

SUBDIVISION REGULATIONS



MEDINA, TENNESSEE

**Adopted July 31, 2000
Updated August 1, 2010 &
June 13, 2017**

SUBDIVISION REGULATIONS
OF THE
MEDINA, TENNESSEE MUNICIPAL REGIONAL PLANNING COMMISSION
(Hereafter referred to as the Planning Commission)

A. Purpose

These Subdivision Regulations provide for the coordination of streets within subdivisions, with other existing or planned streets, or with other features of the Major Road Plan of the Medina, Tennessee Planning Region; for minimum standards of physical improvements in new subdivisions; for adequate open spaces for traffic, utilities, recreation, light and air; and for the distribution of population and traffic all of which are to improve the health, safety, and general welfare of the community.

B. Authority

These Subdivision Regulations are adopted under the authority granted by Section 13-3-101 through 13-4-309, Tennessee Code annotated. The Planning Commission has fulfilled the requirements set forth in these statutes as a prerequisite to the adoption of such regulations, having adopted a Major Road Plan on July 17, 2002, and having filed a certified copy of the Major Road Plan in the Office of the Register of Deeds, Gibson County, Tennessee on July 24, 2000.

C. Jurisdiction

These regulations shall govern all subdivision of land within the corporate limits of Medina, Tennessee as now or hereafter established and within the Medina, Tennessee Planning Region, and within the Urban Growth Boundary of Medina, Tennessee as identified in the Gibson County Growth Plan as approved by the Local Government Planning Advisory Committee.

D. Definitions

For the purpose of these regulations, certain words used herein are defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "shall" is mandatory and not directory. The word "may" shall be deemed as permissive.

1. Block: A piece or parcel of land entirely surrounded by public streets other than alleys.
2. Building Setback Line: The line indicating the minimum distance between any building and a lot line or right-of-way.

3. Construction Bond: A performance bond, cashier's check, or certificate of deposit from a commercial bank submitted to the Planning Commission by the developer in lieu of actual construction to insure that the required improvements will be made. The developer may file separate construction bonds to cover phases of construction, which would be equal to 100% of the estimated construction costs. Following construction and acceptance by the governing authority of each phase, the construction bond will be returned to the developer. The performance bond, cashier's check or certificate of deposit shall have an effective period of not less than one (1) year.
4. Developer: Any person or corporation or duly authorized agent who undertakes the subdivision of land as defined herein.

Easement, Drainage - The right to convey or divert stormwater, including the right to restore, maintain or repair ditches, drainage structures, pipes, weirs, catch basins or man holes for the management of storm water together with rights for ingress-egress for this purpose.

Easement, Travel (Residential) - The right granted by the owner of land to another party, by deed or prescription, to allow access across one parcel of land to another. Any easement thus created shall establish and maintain a minimum width of fifty (50) feet in its entirety, have access to a public street or road, serve as access to only one legally recorded lot of record and be permanently recorded in perpetuity. For the purposes of these Subdivision Regulations, any travel easement shall be considered a street whenever: 1) it service more than one (1) lot; or 2) it serves any lot created through the subdivision process. All streets shall be improved in accordance with specifications outlined in these regulations.

Easement, Travel (Commercial & Industrial)- The right granted by the owner of land to another party, by deed, or prescription, to allow access across one parcel of land to another. Commercial lots may be created without frontage on a public street provided the following conditions exist:

1. The easement is shown on a plat, recorded in the office of the Gibson County Register of Deeds either prior to, or concurrently with the platting of lots being served by said easement.
2. In approving commercial travel easements, the planning staff shall consider such factors as circulation, access, ingress

and egress, parking, as well as maintenance of yard, area and other zoning requirements of any lot (s) affected by said easement.

3. The parcels involved in the easement agreement are all served internally by a common parking lot, as would be characteristic of a shopping center with out-parcels.
4. An adequate maintenance agreement between the property owners involved is established for the maintenance of said travel easement.
5. Easement, Utility - The right granted by the owner of land to the public, in form of dedication, to allow utility facilities to be constructed, installed, maintained or preserved. Any easement thus created should be recorded by deed or plat in the Gibson County Register's Office. The term utility easement shall include but not be limited to: water sewer, electric power lines, gas lines, pipeline, cable television lines, telecommunications, or other public utility systems.
6. Health Department: Wherever the term "Health Department" is used in these regulations it shall be deemed to refer to the Gibson County Health Department.
7. Improvements: Street pavements, curbs, gutters, sidewalks, walkways, water mains, sanitary and storm sewers, street name signs, drainage facilities, erosion control, landscaping, and any other such items as may be specifically designated by the Planning Commission.
8. Lot: A portion or parcel of land separated from other portions or parcels by description as on a subdivision plat of record or as described by metes and bounds, and intended for transfer of ownership or for present or future development or both. For the purpose of these regulations, the term does not include any portion of a dedicated right-of-way.
9. Major Road Plan: An official map depicting the general locations and required widths of the major arterial and collector roads and streets within the Planning Region. The absence of an arterial or collector road being identified on the Major Road Plan shall not relieve the developer of the responsibility for constructing or providing for such roads if they are determined necessary by the Planning Commission.

10. Pedestrian Walkway: A right-of-way dedicated to public use, adequate in width, intended primarily for pedestrians and from which motor propelled vehicles are excluded, and which is designed to improve or provide pedestrian access to adjacent streets or lots.
11. Planning Commission: Whenever the term "Planning Commission" is used in these regulations, it shall be deemed to refer to the Medina, Tennessee Municipal Regional Planning Commission.
12. Planning Region: The area of jurisdiction of the Medina, Tennessee Municipal Regional Planning Commission as approved by the Local Government Planning Advisory Committee and as identified on the Major Road Plan. The Medina Planning regions encompasses the same territory as the Medina urban growth Boundary (UGB).
13. Plat, Preliminary (Schematic): The preliminary or schematic plat shows the layout of streets, lots, and other features in relation to existing conditions. The preliminary plat illustrates the way in which the developer intends to develop the land (See Article II, Section b)
14. Plat, Construction: The construction plat represents the engineering data involved with the approved subdivision design. (See Article II, Section C)
15. Plat, Final: The final plat is a map showing the division of any tract of land into two or more lots, including the required signed certificates, prepared for the purpose of public recording. (See Article II, Section D.)
16. Right-of-Way: The entire strip of land lying between property lines dedicated by plat or by other means for use as a street, alley, or pedestrian walkway.
17. Street: A way for vehicular traffic, which is for public use, and is maintained by the city, county, or state, whether designated as a street, road, highway, thoroughfare, lane, place or however otherwise designated.
 - a. Arterial Streets are those which are used primarily for fast or heavy traffic and are those designated as such on the official Major Road Plan for the Medina Planning Region.
 - b. Collector Streets are those which carry traffic from local streets to the network of arterial streets, and are

those designated as such on the official Major Road Plan for the Medina Planning Region.

- c. Sub-Collector Streets are those through streets used primarily for access to abutting properties and which intersect with collector and/or arterial streets. They are designed to discourage their use by through traffic.
- d. Minor Streets are those streets, which are used primarily for access to abutting properties, and which do not usually intersect with collector and/or arterial streets. They are designed to discourage through traffic. The following are types of minor streets:
 - 1. Connector Streets are those streets provided to regulate the lengths of blocks. Side yards rather than front yards will abut this street.
 - 2. Dead-end Streets (cul-de-sacs) are those that are permanently closed at one end and so designed that they cannot be extended in the future.
 - 3. Marginal Access (Frontage Streets) are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection of through traffic.
- e. Alleys are minor public ways used primarily for service access to the rear or side of properties otherwise abutting a street.
- f. Primary Streets are those streets, which during the construction of a subdivision and in the absence of a construction entrance, serve as a carrier of construction traffic across possibly multiple phases to and from construction sites.
- g. Non-Primary Streets are those streets, which during the construction of a subdivision, do not serve as a carrier of construction traffic across possibly multiple phases of a subdivision.

18. Subdivision: 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.

STREET CLASSIFICATION

ARTICLE II

PROCEDURES FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three (3) separate steps. The initial step is the preparation and submission to the Planning Commission of a preliminary or schematic plat of the proposed subdivision for approval. The second step is the preparation and submission to the Planning Commission of a construction plat for the proposed subdivision or sections of the proposed subdivision for approval. The third step is the preparation and submission to the Planning Commission of a final plat together with the required certificates. This final plat becomes the instrument to be recorded in the Office of the County Register when approved by the Planning Commission, and duly signed by the Secretary of the Planning Commission.

