



Subdivision Regulations

Adopted by The City of Oak Hill Planning Commission
on August 23, 2011

SUBDIVISION REGULATIONS
OF
CITY OF OAK HILL, TENNESSEE, MUNICIPAL PLANNING COMMISSION
(HEREAFTER REFERRED TO AS THE PLANNING COMMISSION)

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SECTION ONE: GENERAL PROVISIONS

1.1 Title – These regulations shall hereafter be known and cited as the Subdivision Regulations of the City of Oak Hill, Tennessee (“the City”).

1.2 Purpose – The purpose of these Subdivision Regulations is to provide for the harmonious development of the City and its environs; to secure a coordinated layout with adequate provision for traffic, light and air, recreation, transportation, water, drainage, sewers, and other sanitary facilities and services; and to promote a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity. Accordingly, these Subdivision Regulations set forth the procedures and minimum standards adhered to by developers of land for residential and commercial uses, and provide a guide for the Planning Commission and other City officials in exercising their duties pertaining to the review, approval and administration of land subdivision development within the jurisdiction of the City. The Subdivision Regulations are further intended to:

(1) Promote the orderly development of the City in accordance with the goals and objectives of the adopted comprehensive plan and approved updates.

(2) Establish efficient standards for the subdivision of land that further the orderly layout and use of land, and that ensure proper legal description and monumentation of subdivided property.

(3) Protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and minimize the conflicts among the uses of land and buildings.

(4) Provide suitably located streets of sufficient design to accommodate existing and anticipated traffic, affording adequate access for emergency response vehicles and equipment to buildings.

(5) Encourage street design that moderates traffic speeds, reduces primary reliance on local streets, and increases primary reliance on collector and arterial streets.

(6) Protect the residential character of the City, and minimize the environmental and visual impacts of new development.

(7) Continue to enhance and expand the network of accessible open space throughout the City, preserving unique and sensitive community

resources such as groundwater, floodplains, streams, historic sites, steep slopes, woodlands and wildlife habitat.

(8) Prevent the pollution, erosion and sedimentation of waterways and drainage facilities through efficient development management practice.

(9) Promote interconnected greenways and corridors throughout the City, particularly in flood prone areas.

(10) Ensure that new development will be required to bear its fair share of the costs of supporting the community through legally appropriate developer fees, land donations, and mitigation measures that address the public costs for new facilities and services.

1.3 Authority – These subdivision regulations are adopted by the Planning Commission pursuant to the authority and powers granted by Tennessee Code Annotated, Title 13, Chapter 4, and may be amended by the Planning Commission after notice and a public hearing.

1.4 Jurisdiction – These subdivision regulations shall apply to all subdivisions, as herein defined, located within the City of Oak Hill, Tennessee as now or hereafter established. No land shall be subdivided within the City except as permitted by these regulations.

1.5 Previously Approved Subdivisions

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

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

(1) Permit the remaining portion of the subdivision to be constructed and to receive approval under provisions set forth in the regulations whereby preliminary approval was originally granted, or

(2) Stipulate that the plat is null and void and that a new plat be presented subject to the provisions of these regulations.

In making this determination, the Planning Commission shall consider all pertinent facts available to it. The current state and active pursuit of construction

and development activities within the subdivision shall be given due consideration in the course of the Planning Commission's deliberation on this question.

1.6 Design Modifications

1.6.1 General – Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a design modification may be granted from these regulations; provided, such modification shall not have the effect of nullifying the general intent and purpose of these regulations and provided, further, that the Planning Commission shall not consider modifications unless it shall make findings based upon evidence presented to it in each specific case that:

(1) The granting of the design modification will not be detrimental to the public safety, health, or welfare, or be injurious to other property or improvements in the neighborhood in which the property is located.

(2) The conditions upon which the request for a design modification is based are unique to the property for which the variance is sought and are not applicable generally to other property.

(3) Because of the particular physical surroundings, shape, or topographical condition of the specific property involved, a particular hardship (not self-imposed) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.

(4) The design modification will not in any manner alter the provisions of the land development plan, the Street Classification Plan, or the zoning ordinance.

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

1.6.2 Conditions – In approving design modifications, the Planning Commission may impose such conditions which in its judgment will substantially meet the objectives, standards, and requirements of these regulations.

1.6.3 Procedures – Each and every design modification of these subdivision regulations sought by an applicant shall be specifically applied for in the numerical order of the subdivision regulations, in writing by the applicant in letter form. Any condition shown on the plat, which would require a design modification, shall constitute grounds for disapproval of the plat unless such special application for modification is made.

- 1.7 Minimum Subdivision Plat Requirements – All subdivision plats and the traverse on which they are based shall meet the requirements established in the “Standards of Practice” adopted by the Tennessee Board of Examiners for Land Surveyors.
- 1.8 Policy on Flood-Prone Areas – Any proposed subdivision that includes or abuts a flood-prone area shall provide an initial report as set forth in Section 3.2 below. In determining the appropriateness of land subdivision at any site containing a flood-prone area, the Planning Commission shall consider the following for any plat:
- (1) The danger to life and property due to the increased flood heights or velocities, either potential or actual, caused by subdivision fill, roads, and intended uses.
 - (2) The danger that intended uses or improvements may be swept onto other lands or downstream to the injury of others.
 - (3) The adequacy of proposed water supply, sanitation, and drainage systems, and the ability of these systems to function under flood conditions.
 - (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage upon the individual owner.
 - (5) The importance of the services provided by the proposed facility to the community at large.
 - (6) The requirements of the subdivision for a waterfront location.
 - (7) The availability of alternative locations not subject to flooding for the proposed subdivision and land uses.
 - (8) The compatibility of the proposed uses with existing development or development anticipated in the foreseeable future.
 - (9) The relationship of the proposed subdivision to the land development plan and the flood-plain management program for the area.
 - (10) The safety of access to the property for emergency vehicles in times of flood.
 - (11) The expected heights, duration, velocity, rate of rise, and sediment transport of the flood waters expected at the site.
 - (12) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, public ways, and bridges.

(13) The effect of the proposed subdivision upon the City's participation in the National Flood Insurance Program.

No subdivision or part thereof shall be approved by the Planning Commission if proposed levees, fills, structures, or other features within the subdivision will individually or collectively, increase flood flows, heights, duration, or damages. The regulatory limits (the one hundred (100)-year flood level) shall be determined from the latest approved flood study for the jurisdictional area and any subsequent revisions thereto.

In any instance in which the Planning Commission determines that a proposed subdivision may affect the flood height, velocity, or duration in any flood-prone area outside its jurisdiction, the Planning Commission will require the applicant to coordinate review of the development plans with the appropriate governmental agencies of the affected areas.

In approving plats for subdivision of land containing flood-prone areas, the Planning Commission will require that development proceed in such a way that property lying within any floodway, as defined by these regulations, will be maintained in a manner as prescribed by the zoning ordinance. The Planning Commission will require the developer to make all reasonable efforts so that development within any floodway fringe area (within the one hundred (100)-year flood level) is protected adequately against potential flood hazards by the methods prescribed in Section Four of these regulations.

The Planning Commission will disapprove the subdivision of any land containing a flood-prone area when the Planning Commission determines that subdivision plats are not consistent with the policy stated in this section. The Planning Commission shall also require compliance with the National Flood Insurance Program requirements adopted by the City.

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SECTION TWO: PROCEDURES FOR PLAT APPROVAL

2.1 Preliminary Meeting Required

Prior to the application for subdivision approval, the property owner or his agent, shall meet with the City Manager at a pre-application conference to become familiar with these regulations, the Street Classification Plan, and other official plans or public improvements which might affect the area to be subdivided. Applicants shall provide a preliminary plat or conceptual plan of the proposed area to be subdivided for discussion at the pre-application conference. The initial review shall determine whether the application is a major subdivision action or is exempt from the preliminary plat requirements as set forth in Section 2.3 below.

2.2 Formal Consideration

These Regulations outline the minimum standards for the various documents associated with any application for subdivision approval within the City. The necessary documents shall be accompanied by an official application form submitted prior to deadlines established annually by the Planning Commission. Most subdivision actions are subject to the approval of the Planning Commission, which considers cases according to the officially adopted meeting schedule for the calendar year. The necessary forms and a calendar of meeting dates can be found on the City's web site - www.oakhilltn.us. All subdivision applications shall identify the developer and all persons having any financial interest in the proposed subdivision.

Unless it is determined that the subdivision is exempt from the preliminary plat requirements, the property owner shall prepare and submit a preliminary plat in accordance with these regulations to begin formal consideration by the Planning Commission. Depending on the complexity of the subdivision, other actions may be required including off-site improvements, utility approvals, etc.

2.3 Preliminary Plat Exemptions (Minor Subdivisions)

An applicant may be exempt from the submission requirement of a preliminary plat and require only submittal of a final plat for minor subdivisions by submitting a written request to the City Manager and provided the following conditions are met:

(1) The proposed subdivision does not contain more than four (4) lots, sites, or divisions.

(2) All public improvements set forth in Section Six are installed and approved by the City of Oak Hill. (Any construction, installation, or improvement of public improvements shall require the submission of a preliminary plat as prescribed by Section Three).

(3) The applicant has consulted with the City Manager and it is agreed upon by the Planning Commission Chairman (or his/her designee) that a preliminary plat is not required.

(4) The proposed subdivision is not within the areas of the Radnor Lake Natural Area Impact Zone or includes areas with known steep slopes as defined by the City of Oak Hill Zoning Ordinance.

