

SUBDIVISION REGULATIONS
FOR
MCMINNVILLE PLANNING REGION
MCMINNVILLE, TENNESSEE

MCMINNVILLE REGIONAL PLANNING COMMISSION

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SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION

Throughout the following process, the owner/developer is strongly encouraged to personally participate in consultations and meetings regarding the development.

1. Confer with the Planning Commission and its Staff Planner to become thoroughly familiar with the subdivision requirements, the major road plan and other public improvements which might affect the area to be subdivided.
2. Have preliminary sketch plat prepared by a reputable state-licensed surveyor.
3. Discuss preliminary plat with staff representative. This pre application review by a trained land planner may save the subdivider time and costly revisions as well as possible savings through better design.
4. If development will use individual septic tanks, submit plat to Tennessee Department of Environment and Conservation, which may place restrictions on number, size, and use of lots. The timing of approval by the McMinnville Regional Planning Commission is dependent on the Tennessee Department of Environment and Conservation results.
5. Submit required copies of the preliminary plat to the Planning Commission in advance of its regular monthly meeting.
6. See city engineer or designated approving agent(s) for street and utility specifications. Obtain Tennessee Department of Environment and Conservation approval of water and sewer plans and submit signed plans to the McMinnville Regional Planning Commission.
7. After preliminary plat approval has been granted, develop subdivision according to preliminary plat and the required modifications, if any. Install improvements.
8. Prepare final plat.
9. Obtain signatures on certificates from street and utility officials certifying that improvements have been made (or that a financial guarantee has been established).
10. Submit final plat to the Planning Commission for approval. When approved, the Planning Commission secretary will sign the certificate of approval for recording.
11. The subdivider records the plat with the county Register of Deeds' office and is now ready to sell the lots.

SUBDIVISION REGULATIONS
Of
The McMinnville Regional Planning Commission
McMinnville, Tennessee

ARTICLE I GENERAL PROVISIONS

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots, and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore in the interest of the public, the developer, and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the McMinnville, Tennessee, Regional Planning Commission (hereafter referred to as the Planning Commission) are designed to provide for the harmonious development of the regional area; to secure a coordinated layout and adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-3-401 through Section 13-3-411 and Section 13-4-301 through Section 13-4-309 of the Tennessee Code Annotated. The Planning Commission has fulfilled the requirements set forth in these statutes as a prerequisite to the adoption of such regulations, having filed on June 28, 1995 a certified copy of the Major Road Plan in Note Book 18, Page 388 and Cabinet B, Slide 134-A in the office of the Register of Deeds of Warren County, Tennessee.

C. Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of McMinnville, Tennessee, and its planning region, as now or hereafter established.

Any owner of land within the City of McMinnville or within its planning region wishing to subdivide land shall submit to the Planning Commission a plat of the subdivision according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article III.

D. Definitions

Except as specifically defined herein, all words used in these regulations have their customary dictionary definitions where not inconsistent with the context. For the purpose of these regulations, certain words or terms are defined as follows:

The term "shall" or "will" is mandatory. When not inconsistent with the context, words used in the singular number shall include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

1. Building permit: A written permit issued by the McMinnville Office of Codes Enforcement authorizing construction, renovation, or repairs to a structure.
2. Building setback line: A line, as required by the McMinnville Zoning Code, beyond which a building cannot extend. Said Code establishes front, side and rear setback lines.
3. Dedication: The setting aside of land by the owner for acceptance by the public for some public use.
4. Developer: An individual, partnership, corporation, or other legal entity or agent thereof which undertakes the activities covered by these regulations. The term "developer" includes "subdivider", "owner", or "builder".
5. Easement: The right to use another person's property, but only for a limited and specifically named purpose; the owner generally continues to make use of such land since he has given up only certain, and not all, ownership rights.
6. Engineer: A qualified Civil Engineer registered and currently licensed to practice engineering in the State of Tennessee.
7. Financial guarantee for improvements: A guarantee in the form of an escrow account, letter of credit, certified check, or other method approved by the Planning Commission to ensure completion of required subdivision improvements.
8. Improvements: Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for the activities of man. Typical improvements in these regulations would include but not be limited to grading, street construction, drainage, and utilities.
9. Inspection: A physical examination of an improvement, or phase of an improvement, required under the provisions of these regulations by an appropriate official to ensure that said improvement meets the required standards. Inspections must be completed on all street, drainage and utility (water and sewer) improvements.

10. Lot: A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.
 - a. Lot area: The computed ground area inside the lot lines.
 - b. Lot frontage: The side of the lot nearest the public street. All sides of a lot adjacent to streets shall be considered frontage.
 - c. Lot lines: Boundaries of a lot; includes front, rear, and side lot lines.
 - d. Lot width: The distance between side lot lines measured at the building setback line.
11. Major Road Plan: The official map, as adopted by the McMinnville Regional Planning Commission, on which the planned locations of present and future municipal arterial and collector streets are indicated.
12. Permanent vehicular easement: A right-of-way for vehicular traffic which is not intended to be dedicated to the local government. All permanent vehicular easements shall meet all construction requirements of a public street.
13. Planning Commission: The McMinnville Regional Planning Commission, its commissioners, officers, and staff.
14. Plat: The map, drawing, or chart on which the subdivider's plan of subdivision is presented and which he submits for approval and intends in final form to record; it includes plat, plan, plot and replot.
15. Right-of-way: A strip of land occupied or intended to be occupied by any or all of the following: a street, road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, 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 not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the preparer of the plat on which such right-of-way is established and shall be covered by any necessary easements.
16. Staff Planner: The representative of the Local Planning Assistance Office serving as technical advisor for the Planning Commission.
17. Street: A public way, provided for the accommodation of vehicular traffic, or as a means of access to property, and includes streets, avenues, boulevards, roads, lanes, alleys, or other public ways. Streets shall be classified as follows:

- a. Arterial: Street and highways used primarily for movement of fast or heavy traffic within and through the municipality; a secondary function is land access. These are usually shown on the Major Road Plan.
 - b. Collector: Streets which carry traffic from minor streets to the arterial streets and highways. This usually includes the principal entrance street(s) or streets of major circulation of a residential development. Collectors serve the internal traffic movement within a section of the municipality and connect this section with the arterial system.
 - c. Cul-de-sac: Permanent dead-end streets or courts with a paved turnaround designed so that they cannot be extended in the future.
 - d. Local: A street designated to accommodate local traffic, the major portion of which originates along the street itself. The major function of a local street is land access. May also be called minor residential or minor commercial streets.
 - e. Marginal access: Minor streets which are parallel and adjacent to arterial streets and highways, and which provide access to the abutting properties and protection from the through traffic.
18. Subdivision: The division of a tract or parcel of land into two (2) or more lots, sites, or other division requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. Section 13-4-301 and 13-3-401 of Tennessee Code Annotated.
19. Surveyor: A qualified surveyor registered and currently licensed to practice surveying in the State of Tennessee.
20. Utility: A service to the public; including, but not limited to, sanitary and storm sewers, water, electric power, gas, telephone and other communication means, police and fire protection, garbage collection, mail, and street lighting.
21. Warranty of Improvements: A surety in the form of an escrow account, letter of credit, certified check, or other method approved by the Planning Commission to warranty improvements made under the provisions of these regulations for a specified period of time.
22. Zoning Code: The zoning regulations adopted by the City of McMinnville, Tennessee.

E. Variances

1. General: Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
 - a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
 - b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
 - c. Because of the particular physical 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 these regulations are carried out;
 - d. The variances will not in any manner vary the provisions of the Zoning Code.
2. Conditions: In approving variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
3. Procedures: A petition for any variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for consideration by the Planning Commission. Said petition shall state fully the grounds for the application. Each request for a variance shall be specifically applied for in the numerical order of the subdivision regulations.

F. Relationship to Zoning Code and other Regulations

1. No final plat of land within the force and effect of the McMinnville Zoning Code shall be approved unless it conforms to such code.
2. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in the zoning regulations, building code, or other official regulations, the highest standard shall apply.

G. 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 McMinnville Regional Planning Commission to adopt each and every provision of these regulations separately.

H. Repeal of Previous Regulations

All subdivision regulations previously adopted by the McMinnville Regional Planning Commission are hereby repealed as of the adoption and effective date of these regulations.

I. Amendments

Before adoption of any amendments to this document, a public hearing shall be held by the Planning Commission. Thirty (30) days notice of the time and place of the hearing shall be given as provided in Section 13-3-403, Tennessee Code Annotated.

ARTICLE II PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of four (4) basic steps. (1) The initial step is the pre-development conference with the Staff Planner for the Planning Commission for advice and assistance. (2) The second step is the preparation and submission to the Planning Commission of a Preliminary Plat of the proposed subdivision. (3) The third step is to construct or install improvements such as streets, fire hydrants and utility lines. (4) The fourth step is the preparation and submission to the Planning Commission of a Final Plat, together with required certificates. This Final Plat becomes the instrument to be recorded in the office of the Warren County Register of Deeds when duly signed by the secretary of the Planning Commission.

A. General

1. Any owner of land lying within the area of jurisdiction of the Planning Commission who wishes to divide land into two (2) or more lots, sites, or other divisions requiring any 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, or who wishes to resubdivide an existing subdivision lot(s) for this purpose, shall submit a plan of such proposed subdivision to the Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record and prior to selling or giving a deed for any lot.

Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these standards and shall be presented in the manner specified in the following sections of this Article. No plat of a subdivision of land within the area of planning jurisdiction shall be filed or recorded by the Register of Deeds without the approval of the Planning Commission as specified herein.

2. In order to secure review and approval by the Planning Commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, meet informally with the Staff Planner for a pre-development conference. The developer shall then submit to the Planning Commission a preliminary plat, and other required information, as provided in Sections D and E of this Article. On approval of said preliminary plat, the developer may proceed with the construction of improvements as set forth in Article III, and with the preparation of the final plat and other documents required in connection therewith as specified in Sections F and G of this Article. In no case shall a preliminary plat be presented in sections.
3. Omission of Preliminary Plat

The preliminary plat may be omitted and only a final plat submitted, IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

- a. The proposed subdivision does not contain more than five (5) lots, sites, tracts, or divisions.

- b. All public improvements as set forth in Article III are already installed. (Any construction, installation, or improvement of public improvements shall require the submission of a preliminary plat.) The Tennessee Department of Environment and Conservation has approved the lots for septic systems, if applicable.
 - c. The subdivider has consulted informally with the Staff Planner for advice and assistance, and it is agreed upon by the Planning Commission that a preliminary plat is unnecessary prior to submission of the final plat and its formal application for approval.
4. The owner or his authorized representative must be present at preliminary plat review and approval and final plat review and approval. In his absence, the property owner may be represented by his agent or representative who shall present written authorization.
 5. No final subdivision plat shall be approved by the Planning Commission or accepted for record by the Warren County Register of Deeds until the required improvements listed shall be constructed in a satisfactory manner and approved by the local approving agent. In lieu of such prior construction, the Planning Commission may accept certain forms of financial guarantees (See Section G-9 of this Article) in amounts equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the City of McMinnville in the event of default by the subdivider.

B. Filing Fee

At the time of the submittal of a preliminary plat for review, or final plat if a preliminary plat is not required, a nonrefundable filing fee of one hundred dollars (\$100.00) shall be paid to the City of McMinnville. Said fee shall be used to help defray the costs of plat review and inspections.

C. Plat Standards

1. State Standards Shall Apply

All plats submitted to the McMinnville Regional Planning Commission for consideration shall meet the accuracy standards for an Urban and Subdivision Survey (Category 1) as established by the Tennessee Board of Examiners for Land Surveyors (January, 1992 Revised). Said regulations state:

"For Category 1 surveys in Tennessee, the angular error of closure shall not exceed 15 seconds times the square root of the number of angles turned. The linear error of closure shall not exceed 1 foot per 10,000 feet of perimeter of the lot of the land (1 : 10,000). When very small lots are encountered, the

allowable error shall not exceed 1/10 of a foot of positional accuracy per corner."

All plats shall include a statement by the surveyor regarding the methods used in making the survey and its relative accuracy, as well as the surveyor's seal and signature.