The developer shall consult early and informally with the Planning Commission and its technical staff for advice and assistance before the preparation of the preliminary or schematic plat. This will enable the developer to become thoroughly familiar 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 REQUIREMENTS

Any owner of land lying within the area of jurisdiction of the Planning Commission who wishes to subdivide such land 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 recording. 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. It is unlawful within this planning jurisdiction, as specified in Article V, Section B (1) of these regulations, for anyone to file or any county register to record a plat without the approval of the Planning Commission.

In order to secure review and approval by the Planning Commission of a proposed subdivision, the prospective developer shall, prior to the making of any street improvements or installations of utilities:

- a. Submit to and obtain approval from the Planning Commission of a schematic plat as provided in Section B of this Article.
- b. Submit construction plats to the Planning Commission and obtain approval as provided in Section C of this article

B. PRELIMINARY (SCHEMATIC) PLAT

After consultation with the Planning Commission Staff, and at least twenty-one (21) days prior to the meeting at which it is to be considered, the developer shall submit to the Planning Commission Staff four (4) copies of a preliminary plat of the proposed subdivision for review, drawn to a scale of not less than one inch equals 100 feet (1" = 100'), along with a completed application and a \$50.00 application filing fee.

The preliminary plat shall include the entire extent of ownership of the tract or parcel being subdivided and the extent of the property, and the design must be based on a current boundary and topographic survey made in accordance with the Standards of Practice, Rules of the Tennessee State Board of Examiners for Land Surveyors, Chapter 0820-3. The plat shall graphically and by annotation specifically show or otherwise address the following information:

- a. The proposed name of the subdivision, north orientation, graphic scale, and existing contours at vertical intervals of not more than five (5) feet. The Planning Commission may require contours in smaller intervals if necessary for a proper review of the proposed subdivision.
- b. The name of the designer of the subdivision who shall be a registered engineer, landscape architect or land surveyor licensed in the State of Tennessee.
- c. The name of the designer of the subdivision who shall be a registered engineer, landscape architect or land surveyor licensed in the State of Tennessee
- d. Names of all adjoining property owners with deed book and page numbers, and any adjoining subdivisions with plat book and page numbers,

- e. The names and dimensions of proposed streets and easements.
- f. Proposed lot lines, with dimensions, lot numbers and lot area.
- g. The total area of the land to be subdivided and the total number of lots proposed and phase lines if developed in stages.
- h. The location, area and zoning classifications of the proposed uses within the subdivision.
- i. Location and extent of all areas subject to flooding as defined by the most current Federal Emergency Management Agency Flood Insurance Rate Maps for Gibson County, Tennessee.
- j. Location map of the proposed subdivision showing the relationship to the surrounding area and existing streets or highways.
- k. Locations, size, and depth of existing sewer, gas, and water pipelines and other public utilities within, adjacent to, or near the proposed subdivision.
- l. The location of all existing structures, streets, easements, water courses, bridges or culverts on or adjacent to the property that will affect the property being subdivided.
- m. The location and extent of environmental or cultural features, including significant trees, wooded areas, wetlands or historical sites on or adjacent to the proposed subdivision.
- n. Any other information that may be necessary for the full and proper consideration of the site for a subdivision.
- o. The bearing and distance from at least one property corner to a nearby road intersection of center lines.
- 1. If the developer plans to develop the subdivision in phases, the phasing scheme shall be shown on the preliminary or schematic plat.

If the developer contemplates requesting any waivers from the Subdivision Regulations, those waiver requests will be made in conjunction with preliminary or schematic plat presentation and approval. Justification for variances are set forth in Article III, Section H. Requests for variances shall be explicitly described in writing on the Preliminary Plat.

2. Upon the approval of the preliminary plat by the Planning Commission, the developer shall submit to the Planning Commission three (3) copies of the preliminary plat as approved including any revisions required by the Planning Commission for distribution to the review agencies. Approval of the preliminary plat lapses unless the construction plat is filed within twelve (12) months of approval of the Preliminary Plat

C. CONSTRUCTION PLAT

1. After preliminary plat approval and prior to final plat approval by the Planning Commission, the developer shall submit to the Planning Commission at least twenty-one (21) days prior the meeting, four (4) copies of a construction plat drawn to a scale of not less than one inch equals fifty (1" =50') and meeting all plat requirements.

Following Planning Commission approval, the developer shall submit three (3) copies of the construction plat, including any revisions as required by the Planning Commission, for the Planning Commission's records and uses.

2. The construction plat, which shall meet minimum standards of design as set forth in Article III, and the general requirements for the construction of public improvements as set forth in Article IV, shall give the following information:
 - a. The proposed subdivision's name, location, section number, if applicable, and the name and address of the owner or developer if other than owner.
 - b. The signature of the designer of the plat, who shall be a Registered Engineer, licensed in the State of Tennessee.

- c. Date, north orientation, and graphic scale.
- d. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water ,mains, and any public utility easements or lines, the present zoning classification on the land to be subdivided and the adjoining property owners or subdivisions with deed book and page numbers and/or plat book and page numbers. On all underground items, the location, pipe size, and direction of flow shall be indicated.
- e. Plans of proposed utility layouts (sewers and water) showing feasible connections to the existing or proposed utility systems, including utilities and easements needed to facilitate future connections to adjacent properties. When such connections are not practicable, consideration shall be given to community small alternative sewer systems. Any proposed individual water supply and/or sewage disposal system must be approved by the Gibson County Health Department.
- f. The names, locations, and dimensions of proposed streets, alleys.
- g. Easements, parks, other spaces, reservations, lot lines, building setback lines, and temporary street name signs.
- h. Existing contours in dashed lines and finished contours in solid lines at vertical intervals of not more than two (2) feet. Elevations shall be expressed in relation to mean sea level.
- i. The acreage of the land to be subdivided.
- j. Location sketch map showing relationship of subdivision site to the surrounding area.
- k. If any portion of the land being subdivided is below the one hundred year flood elevation, as determined by information on the most current Federal Emergency Agency's Flood Insurance

- a. No street, drainage or other improvements are involved.
 - b. No conflict exists with the proposed subdivision and the recorded Major Road Plan.
 - c. It is clear that the purpose of such development is not used for staging development of large parcels of land, thereby short cutting the normal subdivision procedure.
5. In reviewing the construction plat for approval, the planning staff shall consider the orderly staging of development.
6. Within Jackson Energy authority's (JEA) jurisdiction, the following certificates shall be placed on the construction plat:

**CERTIFICATE OF APPROVAL OF STREETS, WATER AND SEWER, AND
STORM DRAINAGE**

I hereby certify that street, water and sewer, and drainage improvements have been installed in an acceptable manner, as checked by visual inspection, and conform to the specifications set forth in the Subdivision Regulations.

Or

I hereby certify that a construction bond in the amount of \$_____ has been posted to insure completion and quality of all required improvements.

Date

City Engineer

CERTIFICATE OF APPROVAL OF STREETS AND STORM DRAINAGE

I hereby certify that the plans shown on the construction plat regarding streets and storm drainage duly conform to the minimum requirements of the Subdivision Regulations. Failure of the designer to depict all requirements on the construction plat will not negate their completion in accordance with the Subdivision Regulations. This Construction Plat is hereby approved.

Date

City Engineer

CERTIFICATE OF APPROVAL OR WATER SYSTEMS

I hereby certify that the plans shown on this construction plat regarding water supply meet the requirements of the Jackson Energy Authority and are hereby approved as shown.

Date

Jackson Energy Authority

CERTIFICATE OF APPROVAL OF WASTEWATER COLLECTION SYSTEM

I hereby certify that the plans shown on this construction plat regarding sanitary sewerage meet the requirements of the Jackson Energy Authority and are hereby approved as shown.

Date

Jackson Energy Authority

D. FINAL PLAT

1. For final plat approval, the developer shall submit, at least twenty-one (21) days prior to the meeting, four (4) copies of the plat to the Planning Commission for review. The final plat shall meet all plat requirements and shall be drawn to a scale of not less than one (1) inch equals 100 feet (1" = 100') on sheets not larger than 18 by 24 inches. When more than one sheet is required, an index sheet of the same size shall be included showing the entire subdivision with the sheets identified by a key.
2. The Planning Commission shall approve or disapprove the final plat within thirty (30) days from the meeting in which it was introduced to the Planning Commission. Failure of the Planning Commission to act on the Final Plat within the thirty (30) day period shall result in the plat being deemed approved.
3. When notified of approval, the developer shall submit to the Planning Commission four (4) copies of the final plat. An additional copy shall be recorded in the office of the County Register.
4. The final plat becomes the legal record that creates the lots that can be improved within a subdivision, makes dedications for street rights-of-way, easements and other public or private uses, and provides for other restrictions and limitations within the subdivision. The final plat must meet the Standards of Practice, Rules of the Tennessee State Board of Examiners for Land Surveyors, Chapter 0820-3, and specifically include:
 - a. Lots must be clearly and accurately shown with dimensions on all lines and arcs that mathematically close, be numbered sequentially, and show all building set-back lines.
 - b. Street lines must be shown with names of the streets with dimensions sufficient to mathematically determine the relative location of all rights-of-way lines and arcs.
 - c. Reservations or dedications of areas for easements or other uses other than lots will be

dimensioned the same as lots and clearly labeled stating their purpose and limitations.

