

SUBDIVISION REGULATIONS

PIPERTON, TENNESSEE

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Subdivision Regulations

OF

Piperton, Tennessee Municipal Planning Commission (here-after referred to as the Planning Commission).

ARTICLE I: Purpose, Authority, Jurisdiction and Definitions

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 has been 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 to the interest of the public, the developer and the future owners that subdivision be conceived, designed and developed in accordance with sound rules and proper minimum standards.

B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-4-301 through 13-4-309, Tennessee Code Annotated. The Planning Commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations, having filled a certified copy of the Major Road Plan in the office of the Register of Fayette County, Tennessee.

C. Jurisdiction

These regulations shall govern all subdivision of land within the Piperton, Tennessee, city limits. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or divisions 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 subdividing or to the land or area subdivided. Any owner of land within this area 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 be conform to the minimum requirements set forth in Article III. The subdivider and/or developer shall, at his expense, construct paved streets and install improvements, as defined under "Definitions" below, as required by Article IV of these regulations.

D. Purpose

These regulations are adopted for the following purposes:

1. To promote the public health, safety and general welfare of the jurisdictional area.

2. To guide the development of the jurisdictional area in accordance with the adopted policies and land use development plans and maps, considering the suitability of nonresidential and public areas and having regard for the most beneficial land use in such areas.
3. To provide for adequate light, air, and privacy; to secure safety from fire, flood and other dangers and to prevent overcrowding of the land and undue congestion of population.
4. To enhance the character and economic stability and encourage the orderly, beneficial development of the jurisdictional area.
5. To conserve the value of land, buildings and improvements throughout the jurisdictional area and to minimize detrimental conflicts among the uses of land and structures.
6. To guide public and private policy and action providing for transportation, water, sewerage, schools, recreational areas and other public requirements and facilities.
7. To provide for the most beneficial relationship between the uses of land and buildings and the efficient traffic movement throughout the jurisdictional area.
8. To establish reasonable standards of design and procedures for subdivisions and re-subdivisions; to further the orderly layout and use of land; and to insure proper legal descriptions and proper monumenting of land.
9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table and to preserve the integrity, stability, beauty and value of the jurisdictional area.
11. To preserve the natural beauty and topography of the jurisdictional area and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through efficient design and layout of the land, including the use of average density in providing for minimum width and

area of lots, while preserving the density of land as established in the zoning ordinance.

13. To encourage subdivision design which would maximize the conservation of all forms of energy.

E. Policy

It is the policy of the Planning Commission to review plats and proposed subdivision developments for conformity to the Comprehensive Plan, the Land Use Plan/Map, the Major Road Plan, the Capital Improvements Program and the Zoning Ordinance of Piperton, Tennessee, and to require conformity as a condition of plat approval.

It is further the policy of the Planning Commission to review plats and proposed subdivision developments in the context of existing land use and development, population and traffic distribution and the needs and best interests of the immediate community and to require that a particular subdivision exceed the minimum standards set within these Subdivision Regulations when specific site conditions or immediate community conditions warrant.

F. Definitions

For the purposes of these regulations and in order to carry out the provisions and intentions as set forth herein, certain words, terms and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense include the future tenses; words in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel"; the word "building" includes the word "structure"; and the terms "shall" and "will" are always mandatory and not directory; and the word "may" is permissive.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout these regulations.

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

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

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

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

Base Flood Elevation - The highest elevation, expressed in feet above sea level, of the level of flood waters occurring in the regulatory base flood.

Base Map - A map having sufficient points of reference, such as state, county or municipal boundary lines, streets, easements, and other selected physical features to allow the plotting of other data.

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

Building - Any structure built for the support, shelter or enclosure of persons, animals, or movable property of any kind and includes any structure.

Building Setback Line - A line in the interior of a lot which is generally parallel to and a specified distance from the street right-of-way line or lines; which creates a space between such lines in which no building shall be placed.

Buildable Area of a Lot - That portion of a lot bounded by the required rear and side yards and the building setback line.

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

Capped System - A completed water supply and/or sewerage system put in place for future use.

Cluster - A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.

Cluster Subdivision - A form of development for single-family residential subdivisions that permits a reduction in lot area and bulk requirements, provided there is no increase in the density permitted under a conventional subdivision and the resultant area is devoted to open space.

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

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

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

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

Community Association - A homeowners association organized to own, maintain, and operate common facilities and to enhance and protect their common interests.

Comprehensive Plan - A comprehensive long-range plan is intended to guide the growth and development of a community or region and one that includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and land use. For the purpose of these Subdivision Regulations, the Piperton Comprehensive Plan.

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

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

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

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

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

Construction Plat - The maps or drawings of a subdivision showing the specific location and design of improvements to be installed in the subdivision in accordance with these regulations submitted to the Planning Commission for approval.

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

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

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

Culvert - A drain, ditch or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk or public way.

Curb - A stone or concrete boundary usually marking the edge of the roadway or paved area.

Curvilinear Street System - A pattern of streets which is curved.

Dedication - Gift or donation of property by the owner to another party.

Density - The number of families, individuals, dwelling units, or housing structures per unit of land.

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

Design Plat - A map of a proposed subdivision showing the lot sizes and layout, location and sizes of streets and used as an aid in discussing the design of the proposed subdivision.

Developer - The legal or beneficial owner of a lot or of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land, and which undertakes the activities covered by these regulations. In as much as the subdivision plan drawings are merely a necessary means to the end of assuring satisfactory development, the term "developer" includes "subdivider", "owner" or "builder" even though the persons and their precise interests may vary at different project stages.

Drainage - (1) Surface water runoff; (2) the removal of surface water or ground water from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving the water supply and the prevention or alleviation of flooding.

Drainage Area - That area in which all of the surface runoff resulting from precipitation is concentrated into a particular stream.

Drainage System - Pipes, swells, natural features and man-made improvements designed to carry drainage.

Dry Lines - See "capped system."

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

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

Easement Area - A strip of land over, under, or through which an easement has been granted.

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

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

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

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

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

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

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

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

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

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

Flood Insurance Rate Map - The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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

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

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

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

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

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

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

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

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

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

Governing Body - The chief legislative body of any government.

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

Grade - The degree of rise or descent of a sloping surface.

Grade, Finished - The final elevation of the ground surface after development.

Grade, Natural - The elevation of the ground surface in its natural state, before man-made alterations.

Grading - Any stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

Health Department - The Fayette County Health Department.

Highway Department - The Fayette County Highway Department.

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

Homeowners Association - A community association, other than a condominium association, which is organized in a development in which individual owners share common interests in open space or facilities.

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

Improvements - Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for man's activities. Typical improvements in these regulations would include but not be limited to grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, street name signs and street trees.

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

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

Joint Ownership - The equal estate interest of two or more persons. Joint ownership among persons shall be construed as the same owner for the purpose of imposing Subdivision Regulations.

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

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

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

Land Use Plan - A plan showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes. For the purpose of these Subdivision Regulations, the Piperton Municipal Land Use Plan.

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

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

Lot Area - The total horizontal area included within lot lines.

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

Lot Depth - The average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

Lot Frontage - That dimension of a lot or portion of a lot abutting on a street excluding the side dimension of a corner lot.

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

Lot Lines - The lines bounding a lot as defined herein.

Lot Number - The official number assigned to a lot for identification purposes.

Lot Width - The width of a lot at the building setback line measured at right angles to its depth.

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

Major Road Plan - The plan adopted by the Planning Commission, pursuant to Sections 13-3-402 and 13-4-302, Tennessee Code Annotated, showing, among other things, the general location, character and extent of public ways... (and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public ways. For the purpose of these Subdivision Regulations, the Piperton Major Street and Road Plan as registered at the Fayette County Registrar's Office.

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

Metes and Bounds - A method of describing the boundaries of land by directions and distances from a known point of reference.

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

Minor Subdivision - Any subdivision containing four (4) or less lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adoption general plan, Major Road Plan, Zoning Ordinance or these regulations.

Monuments - Markers placed on or in the land.

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

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

One Hundred-Year Flood - A flood having an average frequency of occurrence of once in one hundred (100) years, although it may occur in any year. It is based on

statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed.

Open Space - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

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

Percolation Test - An examination of subsoil used in determining the acceptability of the site and the design of the subsurface disposal system.

Performance Bond - See Surety Instrument.

