manner satisfactory to the City of Shelbyville, the City shall call the Irrevocable Letter of Credit.
3. Any letter of credit shall be drafted so as to represent an obligation of the financial institution to the City and not an obligation to the permittee. All Letters of Credit, and each provision thereof, shall be governed and construed in accordance with the Uniform Customs and Practice for Documentary Credits (I 983 Revision and subsequent revisions), International Chamber of Commerce, Publication 400 and Sections T.C.A. §47-5-101 through §47- 5-118.
4. Such letters shall be for one (1) year and shall be automatically renewable for successive one (I) year periods without any effort on the part of the City. They shall be renewed until released by the City. However, said letters may be revoked after giving the City written notice with ninety (90) days opportunity to cash the letter. Such notice shall be by certified mail, return receipt requested.

5-2 Public Improvements and Letters of Credit:

1. The Planning Commission shall require the applicant to indicate on the plat all public ways and improvements to be dedicated; all districts for water, fire, and utility improvements which shall be required to be established or extended; and any other special requirements deemed necessary by the Planning Commission in order for the subdivision plat to conform to the major street, road plan and the land Conceptual Plan.
2. The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the Secretary of the Planning Commission.
3. If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final subdivision plat, an adequate Irrevocable Letter of Credit shall be approved.
4. The amount of such Irrevocable Letter of Credit shall be established by the Planning Commission based upon the recommendation of the appropriate governmental representative, plus an additional ten (10) percent to adjust for inflation. It is the subdivider's responsibility to furnish these estimates to the Planning Commission. Such surety shall be submitted by the applicant at the time of application for final subdivision plat approval. The initial Irrevocable Letter of Credit shall include (10) percent for inflation adjustment. An additional (10) percent shall be added each year subsequent to the initial year to the amount in the original Irrevocable Letter of Credit.
5. Shelbyville Power, Water and Sewerage may require a separate bond for the installation of utilities.

5-3 Completion of Improvements:

1. **General:** Before the final subdivision plat is signed by the Planning Commission officer specified in these Regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the appropriate governmental representative, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these Regulations and approved by the Planning Commission, and shall dedicate such improvements to the appropriate governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated. Generally, the final paving course shall not be applied until all of the houses in the subdivision, or phase thereof, fronting along a street are completed. Where maintenance, safety or an unforeseen problem is created by the absence of the final paving course, paving may be allowed of a street prior to construction of all of the houses fronting along a street. The City may permit final paving to occur and the City Engineer may require establishment of an Irrevocable Letter of Credit in an amount sufficient to guarantee maintenance of the streets. The City Engineer may permit the Irrevocable Letter of Credit to be renewed if additional time is needed to complete further build-out of the subdivision.

2. **Temporary Improvements:** The applicant shall build and pay for all costs of temporary improvements required by the Pre-Planning Committee, and shall maintain them to a reasonable satisfaction for the period specified by the Pre-Planning Committee. Prior to construction of any temporary facility or improvement, the applicant shall file with the City of Shelbyville a separate suitable Irrevocable Letter of Credit for temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, and removed.
3. **Costs of Improvements:** All required improvements shall be made by the applicant at his expense. Any provisions for reimbursement by the governing body or any utility agency shall be stipulated clearly in the provisions of any sureties.
4. **Deferral or Waiver of Required Improvements:** Whenever it is deemed necessary by the Planning Commission to defer construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or other reasons, the Developer shall either pay his share of the costs of the future improvements to the governing body prior to signing of the Final Subdivision Plat or post an Irrevocable Letter of Credit in twice the amount of the initial Construction Letter of Credit, ensuring completion of said improvements.
5. **Failure to Complete Improvements:** In subdivisions for which no surety instrument has been posted, improvements that are not completed within the period specified by the Planning Commission in the resolution approving the plat shall be deemed to have expired. In those cases in which a surety instrument has been posted and required improvements have not been installed within the terms of such surety, the Planning Commission shall declare the surety to be in default and subsequently require that all the improvements be installed regardless of the extent of the building development at the time surety is declared to be in default.
6. **Acceptance of Dedication Offers:** Acceptance of formal offers of dedication of public ways, easements, and parks shall be by formal action of the governing body. Such action shall be in the form of a resolution recommended by the Planning Commission to the governing body. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government of any public way, easement, or other ground shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

5-4 **Inspection of Improvements**

1. **General Procedure:** The Planning Commission may provide for inspection of required improvements during construction by a designated governmental representative to ensure their satisfactory installation and completion. If the Inspector finds upon inspection that any of the required improvements have not been constructed in accordance with stated Regulations of the City of Shelbyville,

including construction standards and specifications, the applicant shall be responsible for completing the improvements to the required standards. Prior to the repair of the deficient improvements, the Applicant shall provide to the City of Shelbyville an addendum to the posted Irrevocable Letter of Credit an amount sufficient to cover the cost of repairs. The amount specified in the Addendum shall be refunded to the developer when the infrastructure is properly installed and approved by the inspecting entity.

2. **Construction Debris:** It shall be the responsibility of the developer to clean the construction area upon the completion of any and all construction. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy for any lot. Nor shall any such waste be left nor deposited in any area of the subdivision at the time of expiration of the Irrevocable Letter of Credit or dedication of public improvements, whichever is sooner. It shall be the responsibility of the developer/ developers to repair all damage to public roadways and other public property and restore them to the condition prior to damage before any reduction or release of Irrevocable Letter of Credit is made.
3. **Fencing:** Each subdivider or developer shall be required to furnish and install fences where the Planning Commission determines that a hazardous condition may exist. Such fences shall be constructed according to standards established by the Planning Commission, as appropriate, and shall be noted as to height and material on the final plat. No fences shall be placed within any proposed or existing easements. No final Certificate of Occupancy shall be issued until such fence improvements have been installed.

5-5 Release or Reduction of Irrevocable Letter of Credit

- I. **Certificate of Satisfactory Completion:** The Planning Commission shall not recommend dedication of required public improvements nor shall the Planning Commission release nor reduce an Irrevocable Letter of Credit until the appropriate governmental representative submits a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the Planning Commission) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the governing body, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in these Regulations.
2. **Reduction of Irrevocable Letter of Credit:** An Irrevocable Letter of Credit may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall an Irrevocable Letter of Credit be

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

3. **Maintenance of Improvements:** The applicant shall be required to maintain all improvements, including all lot improvements, until acceptance of the public improvements by the governmental body. The applicant may be required to file an Irrevocable Letter of Credit with the Planning Commission prior to dedication, in an amount considered adequate by the appropriate governmental representative and in form satisfactory to legal counsel in order to assure the satisfactory condition of the required improvements, including all lot improvements, for a period of one (1) year after the date of acceptance of the public improvements by the Planning Commission. Permanent streets designated as construction routes within a subdivision shall be maintained for a time period specified in the Dedication Agreement submitted in accordance with the offer for street dedication. Streets other than those designated as construction routes shall be maintained as provided herein. The final paving course shall be applied at the discretion of City Officials. A maintenance agreement shall be developed and held in place until all houses facing such street(s) are constructed or for a time period specified in the Dedication Agreement submitted in accordance with the offer for street dedication.

5-6 Issuance of Building Permits and Certificates of Occupancy

1. Where an Irrevocable Letter of Credit has been required for a subdivision, or any section of a subdivision, no Certificate of Occupancy for any building in the subdivision or section thereof shall be issued prior to the completion and dedication of the improvements to the appropriate governmental unit, as required in the Planning Commission's resolution of final approval of the subdivision plat.
2. The extent of public way improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment prior to the issuance of an occupancy certificate. The developer shall at the time of the dedication submit monies to the Planning Commission in a sum to be determined by the appropriate governmental representative.
3. No building permits shall be issued until all public improvements have been installed, except top coat of paving, and all public improvements required by the Planning Commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the governmental body. Said differently, the top coat of asphalt is the only improvement left to be installed.

**Article VI:
Requirements for Improvements, Reservations, and Design**

Section

- 6-1 General Requirements
- 6-2 Lot Requirements
- 6-3 Lots Located on Steep Slopes (Critical Lots)
- 6-4 Soil Preservation, Grading, Erosion Control, and Seeding
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- 6-8 Dedication of Drainage Easements
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- 6-11 Utility Easements
- 6-12 Public Uses
- 6-13 Preservation of Natural Features and Amenities
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6-1 General Requirements

1. **Conformance to Applicable Rules and Regulations:** Plat approval may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in these Regulations and all applicable local, State and Federal laws, ordinances, resolutions, and laws.
2. **Self-Imposed Restrictions:** If the owner places restrictions on any of the land contained in the subdivision greater than those required by any *Zoning Ordinance* or these Regulations, such restrictions or reference thereto shall be recorded with the Bedford County Register of Deeds on a separate form, along with the final subdivision plat in the office of the Bedford County Register of Deeds.
3. **Grade Changing:** Where grade changing is required in any subdivision, contour grading techniques shall be used, where practicable, to provide a natural-appearing transition between grades. The angle of any graded slope shall be gradually transitioned to the angle of the natural terrain. Slopes of thirty-three (33) percent or less may contain turf but, wherever practicable, vegetation other than turf that increases the natural appearance shall be used. All vegetated embankments shall have a check swale at the top. No reinforced embankment shall exceed fifty (50) percent.
4. **Grade Changing Devices:** Grade-changing devices required for development of land, such as retaining walls, shall be clearly designated on the construction plans and illustrations of each device shall be included. For interlocking walls, vines

and groundcover to provide a more natural finish to coarse walls is encouraged. Grade changing devices shall:

- A. Avoid obstructing driveway connections between building lots for non-residential development.
 - B. Avoid creating precipitous grade changes, including through the use of retaining walls that could result in safety hazard(s) to occupants of the development or to the general public.
 - C. Generally limit the height retaining walls in or abutting residential development. Excessive grade changes shall be managed with terraces formed by a series of low retaining walls or by a combination of contoured slopes and low retaining wall(s).
5. **Monuments:** The subdivider shall place permanent reference monuments on the subdivision as required herein and as approved by a licensed surveyor. Monuments may be iron rods, pipes or pins. Monuments shall be located and set as follows:
- A. Monuments shall be located on public way right-of-way lines, at public way intersections, and sections, and at the beginning and ending point of curves.
 - B. All monuments shall be spaced so as to be within sight of each other.
 - C. The external boundaries of a subdivision shall be monumented in the field by markers not less than two feet-six inches (2'-6") in length; nor 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. These monuments shall be placed not more than fourteen hundred (1,400) feet apart in any straight line and at all corners or breaks at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along a meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a public way or proposed future public way, the monuments shall be placed on the side line of the public way.
 - D. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field at each end of all curves, at a point where a river changed its radius, and at all angle points in any line. All lot corners not falling on any of the above described points shall be marked by iron rods, pipe, or pins at least eighteen (18) inches long and five-eighth (5/8) inch in diameter.
 - E. 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-eighth (5/8) inch in diameter or by round or square iron bars at least eighteen (18) inches long. Such pins shall

be placed at the point of intersection of the river or stream and lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

- F. All monuments and pins shall be properly set in the ground and approved by a licensed surveyor prior to the time the Planning Commission recommends approval of the final plat or release of the Irrevocable Letter of Credit where Irrevocable Letter of Credit is made in lieu of improvements.
6. **Character of the Land:** Land which the Planning Commission is advised by qualified personnel to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which would be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless alternative adequate methods are formulated to mitigate such potential for harm. Said methods shall be developed by the developer and reviewed by the appropriate governmental representatives of the City of Shelbyville, and be subsequently approved by the Planning Commission before construction commences or resumes. Where protection against flood damage is necessary, flood-damage protection techniques shall be required in accordance with the adopted provisions of the City of Shelbyville and the National Flood Insurance Program.
7. **Subdivision Name:** The proposed name of the subdivision, nor any streets contained therein, shall duplicate or too closely approximate phonetically the name of any other subdivision in the City of Shelbyville or Bedford County. The Planning Commission shall have authority to designate the name of the subdivision which shall be determined at conceptual or preliminary plat approval.

6-2 **Lot Requirements**

18. **General:** The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography, flood hazards, or other conditions in securing building permits to build on all lots in compliance with any *Zoning Ordinance* and state and county public health department Regulations and in providing driveway access to buildings on such lots from an approved public way.
19. **Solar Access:** Where reasonably feasible lot arrangement shall be such that building sites will afford maximum utilization of energy conservation measures, such as providing for solar access.
20. **Lots Subject to Flood:** Where a lot in any flood prone area must be improved to provide a building site free from flooding, such improvements shall be made outside the floodway by elevation or fill to at least the regulatory flood protection elevation (one hundred-year flood) for a distance extending at least twenty-five (25) feet beyond the limits of intended structures and, additionally, extending a sufficient

distance to include areas for subsurface sewage disposal if the lot is not to be connected to a public sanitary sewer system. Any fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Planning Commission. All construction shall be in accordance with the provisions of the National Flood Insurance Program requirements. In nonresidential building sites outside a floodway but subject to flooding, the use of structural flood proofing methods specified in these Regulations, as an alternative to landfill, may be approved by the Planning Commission, as provided in these Regulations and in accordance with all applicable state, local and federal Regulations.

21. **Lot Dimensions:** Lot dimensions shall comply with the stated standards of the City of Shelbyville Zoning Ordinance. Where lots are more than double the minimum area required by the City of Shelbyville Zoning Ordinance, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future public ways where they would be necessary to serve such potential lots, all in compliance with any Zoning Ordinance and these Regulations. Generally side lot lines shall be at right angles to street lines or radial to curving street lines.
22. **Building Setback Lines:** In the case of electric transmission/distribution lines where easement widths are not definitely established, a minimum building setback line from the center of the transmission line shall be established as follows:

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

- 6-3 Lots Located on Steep Slopes (Critical Lot):** Due to the potential threat to health and safety posed by development located on lands with slopes in excess of fifteen (15) percent, the following Regulations shall apply (The maximum permitted slope for the first ten (10) feet from the Public R.O.W for driveways is six (6) percent unless a prior approval is obtained from the City Engineer):

- I. **Project Conceptual Plan Required:** Whether a minor or major subdivision, no building permit shall be issued for a building or any lot with slopes fifteen (15) percent or over until a site plan meeting the following requirements has been approved by the Planning Commission. Said site plan shall show:
 - A. The exact size, shape, and location of the lot;
 - B. Lots that contain steep slopes shall be indicated as such on the final plat by an asterisk or some other identifier.
 - C. The proposed location of all buildings, driveways, drainage ways, and utilities;

- D. Proposed contours at vertical intervals of no more than five (5) feet;
 - E. The extent of natural tree cover and vegetation;
 - F. The type and location of erosion control methodology;
 - G. The surveyor's or engineer's stamp that prepared the plan;
 - H. Certification as to the stability of the structures and slope and compliance with sound construction methods for areas with steep slopes and landslide problems by a registered civil or geotechnical engineer.
2. **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 shall address these standards:
- A. Natural vegetation shall be preserved to the maximum extent possible;
 - B. 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;
 - C. Development densities shall be limited to one (1) dwelling unit per two (2) acres of land;
 - D. Operations that increase loads reduce slope support, and cause instability of the slope shall be prohibited to the maximum extent possible which will permit reasonable development of the site. These include filling, irrigation systems, and accessory buildings.
 - E. Erosion control measures shall be employed to prevent all soil material from leaving the site. Additionally, soil from excavation on the site shall not be disposed as fill on a potential slide area;
 - F. No construction which would cut the top of the slope shall be permitted. This shall apply as well to subdivision roads constructed in compliance with these Regulations.

6-4 Soil Preservation, Grading, Erosion Control, and Seeding: No Certificate of Occupancy shall be issued until final grading has been completed in accordance with the approved construction plan, and topsoil shall not be removed from residential lots or used as spoil. At least four (4) inches of topsoil cover between any sidewalks and curbs shall be present, and be stabilized by seeding or planting. Further, there shall be a minimization of changes in the rate of natural erosion and sedimentation which result from the development process. An erosion and sediment control plan shall be presented

with the construction plans submitted in conformance with these Regulations. The developer shall be required to comply with all applicable requirements of the Shelbyville Storm Water Management Manual. Such plans shall incorporate the following principals:

1. Clearing and grading shall be integrated with layout design;
2. Clearing shall be minimized and existing vegetation shall be preserved to the maximum feasible degree;
3. Grading shall be strictly limited to those areas involved in current construction activities;
4. Disturbed areas shall be protected and stabilized as soon as possible;
5. Structural and vegetative measures to control the velocity and volume of runoff shall be required;
6. Sediment basins and traps shall be required as necessary;
7. Adequate maintenance of all planting and structures measures shall be assured.