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SECTION THREE: PRELIMINARY PLAT

3.1 Application Procedure and Requirements – The applicant shall file a preliminary plat with the Planning Commission except as otherwise provided for in Section 2.3 hereof. The failure of the applicant to satisfy the requirements of this section with full and correct information shall be cause for disapproval of a preliminary plat. The preliminary plat shall be prepared in accordance with Section Five and:

(1) Be presented to the City Manager at the offices of the City of Oak Hill and be accompanied by the required fee. The preliminary plat shall be placed on the agenda of the Planning Commission within thirty (30) days of the filing or the next regularly scheduled meeting of the Planning Commission after the thirty (30) day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

(2) Include all land which the applicant proposes to subdivide and all land immediately adjacent, extending one hundred (100) feet therefrom, or of that directly opposite thereto, extending one hundred (100) feet from the public way frontage of such opposite land. The lot pattern of surrounding development shall be shown within that area located within five hundred (500) feet of the proposed development.

(3) Be accompanied by an electronic copy in Adobe Acrobat (.pdf) format and an appropriate number of hard copies as required by the City Manager.

(4) Be accompanied by a completed preliminary plat checklist which can be found in Appendix C.

3.2 Administrative Review – An administrative review meeting shall be conducted on the preliminary plat and any exhibits submitted in conformance with these regulations. This review shall include the City Manager and any other appropriate governmental representative. The review shall be held prior to the regularly scheduled Planning Commission meeting at which the preliminary plat is to be reviewed.

The applicant shall provide a report, prepared by a registered engineer in the State of Tennessee, on any proposed subdivision containing or abutting a flood prone area. Such report shall estimate the discharge of the regulatory flood; determine the specific flooding threat at the site of the proposed subdivision; and indicate whether the subdivision is located in a floodway or floodway fringe area by:

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

(2) Computation of the floodway required to convey the regulatory flood

without increasing natural flood heights of the regulatory flood.

- 3.3 Notice of Hearing – The Planning Commission shall hold a hearing and provide notice of the hearing to the applicant as required by Section 13-4-304(c), Tennessee Code Annotated, for each plat submitted to the City.
- 3.4 Approval or Disapproval of Preliminary Plat – After the Planning Commission has reviewed the preliminary plat, any exhibits, and the results of administrative review, the applicant shall be advised of any required changes. The Planning Commission shall approve, conditionally approve, or disapprove the preliminary plat within sixty (60) days after the date of the regular meeting of the Planning Commission at which the hearing on the preliminary plat is first considered. The applicant may waive the time requirement set in this section and consent to an extension or extensions of the applicable time period. Furthermore, the time requirement set in this section may be adjusted for holidays or unexpected interceding events that close City offices as provided for in T.C.A. § 13-4-304. Any revised preliminary plans approved by the Planning Commission shall supersede any previously approved plans. A certificate of preliminary approval shall be issued by the City Manager upon request. The approval of the preliminary plat shall not constitute acceptance of the final plat. A final plat based upon the approved preliminary plat shall be submitted for review and approval separately and in the manner prescribed by Section Four of these regulations.

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

- 3.5 Changes to the plat – If a plan is approved, or approved subject to modifications, and the applicant desires to make substantial modifications as determined by the City Manager, other than those already required by the Planning Commission, a new preliminary plan must be submitted for consideration.
- 3.6 Effective Period of Preliminary Approval – The approval of a preliminary plat shall be effective for a period of two (2) years. At the end of this two (2) year time period, the applicant shall have completed the construction of the required improvements and obtained approval of the subdivision final plat from the Planning Commission. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the applicant shall be required to submit a new plat for approval subject to any zoning provisions and the subdivision regulations in effect at the time of the submittal. Not later than 60 days prior to the expiration of the preliminary plat, the applicant may request an extension of the effective period. The Planning Commission may authorize an extension of the effective period for not more than one (1) year if the Planning Commission deems such extension to be advisable based upon progress made in developing the subdivision.

- 3.7 Zoning Regulations – Every plat shall conform to all zoning regulations and subdivision regulations in effect at the time of the application for preliminary plat. Any plat which has received preliminary approval shall be exempt from any subsequent amendments to the zoning ordinances or these subdivision regulations rendering the plat nonconforming as to bulk, use, or development standards, provided that final plat approval is obtained within the effective period of preliminary plat approval, as extended, set forth in Section 3.6, herein.

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SECTION FOUR: FINAL PLAT

4.1 Application Procedure and Requirements – An applicant shall file a final plat with the Planning Commission. The failure of the applicant to satisfy the requirements of this section with full and correct information shall be cause for disapproval of a final plat. The final plat, and associated documents, shall be presented in accordance with the following:

(1) Include the entire subdivision, or section thereof, for which final approval is sought.

(2) Be accompanied by an electronic copy in Adobe Acrobat (.pdf) format and an appropriate number of hard copies as required by the City Manager.

(3) Comply substantially with the preliminary plat, where such plat is required.

(4) Be presented to the Secretary of the Planning Commission. The final plat will be placed on the agenda of the Planning Commission within thirty (30) days of the filing or the next regularly scheduled meeting of the Planning Commission after the thirty (30) day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

(5) Be accomplished by formal irrevocable offers of dedication to the public of all public streets and uses, utilities, parks, and easements, in a form approved by legal counsel, as applicable. (The subdivision plat shall be marked with a notation indicating the formal offers of dedication as shown in Appendix B of these regulations).

(6) Be prepared to provide adequate security, if required, in a form satisfactory to legal counsel and in compliance with Section 8 to insure the completion and maintenance of all improvements of the development.

(7) Be accompanied by written assurance from any public utility companies and fire department serving the area of the subdivision that necessary utilities will be installed and by proof that the applicant has submitted petitions in writing for the creation or extension of any utility districts as required by the Planning Commission upon preliminary plat approval.

(8) Be accompanied by the following documentation if the final plat contains common maintenance elements such as detention ponds, entry signage, drainage easements, etc. for approval by the City of Oak Hill:

Note: Only those portions of the platted site that serve as a benefit for the entire subdivision and are considered common elements shall be permitted to be under common ownership. These include, but are not limited to, streets,

public open space and recreation, drainage ways, and stormwater retention.

(a) Plans for improvement and maintenance of the open space or facilities located thereon. (Note: This particularly applies to drainage and detention structures.)

(b) Articles of incorporation and bylaws of the property or Homeowners Association or other legal entity charged with improving or maintaining the open space or facilities, and declaration of covenants and restrictions pertaining to each and every property within the subdivision.

(c) Declaration of covenants and restrictions pertaining to open space and facilities which assure the continued use of said facilities for the purpose intended.

(9) Be accompanied by certification that the construction of any required improvements have been completed in accordance with these regulations or that adequate security for such improvements have been provided in compliance with Section 8.

(10) Be accompanied by a completed final plat checklist which can be found in Appendix D.

4.2 Endorsement of Notations – The notations and certifications required by Appendix B, of these regulations to appear upon the final plat shall be endorsed by appropriate officials and other persons prior to application for final subdivision plat approval, except that the certificate of Planning Commission approval shall be signed at the time specified in Section 4.5.1 of these regulations.

4.3 Hearing and Decision on Final Plat – The Planning Commission shall hold a hearing as required by Section 13-4-304, Tennessee Code Annotated, on each final plat brought before it. Within sixty (60) days after the Planning Commission meeting where the final plat was initially considered, the Planning Commission shall approve, conditionally approve, or disapprove the final subdivision plat by resolution, which shall set forth in detail any conditions to which the approval is subject, or reasons for disapproval.

Failure of the Planning Commission to act upon a final plat within the prescribed time shall be deemed approval of the final plat, and in such event, a certificate of approval, entitling the applicant to proceed shall be issued by the City Manager upon request. The applicant, however, may agree to an extension of the time for Planning Commission review.

The City of Oak Hill Planning Commission approval of the final plat shall expire after a period of one (1) year. If the final plat is not recorded within the one (1) year period, the applicant may request the approval be extended prior to the expiration date. Not later

than 60 days prior to the expiration of the preliminary plat, the applicant may request an extension of the effective period. The Planning Commission may extend approval for a period not to exceed one (1) year if it deems such to be advisable based upon progress made in developing the subdivision.

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

4.5 Signing and Recording of Subdivision Plat

4.5.1 Signing of Plat

(1) When adequate security is required for completion and/or maintenance of improvements, the Secretary of the Planning Commission shall endorse approval on the plat after the security and amount for these items have been submitted and approved by the City of Oak Hill.

(2) When installation of improvements is required, the Secretary of the Planning Commission shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the governing body as shown on certifications by the appropriate governmental representative(s) that necessary land dedications and improvements have been accomplished.

(3) When restrictive covenants are required, a recorded copy shall be submitted for verification.

(4) When the conditions of this section are satisfied, the Secretary of the Planning Commission shall sign the permanent reproducible original of the subdivision plat.

4.5.2 Recording of Plat – All plat recordings will be transacted by the City of Oak Hill. The subdivision applicant shall supply the Secretary of the Planning Commission two (2) paper copies of the original plat, one (1) Mylar copy, and one (1) digital copy (Adobe Acrobat .pdf), with all signed by the correct parties for recording with the County Registers Office.

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

The Planning Commission may require that adequate security in such amount as is commensurate with the phase or phases of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining phases of the plat are offered for filing. Such authorized sections must contain at least one third (1/3) of the total number of lots contained in the proposed plat unless a specific waiver of this requirement is granted by the Planning Commission.

4.6 Public Improvements – The Planning Commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat by the Secretary of the Planning Commission. If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final subdivision plat, adequate security shall be required as set forth in Section 8.

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

A maintenance bond shall be required by the City of Oak Hill as referenced in Section 4.8.3.

4.7 Improvements and Performance Bond

4.7.1 Completion of Improvements – Before the final subdivision plat is signed by the Secretary of the Planning Commission as specified in Section 4.5.1 of these regulations, all applicants shall complete, in accordance with the Planning Commission’s decision and to the satisfaction of the appropriate governmental representative, all public street, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and as approved by the Planning Commission, and shall dedicate such improvements to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

4.7.2 Performance Bond – The Planning Commission, at its discretion, may waive the requirement that the applicant complete and dedicate all public improvements

prior to the signing of the final subdivision plat by providing that, as an alternative, the applicant post a bond at the time of submission for final subdivision approval in an amount estimated by the Planning Commission as sufficient to guarantee to the governing body the satisfactory construction, installation, and dedication of the incomplete portion of required improvements.