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

Planning Commission - A public planning body established pursuant to Title 13, Chapter 2 or 5, Tennessee Code Annotated, to execute a partial or full planning program within authorized area limits. For the purpose of these Subdivision Regulations, the Piperton Municipal Planning Commission.

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

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

Protective Covenants - Contracts between the land subdivider and lot purchaser expressing agreement covering use of the land.

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

Public Safety Facilities - The buildings, equipment and grounds of the City of Piperton Fire and Police Departments.

Public Sewer System - A central sewer system, owned, operated and maintained by the City of Piperton.

Public Hearing - A meeting for the review of a matter where opinions may be presented by the public. These hearings may take place during the regular Planning Commission meetings and are held according to state law.

Public Uses - Public parks, schools and administrative, cultural and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and material.

Public Utility - Any person, firm, corporation, municipal department or board duly authorized to furnish under state or municipal regulations to the public electricity, gas, steam, communications, telegraph, transportation, water, or sewer.

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

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

Rectilinear Street System - A pattern of streets that is characterized by right angle roadways, grid pattern blocks and four-way intersections.

Register of Deeds - Fayette County Registrar of Deeds.

Regulatory Flood - The one hundred (100) year flood.

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

Reserve Strip - A portion of land set aside to prevent and prohibit access to adjoining property or public thoroughfare.

Re-subdivision - A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling the subdivision of land.

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

Road - For the purpose of these regulations, "road" shall be defined the same as "street".

Roadway - The portion of the street right-of-way which contains the street pavement, curb, and gutter, and is used primarily as a channel for vehicular movement and secondarily as a drainage channel for storm water. In these regulations the pavement is measured from face to face of the curbs.

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

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

Sanitary Sewer System - A public or community sewage disposal system of a type approved by the State Department of Conservation and Environment.

Secretary - The person designated by the Planning Commission as its secretary.

Septic Tank - See Individual Sewage Disposal System.

Setback - The distance between a building wall, edge of a structure or overhang of a building, whichever extends out the farthest and the nearest to a right-of-way of a public way, or the distance required to obtain the minimum front, side and rear yards.

Sketch Plat - A sketch preparatory to the Preliminary Plat (or Final Plat, in the case of minor subdivisions).

Slope - the degree of deviation of a surface from the horizontal, usually expressed in percent or degrees. (See Grade)

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

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

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

Street - Any vehicular way which: (1) is an existing state, county or municipal roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of planning board and the grant to such board of the power to review plats; and includes the land between the street right-of-way line, whether improved or unimproved. *The term street shall include road and highway. Unless otherwise indicated, the term street shall refer to both public and private streets.*

Street Furniture - Any improvements placed within the street right-of-way, such as utility poles, street signs, etc.

Street Grade - The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at the midpoint of the lot shall be taken as the street grade.

Street Line - The legal line of the street right-of-way and abutting property.

Street Sign - The sign designating the official name of the street.

Structure - Anything constructed above or below ground.

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

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

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

Surety Instrument - Any form of security, including a cash deposit, surety bond, collateral, property or letter of credit in an amount and form satisfactory to the Planning Commission, such security to bind the one posting the bond to perform required acts, such as constructing subdivision improvements with the condition that the security shall be forfeited if such acts are not performed.

Surveyor - A qualified surveyor registered and currently licensed to practice surveying in the State of Tennessee.

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

Test Holes - Openings dug, boarded, or drilled in the ground for conducting soil tests.

Topography - The configuration of a surface area showing relative elevations.

Twenty-five Year Flood - A flood having an average frequency of occurrence of one in twenty-five (25) years.

Unit - A subsection of a total subdivision developed as a complete segment.

Use - The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Water Surface Elevation - The heights in relation to mean sea level expected to be reached by floods of various magnitudes and frequencies at pertinent points in the floodplain.

Way - A street or alley or other thoroughfare or easement permanently established for passage of persons or vehicles.

Yard, Front - An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line (extended) of the building and the street line.

Yard, Rear - A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear building line. On all lots, except corner lots, the rear yard shall be opposite the front yard. On corner lots, the rear yard shall be defined at the time the building permit is issued.

Yard, Side - An open unoccupied space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

Zoning Ordinance or Resolution - A statute, legally adopted pursuant to Title 13, Chapters 4 or 7, Tennessee Code Annotated, for the purpose of regulating by district, land development or use for a designated area. For the purpose of these Subdivision Regulations, the Piperton Municipal Zoning Ordinance.

ARTICLE II , PROCEDURE FOR MAJOR SUBDIVISION APPROVAL

The procedure for review and approval of a subdivision plat consist of three (3) separate steps. The initial step is the preparation of and submission to the Planning Commission of a preliminary sketch plat, design or preliminary plat of the proposed subdivision. The second step is the Construction or Engineering Plat, which will be reviewed by the City Engineer and the Planning Commission. The third 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 County Register when duly signed by the secretary of the Planning Commission.

The subdivider shall consult early and informally with the Planning Commission and its technical staff for advice and assistance before the preparation of the preliminary sketch plat and his formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Road Plan and other official plans or improvements which may affect the area. Such informal review should prevent unnecessary and costly revisions.

A. General

1. Any owner of land lying within the area of jurisdiction of the Planning Commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to resubdivide 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. 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 regulations and shall be presented in the manner as specified in the following section of this article. No plat of a subdivision of land within the planning jurisdiction shall be filed or recorded by the County Register 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 submit to the Planning Commission a preliminary sketch plat as provided in Section B of this article. Upon the approval of this preliminary plat he may proceed with the preparation of the engineering plat, final plat and other documents required in connection with as specified in Section C of this Article and the improvements set forth in Article IV.

Before any construction begins or plats reviewed or approved, the subdivider will pay the City of Piperton the appropriate subdivision fees. Other development and connection fees, which include recording fees, water development fees, water connection fees, sewer connection fees, and subdivision inspection fees, shall also be paid by the subdivider, with final approval being contingent upon payment in full of all required fees. The schedule for these fees are shown in the appendix of these regulations.

B. Design Plat

1. At least fifteen (15) days prior to the meeting at which it is to be considered the subdivider shall provide to City Hall ten (10) copies of the preliminary sketch plat of the proposed subdivision drawn by a licensed surveyor or engineer to a scale of not less than one inch equal one hundred (100) feet. Any plat or plan provided less than the fifteen (15) days prior to the regularly scheduled Planning Commission meeting will not be considered until the subsequent meeting. Plans will be considered submitted as of the date it is first considered at a regular meeting of the Planning Commission.
2. The sketch plat which shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible.
 - a. The proposed subdivision name and location, the name(s) and address(es) of the owner or owners, and the name of the designer of the plat who shall be an engineer or surveyor approved by the Planning Commission.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and plated property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, the present zoning classification, if any, on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
 - d. In residential districts, plans of proposed utility layouts (sewers, water, gas, and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practical, any proposed individual water supply and/or sewage disposal system must be approved by the county health department.
 - e. The proposed street names, and the locations and other dimensions of the proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.

CHECK LIST FOR PRELIMINARY PLAT CONSIDERATION

Name of Subdivision _____
Location _____ Zoning District _____
Owner _____ Address _____ Phone _____
Subdivider _____ Address _____ Phone _____
Surveyor _____ Address _____ Phone _____
Date provided to staff for preliminary approval _____
Date provided to staff for review _____

Check List

- _____ 10 copies submitted 15 days prior to meeting.

- _____ Name of Subdivision

- _____ Drawn to a scale of not less than one inch equals 100 feet.

- _____ Name and address of owner of record, subdivider and surveyor.

- _____ North point, graphic scale and date.

- _____ Vicinity map showing location and acreage of subdivision.

- _____ Boundary lines by bearing and distance.

- _____ Location of all existing physical features of land and nearby properties.

- _____ Names, locations and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.

- _____ Block numbers and lot numbers.

- _____ Plans of proposed utility layouts showing connections to existing or proposed utility systems.

- _____ Minimum building front yard setback line.

- _____ Present zoning classification, if any, on land in subdivision and adjacent land.

- _____ Cross section and centerline street profiles at suitable scales as may be required by street superintendent and/or Planning Commission.

- _____ Conforms to general requirements and minimum standards of design.

- _____ Percolation tests have been made and the proposed sewage systems have been approved.

