

WHITE BLUFF

SUBDIVISION REGULATIONS

LAST AMENDED: NOVEMBER 11, 2024



ADOPTED: OCTOBER 15, 1990
EFFECTIVE: OCTOBER 16, 1990

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TABLE OF AMENDMENTS
TOWN OF WHITE BLUFF
MUNICIPAL SUBDIVISION REGULATIONS

Date	Resolution Number	Description
September 23, 1993		Monuments: Amended Art. IV (A)(1)(a): <i>Development Prerequisite to Final Approval, Required Improvements, Monuments,</i> Amended Subsection a.
April 20, 1998		Right-of-Way Widths: Repeal & replace Art. III (A)(4), General Requirements and Minimum Standards of Design, <i>Street Right-of-Way Widths.</i>
		Access to Lots by Public Way & Private Easements: Amended Art. III, General Requirements and Minimum Standards of Design (A) by adding Subsection 17, <i>Access to Lots by Public Way and Private Easement.</i>
September 21, 1998		Fees: Amended Art. II, A., <i>General, Subsection 2,</i> Added: <i>Subdivision Plat Fees</i>
June 21, 1999		Fire Hydrants: Amended Art. IV, Subsection 7., <i>Water, a.,</i> Amended Last Sentence in the Paragraph, fire hydrants will be no more than seven hundred (700) feet apart. Added: <i>by street, after apart.</i>
September 20, 1999		Pavement Base: Amended Art. IV, Subsection A., <i>Required Improvements, Subpart 4, Pavement Base and Wearing Surface,</i> by repealing & replacing the section.
March 20, 2000		Letter of Credit: Appendix, Amended by Deleting: <i>Irrevocable Documentary Letter of Credit;</i> Replacing with <i>New Irrevocable Standby Letter of Credit Number.</i>
May 15, 2000		Specification Drawings: Article IV, A, <i>Required Improvements,</i> Amended by Deleting and Replacing Subsections 3, <i>Minimum Pavement Widths;</i> 4, <i>Pavement Base and Wearing Surface;</i> and 5, <i>Curbs and Gutters,</i> Deleted Drawings 1 and 2; Replaced with Drawings A, B, C, and D.
September 8, 2003		General Procedures: Article II, Section A <i>General Procedures</i> Amended by Adding Subsection 4.
September 11, 2007		Sidewalks: Article IV, A, <i>Required Improvements,</i> section 5 Amended, and Section 12. Sidewalks added

April 11, 2017	#2017-01	State Planning Commission: Article I, Section C General Provisions Amended by Removing Reference to State Planning Commission
		ROW Width: Article III, Section A General Requirements and Minimum Standards of Design b by clarifying ROW width for Major vs. Minor Arterial Streets.
		Create New Articles VI & VII: Article VI, Adoption, and Effective Date are to be moved to a new Article VII, and a new Article VI is to provide Definitions for terms.
August 10, 2021	#2021-01	Required Improvements: Article IV, Section A, #2, additional language for required improvements; addition of #13, Protecting and Repairing Existing Streets; Section E, the addition of #3; and Addition of Section I, Site Development Plan Requirement
		Bonds: Appendix, addition of new form for Performance and Maintenance Bond Agreement
April 12, 2022	#2022-01	Width to Depth Ratio: Amends Art. III, Section C, General Requirements & Min. Standards of Design by adding a minimum 1:4 width-to-depth ratio.
August 9, 2022	#2022-02	Parking & Access Surface Design Requirements: Amends Article III, General Requirements and Minimum Standards of Design, by adding "Parking & Access Surface Design Requirement"
		Driveways: Article VI, Definitions, by adding the definition of "driveway."
October 11, 2022	#2022-03	Fire Hydrants: Amends Art. IV, Section 11 (Water), requires fire hydrants to be installed a minimum of 500' apart.
June 13, 2023	#2023-01	Procedures for Plat Approval: Amends Article II, Procedures for Plat Approval; deleting references and procedures relating to sketch plats; deletes fees from subdivision regulations; amends Appendices related to same.
		Fire Hydrants: Article IV – Place fire hydrants no more than 500 feet apart.
September 12, 2023	#2023-02	Variances: Repeal & replace Art. III, Section G in its entirety.
September 12, 2023	#2023-03	Traffic Impact Study: Amends Art. III, Section A, point 6, by adopting Traffic Impact Study guidelines by reference.

September 12, 2023	#2023-04	<p>TDOT Driveway Permit Required: Amend Art III, Access to Lots by Public Way or Private Easement, requiring applicants to show documentation from TDOT approving driveway access permits for development fronting state highways.</p> <p>Final Plat Checklist: This amendment requires documentation of the same as part of the final plat checklist.</p>
June 11, 2024	#2024-01	<p>Blocks & Thoroughfare Management: Renames & Amends Art. III, Block Length, and (3) Thoroughfare Management.</p>
August 13, 2024	#2024-2	<p>Utility System Final Plat Certificate: Amended by removing the words "Septic Tanks" from the certificate.</p>
November 11, 2024	#2024-3	<p>Street Names: Amended Article III by providing regulations for naming streets in White Bluff.</p>

ARTICLE I GENERAL PROVISIONS

- A. Purpose.** Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots, and blocks, and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects.

It is, therefore, to the interest of the public, the developer, and the future owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards. The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the regional area; to secure a coordinated layout and adequate provision for traffic, and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

- B. Authority.** These subdivision regulations are adopted under the authority granted by Section 13-4-301 through 13-4-309, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations, having filed a certified copy of the official Thoroughfare Plan in the Office of the Registrar of Dickson County, Tennessee.

- C. Jurisdiction.** These subdivision regulations shall govern all subdivision of land within White Bluff, Tennessee. Within these regulations, the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or 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 resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

Any owner of land within the city limits of White Bluff, Tennessee, desiring to subdivide land shall submit to the planning commission plats of the subdivision according to the procedures outlined in Article II, which plats shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV, of these regulations.

- D. Interpretation.** In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

- E. Conflict with Public and Private Provisions**

1. Public Provisions. These regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute, or other provisions of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule or regulation or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.
2. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provision of these regulations is more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations which are more restrictive or of higher standards than the requirements of these regulations or of the determinations of the planning commission or the local government in approving a subdivision or in enforcing these regulations and such private provisions are not inconsistent with these regulations or determinations made thereunder then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

F. Severability. Should any article, section, or provision of these regulations be for any reason held to be void or invalid, it shall not affect the validity of any other article, section, or provision hereof, which is not itself void or invalid.

G. Amendments. Any regulations or provisions of this resolution may be changed or amended from time to time by the planning commission by resolution passed after a public hearing, due notice of which has been given as required by law.

ARTICLE II PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three (3) separate steps. The initial step is the early informal consultation with the planning commission technical staff for advice and assistance. The second step is the preparation and submission to the planning commission of a Preliminary Plat of the proposed subdivision. The third step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the County Registrar when duly signed by the secretary of the planning commission.

A. General Procedure (Resolution #2023-01)

Plats submitted by applicants to the Town of White Bluff shall adhere to the deadlines as established on the Planning Commission Submittal & Review Calendar. The Town of White Bluff staff reserves the right, in certain circumstances, to grant limited flexibility on submittals for reasons considered appropriate by Town Staff.

The Planning Commission shall hear plats brought before them within sixty days, beginning from the day a complete application is submitted to Town of White Bluff staff. Failure of the planning commission to act on either a final or preliminary plat within sixty (60) days results in default approval by the Town of White Bluff.

Approval of a preliminary plat does not constitute acceptance of the final plat. The approval of a preliminary plat is valid for 3 years from the date of approval. Applicants must resubmit plats for reapproval after a 3-year period.

A completed application includes remittal of proper review fees, the correct number of hard & electronic copies, as well as any other information required by White Bluff staff. The planning commission may vote on plats by voting to approve, deny, or approve with conditions.

If a plat is disapproved (denied), a new plat may be presented.

If a plat is approved, the secretary of the planning commission may sign the plat after all additional signatures have been obtained.

If the Planning Commission approves the plat with conditions, the applicant may return the final or preliminary plat, with corrections, for review by staff. Once the staff has determined the required conditions of approval have been met, the proper government representative may sign the plat.

If the plat is final, it may be recorded after signatures. If the plat is preliminary, the applicant may begin the construction/final plat process of approval.

A subdivider may omit the submission of a preliminary plat, submitting only a final plat, if all the following conditions are met.

1. The proposed subdivision does not contain more than five (5) lots, tracts, or divisions.
2. All public improvements as in Article IV are already installed.
3. The proposed subdivision action complies with all provisions of the Subdivision Regulations and the White Bluff Zoning Ordinance; and
4. That no variance to these regulations or other town ordinances or policies have been requested.

The staff or Secretary of the Planning Commission reserves the right to require any subdivision to be reviewed by the full Planning Commission at their next regularly scheduled meeting.

B. Preliminary Plat

A licensed land surveyor of the State of Tennessee shall prepare the preliminary plat, at a scale of no smaller than one (1) inch equals one hundred (100) feet. The plat shall be prepared in a manner which can be permanently reproduced. If multiple pages are needed, a cover sheet shall be required showing match lines and numbered in sequence. The Preliminary Plat shall show the following:

1. The name, record information (Deed and Tax map and Parcel ID), address and current zoning classification of the subject property.
2. The name, record information, address, and current zoning classification of all adjoining property owners, or the name with the associated lot numbers and current zoning classification of any adjoining development.
3. The location and dimensions of all boundary lines, including proposed lots, are in compliance with the Minimum Standards of Practice for Land Surveyors as set forth by the Board of Licensure.
4. The monumentation of the existing boundary and the proposed lots and rights-of-way.
5. The location of existing streets, easements, water bodies, streams, and other pertinent features such as wetlands, railroads, buildings, cemeteries, drainage ditches and structures, sinkholes, and other topographic features deemed necessary by the planning commission and its staff.
6. Easements for perpetual access to any cemetery located on the subject property shall be
7. shown along with bearings and distances of its course.
8. The location and width of all street rights-of-way, existing and proposed.
9. The location of minimum building setbacks and easements on the interior of all lots.
10. The location of any offsite easements as may be required to serve the development.
11. The location of existing and proposed utilities and any easements associated with such facilities and fire hydrants per Town of White Bluff Regulations.

12. The location of sections or phases, if applicable.
13. The approximate limits of the flood boundaries shall be shaded for clarity, if applicable. A note citing the current FIRM Panel No. and effective date, with a statement as to whether the subject property is affected by a Flood Boundary.
14. Any notes directed by planning staff, or the planning commission shall be shown.
15. The name, address, and contact information of the current owner. If the developer of the property is different than the property owner, the name address and contact information for the developer shall be shown, as well.
16. The name, address, and contact information shall be shown of the Licensed Surveyor that
17. is responsible for the preparation of the plat. The surveyor shall sign and seal the documents and shall place the proper certificate of accuracy as directed by The Minimum Standards of Practice dictates.
18. The date of the plat along with all revision dates shall be shown.
19. Magnetic, Deed, Plat or True North shall be shown, along with a graphic scale and written scale.
20. The plat shall be titled 'Preliminary Plat of' followed by the name of the subdivision with
21. section or phase numbers, if applicable.
22. All new street names shall be shown, with previous approval of the names obtained from E-911 by the owner/developer and/or the land surveyor.
23. The current zoning classification shall be shown.
24. A vicinity map shall be shown at a scale sufficient to readily determine the location of the proposed development with the surrounding area, generally within a half (1/2) mile radius of the project.
25. Contours at a vertical interval no greater than two (2) feet shall be shown. Such contours
26. can be derived from a field run survey or other electronic means, such as TOOT LiDAR, USCGS quadrangle maps, etc., along with a note as to the source utilized. For any lot not served by public sanitary sewer, the areas to be utilized for the subsurface sewage disposal system (SSDS) shall be shown on each individual lot, along with any notes associated with such systems as directed by the Tennessee Department of Environment and Conservation.
27. A legend of all abbreviations, symbols, and line types.
28. Area of the total development either in acres or square footage, the area of the proposed right-of-way in acres or square footage, the acreage or square footage of any area to be set aside as a park or open space and the acreage and square footage of each lot.
29. If applicable any area to be set aside as a park or other recreation area and/or open space shall be delineated by note and shaded.
30. All proposed lots and rights-of-way layouts shall follow the Standard Design specifications as in the White Bluff Subdivision Regulations.
31. The civil district, county name and state.
32. A form of endorsement of the planning commission approval of the preliminary plat. Final plat certificates **shall not** be present on a preliminary plat. The preliminary plat endorsement note shall read:

Approved by the White Bluff Planning Commission, with such exceptions or conditions as noted in the minutes of the Commission on (date).