6-5 Lot Drainage

1. Lots shall be laid out so as to provide positive drainage away from all buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area which includes subsurface drainage. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots. The City of Shelbyville reserves the right to set minimum elevations on all floors, patios, and building equipment. This prerogative to establish elevation exists in addition to any ordinances that refer to floodplain elevation requirements.
2. The Building Official or other designee of the City of Shelbyville shall set said elevation requirements. The content of the preceding paragraph is to give summary review powers over any calculated or historical evidence of storm water presence in overland or channel conditions. The subdivision developer will insure that all artesian ground waters of a permanent or temporary nature will be intercepted and carried away to primary drainage conduits along swale ditches or in underground pipes on property line easements. Regardless of the location of property lines, intercept may be allowed by the City of Shelbyville at the point of artesian surfacing. The intent of this paragraph is to prevent flooding by overland flow.
3. The developer is obligated to perform this work upon evidence of artesian water for a period of one (1) year following acceptance of all roads and utilities. Any sinkhole or natural channel which serves at any time as a means of moving ground water into the subterranean serves will be protected using methods approved by the Tennessee Department of Environmental Conservation. The allowed alternative to this is the construction of an alternative means of storm water relief as approved by the Planning Commission upon recommendation by City of Shelbyville staff. In any event, location and elevation of future construction will be designated to allow for the worst possible conditions.

4. *Debris and Waste:* No cut trees, timber, debris, junk, rubbish, or other waste materials of any kind shall be buried in any land or left deposited on any lot or public way. In areas of major or minor subdivision development, such debris and waste shall be removed at the time of expiration of the surety instrument or dedication of public improvements, whichever comes sooner. Removal of such waste shall be required prior to issuance of any Certificate of Occupancy.
5. *Fencing:* Each subdivider or developer shall be required to furnish and install all fences wherever the Planning Commission determines such fencing is necessary. Such fences shall be constructed according to standards established by City of Shelbyville as appropriate, and shall be noted on the final plat as to height and required materials. No Certificate of Occupancy shall be issued for any affected lot until such fence improvements have been installed.

6-6 **Water Bodies and Watercourses:** If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The City of Shelbyville Municipal Planning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a governmental responsibility. No more than ten (10) percent of the minimum area of a lot required under the City of Shelbyville *Zoning Ordinance* may be satisfied by land which is under water. Where a watercourse separates a buildable area of a lot from the public way by which it has access, provisions shall be made for installation of a culvert or other structure approved by the Planning Commission and no Certificate of Occupancy shall be issued for a structure on such a lot until the installation is completed and approved by the City of Shelbyville Municipal Planning Commission and/or the appropriate governmental representative.

6-7 **Drainage and Storm Sewers:** The Planning Commission shall not approve any plat of a subdivision which does not make adequate provisions for storm water or floodwater run-off channels or basins. The storm water drainage system shall be separate and independent from any sanitary sewer system. The subdivider may be required by the Planning Commission to transport by pipe or open ditch any spring or surface water that may exist prior to or as a result of the subdivision. Such drainage facilities shall be located in the public way right-of-way, where feasible, or in perpetual unobstructed easements of appropriate width and shall be constructed in accordance with the construction specifications contained in these Regulations. The design of storm sewers shall be at 10, 25, and 100 spread of width calculators. Permanent storm water control facilities such as, but not limited to, retention, detention ponds and riparian buffers are required to be located within common areas and are not permitted to be included on private parcels. All the common areas are required to be maintained by the Home Owners' Association.

1. **Accessibility to Public Storm Sewers:** Where a public storm sewer is accessible, the developer shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the appropriate governmental representative; inspection of facilities shall be conducted by the Enforcing Officer to assure compliance. If a connection to a public storm sewer will be provided eventually, as determined by the Planning Commission, the subdivider shall make arrangements for future storm water

disposal by a public system at the time the plat receives final approval. Provisions for such connection shall be incorporated by inclusion in the Irrevocable Letter of Credit required for the final subdivision plat.

2. **Accommodation of Upstream Drainage Areas:** A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. Necessary facilities shall be sized based on the construction specifications and assuming conditions of maximum potential watershed development permitted by any Zoning Ordinance.
3. **Effect on Downstream Drainage Areas:** The Planning Commission also shall study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision to existing downstream structures. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission may withhold approval of the subdivision until provision has been made for adequate improvement of such drainage facilities in such sum as the Planning Commission shall determine. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.
4. **Areas of Poor Drainage:** Whenever a plat is submitted for an area which is subject to flooding, the Planning Commission may approve such subdivision; provided, that the applicant fills the affected floodway fringe area of said subdivision to place public way elevations at no more than twelve (12) inches above the regulatory flood elevation and first floor elevations (including basements) at no less than one (1) foot above the regulatory flood elevation. The plat of such subdivision shall provide for a floodway along the bank of any stream or watercourse of width sufficient to contain or move the water of the regulatory flood, and no fill shall be placed in the floodway; neither shall any building nor flood-restrictive structure be erected or placed therein. The boundaries of the floodway and floodway fringe area, and the regulatory flood elevation, shall be determined by the Planning Commission upon recommendation from City staff based upon the review and the submission of flood data in construction plans as specified in these Regulations. Areas that are known to have problems such as standing water may be required to install additional drainage infrastructure based on recommendation of the City Engineer and City staff.
5. **Planting of Trees:** No trees shall be planted in public right of ways.

6-8 **Dedication of Drainage Easements**

1. **General Requirements:** Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width and construction as will be adequate. Where open drainage ways are utilized they shall be designed for the twenty-five (25) year frequency storm event.

2. **Drainage Easements:** Where topography or other conditions are such as to make impracticable the inclusion of drainage facilities within a public way right-of-way, perpetual unobstructed easements "of sufficient width to include 3' beyond each side of the top of ditch bank" shall be provided across property outside the public way lines and with satisfactory access to public ways. In no case shall the width of drainage easements be less than ten (10) feet. Easements shall be indicated on the preliminary and final plats. Drainage easements shall be carried from the public way to a natural watercourse or to other drainage facilities. When a new drainage system is to be constructed which will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat. The applicant shall dedicate, when required by the Planning Commission, either in fee, or by drainage or conservation easement, the land on both sides of an existing watercourse to a distance to be determined by the Planning Commission. Along watercourses, low-lying lands within any floodway, as determined by the Planning Commission pursuant to these Regulations, whether or not included in areas for dedication shall be preserved and retained in their natural state as drainage ways.

In any instance where drainage easements are indicated upon a final plat the following notation shall appear: *"The drainage easements (or the drainage discharge points) shown hereon establish the perpetual right to discharge storm water runoff from the highway and from the surrounding area onto and over the affected premises by means of pipes, culverts, or ditches, or a combination thereof, together with the right of the holder of fee title to the highway, or his authorized representatives, to enter said premises for purposes of making such installations and doing such maintenance work as said holder of fee title may deem necessary to adequately drain the highway and surrounding area."*

3. **Ditching, Concrete Ditch Paving, and Culverts and Storm Drains:** The design and construction details of drainage facilities shall be in accordance with the provisions of these Regulations. The design and construction details of all such facilities shall be approved by the appropriate governmental representative. No metal pipe shall be used on new construction unless specifically recommended by the City Engineer and/or the Public Works Director. All culverts located within any proposed or existing public R.O.W. are to be reinforced concrete pipe (RCP). Further, all proposed culverts (residential driveway culverts excluded) are to have concrete headwalls. Culverts located outside the public R.O.W. may be RCP or HDPE (smooth wall interior).

6-9 Water Facilities

1. **General Requirements:**

- A. Necessary action shall be taken by the developer to extend a water supply system capable of providing domestic water use and fire protection.

- B. Where a public water main is within reasonable access of the subdivision, as determined by the Planning Commission, the subdivider shall install adequate water facilities, including fire hydrants, subject to construction and material specifications approval of the Planning Commission, the Tennessee Department of Health and Environment and these Regulations.
 - C. Where required for fire protection water mains shall not be less than six (6) inches in diameter; where water mains are not to be utilized for fire protection, the Planning Commission may approve smaller lines, as necessary, to meet potable water demand.
 - D. All water systems, whether public or private, located in a flood prone area shall be flood proofed to the regulatory flood protection elevation. All water supply facilities located below the regulatory flood protection elevation shall be designed to prevent the infiltration of floodwaters into the water supply system and discharges from the system into floodwaters.
 - E. In the event any lot lines are shifted, either a utility easement shall be granted or a new meter shall be required with the shifting of lot lines.
2. **Fire Hydrants:** Fire hydrants shall be required in all subdivisions; they shall be located no more than one thousand (1,000) feet apart; be within five hundred (500) feet of any residential, commercial, or industrial lot; and no more than 100 feet away from a Siamese connection. However, the Planning Commission may require closer spacing where physical conditions or types of structures so warrant. To eliminate future public way cutting or openings, all underground utilities for fire hydrants, together with the fire hydrants themselves, and all other water supply improvements shall be installed before any final paving of a public way shown on the subdivision plat, unless otherwise approved by the Planning Commission.

6-10 Sewage Facilities

1. **General Requirements:** The applicant shall install sanitary sewer facilities in a manner prescribed by the Regulations of the Tennessee Department of Environment and Conservation and by any other applicable standards and specifications. All plans shall be designed and approved in accordance with the rules, Regulations, specifications, and standards, of any applicable governmental agency or appropriate unit, thereof.
2. **Mandatory Connection to Public Sewer System:** When public sanitary sewers are within reasonable access of the subdivision, the subdivider shall provide sanitary sewer facilities to each lot therein and shall connect the facilities to the public system. The subdivider shall provide sewers which meet standards set forth in the Regulations of the Tennessee Department of Environment and Conservation and the governing utility system. 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.

3. **Design Criteria for Sanitary Sewers:** Sanitary sewer systems shall be designed for the ultimate tributary population based upon appropriate plans and zoning Regulations. The minimum size of a public sewer line shall be eight (8) inches in diameter with private residential service lines a minimum of four (4) inches. Private, industrial and commercial sanitary sewers shall be located within a public street right-of-way, unless topography dictates otherwise. Public utility easements shall be provided across private property for access to lines and manholes such easements to be of an adequate width for service purposes, but in no case less than twenty (20) feet.

6-11 Utility Easements

1. Easements down rear lot lines or additionally across lots, if deemed necessary by the Planning Commission, shall be provided for utilities (private or public). Such easements shall be at least twenty (20) feet wide. The subdivider shall take such actions as are necessary to ensure the coordination and continuation of utility easements established on adjacent properties with those proposed within his development.
2. Where topographical or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least twenty (20) feet in width shall be provided alongside lot lines with satisfactory access to public ways or rear lot lines. Easements shall be indicated on the plat.
3. Temporary construction easements exceeding the width of permanent easements may be required as necessary until completion of any one project.
4. If a subdivision intends to install natural gas lines, such lines shall be installed outside the public right of way in the utility easement.

6-12 Public Uses

1. **Plat to Provide for Public Uses:** Whenever a tract to be subdivided includes a school, recreation use, a portion of a major public way, or other public use, as indicated on the land Conceptual Plan and/or major street or road plan, or any portion thereof, such tract shall be suitably incorporated by the developer into his plat when first presented for review by the Planning Commission. After proper determination of its necessity by the Planning Commission and the appropriate governmental representative(s) involved in the acquisition and use of such site, and after a determination has been made to acquire the site by the public agency, the site shall be suitably incorporated by the developer into the plat prior to final approval by the Planning Commission and recording of the plat.
2. **Referral to the Governmental Agency Concerned:** The Planning Commission shall refer any plat presented in accordance with these Regulations to the

governmental agency concerned with acquisition of the land. The Planning Commission may propose alternate areas for such acquisition and shall allow the appropriate governmental agency thirty (30) days for reply. Among the areas which the Planning Commission may propose for public acquisition, when the Commission deems it appropriate and consistent with the policies and purposes set forth in these Regulations, is any land within a floodway or floodway fringe determined according to the procedure outlined herein. The acquiring agency's recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.

3. **Notice to Property Owner:** Upon receipt of an affirmative report, the Planning Commission shall notify the property owner and shall designate on all plats any areas proposed to be acquired by any governmental agency. Upon such designation by the Planning Commission, any reserved portion of any floodway or floodway fringe shall not be altered from its natural state by the development in any manner whatsoever, except upon written approval of the Planning Commission.
4. **Duration of Land Reservation:** The acquisition of land reserved by a governmental agency on the final plat shall be initiated within twenty-four (24) months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a plat of a proposed development and a tentative schedule of construction. Failure on the part of the governmental agency to initiate acquisition within the prescribed twenty four (24) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these Regulations.

6-13 Preservation of Natural Features and Amenities: Existing features which would add value to residential development or to the area as a whole, such as trees, watercourses and falls, historic spots, and similar irreplaceable assets, shall be preserved in the design of the subdivision, as required by the Planning Commission. No change of grade of the land shall be affected nor shall any natural features be removed or relocated until a preliminary subdivision plat has been approved by the Planning Commission. Refer to Section 2-9.3.F for green space requirements.

6-14 Non-Residential Subdivisions

1. **General:** If a proposed subdivision includes land which is zoned for a commercial or industrial purpose, the layout of the subdivision with respect to such land shall make such provisions as the Planning Commission may require. A nonresidential subdivision also shall be subject to all the requirements of site plan approval set forth in any *Zoning Ordinance*. Site plan approval may proceed simultaneously at the discretion of the Planning Commission. A nonresidential subdivision shall be subject to all the requirements of these Regulations, as well as such additional standards set forth by the Planning Commission, and shall conform to the proposed land Conceptual Plan, major street or road plan, and any *Zoning Ordinance*.

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

- A. Proposed industrial parcels shall be suitable in areas and dimensions to the types of nonresidential development anticipated;
- B. Public way rights-of-way and pavements shall be adequate to accommodate the type and volume of traffic anticipated;
- C. Special requirements may be imposed by the governing body with respect to any public way, curb, gutter, and sidewalk design and construction specifications;
- D. Special requirements may be imposed by the governing body with respect to the installation of public utilities, including water, sewer, and storm water drainage;
- E. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed nonresidential subdivision, including the provision of extra depth in parcels backing on existing or potential residential development, provisions for permanently landscaped buffer strips, and lot line setbacks based on fire-flow and ISO calculations, when necessary; and
- F. Public ways carrying nonresidential traffic, especially trucks, normally shall not be extended to the boundaries of adjacent existing or potential residential areas.

6-15 Electric/Communication Facilities: General Requirements: The applicant shall install electric/communications according to the current National Electric Safety Code (NESC). All plans shall be designed and approved in accordance with the rules, regulations, specifications, and standards, of any applicable government agency or appropriate utility, thereof. In the event any lot lines are shifted, either a utility easement shall be granted or a new meter shall be required with the shifting of lot lines.

6-16 Mail Facilities: Clustering of mail facilities in accordance with the U.S. Postal Standards (USPS) is required. Installation of cluster mail delivery kiosks, including associated improvements, such as lighting, landscaping, shelters and other related amenities shall be the responsibility of the Developers. Mail kiosks and associated improvements shall be in accordance with USPS standards and meet all the requirements of the building and fire codes for the City of Shelbyville. Design and initial location of the mail kiosks shall be included in the preliminary plats. The design and the final location of mail kiosks shall be completed and accepted by the City prior to the recording of the final plat. The establishment of a homeowners' association (HOA) is required to maintain the mail kiosks and the related improvements. Mail kiosks and related improvements shall be located in the Common areas. Common areas are not required to meet the minimum area of the district, nor do typical setbacks or frontage apply. Mail kiosks are prohibited in Public Right of Way and any easements. The design for the Mail kiosk area shall best allow for vehicle stacking or parking without creating pedestrian safety or vehicle safety issues. A dedicated parking area is required for the Mail Kiosks; however, bulb out area of the public right of way may be used for providing parking spaces, subject to approval of the Planning Commission. Access areas and one of the parking spaces shall be compliant with the current Americans with Disabilities Act (ADA) standards. Required number of parking spaces is as follows: 2 for 50 or fewer lots, 3 for 51-100 lots, 4 for 101-200 lots, and 5 for 201 or more lots.

Article VII: Definitions

Section

- 7-1 Usage
- 7-2 Words and Terms Defined

7-1 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".

7-2 Words and Terms Defined

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

Abutting: Contiguous to.

Access, Direct: The provision for immediate ingress and egress of vehicles from an abutting property to an adjacent street.

Adjacent: Property that touches or is directly across a street from the subject property.

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

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

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

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

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

Building Envelope: The area formed by the front, side, and rear building restrictions or setback lines of a lot in which buildings or structures may be placed.

Building Site: Land occupied or intended to be occupied by a building or interrelated buildings, together with all open space required by these Regulations, which is located on a lot that has been lawfully created and meets all criteria of the City for the intended use.

Building Site, condominium: The area within the site condominium unit by itself, i.e., exclusive of any appurtenant limited common element, including the area under the building envelope and the areas around and contiguous to the building envelope.

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

Collector Street or Road: A major public way intended to move traffic from local ways to arterial routes. Collector routes serve a neighborhood or large subdivision(s), and normally have an average daily traffic count ranging from one thousand and one (1,001) to three thousand (3,000).

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

Common Elements, General: Any of the common elements of a condominium which are held in limited common elements.

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

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

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

Development: Conceptual plans, preliminary plats, final plats, combination plats, minor subdivisions and administrative subdivisions.