Disapproved _____ because of incompletd items above or other reasons as stated

Signed: _____ Secretary of Planning Commission

- f. Contours at vertical intervals of not more than five (5) feet except when specifically not required by the Planning Commission.
 - g. The acreage of the land to be subdivided.
 - h. Location sketch map showing relationship of subdivision site to area.
3. The Planning Commission shall approve or disapprove the plat within twenty-nine (29) days after such plat is submitted at a regular meeting of the Planning Commission; otherwise such plat shall be deemed to have been disapproved. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved, subject to modifications, the nature of the required modifications shall be indicated. Plans will be considered submitted as of the date it is first considered at a regular meeting of the Planning Commission.
4. One (1) copy of the preliminary sketch plat will be retained in the Planning Commission files; one (1) copy shall be returned to the subdivider with any notations at the time of approval or disapproval, and the specific changes, if any, required.
5. Failure of the Planning Commission to act on the preliminary sketch plat within twenty-nine (29) days after submission at a regular meeting will be deemed as disapproval of the plat.
6. The approval of the preliminary sketch plat by the Planning Commission will not constitute acceptance of the final plat and will not be indicated on the preliminary sketch plat.
7. The approval of the preliminary sketch plat shall lapse if no final plat based thereon is submitted within twelve (12) months from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission.

C. Construction Plat

The Construction Plat is a fully engineered design of all or part of the proposed subdivision in sufficient detail for the review agencies to determine that the improvements to be installed or constructed for said subdivision meet the required standards, provide adequate protection of the public's health and safety, and do not create or aggravate potential hazards to life or property.

1. Plat Submission

- a. After the Preliminary Plat has been approved and fifteen (15) days prior to the Planning Commission meeting at which it is to be considered, the developer shall submit ten (10) copies of the Construction Plat, together with applicable fees, to City Hall. All plans must be drawn to a scale of not less than one inch equals one hundred feet (1" = 100').

- b. If in the process of completing the Construction Plat, it becomes necessary to make major design changes to the Subdivision, the developer shall submit a revised Preliminary Plat to the Planning Commission for their review and approval. If minor changes to the approved Preliminary Plat are necessary, they will be identified in writing and on the presented Construction Plat. The Planning Commission and it's staff will determine if the proposed changes are minor or major in nature.

2. Plat Content

- a. The Construction Plat shall meet at least the minimum design standards and general requirements of Article V, meet the prerequisites and standards for construction of improvements set forth in the Technical Specifications of the City of Piperton, conform substantially to the approved Preliminary Plat, and shall, at least contain the following information even when the subdivision is to be developed in phases or sections.
- b. The Construction Plat shall include all of the information required for the Preliminary Plat and shall meet the following additional requirements:
 - (1) The plat shall carry the signature and seal of an engineer who shall be registered in the State of Tennessee.
 - (2) A grading plan showing the existing contours in dashed lines and the finished contours in solid lines plotted at vertical intervals of not more than five (5) feet. Contours shall be extended fifty (50) feet beyond property boundary. The location size and variety of all trees to be removed that are eight (8) inches in caliper or greater measured five (5) feet above the surrounding ground surface and the general location of all tree covered areas within the proposed subdivision.
 - (3) If any portion of the land to be subdivided is below the one-hundred (100) year flood elevation, the limit and actual elevation of the said flood shall be shown.
 - (4) In residential districts, detailed plans of proposed utility layouts (sewers, water) showing feasible connection to adequate existing or proposed utility systems. Where such

connections are not feasible, the plans shall include the designs for any proposed individual water supply and/or sewage disposal systems which shall have been approved by the Tennessee Department of Conservation and Environment and the County Health Department.

- (5) Shall include plan and profile sheets showing all engineering data necessary for construction of proposed streets, storm drainage, controls for surface and ground water, and utility layout (water and sewer) and showing all connections to existing and/or proposed streets, storm drainage, and utility systems. The street profiles shall be plotted along the centerline showing the existing and finished grades, and sewer locations, drawn to a scale of not less than one inch equals fifty feet (1" = 50') horizontal and one inch equals five feet (1" = 5') vertical. Typical street cross sections shall be shown.
 - (6) Shall submit a landscaping plan and planting schedule including use of existing suitable trees; temporary and permanent erosion controls for drainage channels, runoff ponding areas, common open space or other areas subject to erosion, and the planting screens and fences between differing land uses and along the rear of double frontage lots.
 - (7) A comprehensive drainage plan which shall include, but not be limited to, an analysis of the drainage area, a storm water routing plan showing maximum quantities of flow and maximum rates of flow before and after development. A map of the drainage area in which the subdivision is located shall be included with the drainage plan and shall include the drainage structures leading to and from the subdivision with their sizes. The scale of the map shall be drawn to scale no less than one inch equals two hundred feet (1"=200').
- c. Certificates required to be included on the Construction Plat are Certificates of Accuracy of Engineering and Design, a Certificate of Adequacy of Storm Drainage and a Certificate of Approval by the Planning Commission. Examples of these certificates are shown in Appendix II. The authorized signatures for the engineering and design and storm drainage certificates shall be obtained by the developer prior to submission of the Construction

Plat. The Certificate of Approval by the Planning Commission shall be signed upon approval of the plat.

- d. Concurrent with the presentation of the Construction Plat, the City Engineer shall recommend to the Planning Commission the amount and terms of a construction surety instrument in accordance with Article V, Section B of these regulations.
- e. If the Construction Plat is presented and approved for the entire development, even if phased, the construction standards existing at that time shall apply throughout the project, provided the development schedule approved is met.
- f. If the schedule is delayed, the regulations of the City in force at the time the Construction Plat was presented shall apply.
- g. Within six (6) months of Construction Plat approval, the developer shall submit a construction surety instrument as required by Article V, Section B of these Regulations or subdivision approval is void.

D. Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat and construction plat as approved; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations.
2. At least fifteen (15) days prior to the meeting at which it is to be considered the subdivider shall submit ten (10) copies (black and white prints or blue line prints), together with street profiles or other plans that may be required by the Planning Commission.

The plat shall be drawn to the scale of one inch equals 100 feet on sheets not larger than 24 x 36 inches. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.

When the plat has been approved by the Planning Commission, one copy will be returned to the subdivider, with the approval of the Planning Commission certified thereon, for filing with the County Register as the official plat of record. Also, one copy will be retained in the records of the Planning Commission.

3. The Planning Commission shall approve or disapprove the plat within twenty-nine (29) days after such plat is submitted at a regular meeting of the planning Commission; otherwise such plat shall be deemed to have been disapproved. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved, subject to modifications, the nature of the

required modifications shall be indicated. Plans will be considered submitted as of the date it is first considered at a regular meeting of the Planning Commission.

4. 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.
5. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. 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 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.
 - c. All dimension to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivision and streets and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and magnetic north point.
 - g. Location sketch map showing site in relation to area.
6. The following certification shall be presented with the final plat:
 - a. Certification showing that the applicant is the land owner and dedicates - when required - streets, rights-of-way and any sites for public use (See Appendix).
 - b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
 - c. In residential districts, certification by the County health officer when individual sewage disposal or water systems are to be installed..
 - d. Certification by Fayette County Soil Conservation District when either soils information or an erosion control plan is required by the Planning Commission.
 - e. Certification by City Engineer or his equivalent that the subdivider has complied with one of the following alternatives:

CHECK LIST FOR FINAL PLAT CONSIDERATION

Name of Subdivision _____
Location _____ Zoning District _____
Owner _____ Address _____ Phone _____
Preliminary approval granted _____ (Date)
Provided for FINAL approval _____ (Date)
Provided for staff review _____ (Date)
Check List

- _____ Submitted within one year from date of preliminary approval.
- _____ 10 copies submitted 15 days prior to meeting.
- _____ Drawn to a scale of 1" equals 100' on sheets not larger than 24" X 36".
- _____ Name and address of owner of record, subdivider and surveyor.
- _____ North point, graphic scale, date.
- _____ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles and tangent distances.
- _____ Reservations, easements, or other non-residential areas.
- _____ Dimensions to the nearest 10th of a foot and angles to the nearest minute.
- _____ Lot lines, alleys, building setback lines.
- _____ Location and description of monuments.
- _____ Names and locations of adjoining properties.
- _____ Lines, names and widths of all streets and roads.
- _____ Lots numbered in numerical order and block lettered alphabetically.
- _____ Location sketch map with flooded areas outlined.
- _____ Certificate of ownership and dedication.
- _____ Certificate of Approval of water and sewage systems and streets.
- _____ Certificate of engineer or surveyor.
- _____ Proposed deed restrictions if not a zoned area.
- _____ Conforms to General Requirements and Minimum Standards of Design.
- _____ Required physical improvements have been made or bond posted in the amount of \$_____.