PC Commission Secretary

C. Final Plat

A licensed land surveyor of the State of Tennessee shall prepare the final plat, at a scale of no smaller than one (1) inch equals one hundred (100) feet. The plat shall be prepared in a manner which can be permanently reproduced. If multiple pages are required, a cover sheet shall be required showing match lines and numbered in sequence. The Final Plat shall show the following:

1. The name, record information (Deed and Tax map and Parcel ID), address and current zoning classification of the subject property.
2. The name, record information, address and current zoning classification of all adjoining property owners, or the name with the associated lot numbers and current zoning classification of any adjoining development.
3. The location and dimensions of all boundary lines, including proposed lots, in compliance with the Minimum Standards of Practice for Land Surveyors as set forth by the Board of Licensure.
4. The monumentation of the existing boundary and the proposed lots and rights-of-way.
5. The location of existing streets, easements, water bodies, streams, and other pertinent features such as wetlands, railroads, buildings, cemeteries, drainage ditches and structures, sinkholes, and other significant topographic features.
6. Easements for perpetual access to any cemetery located on the subject property shall be shown along with bearings and distances of its course.
7. The location and width of all street rights-of-way, existing and proposed.
8. The location of minimum building setbacks and easements on the interior of all lots.
9. The location of any offsite easements as may be required to serve the development.
10. The location of existing and proposed utilities and any easements associated with such facilities and fire hydrants per Town of White Bluff Regulations.
11. The location of sections or phases, if applicable.
12. The approximate limits of the flood boundaries shall be shaded for clarity, if applicable. A note citing the current FIRM Panel No. and effective date, with a statement as to whether the subject property is affected by a Flood Boundary.
13. Any notes directed by planning staff or the planning commission shall be shown.
14. The current owner's name, address, and contact information. If the developer of the property is different than the property owner, the name address and contact information for the developer shall be shown, as well.

15. The name, address, and contact information shall be shown of the Licensed Surveyor that is responsible for the preparation of the plat. The surveyor shall sign and seal the documents and shall place the proper certificate of accuracy as directed by The Minimum Standards of Practice dictates.
16. The date of the plat along with all revision dates shall be shown.
17. Magnetic, Deed, Plat or True North shall be shown, along with a graphic scale and written scale.
18. The plat shall be titled 'Final Plat of' followed by the name of the subdivision with section
19. or phase numbers, if applicable.
20. All new street names shall be shown, with previous approval of the names obtained from E-911 by the owner/developer and/or the land surveyor.
21. The current zoning classification shall be shown.
22. A vicinity map shall be shown at a scale sufficient to readily determine the location of the proposed development with the surrounding area, generally within a half (1/2) mile radius of the project.
23. For any lot not served by public sanitary sewer, the areas to be utilized for the subsurface
24. sewage disposal system (SSDS) shall be shown on each individual lot, along with any notes associated with such systems as directed by the Tennessee Department of Environment and Conservation.
25. A legend of all abbreviations, symbols, and line types.
26. Area of the total development either in acres or square footage, the area of the proposed right-of-way in acres or square footage, the acreage or square footage of any area to be set aside as a park or open space and the acreage and square footage of each lot.
27. If applicable any area to be set aside as a park or other recreation area and/or open space shall be delineated by note and shaded.
28. All proposed lots and rights-of-way layouts shall follow the Standard Design specifications as in the White Bluff Subdivision Regulations.
29. The civil district, county name, and state.
30. Final plat certificates shall be present on the final plat. The wording of final plat certificates is in the Appendix of these Subdivision Regulations.

**ARTICLE III
GENERAL REQUIREMENTS AND
MINIMUM STANDARDS OF DESIGN**

A. Streets

1. Conformity to the Official Thoroughfare Plan. The location and width of all streets and roads shall conform to the latest Official Thoroughfare Plan.
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 as set forth in this Article or the width of the existing street, whichever is greater.
3. Street Elevation. The planning commission may require, where necessary, profiles and elevations of streets for areas subject to flood. In areas subject to flood, fill may be used for streets, provided such fill does not unduly increase flood heights. Drainage openings shall be designed so as not to restrict the flow of water and unduly increase flood heights.
4. Street Right-of-Way Widths. The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Official Thoroughfare Plan, or if not shown on such plan, shall be not less than as follows, unless, otherwise, noted by the planning commission:

*** Denotes: Or as may be required by the Planning Commission.**

- a. **Arterial Streets:** *Arterial streets are used primarily for fast or heavy traffic.*

Major Arterial	*100 feet
Minor Arterial	*80 feet

- b. **Collector Streets: *60 feet**
Collector streets carry local traffic to the arterials.

- c. **Minor Streets 50 feet**
Minor streets are used primarily for access to abutting properties and are designed to discourage traffic.

- d. **Dead-End Streets (cul-de-sac) 50 feet**
Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements.

5. **Additional Right-of-Way on Existing Streets.** Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.
- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
 - b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.
 - c. An adequate right-of-way shall be dedicated along each side of any important surface drainage course for purposes of constructing, widening, deepening, relocating, improving, or maintaining such drainage course. The location of any surface drainage course shall not be changed without the approval of the city engineer and/or county road supervisor.
 - d. Subdivisions along existing streets of inadequate right-of-way shall dedicate additional right-of-way to meet the minimum street width specified in these regulations.
 - e. Subdivisions with unusual topographic conditions shall provide slope easements along streets right-of-ways where necessary for the sloping of banks or fill.
6. **Restriction of Access.** When tract fronts on an arterial street or highway, the planning commission may require such lots to be provided with frontage on a marginal access street.

Traffic Impact Study (Resolution #2023-03): A traffic impact study, prepared by a Registered Traffic Engineer shall be submitted for review for:

- a. Any development in excess of 50,000 square feet of floor space;
- b. Any development project reasonably foreseeable to add 150 or more new traffic trips per day to the existing roads providing access to and out of the proposed development.
- c. Any Planned Unit Development.
- d. Major Subdivisions (as defined in the Subdivision Regulations), including but not limited to concept plan or preliminary plat; or
- e. Any development so determined by the Planning Commission or the Planning Director to require a traffic impact study.

Refer to Appendices of these Subdivision Regulations.

7. **Street Grades.** Grades on major streets and roads shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) but not more than ten (10) percent. Grades shall not exceed five (5) percent at intersections.

8. **Horizontal Curves.** When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to ensure a sight distance of not less than two hundred (200) feet for minor and collector streets, and of such greater radii as the planning commission shall determine for special cases. On streets sixty (60) feet or more in width, the center line radius of curvature shall be not less than three hundred (300) feet; on other streets, not less than one hundred (100) feet.
9. **Vertical Curves.** Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface, to an object four (4) inches high on the pavement. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical may be required by the planning commission.
10. **Intersections.** Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than sixty (60) degrees. Property line radii at street intersections shall not be less than twenty (20) feet, and where the angle of street intersection is less than seventy-five (75) degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise setback sufficiently to permit such construction.
11. **Tangents.** A tangent of at least one hundred (100) feet in length shall be introduced between reverse curbs on arterial and collector streets.
12. **Street Jogs.** Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.
13. **Dead-End Streets**
 - a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than six hundred (600) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around with an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet, or the planning commission may approve an alternate design.
 - b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a roadway diameter of at least eighty (80) feet.

14. **Private Streets and Reserve Strips.** There shall be no private street platted in any subdivision. Every lot in subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.
15. **Street Names (Amended by Resolution #2024-03, November 11, 2024).** Proposed streets that are obviously in alignment with others that already exist and are named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, or court. The planning commission can assist the subdivider in avoiding duplication. Further, the following guidelines must be adhered to:
 - A. The right-of-way name should not exceed the USPS-recommended maximum length of 15 characters, including spaces.
 - B. The right-of-way shall have only one correct official name.
 - C. The right of way should be appropriate with a preferred one-word primary street name and may promote tradition, history, geography, and character.
 - D. Frivolous or complicated words or unconventional spellings should not be used.
 - E. Special characters are not permitted.
 - F. Roman numerals are not permitted.
 - G. There shall be no duplication of road names within the Town—for example, Kathy Dr. and Kathy St.
 - H. Offensive, libelous, or derogatory right-of-way names in spelling or pronunciation are prohibited.

The Planning Commission may reject a right-of-way name and require a compliant name at the time of consideration of the preliminary or final plat.

16. **Alleys.** Alleys shall be provided to the rear of all lots used for business purposes. They shall not be provided in residential blocks, except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.
17. **Parking and Access Surface Design Requirements (Resolution#2022-02)**
 - A. Permanent parking areas, road access points, and driveways, whether private or public, shall be surfaced with asphalt or concrete (including porous concrete), other hard- surfaced dustless material, or with previous surfacing such as permeable pavers. Gravel or other loose surfacing is not permitted.
 - B. Driveways shall be graded in such a manner as to avoid any collection of soil, gravel, or water within any public right-of-way, as defined in Article VI of the White Bluff Municipal Subdivision Regulations.
 - C. Permanent parking areas and road access points (driveways), whether private or public, shall be constructed to provide for adequate drainage

as determined by the Town's engineer. Adequate drainage shall include the prevention of water flowing onto public rights-of-way.

- D. Driveways must be constructed in a manner such that the drive has a maximum slope of ten percent (10%) for the first twenty (20) feet. All driveways shall be a minimum of twenty (20) feet in length, exclusive of sidewalks.
- E. Driveways must extend, at a minimum, from the public right-of-way to the applicable lot's front setback.
- F. None of the provisions above are eligible for variance.

18. **Access to Lots by Public Way or Private Easement.** Pursuant to Section 13-4-308, Tennessee Code, no building permit shall be issued, and no building or structure shall be erected on any lot within the jurisdictional area unless the public way giving access to the lot upon which the building or structure is proposed to be placed shall have been accepted or opened or shall have otherwise received the legal status of a public way as provided by law, or unless such lot fronts upon a permanent easement which conforms to the provisions set forth in these regulations. Provided, further, that when a permanent easement to a public way is used for access to a lot or tract of land having been or being separated by deed or plat from other property, said easement shall meet the following minimum requirements and any special conditions attached by the Planning Commission:

- a. A permanent easement used for access to a lot or tract of land shall be at least fifty (50) feet in width for the entire distance from the public way to the lot or tract being served. The Planning Commission may require greater widths if necessary to meet special conditions present on a plat.
- b. A permanent easement providing legal access to more than one lot shall be improved to meet the road construction standards established in the general requirements and minimum standards and development prerequisites to final approval sections of these regulations. This requirement does not apply when a permanent easement provides access to one or more tracts of land that contain twenty-five (25) acres or more per tract for the purpose of agriculture use. Any owner/developer subdividing a tract or tracts of land into parcels smaller than twenty-five (25) acres each that are located on a permanent easement shall improve that easement to meet the road construction standards of these regulations.
- c. Permanent easement improvements shall be maintained by the owner/developer by a legally established home owners association or other similar group approved by the Planning Commission. The legal documents establishing the easement and ensuring maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.

- d. If, at any future date, a permanent easement is submitted for acceptance as a public street or road, it shall be submitted to the Planning Commission for approval. In considering the easement for approval as a public street or road, the Planning Commission shall require the improvements to the easement to meet the minimum street construction standards in effect at the time the request for public acceptance is made. The above section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership of such private improvements which have been approved by the Planning Commission and will be in private ownership and control in perpetuity.
- e. The Developer/Owner shall apply for any applicable permit(s) and comply with TDOT requirements for driveway connections for all lots fronting a state highway. Developer/Owner shall provide White Bluff with documentation showing TDOT's approval of the lot driveway permits for all lots fronting a state highway within the subdivision, as required before the issuance of any building permit for any subdivided lot fronting a state highway. The language found on Form 5 in the Appendix of these Subdivision Regulations shall be present on all Final Plats submitted for approval by the Town of White Bluff. **(Resolution #2023-04)**

B. Blocks & Thoroughfare Management (*Renamed & Amended by Resolution #2024-01*)

1. **Length.** Blocks shall be a maximum of eight hundred (800) feet in length and shall require sidewalks on both sides of the street. At the Planning Commission's discretion, developers may be required to install public crosswalks at least ten (10) feet wide, extending entirely across the block, if the block intersects with a major connector or arterial at any point.
2. **Width.** Blocks shall be wide enough to allow two (2) rows of lots, except where reverse fronting on major thoroughfares is provided or where prevented by topographical conditions or the size of the property, in which case the planning commission will approve a single row of lots of minimum depth.
3. **Thoroughfare Management:** The layout and design of thoroughfares within a subdivision shall:
 - a. Laid out to distribute traffic throughout the vicinity of the subdivision and connect it to the Town's thoroughfare network.
 - b. Be laid out and designed to discourage excessive speeds.
 - c. Continue existing thoroughfares where they terminate at the bounds at the proposed subdivision.
 - d. Provide stub thoroughfares to the edge of the subdivision where conditions permit the later extension of thoroughfares into adjacent parcels.

- e. Conform to any plan for the vicinity of the subdivision that has been approved by the Town.
- f. Along a railroad right of way or limited access highway right of way, or where a ford crosses a river or stream, the design shall provide a parallel thoroughfare at a distance suitable for the development of the intervening gland according to its zoning district. The design shall also provide sufficient space for the safe operation of signals and the queuing of traffic.
- g. When a traffic signal is required, the signal shall be designed for safe and efficient traffic operation. Signal design shall comply with the standards incorporated within the MUTCD. All signals shall include the use of mast arms, illuminated street name signs and shall contain the latest technology for traffic control.
- h. Ensure that both ends of every thoroughfare segment terminate at an intersection and that the thoroughfares form a network bounding blocks and extending in all available directions. The town Planner may grant deviations to this requirement where the terrain or the width of the parcel to be subdivided is such that it is not practical to serve an area except by a cul-de-sac. No cul-de-sac shall exceed 600' to the center of its bulb.