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

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

Conceptual Plat: A conceptual preparatory to the preliminary plat (or final subdivision plat, in the case of minor subdivisions).

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

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

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

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

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

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

Driveway: A private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

Dwelling Unit: A room, or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other room(s) or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.

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

Enforcing Officer: The Planning and Community Development Director, or such person designated by the Office of the City Manager, to be responsible for enforcing the provisions of these Regulations.

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

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

Escrow: A fiduciary agreement with the local government in lieu of actual performance and intended to assure performance.

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

Final Subdivision Plat: The final map or drawing and accompanying materials, described in these Regulations, on which the subdivider's plan of the subdivision is presented to the Planning Commission for approval and which, if approved by the Commission, is recorded with the Bedford County Register of Deeds of deeds.

Flag Lot: A large lot meeting minimum lot frontage requirements to a public or private street via a long narrow driveway between abutting lots. The building is located in the interior behind lot/lots which have full frontage on a publicly maintained street or road.

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

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

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

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

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

Floodplain Management Program: The overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, building code Regulations, health Regulations, *Zoning Ordinance* Regulations, and these subdivision Regulations.

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

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures which reduce or eliminate potential flood damage to

lands; water facilities, sanitary facilities, and other utilities; structures; and contents of buildings; and which prevent pollution of floodwaters from such natural or man-made sources.

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

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

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

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

General Plan: The official statement of the Planning Commission which sets forth major policies concerning future development of the jurisdictional area and meeting the provisions set forth in §13-3-301, 13-3-302, and 13-4-102, *Tennessee Code, Annotated*.

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

Governing Body: The chief legislative body of any government.

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

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

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

Horizontal Property Act: "The Tennessee Horizontal Property Act" as codified in Title 66, Chapter 2, *Tennessee Code, Annotated*.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

National Flood Insurance Program: A program established by the U.S. Government in the National Flood Insurance Act of 1968, and expanded in the Flood Disaster Protection Act of 1973, in order to provide a flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce floodplain management programs meeting the requirements of the National Flood Insurance Program Regulations. The program Regulations are found at 24 Code of Federal Regulations, Chapter X, Subchapter B.

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

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

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

Irrevocable Letter of Credit: A letter issued by a bank to another bank or entity to serve as a guarantee for payments made to a specified person under specified condition.

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

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

Preliminary Plat: The preliminary drawing or drawings, described in these Regulations, indicating the proposed manner of layout of the subdivision to be submitted to the Planning Commission for approval.

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

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

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

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

Regulatory flood: The one hundred-year flood.

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

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

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

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

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

Electrical secondary utility service line: any duplex, triplex, quadraplex or any other electrical power line operating at a nominal voltage between 0 – 750 volts (Per NESC 2023 Handbook). These lines are located between the transformer and the utility owned meter.

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

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

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

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

Structure: Anything constructed above or below ground.

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

Subdivision: "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and when appropriate to the context, relates to the process of re-

re-subdividing or to the land or area subdivided. (See §13-3-401 and 13-4-301, *Tennessee Code, Annotated.*)

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

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

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

Usable Green Space: An area or areas within the boundaries of a development that are designed, set aside and maintained for either active or passive recreation, or both, and are available and accessible for use and enjoyment by all residents of the development, or designated portion of a development. Storm water management facilities such as, but not limited to, retention and detention ponds, cannot be added to the usable green spaces calculations.

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

Zoning Ordinance: A statute, legally adopted pursuant to Title 13, Chapters 4 or 7, *Tennessee Code, Annotated*, for the purpose of regulating by district, land development or use for a designated area.

**Appendix 1
Checklist #1**

Conceptual Plan

- A. *General:* Conceptual plans submitted to the Planning Commission shall be drawn to a convenient scale no larger than fifty feet to one inch (1"=50')
- B. *Features:* The Conceptual Plan shall consist of a scale drawing of the proposed concept of design, showing general roadway layout, tentative lot layout, and a general drainage plan. The drawing shall generally be contained on one sheet at a scale of not more than one hundred (100) feet to the inch. For large plans which cannot meet these specifications, the Planning Commission staff may allow the submission of drawings on multiple pages and/or a scale of up to two hundred (200) feet to the inch. The following information shall be shown on the plan. A specific checklist reflecting the text below can be found in Appendix 1 of these Regulations.

___ **Location Map.** A sketch showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or left corner, or other suitable place. The location sketch shall be drawn large enough to show the proposed subdivision's relationship to existing community facilities such as major traffic arteries, schools, and natural features, such as rivers and streams.

___ **Topography with contours at two foot intervals.**

___ **Boundary, existing and proposed roads.** Boundary of tract, name and location of all existing and proposed roads within and adjacent to tract, and all intersecting roads across adjacent roads from tract.

___ **Physical characteristics of the site.**

- ___ wetlands
- ___ sinkholes and depressions
- ___ major rock outcroppings
- ___ woods
- ___ natural waterways
- ___ other prominent physical features

___ **Existing structures, existing utilities.**

___ **Title Block.** The title block of the Concept Plan shall contain the following information:

- A. **Subdivision Name.** The proposed name of the subdivision shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Bedford County or the City of Shelbyville and shall be preceded by the words, "Concept Plan of"

B. **Person Identification:** The name, mailing address and telephone number of the property owner, the developer, the engineer, and any other persons directly involved in the transaction shall be indicated.

C. **Date and Scale.** The plan shall show the date of design, the north arrow pointing towards the top of the sheet and the scale which shall be at not more than one hundred (100) feet to the inch.

D. **Property Identification.** The property being subdivided shall be identified by the county tax collectors identification, block and parcel or lot number.

_____ **Number of lots proposed and total acreage of tract.**

_____ **Certification.** The Concept Plan and all accompanying drawings, documents and statements shall be certified as prescribed in these Regulations.

_____ **Public or Private Roadways.** The Concept Plan shall designate whether the roadways shown to be developed are to be public roadways or joint permanent easements.

_____ **Accompanying Drawings, Documents, Statements.** The following information shall accompany the Concept Plan:

_____ **General Drainage Plan.** Showing existing drainage ways and probable location of major drainage structures including detention basins.

_____ **Road Profiles.** At a horizontal scale equal to the horizontal scale of the land subdivision plan and a vertical scale of one-tenth (1/10) of the horizontal scale.

_____ **List of required and proposed improvements.**

_____ **Statement(s) or Letter(s) indicating the availability of public utilities.**

_____ **Staking Roads.** The point of intersection of all perimeter roads with existing roads or with the boundary line of the tract must be staked prior to submission of the Concept Plan and the subdivision designer must meet in the field with reviewing agencies at their convenience; or the centerline of all roads must be staked prior to submission of the Concept Plan.

Appendix 1
Checklist #2

Preliminary Plats

_____ **Plat Information.** Location map, number of lots and total acreage, subdivision name and unit number, person identification, date and scale, property identification, mail box kiosk/kiosks cluster box units) as prescribed in these Regulations.

_____ **Dimensional Information.** Final dimensions and bearings for all lot lines, tract boundary, roads, and required or proposed easements and lot numbers, and proposed building setback with distance from street right-of-way if other than the minimum required by zoning.

_____ **Benchmarks.** All subdivisions of five (5) or more lots must have a benchmark installed or be referenced to an existing benchmark. Such structures as poured concrete headwalls or sewer inverts may be deemed acceptable for designation as benchmarks at the discretion of the responsible administrative agency.

_____ **Drainage and Utilities.** Location, size and capacity of all drainage facilities including ditches, culverts, pipes, catch basins, detention basins, including final location, location of utilities, and related easements.

_____ **Non-Residential Designations.** The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc., and the name, acreage, and any other uses (except houses) such as multi-dwelling structures, shopping centers, churches, etc., shall be indicated.

_____ **Other Conditions.** Other conditions on the tract to be shown on the Preliminary Plat shall include the following information:

- _____ Watercourses
- _____ Wetlands,
- _____ Sinkholes and depressions,
- _____ Major rock outcroppings,
- _____ Wooded lots
- _____ Railroads
- _____ Bridges or other structures.

_____ **Public or Private Roadways.** The Preliminary Plat shall designate and identify each roadway as to whether it shall be a public roadway or joint permanent easement.

_____ **Accompanying Drawings, Documents, Calculations.** The following detailed information shall be submitted to the reviewing agencies and must be approved by the appropriate agency as an integral part of the Preliminary Plat.

_____ **Horizontal and vertical roadway design data.** Typical cross sections of each proposed type of street at a scale of ten (10) feet or less to the inch showing the width

and depth of pavement, the location and width of rights-of-way and sidewalks, the location of sewer, water, and drainage facilities, must be included.

_____ **Drainage Plan.** Calculations of structure sizes and storage requirements.

_____ **Detention basin details and available storage.**

_____ **Horizontal and vertical design data.** Horizontal and vertical design data including typical cross sections for open drainage ways and ditches and proposed treatment of disturbed drainage ways to avoid erosion and sedimentation (seeding, sodding, riprap, paving, other).

_____ **Utility Plans.** The utility plans shall contain the following information concerning existing and proposed utilities including sanitary sewers, water lines, storm sewers, and existing gas, telephone, and electrical lines.

_____ The location, sizes, and capacities, where appropriate, of all water mains, manholes, pumping stations, standpipes, reservoirs, valves, fire hydrants, and similar facilities, and the locations and dimensions of specific easement areas related thereto.

_____ A plan and profile including invert elevation of all sanitary sewers, manholes, lift stations, treatment plants, and similar facilities, and the locations and dimensions of specific easement areas related thereto. The vertical scale of profiles shall be one tenth (1/10) of the horizontal scale, as required by the Tennessee Department of Health.

Appendix 1

Checklist #3

Final Plat

_____ **Scale.** The Final Plat shall be drawn to a scale of one hundred (100) feet or less to the inch.

_____ **Size and Border.** The Final Plat shall be drawn on a sheet eighteen (18) inches by twenty-four (24) inches. In order to reduce the number of pages in a multi-sheet final plat, the plat may be drawn on a sheet twenty-four (24) inches by thirty-six (36) inches. All information placed on the plat shall be at a scale that is legible.

_____ **North Point.** The Final Plat shall be so oriented that the north point will be directed as nearly as possible toward the top of the page with the two (2) inch binding edge on the left.

_____ **Page Numbering.** When more than one sheet is used for any Final Plat, each sheet shall be numbered consecutively and shall contain a notation indicating the total number of sheets in the plat. In addition, an index sheet of the same dimensions shall be required showing the entire subdivision, the sheet numbers, and outlines for each separate sheet of the Final Plat.

_____ **Survey Accuracy.** All subdivision plats shall comply with the standards of practice of the current edition of *Tennessee Land Surveyors Laws and Regulations*, and shall be Category I surveys as defined by those regulations.

_____ **Mapping and Engineering Information.** The lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract or intersecting roads adjacent to or paralleling the boundaries of the tract.

_____ **Street Lines on Adjacent Land.** Show the exact location with dashed lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract or intersecting roads adjacent to or paralleling the boundaries of the tract.

_____ **Monument References.** Show the accurate location of all permanent reference monuments and show the bearings and distances to the nearest established street boundaries, established survey lines, or other official monuments.

_____ **Survey Control System Requirements.** All subdivisions within the City of five (5) or more lots and all re-subdivisions within the City which combine or alter five (5) or more lots that have a property line or iron pin located within two thousand (2000) feet of an approved control point in the city survey control system shall be tied to the system. All other subdivisions within the city that have a property line or iron pin located within two hundred (200) feet of an approved control point in the city survey control system shall be tied to the system. Coordinates of the approved control point shall be shown on the plat and all bearings

shown on the plat shall be oriented to the survey control system. The tie line shall show the bearing and distance between the approved control point and the subdivision.

_____ **Owners of Adjacent Land.** For adjacent land which is platted, show the boundaries with dashed lines and the recorded name of the subdivision. For adjacent land which is unplatted, show the boundaries with dashed lines and the name of the owners of record.

_____ **Boundary Lines of Tract.** In a line style and weight which will distinguish the developer's property from all adjacent property show the tract boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest minute, or better. These boundaries shall be determined by an accurate survey in the field. A boundary closure sheet, utilizing the bearings and distances shown on the plat, is required and shall be submitted when the Final Plat application or Administrative Plat is filed with the Planning Commission.

_____ **Street, Easement, and Lot Lines on Tract.** For street rights-of-way, show the names, bearings, angles of intersection, and widths including the widths along the line of any obliquely intersecting street. For all arcs, show the arc lengths, radii, points of curvature and tangency, and their chord bearings and lengths. For all easements or other rights-of-way, show the location, width, and actual name and purpose (gas line easements, etc.). For all lot lines, show horizontal dimensions to hundredths of a foot and their bearings to the nearest one-half minute of horizontal arc unless they lie normal to street boundaries. The Final Plat shall designate and identify each proposed street and road as to whether it shall be a public roadway or joint permanent easement.

_____ **Customary and Special Easements.** The Final Plat shall show customary and special easements as required in these Regulations.

_____ **Reservations and Dedications on Tract.** Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision with the purpose also plainly printed thereon.

_____ **Site Physical Features.** The Final Plat shall clearly indicate the location of lakes, streams, and floodway zones or such other physical features as may be required to be shown by the Planning Commission or other appropriate administrative agency.

_____ **Location Map.** A sketch showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or upper left corner. The location sketch shall be drawn to a scale large enough to show the proposed subdivision's relationship to existing community facilities, such as major traffic arteries, schools, and natural features, such as rivers and streams.

_____ **Lot Numbers, Setback Lines, and Restrictions on Tract.** Show the lots numbered in numerical order and blocks lettered in alphabetical order; if use of blocks is not desired, number all lots in the entire subdivision in numerical order; show the front yard setback building lines with depth only when they are greater than the building setback required by the Zoning

Ordinance; and if any private restrictions exist, show boundaries of each type of use restriction and any other restrictions.

_____ **Title Block.** The title block for the Final Plat drawing shall contain the following information:

_____ **Subdivision Name.** The name of the subdivision and, where the plat at hand is only part of a larger subdivision bearing the same name, the unit number shall be indicated. Such subdivision name **shall not duplicate or closely approximate any other subdivision name in the city or county.** A subdivision divided by an expressway, major or minor arterial street or major or minor collector street must have a different name for the subdivision located on each side of said street. Each unit of a subdivision with the same name must be connected by interior streets. The name of the subdivision shall be preceded by the words "Final Plat of _____."

_____ **Property Identification.** The property being subdivided shall be identified by the Bedford County Property Assessor's identification number and city ward, block, and lot number.

_____ **Person Identification.** The name, mailing address and telephone number of the property owner, the developer, the engineer, and any other persons directly involved in the transaction shall be indicated.

_____ **Legend Information.** The graphic scale, written scale, north point, date of preparation, acreage, number of lots and any other pertinent legend information should be indicated.

_____ **Plat Certifications.** The appropriate certifications with required signatures shall be affixed to all plans and Final Plats. Plat Certificates may be located in Appendix 2 of these Regulations.

**Appendix 1
Checklist #4**

Construction Plans

Scale. Construction plans shall be prepared for all improvements required by these Regulations. Plans shall be drawn at a scale no larger than fifty feet to one inch (1"=50'). Plans shall be in compliance with the specifications in Article IV, of these Regulations. Approval of plans must precede actual construction, and no final plat shall be considered by the Planning Commission until the required plans have been approved. The construction plans shall be prepared and stamped by a licensed engineer engaged in the practice of civil engineering.

Construction Plan Contents. The required contents of construction plans may be found in Appendix 1 of these Regulations. All elevation information shall be tied to State Plane NADA 83 network.

_____ Profiles showing existing and proposed elevations along center lines of all public ways.

_____ Where a proposed road intersects an existing public way or ways, the center line of the existing public way profile within one hundred (100) feet of the intersection shall be shown.

_____ Approximate radii of all curves, lengths of tangents, and central angles on all public ways.

_____ Proposed public ways, as required by the Planning Commission; where such are required, horizontal stationing shall be at fifty (50) foot intervals and cross-sectional elevations shall be to an accuracy of one tenth (1/10) foot vertical on a line at right angles to the center line of the public way at the following points: the center line of the public way, each property line, and points twenty-five (25) feet inside each property line.

_____ Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins.

_____ The location of public way signs.

_____ The location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility system.

_____ Exact location and size of all water, gas, or other underground utilities or structures.

_____ Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains,

__ The developer shall prepare for any portion of a subdivision containing a flood prone

easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, and features noted on the land Conceptual Plan or major street or road plan.

__ The water elevations of adjoining lakes or streams and the approximate high- and low-water elevations of such lakes or streams shall be shown. If the subdivision borders a lake, river, or stream, the distance and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.

