

SUBDIVISION REGULATIONS
FOR
BULLS GAP, TENNESSEE

Amended Through May 16, 2011

Prepared for

The Bulls Gap Planning Commission

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ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. Are subdivision regulations fair to everyone?

Yes, the written regulations provide the local planning commission with uniform procedures, standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. Who is affected by the regulations?

Every owner of land within the planning region who divides land into smaller parcels, or changes the size or shape of existing lots.

3. Am I affected if I resubdivide my tracts into two parcels?

Yes, "subdivision" means the division of a tract or parcel of land into two or more lots, sites or divisions for immediate or future sale or building development, and includes resubdivision.

4. What's to prevent me from recording a subdivision plat without approval?

The county registrar of deeds is prevented by law for recording land subdivision lying within planning regions without final approval in writing.

5. Can I sell by an unapproved plat and then record my lots by metes and bounds?

No. State law makes it a misdemeanor, punishable by law, to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

6. What happens if I sell unapproved and unrecorded lots from my subdivision?

(a) A state law has been broken (Section 10, Chapter 222, Public Acts of 1951).

(b) Some cloud would exist on the title of the lot.

(c) Most lending agencies will not approve or guarantee loans.

(d) State law requires that public bodies shall not extend sewers, water mains, lighting or other utilities in unauthorized roads.

(e) Where zoning is in effect a building permit to construct any building will be withheld.

(f) Any building or structure erected in violation may be forced to be vacated or removed.

(g) The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. What improvements will I need to install in my subdivision?

Bulls Gap Subdivision Regulations require the developer to grade and improve streets, install monuments, sewers, (where applicable) and water mains in accordance with adopted specifications.

8. Why doesn't the lot buyer instead of the developer pay for improvements? The lot buyer does - at the time he purchases his property. If lots are sold before improvements are in, the community bears the expense of providing needed improvements that should have been originally planned for and installed by the developer.

9. Won't subdivision regulations cause expensive development and cost me a lot of money?

Quite the contrary. Properly planned subdivisions make the most of land with a minimum of construction and operating cost. Good design takes advantage of all capabilities of the site and results in a minimum amount of streets and utilities with a maximum number of well-arranged and easier sold lots. Good land subdivision affects the value of the land and the immediate return to the investor, while saving the developer money.

10. How do I go about having a subdivision approved:

The Bulls Gap Planning Commission's printed set of regulations includes the procedure for having a plat approved. The planning commission meets at regular intervals and your preliminary sketch is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult your planning commission early so as to become familiar with the official plans that might affect your area.

11. What If I wish to lay out a commercial or industrial subdivision?

The provisions of subdivision regulations apply to all subdivision of land, including that for use of business and industry. Since space, parking and service requirements will vary greatly, it is impossible to establish standards for all types of uses. For that reason, specific requirements for lot sizes and area are set forth only for residential areas.

12. Where can I get technical site planning assistance?

The planning commission will help by recommending several competent subdivision designers who can contribute much to the financial success of your subdivision. Although they will not prepare final plans for you, trained planners are available at the Upper East Tennessee Office of the Tennessee State Planning Commission in Johnson City, Tennessee.

**SUBDIVISION REGULATIONS
OF THE BULLS GAP, TENNESSEE
MUNICIPAL PLANNING COMMISSION**

(Hereinafter referred to as the Planning Commission)

ARTICLE I. PURPOSE, AUTHORITY AND JURISDICTION

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. Subdivided 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 lot owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The Bulls Gap Major Road Plan, certified copies of which were filed in the Office of the Register of Hawkins County, Tennessee in December 1970, and the following standards guiding the planning commission are designed to provide for the harmonious development of the area; to secure 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 standards are adopted under authority granted by Section 13-4-301 through Section 13-4-310 of the Tennessee Code Annotated. The Planning Commission fulfilled the requirements set forth in these acts as prerequisite to the adoption of such regulations.