Such performance bond shall comply with all statutory requirements and shall be satisfactory to legal counsel for the City of Oak Hill as to form, sufficiency, and manner of execution, as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not exceed two (2) years from date of final approval unless a longer period is specifically authorized by the Planning Commission.

Such bond may be reviewed and modified by the Planning Commission as to amount and conditions. The Planning Commission may, upon proof of difficulty, extend the completion date set forth in such bond for a maximum period of one (1) additional year. The Planning Commission may accept at any time during the period of such bond a substitution of principal.

- 4.7.3 Temporary Improvements – The applicant shall build and pay for all temporary improvements required by the Planning Commission and shall maintain them to a reasonable satisfaction for the period specified by the Planning Commission.
- 4.7.4 Costs of Improvements – All required improvements shall be made at the applicant's expense. Any provisions for reimbursement by the City or any utility agency shall be stipulated clearly in the provisions of any bond.
- 4.7.5 Failure to Complete Improvements – In subdivisions for which no security was required or posted, if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases in which security has been posted and required improvements have not been installed within the terms of such performance bond, the Planning Commission thereupon may declare the development to be in default and take additional action, including but not limited to revoking or suspending the plat, and require that all the improvements be installed regardless of the extent of the building development at the time of the default.
- 4.7.6 Acceptance of Dedication Offers – Acceptance of formal offers of dedication of public streets, easements, and parks shall be by formal action of the Board of Commissioners. Such action shall be in the form of a resolution recommended by the Planning Commission to the Board of Commissioners. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or

imply an acceptance by the local government of any public street, easement, or other ground shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

4.8 Inspection of Improvements

4.8.1 General Procedure – The City of Oak Hill may require inspection of required improvements during construction and ensure their satisfactory completion. The cost of the inspections is to be borne by the applicant and will be included in the initial permitting fees. If the appropriate governmental representative finds upon inspection that any of the required improvements have not been constructed in accordance with the City’s or utility agency’s construction standards and specifications, the applicant shall be responsible for completing the improvements to the required standards. Whenever the cost of improvements is covered by a performance bond, the applicant and the bonding company or other financial institution shall be liable severally and jointly for completing said improvements according to specifications.

4.8.2 Release or Reduction of Performance Bond

(1) Certificate of Satisfactory Completion – The City of Oak Hill shall not accept dedication of required public improvements nor release nor reduce the security posted until the City Manager has confirmed that all required improvements have been satisfactorily completed, and until the applicant’s engineer or surveyor has certified to the Planning Commission and the City Manager (through submission of a detailed as-built survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the Planning Commission) that the layout and the line and grade of all public and private improvements are in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the City of Oak Hill, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in Section Six of these regulations.

(2) In no event shall security posted be reduced below twenty-five percent (25%) of the principal amount prior to acceptance of all items covered under the bond.

4.8.3 Maintenance of Improvements – The applicant or authorized agent shall be required to maintain all improvements including, but not limited to, all roadway, drainage systems, sod or seeded grass, headwalls, rock lining, and keep all drains open during development of a subdivision and for a period of twenty-four (24) months after completed to the satisfaction of the city.

4.9 Issuance of Building Permits and Certificates of Occupancy for Individual Lots

(1) In general, no building permit for an individual lot may be issued until after the recording of the final plat.

(2) Where a performance bond has been required, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements and the City of Oak Hill has issued the certificate of completion for the respective phase or the entire subdivision, as approved in the final plat.

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SECTION FIVE: GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

5.1 General Requirements – Residential subdivisions shall be designed to create desirable neighborhoods with peace, quiet, safety, and beauty wherein residential values will be maintained and enhanced after full development. Because the diversity of land ownership makes it unlikely for one (1) owner to develop a large section of the city as a unified planned neighborhood, the Planning Commission shall make use of the policies in the latest adopted comprehensive plan as the basis for ensuring unified residential development in the City.

5.1.1 Conformance to Applicable Rules and Regulations – In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, ordinances, resolutions, rules, or regulations, including, but not limited to:

- (1) All applicable provisions of Tennessee law, regulations, or policy;
- (2) Any zoning ordinance, any building and housing codes, and all other applicable laws or policies of the governing body;
- (3) The adopted general plan and street classification plan;
- (4) The rules of the Davidson County Health Department and the Tennessee Department of Health and Environment;
- (5) The rules, as applicable, of the Federal Highway Administration or Tennessee Department of Transportation, if the subdivision or any lot contained therein abuts a non-local highway;
- (6) Any requirements of the Tennessee Department of Environment and Conservation, the U.S. Army Corps of Engineers and the Federal Emergency Management Agency;
- (7) The regulations of the State of Tennessee and the Davidson County Fire Marshals with respect to street layout and fire hydrant locations (See Appendix C Item 16);
- (8) All provisions of the American with Disabilities Act; and
- (9) The standards and regulations adopted by all other boards, commissions, and agencies of the governing body, where applicable.

Plat approval may be withheld if a subdivision is not in conformity with the above rules.

- 5.1.2 Self-Imposed Restrictions – If the owner places restrictions on any of the land contained in the subdivision greater than those required by the zoning ordinance or these regulations, such restrictions or reference thereto shall be required to be recorded along with the final subdivision plat in the office of the Davidson County register.
- 5.1.3 Monuments – Concrete monuments four (4) inches in diameter or square and two (2) feet long with a flat top shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision and at angle points and points of curve in each street. The top of the monuments shall have an indented cross to properly identify the location and shall be set flush with the finished grade. The monuments shall also have the land surveyor’s license number, who prepared the survey and set the monument, inscribed on the top.
- 5.1.4 Pins – All other lot corners shall be marked with iron pins not less than three-fourths (0.75) inch in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade. The pins shall also have the land surveyor’s license number, who prepared the survey and set the monument, inscribed on the top.
- 5.1.5 Character of the Land – Land which the Planning Commission finds to be unsuitable for subdivision and development due to flooding, improper drainage, unstable soils, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which would be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the applicant and approved by the Planning Commission to address the unsuitable land conditions.
- 5.1.6 Subdivision Name – The proposed name of the subdivision shall not duplicate or too closely approximate phonetically the name of any other subdivision in the Metropolitan Nashville area. Metro Public Works Department must sign off on this name approval. The Planning Commission shall have authority to approve the name of the subdivision during preliminary plat approval.
- 5.1.7 Water Quality Permitting – The applicant or authorized agent shall acquire all applicable permits from State and Federal Agencies including but not limited to U.S. Army Corp of Engineers Section 404 permit and the Tennessee Department of Environment and Conservation “Aquatic Resource Alteration Permit” (ARAP) any time that a stream or wetland is impacted by development. Road crossings, stream relocations, bank stabilization, or utility line crossings, etc. will require permitting. The applicant or authorized agent shall obtain a National Pollutant Discharge Elimination System Permit (NPDES) as required by law.

5.2 Lot Requirements

- 5.2.1 Lot Arrangement – The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography, flood hazards, or other conditions in securing building permits to build on all lots in compliance with the Zoning Ordinance and State and County Public Health Department regulations and in providing driveway access to buildings on such lots from an approved public and / or private street.

Where a lot in any flood-prone area must be improved to provide a building site free from flooding, such improvements shall be made outside the floodway by elevation or fill to at least three (3) feet above the regulatory flood protection elevation (one hundred (100)-year flood) for a distance extending at least twenty-five (25) feet beyond the limits of intended structures and, additionally, extending a sufficient distance to include areas for subsurface sewage disposal if the lot is not to be connected to a public sanitary sewer system. Any fill shall be protected against erosion by rip-rap, vegetative cover, or other methods deemed acceptable by the Planning Commission.

- 5.2.2 Lot Dimensions – Lot dimensions shall comply with the minimum standards of the zoning ordinance where applicable. Generally, side lot lines shall be at right angles or radial to street lines.

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

Building setbacks shall conform to the minimum standards of the zoning ordinance.

- 5.2.3 Double Frontage Lots – Double frontage and reverse frontage lots should be avoided, except where they are needed to provide for the separation of development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement at least twenty (20) feet wide shall be provided along the portion of the lots abutting an arterial or collector roadway, as designated on the City's Street Classification Plan or other use where screening is required. There shall be no right-of-access across a planting screen easement.

- 5.2.4 Soil Preservation and Final Grading – No certificate of completion shall be issued until final grading has been completed in accordance with the approved construction plan and the lot pre-covered with soil having an average depth of at least six (6) inches and containing no particles over two (2) inches in diameter over the entire area of the lot, except that portion covered by buildings or included in streets or where the grade has not been changed or natural vegetation seriously

damaged.

Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide at least six (6) inches of cover on the lots and at least four (4) inches of cover between any sidewalks and curbs and be stabilized by seeding or planting.

5.2.5 Lot Drainage – Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area which includes subsurface drainage. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

5.2.6 Erosion and Sediment Control – There shall be minimal changes in the rate of natural erosion and sedimentation which result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with these regulations. Such plans shall incorporate the following principals:

(1) clearing and grading shall be integrated with layout design;

(2) clearing shall be minimized and existing vegetation shall be preserved to the maximum feasible degree;

(3) grading shall be strictly limited to those areas involved in current construction activities;

(4) disturbed areas shall be protected and stabilized as soon as possible;

(5) all necessary measures shall be taken to control erosion onto adjacent properties and into adjacent streams or bodies of water throughout the construction period or until disturbed areas are stabilized with vegetation;

(6) temporary measures shall include silt fence, temporary construction entrance, rock check dams, inlet protection, temporary sediment basins and traps, etc.;

(7) subsurface drainage systems, including pipe inlets and catch basins, shall be protected from erosion and siltation by approved inlet protection measures, or other approved methods until the surrounding area has been stabilized with vegetation;

(8) adequate maintenance and inspection of erosion/siltation control structures is required to ensure proper working order. Inspections should be made based on Tennessee Department of Environment and Conservation (TDEC)

requirements. Control structures shall be replaced and maintained as necessary; and

(9) adjacent City of Oak Hill streets and drainage ways must be kept clean and clear by the applicant during construction.