2. Sheet Format

All preliminary and final plats submitted to the McMinnville Regional Planning Commission for consideration shall be in a format consistent with the example of the acceptable sheet format depicted on Illustration 1 in Appendix A and shall:

- a. Be generally drawn to a scale of not less than 1" = 100'. When more than one sheet is required, an index sheet of the same size drawn at an easily read scale shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
- b. Be either 18" x 24" or 24" x 36" in size.
- c. Contain in the lower right-hand corner a standard title block, (See Illustration 2 in Appendix A), which includes:
 - (1) Name of subdivision
 - (2) Names, addresses, and phone numbers of developer, surveyor, and engineer (if applicable)
 - (3) Scale of drawing
 - (4) Acreage to be subdivided
 - (5) Number of lots to be created
 - (6) Appropriate reference(s) to the Warren County Tax Maps
 - (7) Date plat was prepared
- d. Contain in the upper right-hand corner a location map, a graphic scale and an approximate north arrow.

D. Preliminary Plat Requirements

In addition to being prepared to the prescribed format, each Preliminary Plat shall contain the following information as may be appropriate:

1. The location of all existing and proposed property lines, streets, water courses, railroads, sewer lines, water lines, drain pipes, bridges, culverts, and easements for existing utilities (water, sewer, gas, electricity, etc.) or other features. Existing features shall be distinguished graphically from those which are proposed.

2. The present zoning classification (if any) both of the land to be subdivided and of adjoining lands, the names of adjoining property owners or subdivisions, the name of the applicable water district, and the size of existing water and sewer lines.
3. Plans, prepared by the developer's engineer, of proposed sewer and water systems showing connections to the existing or any proposed utility systems, including line sizes, location of hydrants and manholes. When sewer connections are not accessible, as discussed in Article III, Section H, any land on which an individual sewage disposal system is proposed must be reviewed by the Tennessee Department of Environment and Conservation.
4. The proposed street names, and the location, width, and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, and building setback lines.
5. Topographical contours at vertical intervals of not more than five (5) feet.
6. Center line profiles for all proposed streets and, where required by the City Administrator or Public Works Director, cross-sections of proposed streets based on 50 foot stations.
7. Subsurface conditions on the tract, if required by the Planning Commission: location and results of tests made to ascertain subsurface soil, rock, and ground water conditions; depth of ground water unless test pits are dry at a depth of five (5) feet; and location and results of soil percolation tests, if individual sewage disposal systems are proposed.
8. If any portion of the land proposed for subdivision lies within a floodable area, as determined by an official Flood Hazard Boundary Map or Flood Insurance Rate Map, that portion shall be so indicated.
9. A drainage plan showing proposed modifications to the flow of water across the site or to and from adjoining properties. The City Administrator or Public Works Director may require the submission of more detailed information including, but not limited to, a final grading plan for all or a portion of the site, and calculations describing the existing and proposed volumes of water to be discharged from the site.

E. Procedure for Preliminary Plat Review

The following procedure shall apply for the review of all Preliminary Plats:

1. At least 15 days prior to the meeting at which it is to be considered, the subdivider shall submit to the McMinnville Office of Codes Enforcement eight (8) copies of any required preliminary plat of a proposed subdivision. If necessary the developer should provide

copies to the Tennessee Department of Environment and Conservation. The Office of Codes Enforcement will give copies of the plat to the Staff Planner for review and distribute copies to all applicable utilities and departments (water, sewer, fire, telephone, street, electric, or gas, as necessary).

2. The Staff Planner for the Planning Commission shall review the preliminary plat for conformance with the specifications and standards of these regulations.
3. The preliminary plat shall be presented by the developer or his designated representative to the Planning Commission at its next meeting for a review period not to exceed 30 days. The developer should be physically present at the meeting(s) to answer questions and hear suggestions about his proposed development or be represented by an authorized agent as discussed in Article II, Section A(4).
4. Within 30 days after submission of the preliminary plat to the Planning Commission for consideration, the Planning Commission shall approve or disapprove said plat. Failure of the Planning Commission to act on the preliminary plat within the 30 day period will be deemed approval of this plat. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.
5. If a plat has been disapproved, a new plat may be presented as though no previous plat had been submitted. If a plat has been approved, or approved subject to modifications, and the subdivider desires to make substantial modifications other than those already required by the Planning Commission, a new preliminary plat must be submitted, which is subject to the same regulations and procedures as though no previous plat had been submitted, except that a certification to the effect that the previous plat has been withdrawn must be submitted. If the Tennessee Department of Environment and Conservation rejects any lot(s) or recommends any alteration of lot size or shape, the Planning Commission may require the plat to be resubmitted for preliminary plat review.
6. Two (2) copies of the preliminary plat will be retained in the Planning Commission files, copies shall be retained by the applicable utility departments, and one copy shall be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
7. The approval of the preliminary plat by the Planning Commission shall not constitute acceptance of any final plat.
8. The approval of the preliminary plat shall terminate unless a final plat based thereon is submitted within one (1) year from the date of such approval; provided, however, that an extension of time can be applied for by the developer and granted by the Planning Commission. If no work has begun to install improvements and if

an approved final plat has not been financially guaranteed, and the McMinnville Regional Subdivision Regulations have changed, the subdivision must meet the new regulations.

F. Final Plat Requirements

1. The final plat shall conform substantially to the approved preliminary plat. Any alterations or deviation from the preliminary plat should be discussed with the Staff Planner to determine if the changes require new preliminary plat review.
2. If the subdivision is to be developed in phases and the final plats submitted as portions or sections of the preliminary plat, the sections must be identified by alphabetical characters, following the name of the subdivision as initially submitted or as approved on preliminary.
3. A final plat will not be acceptable for submission unless it meets all required standards of design, and contains all required information, or contains a written request for a variance for each specific deviation from requirements.
4. In addition to being prepared in the prescribed format, each Final Plat shall contain the following information as may be appropriate:
 - a. The right-of-way and pavement lines of all streets and roads; the size and location of installed and/or preexisting water and sewer mains; alley lines; hydrant locations; lot lines; building setback lines; any easements for rights-of-way provided for public services, utilities and the disposal of surface water; the limitation and/or dimensions of all easements; lots numbered in numerical order; any areas to be dedicated to public use; and any sites for other than residential use, with notes stating their purpose and limitations.
 - b. A statement of the restrictions for all easements and right-of-ways indicating the following:
 - (1) No permanent structure such as a deck, patio, garage, carport or other building shall be erected within the limits of any easement shown on this plat.
 - (2) No excavation, filling, landscaping or other construction shall be permitted in any drainage easement shown on this plat if such excavation, filling, landscaping or other construction will alter or diminish the flow of water through said easement.
 - (3) All driveways, entrances, curb cuts or other points of ingress or egress to the lots shown on this plat shall be in accordance with the rules and regulations of the City of McMinnville; contact the Public Works Department for information.

- (4) The placing of pipe within or otherwise filling of ditches within the right-of-way shown on this plat is prohibited without the approval of the City of McMinnville; contact the Public Works Department for information.
- c. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line whether curved or straight, and including true north point. This shall include the radius, central angle, and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.
- d. All dimensions to the nearest one-hundredth (100th) of a foot and angles to the nearest 20 seconds.
- e. Location and description of all bench marks, monuments and corner markers.
- f. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- g. If any portion of the land being subdivided is subject to flooding or is in a FEMA identified flood hazard area, it shall be indicated on the final plat.
- h. If this is a resubdivision of a previously recorded subdivision, provide plat book and page of last subdivision plat being amended.
- i. Standard plat certifications as may be appropriate to the context of the subdivision (See Article II, Section G (10) below).

G. Procedure for Final Plat Review

The following procedure shall apply for the review of all Final Plats:

1. Final plats should be submitted at least 15 days prior to the Planning Commission meeting. If the developer has obtained the signatures of utility and road officials because improvements have been completed or were not required, he should provide those utilities with a copy of the plat, and submit four (4) copies to the McMinnville Office of Codes Enforcement. The submission of the final plat to the Office of Codes Enforcement shall not constitute submission of the final plat for consideration by the Planning Commission.
2. The Staff Planner for the Planning Commission shall review the final plat for conformance with the specifications and standards of these regulations.

3. The official submission of the final plat to the Planning Commission is considered to be the first Planning Commission meeting at which the plat is presented for consideration, with the developer or his authorized representative present to answer questions and provide information. The Planning Commission may review the plat for a 30 day period.
4. The Planning Commission shall approve or disapprove the final plat within 30 days after its submission for consideration. Failure of the Planning Commission to act on the final plat within this 30 day period shall be deemed approval of it. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the Planning Commission.
5. When the plat has been approved by the Planning Commission, the original will be returned to the subdivider with the approval of the Planning Commission certified thereon, for filing with the county register of deeds as the official plat of record; two (2) copies will be retained in the records of the McMinnville Regional Planning Commission and one (1) copy will be returned to the developer for his records.
6. Approval of the final plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
7. The Planning Commission shall require that an accurate map ("as-built" drawings) of all water lines, valves, fire hydrants, sewer lines and appurtenances be supplied by the developer to the City of McMinnville as a condition for final approval of any plat. State law requires that plans and specifications of all water and waste water facilities shall be prepared by a registered engineer and approved by the Tennessee Department of Environment and Conservation. A copy of such plans shall be forwarded by the developer to the City of McMinnville.
8. Approval of the final plat can not be given until completion and approval of the required improvements. These improvements are to be installed in accordance with Article III. The required improvements must be approved by the person(s) designated by City Administrator and/or a representative of the appropriate utility or road department, and then be reported to the Planning Commission. The required improvements include:
 - a. Monuments and iron pins
 - b. Storm drainage system
 - c. Street grading and paving
 - d. Sidewalks (if required)
 - e. Water supply system lines and laterals
 - f. Sewage collection lines and laterals (if applicable)
 - g. Driveway cuts with culverts (homes to be built by developer)
 - h. Fire hydrants (if applicable)
 - i. Any other improvements that may be required by the Planning Commission

9. Financial Guarantees in Lieu of Improvements

- a. Conditions may exist whereby a developer may be unable to install all improvements before requesting final plat approval. In lieu of the installation of all improvements, the Planning Commission may accept one of the following forms of financial guarantees, whereby in the event of default by the developer, improvements and utilities can be made without cost to the city:
- (1) The establishment of cash in a bank escrow account in the full amount of the estimated cost of required improvements plus 10% yearly inflation factor.
 - (2) An Irrevocable Letter of Credit, issued by a Bank or Savings and Loan, signed by two officers, to cover the full amount of the estimated cost of improvements plus 10% yearly inflation factor.
 - (3) A certified check in the full amount of the estimated cost of required improvements, plus 10% yearly inflation factor.
- b. In determining the basic cost of improvements the Planning Commission may use a formula using a base cost per linear foot for each required improvement, that being a cost standard in the construction industry that particular year. The Planning Commission may determine the base cost by receiving information and/or bids from recognized contractors. If the developer provides the bid or estimated cost of improvements, the Planning Commission must determine that the contractor will guarantee the cost for at least the term of the guarantee plus two months.
- c. At the time of acceptance of a guarantee, the Planning Commission shall specify the specific length of time before the city would take legal steps to cash it, but this time cannot exceed two (2) years.
- d. No financial guarantee shall be partially withdrawn by the developer during the construction period to pay for development costs except in the case of a final payment made after final inspection and approval by the Planning Commission, or except in the case where a developer is postponing binder surface paving on a street until after a winter settling period for the completed and approved gravel base.

10. Certifications (See Appendix B for Forms)

In all cases some or all of the following certificates shall be present and signed on the original final plat before the Planning Commission Secretary signs the plat for recording the plat at the

Register of Deeds' Office. The developer shall check with the Staff Planner as to which certificates shall be depicted on the final plat.

Form 1) Certificate of Ownership and Dedication-Certification showing that applicant is the land owner and dedicates streets, rights-of-way, and any sites for public use.

Form 2) Certificate of Accuracy & Precision-Certification by surveyor of accuracy of survey and plat and placement of monuments.