C. Jurisdiction

These regulations shall govern all subdivision of land within the Bulls Gap, Tennessee area of planning jurisdiction as now or hereafter established. 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 less than five (5) acres, for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. Any party owning land within this area wishing to subdivide land shall submit to the Bulls Gap Planning Commission a plat of the subdivision according to the procedures outlined in Article II, and shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these regulations.

ARTICLE II. PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two separate steps. The initial step is the preparation and submission to the planning commission of a preliminary plat of the proposed subdivision. The second step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the County Register when duly signed by the secretary of the planning commission.

The subdivider should consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary plat and before making formal application for approval. This will enable a thorough familiarity with these regulations, the Major Road Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

A. General

1. Any party owning land lying within the area of jurisdiction of the planning commission wishing to divide such land into two or more lots, sites or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to resubdivide for this purpose, shall submit a plan of such proposed subdivision to the Planning Commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following sections of this article. No plat of a subdivision of land within the Bulls Gap, Tennessee area of planning jurisdiction shall be filed or recorded by the Register of Hawkins County without the approval of the planning commission as specified herein.

2. In order to secure review and approval of the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any streets improvements or installations of utilities, submit to the planning commission a preliminary plat as provided in Section "B below. On approval of said preliminary plat the subdivider may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C and with the improvements set forth in Article IV.

B. Preliminary Plat

1. At least fifteen (15) days prior to the meeting at which it is to be considered, the subdivider shall submit to the Secretary of the Planning Commission four (4) copies of a preliminary plat of the proposed subdivision drawn to a scale of not less than one (1) inch equals one hundred (100) feet.

2. The preliminary plat shall meet the minimum standards of design and general requirements for the construction of public improvements as set forth in Article III and shall give the following information:

a. The proposed subdivision name and location, the name and address of the owner or owners, and the name and address of the designer of the plat who shall be a registered engineer or surveyor approved by the planning commission.

b. Date, approximate north point and graphic scale.

c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements; the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.

d. Plans of proposed utility layouts (sewer, water, gas and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the Tennessee Department of Environment and Conservation (TDEC)..

e. The proposed street names and the locations and dimensions of proposed streets, alleys, easements, drainageways, parks and other open spaces reservations, lot lines, building lines and utilities.

f. Contours at vertical intervals of not more than five (5) feet except when specifically not required by the planning commission.

g. The acreage of the land to be subdivided.

h. Location sketch map showing relationship of subdivision site to area.

3. Within sixty (60) days after submission of the preliminary plat, the planning commission will review it and indicate approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.

4. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat and will not be indicated on the preliminary plat.

5. Failure of the planning commission to act on the preliminary sketch plat within sixty (60) days after being presented at a planning commission meeting in accordance with subsections B.1 and B.2 of this Article will be deemed approval of this plat, and a certificate to that effect shall be issued by the commission on demand; provided, however, that the applicant may waive this requirement and consent to the extension of such period.

6. One (1) copy of the preliminary plat will be returned to the subdivider with any notations at the time of approval, disapproval, or approval subject to modifications, with the specific changes, if any, required.

7. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval unless an extension of time is applied for and granted by the planning commission.

C. Final Plat

1. The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.

2. At least fifteen (15) days prior to the meeting at which it is to be considered, the subdivider shall submit the original drawing of the final plat in black drawing ink and four (4) copies (black or blue line prints), together with any street profiles or other plans that may be required by the planning commission.

3. The final plat shall be presented to the planning commission at its next meeting by the Secretary of the Planning Commission for consideration for approval or disapproval. Failure to present the final plat by the secretary shall not relieve the planning commission of its responsibility to consider said plat.

4. The plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet on sheets not larger than twenty-two (22) by thirty-four (34) inches or of an approved size to correspond to local plat book dimensions. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.

5. When the final plat has been approved by the planning commission, the secretary shall sign the Certificate of Approval for Recording on the original tracing and return it to the subdivider for filing with the county Register as the official plat of record. The four (4) copies of the final plat shall be retained by the secretary of the planning commission.