- 5.2.7 Debris and Waste – No cut trees, timber debris, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or public street or private street at the time of the issuance of a certificate of completion for the lot, and removal of such waste shall be required prior to issuance of any certificate of occupancy. Neither shall any such waste be left nor deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.
- 5.2.8 Burning – No burning of debris or waste shall be allowed within the corporate limits of the City of Oak Hill.
- 5.2.9 Blasting – It is the City of Oak Hill’s policy to discourage blasting within its corporate limits when alternative methods are available.
- 5.2.10 Fencing – Each applicant shall be required to furnish and install all fences wherever a hazardous condition may exist. Such fences shall be constructed according to standards established by the City of Oak Hill, as appropriate, and shall be noted on the final plat as to height and required materials. No certificate of occupancy shall be issued for any affected lot until such fence improvements have been installed.

5.3 Street Requirements

- 5.3.1 Conformity to the Street Classification Plan – The location and width of all streets and roads shall conform to the official Street Classification Plan.
- 5.3.2 Relation to Adjoining Street System – The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width.
- 5.3.3 Street Right-of-Way Widths – The minimum width of right-of-way, measured from lot line to lot line shall be not less than as follows:

(1) Arterial Streets and Highways: Minimum right-of-way width of ninety (90) feet

The Planning Commission may require additional right-of-way to accommodate additional laneage, on-street parking, bikeways and medians.

Arterial streets are the primary streets for moving large numbers of vehicles quickly through the City and are identified in the Street Classification Plan.

(2) Collector Streets: Minimum right-of-way width of sixty (60) feet

Collector streets are designed to carry traffic from minor streets to the arterial streets and typically include the principal entrance streets of a residential development.

(3) Local Streets: Minimum right-of-way width of fifty (50) feet

Local streets are those that are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic.

(4) Dead-end streets (cul-de-sacs) for residential areas: Minimum right-of-way width five (5) feet wider than the paved surface and no less than fifty (50) feet radius at end of the street. Cul-de-sacs may be omitted for short streets less than 150 feet long, measured from the radius return of the nearest intersecting street to the end of the cul-de-sac farthest from the nearest intersecting street. Requirement of a cul-de-sac and its design and must be approved by the Planning Commission and Metro Nashville Fire Marshal's office.

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

- 5.3.4 Additional Width on Existing Streets – Subdivisions that adjoin existing streets shall dedicate additional right-of-way to comply with the minimum requirements for the street under the Street Classification Plan.

When the subdivision is located on only one (1) side of an existing street, one-half (1/2) of the required right-of-way, measured from the centerline of the existing roadway or the centerline of the proposed future road alignment shall be provided, whichever is greater.

- 5.3.5 Crowns – All pavement surfaces shall drain adequately. If the pavement surface is not super elevated, the crown shall be a minimum two percent (2%) cross slope measured from the roadway centerline to the edge of pavement.

- 5.3.6 Grades – Grades on arterial streets shall not exceed seven percent (7%). Grades on collector streets shall not exceed nine percent (9%), grades on local streets may not exceed twelve percent (12%), unless design modification is granted by the Planning Commission, but shall not exceed fifteen percent (15%) for more than two-hundred (200) feet in length and must be approved by the Metro Nashville Fire Marshal's office.

For proper drainage, the minimum grade on any street shall be one percent (1%). Consistent with the intent and spirit of this section design modifications may be allowed for environmental considerations including but not limited to tree protection and minimization of site disturbance provided that in the opinion of the City Engineer, such grade does not pose a safety problem for the public.

- 5.3.7 Horizontal and Vertical Curves – Horizontal and vertical curves shall comply with the design standards set for in the American Association of State Highway Transportation Officials’ Policy for the Geometric Design of Highway Systems, latest edition. Local and dead end streets shall meet a calculated thirty-five mile per hour (35 mph) minimum design speed. Design modifications to lower the design speed may be allowed if conditions warrant. If this is allowed, it will be required of the applicant to have the reduced design speeds posted on the streets.

Vertical curves shall be designated with the following K-values, for a thirty-five mile per hour (35 mph) design speed, crest vertical curve K-value of forty (40); sag vertical curve, K-value of fifty (50). The City may allow adjustments to lower K-values when justified for environmental considerations including but not limited to tree protection and minimization of site disturbance provided that in the opinion of the City Engineer, such grade and curve does not pose a safety problem for the public.

- 5.3.8 Intersections – All streets shall intersect as closely as possible to a ninety (90) degree angle. The minimum tangent length at the intersecting street shall be fifty (50) feet for local streets and one hundred and fifty (150) feet for arterial, collector, and commercial/service institutional streets. Property line radii at street intersections shall not be less than twenty-five (25) feet.

The subdivision applicant shall ensure sufficient sight distance as per the current AASHTO requirements.

- 5.3.9 Tangents – A tangent of at least one hundred (100) feet in length shall be introduced between reverse curves on arterial and collector streets.

- 5.3.10 Street Jogs – Street Jogs with center line offsets of less than one-hundred twenty-five (125) feet shall not be allowed.

- 5.3.11 Cul-de-sac and Temporary Dead-end Streets – Minor terminal streets or courts designed to have one (1) end permanently closed (cul-de-sac) shall be no more than seven hundred and fifty (750) feet long unless necessitated by topography and approved by the Planning Commission. Street length shall be measured from the radius return of the nearest intersecting street to the end of the cul-de-sac farthest from the nearest intersecting street.

(1) Where, in the opinion of the Planning Commission, it is desirable to provide for future street access to adjoining property, such temporary dead-end streets shall be extended by dedication of right-of-way and construction of the roadway to the boundary of the adjoining property. Such dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least one hundred (100) feet and shall be bonded with the overall improvements of the subdivision.

(2) When a road is approved as a temporary dead-end, eventual connection or road extension to or through an adjoining tract of land as indicated by the Planning Commission, then a sign shall be erected and maintained by the Subdivision Homeowners Association stating Temporary Dead-End Road, Subject to Extension at some future date.

5.3.12 Street Names – The naming of the streets within a proposed subdivision shall be the responsibility of the applicant. All proposed street names must be approved by the Metropolitan Government of Nashville and Davidson County Department of Public Works, Fire Department, and the U.S. Postal Service before submittal to the Planning Commission. Following staff review and recommendation, the Planning Commission shall have final authority to approve or disapprove the names of all streets appearing on the plat.

(1) Proposed streets which are obviously in alignment with other streets already existing and named, or which may eventually connect shall bear the names of those existing streets.

(2) In no case shall the name for proposed streets duplicate existing street names as determined by the governing agencies noted in this section.

(3) Street names and types shall be carried, without change across intersections.

(4) The application for the street addresses shall be made through the U.S. Postal Service and confirmed by the City of Oak Hill and Metro Nashville Department of Public Works. Street addresses will also be provided on the final plat.

5.3.13 Blocks

(1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth but should not be less than two-hundred and twenty (220) feet wide. Exceptions to this prescribed block width may be permitted in blocks adjacent to major public streets, railroads, or waterways.

(2) The lengths, widths, and shapes of blocks shall be determined with due

regard for the following:

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (b) Zoning requirements as to lot sizes and dimensions;
- (c) Needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic;
- (d) Limitations and opportunities of topography.

(3) Block lengths in residential areas shall not exceed sixteen hundred (1,600) feet nor be less than four-hundred (400) feet, except as the Planning Commission deems necessary to secure efficient use of land or desired features of the public way pattern.

5.4 Private Street Requirements

5.4.1 General Requirements – Private streets will be allowed at the sole discretion of the Oak Hill Planning Commission.

(1) Each preliminary plat, final plat, or revised final plat for a private street and gated subdivision as provided for in this article shall require the approval of the Planning Commission. All private streets within a subdivision shall be identified on the final plat as access easements for the benefit of all lots in the subdivisions. All property within the access easements shall be owned and maintained by the property owners association. Property encumbered by these access easements shall not be counted toward the individual lot acreage requirements as set forth in the current Oak Hill Zoning Ordinance.

(2) All public utility and drainage easements within a private street subdivision shall be formally dedicated on the final plat at locations and widths acceptable to the City of Oak Hill, Metro Water Services and other affected utilities. The plat shall provide for access to employees of the city and all utilities providing service to the subdivision, when acting in the course of their employment, to enter such easements and all vehicle access easements; and to maintain all public utilities and facilities lying therein.

(3) A private street shall not cross any existing collector or arterial street designated on the City's most recent Street Classification plan or prevent the construction of such future streets as identified in the plan. No private street shall be permitted in a location that would prevent vehicle access to future subdivision on tracts adjacent to the site if such tracts, in the determination of the Planning Commission, lack sufficient alternative access. In addition, a private street shall not disrupt or prevent the reasonable establishment of public pedestrian connections between adjacent subdivisions, public streets, churches and public parks.

(4) No school, park, church, or other public facility shall be located within a private street subdivision unless it is fully accessible to the general public from a public right-of-way and conforms to all Conditional Use permitting and the City of Oak Hill Zoning Ordinance requirements.

5.4.2 Technical Requirements

(1) Design, construction, and inspections of all streets, curbing, drainage, street lighting, utilities, and traffic control devices in a private street subdivision shall conform to the same technical requirements for the public streets of these regulations.