Form 3A) Certificate of General Approval for Installation of Subsurface Sewage Disposal Systems-This certification to be used if any lots will use septic tanks, and must be signed by an appropriate representative of the Tennessee Department of Environment and Conservation before presentation to Planning Commission for final approval.

Form 3B) Certificate of Approval of Sewage Collection Facilities-This certification is to be used for any lots connected to or proposed to be connected to McMinnville sewer system. Part (1) pertains to sewer facilities installed, whereas Part (2) pertains to acceptance of a financial guarantee in lieu of improvements.

Form 4A) Certificate of Approval of Water Lines-This certification is to be used for any lots where new water lines or hydrants have been (or will be) installed. Part (1) pertains to water facilities installed whereas Part (2) pertains to acceptance of a financial guarantee in lieu of improvements. This would be signed by an official of the applicable water service district.

Form 4B) Certification of Existing Water Lines and/or other Utilities-This certification is to be used for any lots served by and connected to previously existing water and/or sewer lines. This would be signed by an official of the applicable utility.

Form 5A) Certificate of Streets and Drainage System-This certification is to be used for any lots served by new streets, drainage system, etc., recently installed or to be installed, in conformance to Planning Commission regulations, with signature by applicable official.

Form 5B) Certificate of Existing Street(s)-This certification is to be used for a subdivision which does not involve new street construction but which fronts on an existing street. That street may not meet Planning Commission requirements.

Form 6) Certificate of Approval for Recording-Certification by Planning Commission Secretary that plat has been approved by the commission. In all cases this certification will be signed only after all other certificates have been signed and after final approval has been granted by the Planning Commission.

H. Inspections Procedures

1. The developer shall notify the City Administrator, Public Works Director and/or County Road Superintendent and the McMinnville Water/Waste Water Department and/or Utility District Manager when work on streets and/or utilities is to begin and the anticipated schedule for the preparation of subgrade and road base, installation of drainage and underground utilities, and binder surfacing of the road. Since the inspections need to be made periodically during the entire process, communication with the City Administrator, Public Works Director and/or County Road Superintendent and the McMinnville Water/Waste Water Department and/or Utility District Manager are essential to make the process move as smooth as possible.
2. The developer shall notify the City Administrator, Public Works Director and/or County Road Superintendent and the McMinnville Water/Waste Water Department and/or Utility District Manager at least 24 hours in advance of the needed inspection on:
 - a. Street grading, preparation of subgrade, and installation of the drainage system.
 - b. Installation and pressure testing of water mains, water stubs, sewer lines, and any other underground utility lines.
 - c. Pavement base. Inspection includes checking thickness of gravel every 500 feet at random points across width.
 - d. Prime coat, binder course and drainage system.
3. Throughout the construction period, the City Administrator, Public Works Director and/or County Road Superintendent and the McMinnville Water/Waste Water Department and/or Utility District Manager will keep a log of findings and periodically report the status to the Planning Commission Staff Planner. Problems should be brought to the attention of the Planning Commission immediately.
4. Upon completion of steps a-d listed above, the inspector(s) will submit a written report to the Planning Commission. These inspection reports will become part of the official records of the Planning Commission.
5. If a guarantee is posted by the developer in lieu of required improvements, funds shall not be released until all roads and utilities meet all required standards and the Planning Commission has received written reports to that effect.
6. No improvements will be accepted by the City of McMinnville that have not been inspected and deemed acceptable by the appropriate representatives of the City.

I. Warranty of Improvements

1. In addition to the Financial Guarantee in Lieu of Improvements, as well as in the case of the completion of required improvements, the developer shall warranty improvements made under the provisions of these regulations for a period of one (1) year from the date of acceptance by the City of McMinnville.
2. The Warranty of Improvements shall consist of an escrow account, letter of credit, or certified check.
3. The amount of the warranty shall be not less than twenty-five percent (25%) of the cost of the improvements installed under these regulations nor more than \$5,000.
4. The Warranty of Improvements shall be submitted to the City of McMinnville prior to the submittal of the subdivision plat for final approval.

J. Recording of Final Plat

Upon approval of the final plat and the signing of the appropriate certificates affixed thereto, it shall be the responsibility of the developer to ensure that said plat is placed upon the records of the Register of Deeds' Office of Warren County, Tennessee.

K. Grounds for Denying Plat Approval

The McMinnville Regional Planning Commission shall deny approval of any plat submitted to it for review that does not meet or exceed the minimum requirements set forth in these regulations. In addition, the Planning Commission may deny approval of a plat for the subdivision of land for which:

1. The available water supply is inadequate to serve the anticipated development or the available water supply is inadequate to provide fire protection;
2. The means of ingress and egress is inadequate to carry the vehicular traffic projected to be generated by the proposed subdivision or the means of ingress and egress is inadequate for use by garbage trucks, fire trucks or other city-owned equipment; or
3. The approval of said plat will in the opinion of the Planning Commission be detrimental to the health and safety of the public.

L. Provisions for Review of Minor Subdivisions (two lots)

Under the provisions of Section 13-4-302 of the Tennessee Code Annotated, minor subdivisions containing no more than two lots may be approved by the McMinnville Planning & Zoning Director without submission to the Planning Commission, subject to the following conditions;

1. Each of the two lots must front an existing public street or road with adequate water supply, must have a sanitary sewer system available, either through the city's sewer lines, or an individual sewage disposal system that has been certified by the county environmentalist.
2. Neither of the two lots shall require any variances from the city's subdivision regulations, nor shall this subdivision of land represent an effort to circumvent the stated intent of the regulations. This applies for those subdivisions in the corporate limits of the city or within the boundaries of its planning region.

In order to be considered for the minor subdivision review process, the developer shall submit a copy of the subdivision plat to the Planning and Zoning Director to determine if it meets all applicable standards of the subdivision regulations. If this is the case, then the Director is authorized to approve the plat, and then request that the Secretary of the Planning Commission sign the plat subject to the obtainment of all other applicable signatures

Following this, the Planning and Zoning Director will make a full report of this approval to the planning commission body at its next scheduled meeting. If the Director does not grant approval, then the subdivision may be presented by the developer to the full body of the Planning Commission for their review.

ARTICLE III DESIGN AND SPECIFICATIONS

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community a potential tax liability.

A. Suitability of the Land

1. Land Physically Unsuitable for Subdivision

- a. Land where flooding, bad drainage, steep slopes, rock formations, and other such features which may endanger health, life, or property, aggravate erosion, increase public funds for supply and maintenance of services, and
- b. Land which other public agencies have investigated and found in the best interest of the public not suitable for the type of platting and development proposed shall not be approved for subdivision unless adequate methods are formulated by the developer for meeting the problems created by subdivision of such land. Such land within any plat shall be set aside for such uses as shall not produce unsatisfactory living conditions.

2. Land Unsuitably Located for Subdivision

- a. The Planning Commission shall not approve what it considers to be scattered or premature subdivision of land which would endanger health, safety, or property because of lack of or adverse effect on water supply, schools, proper drainage, good transportation, or other public services or which would necessitate an excessive expenditure of public funds for the supply or maintenance of such services.
- b. Land unsuitable for subdividing is also that located in close proximity to potentially hazardous commercial operations which may endanger health, life, or property of the residents of the proposed subdivision.

B. Special Requirements for Floodable Areas

1. The purpose of this section is for the review of subdivision proposals to determine whether such proposals will be reasonably safe from flooding. In order to accomplish this, the following regulations shall apply:

2. Definition of Land Subject to Flooding

- a. For the purpose of these regulations, land subject to flooding shall be defined as those areas within the McMinnville Planning Region shown as Special Flood Hazard Areas (Zone A, AE or X) on the Flood Insurance Rate Maps for

Warren County dated March 16, 1988, or any subsequent amendment or revision to said maps.

- b. In addition, along all other streams and water courses not shown as floodable by the Flood Hazard Boundary Maps or Flood Insurance Rate Maps, all land within 30 feet of the top of the bank is considered to be subject to flooding.
3. Regulations for Subdivisions Containing Land Subject to Flooding
- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
 - b. All creeks, lakes, ponds, sinkholes or other drainage areas shall be shown on the preliminary and final subdivision plat.
 - c. Every lot platted shall have a flood-free building site.
 - d. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
 - e. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
 - f. Base flood elevation data shall be provided for all subdivision proposals containing land subject to flooding.
 - g. Utilities
 - (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration.
 - (3) If on-site waste disposal septic systems are to be used, a flood-free site shall be provided on each lot in order to avoid impairment to them or contamination from them during flooding.
 - h. Fill
 - (1) Land subject to flooding may be platted for residential use only if filled to such a height as will secure a flood-free site based on data submitted by the subdivider and prepared by registered professional engineers, provided such use of fill does not endanger health, life, or property or restrict the flow of water or increase flood heights. Lots on fill will not usually be approved for septic tank drain fields. In

order to be considered for development such lots must be served by a public sewer system.

- (2) No fill shall be placed in the floodway of the stream and if undetermined no closer than 30 feet from the top of the bank of any stream or water course unless the subdivider demonstrates that a lesser distance (but not less than 15 feet) is adequate based on watershed area, the probable runoff, and other topographic and hydraulic data prepared by engineers.
- (3) All bridges, culverts, and other drainage openings shall be designed so as not to restrict the flow of water and unduly increase flood heights upstream.

C. Monuments

1. Concrete monuments or other markers approved by the Planning Commission four (4) inches in diameter square, three (3) feet long, with a flat top, shall be set at points where the street lines intersect the exterior boundaries of the subdivision. The top of the monument shall have a metal plate with an indented cross to identify properly the location and shall be set flush with the finished grade.
2. All other lot corners shall be marked with iron pins or pipe not less than three-fourth (3/4) inches in diameter and 24 inches long and driven so as to be flush with the finished grade.

D. Streets - Design Standards

The following standards shall apply for the design of all streets in subdivisions located in the McMinnville Planning Region.

1. General Standards of Design

a. Arrangement

The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivision, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. Local streets shall be so laid out that their use by through traffic will be discouraged. Where, in the opinion of the Planning Commission, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified. The curvi-linear street layout will be encouraged by the Planning Commission.

b. Conformity to the Major Road Plan

The location and width of all streets and roads shall conform to the official Major Road Plan. The latest Major Road Plan Map is on file in the Office of the Warren County Register of Deeds and a copy of said plan is included in the front of this document

Where a street designated by the Major Road Plan as a "Proposed Road" crosses the proposed site of subdivision, right-of-way sufficient to meet the design standards for the functional classification of said street shall be dedicated to the public and shown on said plat.

c. Relation to Adjoining Street System

The proposed street system shall extend any adjoining existing streets at the same or greater width, but in no case less than the required minimum width.

d. Relation to Topography

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as practicable to the original topography.

e. Flood Prevention

Streets which will be subject to inundation or flooding shall not be approved. All streets must be located at elevations which will make them flood-free in order that portions of the subdivision will not be isolated by floods. Where flood conditions are anticipated, profiles and elevations of streets will be required in order to determine the advisability of permitting the proposed street layout.

2. Minimum Street Right-of-Way Widths

The minimum width of the street right-of-way, measured from lot line to lot line, shall be as shown on the Major Road Plan, or if not shown on such plan, shall be not less than as listed below.

- a. Local Streets..... 50 feet
- b. Local Streets with curbs & gutters 40 feet
- c. Cul-de-sacs (diameter) 120 feet
- d. Collector Streets 60 feet
- e. Arterial Streets and Highways..... 80-150 feet

3. Minimum Street Surfacing Widths

The minimum street surfacing widths shall be as follows:

- a. Local Streets.....24 feet
- b. Local Streets with curbs & gutters20 feet
- c. Cul-de-sacs (diameter) 100 feet
- d. Collector Streets
 - Minor.....28 feet
 - Major.....32 feet
- e. Arterial Streets and Highways.....48 feet

Due to the diversity of the development in the planning region, ranging from sparsely populated agricultural areas to densely populated urban areas; required surfacing widths may necessarily vary with the character of building development, the amount of traffic encountered, and the need to provide space for on-street parking.

In general, streets through proposed business areas shall be considered either collector streets or arterial streets and the street widths of streets so located shall be increased six (6) feet on each side if needed to provide parking without interference to normal passing traffic.