6. The planning commission shall approve or disapprove this final plat within sixty (60) days after its submission. Failure of the planning commission to act on this final plat within these sixty (60) days shall be deemed approval. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the planning commission.

7. Approval of the final plat by the planning commission shall not constitute the acceptance by the public or the dedication of any streets or other public way or ground.

8. The final plat shall show:

a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers (if applicable), reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

- b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight. This shall include the radius, central angle and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.
 - c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and true north point.
 - g. Location sketch map showing site in relation to area.
9. The following certificates shall be presented with the final plat.
- a. Certification on the plat showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (see Appendix B)
 - b. Certification on the plat by registered surveyor to accuracy of survey and plat and placement of monuments (see Appendix B).
 - c. Certification of the approval of public water systems (see Appendix B).
 - d. Certification of the approval of public sewer (see Appendix B.)
 - e. Certification block (6"x6") for the use TDEC when individual sewage disposal systems (septic systems) are to be installed (see Appendix B.)
 - f. Certification of the approval of public sanitary sewer (see Appendix B).
 - g. Certification by the town road superintendent or other designated person that the subdivider has complied with one of the following alternatives:
 - 1. Installation of all improvements in accordance with the requirements of the subdivision regulations, or
 - 2, Posting of security bond or cash bond in sufficient amount to assure completion of all required improvements (see Appendix A).
 - h. Certification on the plat of approval to be signed by the secretary of the planning commission (see Appendix B).

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

A. Streets

1. Conformity to the Major Road Plan

The location and width of all streets and roads shall conform to the official Major Road Plan of Bulls Gap, Tennessee.

2. Relation to Adjoining Street System

The proposed street system shall extend existing streets at the same or greater width, but in no case less than the required minimum width as set forth in this Article.

3. Access Streets to Subdivision Boundaries

Sufficient access streets to adjoining properties shall be provided in subdivisions to permit harmonious development to the area.

4. Street Width

(a) The minimum width of right-of-way, measured form lot line to lot line, shall be as shown on the Major Road Plan, or if not shown on such plan, shall be not less than as follows:

a. Arterial Streets and Highways 80- 150 feet,
as may be required. Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Road Plan.

b. Collector Streets 60 feet.
Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of a residential development and streets for major circulation within such a development.

c. Minor Residential streets 50 feet
Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic.

d. Marginal Access Streets 40 feet
Marginal access streets are minor streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection form through traffic.

e. Dead-end Streets (cul-de-sacs) 40 feet

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

f. Alleys 20 feet
Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

(b) 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 Width on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-ways 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 center line of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than one-half of the applicable right-of-way width than shown in Article III, Section A-4 of the these regulations.

6. Restriction of Access

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

7. Street Grades

Grades on major streets shall not exceed seven (7) percent. Grades on other streets shall not exceed fifteen (15) percent.

8. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 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 with 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 ½) 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 feet horizontal and one inch equals (20) feet vertical, may be required by the planning commission.

10. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than seventy-five (75) 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 ninety (90) degrees the planning commission may require a greater property line 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 set back sufficiently to permit such construction.

11. Tangents

A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

12. Street Jogs

Street jogs with center line 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 five hundred (500) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet.

(b) Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets 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 subdivided lot 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. Drainage

All streets and roads must be so designed as to provide for the discharge of surface water from the right-of-way of all streets and roads by grading and drainage as shall be approved by the planning commission. Where it is the opinion of the planning commission that water cannot be adequately discharged by surface drainage, the planning commission may require the installation of a storm sewer system.

16. Street Names

Proposed streets which are, obviously in alignment with others already existing and 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, court, etc. The planning commission can assist the subdivider in avoiding duplication.

17. Alleys

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

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) not more than twelve hundred (1200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the planning commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission may approve a single tier of lots of minimum depth.

C. Lots

1. 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 front for a minimum of fifty (50) feet upon a public street or road with a right-of-way of not less than forty (40) feet in width,

except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line.