1. Installation of all improvements in accordance with the requirements of the standards or
 2. Posting of a construction surety instrument in sufficient amount to assure such completion of all required improvements.
- e. Certification of approval to be signed by the secretary of the Planning Commission.

ARTICLE III, Procedure for Minor Subdivision Plat Approval

Whenever a proposed subdivision contains four (4) or less lots and does not require the construction or installation of new streets, utilities or other improvements, the following procedures for review and approval of the subdivision shall apply. The subdivider may, if he desires, submit only a final plat in securing plat approval provided that the plat submitted complies with all the requirements stated below. However, if any corrections or modifications are needed, the Planning Commission shall disapprove the plat and require that it be resubmitted for approval.

Before any construction begins or plats reviewed or approved, the subdivider will pay the City of Piperton the appropriate subdivision fees. Other development and connection fees, which include recording fees, water development fees, water connection fees, sewer connection fees, and subdivision inspection fees, shall also be paid by the subdivider with final approval being contingent upon payment in full of all required fees. The schedule for these fees are shown in the appendix of these regulations.

1. A plat shall be presented to the Piperton Planning Commission. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house number, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. 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.
 - c. All dimension to the nearest tenth (10th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining sub-divisions and streets and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and magnetic north point.
 - g. Location sketch map showing site in relation to area.
 - h. The most recent recorded deed book number and page number for each deed constituting part of the property being platted.

2. The following certification shall be presented with the plat:

- a. Certification showing that the applicant is the land owner and dedicates streets, rights-of-way and any sites for public use.
- b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- c. Certification by the County Health Officers when individual sewage disposal or water systems are to be installed.
- d. Certification of approval to be signed by the Planning Commission Secretary.

- f. Local Street 50 feet

Local streets are minor streets that are used primarily for access to abutting residential properties and that are designed to discourage thru-traffic.

- g. Dead-end Streets (Cul-de-sacs) 50 feet

Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

- h. Alleys 20 feet

Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

In cases where topography or other physical conditions make a street or the required minimum width impracticable, the Planning Commission may modify the above requirements. Through proposed neighborhood or local business areas the street widths shall be increased ten (10) feet on each side to provide for movement of vehicles into and out of necessary off-street parking areas without interference to traffic.

4. Existing Streets (Dedication and Improvement).

All proposed development, (including major subdivisions, and site improvements encompassing multi-family residential; commercial; office; and industrial land use) that adjoin existing streets shall dedicate and improve, where applicable, additional right-of-way to meet the minimum street right-of-way and pavement width requirements.

- a. The entire right-of-way and pavement width, where applicable, shall be provided where any part of the proposed development is located on both sides of the existing street.
- b. Where the proposed development is located on only one side of an existing street, one-half (1/2) of the required right-of-way and pavement width, measured from the centerline of the existing roadway or right-of-way, shall be provided, where applicable.
- c. The Board of Mayor and Commissioners, based on the recommendation of the Planning Commission, shall reserve the right to accept a cash payment in lieu of construction when the construction of applicable street improvements at the time of development is not desirable.

5. Restriction of Access

When a tract fronts on a major street, the Planning Commission may require such lots to be provided with frontage on a marginal access road.

6. Street Grades

Grades on major streets shall not exceed seven (7) percent. Grades on other streets, except in commercial and industrial subdivisions, may exceed seven (7) percent but not twelve (12) percent.

7. Horizontal Curves

When a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve or reasonably long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall be not less than three hundred (300) feet. On other streets, it shall not be less than two hundred (200) feet in commercial and industrial subdivisions nor less than one hundred (100) feet in other subdivisions.

8. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (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, to an object four (4) inches high on the pavement. Profiles of all streets showing natural and finished grades, drawn to a scale of not less than one inch equaling twenty (20) feet vertical, may be required by the Planning Commission.

9. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at "an angle less than seventy- five (75) degrees on minor streets and eighty (80) degrees on major streets. Property line radii at all street intersections shall not be less than twenty (20) feet. Wherever necessary 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 setback sufficiently to permit such construction.

10. Tangents

A tangent of at least two hundred (200) feet in length in commercial and industrial subdivisions and one hundred (100) feet in other subdivisions shall be introduced between reverse curves and arterial and collector streets.

11. Street Jogs

Street jogs with center lines offsets of less than one hundred fifty (150) feet shall not be allowed.

12. Dead-end Streets

- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than eight hundred (800) feet long unless necessitated by topography. Those located in commercial or industrial subdivisions shall be provided at the closed end with a turn-a-round having a minimum right-of-way diameter of one hundred and fifty (150) feet and a minimum roadway diameter of one hundred and thirty (130) feet. Other subdivisions shall be provided at the closed end with a turn-a-round having a minimum right-of-way diameter of one hundred (100) feet and a minimum roadway diameter of eighty (80) feet.
- b. 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 in commercial or industrial subdivisions shall be provided with a temporary turn-a-round having a roadway diameter of at least one hundred and thirty (130) feet. Those in other subdivisions shall be provided with a temporary turn-a-round having a roadway diameter of at least eighty (80) feet.

13. Private Streets

Private streets (*for the purpose of these requirements, the term "street" shall be defined the same as "road" and "drive"*) may be considered as an alternative to public streets without any specific design exceptions if the standards in this section are met. The purpose of these requirements is to ensure that private streets and driveways meet minimum drive and emergency access standards for conventional developments within the City. This section shall not apply to private streets and driveways within planned developments, as proposals for private streets within planned developments provide for specific standards that are approved as part of the planned development; however, these requirements for private streets may be used as standards or guidelines in planned developments. Finally, this section shall not apply to maneuvering lanes within commercial and industrial complexes, or other similar uses as determined by the City Engineer provided that these uses have direct public street frontage, there is adequate access for emergency vehicles, and that the private driveway does not provide access to any abutting lot or parcel of land.

a. GENERAL PROVISIONS

- (1) The provisions of this section apply to individual lots/parcels with access to a private drive and with no direct access to a public street.
- (2) Private streets may be permitted where the subdivider or developer demonstrates that private ownership, control and maintenance of street facilities is integral to the design and function of the subdivision or development; that provision has been made for the continuing and adequate maintenance of such drives; that the private streets in the development will not interrupt or jeopardize the continuous circulation of vehicular traffic in the general area.
- (3) Private streets shall be designed to provide sufficient frontage to all lots/parcels.
- (4) Private streets shall be designed, constructed, and maintained in a manner that will ensure safe access of emergency and public utility vehicles in perpetuity.
- (5) Private streets shall be separated from the public street system to discourage vehicular traffic from public streets.
- (6) Private streets shall be named so it is not the same or similar to another street within the City. Where private streets intersect a public street, the signs shall meet the City of Piperton's standards as to design, location and maintenance.
- (7) Developments containing private drives shall conform to the access and driveway standards as established by the City of Piperton.
- (8) Private streets shall be platted as private common areas dedicated to a home or property owners association
- (9) All proposals for the construction of new private streets shall be approved by the City of Piperton Planning Commission, and when applicable, the City of Piperton Board of Mayor and Commissioners.
- (10) No building permit shall be issued for any structure proposed to be constructed on a lot/parcel fronting on a private street until the private street has obtained all required approvals, has been fully installed according to approved construction plans, and has been inspected and accepted by the City.

b. PRIVATE STREET DESIGN CRITERIA

- (1) There are no specified minimum geometric design standards for horizontal and vertical curvature of private streets, however, all private streets shall be designed to provide safe and convenient access to all properties within the development as determined and approved by the City Engineer;
- (2) Private streets shall be constructed to equal or exceed the base materials, compaction, and final surfacing standards for public streets as provided in the City of Piperton Technical Specifications Manual, except as otherwise provided herein.
- (3) The minimum pavement width, exclusive of curb and gutter, for private drives shall be dependent upon the type and density/intensity of development proposed, and shall be as follows:

Residential – eighteen (18) feet

Non-Residential – twenty-four (24) feet

Minimum pavement width for non-residential use may be increased depending on the nature and character of the proposed non-residential use as determined by the Planning Commission.