4. Additional Right-of-Way on Existing Streets

Plats for subdivisions that abut existing streets shall show the dedication of additional right-of-way to meet the minimum right-of-way width requirements.

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

5. Substandard Existing Streets

The subdivision of property abutting existing streets that do not meet the minimum construction standards of these regulations shall generally be prohibited. Should improvements to the existing street be required in order to meet the demands of the proposed subdivision, the cost of said improvements shall be borne by the developer unless determined otherwise by the City of McMinnville.

6. Street Grades

- a. Grades on major streets shall not exceed seven (7) percent; grades on other streets shall not exceed 12 percent. No more than three (3) percent grade within 100 feet of any intersection with a collector or arterial street will be allowed and no more than 50 feet of any intersection with a minor residential or rural street.
- b. Upon preliminary plat approval, if the street grade appears questionable, a street grade profile map may be required for the questionable area before approval of final plat.
- c. Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of 200 feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface.
- d. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals 100 feet horizontal, and one (1) inch equals 20 feet vertical, may be required by the Planning Commission.

7. Curves

a. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the center line radius of curvature shall be not less than 300 feet; on other streets it shall be not less than 100 feet.

b. Tangents

A tangent of at least 100 feet in length shall be introduced between reverse curves on all streets.

- c. Curve radii at street intersections shall not be less than 20 feet (See Illustration 3 in Appendix A) and where the angle of street intersection is less than 75 degrees the Planning Commission may require a greater curb radius. To permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

8. Intersections

- a. Street intersections shall be as nearly at right angles as is possible and no intersection shall be at the angle of less than 60 degrees. (See Illustration 4 in Appendix A).

No street intersection shall have more than four streets entering it, and the "T" or three-way intersection shall be used whenever possible. Additional street right-of-way on local streets may be required at intersections with collector or arterial streets to permit proper intersection design for traffic flow.

Local streets intersecting with collector roads shall, in general, be at least 500 feet apart and at least 1000 feet apart when opening into an arterial street. Local streets intersecting with other local streets shall, in general, be at least 200 feet apart.

- b. Street Jogs

Street jogs with centerline off-sets of less than 150 feet shall not be allowed if the proposed street is to connect with or is an arterial or collector street. Street jogs on local streets with centerline off-sets of less than 125 feet shall not be allowed. (See Illustration 5 in Appendix A).

- c. Visibility of Intersections; Steep Grades and Curves

A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) shall be leveled and cleared of brush (except isolated trees) and obstructions above the level three feet higher than the centerline of the street. If directed, the ground shall be excavated to achieve visibility.

9. Dead-End Streets (Cul-de-sacs)

- a. Permanent

Minor terminal streets or courts designed to have one (1) end permanently closed shall be no more than 1200 feet long unless necessitated by topography. They shall be provided at the closed end with a circular turnaround having an outside pavement diameter of at least 100 feet and a street right-of-way diameter of at least 120 feet. The circular turnaround may be centered on the main body of the street or off-set to either side. When approved by the Planning Commission, alternate designs, including a "T" or "hammer head" configuration, may be used in lieu of the circular cul-de-sac. (See Illustration 6 in Appendix A).

b. Temporary

Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary paved turnaround having a roadway surface diameter of at least 100 feet.

10. Private Streets or Permanent Vehicular Easements

- a. The Planning Commission discourages the platting of private streets or permanent vehicular easements as every subdivided property should be served from a publicly dedicated street.
- b. Private streets and permanent vehicular easements shall be developed to meet all standards required for municipal streets as provided in these regulations. These include, but are not limited to, all requirements for street right-of-way widths, minimum surfacing widths, street grades, curves, intersections, street names, and street construction procedures and specifications.

11. Reserve Strips

There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the municipality under conditions approved by the Planning Commission.

12. Special Treatment Along Major Arterial Streets

When a subdivision abuts or contains an existing or proposed major arterial street, the commission may require either marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

13. Sidewalks (Optional)

For the safety of pedestrians and of children going to school, installations of sidewalks on one side or both sides of the street may be required on certain collector and arterial streets, in the vicinity of schools, and in other locations where the Planning Commission considers sidewalks to be needed.

Sidewalks shall be located in the street right-of-way not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date.

In a single family residential area concrete sidewalks shall be five (5) feet wide and four (4) inches thick. In multi-family or group housing developments sidewalks shall be five (5) feet wide and four (4) inches thick. In commercial areas sidewalks shall be ten (10) feet wide and four (4) inches thick.

14. Streets in Commercial Subdivision Developments

a. Service Streets or Loading Space in Commercial Developments

Paved rear service streets or alleys of not less than 30 feet in right-of-way width, or adequate off-street loading space with a suitable paved surface shall be provided in connection with lots designed for commercial use. Service streets, alleys, and off-street loading spaces shall generally not be dedicated to, nor accepted by the City of McMinnville.

b. Free Flow of Vehicular Traffic Abutting Commercial Developments

In front of areas designed for commercial use, the street's width shall be increased by such amount on each side as may be deemed necessary by the Planning Commission to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district.

15. Street Names

a. Proposed streets, which are obviously in alignment with others already existing and named, shall bear the name of existing streets.

b. New street names shall be substantially different so as not to be confused in sound or spelling with present street names as shown on the McMinnville or Warren County Official Street/Road Name Maps. The only exception to this policy is where a proposed street is an extension of (or is in alignment with) an existing street. Generally, no street should change direction by more than 90 degrees without a change in street name.

c. The developer is required to erect street name signs in subdivisions within The City of McMinnville and its planning region. These add value to land subdivision and enable strangers, delivery concerns, emergency vehicles, and even potential buyers to find their way around. The subdivider should consult with the McMinnville Public Works Director or Warren County Road Supervisor for installation standards.

16. Warning and Regulatory Signs

The developer is required to install warning and regulatory signs at appropriate locations in the subdivision (stop signs, etc.). The Public Works Director or Warren County Road Supervisor should be consulted for proper location and installation standards.

E. Streets - Construction Procedures and Specifications

The following procedures and specifications shall apply for the construction of all streets in subdivisions located in McMinnville Planning Region.

1. Street Construction Cross-Sections

- a. The minimum street construction cross-section for each functional classification of a street shall be as follows:

| <u>Cross-Section</u> | <u>Local*</u> | <u>Collector</u> | |
|----------------------|---------------|------------------|--------------------------|
| | | <u>Minor</u> | <u>Major</u> |
| Right-of Way | 50' | 60' | 60' |
| Subgrade Width | 30' | 40' | 44' (amended 12/9/97) |
| Base Width | 26' | 32' | 36' |
| Base Thickness | 06" | 06" | 06" |
| Binder Width | 24' | 28' | 32' |
| Surface Width | 24' | 28' | 32' |
| Binder Thickness | 02" | 02" | 02" |
| Surface Thickness | 01" | 01" | 02" |

* When curbs and gutters are installed on local streets the street right-of-way width may be reduced to 40 feet and the street base, binder and surface widths may be reduced to 20 feet. Similar width reductions may be permitted for collector streets when curbs and gutters are installed.

- b. Accepted right-of-way, base and surface width cross-sections for the various street classifications are depicted in Illustrations 7 and 8 in Appendix A.
- c. Accepted base, binder and surface thickness cross-sections for the various street classifications are depicted in Illustrations 9 and 10 in Appendix A.

2. Subgrade Preparation

- a. Before grading is started, the areas within the limits of construction shall be cleared of all objectionable matter, such as trees, stumps, roots, weeds, heavy vegetation, etc.

Top soil shall be removed and stockpiled for later use as a topping-out material for seeding and sodding.

- b. If rock is encountered, it shall be removed or scarified to provide adequate roadway drainage.
- c. The subgrade shall be constructed according to Section 207 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition. Cut and fill slopes shall not exceed a grade of 2:1.
- d. After grading is completed, and before any base is applied, all of the underground work (water and sewer lines, any other utilities, service connections, and drainage culverts) shall be installed completely throughout the length and width of the road.
- e. Where the subgrade is cut for the installation of underground utilities, the trench shall be backfilled with crushed stone 1 1/2 inches and down in size with fines and the utilities shall be properly bedded in suitable material, depending on subgrade. The backfill shall be thoroughly compacted in layers not to exceed eight (8) inches in thickness, by hand, or by pneumatic tamping equipment. Backfills shall be compacted to a density not less than that of the original compacted fill.
- f. The finished subgrade shall provide for the superelevation and crown of the roadway.

3. Street Drainage

- a. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.
- b. All streetside ditches shall be built to a grade that will provide good drainage. The maximum side slope permitted on ditches is 3:1. The minimum bottom grade on ditches shall be one (1) percent. All drainage ditches shall be stabilized to prevent erosion.
- c. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes.
- d. All cross drains that are to be laid under the roadway shall be of concrete construction.
- e. The size openings to be provided shall be determined by the Rational Formula, but in no case shall the pipe be less than 18 inches.

- f. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock.
- g. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert.
- h. Head walls shall be provided at each end of all cross drains.
- i. All drain pipes and culverts shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.
- j. The drainage system should be designed based on a storm frequency of 10 years. However, if the 10 year design flow is greater than 100 cubic feet per second, the system shall be capable of accommodating the 100-year design flow within the drainage easement.
- k. In those cases where the drainage system relies on sinkholes for discharge, it should be capable of accepting the 100-year design flow within the dedicated easement.
- l. The drainage conduits shall maintain a minimum velocity of 2 1/2 feet per second at full flow but shall not exceed 20 feet per second.

4. Pavement Base Preparation

- a. After preparation of the subgrade, the roadbed shall be surfaced with crushed rock, stone or gravel.
- b. The size of the crushed rock or stone shall be that generally known as "crusher run stone" from two and one-half (2 1/2) inches down including dust.
- c. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles.
- d. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six (6) inches for local and collector streets and eight (8) inches for industrial streets. Inspection should be made every 500 feet at random points across road.
- e. Construction shall be as specified in Section 303 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction", 1981 edition.

5. Prime Coat

- a. The base, prepared as outlined above, shall be sprinkled lightly with water to settle any loose dust.
- b. A bituminous prime coat shall then be applied uniformly over the surface to the base by the use of an approved bituminous distributor.
- c. This prime coat shall be applied at the rate of three-tenths (3/10) gallon per square yard, using the bituminous materials specified in Section 402 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition.
- d. Maintenance and protection of the prime coat shall be as specified in Section 402 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition.

6. Foundation/Binder Course

- a. Upon completion of the prime coat, a foundation/binder course shall be applied. The foundation/binder course shall be composed of a hot mixture of aggregate and asphalt (hot mix) which shall be no lesser than Grade B-M as specified in Section 307 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition.
- b. Materials, construction equipment and construction procedures shall be as specified in Section 411 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition.
- c. The compacted thickness of the foundation/binder course shall be no less than two (2) inches.

7. Final Pavement/Wearing Surface

- a. Upon completion of the foundation/binder course, a final pavement/wearing surface shall be applied. The final pavement/wearing surface shall consist of an asphaltic concrete pavement (hot Mix) composed of a mixture no less than Grade E as specified in Section 411 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge construction" 1981 edition.
- b. Materials, construction equipment and construction procedures shall be as specified in Section 411 of the Tennessee Department of Transportation's "Standard

Specifications for Road and Bridge Construction" 1981 edition.

- c. The compacted thickness of the final pavement/wearing surface shall be no less one (1) inch.

8. Curb and Gutter (Optional)

- a. Should the developer choose to install curbing and/or curb and gutter, side drains (along with necessary curb inlets and/or catchbasins) shall be installed as directed by the Public Works Department.
- b. When curb and gutter are installed the street right-of-way may be reduced to 40 feet and the street pavement base, binder course and wearing surface widths may be reduced to 20 feet. The street right-of-way, base, binder and surface widths shall not be reduced when curbing only is installed.
- c. Materials, equipment, and construction requirements shall be as specified in Section 702 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1981 edition.
- d. Illustration 11 in Appendix A depicts the accepted form of curb and gutter.

