

**SUBDIVISION REGULATIONS
FOR LAND SUBDIVISION IN THE
CITY OF BELLE MEADE
NASHVILLE, TENNESSEE**

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SUBDIVISION REGULATIONS
OF THE CITY OF BELLE MEADE

Pursuant to Tennessee Code Annotated, 13-4-303, and after public hearing as required by law, the following Subdivision Regulations are hereby adopted by the Planning Commission of the City of Belle Meade, replacing and superseding subdivision regulations heretofore in effect. Regulations relating to horizontal property regimes, adopted on July 26, 1985, remain in full force and effect.

ARTICLE I
PROCEDURE

1.01 Whenever:

(i) The owner of a parcel or parcels of improved or unimproved land, lying within the limits of the City of Belle Meade, proposes a sale or other development of such land which would result in the ultimate existence of more than one dwelling on such parcel or parcels, or

(ii) The owner of a parcel or parcels of improved or unimproved land, lying within the limits of the City of Belle Meade, consisting of two or more approved and platted subdivision lots, or two or more tracts described as separate single tracts in one or more property deeds recorded prior to August 16, 1950, proposes to combine such lots and/or tracts into a single lot or tract for the purpose of constructing thereon a single dwelling and other structures and/or uses accessory thereto, before negotiating such sale or beginning such development or construction, such owner (herein referred to as the "Developer") shall file with the Municipal Planning Commission of the City of Belle Meade a preliminary plat or map of such parcel or parcels of land for approval as a subdivision, or, in the case of multiple lots or tracts, as a re-subdivision of the same into a single lot, along with the filing fee as established by resolution of the Commissioners of

the City of Belle Meade, to cover routine administrative expenses in connection with such filing, notices of hearings, review of documents, and the like.

(a) Such preliminary plat or map shall be prepared in accordance with the following requirements:

- (1) The horizontal scale shall be fifty (50) feet or less to the inch.
- (2) A vicinity sketch or key map at a scale of not more than one thousand (1000) feet to the inch shall be shown on or accompany the Preliminary Plat. This map shall show all existing subdivisions, streets, and tract lines of neighboring properties together with the names of the record owners of all neighboring properties immediately adjoining the proposed subdivision, or re-subdivision, and/or located between it and the nearest existing thoroughfares. It shall also show how streets and alleys in the proposed development may connect with existing and proposed streets and alleys in neighboring subdivisions, or undeveloped properties, to produce the most advantageous development of the entire neighborhood.
- (3) The Preliminary Plat shall show the following:
 - (A) Proposed subdivision name.
 - (B) Name and address of record owner, developer, and surveyor.
 - (C) North point, scale, and date.
 - (D) The boundary line (accurate in scale and description) of the tract to be subdivided or re-subdivided.
 - (E) The names of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.

- (F) The width, location, and name of all existing or proposed streets and other public ways and areas.
- (G) Lot lines platted to scale.
- (H) Proposed water supply.
- (I) Proposed sewage disposal system.
- (J) The location of natural drains and proposed methods for the discharge of storm water.
- (K) Proposed use of property.
- (L) Reasonably accurate contour lines with intervals of five (5) feet or less. USGS contours are not acceptable.

1.02 Upon the filing of such preliminary plat or map with the Commission, it shall take appropriate action and indicate approval, tentative approval, or disapproval of the same within thirty days from the date of its submission and shall inform the owner of its decision. Such action by the Commission shall include the holding of a public hearing upon each application after notice by mail five days in advance of such hearing addressed to all affected property owners.

1.03 In the event the proposed subdivision, or re-subdivision, is approved by the Commission, such approval shall be evidenced by the signature of the Chairman of the Commission, and the date of its approval, and shall serve as authority for the filing and recording of a map or plat in the Register's Office of Davidson County, Tennessee. Such approval may not be entered upon the plat until the improvements are made or a bond is executed by the owner and accepted by the Commission, as referred to in Section 1.04 hereof, and such approval and a general description of the land thereby affected, shall be spread upon the minutes of the Commission. Before final approval of the Municipal Planning Commission shall be indicated on such plan, the City

Manager shall certify that the out-of-pocket cost of any services rendered or expenses incurred by the City incident thereto, satisfaction of which costs shall be the responsibility of the applicant, whether or not the plan shall be approved, have been paid, and that all conditions for approval as set forth in Section 1.04 hereof have been met.