- (4) The stated minimum pavement widths preclude on-street parking. Where on-street parking is proposed, minimum pavement widths shall be increased to accommodate on-street parking lanes. The subdivider or developer shall execute and record an irrevocable covenant running with the land granting the City the right and power to enter the street for the purpose of enforcing on-street parking restrictions.
- (5) Private streets shall adequately provide for storm water drainage. Drive way culverts and pipes for stream crossings must be sized for the passage of applicable design storm, as determined by the City Engineer, and be able to withstand the anticipated loads of emergency vehicles without deforming.
- (6) The use of curb and gutter for private streets may be required where, due to the density/intensity of the proposed development, the City Engineer determines that curb and gutter as part of a

closed drainage system is necessary to adequately convey storm water run-off.

- (7) The length of dead end private streets shall be governed by the same criteria for public streets provided in Article IV, A (12) of these Subdivision Regulations.
- (8) The turnaround radius for any dead end private street, which may utilize a circular, T-Type, or Y-Type design, shall not be less than thirty-three (33) feet. The design of any turnaround shall be subject to the approval of the City of Piperton Fire Department.
- (9) A minimum vertical clearance of fourteen (14) shall be maintained on all private streets and shall be subject to the approval of the City of Piperton Fire Department.
- (10) Private drives should not be direct connection between two public streets. Where the projection or connection of a public street into a private drive system is unavoidable, the private street shall be designed to clearly distinguish between the public streets and private drives by means of curbing, turnarounds, signing, and/or other measures deemed necessary by the City of Piperton.
- (11) Utility and/or multipurpose easements within and/or adjacent to private streets shall be required where public utilities are proposed to be extended. The width of said easements(s) shall be specified by the City.

c. PRIVATE STREET MAINTENANCE

- (1) All liability associated with the upkeep and maintenance of private streets shall be borne by the landowners, subdivider, or property owners association.
- (2) Continued maintenance of approved private drives must be provided by the property owners association. Upon written notification from the Fire Chief, or designated representative, any cited roadway deficiencies must be corrected within thirty (30) days of receipt of said notification. The subdivider or developer shall execute and record an irrevocable covenant running with the land granting the City the right and power to enforce this provision.
- (3) Proposals for private streets must be accompanied with binding agreements that assure the completion, and continued existence

and maintenance of said private street. At a minimum, the subdivider shall provide for a property owners association document that provides for an undivided interest of the private street to each affected property owner, and clearly delineates responsibilities for common use and maintenance of the private street.

- (4) Before final plats for developments containing private streets are approved, the subdivider shall provide for approval by the City of Piperton copies of the applicable property owners association document. The property owners association document shall be recorded simultaneously with the final plat and the instrument number noted on the final plat.
- (5) In no instance shall a private street that does not meet minimum City of Piperton standards for a public street be accepted and/or maintained as a public right-of-way. The City reserves the right to reject accepting a previously approved private street for public maintenance if it so chooses.

d. CRITERIA FOR UNPAVED PRIVATE STREETS

- (1) In addition to the applicable construction standards provided herein, proposals for unpaved private streets must conform to the minimum construction standards for the passage of emergency vehicles, based on the applicable Fire Code Access requirements proved below:
 - i. Have an all-weather surface (at least a six-inch thick layer of compacted crushed stone as specified by the City Engineer);
 - ii. Adequately provide for storm water drainage. Pipes for stream crossings or storm water drainage must be sized for the appropriate design storm, and be able to withstand the anticipated loads of emergency vehicles without deforming.

- (2) The Planning Commission shall reserve the right to limit the number of lots with proposed access to unpaved private streets.
- (3) Lots created on unpaved private streets shall not be further subdivided until such time as the street is brought into compliance with the additional construction criteria for private streets provided herein.

e. REVIEW STANDARDS

In addition to the standards and requirements specified in this section, no private street shall be approved, unless the Planning Commission also finds that the private streets and lots fronting the private street meet all of the following conditions and requirements:

- (1) The private street will be safe for traffic and pedestrians.
- (2) The proposed development will not adversely affect adjacent uses of properties and shall be designed, constructed and maintained in a manner harmonious with the character of adjacent properties and the surrounding area.
- (3) The private street will not place demands upon public services and facilities in excess of their current capacities.
- (4) The private street will be designed to preserve environmental features, such as trees, natural areas, streams and flood plains.
- (5) The private street will be harmonious and consistent with the intent of the City's Zoning Ordinance and Land Use Plan.
- (6) The private street shall comply with all applicable stormwater ordinance and regulations.

14. Street Names

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court. Street names must also be approved by Fayette County 911. Through its index list of street names on file, the Planning Commission can assist the subdivider in avoiding duplication.

15. Alleys

Alleys may be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Planning Commission of the need for alleys.

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the planning commission may require one (1) or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property; in which case the Planning Commission will approve a single row of lots of minimum depth.

C. Lots

1. Adequate Building Sites

Each lot shall contain a building site not subject to flood as defined in Section E of this Article and outside the limits of any existing easement or building setback lines required in Subsection 4 of this Section.

2. Arrangement

In so far as is practical, side lot lines shall be at right angles to straight street lines or radial or curved street lines. Each lot must front on a public or private street or road which has a right-of-way width of no less than fifty (50) feet.

3. Minimum 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. The Planning Commission may require sizes above the normal minimum requirement if such is necessary to maintain harmony with the surrounding area. Minimum lot sizes shall conform to the requirements of applicable zoning laws; and, in addition, where lots are proposed with individual well and/or septic tank disposal fields, they shall conform to the standards of the Health authority.

4. Building Setback Lines

- a. All lots or tracts shall have at least the minimum front, side, or rear yard that is required by the Piperton Zoning Ordinance. To accommodate conditions peculiar to a site, such as side yard drainage, the Planning Commission may require an increase in the yard requirements for a given lot or tract.
- b. In the case of electric transmission or distribution lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission or distribution line as follows:

<u>Voltage of line</u>	<u>Minimum building setback</u>
13 KV	12 feet
46 KV	37 1/2 feet
69 KV	50 feet
161 KV and over	75 feet

5. Corner Lots

Corner lots shall have extra width sufficient to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

D. Public Use of Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for public service areas.

1. Easements for Utilities

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

2. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property.

3. Public Open Space and Public Safety Facilities

- a. In all residential developments in zoning districts RC, and R-1 and any future residential zoning districts, the planning commission and the mayor

and city council of Piperton shall require dedication to the city, free and clear of all liens and encumbrances, land to be used exclusively as a neighborhood park in the amounts set forth below or, at the city's option, a payment in lieu of dedication, or at the city's option a combination of dedication and payment. Provision for such dedication and/or payment shall be included in the design plans submitted to the planning commission for preliminary approval of such residential development.

- b. Each design plan submitted for preliminary approval of a new residential subdivision shall provide for encumbrances for exclusive use of parkland.

The amount of land required for dedication shall be five (5) percent of the total land area of the subdivision or \$350 per residence, or a combination of the two; provided, however, that no parcel less than one (1) acre shall be accepted by the city unless such land adjoins other dedicated parkland.

- c. Should the foregoing result in an amount of land less than one acre, or should the city determine that the proposed dedication or a portion thereof is unsuitable for use as parkland for reasons including but not limited to size, shape, topography, subsoils, accessibility, location, utility, or compatibility with the master park plan, the city shall require the developer of the residential development to pay to the city prior to execution of the development contract an amount equal to \$350 per residence.

Any such payments to the city must be made immediately upon execution of the development contract and prior to commencement of any construction and shall be deposited in a special account segregated from the general funds of the city. They shall be used, within a reasonable period of time and in any event no more than twelve (12) months following the date of acceptance of the subdivision by the city and release of the bond by the city, for purchase of parkland or capital improvement of present parkland, or, at the discretion of the planning commission and the mayor and city council, up to one and one-half (1-1/2) percent of aforementioned payments or land dedications may be used for the construction or improvement of public safety facilities. The use of such funds shall be deemed to have occurred for the purposes of this paragraph upon the initial expenditure of any portion of a payment in lieu of dedication for the purposes set forth in this paragraph.

- d. As an alternative to the requirements of Sections (b) and (c), a proposed development may be submitted with private recreational space meeting the area requirements set forth in Section (b). Its future operation and maintenance must be secured by the developer to the satisfaction of the

city, with an agreement on the part of the developer on behalf of himself and any subsequent owner.