9. Road Bank Seeding and Erosion Control

- a. Areas disturbed by cut or fill along roadways shall be shaped and seeded with permanent vegetation. This work should be accomplished in conjunction with roadway construction in order to reduce erosion and prevent the siltation and clogging of culverts and drainage ways.
- b. In areas with slopes over three percent (3%) grade excluding rock conditions, sodding of drainage ways, concrete waterways and/or ditch checks may be required.

10. Inspections, Testing, and Material Certifications

- a. All street and road construction shall be inspected by representatives of the City of McMinnville and/or Warren County. Prior to the start of construction, the developer or his representative shall contact the Public Works Department in order to develop an inspection schedule.
- b. The Public Works Department may request that the developer provide compaction tests prepared by an independent testing laboratory.

- c. Written approval must be made by the inspector at each stage prior to proceeding. See Article II, Section H for additional information on Inspections Procedures.
- d. The contractor(s) and/or supplier(s) furnishing base material, prime coat, binder surface, and/or pavement surface shall furnish to the Public Works Department written certification that the materials used in the construction of streets developed under these regulations meet or exceed the appropriate specifications.

F. Utilities - General Standards

The following general standards shall apply for the construction of utilities in or for subdivisions located in the McMinnville Planning Region:

1. Easements

The Planning Commission may require easements, not less than 12 feet and not more than 20 feet in width for poles, wires, conduits, gas, and heat mains, or other utility lines, along all rear lot lines, along side lot lines if necessary or if, in the opinion of the Planning Commission, advisable. All easements for water, storm and sanitary sewers shall be 20 feet in width. Easements of the same or greater width may be required along lot lines, where necessary for the extension of existing or planned utilities.

All easements intended for the location of utilities shall be shown on the final plat of a proposed subdivision and shall be noted on said plat as a "Utility Easement".

2. Installation

After road grading is completed and approved and before any gravel or surfacing is applied, all of the underground work [water mains, sewer lines, and other underground utilities (where applicable), and all service connections] shall be installed completely and approved throughout the length of the road and across the flat section.

G. Water Distribution System

The following standards and specifications shall apply for the design and installation of water distribution systems in or for subdivisions located in the McMinnville Planning Region:

1. General Standards of Design

In general, the water systems designed in or for subdivisions located in the McMinnville Planning Region shall conform to the Rules of the Tennessee Department of Environment and Conservation - Division of Water Quality Supply, Chapter 1200-5-7, Minimum Design Criteria for Public Water Systems.

2. Accessibility

- a. The provision of a public water supply is deemed by the Planning Commission to be essential to the public welfare in developments where homes will be in close proximity to each other.
- b. When a proposed subdivision is not directly adjacent to an area served by a public water supply system, or should improvements to the source of water supply be required in order to meet the demands of the proposed subdivision, the cost of said improvements shall be borne by the developer unless determined otherwise by the City of McMinnville.
- c. Lands without accessibility to public water supply systems or developments not capable of the provision of an adequate supply of water through an approved system of production, storage, and distribution, capable of providing adequate flow for domestic use and fire protection shall be deemed unsuitable for development as a subdivision until such time as this system can be provided.

3. Construction Standards

- a. Water mains properly connected with McMinnville's water supply system or to the applicable water utility district system shall be constructed in such a manner as to serve all lots shown on the subdivision plat for both domestic use and fire protection.
- b. Materials and construction procedures for water mains and connections shall be in accordance with basic requirements of the City of McMinnville or the applicable water utility district.

4. Minimum Pipe Sizes

Mains of a minimum six (6) inches in diameter shall be installed throughout the subdivision and shall connect to existing water mains; except along cross streets of 1000 feet or less and in the last 500 feet of permanent cul-de-sacs, where no less than two (2) inch mains may be installed. Every attempt shall be made to establish a gridiron layout, preferably "looped", with a minimum of dead-end lines. All lines shall meet the specifications of the McMinnville Water Department or applicable water utility district.

5. Service Connections

- a. Connections to the water system shall be installed for every lot in a subdivision so that future connections will not require digging up or tunneling under streets or interruption to service to other connections on the system.

- b. Connections to every lot shall include a three-fourths (3/4) inch copper service line extending at least ten (10) feet onto the property line with a Ford KV-2 backflow device meter yoke within a meter box as approved by the McMinnville Water Department or applicable water utility district.

6. Fire Protection

- a. If, as determined by the Fire Chief for the City of McMinnville, fire protection can be provided at the time of platting, then fire hydrants shall be spaced not more than 1000 feet apart as measured along a street in residential areas and no more than 600 feet apart as measured along a street in commercial areas. They shall be so located that they will be accessible, protected from traffic hazards, and will not obstruct walks, roadways, or parking facilities.
- b. A minimum fire flow requirement of 500 gallons per minute and 20 pounds per square inch residual pressure must be available in all distribution systems. More stringent standards may be required by the McMinnville Fire Department, the Insurance Services Office or other related agency.
- c. All fire hydrants shall be Mueller traffic model type-5 1/4 inch barrel with one (1) 4 1/2 inch outlet and two (2) 2 1/2 inch outlets. The type and location of all fire hydrants shall be approved by the appropriate water department and the Fire Chief for the City of McMinnville.
- d. There shall be a valve in the lateral between the street main and fire hydrant.

7. Inspections, Testing and Material Certifications

- a. All water system construction is to be inspected by representatives of the City of McMinnville. Prior to the start of construction, the developer or his representative shall contact the McMinnville Water/Waste Water Department in order to develop an inspection schedule.
- b. As a minimum, all water systems shall be subjected to pressure and leakage testing. Pressure tests shall be performed at a pressure of fifty percent (50%) above the working pressure at the test point and shall be maintained for two (2) hours. The leakage test shall be conducted concurrently with pressure test. The McMinnville Water/Waste Water Department may require other testing, including compaction tests prepared by an independent testing laboratory for back-filled utility trenches.
- c. The contractor(s) and/or suppliers(s) furnishing pipe, valves, fire hydrants and other appurtenances shall furnish to the City of McMinnville written certification that the materials

used in the construction of water systems meet or exceed the appropriate specifications.

8. As-Built Drawings

Prior to the acceptance of all water distribution systems shown on all plats presented to the McMinnville Regional Planning Commission and prior to the release of any financial guarantee as required by these regulations, the developer shall submit to the McMinnville Water/Waste Water Department a complete set of "as-built" drawings for said system.

H. Waste Water Systems

The following standards and specifications shall apply for the design and installation of waste water systems in or for subdivisions located in the McMinnville Planning Region:

1. General Standards of Design

In general, the waste water systems designed in or for subdivisions located in the McMinnville Planning Region shall conform to the Rules of the Tennessee Department of Environment and Conservation - Division of Water Pollution Control, Chapter 2, Design of Waste Water Collection Lines and Pumping Stations.

2. Accessibility

When a proposed subdivision is not directly adjacent to an existing public sewer system, the Planning Commission shall determine the accessibility of the nearest system and determine whether the subdivider must make connections. The Planning Commission may seek the advice of other government officials, and/or qualified consultants prior to making this determination.

3. Design Period

In general, sanitary sewerage systems shall be designed for the estimated ultimate development of the proposed subdivision and the potential future development of adjoining land.

4. Minimum Size and Construction Standards

The sanitary sewer lines shall be at least eight (8) inches in size and in accordance with the instructions and specifications of the McMinnville Water/Waste Water Department and the Tennessee Department of Environment and Conservation, and in such a manner as to serve adequately all lots with connection to the public system.

5. Service Connections

Connections to the sewer system shall be installed for every lot in the subdivision and shall include a four (4) inch lateral extending at

least ten (10) feet onto the property line with a clean-cut installed extending to grade and properly capped to prevent infiltration.

6. Protection of Water Supplies

There shall be no physical connection between a sewer system and a public or private potable water system which would permit the passage of any waste water or polluted water into the potable water supply. The vertical and horizontal separation of sanitary sewers and water mains shall be as required by the McMinnville Water/Waste Water Department.

7. Inspections, Testing and Material Certifications

- a. All sanitary sewers and appurtenances are to be inspected by representatives of the City McMinnville. Prior to the start of construction, the developer or his representative shall contact the McMinnville Water/Waste Water Department in order to develop an inspection schedule.
- b. As a minimum, all sanitary sewer construction shall be subjected to visual, leakage, and where flexible pipe is permitted, deflection testing. The McMinnville Water/Waste Water Department may require other testing, including compaction tests prepared by an independent testing laboratory for back-filled utility trenches.
- c. The contractor(s) and/or supplier(s) furnishing pipe, manholes, and other appurtenances shall furnish to the City of McMinnville written certification that the materials used in the construction of sanitary sewer improvements developed under these regulations meet or exceed the appropriate specifications,

8. As-Built Drawings

Prior to the acceptance of all sanitary sewer collection systems shown on all plats presented to the McMinnville Regional Planning Commission and prior to the release of any financial guarantee as required by these regulations, the developer shall submit to the McMinnville Water/Waste Water Department a complete set of "as-built" drawings for said system.

9. Subsurface Sewerage Disposal Systems

Where the Planning Commission determines that a subdivision does not have to connect to the existing sewerage system, lots must contain adequate area for the installation of approved septic tank(s) and disposal fields as determined by and approved in writing by the Tennessee Department of Environment and Conservation prior to the plat receiving final approval.

I. Other Utilities (Gas, Electric, Telephone, Cable TV, etc.)

1. Below Ground

The Planning Commission shall encourage the complete use of underground utilities (including electric, telephone, and cable TV) wherever practical. These are to be installed in the street right-of-way between the paved roadway and property line to simplify location and repair of lines. After grading is completed and approved, and before any pavement base is applied, all of the instreet underground utility work shall be completely installed and approved throughout the length of the street and across the flat section.

2. Above Ground

Where electric, telephone and/or cable TV utilities are to be installed above ground, they should be provided for in rear lot easements whenever practicable. These easements shall be perpetual, unobstructed, a minimum of 20 feet in width and provided with satisfactory street access. Whenever possible easements shall be cleared and graded.

3. Underground Service Connections Required

Underground service connections for all utilities (including electric, telephone and cable TV) shall be installed for each lot within the subdivision and all wires and cables shall be enclosed in an appropriate conduit. This requirement shall be noted on all final subdivision plats.

J. Lots

1. Lots to be Buildable

The lot arrangement shall be such that in constructing a building there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear. If the subdivision is to be served by public sewer, lots should be designed so that none will be "below grade" and be rendered unservable by sewer.

2. Lot Lines

Side lot lines shall generally be at right angles to straight street centerline, and radial to curved street centerline. Rear lot lines should consist of straight lines with a minimum number of deflections.

3. Minimum Lot Size

The size, shape and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated.

- a. Residential lots served by public water and public sanitary sewer systems:

Minimum area = 15,000 sq. ft. or as required by the McMinnville Zoning Code. (Amended 12/9/97)

Minimum width at building setback line = 75 ft.

- b. Residential lots served by public water and private sewage disposal systems:

Minimum area = (amended 4/8/97)

(1) Lots with a soils rating of between 15-60 minutes shall have a minimum area of 22,000 sq. ft.*

(2) Lots with a soils rating of between 75-106 minutes shall have a minimum area of 30,000 sq. ft.*

Minimum width at building setback line = 100 ft.*

*Greater minimum area may be required for private sewage disposal if there are factors of drainage, soil condition or other conditions to cause potential health problems. The Planning Commission requires that results from soils tests be submitted in order to approve subdivisions dependent upon septic tanks as a means of sewage disposal.

- c. Non-residential Lots

The size of lots reserved or laid out for commercial or industrial properties shall conform with provisions of the McMinnville Zoning Code and shall be adequate to provide for the off-street services and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land, so as to provide insulation against adverse effects on present or future adjacent residential development.

4. Building Setback Lines

The minimum depth of building setback lines from the abutting street right-of-way shall be in accordance with requirements in the current McMinnville Zoning Code.

5. Minimum Street Frontage

All lots shall have a minimum of 50 feet of frontage on a public street, except on a permanent dead-end street (cul-de-sac) where the minimum frontage may be 30 feet.