1.04 In the event the map or plat is only tentatively approved, it shall be considered disapproved, with leave to the Developer to make such change or changes as are recommended by the Commission as necessary to obtain approval, and to resubmit the map or plat as changed. Such map or plat may be in the form of a further preliminary map or plat, or a final map or plat, as the owner may choose. If re-submitted for final approval, it shall meet the following requirements for a final plat, before it may be approved by the Commission:

A. Before approving the Final Plat of all or part of the proposed subdivision, the Commission will require that all improvements have been completed to its satisfaction and in accordance with such Plat; and that all street grading, paving and drainage plans, and the water supply and the sewage disposal system, be approved by the City of Belle Meade through its consulting engineers.

B. The record owner and such others involved in the actual development of the subdivision as the Commission may require, in lieu of the completion of the required improvements previous to seeking approval of the Final Plat, may post with the Commission a bond in form and amount and with conditions and surety satisfactory to the Commission, providing for the securing to the public the actual construction and installation of the above required improvements within a period specified by the Commission and expressed in the bond. Said bond may also include amounts sufficient to secure to the Commission the final survey, the placing of required markers, preparation

and recording of final plats, and all expenses incurred by the City of Belle Meade growing out of the subdivision application, or in securing compliance with its regulations.

C. The Final Plat shall be drawn in India Ink on durable reproducible drafting material at a scale to be determined based on the development. The sheet shall have at least a one and one-half (1 1/2) inch binding margin on the left end and at least a one-half (1/2) inch border on the other three edges. If more than two (2) sheets are required, there shall be a key map on a part of the first sheet or on an index sheet of the same standard size.

D. The Final Plat shall show the following information:

1. The boundary lines with accurate distances and bearings, the exact location of existing or recorded streets intersecting the boundaries of the tract. The drawing shall be so oriented that the North Point will be directed to the top of the drawing, or as nearly thereto as possible, with the binding edge on the left.

2. Magnetic bearings and distances to the nearest established street lines or official monuments, which shall be accurately described on the plat.

3. The exact layout including:

a. Street names.

b. The length of all arcs, radii, internal angles, points of curvature, length and bearing of tangents.

c. All easements for rights-of-way provided for public services or utilities and any limitations of the easements.

d. Easements for the location and provision for the disposal of surface water.

e. All lot lines with accurate dimensions.

- f. Lots numbered in numerical order.
4. The accurate location with the identifying numbers, letters, or other symbols shown, including the material and size, of all monuments.
5. Location of all trees in excess of four (4) inches in diameter.
6. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and all property that may be reserved by deed covenant for the common use of the property owners in the subdivision, and all property that may be reserved for the purpose of bringing about an orderly lot pattern in the future development of the surrounding areas.
7. Minimum front, side and rear building setback lines as required by the City of Belle Meade Zoning Ordinance as in effect from time to time.
8. Subdivision name.
9. Name and address of record owner.
10. North point, scale, and date.
11. Certificate of adoption and dedication by the record owner.
12. Total acreage in the area being subdivided.
13. Certification by a registered Civil Engineer or Surveyor recognized by the Commission to be proficient, to the effect that the plan represents a survey made by such engineer or surveyor and that the survey has an accuracy of 1:5000 or less as computed from field measurements without balancing or adjustment, and that all monuments shown thereon actually exist, and that their location, size, and material of the same are correctly shown.
14. An Owner's Certificate, which conforms to the requirements of these regulations.

15. Certificate of approval by the Commission.

E. When the Final Plat is submitted to the Commission for final approval, it shall be accompanied by closure sheets of (a) the entire tract, and (b) each individual block within the development to the required accuracy. The plat shall be accompanied by street and drainage plans bearing notations of approval of the City of Belle Meade, through its consulting engineers.

F. Upon approval of a subdivision plat by the Commission, the Developer shall forthwith file such plat in the Register's Office for Davidson County, Tennessee and then shall promptly furnish the City Recorder of the City of Belle Meade a certificate from the County Register of Deeds that such Plat has been duly filed for record. No building permit shall be issued for the construction of any improvements on any lot in such subdivision until such certificate of recording has been so furnished.

G. The approval of the Final Plat by the Commission shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street, or other proposed public way or area on the plat.

ARTICLE II GENERAL REQUIREMENTS

2.01 No plan of subdivision will be approved which includes any lot for which a building permit could not be issued as a matter of right under any ordinance of the City, which is current and in force at the time such plan is approved, or which has been pending before the City Commission for a period of not more than ninety days, after passage on first reading. In making such determination, no part of the area of any dedicated street or road right-of-way, or of any common area held with others, shall be considered a part of the lot.