C. **Lots**

1. **Adequate Building Sites.** Each lot shall contain a building site not subject to flood as defined in Subsection E of this article and outside the limits of any existing easement or building setback lines required in Subsection 4 of this section.
2. **Arrangement.** Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must be on a public street or road.
3. **Minimum Size.** The size, shape, and orientation of lots shall be what the planning commission deems appropriate for the type of development and use contemplated. Where a public sanitary sewer and/or a public water supply system are reasonably accessible, the subdivider shall connect with such system or systems and provide connections to each lot. Where such systems are not available, as determined in accordance with Subsections A(6) and A(7), of Article IV, an alternate method of sewage disposal, or water supply may be used, if it meets all applicable public health regulations. Lots within the city limits of White Bluff, Tennessee, shall comply with the minimum standards as established in the Zoning Ordinance of White Bluff, Tennessee.
4. **Building Setback Lines**

- A. The depth of building setback lines for front, side and rear yards shall comply with the minimum standards as established in the Zoning Ordinance of White Bluff, Tennessee, dated, June 5, 1990.
- B. In the case of electric transmission lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission line as follows:

<u>Voltage of Line</u>	<u>Minimum Building Setback</u>
46 KV	37 ½ feet
69 KV	50 feet
161 KV and over	75 feet

- 5. **Width to Depth Ratio.** No lot when subdivided shall have a greater width to depth ratio than one to four (1:4); therefore, when any lot is subdivided from an existing lot or tract, no side lot line shall be greater than four (4) times the length of the front lot line. Lots that front along the radius of a cul-de-sac and lots that are greater than five (5) acres in area are exempt from this requirement (**Resolution #2022-01**).

D. Public Use and Service Areas. Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as for use as public service areas.

- 1. **Public Open Spaces.** Where a school, neighborhood park, or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area or water frontage of the plot, for park, school, or recreation purposes.
- 2. **Easements for Utilities.** Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and five (5) feet in width on each side of all side lot lines for drainage, poles, wires, conduits, storm and sanitary sewers, gas, water, or other utilities. Easements of greater width may be required along rear lot lines or across lots where necessary for the extension of major utility lines or where more than one utility occupies the same easement. A five (5) foot easement shall be provided on one side of an alley to accommodate pole lines.
- 3. **Community Assets.** In all subdivisions due regard shall be shown for all natural features such as large trees and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property.

E. Suitability of the Land. Land subject to flooding, as determined by an official TVA or Corps of Engineers Flood Study Map, and land deemed to be

topographically unsuitable due to slope, soil type, sink holes, etc., shall not be platted for residential occupancy, or for any other uses that may increase flood hazards, endanger health, safety, life, or property; or aggravate erosion. Such land within the plat shall be set aside for such uses such as recreational areas, open space areas, etc., as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. Fill shall not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

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

G. Variances (Repealed & Replaced by Resolution #2023-02).

1. Whenever a parcel of land to be subdivided is of such unusual size or shape or is surrounded by such development of unusual conditions that the strict application of the requirements contained in these Regulations would result in substantial hardship or inequity, the White Bluff Planning Commission may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or improvements, so that the applicant may reasonably develop the property, keeping in mind the public welfare and interests of the Town are protected, and the general intent and spirit of these regulations are preserved. Such modifications may be granted by the Planning Commission upon written request by the applicant, stating the reason(s) for each modification.
2. An appeal of any action or decision rendered by the Planning Commission under these regulations shall be to any Court of competent jurisdiction as a writ of certiorari.
3. Any variance thus granted by the Planning Commission shall be stated in writing in the minutes of the Planning Commission, with the reasoning on which the departure is justified as set forth.
4. Financial considerations shall not be a basis for granting a variance, nor shall any man-made or easily foreseeable issue be eligible for, or the basis for, granting any variances.

H. Other Regulations. Whenever there is a discrepancy between the minimum regulations noted herein and those contained in other official regulations, the highest standard shall apply.

**ARTICLE IV
DEVELOPMENT PREREQUISITE
TO FINAL APPROVAL**

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community of a potential tax liability. The following tangible improvements, or provision for their estimated cost, are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally.

A. Required Improvements. Every subdivision developer shall be required to grade and improve streets and alleys, and to install monuments, sewers, storm water inlets, and water mains in accordance with specifications established by the White Bluff Planning Commission.

Before the final subdivision plat is signed by the Secretary of the Planning Commission as specified in Article II 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 way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) 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 point and points of curve in each street, except where there are no more than two lots comprising the subdivision of land. In such cases, iron pins or pipes as defined in Article IV, A, 1, b, below, shall be used to mark all the pre-cited points as described herein in Article IV, A, 1, a.
- b. All other lot corners shall be marked with iron pipe not less than three-fourths inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

2. Grading and Soil Preservation, Lot Drainage, Erosion Control, and Seeding.

The full width of the right-of-way shall be graded including the subgrade of the areas to be paved. All grading in the subdivision shall be related to the topography of the surrounding area. All street improvements shall be raised at least two (2) feet above the 100-year floodplain as established by the U.S. Army Corps of Engineers or local officials.

- a. *Grading and Soil Preservation.* Except as required for the building site, topsoil shall not be removed from residential lots or used as spoil but shall be redistributed so as to provide cover on the lots. Upon lots served by individual sewage disposal systems, grading shall be performed in strict accordance with requirements of the local office of the State Department of Environment and Conservation.
- b. *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 so designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

The Planning Commission reserves the right to require the developer's engineer to set minimum elevations on all floors, patios, and building equipment. This prerogative to establish elevation exists in addition to any ordinances that refer to floodplain elevation requirements. The content of the preceding paragraph is to give the Planning Commission summary review powers over any calculated or historical evidence of storm water presence in overland or channel conditions.

The subdivision developer will ensure that all artesian ground waters of a permanent or temporary nature encountered within the right-of-way will be intercepted and carried away to primary drainage conduits along swaled ditches or in underground pipes on property line easements. Regardless of the location of property lines, intercept will be allowed at the point of artesian surfacing. The intent of this paragraph is to perform this work upon evidence of artesian water for a period of one (1) year following acceptance of all roads and utilities.

Any sinkhole or natural channel which serves or has served as a means of moving or storing ground water shall be protected as may be required by the Town's engineering consultant.

- c. *Erosion and Sediment Control.* There shall be a minimization of changes in the rate of natural erosion and sedimentation that result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with Section 5-103, of 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. structural and vegetative measures to control the velocity and volume of runoff shall be required.
 6. sediment basins and traps shall be required as necessary.
 7. adequate maintenance of all planting and structures measures shall be assured.
- d. *Seeding.* Any seeding and sodding needs within an area of public infrastructure or private property shall likewise be included as replaceable/repairable items during the construction phase.

3. Minimum Pavement Widths

Minimum Pavement Widths	Required Ditch Section	Curb & Gutter (Optional)
Minor Residential Street	20 ft., plus two 4' shoulders	24 feet
Collector Residential Street	24 ft., plus two 6' shoulders	28 feet
Collector Commercial – Industrial St.	24 ft., plus two 10' shoulders	30 feet
Alley	18 ft.	N/A
Cul-de-Sac with Turnarounds with a Permanent Type Edge	80 ft.	80 feet

For definitions and functions of the various types of streets listed above, refer to Article III, Section A, Subsection 4. Streets in industrial, commercial or office subdivisions may be required to have greater widths as directed by the planning commission.

4. Pavement Base and Wearing Surface

- a. *Base Stone.* The base stone shall be graded and rolled while it is still moist from the pugmill mix. If the enforcing officer determines that the mix is too dry, water shall be added with a distributor tank truck while the stone is being graded and rolled. The compacted thickness shall be no less than six (6) inches. Compaction shall be uniform for the entire width of the roadway until a density of ninety-eight (98) percent of the solid volume has been achieved. The enforcing officer shall approve placement and compaction of each layer before materials for the next successive layer are placed. No pavement shall be placed until the enforcing officer has approved the stone base.
- b. *Binder Course.* A binder course of asphalt shall be applied upon completion of the prime coat. The binder mix shall be asphalt concrete "B" modified of a minimum of two (2) inch thickness. The binder course shall be considered as described in Section 903.11, Standard Specifications – Standard Specifications for Road and Bridge Construction, Tennessee Department of Transportation,

Bureau of Highways, Nashville, Tennessee, March 1, 1995, and subsequent revisions and additions.

- c. *Tack Coat.* A tack coat shall be applied to old or existing pavement surface or to a previously prepared base or surface to provide bond for an overlaid course. The tack coat shall be applied at the rate of one-tenth (1/10) gallon per square yard using materials and methods of installation set forth in Section 403, Standard Specifications.
- d. *Wearing Surface.* Upon completion of the application of the tack coat, an asphaltic concrete surface (hot mix) shall be applied. The wearing surface shall be a minimum of one and one-half (1 1/2) inch thickness. All materials and methods of installation shall conform to the technical specifications set forth in Section 411, Standard Specifications, for asphaltic concrete surface. The wearing surface shall be constructed of "CW" Mix, described in Section 903.11, Standard Specifications, and shall utilize asphaltic cement Grade RT-4 or 5, or TRCB-5 or 6, as set forth in Section 904, Standard Specifications.
- e. *Shoulders.* Shoulder construction shall be completed by blading, moistening as necessary, and by thoroughly compacting. The shoulders shall be the width and thickness shown on the typical section as required herein and covered with the typical section as required herein and covered with a double bituminous surface treatment. The surface shall be prepared as directed in advance of the surface construction.
- f. *Testing.* The developer will provide proper testing and inspection of asphalt material at the plant and at the project site at his expense. Certification that the asphalt meets regulations will be supplied to the White Bluff Street Superintendent.
- g. *Drawings.* The four (4) drawings that follow show the specific combinations of pugmill mix, "CW" mix and "B" modified depending upon the type of road being constructed. These combinations shall be followed according to the type of road being constructed.

5. Curbs and Gutters. All new streets within the Town of White Bluff shall utilize curb and gutter type construction. All such construction shall conform to the drawing and specifications contained in these regulations.

6. Sewers

- a. Each property or lot shall be connected to a public sanitary sewer system if such system adjoins the proposed subdivision or is run by a public authority (or district utility system) to the proposed subdivision. The developer shall supply to the planning commission a written statement from the applicable public authority stating sewage is available adjacent to the property or that it will not run a sewer main to the property. Any pumps or other equipment necessary to move the sewage will be the developer's responsibility.

- b. If sewer system is not required as above, then individual disposal systems approved by the county health department shall be provided on each lot, or as an alternate, a disposal plant or plants may be provided as approved by the State Water Pollution Control Board and the county health department.
- c. Sanitary sewers shall not be used to carry storm or surface water.
- d. All principal sanitary sewer lines shall be located within the street right-of-way or public easements.

7. Water

- a. Where adequate public water supply is available, the subdivider shall construct a system of water mains, including a water stub terminal outside curb lines for each lot, which shall connect with such public water supply and adequately serve all lots and tracts within the subdivision. Water line additions within the subdivision shall be a minimum of six (6) inches in diameter with fire hydrants installed. Fire hydrants will be no more than five hundred (500) feet apart, measured by street (**Resolution #2022-03**).
- b. The installation of the aforementioned improvements shall be under the supervision and inspections of the building inspector and appropriate utility district or their representatives.

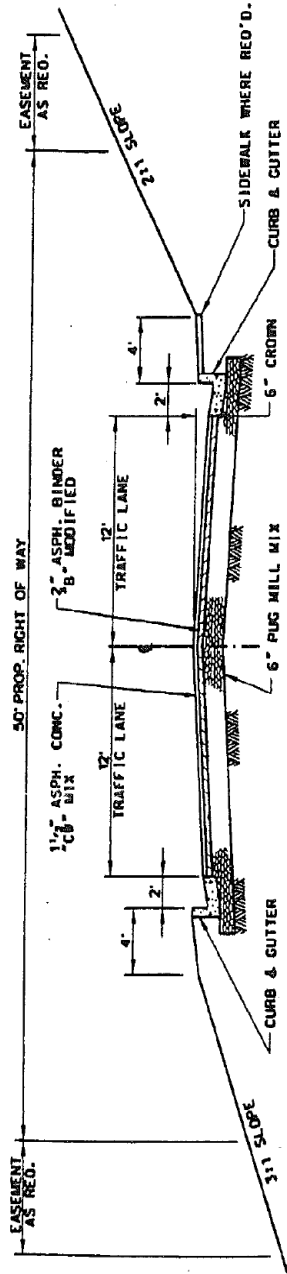
8. Drainage and Storm Sewers

- a. **General Requirements.** The planning commission shall not approve any plat of subdivision which does not make adequate provision for storm or floodwater runoff channels or basins. The storm water system shall be separate and independent of any sanitary sewer system.
 - 1. The review and approval of drainage plans for proposed subdivisions shall be the responsibility of the planning commission and such approvals shall be based on applicable statutes, rules, regulations, and adopted master plans for storm water management.
 - 2. Where all or part of a proposed subdivision is affected by periodic flooding, planning commission reviews and approval of the subdivision shall be subject to the restrictions for adequate handling of these conditions as shown by the developer.
 - 3. The review and approval of drainage plans should generally include the following:
 - a. The type of drainage facilities needed (i.e., open drainage vs. storm sewers).
 - b. The off-site impacts both upstream and down stream from the subdivision, including the need for off-site or on-site improvements to offset adverse off-site impacts.