E. Suitability of Land

The Planning Commission shall not approve the subdivision of land if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for plating and development purposes of the kind proposed.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

If needed, the Planning Commission may require the subdivider to furnish detailed flood and soils information for the particular area before deciding whether or not such subdivision development can occur.

F. Large Tracts of Parcels

When land is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further subdivision.

G. Non-Residential Subdivision

Subdivision of land for non-residential purposes shall conform to the provisions of these regulations which are appropriate to the planning of other subdivisions unless special requirements are specified. In addition to the general principles and standards, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel and block pattern proposed is specifically adopted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed.

1. Proposed parcels shall be suitable in area and dimensions to the types of development anticipated. They shall be large enough for necessary street parking and for loading requirements.
2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
3. Special requirements may be imposed with respect to street, curb, gutter, and sidewalk design and construction.
4. Special requirements may be imposed with respect to the installation of public utilities, including water, sewers, and storm water drainage.

5. Every effort shall be made to protect adjacent areas from potential nuisance from a non-residential subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
6. Streets carrying non-residential traffic, especially truck traffic shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

H. Group Housing Developments

A comprehensive group housing development, including the large scale construction of housing units together with necessary drives and ways of access, may be approved by the Planning Commission although the design of the project does not include standard streets, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

I. Variances

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
2. Where the Planning Commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized is to be stated in writing in the minutes of the Planning Commission with the reasoning on which the departure is justified set forth.

J. Zoning or Other Regulations

"No final plat of Land shall be approved unless it conforms with the Zoning Ordinance".

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

K. Private Streets

Private streets (*for the purpose of these requirements, the term "street" shall be defined the same as "road" and "drive"*) may be considered as an alternative to public streets without any specific design exceptions if the standards in this section are met. The purpose of these requirements is to ensure that private streets and driveways meet minimum drive and emergency access standards for conventional developments within the City. This section shall not apply to private streets and driveways within planned developments, as proposals for private streets within planned developments provide for specific standards that are approved as part of the planned development; however, these requirements for private streets may be used as standards or guidelines in planned developments. Finally, this section shall not apply to maneuvering lanes within commercial and

industrial complexes, or other similar uses as determined by the City Engineer provided that these uses have direct public street frontage, there is adequate access for emergency vehicles, and that the private driveway does not provide access to any abutting lot or parcel of land.

a. GENERAL PROVISIONS

- (1) The provisions of this section apply to individual lots/parcels with access to a private drive and with no direct access to a public street.
- (2) Private streets may be permitted where the subdivider or developer demonstrates that private ownership, control and maintenance of street facilities is integral to the design and function of the subdivision or development; that provision has been made for the continuing and adequate maintenance of such drives; that the private streets in the development will not interrupt or jeopardize the continuous circulation of vehicular traffic in the general area.
- (3) Private streets shall be designed to provide sufficient frontage to all lots/parcels.
- (4) Private streets shall be designed, constructed, and maintained in a manner that will ensure safe access of emergency and public utility vehicles in perpetuity.
- (5) Private streets shall be separated from the public street system to discourage vehicular traffic from public streets.
- (6) Private streets shall be named so it is not the same or similar to another street within the City. Where private streets intersect a public street, the signs shall meet the City of Piperton's standards as to design, location and maintenance.
- (7) Developments containing private drives shall conform to the access and driveway standards as established by the City of Piperton.
- (8) Private streets shall be platted as private common areas dedicated to a home or property owners association
- (9) All proposals for the construction of new private streets shall be approved by the City of Piperton Planning Commission, and when

applicable, the City of Piperton Board of Mayor and Commissioners.

- (10) No building permit shall be issued for any structure proposed to be constructed on a lot/parcel fronting on a private street until the private street has obtained all required approvals, has been fully installed according to approved construction plans, and has been inspected and accepted by the City.

b. PRIVATE STREET DESIGN CRITERIA

- (1) There are no specified minimum geometric design standards for horizontal and vertical curvature of private streets, however, all private streets shall be designed to provide safe and convenient access to all properties within the development as determined and approved by the City Engineer;
- (2) Private streets shall be constructed to equal or exceed the base materials, compaction, and final surfacing standards for public streets as provided in the City of Piperton Technical Specifications Manual, except as otherwise provided herein.
- (3) The minimum pavement width, exclusive of curb and gutter, for private drives shall be dependent upon the type and density/intensity of development proposed, and shall be as follows:

Residential – eighteen (18) feet

Non-Residential – twenty-four (24) feet

Minimum pavement width for non-residential use may be increased depending on the nature and character of the proposed non-residential use as determined by the Planning Commission.

- (4) The stated minimum pavement widths preclude on-street parking. Where on-street parking is proposed, minimum pavement widths shall be increased to accommodate on-street parking lanes. The subdivider or developer shall execute and record an irrevocable covenant running with the land granting the City the right and power to enter the street for the purpose of enforcing on-street parking restrictions.
- (5) Private streets shall adequately provide for storm water drainage. Drive way culverts and pipes for stream crossings must be sized for

the passage of applicable design storm, as determined by the City Engineer, and be able to withstand the anticipated loads of emergency vehicles without deforming.

- (6) The use of curb and gutter for private streets may be required where, due to the density/intensity of the proposed development, the City Engineer determines that curb and gutter as part of a closed drainage system is necessary to adequately convey storm water run-off.
- (7) The length of dead end private streets shall be governed by the same criteria for public streets provided in Article IV, A (12) of these Subdivision Regulations.
- (8) The turnaround radius for any dead end private street, which may utilize a circular, T-Type, or Y-Type design, shall not be less than thirty-three (33) feet. The design of any turnaround shall be subject to the approval of the City of Piperton Fire Department.
- (9) A minimum vertical clearance of fourteen (14) shall be maintained on all private streets and shall be subject to the approval of the City of Piperton Fire Department.
- (10) Private drives should not be direct connection between two public streets. Where the projection or connection of a public street into a private drive system is unavoidable, the private street shall be designed to clearly distinguish between the public streets and private drives by means of curbing, turnarounds, signing, and/or other measures deemed necessary by the City of Piperton.
- (11) Utility and/or multipurpose easements within and/or adjacent to private streets shall be required where public utilities are proposed to be extended. The width of said easements(s) shall be specified by the City.

c. PRIVATE STREET MAINTENANCE

- (1) All liability associated with the upkeep and maintenance of private streets shall be borne by the landowners, subdivider, or property owners association.
- (2) Continued maintenance of approved private drives must be provided by the property owners association. Upon written notification from the Fire Chief, or designated representative, any

cited roadway deficiencies must be corrected within thirty (30) days of receipt of said notification. The subdivider or developer shall execute and record an irrevocable covenant running with the land granting the City the right and power to enforce this provision.

- (3) Proposals for private streets must be accompanied with binding agreements that assure the completion, and continued existence and maintenance of said private street. At a minimum, the subdivider shall provide for a property owners association document that provides for an undivided interest of the private street to each affected property owner, and clearly delineates responsibilities for common use and maintenance of the private street.
- (4) Before final plats for developments containing private streets are approved, the subdivider shall provide for approval by the City of Piperton copies of the applicable property owners association document. The property owners association document shall be recorded simultaneously with the final plat and the instrument number noted on the final plat.
- (5) In no instance shall a private street that does not meet minimum City of Piperton standards for a public street be accepted and/or maintained as a public right-of-way. The City reserves the right to reject accepting a previously approved private street for public maintenance if it so chooses.

d. CRITERIA FOR UNPAVED PRIVATE STREETS

- (1) In addition to the applicable construction standards provided herein, proposals for unpaved private streets must conform to the minimum construction standards for the passage of emergency vehicles, based on the applicable Fire Code Access requirements proved below:
 - i. Have an all-weather surface (at least a six-inch thick layer of compacted crushed stone as specified by the City Engineer);
 - ii. Adequately provide for storm water drainage. Pipes for stream crossings or storm water drainage must be sized for the appropriate design storm, and be able to withstand the anticipated loads of emergency vehicles without deforming.