- d. All dimensions and label data of curvilinear features that represent lot lines, street lines, easement lines, building setback lines or other features will be sufficient to mathematically determine their relative positions and geometry. All arcs must contain label data on three elements of the arc, preferably radius, length of arc and bearing and distance of the chord.
- e. All dimensions will be expressed to the nearest 0.01 foot and bearings or angles to the nearest 10 seconds. The plat shall be based upon a category I survey and comply with the accuracy required by the Standards of Practice for land surveys in Tennessee.
- f. North orientation for the bearing used will be in relation to the grid azimuth of the Tennessee Coordinate System of 1983.
- g. All monuments will be shown and physically described. (See Article IV, Section B).
- h. Name and deed reference of adjoining property owners, name and plat reference of adjoining subdivisions with abutting lots shown or the name of all abutting streets.
- i. Name of the current title owner with record source of title, and zoning classification of land subdivided.
- j. Name of subdivision, date of plat, graphic scale, county, state, city. And civil district (in county) or ward (in city).
- k. Location and extent of all areas subject to flooding as defined by the most current Federal Emergency Management Agency Flood Insurance Rate Map for Gibson County or Medina, Tennessee; or if from another source state the source of information.

- l. Location map of the subdivision sufficient to show the area in relation to existing streets.
 - m. Any deed restrictions, protective covenants or reference to protective covenants that affect the lots within the subdivision.
 - n. The tax map and parcel number of the land being subdivided.
5. In addition to and accompanying the plotted copies of the final plat, a drawing providing an accurate record of all previously existing and currently installed improvements shall be submitted and shall include:
- a. The as-built locations of water and wastewater utilities (mains and stubs.) The developer bears the responsibility of verifying locations of water mains, fire hydrants, valves, sanitary sewer manholes, mains, laterals, and appurtenances.
6. The appropriate following certificates shall be presented on the final plat, based on the jurisdiction covering the area to be subdivided:

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as recorded in Deed Book _____, page _____, in the office of the Register of Gibson County, Tennessee, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public use or to private use as noted.

| | |
|------|-------|
| Date | Owner |
| | Owner |

ACKNOWLEDGMENT OF OWNER'S SIGNATURE

State of Tennessee
County of Gibson

Personally appeared before me, the undersigned NOTARY PUBLIC in and for the State and County aforesaid, _____, within named bargainer with whom I am personally acquainted and who acknowledged that the executed the foregoing and attached instrument for the purpose therein contained. Witness my hand and notary seal of office in Gibson County, Tennessee, this _____day of _____,

CERTIFICATE OF ACCURACY OF SURVEY

I hereby certify by placing my seal and signature on this plat that it was prepared in accordance with the specifications and requirements of the Medina Municipal Regional Planning Commission and that the accuracy of the survey upon which it is based is in accordance with the requirements of the Standards of Practice as contained in the rules of the Tennessee State Board of Examiners for Land Surveyors for a Category I survey.

Date Registered Land Surveyor
Licensed
No. _____

CERTIFICATE OF APPROVAL OF STREETS, WATER AND SEWER, AND STORM DRAINAGE

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN REVIEWED FOR GENERAL CONFORMANCE WITH THE APPLICABLE SUBDIVISION REGULATIONS. THIS REVIEW WAS NOT INTENDED TO BE COMPREHENSIVE OR TO CERTIFY COMPLETE COMPLIANCE WITH THE SUBDIVISION REGULATIONS OR ANY OTHER FEDERAL, STATE, OR LOCAL LAWS AND/OR REGULATIONS. IT IS THE DEVELOPER'S SOLE RESPONSIBILITY TO COMPLY WITH ALL ASPECTS OF THE SUBDIVISION REGULATIONS AND ALL APPLICABLE LAWS, RULES, AND REGULATIONS. MODIFICATIONS

TO THIS PLAN MAY BE NECESSARY DURING CONSTRUCTION IN THE EVENT DEFICIENCIES OR DESIGN ERRORS ARE DISCOVERED.

DATE AUTHORIZED CITY CONSULTING ENGINEER

-Or-

I hereby certify that a construction bond in the amount of \$_____ has been posted to insure completion and quality of all required improvements.

Date

Date City Engineer

CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I hereby certify that, (1) street and drainage have been installed in an acceptable manner and according to specifications, or (2) that a surety bond in the amount of \$_____ has been posted with the Planning Commission to assure completion of all required improvements in case of default.

Date County Highway Superintendent

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7. If the subdivision does not involve the construction of new streets or roads the following certificate shall be used in lieu of the Certificate of Streets, Water and Sewer, and Storm Drainage on the plat in addition to the above applicable certifications:

CERTIFICATE OF RECOGNITION OF EXISTING
STREETS AND RIGHTS-OF-WAY

I hereby certify that the streets on the subdivision plat shown hereon are existing and present and no new streets are needed.

| | |
|------|---|
| Date | City Engineer or County Highway Superintendent |
|------|---|

Within Jackson Energy Authority's (JEA's) jurisdiction the following certificate shall be used for approval of streets and storm drainage:

(2) Final Plat Certificates

CERTIFICATE OF APPROVAL OF WATER SYSTEM

I hereby certify that the water system installed or proposed for installation fully meets the requirements of the Jackson Energy Authority.

| | |
|------|--------------------------|
| Date | Jackson Energy Authority |
|------|--------------------------|

**CERTIFICATE OF APPROVAL OF WASTEWATER COLLECTION
SYSTEM**

I hereby certify that the sanitary sewerage system installed or proposed for installation fully meets the requirements of the Jackson Energy Authority.

| | |
|------|--------------------------|
| Date | Jackson Energy Authority |
|------|--------------------------|

NOTE: The current certificates will remain in use for areas outside of JEA's jurisdiction.

FINAL PLAT - MINOR SUBDIVISION

1. Whenever a subdivision proposed contains four (4) or less lots and requires the construction or installation of no new streets, utilities or other improvements, the subdivider may submit only a final plat, provided that the details required in this section are provided. In order to be considered for review, four (4) copies of said plat must be submitted at least twenty-one (21) days prior to the Planning Commission's monthly meeting. The final plat shall be drawn to scale of not less than one (1) inch equals 100 feet (1"=100') on sheets not larger than 18 x 24 inches.
2. The Planning Commission shall approve or disapprove the final plat within thirty-five (35) days from the meeting in which it was introduced to the Planning Commission. Failure of the Planning Commission to act on the Final Plat within the thirty-five (35) day period shall result in the plat being deemed approved.
3. When notified of approval, the developer shall submit to the Planning Commission four (4) copies of the final plat. An additional copy shall be recorded in the office of the County Register.
4. The final plat becomes the legal record that creates the lots that can be improved within a subdivision, makes dedications for street rights-of-way, easements and other public or private uses, and provides for other restrictions and limitations within the subdivision. The final plat must meet the Standards of Practice, Rules of the Tennessee State Board of Examiners for Land Surveyors, Chapter 0820-3, and specifically include:
 - a. Lots must be clearly and accurately shown with dimensions on all lines and arcs that mathematically close, be numbered sequentially, and show all building set-back lines.
 - b. Street lines must be shown with names of the streets with dimensions sufficient to mathematically determine the relative location of all rights-of-way lines and arcs.
 - c. Reservations or dedications of areas for easements or other uses other than lots will be dimensioned the

same as lots and clearly labeled stating their purpose and limitations.