2. Minimum Size

The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where a public sanitary sewer is not accessible, an alternate method of sewage disposal may be used, when meeting all applicable regulations. Lot sizes shall conform to the following minimum requirements.

- a. The size and widths of lots within the corporate limits shall in no case be less than the minimum requirements of the zoning ordinance.
- b. Residential lots served by a public sewerage system shall not be less than forty (40) feet wide at the street right-of-way line and a minimum of sixty (60) feet wide at the building setback line nor less than seventy-five (7500) square feet in area. An additional four thousand (4,000) square feet of area shall be provided for each additional family on a lot.
- c. Residential lots not served by a public sewerage system shall not be less than fifty (50) feet wide at the street right-of-way line and a minimum of eighty (80) feet wide at the building setback line and shall provide a minimum area of fifteen thousand (15,000) square feet, except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line. TDEC may require greater area for sewage disposal following review of the lot.
- d. The minimum size of residential lots to be served by a private source of water supply shall be determined by TDEC after investigation of soil conditions, proposed sewerage system and depth of ground water.
- e. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street services and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

3. Building Setback Lines

The minimum depth of building setback lines from the street right-of-way line shall not be less than thirty (30) feet from minor residential and collector streets and forty (40) feet from all others. In case of corner lots fifteen (15) feet from the side street right-of-way line unless a lower standard is allowed by an existing zoning ordinance. A minimum side yard of six (6) feet on one side for all lots and a total minimum side yard setback of fifteen (15) feet is required for interior lots.

4. Corner Lots

Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

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 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 plat for park, school or recreation purposes.

2. Easements for Utilities

a. A six (6) foot easement shall be provided on each side and rear lot line for the purpose of drainage and utilities. Each cul-de-sac shall have provisions for a fifteen (15) foot utility easement extending therefrom to prevent dead-end water mains. Easements of the same or a greater width may be required along the lines or access lots, where necessary for the extension of existing or planned utilities.

b. Storm Sewers

Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers may be required. The planning commission shall determine, on the basis of the watershed and the probable runoff the size of storm sewers. In ascertaining the size of the storm sewers, the planning commission may call upon its technical staff or any public or private agency to assist it in its determinations.

3. Water Supply and Sewerage Connections

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage system and a water or sewerage connection for each lot with such material and to such size and length as shall be approved by the planning commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply or sewage disposal may be indicated and shall be approved by TDEC.

4. Community Assets

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

E. Suitability of the Land

The planning commission shall not approve the subdivision of land if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographical unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. Fill may 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 future streets and logical further resubdivision.

G. Group Housing Development

A comprehensive group housing development, including the large scale construction of housing units or the placement of two or more mobile homes, together with necessary drives and ways of access, may be approved by the planning commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

1. A mobile home shall mean a detached single family dwelling unit with all of the following characteristics: Designed for long term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detached wheels and arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.

2. Any proposed mobile home park development within the Bulls Gap, Tennessee are of planning jurisdiction must be submitted to the Bulls Gap Planning Commission for approval. A mobile home park shall mean any plat of ground containing a minimum of two (2) acres upon which two or more mobile homes are located or are intended to

be located, but does not include sites where unoccupied mobile homes are on display for sale.

3. The owner or lessee of the land parcel proposed for a mobile home park shall submit a plan for development to the Bulls Gap Planning Commission for approval. The plan shall show:

- a. The park plan drawn to scale;
- b. The area and dimensions of the proposed park.
- c. The location and width of all roadways.
- d. The location and dimensions of any proposed service buildings and structures.
- e. The location of all water and sewer lines.
- f. The location of all equipment and facilities for refuse disposal and other park improvements.
- g. A plan for drainage of the park.
- h. A certificate of accuracy signed by the surveyor or engineer that the engineering work is correct.
- i. A certificate for planning commission approval.
- j. Any other information deemed pertinent by the planning commission