2.02 The plan of subdivision shall contain an Owner's Certificate which shall include, among other things, a dedication to the public of all streets, rights-of-way, utility easements and roads, a dedication to the Metropolitan Government of Nashville and Davidson County, Tennessee, of all water lines shown on the plan and a dedication of all sewer lines shown on the plan to the City of Belle Meade. No professional test results or analyses of hydrologists, traffic or other engineers, or other experts will be considered by the Commission, no matter by whom conducted, unless the qualifications of the engineer or other expert conducting the test or analyses have been approved in advance by the Commission.

2.03 The Commission may impose other reasonable conditions suggested by the facts in a particular case, including but not limited to a requirement for traffic, drainage, or other studies – all to be made at the expense of the Developer - so that the public health, safety, welfare, morals and prosperity may be secured and preserved, in harmony with other developments heretofore located in the vicinity of such parcel or parcels.

2.04 The Planning Commission may also require the dedication of easements, not exceeding twelve (12) feet in width, for conduits, storm and sanitary sewers, gas, water mains and electric or other utility lines along all rear lot lines, and along side lot lines if necessary, or if advisable in its opinion. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utility lines. Whenever any stream or important surface drainage course is located in any area, which is being subdivided, the developer shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving, or protecting the same.

2.05 The Developer shall install water mains, fire hydrants, conduits for telephone and electric service wiring, sanitary sewers, and gas lines required to serve the subdivision, all of which,

except for fire hydrants, must be placed underground. Such installation must meet standards and specifications established by the City of Belle Meade through its consulting engineers.

2.06 The Developer shall plant trees along all streets in the subdivision whenever there are no existing woodlands. Before the trees are planted the Planning Commission shall approve a plan showing the proposed locations, species, and approximate size of each tree and providing such additional information as the Commission shall request.

2.07 Survey monuments consisting of a permanent cap showing a closing point and identified by numbers, letters or other symbols set in concrete pedestal, six (6) inches by six (6) inches by thirty (30) inches, or otherwise approved by the City Building Official, shall be set at all angle points in the boundaries of the property being subdivided, at street intersections, and at intersections of curves and tangents along street right-of-way lines as required by the Commission.

2.08 Roads and streets shall have a grade not greater than eight (8) percent and must be built to follow natural contour of the land.

2.09 No land shall be subdivided for residential use if such land is considered by the Commission to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation or any other feature harmful to the health and safety of possible residents of the area and the community as a whole. In its determination of unsuitability by reasons of flooding, the Commission may rely on standards of (i) the Stormwater Management Ordinance of the Metropolitan Government of Davidson County, (ii) the City's Water Management Program developed pursuant to Phase II of the EPA's Municipal Storm Sewer and Water Management Program and (iii) all applicable statutes or regulations of the State of Tennessee and the Federal Government, and may require the subdivider to provide hydrology reports to assist in this determination.

(a) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses which may increase the hazard of flooding, endanger health, life or property, or aggravate erosion, unless any plat including such land shall contain a notation requiring the owner of any lot shown thereon, as a condition to the construction of a structure, to first comply with such conditions and standards as may be prescribed by the City Building Official pursuant to Belle Meade Code §12-103. Any expense incurred by the City Building Official in the development of such conditions and standards shall be paid by the developer of the land being subdivided. Any other land within said plat, which does not comply with such conditions and standards, shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or produce satisfactory or unsafe living conditions.

(b) Fill shall not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

2.10 In all subdivisions, due regard shall be shown for all natural features such as grade, topography, trees and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property. Preservation of such features may be required as a condition of approval of a subdivision plat.

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

2.12 The Planning Commission may require such conditions, in addition to those elsewhere set out herein, as will, in its judgment, promote the health, safety and welfare of the community at large and secure substantially the objectives of these regulations.

ARTICLE III
MISCELLANEOUS

3.01 Prior to the sale of any lot in an approved subdivision, the seller shall provide the purchaser with a copy of these Subdivision Regulations in effect at the date of sale.

3.02 If any part, provision, requirement, or condition of these regulations should be held invalid, this shall not affect the validity of the remainder, and the Planning Commission hereby declares it would have enacted the remaining parts, provisions, requirements, and conditions even in the absence of any provision found to be invalid.