6. Off-Street Parking

All residential subdivision lots shall provide sufficient off-street parking space for at least three (3) vehicles. Non-residential subdivisions shall provide off-street parking and loading space in accordance with provisions of the McMinnville Zoning Code.

K. Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. This will include adequate easements to remove surface water from the buildable portion of lots.

1. Drainage Plan Required

A drainage plan showing proposed modifications to the flow of water across the site of the proposed subdivision or to and from adjoining properties shall be prepared and submitted with the preliminary plat of the subdivision.

2. Removal of Spring and Surface Water

The subdivider may be required by the Planning Commission to carry away pipe or open ditch any spring or surface water that may exist either previous to, or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

3. Other Watercourses

Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Public Works Director or County Road Superintendent. 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 as required, and it shall in no case be less than 20 feet in width.

4. Storm Drainage Under Streets

Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. All cross drains that are to be laid under the roadway shall be of concrete construction. The size openings to be provided shall be determined by the Rational Formula, but in no case shall the pipe be less than 18 inches in diameter. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and

matched to provide tight joints and a smooth uniform invert. Head walls shall be provided at each end of all cross drains. Drains shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact with the top of the pipe at least one (1) foot below roadbed.

5. Driveway culverts shall be a minimum of 15 inches in diameter.

6. Accommodation of Potential Upstream Development

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.

7. Responsibility for Downstream Drainage

The subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the additional run-off incident to the development of the subdivision will overload an existing downstream drainage, provision shall be made for the improvement of said condition.

8. Storm Water Retention

The Planning Commission may require storm water retention facilities for subdivisions where the presence of Sinkhole Retention Areas, Flood Hazard Areas or water courses of limited capacity are the recipients of storm water discharge from the site of said subdivision. In general, this requirement will apply only to those subdivisions planned to contain five (5) or more dwelling units or commercial and/or other structures which will consists of a total of 10,000 or more square feet of impermeable surface (roof and parking area).

When it is determined by the Planning Commission that storm water retention facilities are required, no plat for such subdivision shall be approved from which storm water run-off is discharged into public rights-of-way, public drainage structures or natural water-courses at a rate greater than the rate which water is being discharged from the site prior to the proposed development taking place.

The drainage plan accompanying the plat for all subdivisions meeting this criteria shall show all proposed discharge structures and points of storm water discharge from the site. Said plans shall be accompanied by a set of calculations which illustrate the flow of storm water from each existing and proposed discharge point expressed as cubic feet per second (cfs) and gallons per minute (gpm). Said calculations shall show this discharge of water under existing and proposed conditions.

9. Land Subject of Flooding-See Section B of this Article for Special Requirements for Floodable Areas.
 10. Erosion Reduction

The developer shall utilize grading techniques, subdivision design, landscaping, sedimentation basins, special vegetation cover, and other measures to reduce erosion and sedimentation during and after development.
- L. Preservation of Natural Features
- The developer shall, wherever possible, attempt to preserve all natural features which add value to residential developments and to the community, such as large trees or groves, water courses and falls, historic spots, vistas and similar irreplaceable assets.

ARTICLE IV SPECIAL DEVELOPMENTS

A. Planned Unit Development Subdivision Standards

The purpose of the Planned Unit Development (PUD) is to allow flexibility and innovation in land development and land use. This form of development, which is also referred to as "cluster development" or "open space development," usually involves the clustering of dwelling units on certain portions of the site and generally includes common open space property owned and maintained by a property owners association. It is an environmentally sound concept, because it can allow for development in the most suitable areas while preventing development in unsuitable areas such as flood plains or areas with steep slopes. Also it is an economically sound concept; because it can reduce the costs for infrastructure (the length of street and utility lines can be significantly decreased).

The McMinnville Zoning Code provides for two (2) types of Planned Unit Developments Districts: (1) PRD-Planned Residential District and (2) PCD-Planned Commercial District. These zoning districts allow for the mixture of land uses such as traditional single-family houses, town houses, apartments, and some commercial and public uses. Generally, the intent of the Planned Unit Development is to permit varied lot sizes and clustered development while at the same time preserving open space without increasing overall density and without increasing the effective impact on the community.

All Planned Unit Developments or similar such developments shall meet the following standards:

1. The developer shall meet with the City Administrator, Codes Enforcement Official, and Staff Planner to become familiar with all applicable requirements.
2. Shall be in compliance with all provisions of Section 11-511 of the McMinnville Zoning Code.
3. In general, shall meet all requirements and minimum standards of design required in these regulations.
4. Depending on the design of the development and/or types of residential units within, some or all of the development may be required to conform to TCA 66-27-101 through 123, entitled Horizontal Property Act.

B. Large Scale Development

The requirements of these regulations may be modified in the case of large scale community or neighborhood units, such as a housing project, trailer court or shopping center which is not subdivided into customary lots, blocks, and streets, if the development is approved by the Planning Commission and if it is in conformity with the purpose and intent of these regulations.

C. Condominium Developments

Proposed residential or commercial projects which will offer individual attached units for sale with or without any land, and with certain elements in common to all units may be required to conform with requirements of TCA 66-27-101 to 123, entitled the Horizontal Property Act.

ARTICLE V ENFORCEMENT AND PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land are provided by state law in the authority granted by public acts of the State of Tennessee.

- A. 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 such subdivision to the McMinnville Regional Planning Commission and obtained its approval and before such plat be recorded in the office of the county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law, as provided in Sections 13-4-306 and 13-3-410 Tennessee Code Annotated.
- B. The description by metes and bounds in an instrument of transfer or other document used in the process of selling or transferring a lot in an unapproved subdivision shall not exempt the transaction from being a subdivision if two (2) or more lots are being created and does not exempt such transaction from misdemeanor penalties as provided in Sections 13-4-306 and 13-3-410 Tennessee Code Annotated.
- C. No building permit shall be issued and no building or structure shall be erected on any lot within the area of jurisdiction of the Planning Commission unless the street giving access to the lot shall have been accepted or opened as a public street in accordance with these regulations, or otherwise had received the legal status of a public street, or unless such street corresponds to a street shown on an approved plat, etc., as provided in Sections 13-4-308 and 13-3-411 Tennessee Code Annotated.
- D. Any building or structure erected or to be erected in violation of Section 13-4-308, Tennessee Code Annotated, shall be deemed an unlawful building or structure, and the building inspector or the city attorney or other official designated by the McMinnville Board of Mayor and Aldermen may bring action to enjoin such erection or cause it to be vacated or removed.
- E. No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers or 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 prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission, or a thoroughfare plan made and adopted by the commission as provided in Section 13-4-307, Tennessee Code Annotated.

- F. No county register of deeds shall file or record a plat of a subdivision of land within the McMinnville Planning Region without the approval of the McMinnville Planning Commission as required by Section 13-4-302, Tennessee Code Annotated, and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

ARTICLE VI ADOPTION

- A. Before adoption of these subdivision standards, a public hearing as required by Section 13-4-303 and Section 13-3-403, Tennessee Code Annotated, was afforded any interested person or persons and was held on November 14, 1995. Notice of such hearing was announced in the Southern Standard, being of general circulation within the area of planning jurisdiction on October 13, 1995 and November 5, 1995 stating the time and place for the hearing.
- B. These regulations shall be in full force and effect from and after their adoption.

Adopted: November 14, 1995

Chairman, McMinnville
Regional Planning Commission

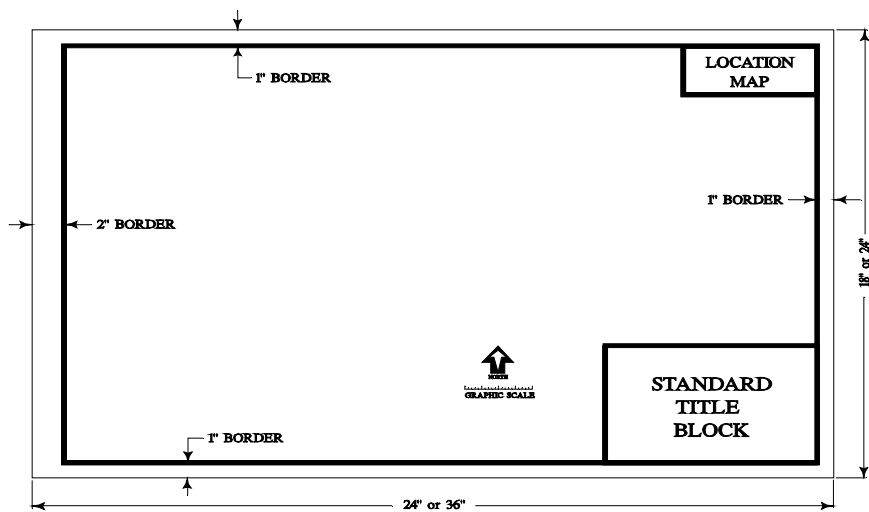
Secretary, McMinnville
Regional Planning Commission