4. The site shall meet the following minimum standards:

- a. The site shall be located on a well drained and flood free site with proper drainage.
- b. The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.
- c. The site shall be located with direct access to an open public street.
- d. There shall be buffer strips along side and rear lot lines of the park. Buffer strip shall mean a plant material which will provide a screen not less than six feet in height.
- e. Each mobile home space shall be a minimum of 3,150 square feet in area with a minimum depth of ninety (90) feet, and shall abut on a driveway with unobstructed access to an open public street. Each mobile home shall be set back a minimum of

ten (10) feet from property lines and space lines, and there shall be a minimum distance of 20 feet between mobile homes.

f. Each mobile home space shall be provided with a 400 square foot vehicular parking area.

g. No service building shall be located less than 20 feet from any mobile home space. Service buildings shall be permanent construction, adequately ventilated and lighted and built in conformity to all town codes and ordinances.

h. A municipal water supply and sanitary sewer facilities approved by the Tennessee Department of Environment and Conservation shall be provided to each mobile home space.

i. Each mobile home park shall provide a common area for playgrounds, and leisure time pursuits totaling a minimum of 500 square feet for each mobile home space exclusive of roadways, mobile home spaces and parking spaces.

j. All service buildings shall be convenient to the spaces which they solely serve and shall be maintained in a clean and sanitary condition.

k. The drives, walks, and parking areas shall be paved with a hard surface material which shall be not less than a double bituminous surface.

l. Driveways shall be a minimum of 20 feet in width.

m. Any part of the park area not used for buildings or other structures, parking, or access ways shall be landscaped with grass, trees, shrubs, and pedestrian walks.

n. The park shall be adequately lighted.

H. Variances

Variances may be granted under the following conditions:

1. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, or
2. Where the planning commission decides that there are topographical or other conditions peculiar to the site, and a departure may be made without destroying the intent of such provisions. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justifiable set forth.

I. Zoning or Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms with such ordinance. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

J. Accuracy

1. All boundary traverses shall close to an accuracy of at least one (1) part in twenty-five hundred (2500)
2. Actual closure computations shall be submitted with the final plat.
3. The boundary closure error shall be noted on the final plat.

ARTICLE IV. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until the buyer 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 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, install monuments, sewers, storm water inlets, and water mains in accordance with specifications established by the town or county. Except where higher standards have been adopted by local authorities, the following standards shall apply:

1. Monuments

- a. Concrete monuments four (4) inches in diameter or 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 points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location.
- b. All other corners shall be marked with iron pipe or steel rods not less than three-eighths (3/8) inches in diameter and twenty-four (24) inches long.

2. Grading

All streets roads and alleys shall be graded to their full widths by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the planning commission.

- a. Preparation: Before grading is started the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials.
- b. Cuts: All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade.
- c. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted by a sheep's foot roller. Unless another method of preparation of the subgrade is approved by the planning commission, the subgrade shall be constructed as specified in Section 203, Standard Specifications for Road and Bridge Construction, Tennessee Department of Transportation (TDOT), March 1, 2006, and latest revisions thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction the water content shall not exceed the optimum of moisture.

3. Storm Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than eighteen (18) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base not on rock. Pipes shall be laid with spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the road bed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the road-bed.

4. Pavement Base

A compacted base course six (6) inches deep and three (3) feet wider than the width of the pavement, shall be installed for all streets, including cul-de-sacs, temporary turn-arounds and access streets to adjoining properties, according to the method specified in Section 303, Standard Specifications for Road and Bridge Construction, TDOT, March 1, 2006, and latest revisions thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor. In all cases the centerline of the roadway shall coincide with the centerline of the right-of-way dedicated for such road or street.

5. Pavement

a. Prime Coat: After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 402, Standard Specifications for road and Bridge Construction TDOT, March 1, 2006, and latest revisions thereto.

b. Wearing Surface: The wearing surface shall consist of a surface course constructed with asphalt concrete, prepared with mineral aggregate, laid hot as specified under Section 411, Standard Specifications for Road and Bridge Construction, TDOT - March 1, 2006 and latest revisions thereto. It shall be constructed in one layer not less than two (2) inches thick to conform to the lines, grades and cross sections indicated on a plan approved by the inspecting engineer.