- (2) The Planning Commission shall reserve the right to limit the number of lots with proposed access to unpaved private streets.
- (3) Lots created on unpaved private streets shall not be further subdivided until such time as the street is brought into compliance with the additional construction criteria for private streets provided herein.

e. REVIEW STANDARDS

In addition to the standards and requirements specified in this section, no private street shall be approved, unless the Planning Commission also finds that the private streets and lots fronting the private street meet all of the following conditions and requirements:

- (1) The private street will be safe for traffic and pedestrians.
- (2) The proposed development will not adversely affect adjacent uses of properties and shall be designed, constructed and maintained in a manner harmonious with the character of adjacent properties and the surrounding area.
- (3) The private street will not place demands upon public services and facilities in excess of their current capacities.
- (4) The private street will be designed to preserve environmental features, such as trees, natural areas, streams and flood plains.
- (5) The private street will be harmonious and consistent with the intent of the City's Zoning Ordinance and Land Use Plan.
- (6) The private street shall comply with all applicable stormwater ordinance and regulations.

ARTICLE V. Development Prerequisite to Final Approval

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 of a potential tax liability. The following tangible improvements or provision for their estimated cost are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally.

A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install monuments, sewers, storm water inlets and water mains in accordance with specifications established by the Planning Commission. The adopted requirements, whether in local regulations or in the following standards, shall govern.

1. Monuments

- a. A minimum of two (2) permanent survey monuments shall be positioned within the subdivision, and certified by a licensed, Tennessee Professional Land Surveyor. Said monuments shall be constructed of dense portland cement, and located at points, determined by the City Engineer, in the exterior boundary of the subdivision.
- b. All other lot corners shall be marked with iron pipe not less than three-fourth (3/4) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.
- c. Each permanent monument shall be accompanied by survey data illustrated on the final plat providing state plane coordinates; elevation; and datum to which the coordinates and elevation refer.

2. Grading

All streets, roads and alleys shall be graded by the subdivider so that pavements and sidewalks can be constructed to the required cross section. Deviation from the above due to special topographical conditions will be allowed only with special approval of the Planning Commission. Where streets are constructed under or adjacent to existing electric transmission lines, or over gas transmission lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission line structure and all grading for the street shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric transmission lines the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electrical Safety Code.

- a. Preparation. Before grading is started the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.

- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below subgrade.
 - c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clay, etc., shall be removed from the development site. The fill shall be spread in layers and compacted.
3. Storm Drainage. An adequate system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. The developer should consult the City of Piperton Technical Specification when developing a storm drainage system.

To determine proper drainage facilities, the Planning Commission shall require the developer to outline the entire drainage area leading to the proposed construction along with a map showing the various roads and parcels and indicating the general flow of the surface water by means of arrows running with the flow. Any existing storm drainage system shall be shown with the size, grade, and elevations of the pipes and of the inlets. Also the area tributary to the various pipes of the inlets shall be outlined and the number of acres contained in each, indicated by figures adjacent to the inlet to which they are applicable. If it is deemed necessary by the Planning Commission the drainage diagram as set forth above shall include the drainage system below the proposed subdivision to a distance to be determined by the City Engineer.

4. Pavement Base

After preparation of the subgrade the road bed shall be surfaced with material of no lower classification than crushed rock, gravel, or stone. The developer shall consult the City of Piperton Technical Specifications for the required pavement base.

5. Asphalt Wearing Surface

After completion of the stone roadway the developer shall be required to apply a prime coat wearing surface. This shall consist of hot asphalt and be applied directly to the base course. The thickness of the asphalt on all streets shall not be less than two (2) inches.

6. Minimum Pavement Widths

Minimum pavement widths between curbs or shoulders shall be as follows:

- a. Highways and Arterials (As May Be Required)
- b. Major Collector 48 feet

c. Minor Collector	40 feet
d. Marginal Access	22 feet
e. Local	22 feet
f. Dead-end (Cul-de-sac)	22 feet
g. Alley	20 feet

For definitions and functions of the various types of streets listed above, refer to Article IV, Section A, Subsection 3.

7. Curbs and Gutters

The subdivider shall provide curbs and gutters on all streets (except major arterial streets) within the subdivision where water and sanitary sewers are available and the average lot width is less than 175 feet. However, if lots are platted with widths of 175 feet or more and later resubdivided into lots with widths less than 175 feet, curbs and gutters shall be required for approval of the final plat of the resubdivision. Also, if lots are platted with widths of 175 feet or more, and the deed restrictions of the subdivision do not restrict the land usage to single-family residential then curbs and gutters shall be required. Six (6) inch concrete curbs with twenty-four (24) inch integral concrete gutters shall be required on collector streets. If hydraulics permit, a standard concrete rolled curb or concrete valley gutter may be used on streets requiring 32 or less feet of pavement. The subdivider will not be required to install curbs and gutters on an existing paved public street except as stated above. Undeveloped rights-of-way shall be improved with relation to curbs and gutters by the subdivider.

8. Sidewalks

Concrete sidewalks shall be provided by the subdivider on both sides of all streets which require curb and gutters. The developer should refer to the City of Pipeston Technical Specifications for sidewalk construction standards.

9. Water Supply System

Where a public water system is accessible, the subdivider shall connect with the system and provide a connection or connections to each lot. Where a public water supply is not accessible, a water well or other source may be used upon approval by the health authority and the Planning Commission. In such cases if the subdivision is expected to be served by a public water supply system in the future, the Planning Commission may require installation of improvements which would allow systems when it becomes available (i.e. dry lines).

Water mains properly connected with the community water supply or with an alternate supply approved by the county health authority shall be constructed

in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. The developer should refer to the City of Pipeston Technical Specifications for water line construction standards. The minimum size for water mains will be eight (8) inches. Fire hydrants will be placed no further apart than 500 feet or in accordance with the policy set by the City Commission.

The size of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the Planning Commission and shall conform to accepted standards of good practice for municipal and county water systems.

10. Sanitary Sewers

Where it is required that lots connect to a public sewer system, sanitary sewers shall be installed in such a manner as to serve adequately all the lots with connection to the public system. Gravity mains shall be a minimum of 8 inches and force mains shall be a minimum of 4 inches.

Where it is not required that lots be connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the health authority. In such cases, if the subdivision is expected to be served by a public sewerage system in the future, the Planning Commission may require installation of improvements which would allow the subdivision to be connected to the public system when it becomes available.

11. Erosion Control

Erosion control such as seeding for gentle slopes, grass sod for sharper slopes and special grading and terracing, shall be provided by the subdivider to the specifications of the Fayette County Soil Conservation District. Some of the problem areas to be considered in the formulation of a plan are road banks, road fills and ditches, drainage ditches, sewer lines, borrow pits and spoil areas. Upon completion of all other required improvements, the performance bond may be reduced or a new bond substituted to secure the obligation with respect to erosion control requirements.

12. Handicap Ramps

In both residential and commercial subdivisions where sidewalks, curbs or gutters are required, the subdivider shall install handicap ramps at all crosswalks so as to make the transition from street to sidewalk easily negotiable for physically handicapped persons in wheelchairs and for other persons who may have difficulty in walking the required step up or down from curb level to street level.

All such ramps shall be constructed or installed in accordance with Americans With Disabilities Act guidelines.

B. Improvement Guarantees

A Development Contract shall be executed between the Owner/Subdivider and City of Piperton Board of Mayor and commissioners when improvements, as described in these regulations, are required. The Owner/Subdivider shall provide the improvements as specified in the Development Contract. To insure performance of the Development Contract provisions for required improvements, the City shall require one of the following construction surety instruments. The City shall reserve the right to select the specific construction surety instrument used to guarantee improvements based upon the scope and magnitude of the required improvements.

1. Full Letter of Credit

The Owner/Subdivider shall submit an irrevocable/automatically renewable letter of credit for one hundred (100) percent of the costs of improvements as computed by the City Engineer, and approved and recommended by the Planning Commission.

2. Alternative Letter of Credit

The Owner/Subdivider may submit an irrevocable/automatically renewable alternative letter of credit in the amount of one hundred thousand dollars (\$100,000) to cover the costs associated with the installation of all public improvements. Should the costs of said public improvements exceed one-hundred thousand dollars (\$100,000), the amount of the alternative letter of credit shall then be for one hundred percent (100%) of the costs of public improvements as computed by the City Engineer, and approved and recommended by the Planning Commission.