APPENDIX A

ILLUSTRATIONS

ILLUSTRATION 1

STANDARD PLAT FORMAT



Note: NOT TO SCALE

PRESENTED TO
MCMINNVILLE REGIONAL PLANNING COMMISSION

DEVELOPER: _____
 ADDRESS: _____

 TELEPHONE: _____

SURVEYOR: _____
 ADDRESS: _____

 TELEPHONE: _____

ENGINEER: _____
 ADDRESS: _____

 TELEPHONE: _____

ACREAGE SUBDIVIDED: _____
 NUMBER OF LOTS: _____
 SCALE: _____ DATE: _____
 TAX MAP REFERENCE: _____

ILLUSTRATION 2

STANDARD TITLE BLOCK

PRELIMINARY PLAT
FOR

PRESENTED TO
MCMINNVILLE REGIONAL PLANNING COMMISSION

DEVELOPER: _____
ADDRESS: _____

TELEPHONE: _____

SURVEYOR: _____
ADDRESS: _____

TELEPHONE: _____

ENGINEER: _____
ADDRESS: _____

TELEPHONE: _____

ACREAGE SUBDIVIDED: _____
NUMBER OF LOTS: _____
SCALE: _____ DATE: _____
TAX MAP REFERENCE: _____

FINAL PLAT
FOR

PRESENTED TO
MCMINNVILLE REGIONAL PLANNING COMMISSION

DEVELOPER: _____
ADDRESS: _____

TELEPHONE: _____

SURVEYOR: _____
ADDRESS: _____

TELEPHONE: _____

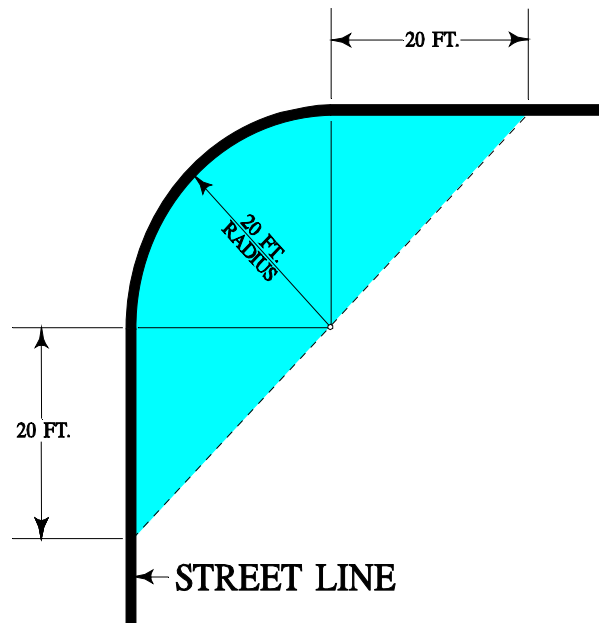
ENGINEER: _____
ADDRESS: _____

TELEPHONE: _____

ACREAGE SUBDIVIDED: _____
NUMBER OF LOTS: _____
SCALE: _____ DATE: _____
TAX MAP REFERENCE: _____

ILLUSTRATION 3

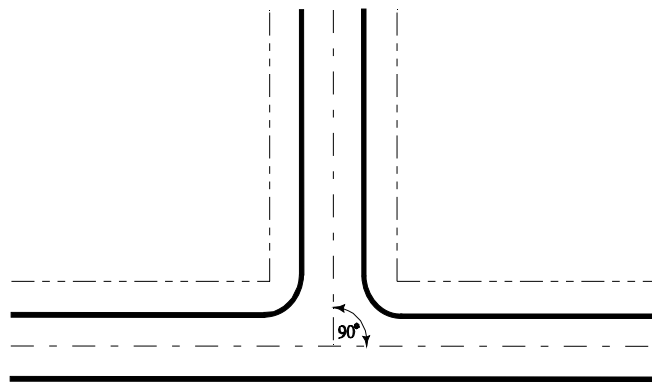
CURVE RADII



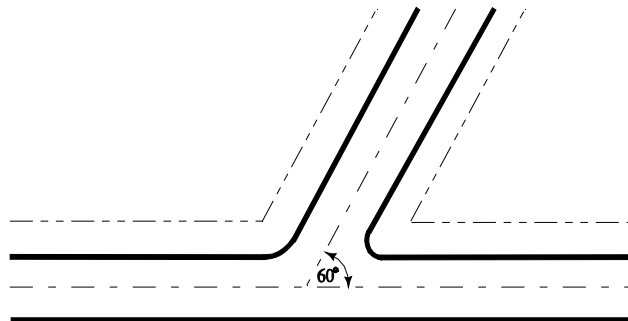
Note: NOT TO SCALE

ILLUSTRATION 4

ANGLE OF INTERSECTION



PREFERRED

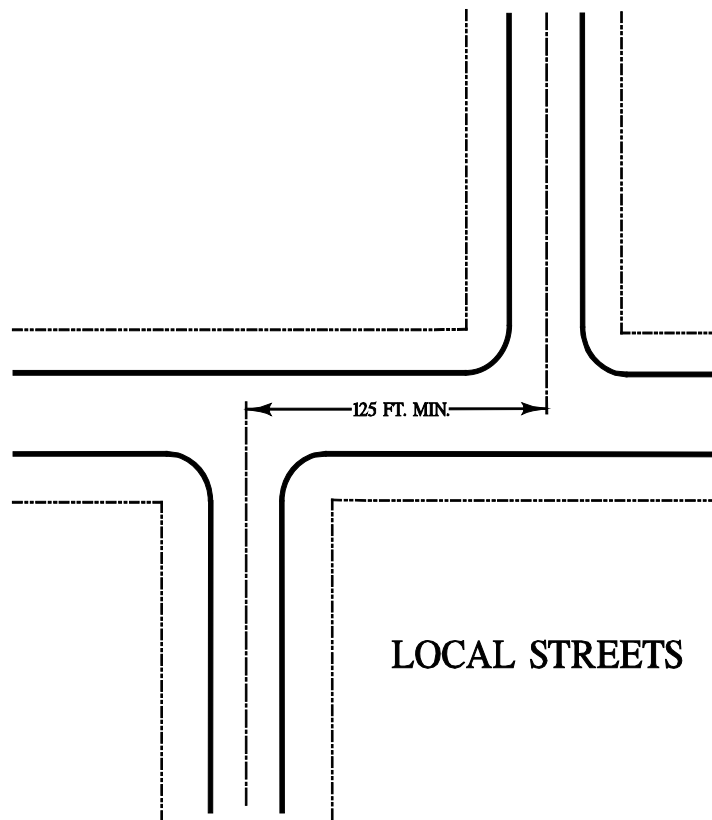


ACCEPTABLE

Note: NOT TO SCALE

ILLUSTRATION 5

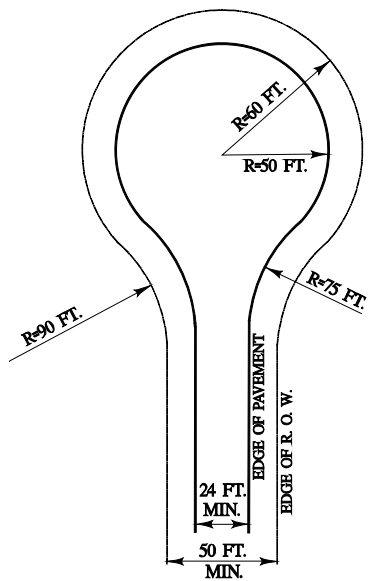
MINIMUM SPACING
OF STREET JOGS



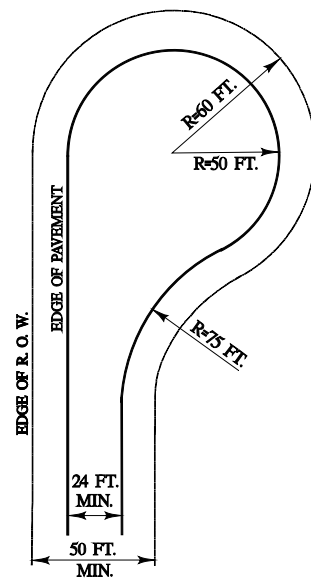
Note: NOT TO SCALE

ILLUSTRATION 6

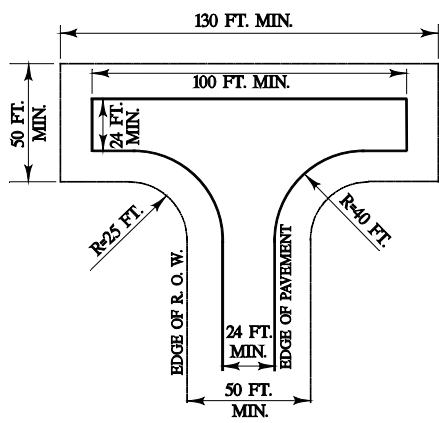
CUL-DE-SAC DESIGNS



CIRCULAR



OFFSET

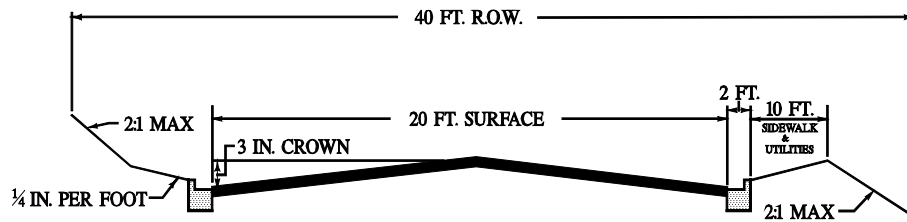


HAMMER

Note: NOT TO SCALE

ILLUSTRATION 7

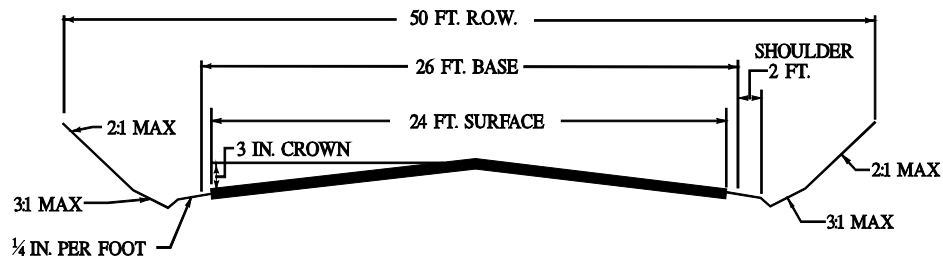
MINIMUM LOCAL STREET WIDTHS



WITH CURB & GUTTER

Notes:

1. SEE CURB & GUTTER DETAILS
2. SEE TYPICAL PAVEMENT SECTIONS

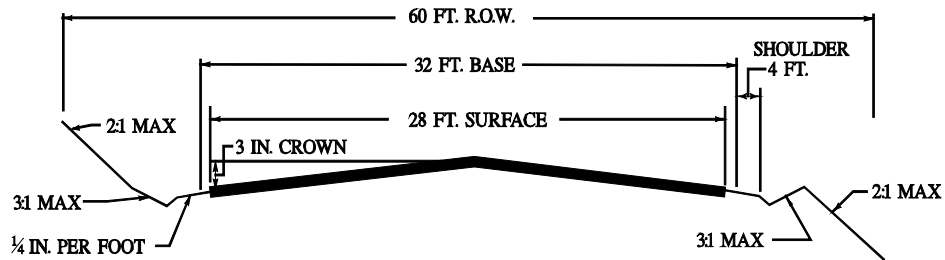


WITHOUT CURB & GUTTER

Note: NOT TO SCALE

ILLUSTRATION 8

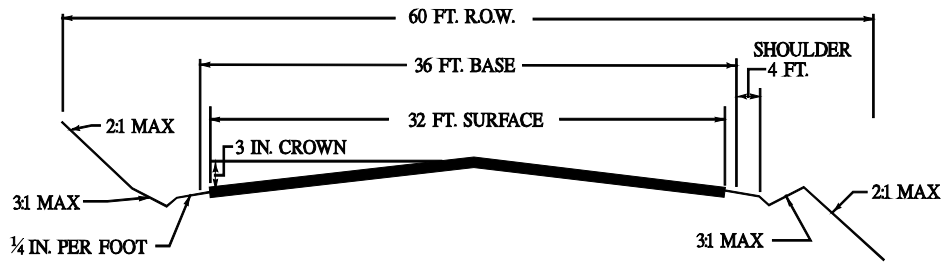
MINIMUM COLLECTOR STREET WIDTHS



MINOR COLLECTOR

Note:

SEE TYPICAL PAVEMENT SECTIONS



MAJOR COLLECTOR

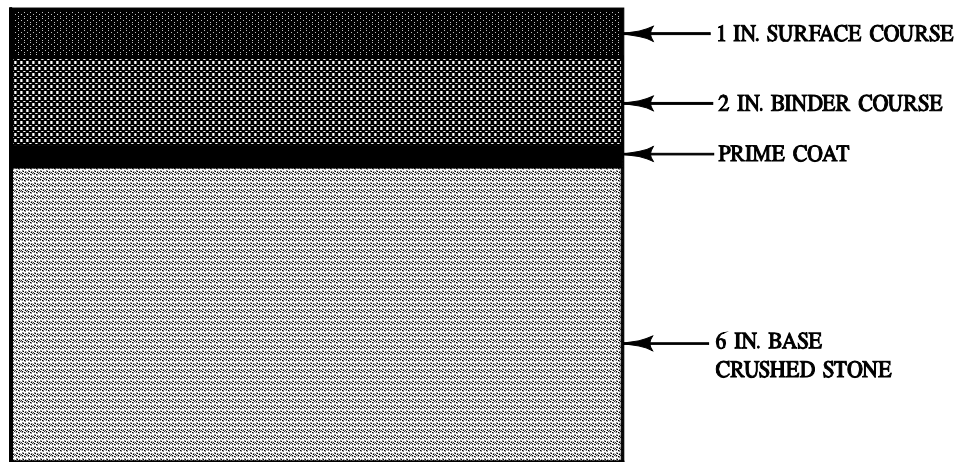
Note:

SEE TYPICAL PAVEMENT SECTIONS

Note: NOT TO SCALE

ILLUSTRATION 9

MINIMUM THICKNESS FOR LOCAL & MINOR COLLECTOR STREETS



CROSS SECTION

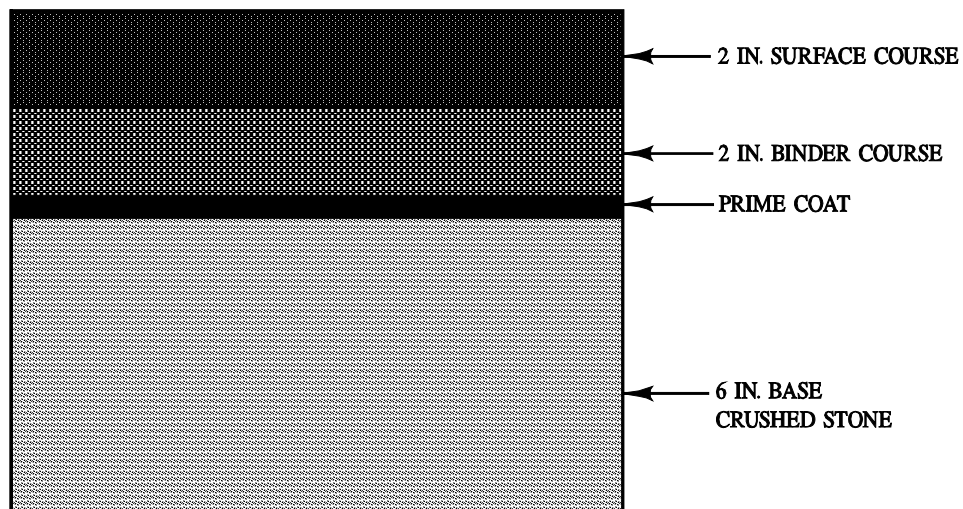
Note:

MATERIALS AND CONSTRUCTION MUST CONFORM
TO T.D.O.T. STANDARD SPECIFICATIONS FOR ROAD
AND BRIDGE CONSTRUCTION.