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

__ Plans in triplicate drawn to scale showing the nature, location, dimensions, and elevation of any part of the subdivision within a flood prone area; existing or proposed structures or building sites, fill, storage of materials and flood proofing measures, as specified in these Regulations; and the relationship of the above to the location of the stream channel, floodway, floodway fringe, the regulatory flood elevation, and the regulatory flood protection elevation;

__ A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high-water information, if required by the Planning Commission;

__ Surface-view plans showing elevations and contours of the ground;

__ Pertinent structures, fill, or elevations of public ways;

__ Water supply, sanitary facilities, soil types, and other pertinent information, as required by the Planning Commission; and,

__ Specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities.

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

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

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

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

_____ Date of plans, including any revision dates.

_____ An erosion and sediment control plan shall be prepared for each development required to submit construction plans. Such plan shall demonstrate the manner in which the general principles for erosion and sediment control set out in these Regulations are to be implemented on the site covered by the construction plans.

Appendix 2:
GENERAL DESIGN STANDARDS FOR PUBLIC WAYS

IMPROVEMENT	CLASSIFICATION/ LOCATION	RESIDENTIAL PUBLIC WAY	NON-RESIDENTIAL PUBLIC WAY
Minimum Length of Vertical Curves	Minor	100 feet, but not less than 20 feet for each algebraic difference in grade.	
	Collector		
	Arterial	300 feet, but not less than 50 feet for each algebraic difference in grade.	
Minimum Radius of Cul-de-sacs	Right of Way Diameter	100 ft.	160
	Pavement Diameter	80 ft.	140
Minimum Radius of Return at Intersections	At Right of Way	25 ft.	30 ft.
	At Pavement	30 ft.	50 ft.
Length of Cul-De-Sacs	Permanent	1,000 ft.	1,000 ft.
	Temporary		
Minimum Length of Tangents Between Reverse Curves	Minor	100	200
	Collector	100	200
	Arterial	300	400
Minimum Centerline Radius for Horizontal Curves	Minor	100	200
	Collector	300	400
	Arterial	500	600
Minimum Right of Way Width	Minor	50 ft. (60 ft. if lot frontages \leq 40 ft.)	60 ft.
	Collector	60 ft.	60 ft.
	Arterial	As determined by appropriate governmental representative	
Minimum Sight Distance ²	Minor	200	250
	Collector	240	250
	Arterial	300	500
	Intersections Across Corners	75 feet back from EOP	
Maximum Percentage Grade	Minor	10%	6%
	Collector	7%	6%
	Arterial	6%	5%
Maximum Grade at Intersections (within 100' of EOP)	4% for all street classifications		
Minimum % longitudinal grade	1% for all street classifications		
Pavement Crown	The paved surface shall slope downward from the centerline of the street outward to the edge of the paved surface on each side 2%.		

¹ Or as determined by appropriate governmental representative.

Appendix 3:

Subdivision Plat Certificates

A. CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in book number _____, page _____, County Register's Office of Bedford County, Tennessee, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and that this plat constitutes offers of irrevocable dedication for all public roads, utilities, and other facilities shown hereon as required by the Subdivision Regulations of the Planning Commission of Shelbyville, Tennessee. No lot or lots as shown hereon shall again be subdivided, re-subdivided, altered or changed so as to produce less area than hereby established until otherwise approved by the Shelbyville Planning Commission and/or the Board of Zoning Appeals.

Owner's Name (Printed)

Owner's Signature and Date

Owner's Name (Printed)

Owner's Signature and Date

B. SURVEYOR'S CERTIFICATE

I hereby certify that to the best of my knowledge and belief the hereon shown subdivision plat represents a Class "_____" survey having an unadjusted ratio of precision of 1:_____ and is true and correct. Approved monuments have been placed as indicated. All side lot lines are at right angles or radial to a street unless otherwise noted.

Tenn. Registered Surveyor No. _____

Printed Name _____

Signature _____

C. NOTATION OF POSSIBLE FLOODING: If any portion of the land being subdivided is subject to flooding as defined in these regulations, a notation shall be made on the plat that development or modification of the land within any floodway delineated within plat is prohibited and that development within floodway fringes delineated on the plat shall be done in such a manner that any structure shall be protected against flood damage to at least the regulatory flood protection elevation, which elevation shall be stated in the notation. Any additional restrictions imposed by the planning commission upon development within flood prone areas also shall be indicated on the plat. **IF THE PROJECT IS NOT IN A FLOOD PRONE AREA, A NOTATION TO THIS EFFECT SHALL BE AFFIXED TO THE FINAL PLAT.**

D. CERTIFICATE OF APPROVAL OF WATER, POWER AND SEWERAGE SYSTEM

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

Name, Title and Agency or Authorized Approving Agent

Date

E. CERTIFICATE OF BEDFORD COUNTY 911 COMMUNICATIONS

I hereby certify that the Bedford County 911 Communications Office has reviewed and shall receive a copy of said final plat after approval by the Planning Commission. I further certify the proposed name of the subdivision, nor any streets contained therein, duplicate or too closely approximate phonetically the name of any other subdivision in the City of Shelbyville or Bedford County.

Director of Bedford County 911 Communications Office

Date

F. CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I hereby certify that the streets, surface drainage systems and related improvements shown on the plat have been completed to proper specifications and according to the required design standards, or that a performance bond or other surety has been filed to guarantee completion of all required improvements in case of default.

Director of Public Works

Date

G CERTIFICATE OF APPROVAL OF PROPERTY ASSESSOR

I hereby certify that the Property Assessor's Office has reviewed and shall receive a copy of said Final Plat after approval by the City of Shelbyville.

Bedford County Property Assessor

Date

H. RECORD

This plat has been recorded in Plat Cabinet _____, Envelope _____, of the Registers Office of the Bedford County, Tennessee.

I. Planning Commission Approval

The Municipal Planning Commission approval granted on _____, 20 _____

Secretary of the Planning Commission

Date Signed

OR

J. Approval by the City of Shelbyville

Administrative Approval was granted by the City of Shelbyville on _____, 20 _____

Secretary of the Planning Commission

Date Signed

PLAT CERTIFICATE, IF APPLICABLE

- 1. Supercession Note:** If the plat submittal proposes to change lots created by a prior platting then the plat shall contain a note stating "The recording of this plat voids and vacates and supersedes the recording of [Name] subdivision of record in plat Book Number____, Page____, R.O.B.C."
- 2 Private Improvements:** The owner may place notes or lines on the plat relating to private improvements or restrictions, however, such shall be identified by any disclaimer note stating "this is for private purposes only, and is not a requirement of the Planning Commission."
- 3. Notation of Health Restrictions:** Any modifications or limitations which may be imposed by the state or county health department shall be clearly indicated on the plat.
- 4 Notation of Private Restrictions:** Private restrictions and trusteeships and their periods of existence shall be indicated on the plat. Should these restrictions or trusteeships be of such length as to make their lettering impracticable and thus necessitate the preparation

of a separate instrument, reference to such instrument shall be made on the plat or, if the restrictions and trusteeships are of record, the plat shall note where they are recorded.

5. Developer's and Contractor's Certificate (for Private Streets)

We hereby certify that we are the Developer(s) of the property subdivided under the Final Plat approved by the Shelbyville Planning Commission on _____, 20____, as evidenced in Book____, Page____, R.O.B.C., Tennessee, and the Contractor(s) for the private street(s) therein and we certify that the street(s) has (have) been constructed in conformity with the Final Plat.

Developer(s): _____
Company Name/Authorized Signatory/Date

Contractor(s): _____
Company Name/Authorized Signatory/Date

- 6. Form of Dedication Offer:** The form of the offer of irrevocable dedication, required by these Regulations, shall be as reproduced in this section and approved by the city attorney. The form may be modified as required by the city attorney. Copies of this form may be obtained at the office of the enforcing officer.

**FORM FOR OFFER OF
IRREVOCABLE DEDICATION**

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

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

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

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

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

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

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

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

_____, 20____
Date

Developer Signature

(CORPORATE SEAL)

ATTEST: FOR THE CITY OF: Shelbyville, Tennessee

BY: _____

_____, 20 _____

ACKNOWLEDGEMENT:

CO-PARTNERSHIP

STATE OF TENNESSEE

(COUNTY OF _____)

SS: _____

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

CORPORATE

STATE OF TENNESSEE

(COUNTY OF _____)

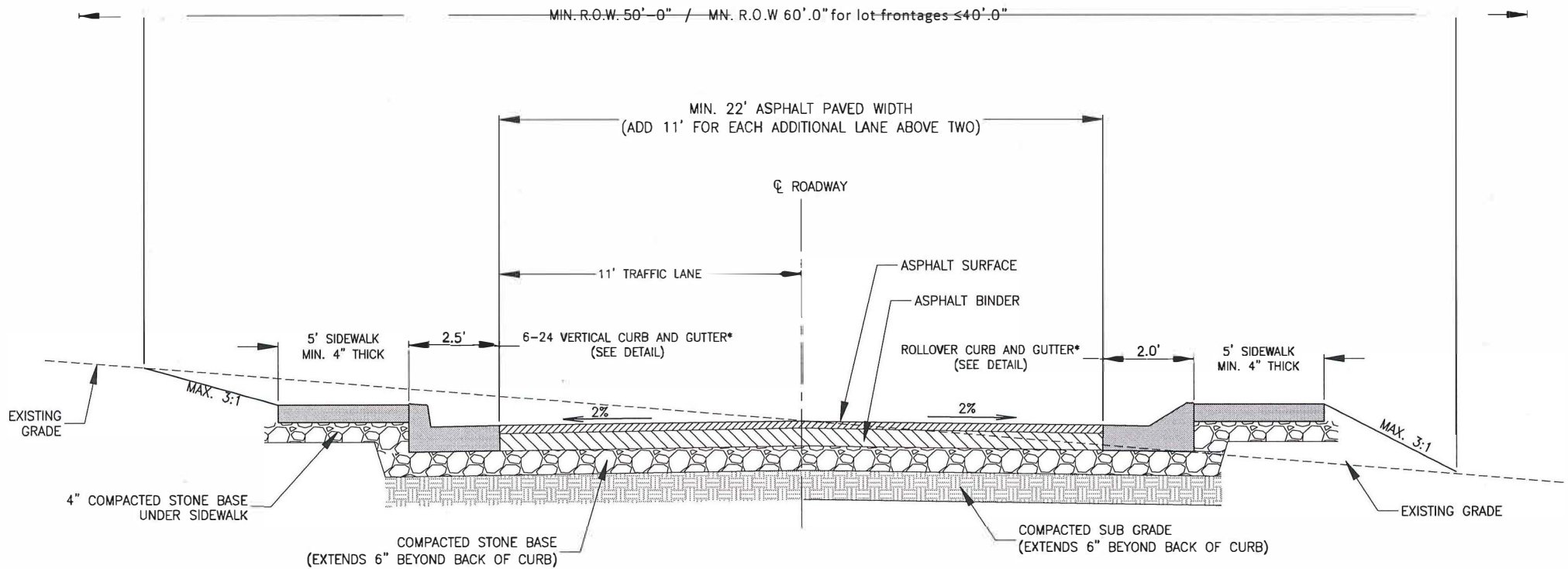
SS: _____

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

INDIVIDUAL

Appendix 3:

Street and Curb Design Standard Details



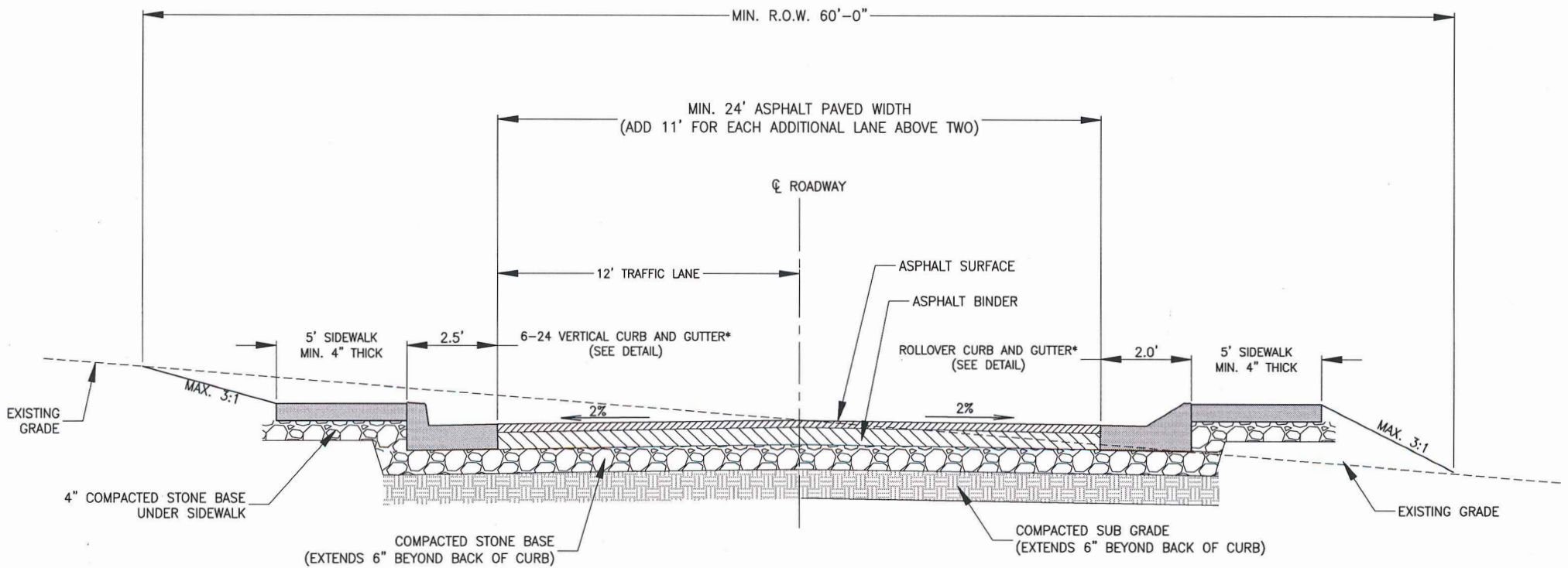
*NOTE: FOR RESIDENTIAL MINOR STREETS, EITHER CURB AND GUTTER OPTION CAN BE UTILIZED.

PAVEMENT SECTION DETAIL SPECIFICATIONS:

1. 1.5" ASPHALT WEARING SURFACE (411 E)
2. TACK COAT
3. 3" ASPHALT BINDER (B-MODIFIED)
4. 6" STONE BASE

RESIDENTIAL MINOR (LOCAL) STREET

N.T.S.



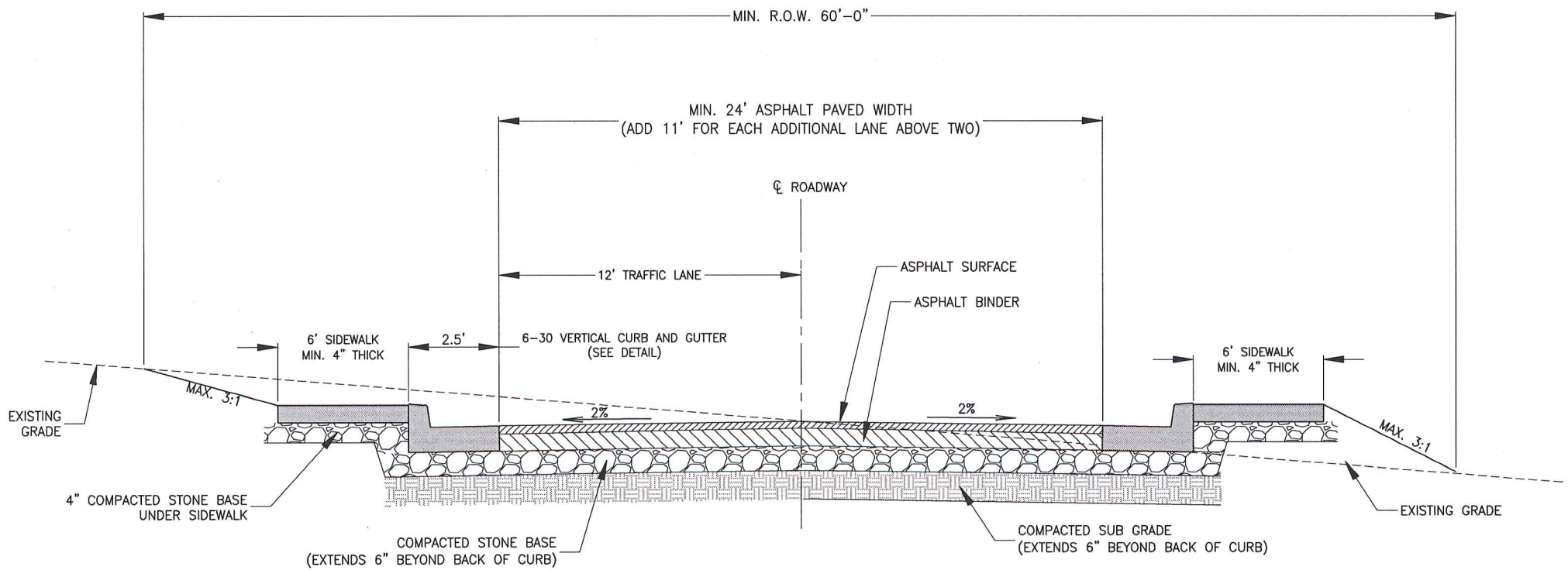
*NOTE: FOR RESIDENTIAL COLLECTOR STREETS, EITHER CURB AND GUTTER OPTION CAN BE UTILIZED.