All street and other improvements shall be completed and certified to be in compliance with the approved plan before approval of the final plat by the Planning Commission. For any final plat approved prior to the completion of streets and other improvements, the Planning Commission shall require a performance bond to be posted in an amount sufficient to assure completion of the work. The performance bond shall not be reduced or released until all improvements have been deemed to be in compliance with the above technical standards and have been released to the property owners' association for maintenance responsibility.

(2) No gates or guardhouses for a private street subdivision shall be placed on public right-of-way. All gates and guardhouses shall subject to the requirements and obtain the necessary approvals as required by ordinance.

(3) Additional Requirements - The Planning Commission may impose such additional requirements for private streets as may be necessary to carry out the intent of these subdivision regulations.

**SECTION SIX: DEVELOPMENT REQUIREMENTS
FOR CERTIFICATE OF COMPLETION**

6.1 General – The proper installation of public improvements allows the community to avoid a potential tax liability to correct substandard improvements in a subdivision. The following tangible improvements or bond provisions based upon the estimated costs are required before final plat approval and recording referenced in Section Four. This is to assure the implementation of a subdivision based upon the requirements legally established by the approval and recordation.

6.2 Required Improvements – Every subdivision applicant shall be required to grade and improve streets and to install paving, curbs, gutters, monuments, street lighting, signage and pavement markings, sewers, storm water systems, water mains and fire hydrants in accordance with specifications within these regulations and as established by the Planning Commission. Where specifications adopted by local authorities or agencies conflict with regulations set forth herein, the more stringent shall govern.

6.2.1 Street Specifications – Grading, Site Work, and Pavement Construction

Purpose – In the interest of improving the quality of public street construction and decreasing future maintenance requirements, the City shall require the following specifications in the design and construction of public streets.

6.2.2 Scope – These specifications include minimum criteria for the design and construction of public streets and authorized private streets within the City.

6.2.3 General

(1) Engineer: The term Engineer as hereinafter used will refer to the City’s authorized engineering representative.

(2) Developer/Contractor Responsibilities: No design requirement or testing and monitoring as outlined herein shall relieve the Developer/Contractor from his responsibility to provide a stable street in compliance with the specifications.

(3) Items Not Specifically Covered: Construction of items not specifically covered herein shall conform to the Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition.

6.2.4 Design Requirements

(1) Definitions: Pavement refers to all components of the street section above the sub-grade. Pavement includes the mineral aggregate base, bituminous plant mix base course, if any, and the asphaltic concrete wearing surface.

(2) Sub-grade: Sub-grade refers to the top section of the prepared roadbed upon which the pavement section is placed.

(3) Minimum Pavement Section Design:

Thickness of Mineral Aggregate Base: eight (8) inches in two to four (2-4) inch lifts

Bituminous Plant Mix Base (Binder): two and one half (2.5) inches

Thickness of Asphaltic Concrete Wearing Surface: one and one half (1.5) inches

(Note: All depths are compacted measurements.)

The Asphalt wearing (surface) course shall not be placed for a minimum of one (1) year or until such time as seventy-five percent (75%) of the anticipated building construction has been completed upon application and approval of the City.

(4) Alternate pavement sections will be considered if supporting computations and engineering design data are submitted. Supporting data shall include information regarding the engineering characteristics of the soil, such as moisture-density relationship, Atterberg limits, California Bearing Ratio, grain size analysis, etc. Thickness designs shall be prepared by a registered professional engineer in the State of Tennessee experienced in designing pavements based on geotechnical engineering data.

(5) Geologic Hazards: Any areas which present geologic hazards, such as roads to be constructed on steep slopes, must be investigated by a qualified geotechnical engineer, experienced in designing the type of project in question.

6.2.5 Clearing and Grubbing – All vegetation, topsoil and deleterious or unstable materials must be removed from the street construction areas. All roots, larger than one-half (1/2) inch in diameter, must also be grubbed out and removed.

6.2.6 Proof rolling – Immediately before beginning fill placement in areas to be filled, once fill has been placed and immediately before applying the aggregate base in cut areas, the sub-grade must be proof rolled using a heavily loaded pneumatic-tired vehicle such as a loaded dump truck. This proof rolling must be observed by the City Engineer, or its designee, and any soft or unstable areas delineated thereby, must be undercut to stable ground and backfilled with approved fill. The area must be proof rolled again until a satisfactory result is achieved determined by the City.

6.2.7 Fills – Fill must consist of soil, rock, or an approved soil/rock mixture free from roots, wood, organic matter, rubble and any other deleterious material. Fills shall

be constructed to provide positive drainage during all phases of construction.

(1) Soil fill must be free of rock fragments over six inches (6") in maximum dimensions and must have a minimum dry density when compacted of ninety-five (95) pounds per cubic foot.

Soil fills must be placed in ten (10) inch lifts maximum, and compacted to at least ninety-five percent (95%) of its maximum dry density as determined by ASTM D-698 (Standard Proctor). Soil fill must be stable after compaction, regardless of compaction percentage. Adequate compaction will be verified by institution density tests performed by the City's designated inspector. (See 6.2.6)

(2) Rock fill shall consist of durable, clean, well-graded shot rock or crushed stone. The maximum dimension of rock fragments used in the rock fill shall be eighteen (18) inches.

Rock fills shall be placed in lifts not to exceed thirty (30) inches and shall be compacted with heavy steel-wheeled or tracked vehicles. Adequate compaction will be judged in the field by City Engineer or its designee based on stability of the fill in place.

(3) An approved soil-rock mixture shall consist of soil interspersed in a well-graded mixture of rock fragments no larger than twelve (12) inches in maximum dimension. The soil-rock mixture shall be placed in lifts not exceeding twelve (12) inches in maximum thickness and compacted with tamping rollers until the soil portion of the mass is compacted to at least ninety-five percent (95%) of its maximum dry density as determined by ASTM D-698. The soil portion of the mass shall be within +/- two percent (2%) of its optimum moisture content during placement. Compaction will be verified by in-place density tests where possible, but if excessive rock fragments prevent density tests, adequate compaction will be judged by the City Engineer or its designee based on the stability of the mass under the influence of heavy construction equipment. (See 6.2.6)

The contractor shall furnish samples suitable for determining moisture density relationship of all soil types to be used in fills. These samples shall be furnished at least one (1) week in advance of their use on the project. The contractor shall contact the City to allow inspection of the sampling procedures if he so desires.

6.2.8 Excavations – If excavations are left exposed to the weather for extended periods of time after they are brought to grade, and/or if deterioration of the sub-grade has occurred by either wetting or drying, appropriate corrective actions must be taken. Corrective action shall consist of scarifying and re-compacting the sub-grade or

by use of other measures as deemed appropriate by the City.

- 6.2.9 Mineral Aggregate Base Course – The sub-grade must be prepared stable and level and be approved by the City, or its designee, shortly before placement of the base course begins. The mineral aggregate base shall consist of hard, durable crushed limestone. The gradation for mineral aggregate base shall be: Class A aggregate, Grading D, as specified by Section 903.05 of the Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition. The mineral aggregate base shall be spread by a mechanical spreader, or other approved method, which will prevent segregation. The mineral aggregate shall be spread in lifts no greater than four (4) inches in thickness and compacted to a minimum density of ninety-five percent (95%) ASTM D-968 Standard Proctor of the solid volume of the material.

Any damage to the base course during construction, including raveling, loss of density, or loss of material due to construction traffic shall be repaired by replacing and re-compacting the base.

- 6.2.10 Prime Coat – A bituminous prime coat shall be applied uniformly on the surface of the base at a minimum rate of 0.3 - 0.35 gallons per square yard. The prime coat shall conform to Section 904-03 of Tennessee Department of Transportation (TDOT) Standard Specification for Road & Bridge Construction. Aggregate for cover material must be placed uniformly onto the freshly applied prime coat at a rate of eight to twelve (8 - 12) lbs per square yard by a mechanical spreader. The cover material must conform to Section 903-13 of the TDOT Standard Specifications for Road and Bridge Construction.

6.2.11 Asphaltic Concrete Hot Mix

(1) Bituminous Plant Mix Base (Binder): The bituminous plant mix base shall comply with Section 903.06 of the Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction for B modified mix.

(2) Tack Coat: The bituminous Tack Coat shall be applied uniformly on the power cleaned surface at a rate of 0.02 - 0.03 gallons per square yard. The Tack Coat shall be Grade AE-3 or SS-1.

(3) Surface Course: The pavement surface course shall consist of asphaltic concrete surface (Hot Mix) Grading "E" in compliance with Section 411 of Tennessee Department of Transportation Standard Specifications.

(4) Equipment: The contractor shall provide all necessary equipment for the proper installation of the asphalt surface treatments as outlined in the Tennessee Department of Transportation Standard Specifications - Section

411.04, Equipment.

(5) Guarantee: The Developer/Contractor shall warrant the performance of the roadway for a period of not less than one (1) year from its formal acceptance by the City. Any pavement sections exhibiting distress during the guarantee period shall be replaced with asphalt hot mix for the full width and depth of the original pavement section. The driving surface must be smooth and comply with the Tennessee Department of Transportation Ridability Special Provision.

(6) Construction Traffic: As much as is practicable, roadways shall not be paved until heavy construction traffic thereon can be minimized.

6.3 Other Required Improvements

6.3.1 Minimum Pavement Widths – Minimum pavement widths shall be as follows:

(1) Local Residential Streets: Eleven (11) feet minimum lane with two (2) feet shoulders or twelve (12) feet minimum lane with curb or curb and gutter. Lane widths measurements shall not include curb or gutter dimensions.

(2) Dead-end Streets (cul-de-sacs): Fifty (50) feet radius minimum

(3) Collector Streets: Twelve (12) feet minimum lanes with four (4) feet shoulders or twelve (12) feet minimum lane with curb or curb and gutter. Lane widths measurements shall not include curb or gutter dimensions.