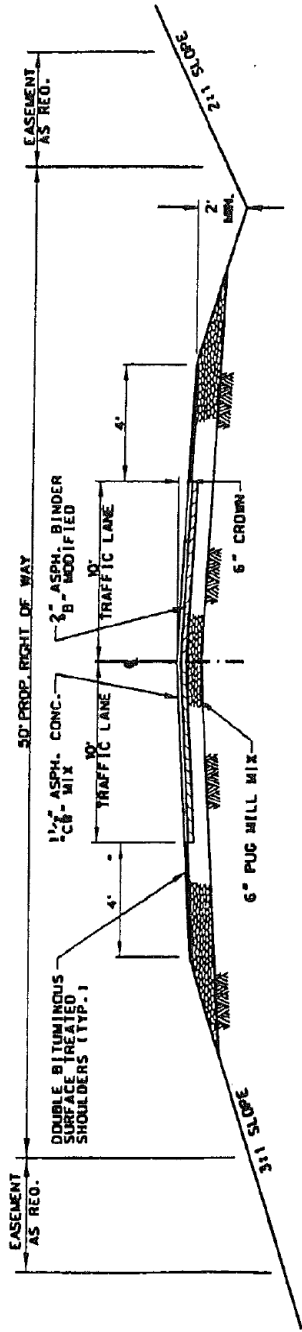
- c. On-site improvements necessary to accommodate upstream drainage.
 - d. Possible problems due to localized poor drainage or features such as sinkholes.
- b. **Dedication of Drainage Easements.** Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. Whenever possible, it is desirable that the drainageway be maintained by an open channel with landscaped banks and adequate width for maximum potential flow.
- c. **Drainage Easements**
- 1. Where topography or other conditions make the inclusion of drainage facilities within the road right-of-way impractical, perpetual unobstructed easements of appropriate width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be carried from the road to a natural watercourse or to other drainage facilities.
 - 2. The developer shall dedicate, by drainage easement, land on both sides of existing watercourses, to a distance to be determined by the planning commission.
 - 3. Along waterways, low-lying land subject to flooding or periodic overflow during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as areas for drainage.

9. **Street Lights.** Location of future street lighting may be required to be shown on all final plats.

CURB AND GUTTER SECTION (OPTIONAL)

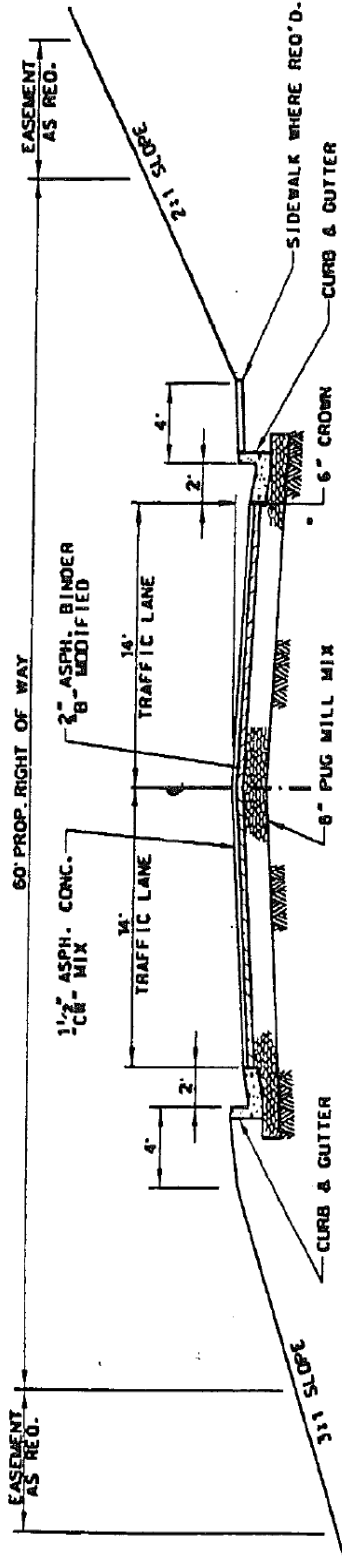


DITCH SECTION (REQUIRED)

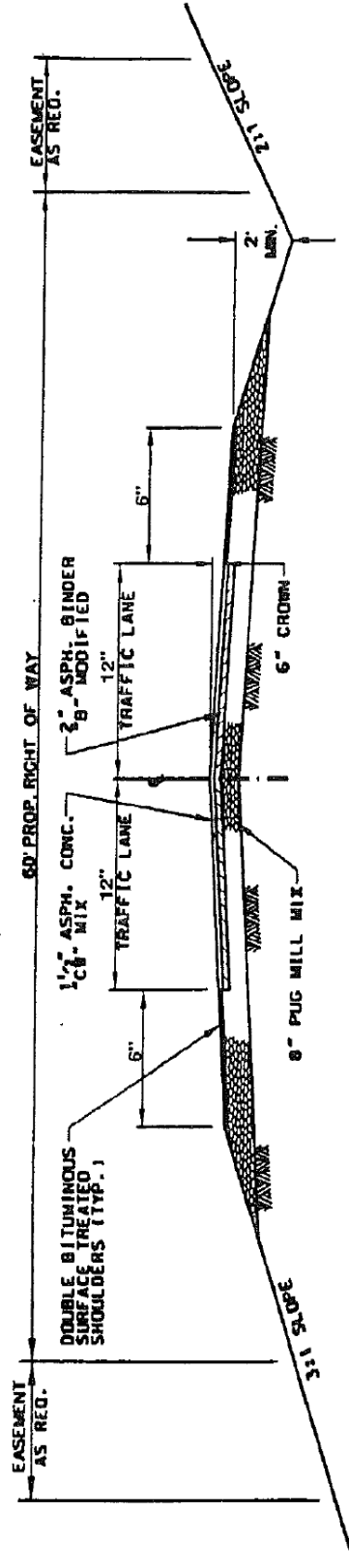


DRAWING A
MINOR RESIDENTIAL STREET
 NOT TO SCALE

CURB & GUTTER SECTION (OPTIONAL)



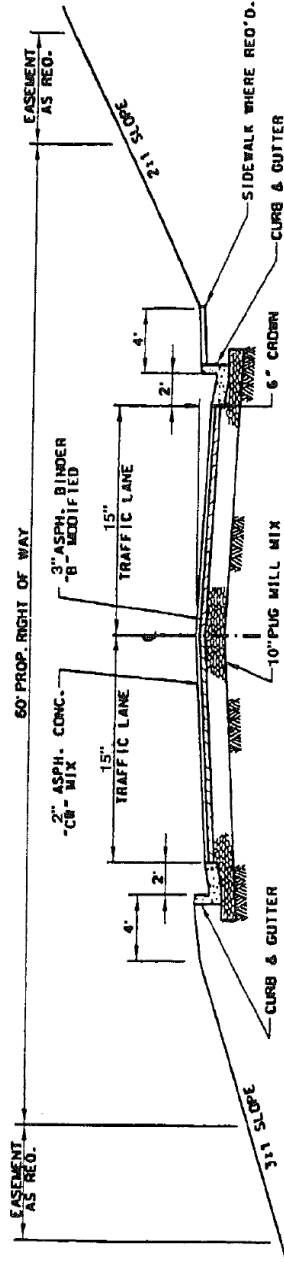
DITCH SECTION (REQUIRED)



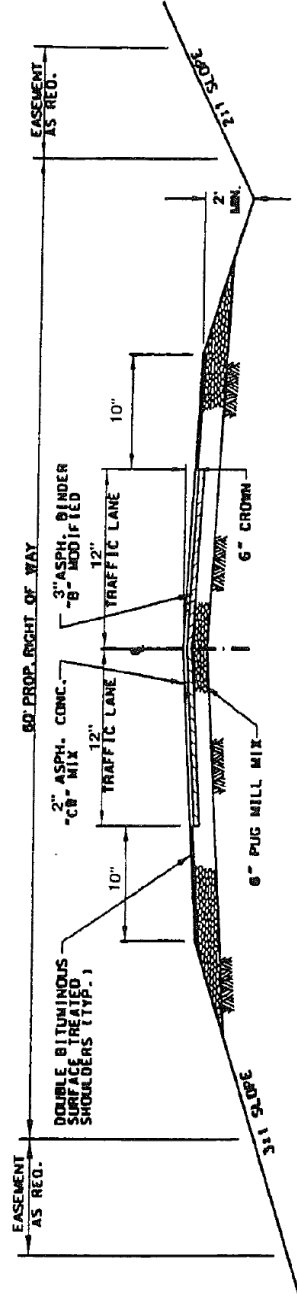
DRAWING B
COLLECTOR RESIDENTIAL STREET

NOT TO SCALE

CURB & GUTTER SECTION (OPTIONAL)



DITCH SECTION (REQUIRED)

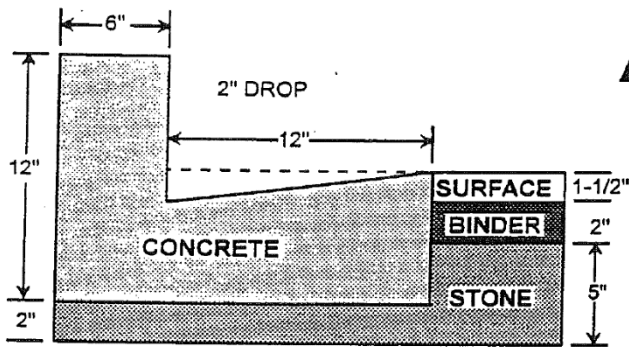


DRAWING C

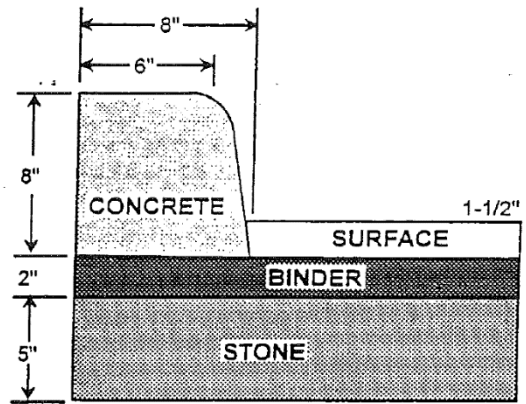
COLLECTOR COMMERCIAL - INDUSTRIAL STREET

NOT TO SCALE

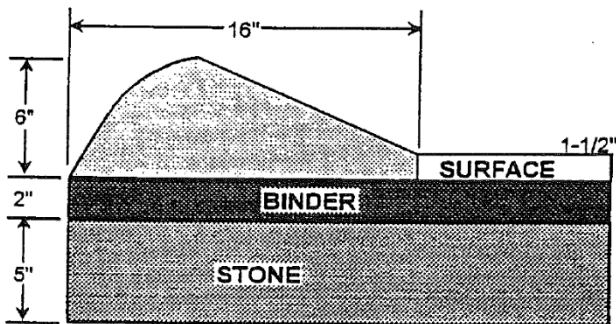
DRAWING D
**CURB DESIGN
 ALTERNATIVES**



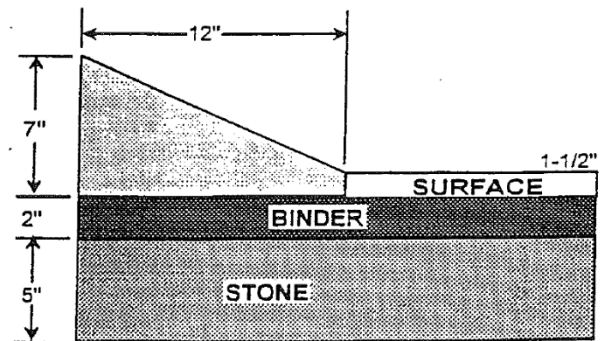
CONCRETE ONLY



CONCRETE ONLY



CONCRETE OR ASPHALT



CONCRETE OR ASPHALT

10. Street Name Signs. A four-way metal street sign shall be installed at each street intersection. The letters shall be at least three and one-half (3 1/2) inches high. The post shall be two and one-half (2 1/2) inches outside diameter, of galvanized iron or equal, ten (10) feet long. It shall be installed at a height of not less than seven (7) feet and shall be placed not less than two (2) feet nor more than ten (10) feet from the edge of the pavement. The post shall be set in concrete three (3) feet in the ground. The signs shall be installed by the developer and accepted by the building inspector or the highway superintendent as a portion of the street improvements, or the cost shall be included in the amount of the performance bond posted for insurance of street.

11. Miscellaneous

- A. All unpaved areas within the dedicated street area shall be graded and seeded in an approved manner.
- B. Storm water inlets or outlets and culverts shall be provided within the roadway improvements at points so as to facilitate adequate storm water runoff from the street pavement. The minimum design and specification for such structure shall be obtained from the road supervisor or building inspector.
- C. Before acceptance of the final plat, the developer shall confer with the South-Central Bell Telephone Company to determine the route of the telephone lines which will serve the residents of the subdivision. After these routes have been established the developer shall prepare all easements which will contain the lines to finished grade. A letter, signed by the developer, and an official of the South-Central Bell Telephone Company, shall then be submitted to the planning commission office stating that the prepared easement grades will not be altered, filled, scraped, or landscaped in any manner after approval of the grading by the South-Central Bell Telephone Company.