PAVEMENT SECTION DETAIL SPECIFICATIONS:

1. 1.5" ASPHALT WEARING SURFACE (411 E)
2. TACK COAT
3. 3" ASPHALT BINDER (B-MODIFIED)
4. 8" STONE BASE

RESIDENTIAL COLLECTOR STREET

N.T.S.

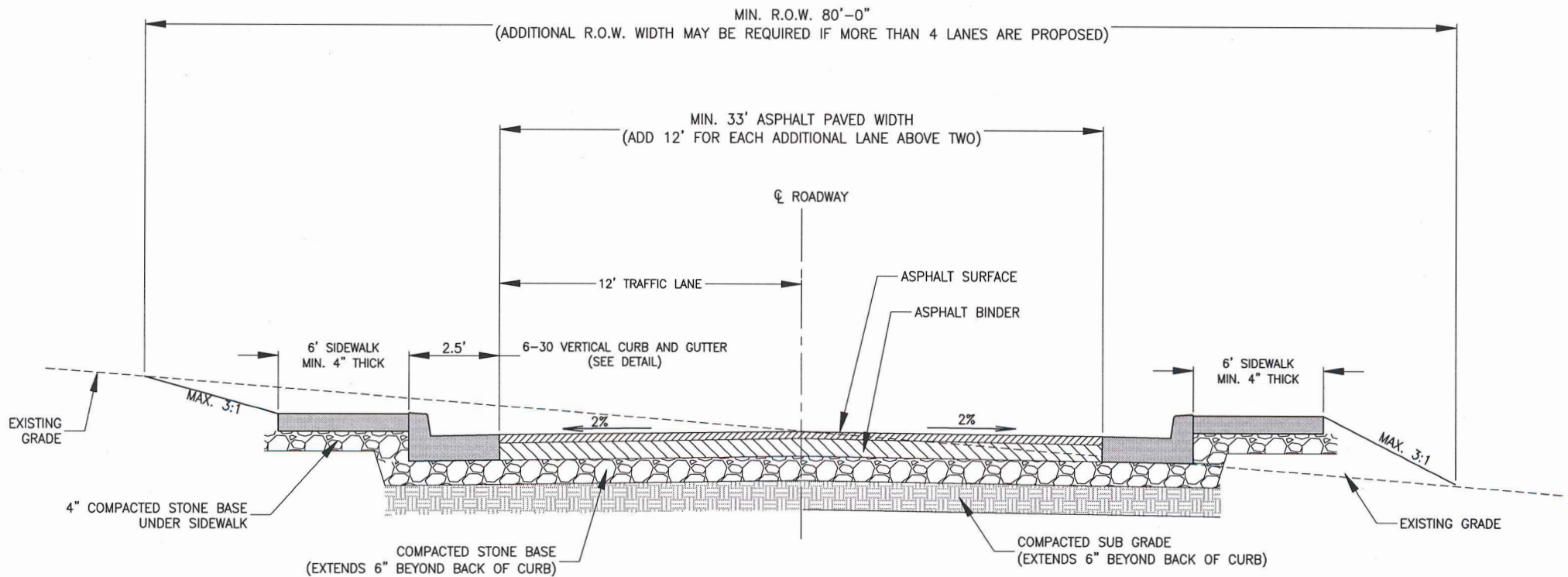


PAVEMENT SECTION DETAIL SPECIFICATIONS:

1. 2" ASPHALT WEARING SURFACE (411 E)
2. TACK COAT
3. 3.5" ASPHALT BINDER (B-MODIFIED)
4. 8" STONE BASE

NON-RESIDENTIAL STREET

N.T.S.



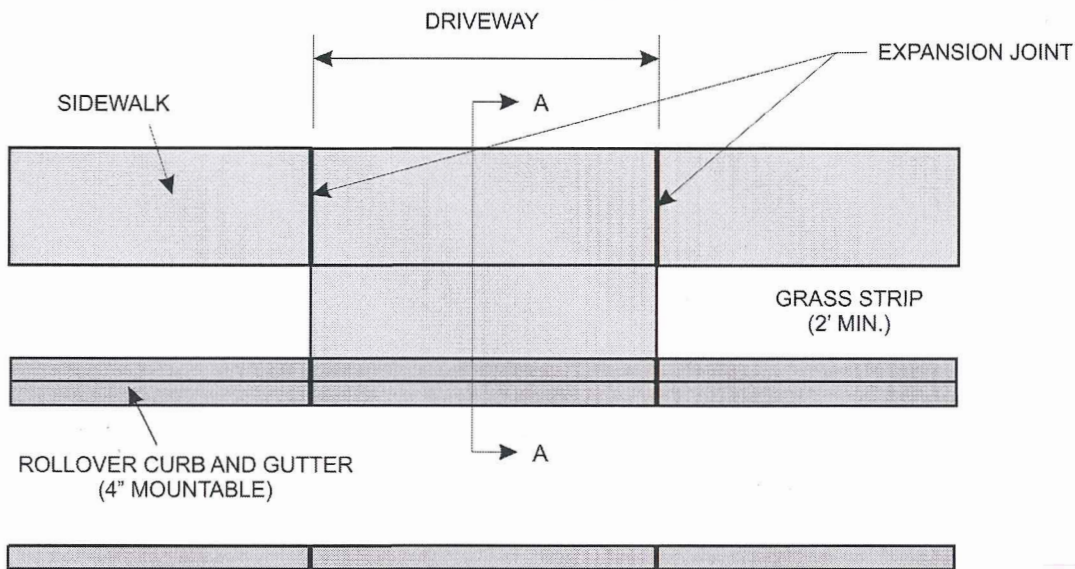
PAVEMENT SECTION DETAIL SPECIFICATIONS:

1. 2" ASPHALT WEARING SURFACE (411 E)
2. TACK COAT
3. 4" ASPHALT BINDER (B-MODIFIED)
4. 10" STONE BASE

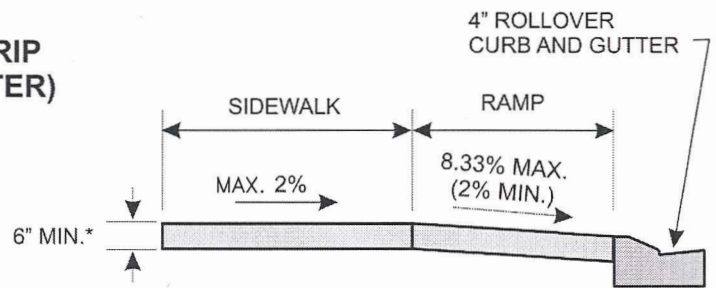
ARTERIAL (RESIDENTIAL OR NON-RESIDENTIAL) STREET

N.T.S.

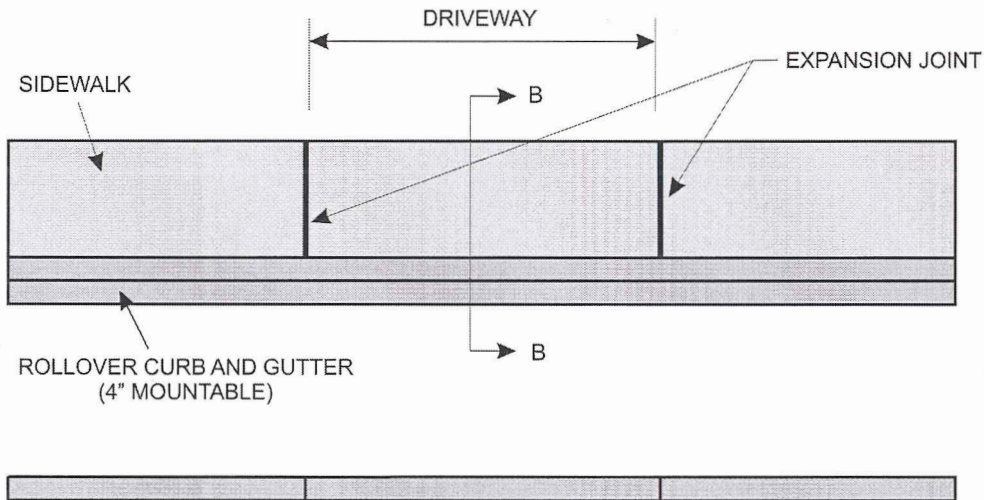
10' MIN./22' MAX. — RESIDENTIAL
ROLLOVER CURB NOT ALLOWED FOR NON-RESIDENTIAL



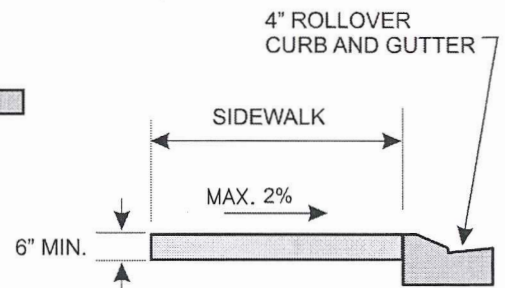
**DRIVEWAY DETAIL WITH GRASS STRIP
(FOR 4" ROLLOVER CURB AND GUTTER)**



* SIDEWALK ACROSS DRIVEWAY SHALL BE 6" MIN. DEPTH



**DRIVEWAY DETAIL WITHOUT GRASS STRIP
(FOR 4" ROLLOVER CURB AND GUTTER)**



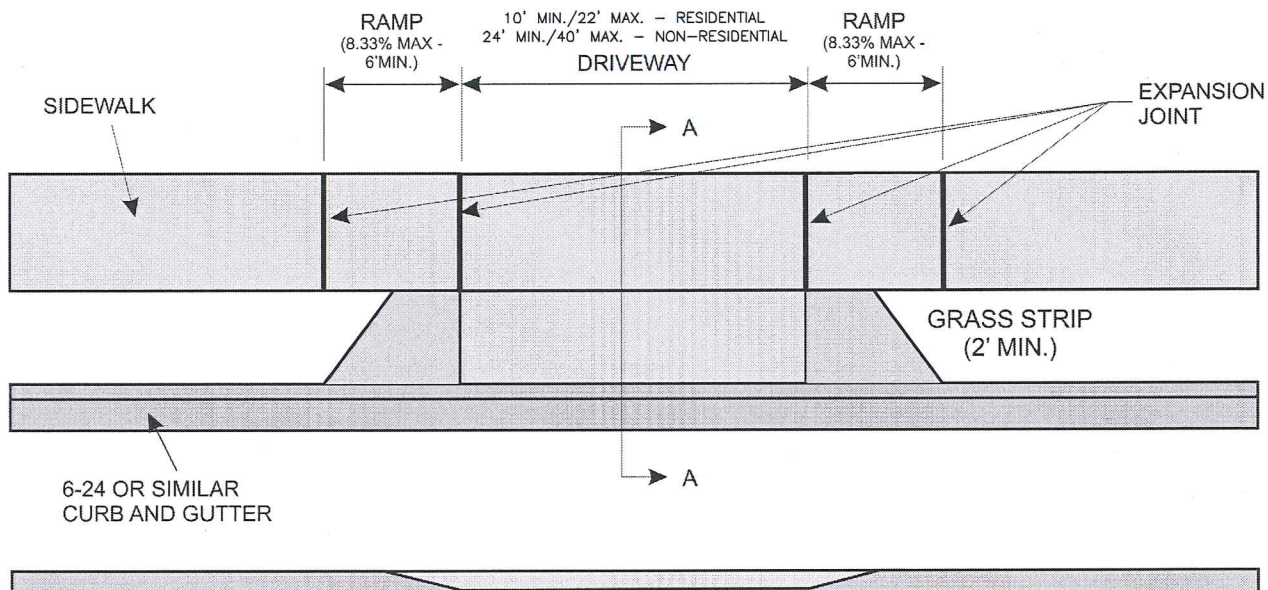
* SIDEWALK ACROSS DRIVEWAY SHALL BE 6" MIN. DEPTH

NOTES:

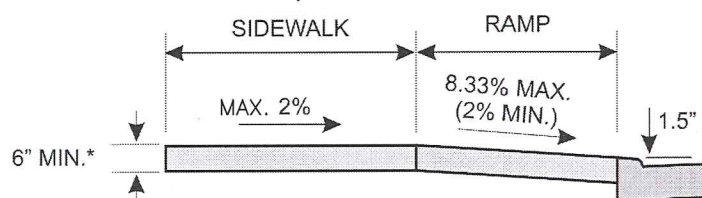
1. For sites lower than the curb, adjust site grade to maintain curb flow in the street.
2. 8.33% = 1:12, 2% = 1:48

DRIVEWAY DETAIL FOR ROLLOVER CURB AND GUTTER

N.T.S.

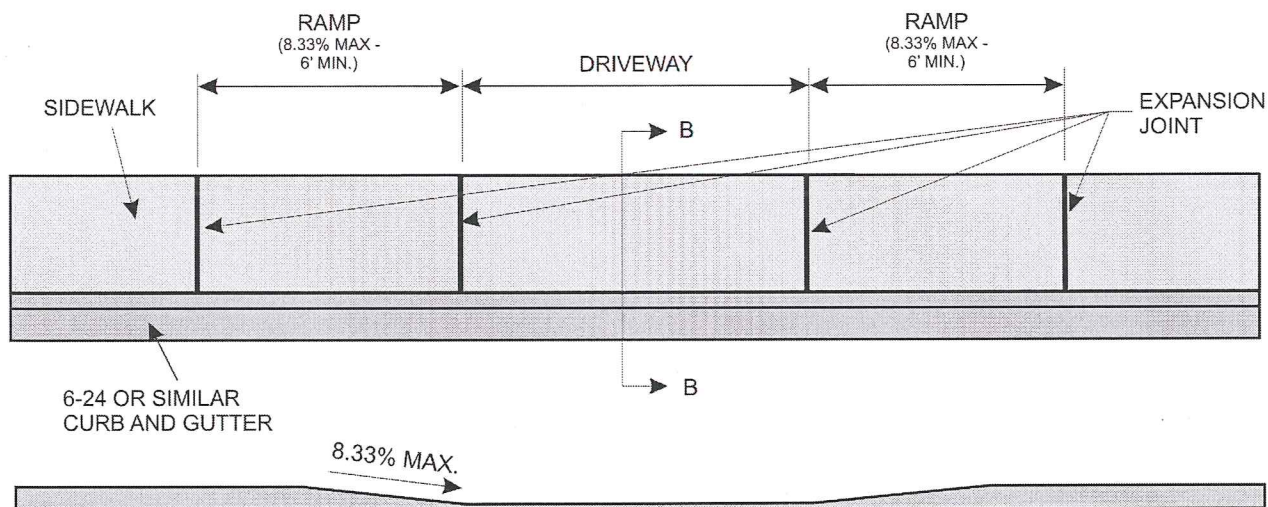


**DRIVEWAY DETAIL WITH GRASS STRIP
(FOR 6-24 OR SIMILAR VERTICAL CURB AND GUTTER)**

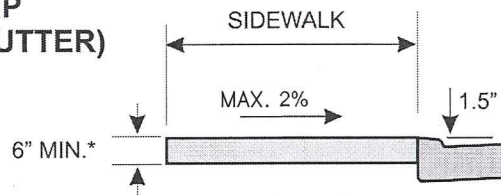


SECTION A-A

* SIDEWALK ACROSS DRIVEWAY SHALL BE 6" MIN. DEPTH FOR RESIDENTIAL AND 8" MIN. DEPTH FOR COMMERCIAL



**DRIVEWAY DETAIL WITHOUT GRASS STRIP
(FOR 6-24 OR SIMILAR VERTICAL CURB AND GUTTER)**



SECTION B-B

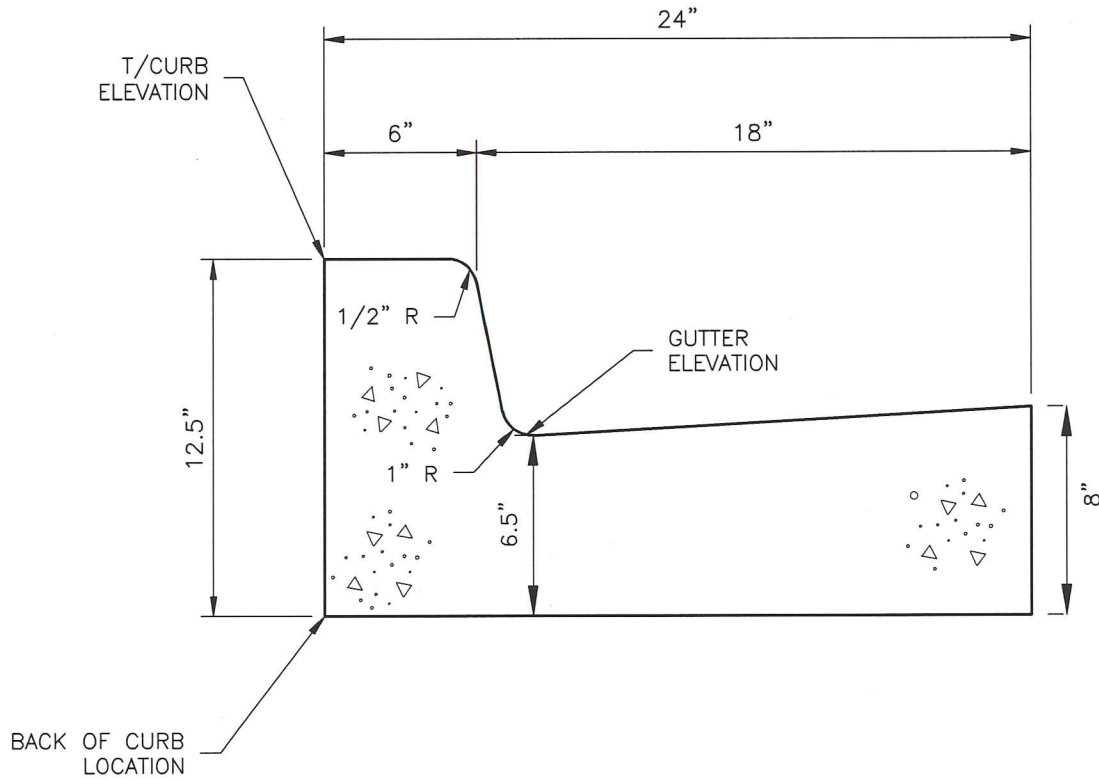
* SIDEWALK ACROSS DRIVEWAY SHALL BE 6" MIN. DEPTH FOR RESIDENTIAL AND 8" MIN. DEPTH FOR COMMERCIAL

NOTES:

1. For sites lower than the curb, adjust site grade to maintain curb flow in the street.
2. 8.33% = 1:12, 2% = 1:48

DRIVEWAY DETAIL FOR VERTICAL CURB AND GUTTER

N.T.S.