(4) Arterial Streets: widths to vary based upon the traffic volume and land use.

6.3.2 Curbs – (optional) The applicant shall provide a minimum of twenty-four (24) feet of pavement if wishing to use either mountable curb or curb and gutter on roadways. Alternative designs may be considered by the Planning Commission at the preliminary approval.

6.3.3 Sidewalks – (optional) Sidewalks shall be ADA compliant. Please reference Metropolitan Government of Nashville and Davidson County minimum standards.

6.3.4 Storm Drainage – Storm drainage shall be designed in accordance with the requirements set forth in the Metropolitan Government of Nashville and Davidson County - Stormwater Management Manual. In the event that the City of Oak Hill adopts a stormwater manual, the City's manual shall supersede the Metropolitan Government of Nashville and Davidson County - Stormwater Management Manual. To the extent possible, construction and installation of drainage

structures and facilities will be scheduled as soon as possible in the construction phase.

All submittals shall include drainage calculations and detailed hydraulic analysis of detention ponds. Detention ponds shall be utilized as temporary sediment basins where possible during construction. An engineer's certification confirming approved design volume is to be provided to the City Manager or its designee prior to issuing certificate of completion.

6.3.5 Erosion and Sedimentation Control – Erosion and sedimentation control plans shall meet the following guidelines:

(1) Topography: The development plan should be fitted to the topography and the soils in order to minimize erosion potential.

(2) Development Coordination: Erosion and sedimentation control measures shall be coordinated with the required steps in construction and appropriate control measures installed prior to the start of construction.

(3) Sequential Control Measures: Land shall be developed in increments of workable size on which adequate controls of erosion and sedimentation can be provided and maintained during the construction period. Operations shall be staged so that the area exposed for a long period of time without stabilization, as so that the initially disturbed areas are completely controlled before the next section is opened. The developer shall be required to schedule sequentially phased controls or erosion and sedimentation as coordinated with the development and construction stages and shall specify in detail precisely which areas will be cleared first, and how long these areas will be exposed to the elements. The maximum exposure period shall not exceed one hundred twenty (120) days.

(4) Runoff Controls: Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during the ensuing development. Runoff must be intercepted and safely conveyed to storm drains or natural outlets where it will not erode or flood land. The drainage system for the development shall be completed and made operational as quickly as possible during construction.

(5) Cover: Wherever feasible, natural vegetation shall be retained and protected. Temporary vegetation and/or mulching shall be used where necessary to protect exposed areas during development.

(6) Sediment Basins (Debris Basins, Desilting Basins, or Silt Traps): Sediment basins shall be installed and maintained to collect sediment from runoff waters from land undergoing development. Storm sewer inlets with

debris guards and micro silt basins shall be provided to trap sediment and avoid possible damage by blockage.

(7) Final Vegetation and Structures: The permanent vegetation and structures shall be installed as soon as practical in the development.

(8) Paved Areas: Streets, parking areas, and other areas shall be paved as quickly as possible.

6.3.6 Installation of Utilities – After grading is completed and approved and before any base is applied, all underground utility work, water mains, sewer mains, gas mains, electric lines, street lighting conduit, cable television, telephone, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All utilities shall be installed outside of the right-of-way, within dedicated private easements, unless otherwise impractical to do so and approved by the Planning Commission.

6.3.7 Water Supply System – Trunk lines properly connected with the public water supply system or with an alternate supply approved by the Board of Commissioners and the Tennessee Department of Environment and Conservation shall be constructed in such a manner as to serve adequately, for both domestic use and fire protection, all lots shown on the subdivision plat.

(1) Proof of approval from the utility providing water service shall be provided to the City prior to signing of the final plat.

(2) An adequately sized system of water mains with sufficient flow for fire protection shall be provided as part of the subdivision. Unless alternative provisions are made for fire protection that is approved by the Fire Marshal or his designee, the minimum acceptable fire flow shall be five hundred (500) gallons per minute. Fire hydrants shall be placed in locations acceptable to the Fire Marshal or his designee to ensure that adequate fire protection to all buildings can be provided and to ensure that they will be accessible, protected from traffic hazards, and will not obstruct walks, roadways, or parking facilities. Fire hydrants shall be placed no greater than five hundred (500) feet from the center of any lot's building envelope.

(3) For each new platted lot in a subdivision, connections to the water system shall be installed so that future connections will not require digging up or tunneling under streets or interruption to service to other connections on the systems.

6.3.8 Sanitary Sewer and Septic Tanks

(1) Where the Planning Commission determines that a subdivision does not

have to connect to an existing public water supply or sewage system, such lots shall not be granted preliminary plat approval until approval for alternative systems is granted in writing by the County Health Officer, or an authorized representative.

(2) Sanitary sewer shall be approved and constructed as per the requirements of the providing utility and the City.

6.3.9 Traffic Control, Street Markers and Warning Signage – All street signs shall conform to the requirements of the Manual for Uniform Traffic Control Devices, latest edition. Temporary signs may be installed and maintained in lieu of permanent signs until curbs are constructed and backfilled. Temporary signs must meet the same requirements for mounting height, size, and legibility as permanent signs but may be mounted on temporary structures. The installation of temporary signs in accordance with these standards must be approved by the City Manager or his designee before authorization for building permits can be granted.

6.3.10 Street Name Signs

(1) Installation Requirements: The developer shall purchase and install appropriate signs as designated by the City Manager. Written confirmation of this placement shall be required from the City prior to the issuance of a building permit.

(2) Bond: Street and decorative signs and their installation will be included in the original performance bond.

Street name signs of approved type shall be installed at each subdivision intersection by the developer. Regulatory signs (intersection, speed limit, stop, yield and street markers) shall be installed prior to the issuance of any Use and Occupancy Certificate. All signs shall be approved by the City Manager or his designee for type, material, and location prior to installation.

Any decorative street name signs or regulatory signs that are installed in a subdivision are the responsibility of the Homeowners Association and not the City. All decorative signs must comply with the requirements in the Manual for Uniform Traffic Control Devices. Approval of decorative signage must be received from the City.

6.3.11 Driveways

(1) All driveways shall be constructed so as not to impair drainage within the road right-of-way, not to allow runoff from the public street onto the private driveway, not to alter the stability of the roadway subgrade, and not to impair or materially alter drainage of the adjacent areas. Minimum pipe diameter

shall be fifteen (15) inches unless otherwise designated by the City. Headwalls shall be required on both sides of the driveway.

(2) Residential driveway cuts shall not exceed twenty (20) linear feet in width while the width for institutional sites may vary depending on location and use. All curb cuts must have the prior approval from the City.

(3) Approval from the Tennessee Department of Transportation must be obtained for driveway access to any state route. All applicable rules of these regulations must also be followed.

(4) Where sidewalks are located along the roadway, the driveway access must meet the Standards of the Americans with Disabilities Act (ADA) and should conform to the Metro Davidson County Department of Public Works requirements.

6.4 Construction Approval – As referenced in Sections 6.1 through 6.3, the applicant shall provide certifications from the agencies and authorities for the respective improvements, including but not limited to, the City Manager, or designee, the Tennessee Department of Transportation, the Davidson County Health Department, the Metropolitan Government of Nashville and Davidson County Fire Department, and the utility providers (water, wastewater, electric, cable, gas, etc.) prior to application for final plat approval.

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SECTION SEVEN: LEGAL STATUS

- 7.1 Authority – The enforcement of these regulations and penalties for the unapproved recordation or transfers of land are provided by State Law in the authority granted by public acts of the State of Tennessee.
- 7.2 Enforcement – The enforcement of these regulations and penalties for the unapproved recordation or transfers of land are provided by state law in the authority granted by public acts of the State of Tennessee.
- 7.3 Penalties
- 7.3.1 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.
- 7.3.2 Section 13-4-306 Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sell or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision to the Planning Commission and obtained its approval as required before 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 documents used in the process of selling or transferring shall not exempt the transaction from such penalties. The City, through its City Attorney or other official designated by the Board of Commissioners, may enjoin such transfer or sale or agreement by action or injunction.
- 7.4 Adoption and Effective Date
- 7.4.1 Before adoption of these subdivision regulations, a public hearing as required by Section 13-4-303, Tennessee Code Annotated, was held on, August 23, 2011 at the City Hall of Oak Hill, Tennessee.
- 7.4.2 These rules and regulations shall be in full force and effect from and after their adoption and effective date.

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SECTION EIGHT: SECURITY FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

8.1 Guarantee in Lieu of Completed Improvements

Before a final subdivision plat may be recorded, all improvements shall be constructed in a satisfactory manner, and approved by the City in accordance with the requirements of these Regulations. The applicant shall post a security in an amount equal to one hundred twenty percent (120%) of the estimated cost of the remaining required improvements, based upon the amount of work completed and stipulated by City staff as sufficient to secure the satisfactory construction, installation, and dedication of the required remaining improvements. Security provided in accordance with this section shall be sufficient to provide for the completion of all improvements. The following requirements shall apply to any security posted with the City pursuant to this article:

8.1.1 General. Before a final plat of a subdivision which requires improvements can be recorded, the owner or developer must enter into a Performance Agreement with the City, in a form acceptable to the City Attorney, in accordance with these Subdivision Regulations.

8.1.2 Security Instrument. The security instrument shall reference the performance agreement, which shall stipulate the work to be performed by general categories and the estimated value or cost of each category. The performance agreement shall also stipulate a completion date for all of the work to be performed. Any changes or extensions to the timeframe or other stipulations as detailed within the performance agreement must be reviewed and approved by the Planning Commission.

8.1.3 State of Tennessee Bank Collateral Pool. The security shall be issued by a financial institution, which is currently a member of the State of Tennessee Bank Collateral Pool, as maintained by the State of Tennessee Treasury Department.