- d. All dimensions and label data of curvilinear features that represent lot lines, street lines, easement lines, building setback lines or other features will be sufficient to mathematically determine their relative positions and geometry. All arcs must contain label data on three elements of the arc, preferably radius, length of arc and bearing and distance of the chord.
- e. All dimensions will be expressed to the nearest 0.01 foot and bearings or angles to the nearest 10 seconds. The plat shall be based upon a category I survey and comply with the accuracy required by the Standards of Practice for land surveys in Tennessee.
- f. North orientation for the bearing used will be in relation to the grid azimuth of the Tennessee Coordinate System of 1983.
- g. All monuments will be shown and physically described. (See Article IV, Section B).
- h. Name and deed reference of adjoining property owners, name and plat reference of adjoining subdivisions with abutting lots shown or the name of all abutting streets.
- i. Name of the current title owner with record source of title, and zoning classification of land subdivided.
- j. Name of subdivision, date of plat, graphic scale, county, state, city. And civil district (in county) or ward (in city).
- k. Location and extent of all areas subject to flooding as defined by the most current Federal Emergency Management Agency Flood Insurance Rate Map for Gibson County or Medina, Tennessee; or if from another source state the source of information.
- l. Location map of the subdivision sufficient to show the area in relation to existing streets.
- m. Any deed restrictions, protective covenants or reference to protective covenants that affect the lots within the subdivision.

- n. The tax map and parcel number of the land being subdivided.
 - o. The location of existing water mains, fire hydrants, valves, sanitary sewer manholes, sewer mains, laterals, and appurtenances.
6. The appropriate following certificates shall be presented on the final plat, based on the jurisdiction covering the area to be subdivided:

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as recorded in Deed Book _____, page _____, in the office of the Register of Gibson County, Tennessee, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public use or to private use as noted.

| | |
|------|-------|
| Date | Owner |
| | Owner |

ACKNOWLEDGMENT OF OWNER'S SIGNATURE

State of Tennessee
County of Gibson

Personally appeared before me, the undersigned NOTARY PUBLIC in and for the State and County aforesaid, _____, within named bargainer with whom I am personally acquainted and who acknowledged that the executed the foregoing and attached instrument for the purpose therein contained. Witness my hand and notary seal of office in Gibson County, Tennessee, this _____ day of _____,

CERTIFICATE OF ACCURACY OF SURVEY

I hereby certify by placing my seal and signature on this plat that it was prepared in accordance with the specifications and requirements of the Medina Municipal Regional Planning Commission and that the accuracy of the survey upon which it is based is in accordance with the requirements of the Standards of Practice as contained in the rules of the Tennessee State Board of Examiners for Land Surveyors for a Category I survey.

Registered Land Surveyor
Licensed No. _____ Date

**CERTIFICATE OF RECOGNITION OF EXISTING WATER AND SEWER
MAINS**

I hereby certify that the parcels on the subdivision plat shown hereon have access to water and sewer mains and will not necessitate the extension of such existing utility mains.

Date

Date Jackson Energy Authority or
designated Utility Provider

**CERTIFICATE OF RECOGNITION OF EXISTING STREETS, STORM
DRAINAGE AND RIGHTS-OF-WAY**

I hereby certify that the streets on the subdivision plat shown hereon are existing and present and no new streets or storm drainage facilities are needed.

Date City Engineer or County
Highway Superintendent

ARTICLE III

GENERAL REQUIREMENTS AND STANDARDS OF DESIGN

A. GENERAL REQUIREMENTS

Land Subdivision design is a compromise among competing and often conflicting objectives. Users of these regulations should recognize that land subdivision is far more than a means of marketing land; it is primarily the first step in the process of building a community. Once land has been divided into lots, streets established, utilities installed and buildings constructed, correction of defects is costly and difficult. Moreover, the development pattern is permanently ingrained upon the community and unlikely to be changed. Ultimately, subdivided land becomes a public responsibility requiring the maintenance of improvements and the provision of public services. Additionally, for the sake of future owners and the community, subdivided land should not only be presently marketable, but should remain competitive with future developments, thereby presenting a stable and liquid investment. Therefore, the interests of the public, the developer, and future owners are served by adherence to sound concepts and standards of design. To achieve the desired objectives, all subdivisions within the Medina Planning Region must conform to the following four (4) basic design concepts:

1. External Factors

Subdivision design must provide for external factors of community wide concern including the proper extension of major streets, extensions of utilities, preservation of major drainage channels and related flood lands, and the reservation of needed schools and park sites. Additional external factors to be considered include proximity to local, community, and regional shopping centers; to places of employment; to educational and recreational facilities; and to public transportation.

2. Land Use

Subdivision design must be related to proposed and existing land uses. Layout of a subdivision is inseparable from the use to which the land is to be put. Moreover, adjacent land use patterns must be considered. Some uses, such as parks, certain institutional uses, and bodies of surface water, may be used in the design to create value. Others, such as railroads, power lines and associated easements, poorly subdivided lands, and unsightly strip commercial developments, may require special design techniques to minimize their deprecatory effect on property values.

3. Natural Environment

Subdivision design must give due consideration to the natural environment. Areas of natural beauty, such as fine stands of trees and prominent terrain, should be conserved by the design. Low areas subject to flooding or areas of unsuitable soil or ground water condition should not be put to residential use.

4. Internal Details

Subdivision design must give attention to internal design details including the proper layout of the streets, utilities needed, open spaces and adjustment of the design to topography and soil capabilities of the land. A major aspect of internal detailing is careful attention to drainage.

B. STREETS

1. Conformity to Major Road Plan

The location and design of all streets shall conform to the Official Major Road Plan as registered in the office of the County Register, Gibson County Court House, and which is also on file at City Hall, City of Medina.

2. Relation to Adjoining Street System

The proposed street design shall provide for the continuation of existing streets at a width no less than the required minimum width.

3. Additional Width on Existing Rights-of-way

Subdivisions that adjoin existing streets shall dedicate additional rights-of-way to meet the minimum street width requirements as set forth in Tables I and II of this Article.

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

4. Restriction of Access

When a 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.

5. Lot Access and Reserve Strips

Every lot in subdivided property shall be served from a publicly dedicated street. Private streets are not permitted. 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.

6. 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 of proposed streets duplicate existing street names.

7. Alleys

Alleys shall not be provided except where the developer produces evidence satisfactory to the Planning Commission of the need for alleys.

8. Street Grades

Grades on arterial and collector streets shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) percent but shall not exceed ten (10) percent.

9. Horizontal Curves

Where a deflection angle of one (1) degree or more 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 not be less than five hundred nine (509) feet; on other streets, not less than one hundred fifty (150) feet.

10. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of

three hundred (300) feet, said sight distance being measured from the driver's eyes, which are assumed to be three hundred (300) feet, said sight distance being measured from the driver's eyes, which are assumed to be three and one-half (3 ½) feet above the pavement surface, to an object six (6) 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 fifty (50) feet horizontal, and one (1) inch equals fifty (50) feet horizontal, and one (1) inch equals twenty (20) feet vertical, may be required by the Planning Commission.

11. 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 (70) degrees.

To permit the construction of a curb having a desirable radius, property line radii at all minor street intersections shall not be less than twenty (20) feet, and not less than twenty five (25) feet for collectors. Where the angle of the street intersection is less than ninety (90) degrees, the Planning Commission may require a greater radius.

12. Tangents

A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets, and a tangent of at least fifty (50) feet shall be introduced on minor streets.

13. Street Jogs

Street jogs with centerline offsets of less than one hundred twenty five (125) feet shall not be allowed.

14. Dead-end Street (Cul-de-Sacs)

- 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, provided that the length of such streets may be extended to eight hundred (800) feet for low density development as defined in Table I, with the additional requirement that the pavement width of the entire street shall be 28 ft.

- 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 to the boundary of such property. Such dead-end street shall be provided with a temporary turn-around having a roadway diameter of at least eighty (80) feet.

15. Road & Street Right-Of-Ways and Pavement Widths

All through collector, sub-collector, and minor level streets shall be designed to the standards for arterial streets will be in accordance with TDOT design guidelines for the expected traffic volumes and speeds for the street under consideration and determined by the Planning Commission. The Planning Commission may require a traffic impact study to determine if higher standards should apply; considering expected land use, traffic volumes or other factors.