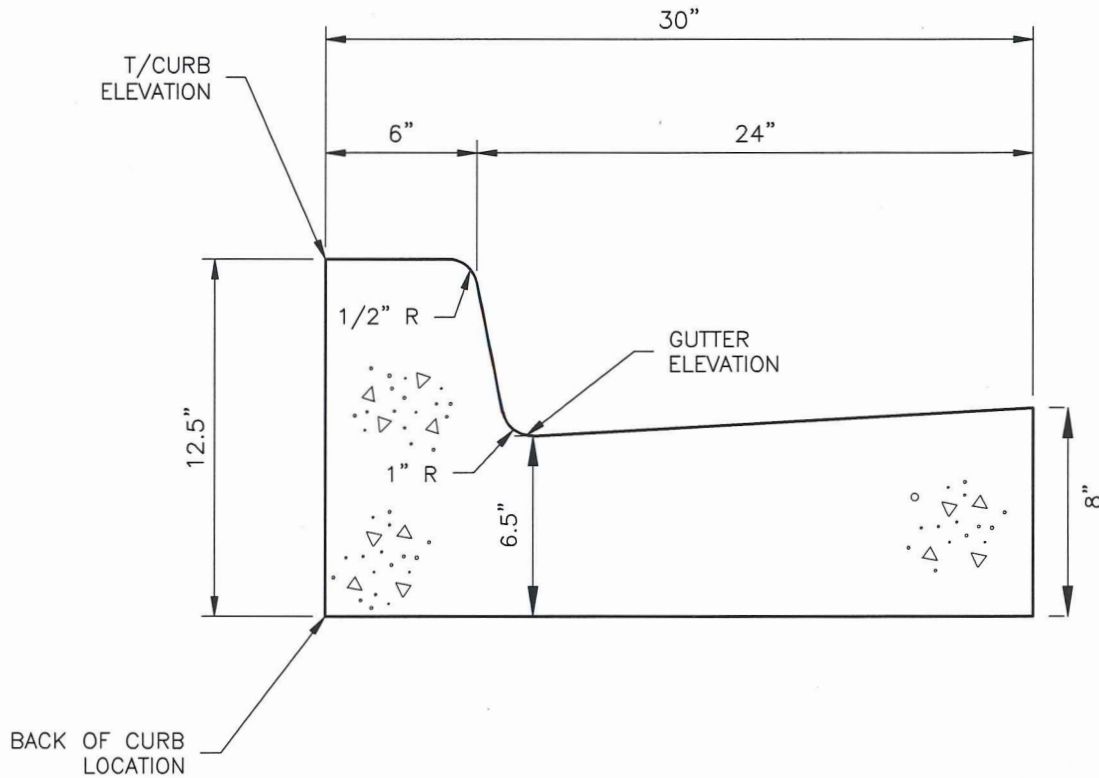


NOTES:

1. CONTRACTION JOINTS: $\frac{1}{4}$ " WIDE, FULL DEPTH, AT MAXIMUM OF 50' LONGITUDINAL INTERVALS, AT ALL ABUTTING STRUCTURES, DRIVEWAYS AND TANGENT POINTS OF RADIUS RETURNS.
2. TOOLED CURB CONTROL JOINTS $\frac{1}{4}$ " WIDE, 1" DEEP, 5' O.C.
3. ALL CONCRETE TO COMPLY WITH ACI 318 WITH MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAY TEST.
4. CONCRETE TO BE AIR-ENTRAINED WITH AN AIR CONTENT OF 4-6%.
5. JOINTS TO BE FILLED WITH BITUMINOUS EXPANSION MATERIAL.
6. CATCH BASIN CASTINGS TO BE JBS 3080, OR APPROVED EQUAL

6-24 VERTICAL CURB AND GUTTER DETAIL

N.T.S.

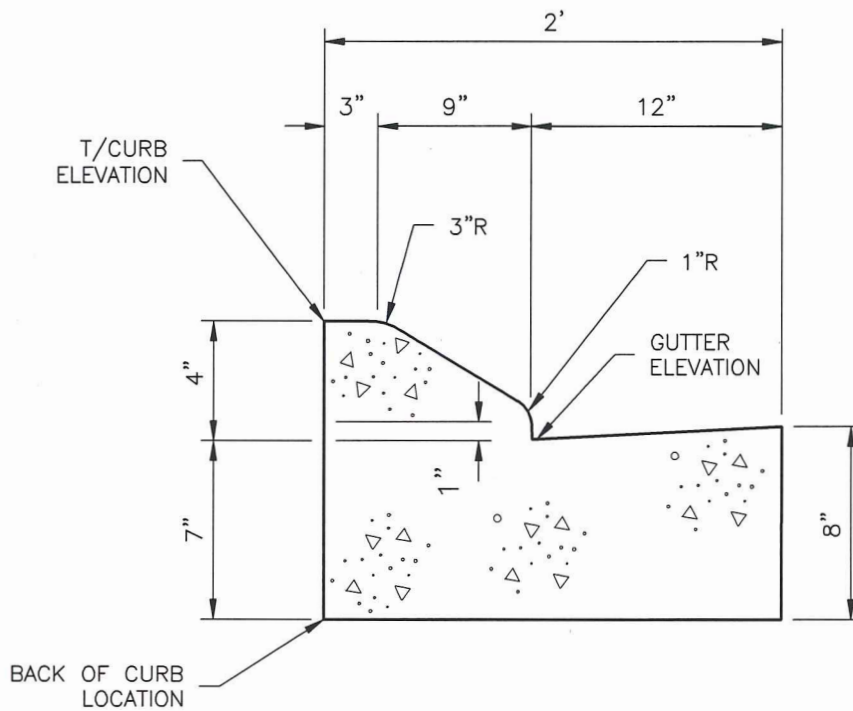


NOTES:

1. CONTRACTION JOINTS: $\frac{1}{4}$ " WIDE, FULL DEPTH, AT MAXIMUM OF 50' LONGITUDINAL INTERVALS, AT ALL ABUTTING STRUCTURES, DRIVEWAYS AND TANGENT POINTS OF RADIUS RETURNS.
2. TOOLED CURB CONTROL JOINTS $\frac{1}{4}$ " WIDE, 1" DEEP, 5' O.C.
3. ALL CONCRETE TO COMPLY WITH ACI 318 WITH MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAY TEST.
4. CONCRETE TO BE AIR-ENTRAINED WITH AN AIR CONTENT OF 4-6%.
5. JOINTS TO BE FILLED WITH BITUMINOUS EXPANSION MATERIAL.
6. CATCH BASIN CASTINGS TO BE JBS 3104V, OR APPROVED EQUAL

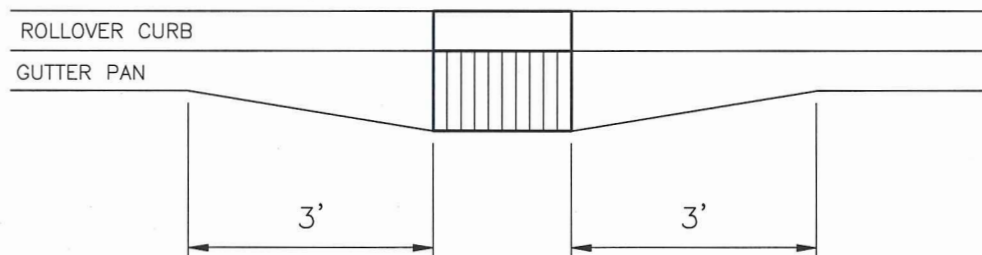
6-30 VERTICAL CURB AND GUTTER DETAIL

N.T.S.



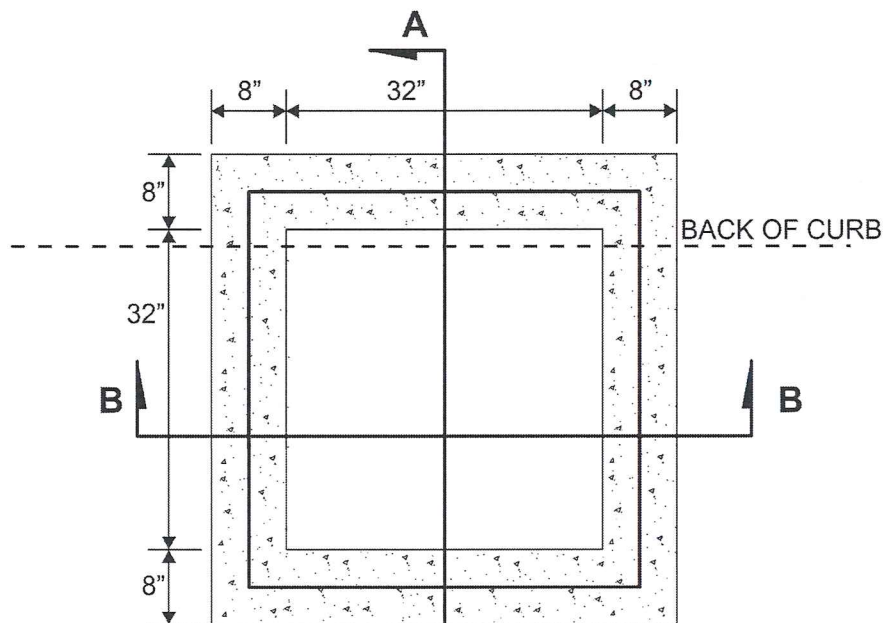
NOTES:

1. CONTRACTION JOINTS: $\frac{1}{4}$ " WIDE, FULL DEPTH, AT MAXIMUM OF 50' LONGITUDINAL INTERVALS, AT ALL ABUTTING STRUCTURES, DRIVEWAYS AND TANGENT POINTS OF RADIUS RETURNS.
2. TOOLED CURB CONTROL JOINTS $\frac{1}{4}$ " WIDE, 1" DEEP, 5' O.C.
3. ALL CONCRETE TO COMPLY WITH ACI 318 WITH MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAY TEST.
4. CONCRETE TO BE AIR-ENTRAINED WITH AN AIR CONTENT OF 4-6%.
5. JOINTS TO BE FILLED WITH BITUMINOUS EXPANSION MATERIAL.
6. CATCH BASIN CASTINGS TO BE JBS 3080 (WITH MOUNTABLE CURB), OR APPROVED EQUAL.
7. GUTTER PAN DEPTH IS TO INCREASE AT CASTINGS SUCH THAT FACE OF GUTTER IS IN LINE WITH FACE OF GRATE. SEE DETAIL BELOW.



ROLLOVER CURB AND GUTTER DETAIL

N.T.S.

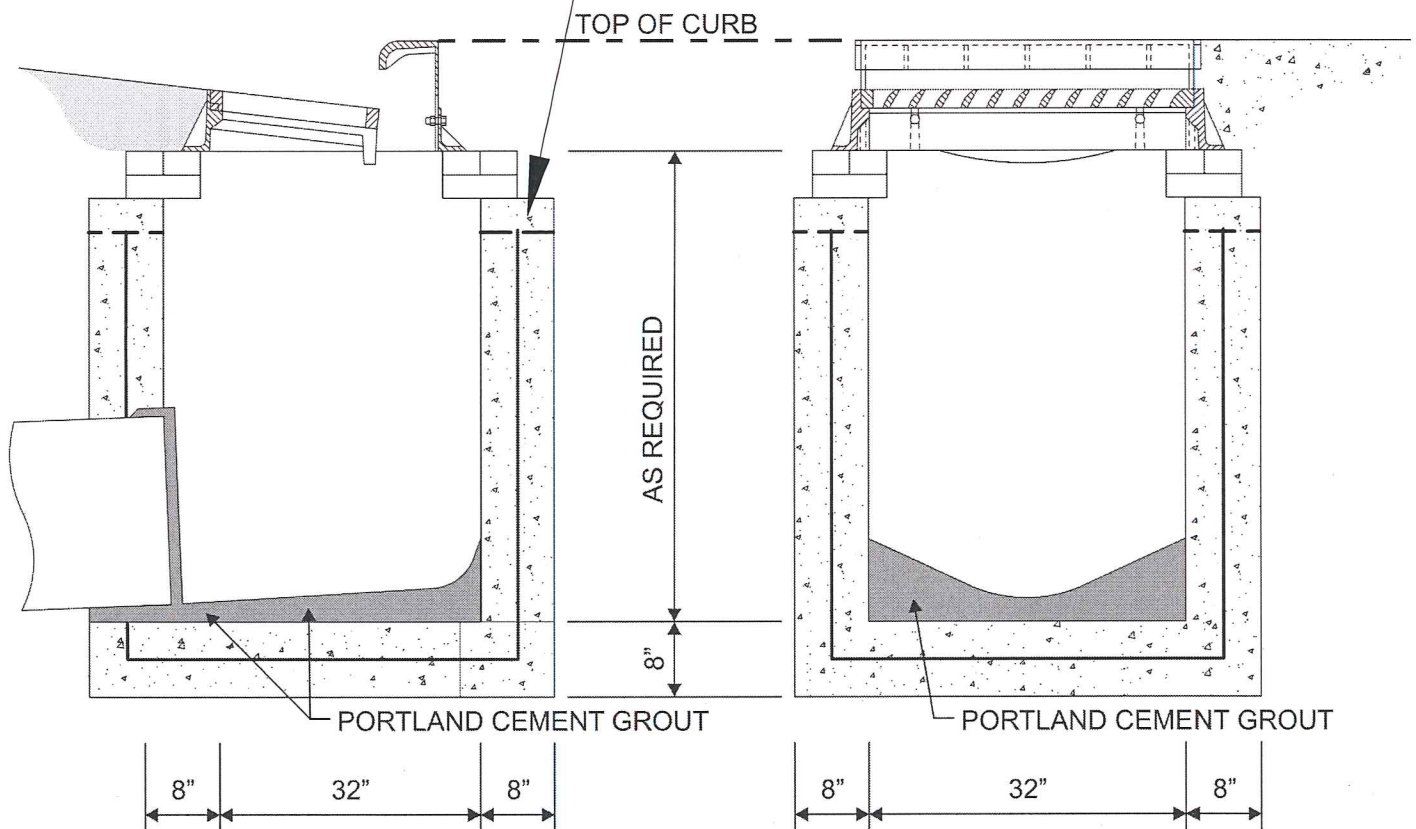


NOTES:

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

ONE OR TWO - 2" (MIN.) THICK RISER (NO BRICK)
 NOTE: TOP OF CONCRETE CATCH BASIN ELEVATION TO BE PLACED SUCH THAT CURB INLET CASTINGS ARE TO BE PLACED ON RISERS TO ALLOW FOR FIELD ADJUSTMENTS AS NECESSARY WITHOUT HAVING TO RESET THE ENTIRE CATCH BASIN.