6. Minimum Street Improvement Widths

Due to a diversity of development, required street improvement widths may vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below.

- a. Arterial Streets(Not paved by developer)
- b. Collector Streets 12 feet

- c. Minor Residential streets 28 feet
Most minor streets in residential development involve parking and/or considerable traffic.
- d. Marginal Access 20 feet
Maximum length 1,200 feet or 254 dwelling units.
- e. Loop Streets 20 feet
Maximum length 1,200 feet or 25 dwelling units.
- f. Dead-end Streets (cul-de-sac) 20 feet
Maximum length 500 feet
- g. Rural Streets 20 or 24 feet
Minimum of one acre lots and 150 feet frontage. Pavement widths of 20 feet may be accepted on loop and dead-end (cul-de-sac) rural streets meeting the above standards of maximum length and dwelling units.

7. Installation of Utilities

After grading is completed and approved and before any base is applied, all of the underground works - water mains, gas mains, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

8. Water Supply

- a. General - These standards for the design and construction of utilities are established to ensure that all proposed subdivisions are provided with adequate , safe, and sufficient utility services.
- b. Water Supply - Every lot in all proposed subdivisions shall have available an approved public water supply or an individual water supply likewise approved if a public water supply cannot be feasibly provided.
 - 1. Installation and Maintenance of Systems - All subdivision water supply systems shall be designed, installed, and maintained in accordance with state and local regulations.
 - 2. Size Lines Requirements - No water main less than six-inches in diameter shall be installed except where a main of greater than six-inches is deemed unnecessary by the planning commission.

3. Fire Hydrants - All subdivisions shall have fire hydrants installed. Fire hydrants should be those approved by the American Waterworks Association, and shall be spaced so that no structure is located further than five hundred (500) feet from a hydrant, or as otherwise required by the planning commission. Hydrants shall be connected to mains by six inch laterals.

4. Individual Water Supply - In subdivisions which cannot feasibly provide a public water supply, the subdivision shall be so designed as to provide an approved individual water supply to each and every lot.

9. Sanitary Sewerage

a. General - These standards for development of sanitary sewer systems are established to ensure healthful living conditions and protect the health of the community, to provide the best possible method of waste disposal, and to provide the necessary current and future sanitary disposal system at the least ultimate cost to the community and individual home owner.

b. Sanitary Sewer Plan - A sanitary sewer plan shall be provided by the developer which includes a plan and profile for all existing and proposed sewer lines, laterals, lot connections, and connections with existing systems; individual package treatment plans, or subsurface individual sewage systems when such are provided for each lot.

c. Sanitary Sewer Systems - Sanitary sewer systems shall be provide in accordance with the following standards:

(1.) Public Sewer Systems - When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to adequately serve all lots with connections to the public system.

(a.) All connections on the public sewerage system must be approved by the Sewer Department.

(b.) Subdividers shall furnish any additional information to the Sewer Department which the Department deems necessary.

(2.) Individual Sewage Treatment - "If the developer can provide evidence acceptable to the planning commission that public sewerage is not reasonably available, the developer may design the subdivision to be served by individual subsurface sewage treatment systems, provided the following conditions are met.

(a.) All lots served by individual subsurface sewage treatment systems shall contain at least fifteen thousand (15,000) square feet.

(b.) All such lots shall have a minimum width of eighty (80) feet at the building line, except that lots fronting on cul-de-sacs may have a minimum width of fifty (50) feet at the building line.

(c.) All lots served by individual subsurface sewage treatment systems shall be approved by the TDEC.

10. Street Name Signs

Appropriate street name signs shall be placed at all street intersections. These signs add sales value to subdivision lots and facilitate the movement of traffic within the subdivision. All proposed subdivisions located within the Bulls Gap, Tennessee area of planning jurisdiction shall install street name signs in accordance with specifications for the planning commission.

B. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the County Register of Deeds until one of the following conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the Bulls Gap Planning Commission.
2. The planning commission has accepted a security or performance bond in an amount equal to one hundred fifty (150) percent of the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the town or county in the event of default of the subdivider.
 - a. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period of not to exceed one (1) year; provided, however that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension.
 - b. If the planning commission shall decide at any time during the performance bond that the extent of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bond, that required improvements have been installed as provided in this section in sufficient amount to warrant reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements for any or all such improvement, the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.
 - c. Performance bonds which are submitted in lieu of the installation of required improvements shall be in cash or made by a surety company authorized to do business in the State of Tennessee. In the case of a surety company, the performance bond shall be prepared according to the form as shown in Appendix A, said Appendix A is made a part of these subdivision regulations.

ARTICLE V. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land is provided by state law in the authority granted by Public Acts of the State of Tennessee

A. Enforcement

1. No plat or plan of a subdivision of land into two or more lots located within the Bulls Gap, Tennessee area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302, Tennessee Code Annotated.

2. The municipality shall not, nor shall any public authority, accept, lay out, open, improve, grade, pave, or light any street or lay or authorize water mains or sewers or connections to be laid in any street within the municipality, unless such street shall have been accepted or opened as or shall have otherwise received the legal status of a public street prior to the attachment of the commissions subdivision jurisdiction, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission or with a street plat made and adopted by the commission as provided in Section 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No county Register shall receive, file, or record a plat of a subdivision within the Bulls Gap, Tennessee area of planning jurisdiction without the approval of the planning commission as required in Section 13-4-302, Tennessee Code Annotated, and any county Register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

2. Section 13-4-306, Tennessee Code Annotated provides: Whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to 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 municipal planning commission and obtained its approval as required by this Act and before such plat be recorded in the office of the county register, commits a Class C misdemeanor; 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 municipality, through its solicitor or other official designated by its chief legislative body may enjoin such transfer or sale or agreement by action for injunction.

3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or solicitor of the municipality or other official designated by the chief

legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

ARTICLE VI. ADOPTION

A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the planning commission; a reasonably notice of the time and place of which shall be given by one publication in a newspaper of general circulation in each county lying wholly or partly in the area of planning jurisdiction.

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

Adopted May 16, 2011

Signed _____
Chair, Bulls Gap, Tennessee
Municipal Planning Commission

APPENDIX A

PERFORMANCE BOND FORM

KNOW ALL MEN by these presents:

WHEREAS _____ Principal HEREIN IS THE Owner and developer of the _____ Subdivision located in Hawkins County, Tennessee and _____, a surety company authorized to do business in the State of Tennessee (Hereinafter called the “surety”), and

WHEREAS, the plans and specifications of said subdivision showing the location, construction and installation of streets, roads, curbs and utilities and other improvements therein have been filed with the Bulls Gap Planning Commission for final approval, and which are referred to and made a part of this instrument, as if fully copied and set forth herein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, and utilities, and all other improvements in the said subdivision in accordance with the said plans and specifications now on file, pending final approval by the said planning commission.

NOW, THEREFORE, _____, as Principal and _____, as Surety, do hereby firmly bind ourselves, our heirs, executors, administrators and successors unto the Bulls Gap Planning Commission for and on behalf of Bulls Gap, Tennessee in the sum of \$ _____ conditioned upon the performance by the Principal of its undertaking herein, and its completion of said _____ Subdivision in the construction of all the streets, sidewalks, roads, curbs, and all other improvements therein called for by the plans thereof the same to be completed on or before the _____ day of _____, 20____, and upon the completion thereof this obligation to be null and void, otherwise to remain in full force and effect. If the Principal fails to complete the construction, and the improvements of said subdivision as shown and provided for by said plans and specifications herein referred to within the time herein specified, the Commission may at its discretion extend the time for the completion of said work by order duly made and entered by the said commission for a period of from 30 to 90 days.

WITNESS our hands this the _____ day of _____, 20_____.