12. Sidewalks. Sidewalks shall be installed in any subdivision utilizing public sewer in which new streets are constructed. Sidewalks shall be a minimum of four (4) feet wide and four (4) inches thick. Sidewalks shall be placed a minimum of three (3) feet from the edge of the curb so as to preserve a strip for vegetation.

13. Protecting & Rehabilitating/Repairing Existing Streets. Damage to existing or new Streets/subgrade, and structures, utilities, trees, or private property shall be repaired and restored to its original condition by the permittee/applicant or his/her contractor due to hauling or otherwise moving equipment, spills of concrete, paint, oil, or any other debris which damages the Street or results in cleanup costs for the Town. On paved surfaces, within public rights-of-way, do not use or operate tractors, bulldozers, off-road trucks or other power-operated equipment, the treads, or wheels of which

are so shaped as to cut or otherwise damage such surfaces. Damaged roadways shall be repaired to the Town's satisfaction by the permittee/applicant. Placing of mats, steel plates or using other methods of protection may be allowed subject to the approval of the Town and per the Standard Drawings.

Any roadway surface damaged shall be promptly restored to a condition at least equal to that in which they were found immediately prior to the beginning of operations. Suitable materials and methods shall be used for such restoration. All dirt and mud tracked on existing roadways shall be removed promptly.

Prior to overlaying existing asphalt, the Town may require nondestructive testing to determine the amount of overlay necessary to bring the Street to current subdivision street standards. The method of nondestructive testing and the data obtained must be in a form acceptable to the Town. All "pot-holes", utility trench settlement, cracking, and any similar imperfections shall be repaired to the Town's satisfaction prior to overlaying. The following should serve as a guideline for the rehabilitation and repairing of existing streets in Town:

1. **General** - The permittee/applicant or his/her contractor is to provide the necessary labor, materials, and equipment to restore and maintain the various Street and driveway surfaces of all types, pavement and driveway bases, curbs, curbs and gutters, and sidewalks disturbed, damaged, or demolished during the performance of the work.
2. **Permits** - Before starting any work, secure the necessary permits to work within the Town or State ROW and easements when surface materials will be disturbed or demolished.
3. **Materials** - The quality of materials used in the restoration of existing Streets, parking areas and driveways shall produce a finish surface equal to or better than the condition before work began. Compacted crushed stone backfill shall be in conformance with the TDOT Standard Specifications for Road and Bridge Construction. Asphalt for a temporary patch shall be Bituminous Plant Mix Surface Course (Cold Mix) as specified in the TDOT Standard Specifications for Road and Bridge Construction.
4. **Execution** - Where trenches have been opened in any roadway or Street that is a part of the State of Tennessee highway system, restore surfaces in accordance with the requirements of TDOT. All other restorations shall be done to the satisfaction of the Town and per the Standard Details.

Concrete curbs, gutters, steel grates, etc. shall be restored as required to match existing construction. Replace damaged sections with

completely new sections or squares, patching of damaged sections will not be permitted.

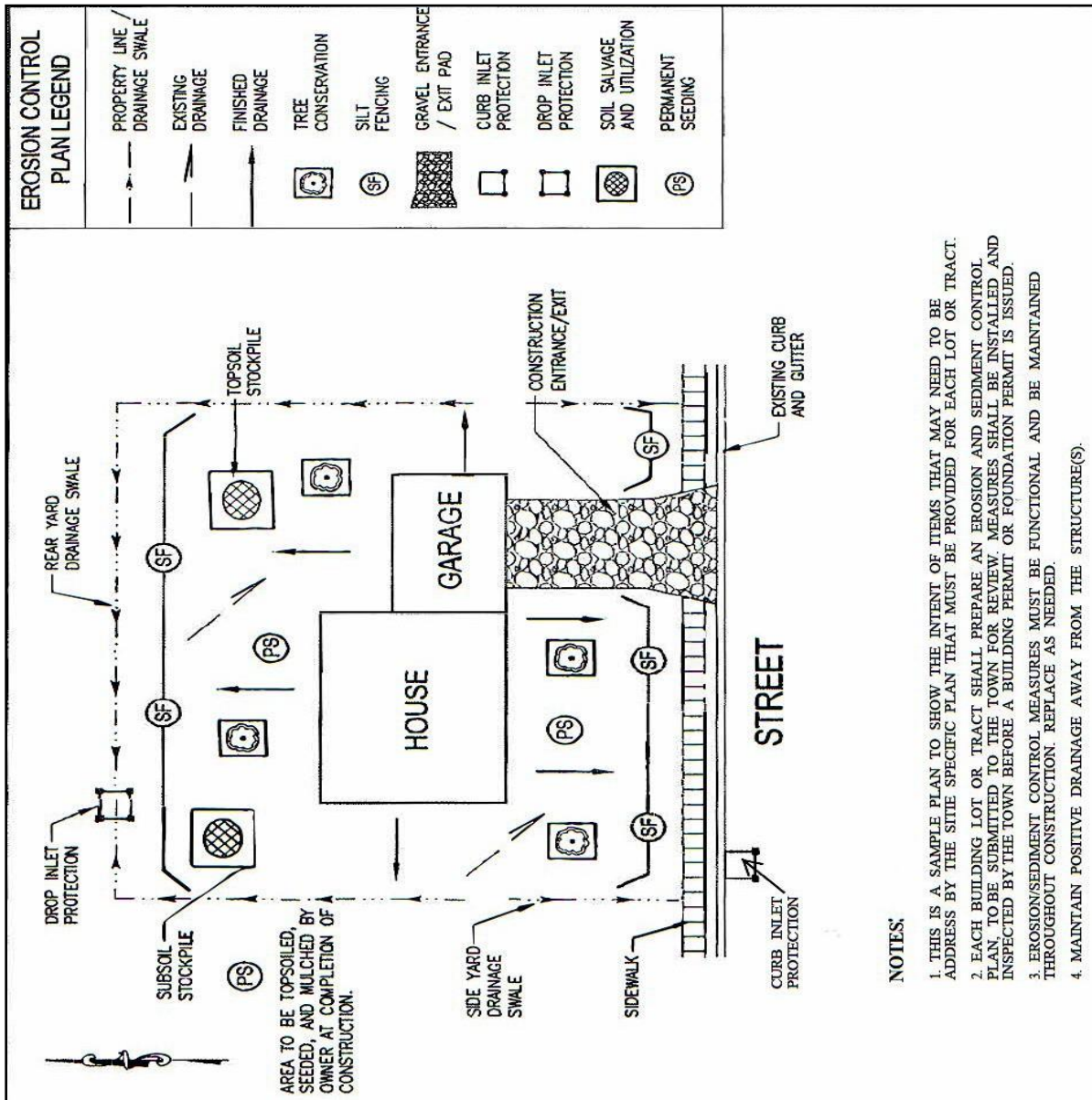
When a manhole or valve box frame and cover, or other utility casting, requires adjustment to an elevation one inch or more above the existing pavement grade and is exposed to traffic before final paving is completed, a temporary ramp shall be constructed by feathering a cold mix for 360 degrees around the casting. A taper slope of not less than two feet per one inch shall be used. During the final paving operation, the temporary ramp shall be removed from around the casting to allow for the permanent paving installation.

Dust control measures are used to stabilize soil from wind erosion, and reduce dust generated by construction activities. This thereby reduces the number of eroded materials available for stormwater runoff. Dust control is considered primarily as a temporary measure—an intermediate treatment between disturbance in either construction, paving, or vegetation. This management practice is likely to create a significant reduction in sediment as well as partial reductions in toxic materials and oil and grease.

Dust Control measures will need to be used for activities and areas that include but are not limited to the following:

1. Clearing and grading activities.
2. Construction vehicle traffic on temporary or unpaved streets or the site
3. Access paths, construction access and construction area
4. Drilling and blasting activities.
5. Sediment tracking onto paved streets.
6. Soil and debris storage piles.
7. Activities from equipment.
8. Areas with stabilized soils that are not stabilized.
9. Dust control should be practiced at all construction sites by performing phased clearing and grading operations, using temporary stabilization methods, and/or placing undisturbed vegetative buffers of at least 50 ft. length between areas being graded & those areas to remain undeveloped.
10. Dust control is particularly important in windy or wind-prone areas.
11. Quickly stabilize exposed soils using vegetation, mulching, spray-on adhesives, calcium chloride, sprinkling, and stone/gravel layering.
12. Identify & stabilize key access points prior to commencement of construction.
13. Minimizing the impact of dust by anticipating the direction of prevailing winds.
14. Direct most construction traffic to stabilized roadways within the project site when permissible.

Example of a Site Development Plan



B. Performance Bond/Surety Instruments. In the event the subdivider elects to defer construction of the improvements required, a performance bond, cashier's check or irrevocable letter of credit shall be required of the subdivider, the amount and specifications of which shall be established by the building inspector and/or designated official, and approved 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, thus securing to the city actual construction and installation of such improvements within a period of two (2) years from the date of recording the plat and in accordance with standard specifications of these regulations. All such surety

instruments shall be segregated into cost estimates for each specific type of improvements, i.e., streets, drainage, lot improvements, utilities, etc. Such bond shall be in cash or be made by a surety company and shall be made payable to and enforceable by the City of White Bluff, Tennessee.

Such bond shall not exceed one hundred-fifteen (115) percent of the estimated cost of the improvements. The surety shall not be released from said bond except by written release from the building inspector and/or designated official.

C. Failure to Complete Improvements. The period within which required improvements must be completed as assured through the use of a performance bond/surety instrument shall be specified by the Planning Commission at the time of approving the final subdivision plat and shall be incorporated in the agreement and letter of credit.

This period shall be for one (1) year and shall not in any event exceed two (2) years from date of final approval. Moreover, whenever such agreement and letter of credit is extended according to these regulations, the price of completing all bondable improvements must be re-analyzed and approved by the Planning Commission in order that the surety instrument be adequate to cover the cost of all improvements.

An additional twenty percent (20%) of the cost of securing all necessary improvements shall be added to this cost figure in order to ensure that these improvements be properly installed in relation to the rate of inflation for the period of extension. Such agreement and letter of credit shall be established by the designated official as to amount, surety, and conditions. The Planning Commission may, upon proof of difficulty, extension of the completion date set forth in such agreement and letter of credit (normally a one (1) year period) for a maximum period of one (1) additional year.

In subdivisions for which no performance bond has been 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 a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Planning Commission thereupon may declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

D. Temporary Improvements. The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission and shall maintain them to a reasonable satisfaction for the period specified by the Planning Commission. Prior to construction of any temporary facility or improvement, the applicant shall file with the Planning Commission a separate suitable bond for temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

E. Inspection of Improvements

1. General Procedure. The city may provide for inspection of required improvements during construction and ensure their satisfactory completion. If the appropriate governmental representative finds upon inspection that any of the required improvements has not been constructed in accordance with the governing body'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 shall be liable severally and jointly for completing said improvements according to specifications.

2. Release or Reduction of Performance Bond

a. Certificate of Satisfactory Completion. The city shall not recommend dedication of required public improvements nor shall the city release nor reduce a performance bond until the appropriate governmental representative submits a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and/or the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the city) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision.

Upon such approval and recommendation, the governing body, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in these regulations.

b. Reduction of Performance Bond. A performance bond may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below twenty-five (25) percent of the principal amount prior to final acceptance of all items covered under the bond.

c. Costs of Improvements. All required improvements shall be made by the applicant at his expense. Any provisions for reimbursement by the governing body or any utility agency shall be stipulated clearly in the provisions of any bonds.

d. Governmental Units. Governmental units to which these bonds and contract provisions apply may file, in lieu of said contract or bond, a certified resolution or ordinance from officers or agencies authorized to act in their behalf agreeing to comply with the provisions of this article.

F. Maintenance Bond

1. The subdivider by agreement with the building inspector and/or designated official and utility district office shall warranty the improvement for twelve (12) months in case of any and all failure due to improper workmanship and/or materials used for the installation of utilities, fills, drainage systems, etc.
2. After completion and acceptance of any improvements required herein, the building inspector and/or designated official and utility district office may require a maintenance bond. This bond shall be in the form of a cashier's check, irrevocable letter of credit or be made by a surety company.
3. Further, any major subdivision will be required to post a maintenance bond or letter of credit with the Town to ensure that the public rights-of-way abutting the subdivision will be maintained to Town standards during construction, as more particularly described and outlined in the Performance & Maintenance Bond Agreement located in the Appendix.

G. Acceptance of Dedication Offers. Acceptance of formal offers of dedication of public ways, easements, and parks shall be by formal action of the city. Such action shall be in the form of a resolution recommended by the Planning Commission to the Board of Mayor and Aldermen. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government of any public way, easement, or other ground shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

H. Escrow Deposits for Lot Improvements

1. Acceptance of Escrow Funds. Whenever, by reason of the season of the year, any lot improvements required by these regulations cannot be performed, the enforcing officer nevertheless may issue a certificate of occupancy upon accepting a cash escrow deposit in an amount to be determined by the appropriate governmental representative for the cost of such improvements; provided, there otherwise is no danger to the health, safety, or general welfare. The performance bond covering such lot improvements shall remain in full force and effect.
2. Procedures on Escrow Fund. All required improvements for which escrow moneys have been accepted by the enforcing officer at the time of issuance of a certificate of occupancy shall be installed by the developer within a period of nine (9) months from the date of deposit and issuance of the certificate of occupancy. In the event that the improvements have not been installed properly at the end of the time period, the enforcing officer shall provide written notice of two (2) weeks to the developer requiring him to install the improvements, and in the event they are not installed properly, in the judgment of the enforcing officer, he may request the Planning Commission to proceed to install or to contract for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit.