**TABLE 1
RESIDENTIAL**

REQUIRED RIGHTS-OF-WAY AND PAVEMENT WIDTHS

| <u>Rights-of-way</u> | <u>Pavement Widths</u> |
|--|---|
| Arterial Streets & Highways TDOT design guidelines | TDOT design guidelines |
| Collector | 60-36 (without curb & gutter) |
| Sub-Collector & Minor Streets (including Connector Sts., but excluding Dead-end & Marginal Access Streets) | |
| High Density (Lots 12,500 sq. ft. or less or more than 6 dwelling units per acre whichever is more restrictive) | 50 -28 ft. (with & without curb & gutter) |
| Medium Density (Lots more than 12,500 sq. Ft. & less than 40,000 sq. ft.or not more than 6 dwelling units per acre whichever is more restrictive) | 50 26 ft.(with & without curb & gutter) |
| Lot Density (Lots 40,000 sq. ft. and above gutter) or not more than 4 units per acre whichever is more restrictive) | 40 -24 ft. with & without curb & |
| Dead-end Streets (Cul-de-sac) | |
| Medium & High Density without | 40 -26 (with & without) |

| | | |
|--|----|--------------------------------------|
| (As defined above) gutter) | | curb & |
| Radius of Cul-de-sac without | | 47 -40 (with & Curb & gutter) |
| *Low Density without (As defined above) gutter) | | 40 -*24 (with & curb & |
| Radius of Cul-de-sac & without | | 47 -40 (with Curb & gutter) |
| Marginal Access Streets | 40 | 24 (with & without Curb & gutter) |

Dwelling units per acre (density) is determined based on gross acreage subdivided.
Pavement width = With curb and gutter-measured from face of curb to face of curb.
Without curb and gutter-measured from edge of pavement to edge of pavement.

*As provided in Article III., B, 14, dead-end (Cul-de-sacs)over 600 feet shall have a minimum pavement width of 28 feet the entire length of the street.

**TABLE II
COMMERCIAL AND INDUSTRIAL**

| Right-Of-Way | Pavement Width |
|---|---|
| Collector Streets | 60 -36 (without curb & gutter) |
| Sub-Collector & Minor Streets (including connectors But excluding dead-end and Marginal access streets) | 50 -26 (with & without Curb & gutter) |
| Dead-End Streets (Cul-de-sac) | 50-36 (without curb & gutter) |
| Radius of Cul-de-sac | 55 -48 (with & without Curb & gutter) |
| Marginal Access Streets | 60 -36 (without curb & gutter) 37 (with curb & gutter) |

Pavement Width: With curb and gutter - measured from face of curb to face of curb.

Without curb and gutter - measured from edge of pavement to edge of pavement.

C. BLOCKS

1. Length

Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1,200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the Planning Commission may require one (1) or more public cross walks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets is provided or where prevented by topographical conditions or size of the property; in which case the Planning Commission may approve a single row of lots of minimum depth. A statement dissolving the right of rear access of individual double frontage lots shall be included on the final plat. In cases where reverse frontage lots are approved for development, adequate landscaping must be provided along the rear property lines to serve as a buffer between the rear yards and the adjacent street. A plan detailing the proposed landscaping, which may or may not include fencing, shall be required with the submittal of the construction plat.

D. LOTS

1. Adequate Building Sites

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

2. Arrangement

In so far as practicable, side lot lines shall be at right angles to straight street lines. The depth of a lot shall not exceed three (3) times the width of the lot, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street pattern. Each lot must front upon a public street or road that is not less than forty (40) feet in width (right-of-way).

3. Minimum Size

The size, shape and orientation of lots shall be such, as the Planning Commission deems appropriate for the type of development and use contemplated. The Planning Commission may require sizes above the minimum requirement if such is necessary to maintain harmony with the surrounding area. Minimum lot sizes shall conform to the requirements of applicable zoning laws; and, in addition, where lots are proposed with individual well and/or septic tank disposal fields,

they shall conform to the standards of the Gibson County Health Department

4. Building Setback Lines

- a. The minimum depth of building setback lines from the street shall conform to applicable zoning laws.
- b. In the case of electric transmission and/or distribution 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:

| Voltage of Line building setback | Minimum |
|-------------------------------------|-----------|
| 12 KV | 15 feet |
| 46 KV | 37 ½ feet |
| 69 KV | 50 feet |
| 161KV | 75 feet |

Proposed intersections should not be situated on a short space crest vertical curve, or on a sharp horizontal curve. The following table and figure specify the required sight distance at proposed intersections.

A driver at a stopped position on the minor road shall have an unobstructed view along the major road at least the corner sight distance (D). The corner sight distance (D) is measured from a point on a minor road centerline at least 20 feet from the edge of the intersecting major road pavement. The line of site distance is measured from an assumed driver's eye height of 3 ½ feet on the minor road to an assumed object 4 ¼ feet in height on the major road.,

E. PUBLIC USE AND SERVICE AREA

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 Space

Where a school, neighborhood park or recreation area, shown on an official map or in a plan made

and/or adopted by the Planning Commission, is located, in whole or in part, in the applicant's subdivision, the Planning Commission may require the reservation for a period of two years of such open space within the subdivision up to a total of ten percent (10%) of the gross area of the plot, for park, school or recreation purposes.

2. Easements for Utilities

Except where alleys are permitted for the purpose, the Planning Commission may require easements of adequate width for poles, wires, conduits, storm and sanitary sewers, gas, water, cable TV, telecommunications, or other utility lines along all rear lot lines, along side lot lines, and along right of way frontages if necessary or if advisable in the opinion of the Planning Commission.

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.

F. PRIVATE USE COMMON AREAS

For developments in which common private use areas are proposed a Home Owner's Associations shall be established to maintain and uphold such areas and restrictions. In these situations the developer shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for preliminary (schematic) approval. The provisions shall include, but are not limited to the following:

- (a) The homeowner's association must be established before the first home is sold.
- (b) Membership must be mandatory for each homebuyer and any successive buyer.

- (c) Common area requirements must be permanent, not just for a period of years.
- (d) The association must be responsible for liability insurance, local taxes and the maintenance of recreational and other facilities.
- (e) Homeowners must pay their pro rata share of the cost and the assessment levied by the association can become a lien on the property if allowed in the master deed established in the homeowner's association.
- (f) The association must be able to adjust the assessment to meet changed needs.

G. 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 an development purposes of the kind proposed.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses that may increase flood hazard, endanger health, life, or property, or aggravate erosion. Such land within the plan shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. In applying this provision, land below the 100-year flood elevation will be considered as land subject to flooding. The consulting engineer or land surveyor shall attest to flood conditions for the area under consideration. Fill may not be used to raise land in an area located in an F-W (Floodway) district as depicted on the zoning maps of Medina or Gibson County, Tennessee, or as identified on FEMA Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

Subdivision proposals and other proposed new developments, including manufactured home parks or subdivisions, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a

subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions, which are greater than fifty (50) lots and/or larger than five (5) acres.

H. LARGE TRACTS AND PARCELS

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

I. VARIANCES

Variances to the general requirements or design standards, or other improvements above the provisions of these regulations may be granted or imposed by the Planning Commission. All requests for variances shall be submitted in writing to the Planning Commission at least three (3) weeks prior to the meeting date at which the variance is to be reviewed. The Planning Commission may grant variances provided all of the following conditions can be complied with:

1. The variance will not be detrimental to the public safety, health, or welfare, or be injurious to other property or improvements in the neighborhood in which the property is located.
2. The conditions upon which the request for a variance is based are unique to the property for which the

variance is sought and are not applicable generally to other property or subdivision proposals.

3. Because of the particular physical surroundings, shape, or topographical condition of the specific property involved, a particular hardship (not self-imposed) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
4. The variance will not in any manner alter the provisions of the Major Road Plan, any Zoning Ordinance or Zoning Resolution.

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

J. ZONING OR OTHER REGULATIONS

In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, ordinances, resolutions, rules, or regulations, including, but not limited to:

- a. All applicable provisions of Tennessee Law, regulations, or policy.
- b. Any Zoning Ordinance or Zoning Resolution, any Building and Housing Codes, and all other applicable laws or policies of the Planning Commission.
- c. The adopted Major Road Plan.
- d. The rules of the Gibson County Health Department and the Tennessee Department of Environment and Conservation.
- e. The rules, as applicable, of the Federal Highway Administration or Tennessee Department of Transportation, if the subdivision or any lot contained therein abuts a non-local highway.

- f. The standards and regulations adopted by all other boards, commission, and agencies of the Planning Commission, where applicable.

*Any plat approval may be withheld if a subdivision is not in conformity with the above rules or with the provisions set forth in Article IV of these regulations.

ARTICLE IV

PREREQUISITE TO FINAL SUBDIVISION APPROVAL

A. GENERAL REQUIREMENTS

As a condition, previous to the final acceptance of any subdivision, subdivision on addition or re-subdivision, every subdivision developer shall be required to grade and improve streets and other public ways, to install survey monuments, utilities, curbs, gutters, sidewalks, sewers, water mains, storm water inlets, surface and ground water drainage channels and structures, and buffer screens, and to prepare the plant landscaping in accordance with these regulations, or other applicable regulations or specifications of the City of Medina. In lieu of the completion of such improvements within a period specified by the Planning commission and expressed in the surety instrument (performance bond).