C. Construction Surety Instrument Reduction/Conversion

The City of Piperton Board of Mayor and Commissioners may approve, upon recommendation of the Planning Commission, a reduction in the amount of the applicable construction surety instrument as improvements are made and inspected, and/or a conversion of an alternative letter of credit to a full letter of credit for all outstanding improvements previous unsecured. However, in no case shall the construction surety instrument be reduced to less than twenty-five percent (25%) of the estimated costs of improvements.

D. Release of Construction Surety

The construction surety instrument shall not be released until the City of Piperton, through its designated agent(s), has inspected all of the required improvements, and has determined that all improvements have been satisfactorily completed in accordance with the Development Contract and Construction Plat(s), and the City of Piperton has approved a resolution officially accepting all required improvements.

E. Recordation of Plat

The Final Plat shall be recorded in the Fayette County Register's Office in accordance with the approved Development Contract.

ARTICLE VI. 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. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final approval in writing of the Planning Commission as provided in Section 13-4-302 of the Tennessee Code Annotated.
2. 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 planning region 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 locations and lines to a street shown on a subdivision plat approved by the Planning Commission, or on a street plan made and adopted by the Planning Commission as provided in Section 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No County Register shall receive, file or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in 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.
2. Section 13-4-306, Tennessee Code Annotated provides 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 exhibition of or by other use of a plat of such subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required by this Act and before such plat be recorded in the office of the County Register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the Building Inspector or the solicitor of the municipality or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

ARTICLE VII. Adoption and Effective Date

- A. Before adoption of these subdivision standards a public hearing as required by Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons and was held on _____.

- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted _____

Effective _____

APPENDIX

Current updated SUBDIVISION FEES are located in Piperton Ordinance 201-11, adopted on second reading October 18, 2011.

FINAL PLAT CERTIFICATES

CERTIFICATE OF SURVEY

I, _____ (printed name of signer) _____, do hereby certify that I am a registered (Professional Civil Engineer) (Land Surveyor), and that I have surveyed the lands, embraced within the plat or map designated as _____, a subdivision all lying within the corporate limits of the City of Piperton, Tennessee; said plat or map is a true and correct plat or map of the lands embraced therein, showing the subdivision thereof in accordance with the Subdivision Regulations of the City of Piperton, Tennessee; I further certify that the survey of lands embraced within said plat or map have been correctly monumented in accordance with the Subdivision Regulations of the City of Piperton, Tennessee.

In witness whereof, I, the Said _____ (printed name of signer) _____, (Professional Civil Engineer) (Land Surveyor),

hereunto set out hand and affix my seal the _____ day of _____,
20_____.

Professional Civil Engineer
Land Surveyor,
State of Tennessee
Certificate No. _____

(SEAL)

CERTIFICATE OF ADEQUACY OF STORM DRAINAGE

I, _____, do hereby certify that I
am a registered Professional Civil Engineer, and that I have designed all storm water
drainage for the _____ subdivision to assure that
neither said subdivision nor adjoining property will be damaged or the character of land
use affected by the velocity and volume of water entering or leaving same.

In witness where of, I, the said _____ (printed name of signer),
Professional Civil Engineer, hereunto set out hand and affix my seal this
_____ day of _____, 20_____.

Professional Civil Engineer
State of Tennessee
Certificate No. _____

(SEAL)

CERTIFICATE OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities and drainage treatments have been installed in an
acceptable manner and according to specifications, or (2) that a guarantee has been posted
with the Planning Commission to assure completion of all required improvements in case
of default.

_____, 20_____
Date

City Engineer

PLANNING COMMISSION CERTIFICATE

I, _____ do hereby certify that the City of Piperton Planning Commission has approved this plat of subdivision for recording.

_____, 20____
Date

Secretary, City of
Piperton Planning
Commission

OWNER'S CERTIFICATE

I, _____ the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate the streets, easements, rights-of-way, rights of access as shown and all utilities to the City of Piperton forever, and hereby certify that I am the owner in fee simple, duly authorized so the act, and that said property is unencumbered by any taxes that have become due and payable.

(printed name) Owner

STATE OF TENNESSEE
COUNTY OF FAYETTE

Before me, the undersigned, a notary public in and for the State and County aforesaid, duly commissioned and qualified, personally appeared _____ with whom I am personally acquainted and who, upon oath, acknowledge himself to be owner of the _____ subdivision, and he as such owner, executed the foregoing instrument for the purpose therein contained by signing his name as owner.

IN witness whereof, I hereunto set my hand and affix my seal this _____ day of _____, 20 _____.

Notary Public

MORTGAGEE CERTIFICATE

We, the undersigned, _____, Mortgagee of the property shown hereon, hereby adopt this plat as our plan of subdivision and dedicate the streets, rights-of-way utilities, easements, and rights of access as shown to the City of Piperton forever and hereby certify that we are the mortgagee duly authorized so to act and that said property is unencumbered by any taxes which have become due and payable.

(printed name of mortgagee)

STATE OF TENNESSEE
COUNTY OF FAYETTE

Before me, the undersigned a notary public in and for the State and County aforesaid, duly commissioned and qualified, personally appeared _____ (printed name) of _____ (printed name of Subdivision) subdivision, and he as such representative executed the foregoing instrument for the purpose herein contained by signing his name as representative of the mortgagee.

In witness whereof, I hereunto set out hand and affix my seal this _____ day of _____, 20 _____.

Notary Public
My Commission expires: _____

CERTIFICATION OF APPROVAL OF WATER LINES AND DRAINAGE SYSTEM

I, _____ do hereby certify that the plans regarding drainage systems and water layout meet the requirements of the Subdivision Regulations and technical specifications of the City of Piperton.

_____, 20____
Date City Engineer

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I, _____ do hereby certify that a set of construction plans regarding the water supply bearing the seal of the Tennessee Department of Public Health which indicates said plans meet the Department's requirements have been received.

_____, 20____
Date Superintendent of Water and Sewer

CERTIFICATE OF APPROVAL OF SUITABILITY OF SOILS FOR SEPTIC TANKS

I, _____ do hereby certify that the soils on and below the surface of the land shown on this plat are suitable for the use of septic tanks. This certification is not to be construed as a septic tank installation permit, Septic tank installation shall require a site plan and a permit approved by the Fayette County Health Department. After the suitability of any area to be used for subsurface sewerage disposal has been approved, no change shall be made to this area unless the Fayette County Health Department is notified and a re-evaluation of the area's suitability is made prior to the initiation of construction.

_____, 20____
Date Fayette Co. Health Department

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, _____, a professional Civil Engineer, do hereby certify that the plans, engineering and designs governing the construction of this subdivision are true and correct, and conform to the requirements set for in the Subdivision Regulations and Technical Specifications of the City of Piperton.

_____, 20 _____
Date

Professional Civil Engineer
State of Tennessee
Certificate No. _____

I, _____, City Recorder for the City of Piperton, hereby certify that all required applicable Subdivision Fees have been paid.

City Recorder, City of Piperton

RESOLUTION NO. 00-04

**RESOLUTION CONCERNING PLACEMENT OF ALL FUTURE UTILITIES
IN THE CITY OF PIPERTON**

WHEREAS, Tennessee Code Annotated Section 6-2-201 provides that units of local government may adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

WHEREAS, it is deemed prudent to require that all future utilities in the City of Piperton be placed underground, and

WHEREAS, it is recognized that some high-powered electric transmission lines which are not designed for local residential service, and some other components of utility infrastructure, may not reasonably be placed underground, and

WHEREAS, it is deemed reasonable that the Board of Mayor and Commissioners, after seeking advice from the Piperton Planning Commission, shall have the authority to waive this resolution and allow the above ground placement of high-powered electric transmission lines which are not designed for local residential service, and,

WHEREAS, it is deemed reasonable that the Board of Mayor and Commissioners, after seeking advice from the Piperton Planning Commission, shall have the authority to waive this resolution and allow the above ground placement of other components of utility infrastructure,

NOW THEREFORE, BE IT RESOLVED that all future utilities in the City of Piperton shall be placed underground, except when the above ground placement of high-powered electric transmission lines which are not designed for local residential service, and/or the above ground placement of other components of utility infrastructure, are specifically approved for above ground placement by the Board of Mayor and Commissioners, who shall first seek the recommendation of the Piperton Planning Commission before granting such approval.

BE IT FURTHER RESOLVED that this Resolution is to take effect immediately upon its passage, the public welfare demanding it.


MAYOR

ATTEST:


City Recorder

Date: 5-2-00

COPY.