At the time of the issuance of the certificate of occupancy for which escrow moneys are being deposited, the applicant shall obtain and file with the enforcing officer, prior to obtaining the certificate of occupancy, a notarized statement from the purchaser(s) of the premise authorizing the enforcing officer to install the improvements at the end of the nine (9) month period in the event the improvements have not been installed properly by the developer.

I. Issuance of Building Permits and Certificates of Occupancy

1. Where a performance bond has been required for a subdivision, or any section of a subdivision, no certificate of occupancy for any building in the subdivision or section thereof shall be issued prior to the final completion and dedication of the improvements to the appropriate governmental unit, as required in the Planning Commission's resolution of final approval of the subdivision plat.

Temporary certificates of occupancy may be issued if circumstances such as weather delays or such conditions preventing the finalization of street improvements, or otherwise an unforeseeable delay in installing the improvements that's deemed in the interest of safety as not critical, provided the developer completes the identified improvements within a time period established by the city.

2. The extent of public way improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment prior to the issuance of building permit. Such adequacy for public ways extending access to the new lots shall be improved to a minimum of having the base layer of pavement installed before building permits are issued.
3. No building permit shall be issued for the final ten (10) percent of lots in a subdivision, or the final two (2) lots if ten (10) percent is two (2) lots or less, until all public improvements required by the Planning Commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the governmental body.
4. When it is evident that inclement weather inhibits a developer's ability to install the required base layer pavement to the street, the city may at its discretion issue building permits without the base layer being installed when the following conditions are met:
 - a. The base layer of stone for the streets, and all water, sewer, hydrants, and storm drainage facilities are installed, inspected, and approved as appropriate.
 - b. The sites/lots for which permits are requested are within 500 feet of a paved roadway; and
 - c. The date of the permit request is between December 1 and March 31. The number of building permits allowed to be issued in this manner will be no more than 5 per subdivision.

If at any time the city determines adequate vehicular access is not being maintained for police and fire equipment, building inspections and permits will be suspended in that subdivision until such deficiencies are remedied to the satisfaction of the city.

J. Site Development Plan Requirement. The development of any property in the Town may involve instances where contractor, developer, or other party inflicts damages to the public street, infrastructure, or other Town responsibility, or private property, such as but not limited to hauling or otherwise moving equipment, spills of concrete, paint, oil or any other debris which damages the Street and related infrastructure, or results in cleanup costs for the Town. Such repair and restoration to original condition shall be the responsibility of the permittee/applicant for which the building permit was issued. On any property where development or redevelopment occurs where a building permit is required prior to construction, a site development plan shall be required at the time the permit is applied for. The site development plan shall show:

1. The exact size, shape, and location of the property
2. The proposed location of all buildings, driveways, drainageways, drainage facilities, and utilities
3. Proposed contours at vertical intervals of no more than ten (10) feet
4. The location of any onsite soil absorption sewage disposal system(s)
5. The type and location of erosion control methodology including dust control measures
6. The location of the construction entrance(s) including temporary graveled surfacing, and culverting when drainage facilities, drainageways, etc. are traversed
7. The surveyor or engineer's stamp that prepared the plan

An additional maintenance agreement shall be required at the time the permit is issued, which is a contract between the Town of White Bluff and the permittee/applicant as guarantee that the permittee/applicant shall be responsible for the cost to replace and repair any damages caused to any public infrastructure maintained by the Town, or to any private property. Any unused portion of the fee collected by the Town, per the maintenance agreement, can be refundable if Town determines no damages were incurred by the construction phase. See Appendix, Form for Performance and Maintenance Agreement.

Any seeding and sodding needs within an area of public infrastructure or private property shall likewise be included as replaceable/repairable items during the construction phase, in accordance with Section A above of these Regulations.

ARTICLE V
ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

A. Enforcement

1. No plat or plan of a subdivision of land into two (2) or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the county registrar of deed until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers or the construction of other facilities or utilities in any street located within the area of planning jurisdiction, unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission, or on a thoroughfare plan made and adopted by the commission as provided in Sections 13-4-306 and 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-4-302, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Section 13-4-306, Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The city, through its attorney or other official designated by the chief legislative body, may enjoin such transfer or sale or agreement by action or injunction.

3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed and unlawful building or structure, and the building inspector or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

ARTICLE VI DEFINITIONS

A. Usage. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.

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".

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".

B. Words and Terms Defined

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

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

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

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

Arterial Street or Road -- A major public way intended to move traffic to and from major industrial areas or a route for traffic between communities or large areas and which has an average daily traffic count in excess of three thousand (3,000). A *Major Arterial* links population centers, with generally 100-120 feet right-of-way widths, while a *Minor Arterial* links major arterials and distributes traffic onto collector and local roads, with generally 80 feet right-of-way widths.

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

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

Bond -- A type of surety instrument or collateral including cash escrow or a letter of credit from a bank in Dickson County, Tennessee posted with the city that guarantees specific performance.

Boundary -- All points within a subdivision which include internal and external property lot lines and other features encompassing a development.

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

Collector Street or Road -- A major public way intended to move traffic from local ways to arterial routes. Collector routes serve a neighborhood or large subdivision(s), and normally have an average daily traffic count ranging from one thousand and one (1,001) to three thousand (3,000) with generally 60 feet right-of-way widths.

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

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

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

County Health Department -- An agency designated to administer local and/or state health regulations as they pertain to individual sewer disposal systems and related issues.

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

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

Designated Official -- An outside person or governmental representative or employee authorized to act on behalf of the governing body in making determinations regarding legal, public works, planning, community development, or other public business.

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

Development -- A tract of land(s) together with any buildings or structures which may be thereon changed from predeveloped or otherwise undeveloped land.

Driveway -- A paved path of travel for a vehicle connecting the public right-of-way or private street to a private residence that serves as the road access point
(Added by Resolution 2022#02)

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

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

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

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

Escrow -- A fiduciary agreement with the local government in lieu of actual performance and intended to assure performance. An escrow account may be provided as a bond subject to agreement of the Planning Commission. (See also 'Bond.')

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

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

General Plan -- The official statement of the Planning Commission which sets forth a vision, goals, and major policies concerning future development of the jurisdictional area and meeting the provisions set forth in Title 13, Chapter 4, Section 2, Tennessee Code.

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

Governing Body -- The chief legislative body of any government; the Board of Mayor and Aldermen for White Bluff, Tennessee.

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

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

Improvement -- Any building, structure, place, work of art, or other object or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment (see also 'Public Improvement.')

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

Jurisdictional Area -- Planning boundary(s) established in keeping with Title 13, Chapter 4, Tennessee Code.

Land Development Plan -- A concept plan which sets out a plan or scheme of future land use and development.

Letter of Credit -- A written guarantee from a financial institution guaranteeing the performance of the terms and conditions of a development approval.

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

Lot Corner -- A location(s) of a lot's boundary situated at the intersection of two (2) public ways.

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

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

Minor Street or Road -- A public way which is not classified as an arterial or collector intended to move traffic from local ways to major routes, with normally an average daily traffic count of 1,000 or less, and with generally less than 60 feet right-of-way widths.

Minor Subdivision -- Any subdivision containing less than five (5) lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with

any provision of the adopted general plan, major street or road plan, zoning ordinance, or these regulations.

National Flood Insurance Program -- A program established by the U.S. Government in the National Flood Insurance Act of 1968, and expanded in the Flood Disaster Protection Act of 1973, in order to provide a flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce floodplain management programs meeting the requirements of the National Flood Insurance Program regulations. The program regulations are found at 24 Code of Federal Regulations, Chapter X, Subchapter B. (see also Article VII of the White Bluff Zoning Ordinance for provisions for governing development in special flood hazard areas.)

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.

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

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

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

Performance Bond -- See "Bond".

Planning Commission -- A public planning body established pursuant to Title 13, Chapter 4, Tennessee Code, to execute a partial or full planning program within authorized area limits.

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

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

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

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

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

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

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

Special Flood Hazard Map -- The official flood insurance rate maps (FIRM's) designated by the National Flood Insurance Program to identify special flood hazard areas.

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

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

Structure -- Anything constructed above or below ground.

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

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

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

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

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

ARTICLE VII
ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision standards a public hearing as required by Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons and was held on **September 26, and September 28, 1990**.

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

Adopted by Planning Commission:

Marty Brown
Marty Brown, Chairman

October 15, 1990
Date

Effective: October 16, 1990
Date

APPENDICES

Appendix A:
FORMS FOR FINAL PLAT CERTIFICATION

Form 1 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedication for all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

_____, 20__

Owner

Owner

Form 2 CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the specifications of the

_____.

_____, 20__

Registered Engineer or Surveyor

Form 3 CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS

I hereby certify that the following utility systems outlined or indicated on the final subdivision plat entitled _____ have been installed in accordance with current local and/or state government requirements.

Water System _____, 20__
Date

Name, Title, and Agency of
Authorized Approving Agent

Sewer System _____, 20__

of or Septic Tank Date Name, Title, and Agency
Approvals Authorized Approving Agent

Form 4 CERTIFICATE OF APPROVAL OF STREETS

I hereby certify that all streets designated on the final subdivision plat entitled _____ have been constructed in accordance with current local and/or state government requirements.

_____, 20____
Date

Name, Title, and Agency of
Authorized Approving Agent

Form 5 CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for White Bluff, Tennessee, with the exception of such variances and/or modifications, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the County Registrar.

_____, 20____

Secretary, Planning Commission

Form 5 TDOT DRIVEWAY CONNECTION PERMIT REQUIRED (Resolution #2023-04)

In major subdivisions, the Developer/Owner shall apply for any applicable permit(s) and comply with TDOT requirements for driveway connections for all lots fronting a state highway. Developer/Owner shall provide the Town of White Bluff with documentation showing TDOT's approval of all lot driveway permit(s), as required before the issuance of a building permit for any subdivided lot fronting a state highway.

Appendix B:
SUBDIVISION RECORD
PRELIMINARY PLAT

NAME OF SUBDIVISION _____

Location _____ Civil District _____ Zoning District _____

Owner _____ Address _____ Tel. _____

Agent _____ Address _____ Tel. _____

Surveyor _____ Address _____ Tel. _____

Date submitted for preliminary approval _____

CHECK LIST

_____ Copies submitted _____ days prior to the meeting.

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

_____ Name, location, owner, and surveyor.

_____ Date, north point, and graphic scale.

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

_____ Names of adjoining property owners and/or subdivisions.

_____ Plans of proposed utility layouts and percolation test results.

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

_____ Flood problem checked, flooded areas outlined if applicable.

_____ Profiles of all streets at required scales.

_____ Contours at not more than five (5) foot intervals.

_____ Acreage of land to be subdivided.

_____ Conforms to general requirements and minimum standards of design.

Approved _____ to proceed to final plat.
(Date)

Subject to following modifications: _____

Variances Granted: _____

Disapproved: _____ for following
reasons:

(Date)

Signed:

Secretary of Planning Commission

Appendix C
SUBDIVISION RECORD
FINAL PLAT

NAME OF SUBDIVISION _____

Location _____ Civil District _____ Zoning District _____

Owner _____ Address _____ Tel. _____

Preliminary approval granted: _____
Date

Submitted for FINAL approval: _____
Date

CHECK LIST

_____ Submitted within 15 days of regular planning commission meeting.

_____ Drawn to a scale of 1" equals 100' on sheets not larger than 18" x 22".

_____ Location of Map showing site in relation to area.

_____ Date, true north point, graphic scale.

_____ The size and location of any water and sewer mains.

_____ Any easements for rights-of-way provided for public services, utilities, and the disposal of surface water.

_____ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles, and tangent distances.

_____ The limitation and/or dimensions of all easements.

_____ Notation of any areas to be dedicated to public use.

_____ Lines and names of all streets and roads.

_____ Names, locations of adjoining properties or subdivisions.

_____ Dimensions to the nearest 100th of a foot and angles to the nearest minute.

_____ Certificate of Ownership and Dedication. _____ Lots numbered in numerical order.

_____ Certificate of Accuracy.

_____ Certificate of approval of streets and utilities.

_____ Certificate of Approval of Utility Systems:

Water: _____ Sewer: _____

Location and description of monuments: _____

_____ Certificate of Approval of Streets.

_____ Certificate (unsigned) of Approval for Recording.

_____ Required physical improvements installed or bond posted in the amount of \$ _____.

Appendix D

RECOMMENDED IMPROVEMENTS

Although not required by these regulations, the planting of street trees and installation of sidewalks are considered duties of the subdivider as well as good business practice.

1. Street Trees

Street trees protect against excessive heat and glare and enhance the attractiveness and value of abutting property. The planning commission will assist the subdivider in location of trees and species to use under varying conditions.