B. Survey Monuments

Monuments are an essential part of the subdivision process. It is necessary for the protection of the public welfare that the boundaries created by plats of subdivision be perpetuated by the use of monuments installed at the time the lots were created. There are two types of monuments required for this purpose”

1. Control Monuments

Control monuments provide the accurate and permanent base from which all of the features in the subdivision can be retraced by survey, including lot lines, rights-of-way, easements and replacement of lot or obliterated lot corner monuments. Control monuments must be permanent and shown and described on the final plat by label, and shall be tied to the subdivision boundary along with the coordinates of the position of the monument in the Tennessee Coordinate System of 1983 expressed in U. S. Survey Feet (TCA 66-6-102). These monuments must meet the following minimum specifications:

- a. Consist of a 1-inch inside diameter by 24-inches long section of schedule 40 pipe or a 5/8 inch by 24 inch steel rod with a permanently attached brass or aluminum cap 1 ½ inches in diameter with the precise position marked by indentation or cross.

- b. The monument must be driven flush in compacted soil or set in concrete so as not to be subject to movement from natural causes.
- c. These may be located on a corner of the exterior boundary of the subdivision, on a lot corner or at any random point within the subdivision provided that the monument must be situated so they will survive the construction phase of the subdivision and improvement of the lots.
- d. A minimum of two (2) control monuments shall be required for each subdivision of three (3) lots or more. These monuments must be placed at least 200 feet apart, except, in special circumstances, where this is not practical or possible; otherwise, the longest practical separation will be used.

2. Lot Corner Monuments

Lot corner monuments shall be installed on all lot corners in accordance with the standards of Practice for Surveyors in Tennessee, prior to approval of the final plat.

C. STREET IMPROVEMENTS

1. General Requirements

The developer shall construct all streets, roads, and alleys at his/her expense to the approved alignments, grades and cross sections. Minimum standards of design shall be utilized as outlined in Article III, unless the Planning Commission has granted a variance. Whenever it is topographically and/or spatially feasible a construction entrance easement, which is separate from proposed streets, should be created in subdivisions where new streets are being constructed to alleviate the negative effects created by heavy truck traffic on new streets. This construction entrance shall be constructed of rock ranging in diameter from $\frac{1}{2}$ " to 3".

2. Grading

- a. The developer shall submit a grading plan to the Planning Commission for approval and shall implement said plan in conjunction with street construction.
- b. Lots shall be graded in such a manner as to insure that all drainage can be installed to meet the requirements set forth in these regulations.
- c. The developer shall grade all streets, roads, and alleys so that pavement and sidewalks can be constructed to the required cross section.
 1. Preparation: Before grading is started right-of-way area shall be first cleared of all stumps, roots, brush, and other objectionable materials and all trees not intended for preservation.
 2. Cuts: All tree stumps shall be removed entirely. Boulders and other obstructions shall be removed to a depth of two (2) feet below the surged.
 3. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Unsuitable organic material shall be removed from the development site.
- d. Where streets are constructed or lot grading is modified under or adjacent to existing electric transmission/distribution lines or over gas transmission/distribution lines, the nearest edge of the pavement shall be a minimum of fifteen (15) feet from any transmission/distribution structure, except with approval by the utility concerned, and all grading from the street and/or lot shall be done in a manner which will not disturb the structure or result in erosion endangering the structure. In the case of electric lines the clearance from the pavement to the nearest conductor shall meet the requirements of the National Electric Safety Code.

- e. Deviation from the above due to special topographic conditions will be allowed only with the approval of the Planning Commission.
- f. The developer shall use methods and dust control materials to minimize dust from the construction operation and provide positive means to prevent airborne dust from dispersing into the atmosphere.

3. Storm Drainage

- a. The developer shall submit a comprehensive drainage plan for the entire development and contiguous areas. A comprehensive drainage system, including curbs and gutters, necessary open ditches, pipes, culverts, and intersectional drains, drop inlets, bridges, headwalls, etc., shall be provided in a manner that insures proper drainage of all surface water.
- b. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit the full width of the roadway and the required slopes. The size of openings to be provided shall be determined by the Rational Method based on the ten (10) year recurrence interval storm, but in no case shall the pipe be less than.

4. PAVEMENT BASE

After preparation and compaction of the subgrade to 95% of Standard Proctor Density and 100% in the top six inches, the roadbed shall be surfaced with a base material that meets requirements specified by the Tennessee Department of Transportation (TDOT) for Item No. 303-01 mineral aggregate Type "A", Grading D Base. This mineral aggregate base shall be a minimum thickness of six (6) inches and compacted to a minimum Standard Proctor Density of 100% in accordance with ASTM D-698. The Planning

Commission may require a more substantial pavement base for streets serving commercial and industrial areas. This surface must be in place before the binder is applied and must be adequately maintained by the developer.

5. BITUMINOUS PLANT MIX BASE

Immediately prior to construction of the bituminous plant mix base, the base shall be inspected by the City and proof-rolled with a loaded 30 ton dump truck. Any soft areas, contaminated areas, or other deficiencies shall be repaired by the developer.

After a thoroughly compacted mineral aggregate base has been established, a prime coat of bituminous material shall be applied and properly cured, followed by the application of two (2) inches of bituminous plant mix base (hot mix), TDOT Item No. 307-B or 307BM. The materials and application procedure shall comply with the TDOT Standard Specifications for Road and Bridge Construction. This asphalt binder course shall remain in place, until the completion of construction work in the subdivision on non-primary streets (streets not traversed for construction purposes during later phases), or for a maximum of two (2) years (provided subdivision contract is properly extended) if construction has not been completed, at which time the wearing surface shall be installed. On primary streets (streets traversed for construction purposes during later phases), the asphalt binder course shall be in place for a maximum of two (2) years (provided subdivision contract is properly extended) before the wearing surface is installed. The installation of the asphalt binder course may be delayed for a reasonable amount of time to allow for increased compaction of

the gravel base, but the asphalt binder course must be fully installed before any Certificates of Occupancy are issued on streets that provide access to a residence.

6. WEARING SURFACE

Immediately prior to construction of the wearing surface, the bituminous plant mix base shall be inspected by the City, with any deficiencies being repaired by the developer.

When the Bituminous Plant Mix Base is in acceptable condition, a one and one quarter ($1\frac{1}{4}$) inch minimum thickness of bituminous plant mix wearing surface, TDOT Item No. 411-D or 411-E shall be constructed that meets the TDOT specifications and weighs a minimum of one hundred thirty eight pounds (138 lbs.) per square yard.

7. Minimum Pavement Widths and Cross Sections

For specifications concerning the minimum pavement widths and typical cross sections for street design refer to Article III and its subsequent tables.

8. Curbs and Gutters

Curb and gutters are not required but if constructed must meet the following standards:

Six (6) inch concrete curbs with twenty-four (24) inch integral gutters and/or rolled curbs and valley gutters constructed in accordance with the illustrations contained herein.

However, rolled-type curb shall not be used on commercial or arterial type streets.

9. Sidewalks

The Planning Commission may require that concrete sidewalks be constructed by the developer on the following streets with curb and gutter where the Planning Commission determines it to be necessary for public safety:

- a. Collector Streets
- b. Street serving non-residential areas, excluding non-residential cul-de-sacs

The sidewalks shall be of a minimum 4'6" width and be constructed of 4" concrete.

10. Handicap Ramps

In both residential and commercial subdivisions where curb and gutter and sidewalks are required, the developer shall install handicap ramps at all crosswalks so as to make the transition from street to sidewalk easily negotiable for physically handicapped persons in wheelchairs and for other persons who may have difficulty making the required step up or down from curb level to street level. Said ramps shall be designed in accord with the diagram depicted at the end of Article IV of these regulations.

11. Installation of Utilities

After grading is completed and approved and before any base is applied all of the underground work: water mains, sewers, gas mains, underground electric conduit, etc., and all water /sanitary sewer service connections shall be installed completely and approved throughout the length of the road. The developer shall be responsible for ensuring that proper compaction is obtained in all utility trenches within street rights-of-way.

12. Water Supply System

Where a public Water main is available to the proposed subdivision, the subdivider shall install adequate water facilities (including fire hydrants, service lines and meters) to all lots. All water construction plans and specifications shall be approved by the Tennessee Department of Health

and Environment (TDHE). Within its jurisdiction, all plans and specifications shall be approved by the Jackson Energy Authority (JEA).

All water mains, except service mains shall not be less than six (6) inches in diameter and of a material approved by the TDHE. Fire hydrants shall be installed in all subdivisions and shall be located at the end of each line and no lot shall be more than five hundred (500) feet from the fire hydrant. Water mains shall be sized such that when the fire hydrant is flowing at 500 GPM during normal water demand, no lot shall experience a residual water pressure less than 20 psi. Within its jurisdiction, all water mains, fire hydrants and appurtenances (type and quantity) shall comply with JEA standards.