A
TOP VIEW

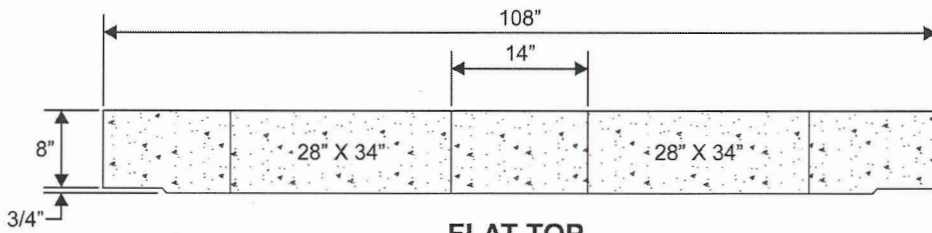


SECTION A-A

SECTION B-B

PRECAST SINGLE CATCH BASIN FOR 6-24 VERTICAL CURB

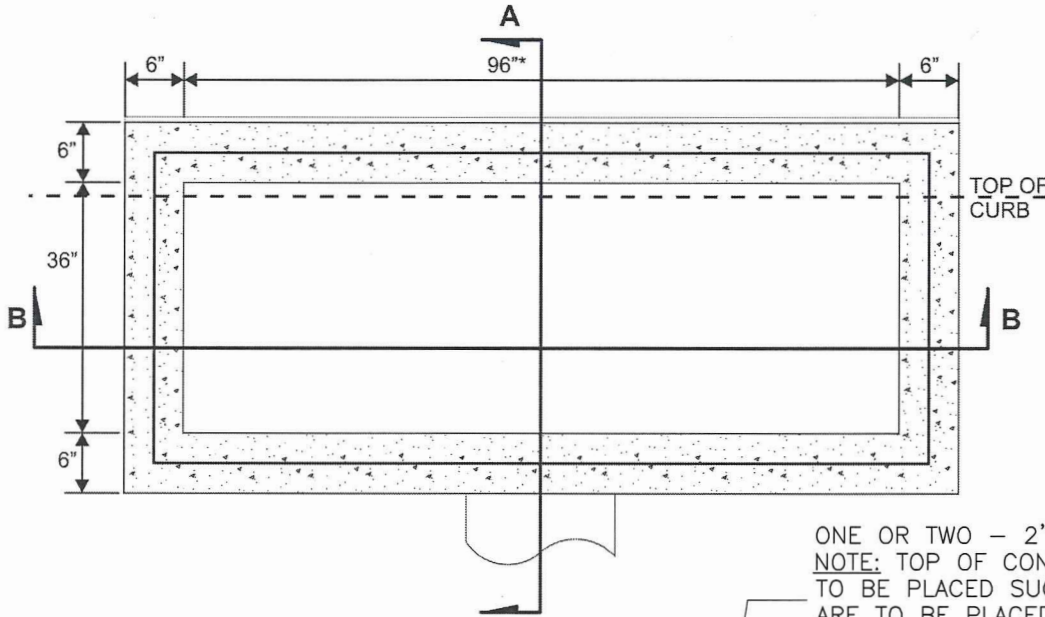
N.T.S.



FLAT TOP

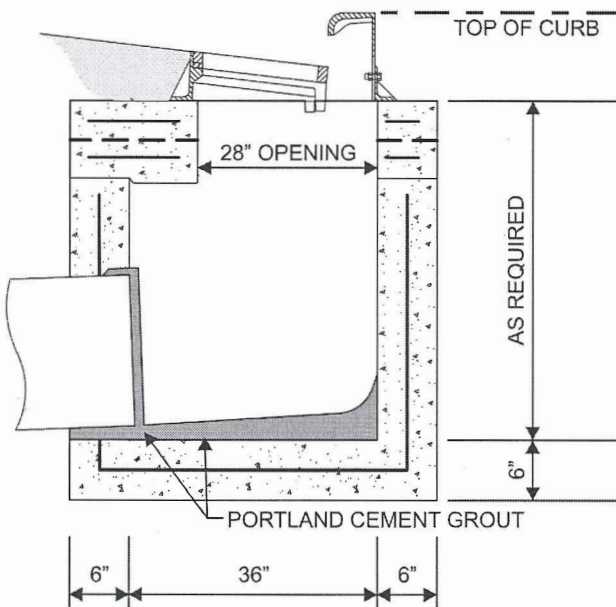
NOTES:

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

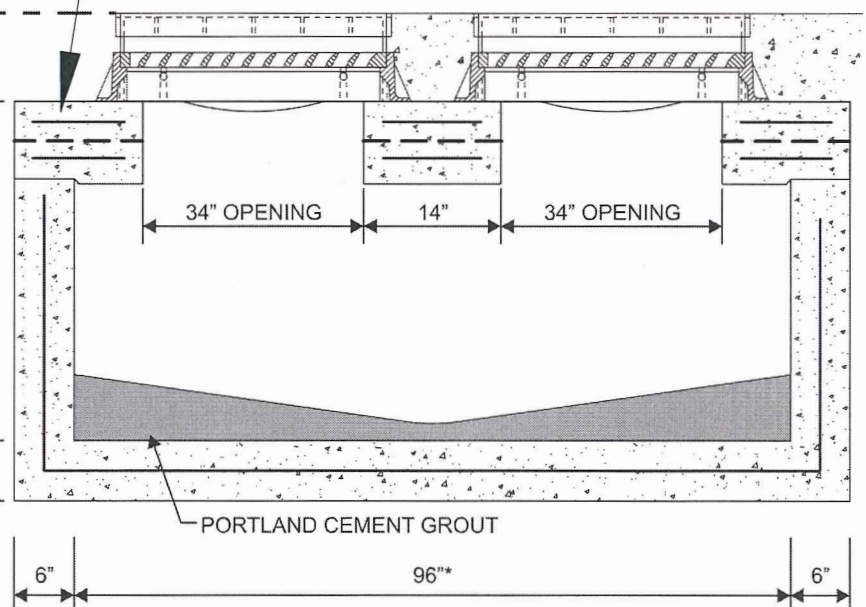


TOP VIEW

ONE OR TWO - 2" (MIN.) THICK RISER (NO BRICK)
 NOTE: TOP OF CONCRETE CATCH BASIN ELEVATION TO BE PLACED SUCH THAT CURB INLET CASTINGS ARE TO BE PLACED ON RISERS TO ALLOW FOR FIELD ADJUSTMENTS AS NECESSARY WITHOUT HAVING TO RESE THE ENTIRE CATCH BASIN.



SECTION A-A

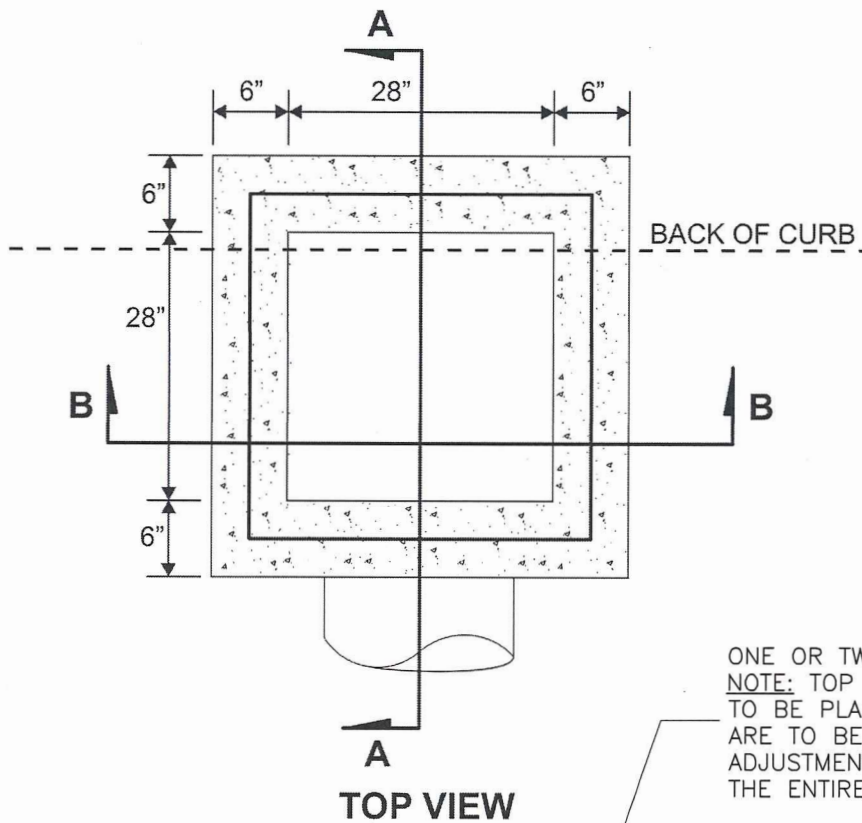


SECTION B-B

* 84" IF 1" X 14" LINTEL PLATE IS USED INSTEAD OF FLAT TOP

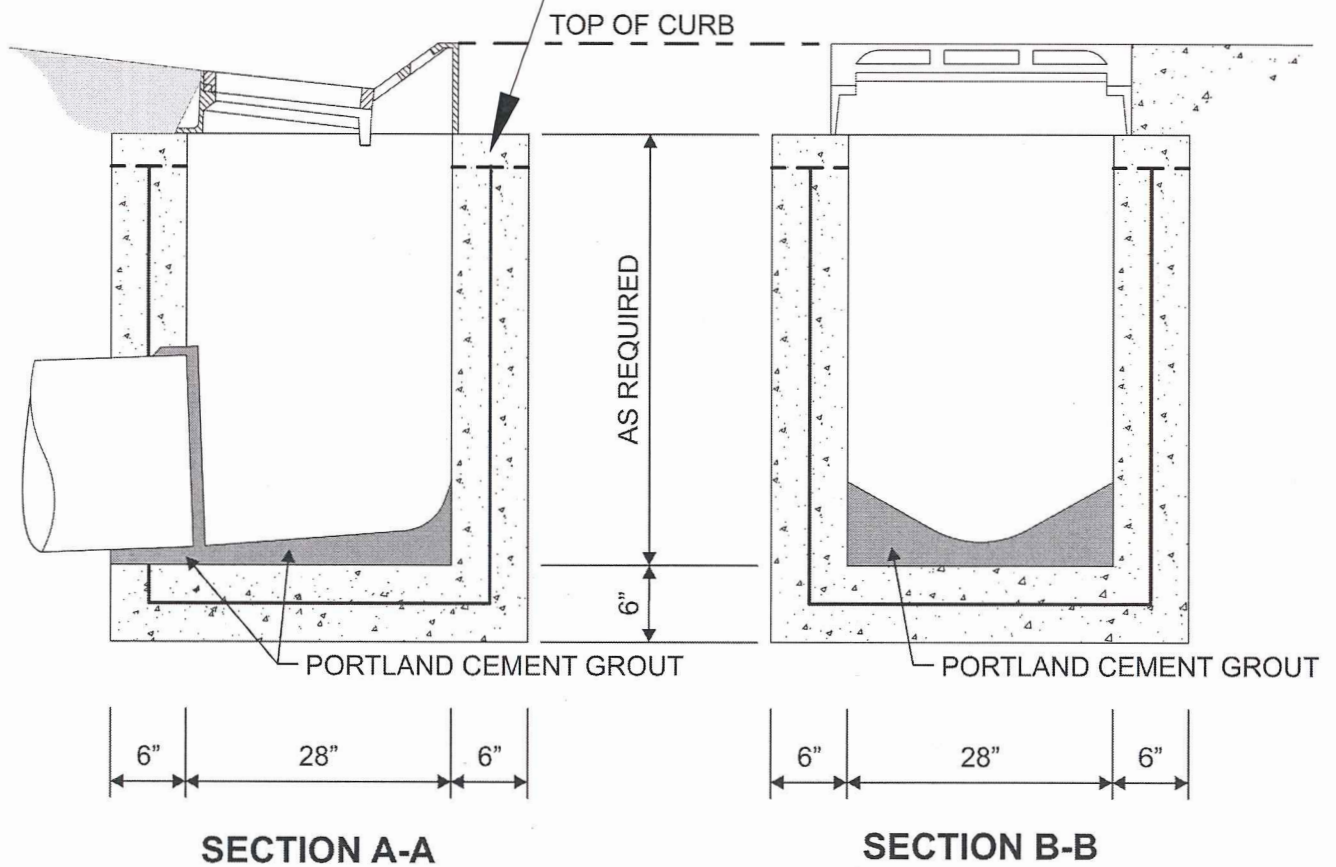
PRECAST DOUBLE CATCH BASIN FOR 6-24 VERTICAL CURB

N.T.S.



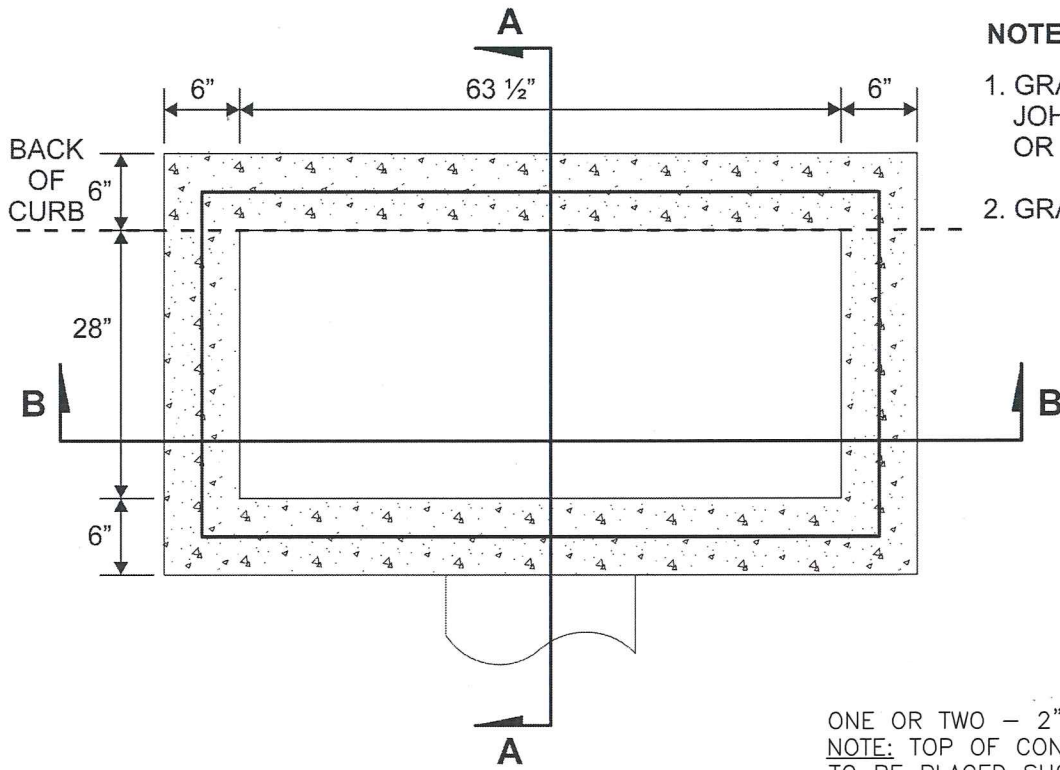
NOTES:

1. GRATE AND CASTING TO BE JOHN BOUCHARD & SON NO. 3104 OR EQUAL



PRECAST SINGLE CATCH BASIN FOR ROLLOVER CURB

N.T.S.