8.1.4 Form of Security. The security instrument shall express the value in a total amount equaling the sum of all work categories, and shall be in one of the following forms:

(1) Irrevocable Standby Letter of Credit. Issued by or confirmed by a financial institution which is a member of the Tennessee Bank Collateral Pool and located in Davidson County, Tennessee. Any such letter of credit shall bear an initial term of at least twenty-four (24) months. The approved financial institution shall have an office or branch located in the State of Tennessee and shall authorize the surety to be presented for demand or draw at a place physically located within a thirty (30) mile radius of the city

limits. The Letter of Credit option shall not be available to an applicant whose past performance has resulted in breached or expired securities.

(2) Cashiers or Certified Check. Issued by a financial institution, which is a member of the Tennessee Bank Collateral Pool, and shall be non-expiring. All Cashier's checks accepted by the City shall be deposited into a special escrow account which will be used to complete the required improvements within a specified project (residential or commercial) should the developer fail to complete the required improvements. Upon completion of all required improvements and completion of the required maintenance period, if applicable, the remaining amount, less any necessary draws shall be returned to the developer.

- 8.1.5 Issuing Bank Rating. Either instrument must be from an approved financial institution having a "C" or better rating as shown in the latest edition of the LACE Quarterly Financial Institution Ratings guide compiled by the LACE Financial Corporation or its successors. An alternate rating issued by Standard & Poor's (S&P), Moody's Investor Service or Fitch Ratings shall be accepted by the City. Should the developer/subdivider elect to obtain an alternate rating using one of the companies shown above, the issuing financial institution shall have a minimum credit rating of "A" at the time of the submittal of the surety to Planning Department staff. The subdivider shall furnish applicable ratings data for the issuing financial institution with the submittal of the final subdivision plat. In no instance will ratings provided by an Internet bank rating company be accepted. Additionally, documentation detailing the issuing financial institution's stability will be required as part of the submittal. All applicable costs associated with providing the alternate rating shall be borne by the developer/subdivider. Approval of the security instrument by the City Manager or City Attorney shall be required before the subdivision plat may be recorded.
- 8.1.6 Completion of Improvements. The period within which the required improvements must be completed shall be specified by the City and incorporated within the security instrument. Any changes or extensions to the timeframe or other stipulations as detailed within the performance agreement must be reviewed and approved by the Planning Commission.
- 8.1.7 Required Rating. Should the LACE rating of the issuing financial institution fall below a "C" and/or the alternative credit rating from S & P, Moody's or Fitch falls below an "A" credit rating, the City shall provide written notification to the developer/subdivider to secure a new instrument that meets the requirements of these Regulations within ninety (90) days of the date of the notification. If a new instrument is not in place within ninety (90) days of the City's notification the City shall immediately process a draw on the letter of credit.

- 8.1.8 Second Bank Confirmation. Since a letter of credit represents the obligation only of the issuing bank, a confirmation shall be required stating that a line of credit has been secured from the confirming financial institution, when the financial ratings of the issuing bank falls below those specified as part of these Regulations, or when other ratings or reports are published that indicate the strength of the issuing bank is at risk, or the distance from the City of the branch office authorized to accept draws is more than thirty (30) miles. All documents presented by the confirming bank shall conform to the requirements of the original letter of credit and shall acknowledge the obligation of the confirming bank to assume the same responsibilities as the issuing bank, including the obligation to pay against presented documents. Payment from the confirming bank must be guaranteed regardless of the stability of the issuing bank. In lieu of a confirmation, a new letter of credit from a financial institution meeting these Regulations may be required.
- 8.1.9 Inspections/Reductions. The progress of the improvements shall be reviewed at least once a year by City staff, at which time the amount and expiration date of the security may be increased, reduced or extended, or the security may be released in recognition of significant work having been completed. If a reduction in the amount of the security for a platted subdivision is requested at any other time during the year by the applicant, a five hundred dollar (\$500.00) fee will be charged to defray inspection, processing and administrative costs. If for any reason, the security is not renewed or extended as required by the Planning Commission within thirty (30) days prior to the expiration date, or if the new documentation submitted is not in accordance with the requirements set forth herein, then the security will be assumed to be in default and the drawing on the security, in its full amount may be completed by City staff.
- 8.1.10 Letter of Credit Criteria. All letters of credit accepted for security for required improvements shall meet the following standards, as applicable:
- (1) The initial term of the letter of credit shall be for a minimum of two (2) years from date of the recording of the final plat and shall be renewed as detailed within the performance agreement until project completion.
 - (2) All letters of credit shall include an automatic renewal clause that provides at least ninety (90) days' advance notice of any decision by the issuing financial institution not to extend the document's expiration date.
 - (3) The initial expiration date shall not fall on a weekend day, or national bank holiday.

(4) The following language (or substantially similar language, acceptable to the City) shall be included on all letters of credit accepted for subdivision or commercial building improvements by the City. The blanks shall be completed appropriately.

"We hereby issue this Irrevocable Standby Letter of Credit in your favor which is available at sight by drafts on (Name of Bank), bearing the clause "Drawn under Irrevocable Standby Letter of Credit Number _____", accompanied by:

Beneficiary's statement signed by one of its officials stating "(Name of the developer) has failed to complete certain improvements and/or has failed to obtain written authorizations for release from all affected agencies for the development project known as (Name of the project)."

(5) Partial draws shall be permitted.

(6) The following statement shall be included on all letters of credit;

"The City may complete draws on this Letter of Credit by delivery via Registered or Certified mail, Federal Express or other similar courier service, or by facsimile, and the draw request with the required is presentable by facsimile to (Facsimile #), or by electronic mail to the following address _____."

(7) All letters of credit must include a statement detailing the improvements for which they were originally issued.

(8) Should a security instrument expire, it remains the developer's responsibility to replace the security instrument or complete the remaining outstanding work as identified in the approved construction plans.

8.1.11 Security Instrument. The security instrument shall name the City as obligee and shall be satisfactory to the City Attorney as to form, sufficiency and manner of execution.

8.1.12 Term of Security Instrument. The security instrument shall remain in force in its full face amount, subject to any reductions permitted hereunder, until all public improvements are completed and accepted for maintenance where applicable, by the City.

8.2 Failure to Complete Improvements.

In cases where a security instrument has been posted and required improvements have

not been completed within the terms of such security instrument, or the requirements of these Subdivision Regulations, the City Manager may declare the security to be in default and require that all the improvements be installed, regardless of the extent of the building development, or the expiration date of the security instrument, at the time the security is declared to be in default. The funds from the security shall be used to complete the improvements and / or to reimburse the City for any and all expenses that may be incurred to complete the improvements. In the event the security instrument does not adequately cover the costs incurred by the City to complete the improvements, the City may also place a hold on the issuance of building permits for those lots within the development, which have not had permits issued for construction until such time as the developer has reimbursed the City for the total cost of the improvements, including legal and administrative costs.

8.3 Completion of Approved Facilities within Designated Open Space Areas.

All facilities and improvements proposed for construction or installation by the developer in any designated open space areas shall be completed by the developer or the developer's successor in interest, unless otherwise approved by the Planning Commission. All such facilities and improvements shall be fully secured, with a letter of credit or other surety acceptable to the City Attorney prior to the recording of the first platted section of the subdivision to ensure completion in accordance with the approved development plan and within the overall timetable for such improvements if the developer fails to complete such obligations.

8.4 Inspection/Testing of Improvements.

If it is determined by inspection that any required improvements have not been constructed in accordance with the City's construction standards and specifications, the applicant shall be responsible for completing the required improvements in accordance with the adopted standards. Wherever the cost of improvements is covered by a security instrument, the developer and the issuing financial institution shall be jointly liable for the cost of completing the improvements according to the approved specifications.

8.5 Maintenance Security.

Upon release of a security instrument, guaranteeing completion of the improvements, the City shall require a maintenance security in an amount as determined by staff from the appropriate City departments. Said maintenance security shall remain valid for a period of time as stipulated within the performance agreement and shall be subject to the standards established in this Section.

8.6 Maintenance of Improvements.

The applicant shall be required to maintain all improvements including all lot improvements, until acceptance of the public improvements by the City or other appropriate entity.

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APPENDIX A: DEFINITIONS

Usage

(1) For the purpose of these regulations certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this Appendix.

(2) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular; the word herein means in these regulations; and the word regulations means these regulations.

(3) A person includes a corporation, a partnership, and an unincorporated association of persons, such as a club; shall is always mandatory; a building or structure includes any part thereof; used or occupied, as applies to any land or building, shall be construed to include intended, arranged, or designed to be used or occupied.

Words and Terms Defined

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

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

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

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

Bond – A performance security instrument with a clause, with a sum of money fixed as a penalty, binding the parties to pay the same. A Letter of Credit may be substituted for bond at the discretion of the City of Oak Hill. Also see definition for Letter of Credit.

Build-out – When certificates of occupancy have been issued for all the houses in a subdivision.

City Engineer – The City’s authorized engineering representative.

City Manager – The person appointed by the Board of Commissioners to administrate the

daily operations of the City.

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

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

Cul-de-sac – A local street having only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement; definition includes dead-end, turn-around, or turn-about.

Developer – The owner of land proposed to be subdivided or his authorized representative; also referred to as “Applicant”.

Easement – An authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.

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.

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

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

Flood-prone area – The maximum area of the floodplain that, on the average, is likely to be flooded (i.e., that has a one (1) percent chance of being flooded in any year).

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

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

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.

Geotechnical Engineer – A civil engineer licensed to work in the State of Tennessee whose area of expertise involves the science and practice of natural materials such as soil and rock mechanics.

Governing Body – The governing body in the City of Oak Hill is the Board of Commissioners. They are the three (3) elected officials within the City.