All new or replacement water supply systems, together with attendant facilities, proposed to be located within an area subject to flood shall be designed and constructed so as to minimize or eliminate flood damage.

In subdivisions where no public water supply is available, an alternate system may be approved by the Planning Commission, subject to approval by the Gibson County Health Department.

13. Sanitary Sewers

When the subdivision is located within the service area of a public sewerage system, sanitary sewers shall be installed meeting the requirements of the Tennessee Department of Environment and Conservation (TDEC), in such a manner as to serve adequately all lots shown on the subdivision plat with connection to the public sewerage system. Within its jurisdiction, all sanitary sewers shall be installed meeting the requirements of the Jackson Energy Authority.

No subdivision shall be approved until provisions are made for the adequate disposal of waste water from the site and within its jurisdiction shall comply with Jackson Energy Authority (JEA) requirements.

In subdivisions, where lots cannot be economically connected with a public sewerage system, they must

contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the county health officer.

In subdivisions, where adequate public sewer facilities are accessible, the installation of sewers within the subdivision and connection to the public system shall be required. Sewer facilities shall be installed in the following manner (unless otherwise approved by the Planning Commission, and as applicable, affected utility districts):

Construction plans and specification shall be approved by the Tennessee Department of Health and Environment (TDHE). and within it's jurisdiction shall comply with Jackson Energy Authority (JEA) requirements

All sewer lines, except house service lines, shall be no less than eight (8) inches in diameter and of a material approved by the TDHE and within it's jurisdiction by Jackson Energy Authority (JEA). Manholes shall be constructed to standard city specification and located not more than four hundred (400) feet apart and at each change in direction and/or grade. Force mains shall be no less than four (4) inches in diameter. Lift stations shall be prefabricated steel and fiberglass, duplex pump type.

All subdivisions shall include a service line from the main sewer line which terminates at the property line in order that each proposed lot, at the time of construction, may be serviced by sewer without the installation of additional lines. The end of each service line shall be properly marked with a Y clean out. Lay service lines with minimum uniform slope and with eighteen (18) inches minimum cover over top of pipe. In cases where the service pipe must cross a side ditch exposed, install a cast iron pipe across the ditch, extending at least twelve (12) inches into the ditch banks in each side.

All new or replacement sanitary sewer systems, together with attendant facilities, proposed to be located within an area subject to flood shall be designed and constructed so as to minimize or eliminate flood damage.

14. Street Name Signs

The developer shall install a street name sign at all intersections in the subdivision. The sign shall be permanent in nature and shall be, at a minimum, consistent with the standard street name signs, regularly erected by the City of Medina. Signs of a decorative nature may be allowed by the Planning Commission with the understanding, that if replacement signs are needed, upon the city's acceptance, only standard street signs will be erected.

15. Concrete or Metal Utility Poles

The developer shall furnish, through the Gibson County Electric Cooperative, utility poles, constructed of either concrete or metal. These poles shall be placed according to the cooperative's existing policy, regarding quantity and spacing.

16. Street Pavement Widening

When an existing street is proposed for widening (including the addition of turning lanes) a new wearing surface shall be installed the full width of the street to cover the widened area and extended to include the entire length of the widened portion of the existing street.

D. STANDARD SUBDIVISION CONTRACT

A Standard Subdivision Contract shall be executed between the developer and the appropriate governing authority when improvements, as described in these regulations, are required. The owner/developer shall provide the improvements as specified in the contract.

1. Expiration/Extention

If the developer, due to unforeseen circumstances, is unable to complete all

improvements required under the contract in the time specified, the developer shall submit a written request for an extension of the contract to the appropriate governing authority, at least sixth (60) days prior to the expiration of the existing contract. The request shall specify the reason for failure to complete the work as agreed, and a prospective date for its completion. Requests for extension shall be approved or rejected by the appropriate governing authority.

2. Property Transfer/Assumption Contract:

Prior to transferring the rights and obligations of all, or a portion of, a standard subdivision contract, the developer shall notify the appropriate governing authority when the transfer is to occur and the name and address of the transferee. The developer shall provide the appropriate governing authority with an assumption agreement by which the transferee agrees to perform the work required under the standard subdivision contract and to provide additional security needed to assure such performance. Said assumption agreement shall be subject to the review of the city and/or Planning Commission's attorney and subject to the approval of the City of Planning Commission.

3. Performance Bond and/or Security in Lieu of Completed Improvements

To assure performance of the Standard Subdivision Contract and in lieu of final completion of all improvements required by these regulations, the Planning Commission may accept a performance bond and/or security in the amount equal to 100% of the estimated costs of the uncompleted improvements whereby such improvements may be made and completed without cost to the City of Medina, Planning Commission or to Gibson County in the event of a default by the developer under the Standard Subdivision Contract or in violation of the subdivision regulations. Such bond and/or security shall consist of a performance bond, as issued by a cashier's check, a certificate

of deposit, an irrevocable letter or credit from an approved FDIC insured lending institution. The performance bond shall secure the obligations under the standard subdivision contract to the City of Medina, Planning Commission and shall require completion of all improvements within not more than twelve (12) months from the date of recordation of the final plat.

- a. Cashier's Checks - If a cashiers check is posted as security, the check must be made payable to the City of Medina or Medina Municipal Regional Planning Commission, as the case may be.
- b. Certificate of Deposit - If a certificate of deposit is to be posted as security, the original Certificate of Deposit must be ASSIGNED TO AND HELD BY THE CITY OF MEDINA OR MEDINA MUNICIPAL REGIONAL PLANNING COMMISSION AND MUST REMAIN AUTOMATICALLY RENEWABLE.
- c. Letter of Credit - If a letter of credit is to be posted as security, it must be irrevocable and automatically renewable. A letter of credit will not be accepted unless the following statements/conditions appear on the letter or credit:

“We hereby issue in your favor this irrevocable documentary credit which is available by negotiation of your draft at site drawn on (Bank's Name) and accompanied by an official statement from the City of Medina and/or Medina Municipal Regional Planning Commission that (Developer's Name) has failed to comply with the terms of its standard subdivision contract in regard to the project known as (subdivision's name).

This letter or credit is valid for one calendar year from (date issued) and is automatically renewable for additional one year periods without any effort on the part of the City of Medina and/or Medina Municipal Regional

Planning Commission at (Bank's Name) until the aforesaid standard subdivision contract is satisfied in full. Should (Bank's Name) until the aforesaid standard subdivision contract is satisfied in full. Should (Bank's Name) decide not to renew this letter or credit, (Bank's Name) agrees to notify the City of Medina and/or Medina Municipal Regional Planning Commission in writing ninety (90) days prior to the expiration date, by registered mail, return receipt requested, at which time the City of Medina and/or Medina Municipal Regional Planning Commission can draw up to the full face value of the letter of credit.”

- d. Bond Reduction- A reduction in the amount of the bond and/or security may be approved as improvements are made and expected, but in no case shall the bond or security be less than one hundred percent (100%) of the estimated cost of the improvements.
- e. Release of Performance Bond - The performance bond or security posted by the developer shall not be released until the appropriate governing authority has inspected all of the improvements, and all improvements have been deemed satisfactory completed in accordance with the contract, and the governing authority has accepted the completed improvements and the developer has provided the appropriate maintenance bond as required and set forth in Section D of this Article IV.

4. Maintenance Bond

After the satisfactory completion of the improvements, as required under the Standard Subdivision Contract, the developer shall tender a Maintenance Bond to guarantee and warrant that all improvements in said subdivision were installed in a satisfactory manner, and that the same shall remain free from defects caused by faulty material or workmanship and same will not fail within twelve (12) months after acceptance of the

subdivision improvements by the appropriate governing authority. The said maintenance bond shall be in an amount equal to ten percent (10%) of the total construction costs as set forth in the Standard Subdivision Contract.

Note: The diagrams and illustrations following this page are those referred to in this Article IV and are incorporated herein.

ARTICLE V

LEGAL STATUS PROVISIONS

A. POWERS OF THE PLANNING COMMISSION

These regulations are in accordance with the provisions of Title 13, Tennessee Code Annotated, which grants to the Planning Commission the powers to regulate the subdivision of land within the City of Medina and the Medina Planning Region. In accordance with Section 13-4-103 and Section 13-3-104, Tennessee Code Annotated, The Planning Commission, its members and employees, in the performance of its work, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. The code further provides that, in general, the Planning Commission shall have powers as may be necessary to enable it to perform its purposes and to promote municipal and regional planning.