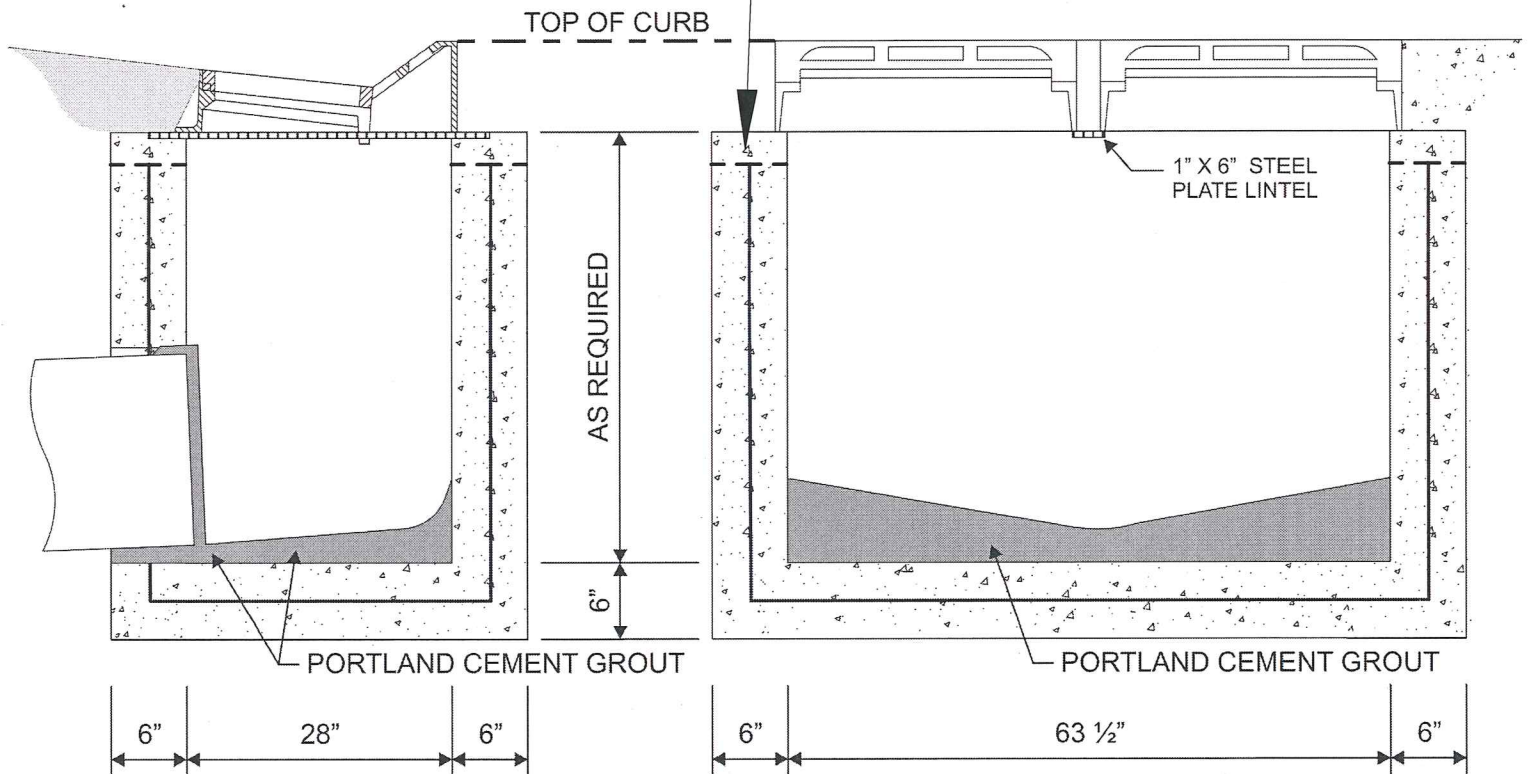


TOP VIEW

NOTES:

1. GRATE AND CASTING TO BE JOHN BOUCHARD & SON NO. 3104 OR EQUAL
2. GRADE 60 STEEL

ONE OR TWO - 2" (MIN.) THICK RISER (NO BRICK)
 NOTE: TOP OF CONCRETE CATCH BASIN ELEVATION TO BE PLACED SUCH THAT CURB INLET CASTINGS ARE TO BE PLACED ON RISERS TO ALLOW FOR FIELD ADJUSTMENTS AS NECESSARY WITHOUT HAVING TO RESET THE ENTIRE CATCH BASIN.

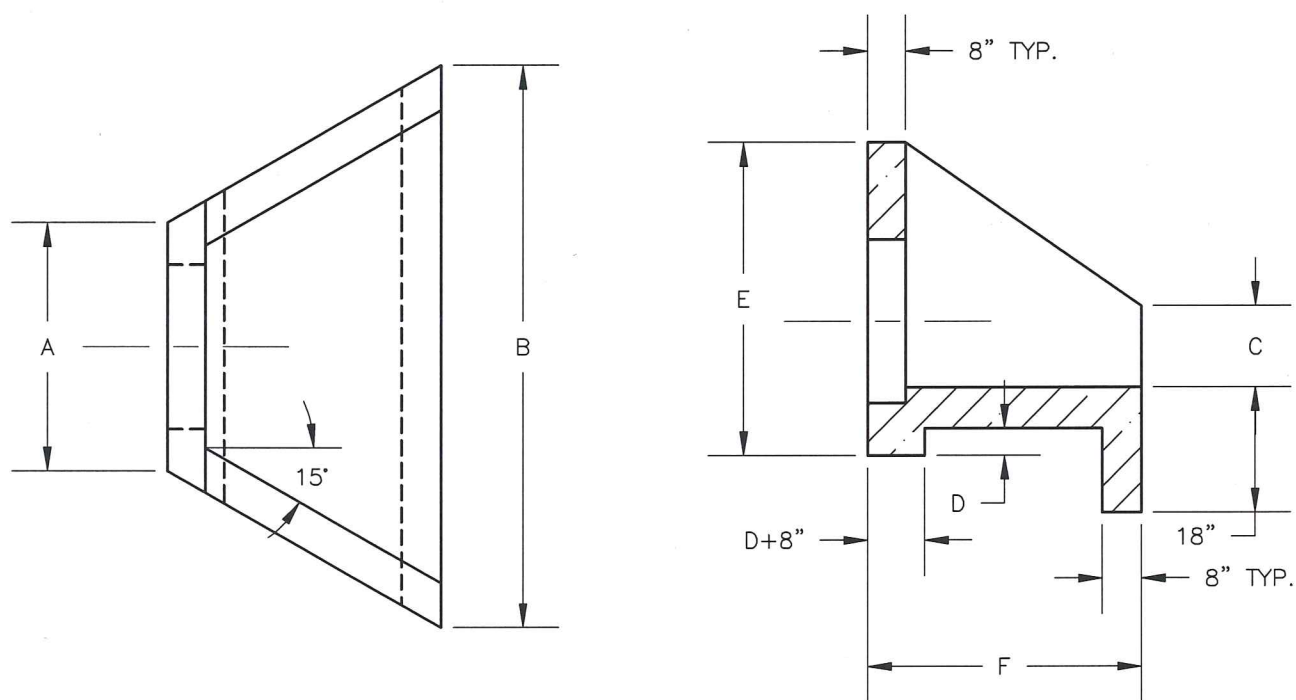


SECTION A-A

SECTION B-B

PRECAST DOUBLE CATCH BASIN FOR ROLLOVER CURB

N.T.S.



CONCRETE: 3500 PSI AT 28 DAYS

REINFORCED WITH #4 REBAR AT 12" C/C
EACH WAY (GRADE 40)

ALL EXPOSED EDGES HAVE A 3/4" CHAMFER

PREFORMED OPENING SIZE CAST IN TO BE
PIPE O.D. + 3"

NON-SHRINK GROUT TO BE USED FOR SEALING PIPE TO HEADWALL

FOR PIPES LARGER THAN 27", PROPOSED HEADWALLS TO BE APPROVED
BY PUBLIC WORKS DEPARTMENT OR CITY ENGINEER DURING CONSTRUCTION
PLANS REVIEW PROCESS

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

HEADWALL WITH WINGWALLS DETAIL

N.T.S.

Appendix 4

Materials Specifications and Construction Procedures

MATERIALS SPECIFICATION AND CONSTRUCTION PROCEDURES

A PRELIMINARY WORK

1. Location and Protection of Underground Utilities

Prior to beginning excavation or grading, the subdivider shall determine, insofar as possible, the actual locations of all underground utilities in the vicinity of his operations and shall clearly mark them so that they can be avoided by equipment operators. The subdivider shall contact Tennessee One Call at 1-800-351-1111 to assist in these locations. Where such utility lines or services appear to lie in the path of construction, they shall be uncovered in advance to determine their exact location and depth and to avoid damage due to excavation or grading operations. Existing facilities shall be protected during construction or removed and replaced in equal condition, as necessary.

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

2 Surveying and Staking

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

3 Removal of Obstructions

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

4 Clearing and Grubbing

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

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

5. Traffic Control and Safety

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

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

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

B ROADWAY CONSTRUCTION

1. Stripping, Stockpiling, and Placing Topsoil

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

A two (2) or three (3) inch layer of topsoil shall be placed where seeding is required or where required by the enforcing officer.

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

2. Excavation

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

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

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

3. Fills and Embankments

Embankment and fill materials shall be free from frost, stumps, trees, roots, sod, or muck. Only materials from excavation or borrow pits, or other materials approved by the enforcing officer shall be used. Materials shall not be placed on frozen ground.

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

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

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

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

Fill areas shall be compacted by a sheep's foot roller, to a density of not less than ninety-five (95) percent of optimum density (standard proctor) and each lift of fill materials shall be rolled until the roller "walk out".

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

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

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

4. Undercutting

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

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

Disposal of unsatisfactory materials shall be approved by the enforcing officer.

5. Subgrade Construction and Preparation

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

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

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

The subgrade shall have a six-inch crown at the roadway centerline, or as otherwise specified by the enforcing officer.

Subgrade density tests if required by the enforcing officer shall be conducted by a local testing laboratory, approved by the city and licensed by the State of Tennessee, being furnished at the expense of the developer/owner and two copies of said reports submitted directly to the enforcing officer. The developer/owner shall request in writing to the enforcing officer when (the date envisioned) any inspection by the enforcing officer of the subgrade is desired. A minimum of one subgrade density test for every constructed subdivision street and/or one thousand (1,000) feet of roadway therein shall be required.

The subgrade must be compacted to at least 95% of its maximum dry density as determined by ASTM-D-698 (Standard Proctor).

It shall be the responsibility of the enforcing officer to decide after the filing of the request for inspection by said developer/owner, the location of all test area(s) as well as the time or date the testing by an approved testing laboratory shall be conducted.

The developer/owner shall be responsible for reimbursing the city for all costs engendered by the enforcing officer, with respect to the evaluation of the test site(s), as well as the required laboratory testing report.

If the findings of the test report and the review of such report any repetition of such test is required, the cost of such test, as well as the test and subgrade review fees of the enforcing officer shall be borne solely by the project developer/owner.

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

6. Shoulders and Slopes

All shoulders and slopes shall be trimmed and shaped to conform with the cross sections shown on the plans and as specified in Section C-5, below. Rock cuts shall be sealed of all loose fragments, projecting points, etc., so as to leave a

clean and neat appearance. Shoulders shall be completed where required as shown on the plans and shall be double bituminous surface treated, with care being taken to protect the surface and edges of pavement. Shoulder materials shall be placed in uniform layers and compacted by overlapped rolling of both base course and pavement. The finished shoulder shall be firm against the pavement.

C. BASE AND PAVING

1. Base Stone

The base course of stone shall be placed and compacted in layers or lifts upon the prepared subgrade to a finish thickness as described and shown on the plans. No single layer or lift shall exceed four (4) inches in depth.

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

The base stone shall be graded and rolled while it is still moist from the pugmill mix. If the enforcing officer determines that the mix is too dry, water shall be added with a distributor tank truck while the stone is being graded and rolled. Compaction shall be uniform for the entire width of the roadway until a density of eighty (80) percent of the solid volume has been achieved. Placement and compaction of each layer shall be approved by the enforcing officer before materials for the next successive layer are placed.

No pavement shall be placed until the stone base has been approved by the enforcing officer.

2. Tack Coat

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

3. Base Course

Upon completion of the prime coat, and asphaltic concrete base (hot mix) course shall be applied. The base course shall be the thickness shown on the detail sheet and as specified in the subdivision regulations. All materials and methods of installation shall conform to the technical specification set forth in Section 307,

- Please note that whenever Standard Specifications are referred to herein this refers to Standard Specifications for Road and Bridge Construction, Tennessee Department of Transportation, Bureau of Highways, Nashville, Tennessee, March 1, 1995, and subsequent revisions and additions.

Standard Specifications for asphaltic concrete base. The asphaltic base shall be constructed of Grade C materials described in Section 307.03, Standard Specifications.

4. Wearing Surface

Upon completion of the application of the prime coat, or tack coat, an asphaltic concrete surface (hot mix) shall be applied. The wearing surface shall be the thickness shown on the details as specified in the Subdivision Regulations for that class street. All materials and methods of installation shall conform to the technical specifications set forth in Section 411, Standard Specifications for asphaltic concrete surface. The wearing surface shall be constructed of Grade D or E materials, described in Section 903.11, Standard Specifications, and shall utilize asphaltic cement Grade RT-4 or 5, or TRCB-5 or 6, as set forth in Section 904, Standard Specifications.

5. Shoulders

Shoulders shall be constructed only when curb and gutter drainage is not required. These Regulations require subdivisions be improved to include curb and gutter drainage systems; however, there may be projects outside of subdivisions for which the following specifications apply.

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

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

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

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

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

D. DRAINAGE SYSTEM DESIGN

The storm sewer system for residential and commercial subdivisions shall be based on the design of the following criteria:

1. Curb and Gutter

Concrete curbs and gutters shall conform to the standard drawings as detailed herein. Concrete for curbs and gutters shall be Class A, at 4,000 psi.

Curbs and gutters shall be constructed to the lines and grades shown on the plans, or as designated by the enforcing officer. The final subgrade for curbs and gutters shall be carefully graded and compacted to an even density and shall be smooth and true to grade. Curbs and gutters shall be constructed with materials and methods which conform to the technical specifications set forth in Section 702, Standard Specifications.

2. Catch Basins

Catch basins, complete with inlets, outlets, and inverts, shall be constructed as shown and detailed on the standard drawings contained herein. Tops and inlets shall be constructed to conform to the roadway grade so that drainage can easily be caught and no ponding created. This work shall consist of constructing catch basins complete with inlets, outlets, and inverts. Tops and inlets shall be constructed to conform to roadway grade so that drainage can easily be caught and no ponding created. Catch basins shall be constructed as shown and detailed on the standard drawings contained herein. Pre-cast catch basins meeting the minimum requirements illustrated on the details shall be allowed. Concrete catch basins shall be 4,000 p.s.i. Inlets shall generally be provided so that surface water is not carried across or around any intersection, or any future planned intersection or for a distance of more than six hundred (600) feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for every lot and block. Curb cuts shall not be constructed for the purpose of releasing storm water runoff from the public right-of-way.

3. Storm Sewer Pipes and Culverts

Storm sewer pipes shall be a minimum diameter of eighteen (18) inches. When a culvert is required under a public way outside of a residential or commercial subdivision, the minimum diameter shall be eighteen (18) inches.

Round <u>Corrugated</u> Metal <u>Pipes</u>	
Size	Gage
18" - 24"	16
30"	14
36" - 48"	12
54" - 72"	10
78" - 84"	8

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

4. Headwalls

Concrete headwalls shall be constructed at both ends of storm sewer pipes and culverts as shown and detailed on the standard drawings included herein.

5. Box Culverts and Bridges

Design of box culverts and bridges shall be prepared by a licensed civil engineer and submitted to the enforcing officer for approval before construction is permitted.

6. Stabilization of Ditches

Roadside ditches shall not be allowed in lieu of a piped storm sewer system. All other open ditches constructed along lot lines; constructed as part of a detention facility; or other ditch determined to be a necessary component of the storm water drainage system of any developed land shall be stabilized in accordance with the following requirements:

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

7. Concrete Ditch Pavings

Concrete ditch paving shall consist of the construction of paved ditches on a prepared subgrade. The subgrade shall be shaped and compacted to a firm even surface.

All soft materials shall be removed and replaced with acceptable materials and compacted as directed by the enforcing officer.

Concrete ditch pavement shall be four (4) inches in thickness throughout and shall be backfilled immediately after the concrete has set and the forms have been removed. The backfilled materials shall be thoroughly compacted. Expansion joints shall be located as directed by the enforcing officer.

8. Roadside Ditches Changes in Water Channels

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

Where the subdivider rechannelizes through a subdivision he **will** be responsible for replacing cross drains under streets, as directed by the enforcing officer. This work shall be done at the expense of the subdivider. In addition, rechannelization of regulated streams shall be permitted in accordance with Section 4-102.8.

9. Hydraulic Design

Stormwater systems will be designed with sufficient hydraulic capacity for the 10 year storm frequency for minor residential and collector streets. Arterial shall be designed for the 25 year storm frequency and study the 100 year storm frequency to ensure water does not overtop the roadway.

10. Storm Water Detention

Storm water detention shall be design to detain the 10 year storm post development at the 10 year storm pre developed rate. Storm Water Detention will be provided as required by the Planning Commission upon recommendation by the enforcing officer. Specific detention design criteria are provided in the

Shelbyville Drainage Ordinance; the enforcing officer may require additional criteria for the design of detention facilities if necessary.

E. FINAL DRESSING, SEEDING, AND SODDING

1. Final Dressing

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

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

2. Seeding

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

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

The seed shall be as follows:

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

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

3. Sodding

Sodding shall consist of furnishing and placing sod at all locations shown on the plans, or as directed by the enforcing officer. Work shall include the furnishing and placing of new sod, consisting of live, dense, well-rooted growth of permanent grasses free from johnson grass and other obnoxious grasses or weeds, well suited for the soil on which it is placed. All sod shall be cleanly cut in strips having a uniform thickness of not less than two and one-half (2 1/2) inches. Sod shall be set when the soil is moist and favorable to growth. No setting shall be done between October 1 and April 1, without permission of the enforcing officer. The area to be sodded shall be brought to the lines and grades shown on the plans, or as directed by the enforcing officer.

The surface of the ground to be sodded shall be loosened to a depth of not less than one (1) inch with a rake or other device. If necessary, it shall be sprinkled until saturated for a minimum depth of one (1) inch and kept moist until the sod is placed. Immediately before placing the sod, fertilizer and lime shall be applied uniformly to the prepared surface of the ground. Fertilizer shall be applied at the rate of eight pounds of Grade 15-15-15, or equivalent, per one thousand (1,000) square feet.

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

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