WITNESS: _____

Principal

Surety

APPENDIX B
FORMS FOR FINAL PLAT CERTIFICATIONS

CERTIFICATION OF OWNERSHIP AND DEDICATION

The signature(s) below certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, established the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as noted.

_____, 20____

Owner

Owner

CERTIFICATION OF ACCURACY

The signature below certifies that the plan shown and described hereon is a true and correct survey to the accuracy required by the Bulls Gap Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the Bulls Gap subdivision regulations.

_____, 20____

Registered Surveyor

CERTIFICATION OF APPROVAL OF WATER SYSTEM

The signature below certifies that the public water utility system installed, or proposed for installation, meets the requirements of the utility district and is hereby approved as shown.

_____, 20____

Water Utilities Department /
Authorized Representative

CERTIFICATION OF APPROVAL OF PUBLIC SEWER

The signature below certifies that sanitary sewerage disposal system (1) is available to the property, or (2) as shown on the accompanying plans, has been installed in an acceptable manner according to town specifications, or (3) a security bond in the amount of \$_____ has been posted with the planning commission to ensure completion of all required improvements in case of default.

_____, 20____

Bulls Sewer Department

CERTIFICATION OF STREETS AND UTILITIES

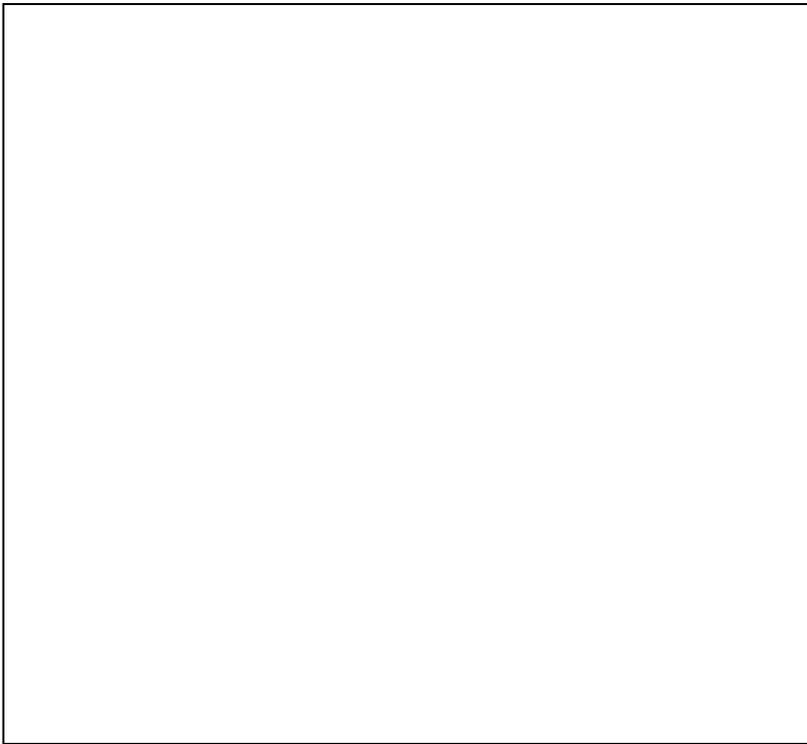
The signature below certifies that (1) streets and utilities have been installed in an acceptable manner according to specifications or (2) a security bond in the amount of \$_____ has been posted with the planning commission to ensure completion of all required improvements in case of default.

_____, 20____

Bulls Gap Road Superintendent

APPROVAL FOR SEPTIC SYSTEMS

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION,
DIVISION OF GROUNDWATER PROTECTION (6"x6" Certification Block)



CERTIFICATION OF APPROVAL FOR RECORDING

The signature below certifies that the subdivision plat shown here has been found to comply with the subdivision regulations of the Bulls Gap, Tennessee Planning Commission, with the exception of any variances that are noted in the minutes of the Planning Commission, and that it has been approved for recording in the office of the County Register.

_____, 20____

Secretary, Bulls Gap Planning Commission