It is recommended that trees be planted inside the property lines where they are less subject to injury, less likely to cause motor accidents, and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations, and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees.

2. Sidewalks (Deleted by Resolution, September 11, 2007)

Appendix E
IRREVOCABLE STANDBY LETTER OF CREDIT
NO. _____

Gentlemen:

We, hereby, establish our Irrevocable Standby Letter of Credit in your favor for the account of our customer, _____ ("*Contractor*"), available after _____, by drafts drawn on us payable at sight for any sum of money not to exceed a total of \$_____, U. S. Dollars, when accompanied by this Letter of Credit and a Certificate of Default in the form of **Exhibit "A"**, attached, hereto, dated the date said Certificate is presented, hereunder, and signed by the Chairman of the White Bluff Planning Commission.

All drafts drawn, hereunder, must bear the legend "Dawn Under _____ (bank),

Letter of Credit No. _____, dated, _____", with a Certificate of Default signed under oath by the Chairman of the White Bluff Planning Commission, certifying that the Contractor has not complied with the terms of the agreement between the Planning Commission and the Contractor and the amount of approximate damage to the city government, which amount shall be identical to the face amount of the accompanying draft.

This credit is subject to the Uniform Customs and Practice for Documentary Credits, No. 500, published and copyrighted by the International Chamber of Commerce, and to the extent consistent, therewith, the Tennessee Uniform Commercial Code in effect on the date, hereof.

We, hereby, agree to be bound to bona fide holders of all drafts or documents presented under and in compliance with the terms of this Letter of Credit that such drafts or documents will be duly honored upon presentation to us.

We, hereby, agree with any and all persons negotiating such drafts that all drafts drawn and negotiated in compliance with the terms of this standby Letter of Credit will be duly honored upon presentation and delivery of the documents specified above to our office at _____,

if presented on or before _____.

Yours very truly,

(Bank)

BY: _____
Authorized Signature

BY: _____
Authorized Signature

Appendix F
FORM FOR PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That We, _____, as Principals, _____, State of _____, and the _____ INSURANCE COMPANY, a _____ Corporation authorized to do business in the State of Tennessee, having an office and place of business at _____, as Surety, are held and firmly bound unto the City of White Bluff of Obligee, in the sum of _____ Dollars (\$_____) lawful money of the United States, for the payment whereof to the Obligee, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents:

WHEREAS, APPLICATION WAS MADE TO THE White Bluff Planning Commission for approval of a subdivision shown on plat entitled " _____ " filed with the Planning Commission Chairman of the City of White Bluff on _____, 20____, said final plat being approved by the White Bluff Planning Commission upon certain conditions, one of which is that a performance bond in the amount of _____ DOLLARS (\$_____) is to be filed with the planning commission and accepted by the City of White Bluff, upon the recommendation of the planning commission, to guarantee certain improvements as cited hereafter in the subdivision named above.

WHEREAS, there are approximately _____ feet in length and _____ feet in width in said streets and curbs, and _____ feet of inch water line, and _____ feet of _____ inch sewer line, and other improvements as follows _____, not yet completed, and that the total cost of providing these facilities would be as follows:

A.	Streets and Curbs	\$	
B.	Water lines	\$	
C.	Sewer lines	\$	
D.	Other	\$	
TOTAL		\$	

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above named Principal shall within one (1) year from the date hereof (time may be extended for one (1) year only beyond this period by the local governing body upon the recommendation of the planning commission with the consent of the parties) will and truly make and perform the required subdivision in accordance with the county government specifications and the Resolution of _____, 20____, then this obligation **is to be void otherwise to remain in full force and effect. It is hereby understood and agreed that in the event that any required improvements have not been installed as provided by said resolution, within**

the term of this Performance Bond, the governing body may thereupon declare this bond to be in default and collect the sum remaining payable thereunder, and upon receipt of the proceeds thereof, the county government shall install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in the subdivision but not exceeding the amount of such proceeds.

Principal

Principal

Insurance Company

BY _____
Attorney-in-Fact

BOND NO. _____

**ACKNOWLEDGEMENT:
COPARTNERSHIP**

STATE OF TENNESSEE

(COUNTY OF _____) SS.:

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

INDIVIDUAL

STATE OF TENNESSEE

COUNTY OF _____) SS.:

On this _____ day of _____, 20__, before me personally appeared _____, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

CORPORATE

STATE OF TENNESSEE

(COUNTY OF _____) SS.:

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

Appendix G
PERFORMANCE & MAINTENANCE BOND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That _____, a _____ (insert type of entity - corporation, LLC, partnership, association), (hereinafter "Principal"), does hereby bind itself, its heirs, executors, personal representatives, administrators, successors and assigns, jointly and severally, firmly by these presents, and in support thereof represents, acknowledges and agrees as follows:

Recitals

1. That _____ (insert name of entity), is a _____, (insert type of entity), having a mailing address of _____, (insert address, city, state, zip).
2. The Principal has submitted a Final Plat of _____ Subdivision, Section _____, said Final Plat prepared by _____ (insert surveyor and company), dated _____, 20____.
3. The approval of the Town of White Bluff Municipal Planning Commission of the Final Plat is a condition precedent to the right of the Principal to receive necessary construction permits and building permits.
4. The Town of White Bluff Municipal Planning Commission will not approve the Final Plat of the subdivision for issuance of necessary permits and for recording until all grading, ditching, stormwater, stormwater management, streets and alleys, and street improvements, methods for sewage disposal, water system, street lights, sidewalks, drainage culverts, storm water facilities and improvements, driveway culverts and headwalls, curbs, landscaping, stabilization of all improvements, erosion and sedimentation control measures and methodologies, both permanent and temporary, other improvements (hereinafter "improvements and works"), and the placing of concrete subdivision markers and installation of iron pins are completed and installed in accordance with the Subdivision Regulations and specifications and the conditions established by the Town of White Bluff Municipal Planning Commission have been completed to the Town of White Bluff' satisfaction and until a satisfactory Performance & Maintenance Agreement is signed and furnished with sufficient surety as more particularly described herein.
5. It is the desire of the Principal to commence construction and installation of said improvements, and the Principal desires to have said Final Plat of subdivision recorded in the Register of Deeds Office of Dickson County, Tennessee, so as to provide for the orderly development and transfer of the property in said subdivision. The Principal shall provide a letter of credit or surety bond to the White Bluff Planning Commission naming the Town of White Bluff as beneficiary in the amount herein stated to cover all construction improvements represented in the Final Plat

for the subdivision including all improvements and works as referenced in Item 4 above.

6. It is the desire of the Principal to have the Final Plat recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, so as to provide for the orderly development and transfer of property, and to have said permits issued prior to the actual completion of construction and installation of the roads, drainage and erosion control improvements. The Principal shall provide a letter of credit or surety bond to the White Bluff Planning Commission naming the Town of White Bluff as beneficiary in the penal amount herein stated to cover all construction improvements represented in the Final Plat for the subdivision including all improvements and works as referenced in Item 4 above.
7. The Town of White Bluff Municipal Planning Commission has established that the estimated project costs for completing all improvements and works in accordance with the Town of White Bluff Subdivision Regulations and specifications and the conditions established by the Town of White Bluff Municipal Planning Commission (collectively known as): **DEVELOPMENT PLANS is AND NO/100**

(\$_____ .00). The estimated cost is based upon the assumption that no construction work has commenced.
8. Pursuant to the procedures followed by the Town of White Bluff Municipal Planning Commission, it is permissible for the Principal to request, in lieu of the completion of said improvements and works but prior to the recording of the Final Plat, to execute an agreement along with good and sufficient surety, as herein defined, satisfactory to the Town of White Bluff Municipal Planning Commission and the Town of White Bluff, Tennessee in an amount equal to the estimated cost of completion, as listed in Section # 7, of the construction and installation of the required "**DEVELOPMENT PLANS**" improvements and works, providing and insuring that said improvements and works will be constructed.
9. To secure installation of the aforesaid improvements and works, and to induce the Town of White Bluff Municipal Planning Commission and the Town of White Bluff, Tennessee to allow the Final Plat to be recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, prior to completion of the required "**DEVELOPMENT PLANS**" improvements and works, Principal provides this Performance & Maintenance Agreement and a surety, either in the form of an irrevocable letter of credit or surety bond, issued by _____ the proceeds of which are payable to the Town of White Bluff, Tennessee in an amount equal to a total of _____ **and No/00 DOLLARS (\$_____ .00)**. **Principal specifically acknowledges and accepts that should the supporting surety not be renewed or extended as approved by the Town of White Bluff Municipal Planning Commission, or if the surety is not in accordance with the requirements of this Agreement and the Subdivision Regulations, then the surety will be assumed to be in default and will be called in its full amount by the Town of White Bluff after**

recommendation by the Town of White Bluff Municipal Planning Commission in accordance with the Subdivision Regulations, as well as local and state law.

10. The Town of White Bluff Municipal Planning Commission is willing to authorize the Final Plat to be recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, upon the execution of this agreement by the Principal and providing of the before stated surety, understanding that this agreement is subject to the condition that the Principal will complete the construction of all required improvements and works, as herein set forth, and obtain their inspection, approval and acceptance by the Town of White Bluff Municipal Planning Commission and Town of White Bluff, Tennessee. The Town of White Bluff Municipal Planning Commission has the authority to extend the Performance & Maintenance Agreement term and to convert the Performance obligation to a Maintenance obligation so long as the construction of the improvements are in accordance with the Subdivision Regulations, ordinances, approval conditions and approved plans and specifications.

11. In addition to the surety described hereinabove for the performance of the installation of all improvements in accordance with the Final Plat, the Principal shall be required to post a maintenance bond or letter of credit on all Town owned and controlled public rights-of-way that will be used by the Principal, its agents, and assigns, for accessing the property more particularly described in the Final Plat. The maintenance bond or letter of credit shall be in an amount determined by the Town of White Bluff Municipal Planning Commission, the proceeds of which are payable to the Town of White Bluff, Tennessee in an amount equal to a total of _____ **and No/00 DOLLARS (\$_____ .00)**. In no event will the maintenance bond or letter of credit be less than fifty percent (50%) of the estimated cost to resurface the public rights-of-way in their entirety. The public rights-of-way to be insured through said maintenance bond or letter of credit shall be those public rights-of-way directly abutting the property more particularly described in the Final Plat. Said maintenance bond or letter of credit will be released upon A) the successful dedication of all infrastructure and public improvements as described in the Final Plat, and B) upon a favorable report by the Town's agents to the Town of White Bluff Municipal Planning Commission as to the condition of the public rights-of-way subject to the maintenance bond or letter of credit. In the event the Town discovers that maintenance is necessary to said public rights-of-way, the Town will notify the Principal of the necessary maintenance and deficiencies to bring said public rights-of-way in conformance with the Subdivision Regulations and other applicable Town rules, standards, and regulations, and the Principal shall have sixty (60) days to perform said maintenance. In the event the Principal fails to perform said maintenance, the Town of White Bluff shall call the maintenance bond or letter of credit as outlined herein and/or as outlined in the Subdivision Regulations as well as other local or state law.

NOW THEREFORE,

In the event said Principal shall fully comply with all the terms of this Performance & Maintenance Agreement, and shall construct, install and complete all of the required improvements and works, enumerated herein, and maintain said improvements as are shown on the approved Final Plat prepared by _____ (consultant), which Final Plat was reviewed and approved by the Town of White Bluff Municipal Planning Commission, and as also stated herein, which installation, completion and maintenance shall be in accordance with the Subdivision Regulations and requirements of the Town of White Bluff Municipal Planning Commission, and in accordance with all conditions established by the Town of White Bluff Municipal Planning Commission and the Town of White Bluff as set forth in the minutes of its meetings, and do all of said work in a proper and workmanlike manner to the satisfaction of the Town of White Bluff, Tennessee and the Town of White Bluff Municipal Planning Commission, then this Performance obligation may be converted by the Town of White Bluff Municipal Planning Commission to a maintenance obligation guaranteeing the improvements in the amount of not less than twenty-five (25%) of the original opinion of project cost as listed in Section # 7 above, for the period of time that is in accordance with the timeframes established in the Subdivision Regulations, and continuing until acceptance of the improvements by Town of White Bluff, Tennessee. Minimum time for Maintenance of installed and completed improvements and works is one (1) year.

In the event that any of the required improvements and works are not performed or not completed in accordance with the timeframes for completion as established in the Subdivision Regulations, and are not performed or not completed in accordance with each of the aforesaid rules, regulations and requirements, then the entire penal sum of _____ **UNITED STATES DOLLARS (\$_____ .00)**, or so much thereof as is necessary to complete the improvements in question, shall be forfeited and paid to the Town of White Bluff Municipal Planning Commission and Town of White Bluff, Tennessee by Principal and/or Surety as liquidated damages for such default. The Town of White Bluff Municipal Planning Commission and/or Town of White Bluff, Tennessee shall then use said funds to pay for completion of the required improvements and works, refunding any unused portion of said funds.