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

Registered 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.

Letter of Credit – In these regulations this term means an Irrevocable Standby Letter of Credit (or a cashier's check) from an approved financial institution.

Local Street or Road – A public street intended to provide access to abutting properties and to other roads from individual properties.

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

Minor Subdivision – Any subdivision containing four (4) or fewer lots fronting on an existing street not involving any new or improved street, the extension of utilities, or the creation of any new public improvements, and not in conflict with any provisions of the adopted general plan, major road plan, zoning ordinance or these regulations.

National Flood Insurance Program – A program established by the U.S. Government in the National Insurance Act of 1968, and expanded in the Flood Disaster Protection Act of 1973, in order to provide 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.

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 (100)-Year Flood – A flood having an average frequency of occurrence of one percent (1%) in any year. It is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed.

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

Performance Bond - See definition for Bond.

Pavement – All components of the roadway section above the subgrade, including the mineral aggregate base, bituminous plant mix base course, if any, and the asphaltic concrete wearing surface.

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.

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

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

Secretary of the Planning Commission – This position is also the Chair of the Planning Commission unless otherwise designated by the Planning Commission.

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

Street – Street or "Road" shall mean, relate to, and include roads, streets, highways, avenues, boulevards, parkways, lanes, or other ways or any part thereof.

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 five (5) acres or less 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 13-4-301, Tennessee Code Annotated.)

Sub-grade – Sub-grade refers to the top section of the prepared roadbed upon which the roadway pavement is placed.

Zoning Ordinance – An ordinance, legally adopted pursuant to Title 13, Chapter 4, Tennessee Code Annotated, for the purpose of regulating by district, land development or use for a designated area.

APPENDIX B: FORMS FOR FINAL PLAT CERTIFICATIONS

Certificate of Ownership

I (We) hereby certify that I am (we are) the owner(s) of the property shown hereon as evidenced in Book ____, Page ____, R.O.D.C., Tennessee and adopt the plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot or lots as shown hereon shall again be subdivided, re-subdivided, altered, or changed so as to produce less area than hereby established until otherwise approved by the City of Oak Hill Planning Commission and under no condition shall such lot or lots be made to produce less area than prescribed by the restrictive covenants as on record in Book ____, Page ____, R.O.D.C., Tennessee, running with the title to the property.

Owner Name: _____

Title: _____ Date: _____

Surveyor's Certificate

We hereby certify to the best of our knowledge, information and belief and in our professional opinion that the hereon shown subdivision plat represents a true and correct survey having an unadjusted ratio of precision of 1:15,000 and is true and correct. Approved monuments have been placed as indicated. All side lot lines are at right angles or radial to a street unless otherwise noted.

By: _____ Date: _____

Tenn. Registered Surveyor No. _____

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the City of Oak Hill, Davidson County, Tennessee.

By: _____ Date: _____
Oak Hill Planning Commission

Certificate of Approval of Water and Sewer Systems

I hereby certify that:

- (1) The water and sewer systems designated in _____ Subdivision have been installed in accordance with the districts specifications, or
- (2) A performance bond in the amount of \$ _____ for the water system and \$ _____ for the sewer system has been posted with Metro Water Services, to assure completion of such systems.

By: _____ Date: _____
Title: _____
Metro Water Services

Certificate of Approval of Streets and Drainage

I hereby certify that:

- (1) The streets and drainage designated in _____ Subdivision have been installed in accordance with City specifications, or
- (2) A performance bond or Letter of Credit in the amount of \$ _____ for streets and drainage has been posted with the City of Oak Hill, Tennessee, to assure completion of such improvements.

By: _____ Date: _____
Title: _____
City of Oak Hill

Certification of Common Areas Dedication

_____ (Owner), in recording this plat, has designated certain areas of land shown hereon as common areas intended for use by the homeowners in (*Name of Subdivision*), for recreation and related activities. The above-described areas are not dedicated hereby for use by the general public but are dedicated to the common use and enjoyment of the homeowners in (*Name of Subdivision*) as more fully provided in Article _____, Declaration of Covenants and Restrictions, applicable to (*Name of Subdivision*), dated _____, and recorded with this plat. Said Article _____ is hereby incorporated and made part of this plat.

Owner Name: _____

Title: _____ Date: _____

APPENDIX C

PRELIMINARY PLAT CHECKLIST

The preliminary plat shall provide with the following information (at a minimum):

- _____1. Pre-Application meeting with the City Manager.
Pre-Application meeting date _____.
- _____2. All elements of the Preliminary Plat checklist. Applicant shall submit the completed Preliminary Plat checklist with the Preliminary Plat.
- _____3. Name, stamp and signature of the Registered Land Surveyor responsible for preparation of the plat.
- _____4. The proposed name of the subdivision and all existing and proposed street names. The name(s) and address(es) of the owner(s) and authorized agents(s).
- _____5. Preliminary plats shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet (1" = 100'); or as otherwise required by the City of Oak Hill.
- _____6. Date, title, name and location of subdivisions, graphic scale, and true north point.
- _____7. The location of existing and platted property lines, lots numbered in numerical order, existing legal rights-of-way, buildings, water courses, wetlands, railroads, sewer lines, bridges, any public utility easements or lines, the present zoning classification, on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
- _____8. A location map of the subdivision shall be shown on the preliminary plat indicating the area within a one thousand (1,000) feet radius of the proposed subdivision boundaries. Suggested scale: one (1) inch equals one thousand (1,000) feet (1" = 1000').
- _____9. A complete utility and drainage plan illustrating all existing and proposed utility improvements and layouts (streets, easements, reserved areas, lot drainage, culverts, driveway tiles, detention or retention pond, sewer lines and manholes, water lines and hydrants, street lights, gas, cable television, telephone and electricity) showing feasible connections for each lot and to the existing or proposed utility systems.
- _____10. The proposed street names, and the locations and dimensions of existing and proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, building setback lines and utilities.
- _____11. Topographical contours at vertical intervals of not more than five (5) feet extending at least 50 feet beyond outside property lines and identification of any proposed lots with grades of fifteen percent (15%) or more. Provide at least one benchmark on the

plan.

- _____12. Preliminary exhibits setting out the grades or profiles of the streets, the proposed type and character of all improvements, and the applicant's proposal to the City for accomplishing the installation of required improvements.
- _____13. Subsurface conditions on the tract, if required by the Planning Commission: location and results of tests made to ascertain subsurface soil, including but not limited to sliding soil conditions on hillsides, rock, and ground water conditions; depth to ground water unless test pits are dry at a depth of five (5) feet; as well as location and results of soil percolation tests, if individual sewage disposal systems are proposed.
- _____14. If any portion of the land proposed for subdivision lies within a floodable area (i.e., floodplain or floodway) as determined by an official Flood Study Map, that portion shall be so indicated with its elevation annotated on the plan. If not within a floodable area, the following note certifying such must be added to the plan:

The property described on this plan does not lie within an area of Special Flood Hazard as delineated on the current Flood Insurance Rate Map, prepared by the Federal Emergency Management Agency, (FEMA) Community Panel Number: _____ revised: _____.
- _____15. Show all existing vegetation including all trees affected by construction and their sizes and type. Show any proposed screening as required by the zoning ordinance. Also, entry features should be detailed with their proposed landscape elements.
- _____16. Show or reference the State and Local Fire Marshall's sign-off for this subdivision with respect to street layout and hydrant location. (See Section 5.1.1; Item 7)
- _____17. List and request review of any known or anticipated design modifications that will be needed.
- _____18. Proof of water and sewer availability from the providing utility.
- _____19. General Notes should be included on the final plat. These should at a minimum include the following information:
 - a. number of lots and purpose for resubdivision;
 - b. property identification (map and parcel numbers);
 - c. total acreage of the original tract and tracts of land to be subdivided;
 - d. flood hazard note;
 - e. if applicable to any lot on the plat, at note stating that "no building permit shall be issued for construction on any area of 15% or greater slopes until a Site Plan meeting the requirements of the City of Oak Hill's steep slope ordinance (Oak Hill Municipal Code Section 14-238) has been approved by the Planning Commission."

APPENDIX D

FINAL PLAT CHECKLIST

The final plat shall include the following:

- _____ 1. The final plat shall not be submitted nor reviewed prior to the signed approval of the construction plans and drainage calculations, where required.
- _____ 2. All elements of the Preliminary and Final Plat checklists. Applicant shall submit the completed preliminary and final plat checklists along with the Final Plat.
- _____ 3. The name, stamp and signature of the Registered Land Surveyor responsible for preparation of the plat.
- _____ 4. The plat shall be drawn at a scale of not less than one (1) inch equals one hundred (100) feet (1"=100') on sheets sizes approved by the register's office. When more than one (1) sheet is required, an index sheet of the same size shall also be filed showing the entire subdivision with the sheets numbered in order as a key and reference appropriate project information.
- _____ 5. Street address for every proposed lot.
- _____ 6. 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.
- _____ 7. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
- _____ 8. The location and description of pins, monuments, benchmark locations and elevations.
- _____ 9. Private restrictions such as restrictive covenants and homeowners' documents should be referenced on the plat only.
- _____ 10. Show location of public streets and identification of street names within the subdivision. Proof of street name approval shall be submitted with the final plat application.
- _____ 11. All required certificates as shown in Appendix B.
- _____ 12. Final landscape requirements as necessary to satisfy the City of Oak Hill.
- _____ 13. All outside boundary corners, breaks and key internal points (to be determined by the

City of Oak Hill) are marked with concrete monuments. All other property corners and break points are marked with iron pins.

- _____ 14. NPDES StormWater Construction Permit, stream and wetlands determination letter and TDOT Construction permit on file, if required.

- _____ 15. Certification shall be provided to the City that all required physical improvements have been made and the City's written concurrence of the certification or bond posted in the required amount of the remaining improvements.