B. ENFORCEMENT OF SUBDIVISION REGULATIONS

The enforcement of these regulations is provided for by State law in the authority granted by public acts of the State of Tennessee.

1. Submission of Subdivision Plat for Approval

No plat of a subdivision of land into two (2) or more lots or tracts located within the City of Medina, or Medina Planning Region shall be admitted to the land records of Gibson County or received or recorded by the County Register of Deeds until such plat shall have been submitted to and approved by the Planning Commission and such approval entered in writing on the plat by the Secretary of the Commission as provided in Section 13-3-402 and Section 13-4-302, Tennessee Code Annotated.

2. Acceptance and Improvement of Unapproved Streets

No board, public official, or authority shall accept, layout, 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 City of Medina or Medina Planning Region unless such shall have otherwise received the legal status of a public street prior to adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission as provided in Section 13-4-307 and Section 13-3-406, Tennessee Code Annotated; however, the Medina Board of Mayor and Aldermen or

Gibson County Commission may locate and construct or may accept any other street, provided that the Ordinance or other measure for such location and construction for its acceptance be first submitted to the Planning Commission for its approval. If such is disapproved by the Planning Commission, a majority vote of the entire membership of the Medina Board of Mayor and Alderman or Gibson County Commission can render such approved. A street approved by the Planning Commission or constructed or accepted by said majority vote shall have the status of an approved street as fully as though it had been originally shown on a subdivision plat approved by the Planning Commission.

3. Access To Lots by Public Way or Private Easement

When a permanent easement to a public way is used as access to a lot or tract of land having been or being separated by deed or plat from other property. Such easement shall be at least fifty (50) feet in width from and after the time of adoption of these regulations and shall not be used to provide access to more than one lot or tract of land.

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 and such private improvements have been approved by the Planning Commission.

C. PENALTIES FOR VIOLATION

The penalties for the filing or recording of a plat, transfer or sale of land, and erection of a building, in violation of these regulations, are provided for by State law in authority granted by Public Acts of the State of Tennessee.

1. Recording of an Unapproved Subdivision Plat

No County Register shall receive, file, or record a plat of a subdivision within the City of Medina, or its planning region, without the approval of the Planning Commission as required in Section 13-3-402 and 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 for by law.

2. Transfer or Sale of Land without Prior Subdivision Annotated, provides that 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 a plat of such subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval as required before such plat be recorded in the Office of the County Register, shall be deemed guilty of a misdemeanor punishable as other misdemeanors as provided for by law. A 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 of Medina or Gibson County, through its Attorney, or other official designated by the City of Medina or the Gibson County Commission may enjoin such transfer or sale or agreement by action or injunction.

3. Unlawful Structures

Any building erected or to be erected in violation of these regulations shall be deemed an unlawful structure, and the Building Inspector or the Attorney of the City of Medina or Gibson County or other official designated by the Medina Board of Mayor and Alderman or the Gibson County commission or State Building commission may bring action to enjoin such erection or cause it to be vacated or removed as provided for in Section 13-3-411 and Section 13-4-308 of Tennessee Code Annotated.

D. PROVISION OF REGULATIONS DECLARED TOP BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements, adopted for the public interest and orderly development of the City of Medina and Medina Planning Region. Wherever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances or deed restrictions, the most restrictive, or that imposing the higher standards shall govern.

E. SUBDIVISION REVIEW FEES

No plat or plan of a subdivision of land divided into two (2) or more lots located within the area of the planning jurisdiction of the Medina Municipal Regional Planning Commission

shall be received or reviewed for recommendations or approval given thereon until the following schedule of uniform fees prescribed below have been received. Said fees offset the cost of field inspections, plat reviews, and recording fees, etc., and shall be paid at the time of submission to the Planning Commission.

1. Preliminary or Schematic plat fee -- \$50.00
2. Construction plat fee -- \$100.00
3. Final plat fee -- \$50.00 for subdivision plats where a schematic plat has been reviewed and approved by the Planning Commission

ARTICLE VI

ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these Subdivision Regulations, a public hearing, as required by Section 13-3-403 and Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons and was held on July 31, 2000. Notice of such hearing, stating the time and place for the hearing, was announced in THE JACKSON SUN, being a newspaper of general circulation within the Medina, Tennessee Planning Region, on June 30, 2000.

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

Adopted: July 31, 2000

Effective: July 31, 2000

Passed and adopted by Resolution of the Medina Municipal Regional Planning Commission on Monday, July 31, 2000.

William Eddings, Chairman

ATTEST: _____
Rickey Black, Secretary

APPENDIX

PRELIMINARY OR SCHEMATIC PLAT CHECK LIST

- _____ 1. Staff Consultation
- _____ 2. Submitted 21 days prior to meeting
- _____ 3. 3 copies submitted
- _____ 4. Scale not less than 1" = 100'
- _____ 5. Contours
- _____ 6. Name of Subdivision
- _____ 7. Name and Address of Owner
- _____ 8. Name of Designer
- _____ 9. Date, North Point, Scale
- _____ 10. Acreage
- _____ 11. Proposed Land Uses
- _____ 12. Location Sketch Map
- _____ 13. Current or Proposed Zoning
- _____ 14. Availability of Utilities
- _____ 15. Street Names
- _____ 16. Flood Information
- _____ 17. Names of Adjoining Property Owners or Subdivisions with
Deed or Plat References
- _____ 18. Lot Dimensions
- _____ 19. Conforms to Major Road Plan
- _____ 20. Construction Phasing Scheme
- _____ 21. Accurate Boundary Survey

_____22. Application and Filing fee

CONSTRUCTION PLAT CHECK LIST

- _____ 1. Schematic Acceptance
- _____ 2. Submitted 21 days prior to meeting
- _____ 3. Complies with the Schematic Plat
- _____ 4. 2 Copies Submitted
- _____ 5. Scale Not Less than 1" = 50'
- _____ 6. Meet Requirements of Article III
 - _____ a. Conforms to Major Road Plan.
 - _____ b. Provides for Continuation of Existing Streets
 - _____ c. Street Widths
 - _____ d. Street Grades
 - _____ e. Horizontal Curves
 - _____ f. Vertical Curves
 - _____ g. Intersections
 - _____ h. Tangents
 - _____ i. Street jogs
 - _____ j. Dead-End Streets
 - _____ k. Temporary Turnaround
 - _____ l. Lot Access and Reserve Strips
 - _____ m. Street Names
 - _____ n. Block Length
 - _____ o. Block Width
 - _____ p. Lot Size
 - _____ q. Lot Arrangement

- _____r. Setback Lines
- _____s. Utility Easements
- _____7. Subdivision's Name, Location, Name & Address of Owner
- _____8. Signature of Designer
- _____9. Temporary Street Name Signs
- _____10. Date, North Point, Scale
- _____11. Zoning Classification
- _____12. Names of Adjoining Property Owners or Subdivisions with Deed or Plat References
- _____13. Utility Layout and Approval
- _____14. Contours
- _____15. Acreage
- _____16. Location Sketch Map
- _____17. Flood Elevation
- _____18. Plan & Profiles Sheets
- _____19. Street Approval
- _____20. Street Cross-Section
- _____21. A comprehensive drainage study
- _____22. Storm Drainage
- _____23. Highway Department Entrance Permit
- _____24. Notice to Contractor: The City of Medina shall be modified before the placement of base, and later before the placement of wearing surface.

FINAL PLAT CHECKLIST

- ___1. Conforms to Construction Plat and Schematic Plat
- ___2. Submitted 21 Days Prior to Meeting
- ___3. 2 copies submitted
- ___4. Scale of 1" = 100'
- ___5. Not larger than 18" X 24"
- ___6. Street Names
- ___7. Setback Lines
- ___8. Lots Numbered
- ___9. Utility and Telephone Easements
- ___10. Bearing and Lot Dimensions
- ___11. Curve Data
- ___12. Intersection Radius
- ___13. Monuments and Iron Pins
- ___14. Names of Adjoining Property Owners or Subdivisions with Deed or Plat References
- ___15. Date, Graphic North Point
- ___16. Name or Subdivision - Section Number, and zoning classification
- ___17. Location Sketch Map
- ___18. Flood Elevation
- ___19. Deed Restrictions
- ___20. Certifications
- ___21. Bonds

**SUBDIVISION REGULATIONS
OF THE
MEDINA, TENNESSEE
MUNICIPAL REGIONAL PLANNING COMMISSION**

**Updated August, 2010 &
June, 2017**

MEDINA, TENNESSEE