In the event that any of the required improvements and works are not maintained for the period of time that is in accordance with the timeframes established in the Subdivision Regulations, after its conversion to a Maintenance obligation, or such longer time as extended by the Town of White Bluff Municipal Planning Commission, in the same condition in which they existed at the time of its conversion to a Maintenance obligation by the Town of White Bluff Municipal Planning Commission, then the entire penal sum of _____ **UNITED STATES DOLLARS (\$_____ .00)** with respect to those improvements shall be forfeited and paid to the Town of White Bluff Municipal Planning Commission or Town of White Bluff, Tennessee by Principal as liquidated damages for such default. The Town of White Bluff Municipal Planning Commission or Town of White Bluff, Tennessee may then use said funds to pay for completion of the required maintenance, refunding any unused portion of said funds.

Action by the Town of White Bluff, Tennessee and/or the Town of White Bluff Municipal Planning Commission through its legal counsel in calling on the surety bond letter of credit to pay **UNITED STATES**

DOLLARS (\$_____ .00), or such lesser amount as is necessary, pursuant to the terms of this Performance & Maintenance Agreement shall not be deemed a release of Principal for any liability hereunder. The Principal acknowledges that it is liable for all obligations under this Performance & Maintenance Agreement. The Principal shall be responsible for any amounts or costs to complete a development that exceed the amount of the surety instrument in place. The Town may pursue recovery of incremental amounts or costs to complete a development that exceed the amount of the surety instrument if the Principal defaults on the Performance & Maintenance Agreement. The Town may pursue recovery from the development entities and any personal guarantors that execute the Performance & Maintenance Agreement, and the Principal shall be liable for all costs, attorney's fees, and other damages as determined by a court of competent jurisdiction. Venue and jurisdiction for any dispute arising under this Agreement shall be in the Dickson County Chancery Court.

Witness my hand this the _____ day of _____, 20____.
_____.

A Tennessee _____

BY: _____
Type Name: _____

TITLE: _____

STATE OF _____)

COUNTY OF _____)

Personally appeared before me, _____, a Notary Public of said County and State, _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged (her)himself to be the _____ of _____, a Tennessee _____, and that (s)he as such _____, being authorized so to do, executed the foregoing instrument for the purposes contained therein.

Witness my hand and seal this the ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: _____

Appendix H:

Traffic Impact Study Guidelines

Traffic studies are an effective tool used to help White Bluff determine potential impacts to the operation of the surrounding roadway infrastructure. Two (2) types of traffic studies are described in these guidelines: 1) a Traffic Assessment and 2) a Traffic Impact Study.

The reviewing authority is the White Bluff Planning Commission (Planning Commission.) Written recommendations on the applicable traffic study will be provided from the Planning Director and consulting staff to the Planning Commission along with the applicable traffic study. As a preliminary step, a pre-application conference will be conducted between the Planning Director and applicant to determine the specifics of the assumptions for the applicable traffic study, including but not limited to: types of land uses to assume for trip generation, any access concerns, availability of traffic counts, and general familiarity with these guidelines and applicable land use controls used by White Bluff, and the processes involved.

A Traffic Assessment (TA) is designed to be a preliminary assessment of the potential impacts of a rezoning request but requires a reduced amount of effort to produce. This assessment will assist the Planning Commission in determining the amount of potential impact that exists for a proposed zoning change and included in its recommendation to the White Bluff Town Council for final decision on the zoning change.

A Traffic Impact Study (TIS) is a more detailed assessment document, requiring additional investigation and analysis. The TIS is required at the time of submission of a site plan, concept subdivision plan, preliminary plat, preliminary master plan, or any development as so determined by the Planning Director. A traffic impact study may include other relevant traffic studies, including but not limited to: signal warrant analysis, speed study, and signalized intersection level of service.

Either study categories are required to be performed and stamped by a Licensed Professional Engineer with experience in Traffic Engineering.

- 1. Traffic Assessment (TA) Study.** A Traffic Assessment shall be required for all annexation or rezoning applications if:
 - a. Such a request involves a parcel of land (or if multiple parcels are included, the collective parcels of land) that is five (5) acres or more; or
 - b. Any annexation or rezoning application so determined by the Planning Commission or the Planning Director to require a traffic assessment study.

The Planning Commission reserves the absolute discretion to request a Traffic Assessment to be submitted, regardless of the minimum acreage, due to the location

of the site to be rezoned, potential foreseeable impact on existing public infrastructure, or other potential factors deemed appropriate to require the Traffic Assessment.

A Traffic Assessment shall not substitute for the Traffic Impact Study requirement, but its findings may contribute to the waiving of a Traffic Impact Study if so determined by the Planning Commission.

A Traffic Assessment is typically an analysis that includes the following sections:

- **General Site Description**
- **Trip Generation**
- **Roadway Conditions and Access Potential**
- **Conclusions**

General Site Description—This section should describe the size of the site (acreage and shape) requesting to be rezoned and details of the surrounding land uses and roadway access(es). This section should also state the specific zoning change requested, including existing zoning of the property(ies) in question and the proposed zoning for said property(ies).

Trip Generation—This section should calculate the Average Daily Traffic, morning peak hour traffic, and afternoon peak hour traffic that could potentially be generated by full development of the land use change. The maximum density allowed by the proposed zoning classification must be used when calculating the number of potential generated trips. The traffic engineering professional conducting the Assessment shall use information and procedures described in the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation manual.

Roadway Conditions and Access Potential—This section should determine the classification of all the roadways and public infrastructure surrounding the site as defined by the latest Major Thoroughfare Plan and the Subdivision Regulations of White Bluff Tennessee for roadway definitions (refer to Article VI, Definitions in the Subdivision Regulations.) The capacity and quality of the roadway(s) involved in the proposed development should have a roadway segment level of service calculation using the methods described in the latest edition of the Highway Capacity Manual. Traffic volumes may be acquired from Tennessee Department of Transportation (TDOT) annual counts. Any potential safety hazard(s) or access concern(s), including sight distance at intersecting roads, should be identified and calculated based upon approach speed on the adjacent road as well as and in addition to the procedures described in the latest edition American Association of State Highway Transportation Officials (AASHTO) manual.

Conclusions—This section must offer an engineering opinion of the ability of the surrounding road network/infrastructure to support the potential traffic generated by the proposed zoning change and future development.

Component of Rezoning Process: Unless waived by these Guidelines or the Planning Commission, the Traffic Assessment shall be considered part of an annexation or rezoning application process at the time of the application's final review and recommendation by the Planning Commission. Failure of the applicant to submit an approved Traffic Assessment or a written waiver shall result in the Planning Director and Staff's recommendation for Deferral of the annexation or rezoning. Deadline to submit it to the Planning Director shall be no less than thirty (30) days prior to the date when the Planning Commission shall consider the rezoning request.

The Planning Commission may waive the requirement of a Traffic Assessment based upon one or more of, but not limited to, the following conditions:

- The use remains the same, but the zoning is being changed to bring the zoning designation into conformance with the land use.
- The proposed rezoning results in fewer trips during the morning and evening road peak hours at the entrances and key intersections along access routes compared to the same for the existing zoning.
- The proposed rezoning would result in less than an additional 100 trips in the peak hour at the driveway for the site compared to the existing zoning.

2. *Traffic Impact Study (TIS).* A Traffic Impact Study shall be required for the following:

- a. Any development in excess of 50,000 square feet of floor space;
- b. Any development project reasonably foreseeable to add 150 or more new traffic trips per day to the existing roads providing access to and out of the proposed development,
- c. Any planned unit development;
- d. Major Subdivisions (as defined in Subdivision regulations) including but not limited to concept plan or preliminary plat; or
- e. Any development so determined by the Planning Commission or the Planning Director to require a traffic impact study.

Waiver of Traffic Impact Study Requirement: Any traffic impact study required by these Guidelines may be waived by the Planning Director, subject to the review and consent of the Planning Commission, provided substantial evidence is presented in writing showing that the specific development proposed will not generate additional new traffic trips to warrant a Traffic Impact Study.

3. *Traffic Impact Study Process*

- a. Whenever a traffic impact study is required by these guidelines and the corresponding regulations and ordinances, the applicant shall be provided a written copy of the Traffic Impact Study Guidelines, Deadline to submit to the Planning Director shall be no less than thirty (30) days prior to the date when the planning commission shall consider whichever review item the study is requested for per Section 2 above.
- b. Either the applicant or the Director Planning may request a traffic scoping

meeting with the applicant and transportation engineer preparing the traffic impact study.

- c. The project's traffic impact study shall be submitted to Planning Commission with sufficient time for the Planning Commissioners to thoroughly read and analyze the traffic impact study prior to the Planning Commission's consideration of the application which required the traffic impact study for the project.
- d. A completed and approved traffic impact study shall be a prerequisite to final approval of the application which required the traffic impact study for the project. To that end, all traffic studies required by these guidelines and the corresponding regulations and resolutions must be completed and approved prior to or concurrently with approval of the application which required the traffic impact study for the project.

If the traffic impact study does not contain all the information provided in these guidelines, the applicant will be notified, and a revised study must be submitted. If after the study has been accepted but the proposed development is significantly altered, a revised study will be required for a new review. If the development is approved by the Planning Commission but is not completed within the vesting period, the traffic impact study shall be deemed expired and a new study will be required.

4. Contents and Methods. The Traffic Impact Study shall meet the following requirements:

a. Project Description

- i. Purpose and objectives of the study;
 - ii. Specific location, including description and area mapping;
 - iii. Current site conditions and proposed use (number of lanes, lane widths including road shoulders, roadway classifications, speed limit, ditching or curb and gutter, sidewalks, zoning, proposed development size and type of development, availability of essential utilities, directional signage, etc.);
 - iv. Locations of existing and proposed access point(s), distances between each access and nearby driveways, etc.; and
 - v. Phasing and proposed timing of each phase.
- b. Examination of all signalized intersections within one-half (1/2) mile of the site, including major thoroughfares. List the Level of Service (LOS) for the overall intersection for signalized intersections and the LOS for all critical turning movements for unsignalized intersections. LOS calculations should be based on the latest Highway Capacity Manual. For any intersections operating at LOS E or F, determine if there are feasible measures to improve the traffic operations.

- c. Baseline Traffic Counts (i.e., existing traffic counts) shall be based on actual field data of current trip counts as follows:
 - i. A typical weekday not on a state or federal holiday, and not during any period of uncommon circumstances that may render the baseline traffic erroneously high or low compared to a typical weekday;
 - ii. If any school or schools are located within one-half (1/2) mile of the site or within one-half (1/2) mile of a signalized intersection within the site traffic impact study area, then in addition to all other applicable requirements, traffic counts shall be taken on a day when such schools are in session;
 - iii. AM Peak 6:00 am to 9:00 am;
 - iv. Noon Hour 12:00 pm to 1:00 pm; and
 - v. PM Peak 4 pm to 7:00 pm.
- d. Project-generated traffic shall be determined using the data and methodology defined in the Institute of Transportation Engineers (IT E) "Trip Generation Manual," 10th Edition, or the latest edition.
- e. Traffic forecasts for projects planned or under construction within one-half (1/2) mile of the site.
- f. Horizon Date, i.e., future date when proposed project is anticipated to become operational:
 - i. Three (3) and five (5) year forecasts for existing and project generated traffic provided by the Tennessee Department of Transportation (T DOT) for the five (5) counting periods prior to the study year. If such counts are not available, projections shall be based on special counts factored by an increase of three and one-half percent (3.5%) per year to reach the required projection year;
 - ii. A traffic impact study shall be updated with a new revised horizon date whenever the proposed project is not fully operational by the end of the latest Horizon Date set forth in the project traffic impact study.
- g. Cumulative Impacts: Reasonably foreseeable traffic impacts generated by previously approved projects or projects under construction in the study area that are not yet operational but which are expected to be operational within the Horizon Date of the proposed project.
 - i. Cumulative Projects List: The Planning Director shall provide the applicant a list of all recently approved projects and projects under construction within the traffic impact study area of the proposed project, and assist the applicant in obtaining an identical list from any other municipal

jurisdictions within the study area; and

- ii. The cumulative project trip generation shall be the existing baseline trips, project-related trips, project future growth trips, and trips generated by all projects on the Cumulative Projects List.

h. Passenger Car Equivalency Calculations

- i. In counting project-generated traffic trips and cumulative project traffic trips, busses, construction-type trucks, three or more axle trucks, and/or any other vehicles that have greater per-vehicle traffic impacts than the per-vehicle impacts of passenger cars shall not be counted equal to passenger car trips.
 - ii. Traffic studies shall employ passenger equivalency calculations of not less than 2 to 1 and adjustments to the trip calculations and impact assessments to account for the greater per-vehicle impacts of busses, construction-type trucks, three or more axle trucks, and/or any other vehicles that have greater per-vehicle traffic impacts than the per-vehicle impacts of passenger cars.
- i. *Conclusions and Recommendations.* Identify and include of the following details provided by this traffic impact analysis:
- i. Any recommended roadway improvements, including roadway widening, turn lanes/deceleration lanes, new roadway connections and extensions, etc. Specify turn lane storage lengths, taper and transition lengths, and lane widths.
 - ii. Any modifications to existing or additions of new traffic control devices. Include from the LOS analysis if there are prescribed measures to improve the LOS.
 - iii. A list of site access evaluations and recommendations,
 - iv. Scheduled improvements to be performed by a governmental entity. Clearly identify the funding sources for these improvements.
 - v. Timing for the completion of the recommendations. Timing should be based on logical construction phasing for buildout schedule and when the improvements are needed.