Note: NOT TO SCALE

ILLUSTRATION 10

MINIMUM THICKNESS FOR MAJOR COLLECTOR STREET



CROSS SECTION

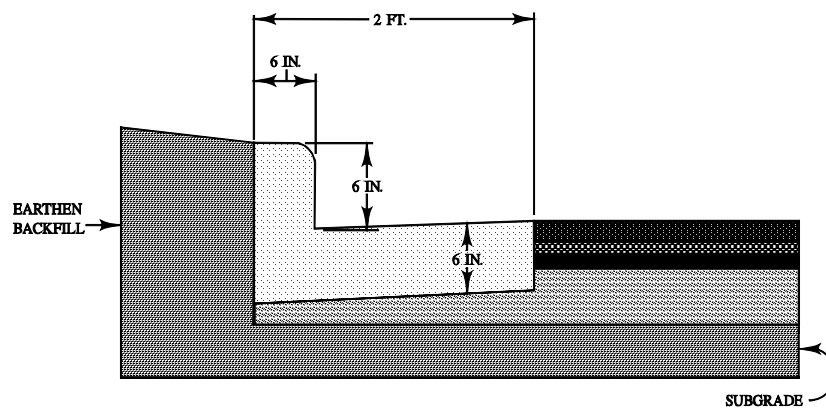
Note:

MATERIALS AND CONSTRUCTION MUST CONFORM
TO T.D.O.T. STANDARD SPECIFICATIONS FOR ROAD
AND BRIDGE CONSTRUCTION.

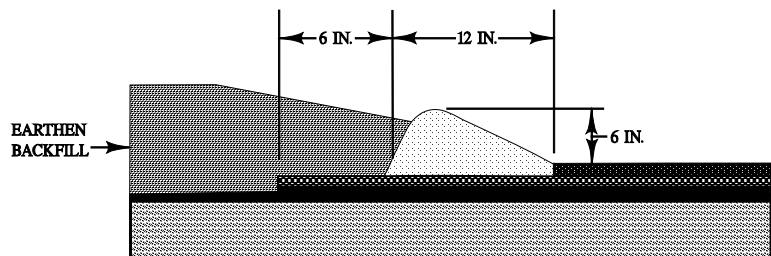
Note: NOT TO SCALE

ILLUSTRATION 11

CURB & GUTTER DETAIL

INTEGRAL CURB & GUTTER

Note:
EXACT DIMENSIONS TO BE DETERMINED BY STANDARD CURB FORMS.

EXTRUDED CONCRETE CURB

Note:
EXACT CURB DIMENSIONS TO BE DETERMINED BY
STANDARD CURB MACHINES APPROVED BY CITY.

Note: NOT TO SCALE

APPENDIX B

FINAL PLAT CERTIFICATIONS

Form 1 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, and parks as shown to the public or private use noted. I (we) further acknowledge that any change to this subdivision constitutes a resubdivision and requires the approval of the Planning Commission.

Date Signed

Owner's Signature

Owner's Signature

Form 2 CERTIFICATE OF ACCURACY AND PRECISION

I hereby certify that the plan shown and described hereon is a true and correct survey to the level of accuracy required by the McMinnville Planning Commission. I further certify that the degree of precision (linear and angular) meets the standards required of an Urban and Subdivision as established by the Tennessee Board of Examiners for Land Surveyors. I also hereby certify that the monuments and pins have been placed as shown hereon, to the specifications of the McMinnville Planning Commission.

Date Signed

Surveyor's Signature

Form 3A CERTIFICATE OF GENERAL APPROVAL FOR INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH RESTRICTIONS

General approval is hereby granted for lots shown hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions. Before the initiation of construction, the location of the house or other structure and the plans for the subsurface sewage disposal system shall be approved by the Tennessee Department of Environment and Conservation.

Date Signed

Authorized Representative of
Tennessee Department of
Environment and Conservation

Form 3B* CERTIFICATE OF APPROVAL OF SEWAGE COLLECTION FACILITIES

I hereby certify that (1) public sewage collection facilities are installed in an acceptable manner and according to City of McMinnville's specifications; or (2) a Financial Guarantee acceptable to the McMinnville Planning Commission in the amount of \$_____ has been posted to assure completion of all required improvements in the case of default.

Date Signed

Director of Water & Sewer Department

Form 4A CERTIFICATE OF APPROVAL OF WATER LINES

I hereby certify that (1) water lines and fire hydrants, if necessary, are installed in an acceptable manner and according to the specifications of the McMinnville Planning Commission (or_____); or (2) a Financial Guarantee acceptable to the McMinnville Planning Commission in the amount of \$_____ has been posted to assure completion of all required improvements in the case of default.

Date Signed

Director of Water & Sewer Department or Water Utility District Rep.

Form 4B CERTIFICATION OF EXISTING WATER LINES AND/OR OTHER UTILITIES

I hereby certify that the water lines, sewer lines and/or other utilities shown hereon are in place.

Date Signed

Director of Water & Sewer or City Engineer

*If no new sewer lines are to be installed because existing lines are used, put Certificate #4B on the final plat instead of 3A or 3B.

Form 5A CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE SYSTEM

I hereby certify that (1) streets, drainage system (easements, culverts, etc.) and other improvements (curbs, sidewalks, etc.) as required by the McMinnville Planning Commission are installed in an acceptable manner and according to required specifications; or (2) a Financial Guarantee acceptable to the McMinnville Planning Commission in the amount of \$_____ has been posted to assure completion of all required improvements in the case of default.

Date Signed

Director of Public Works
Department or County
Road Supervisor

Form 5B CERTIFICATION OF EXISTING STREET

I hereby certify that the street shown on this plat has the status of an accepted public street regardless of current condition.

Date Signed

Director of Public Works
Department or County
Road Supervisor

Form 6 CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the McMinnville Regional Planning Commission with the exception of such variances, if any, as are noted in the Official Minutes of the McMinnville Planning Commission, and that said plat has been approved for recording in the Office of the Register of Deeds of Warren County, Tennessee.

Date Signed

Secretary, McMinnville Regional
Planning Commission

APPENDIX C

CHECKLIST FOR PRELIMINARY PLAT CONSIDERATION

City of McMinnville Preliminary Plat Checklist

Subdivision Name: _____

Developer: _____ Phone: _____

Address: _____

Surveyor: _____ Phone: _____

Address: _____

Engineer: _____ Phone: _____

Address: _____

Acreage to be Subdivided: _____ Number of Lots: _____

Tax Map Reference: _____

Date Submitted: _____

Required Submittals

Water Plans: ___ Yes ___ No ___ N/A

Road Typical Cross Section: ___ Yes ___ No ___ N/A

Sanitary Sewer Plans: ___ Yes ___ No ___ N/A

Drainage Plans: ___ Yes ___ No ___ N/A

Filing Fee: ___ Yes ___ No ___ N/A

Basic Information

North Point & Graphic Scale: ___ Yes ___ No

Location Map: ___ Yes ___ No

Adjoining Property Owners: ___ Yes ___ No

Error of Closure = 1:10,000: ___ Yes ___ No

Existing Contours: ___ Yes ___ No ___ N/A

Zoning Classification: ___ Yes ___ No

Street Names: Yes No

Lot Numbers: Yes No

Existing Boundary Lines: Yes No

Existing Easements: Yes No

Existing Utility Lines: Yes No

Proposed Boundary Lines: Yes No

Proposed Easements: Yes No

Proposed Utility Lines: Yes No

Existing Water Courses: Yes No N/A

Flood Hazard Area: Yes No N/A

Street Data

Rights-of-Way OK: Yes No N/A

Additional Right-of-Way Dedicated: Yes No N/A

Grades OK: Yes No N/A

Typical Cross-Section OK: Yes No N/A

Horizontal Curves OK: Yes No N/A

Vertical Curves OK: Yes No N/A

Jogs OK: Yes No N/A

Angle of Intersection OK: Yes No N/A

Spacing of Intersections OK: Yes No N/A

Sight Distance OK: Yes No N/A

Tangent Length OK: Yes No N/A

Length of Cul-de-sac OK: Yes No N/A

Street Names OK: Yes No N/A

Curb and Gutter OK: Yes No N/A

Cross Drains OK: Yes No N/A

Side Drains OK: Yes No N/A

Lot DataLot size OK: Yes NoSetbacks OK: Yes NoMinimum Width at Setback OK: Yes No**Utility Data**Water lines OK: Yes NoFire Hydrant Locations OK: Yes NoSanitary Sewer OK: Yes No N/APercolation / Soil Test Required: Yes NoSeptic Tanks OK: Yes No N/AGas Easements OK: Yes NoElectric Easements OK: Yes No

APPENDIX D
CHECKLIST FOR FINAL PLAT CONSIDERATION

City of McMinnville Final Plat Checklist

Subdivision Name: _____

Developer: _____ Phone: _____

Address: _____

Surveyor: _____ Phone: _____

Address: _____

Engineer: _____ Phone: _____

Address: _____

Acreage to be Subdivided: _____ Number of Lots: _____

Tax Map Reference: _____

Date Submitted: _____

Survey Data

North Point and Graphic Scale: ____ Yes ____ No

Location Map: ____ Yes ____ No

Conforms to Preliminary Plat: ____ Yes ____ No ____ N/A

Appropriate Certificates Shown & Signed: ____ Yes ____ No

Name of Adjacent Property Owners: ____ Yes ____ No

Street Names: ____ Yes ____ No

Lot Numbers: ____ Yes ____ No

Easements Shown: ____ Yes ____ No

Boundary Lines Shown: ____ Yes ____ No

Pavement Lines Shown: ____ Yes ____ No

Utility Lines Shown: ____ Yes ____ No

Fire Hydrants Shown: ____ Yes ____ No

Setback Lines Shown: ____ Yes ____ No

Zoning Classification: Yes No N/A

Existing Water Courses Shown: Yes No N/A

Drainage Structures Shown: Yes No N/A

Flood Hazard Area Shown: Yes No N/A

Survey Data Complete: Yes No

Monuments Shown: Yes No

Error of Closure: Yes No

APPENDIX E
SUBDIVISION INSPECTION FORM

SUBDIVISION INSPECTION FORM
MCMINNVILLE REGIONAL PLANNING COMMISSION

SUBDIVISION NAME _____

DATE OF INSPECTION _____

IMPROVEMENT INSPECTED _____
(street, drainage, water, sewer, etc.)

STAGE OF IMPROVEMENT _____
(street subgrade, pavement base, prime coat, binder course, final surfacing, water/sewer line installation, pressure tests, etc.)

APPROVED _____

DISAPPROVED _____

REMARKS: _____

Signature of Inspector

Title of Inspector

*Original submitted to the McMinnville Regional Planning Commission; one copy to developer, one copy to inspector.

ADDRESSES OF PERTINENT AGENCIES

McMinnville City Administrator
Blue Municipal Building
473-1200

Planning and Zoning Department
1266 Belmont Drive
473-1204

McMinnville Street Department
1266 Belmont Drive
473-2553

McMinnville Water & Sewer Department
Beersheba Road
473-3165

Warren County Environmentalist
Sparta Road
473-8468

Warren County Road Superintendent
1520 Old Smithville Road
473-2007 or Courthouse 473-2493

Warren County Water Utility District
4034 Sparta Highway
668-4175

David Baird
City of McMinnville Staff Planner
1266 Belmont Drive
McMinnville, TN 37110
473-1204