INTRODUCTION

Introduction

These Subdivision Regulations are about expanding choices for development that better reflect the patterns of development in Nashville and Davidson County. As Nashville continues to grow and develop, the choice is not whether growth will occur, but how well it will occur. Nashville and Davidson County together are a large, complex area with varying patterns of development ranging from very urban to very rural. The goal is to offer opportunities to preserve the best examples of those patterns, while providing tools to create complementary patterns of development to enhance existing places and preserve the significant resources that are important to us all.

The first major step in the development process is to divide a parcel of land into lots, streets, and open spaces. How land is divided defines the pattern of a community, which in turn shapes its character. While the Zoning Code controls land use, the Subdivision Regulations control the pattern of development. Dividing land also defines traffic circulation patterns and access, dedicates rights-of way, and reserves tracts of land to protect environmental resources (floodplains, wetlands, forested areas). The Subdivision Regulations guide development of land consistent with the established policies of the Metro Nashville Government and ensure that new neighborhoods and developments are properly designed and that new subdivisions are integrated into the community.

Applying the Community Transect

To conceptualize the diversity of development patterns in Nashville/Davidson County, the Metro Planning Department uses a tool called the Community Transect. The Community Transect provides a continuum of development patterns ranging from the most natural and rural areas to the most intense urban areas including Downtown. There are seven transect categories:

1. *T1- Natural*. Publicly and privately owned, generally undisturbed land often with environmentally sensitive features that are intended to be permanently maintained as open space.
2. *T2- Rural*. Sparsely developed land with agricultural and low density residential uses, complemented by low intensity commercial uses.
3. *T3- Suburban*. Primarily lower density, single-family residential uses, with some higher density mixed-housing developments and commercial uses, the suburban category is the bridge between rural and urban transect areas and should incorporate open space and natural features into site design while beginning to make buildings more prominent.
4. *T4- Urban*. Medium to higher density housing with a mixture of housing types with compatibly scaled commercial and civic uses located in centers or commercial corridors; served by highly-connected street systems with sidewalks, bikeways and facilities for mass transit.
5. *T5- Centers*. Intense areas where residents can live, work and recreate, Centers serve multiple neighborhoods and communities.
6. *T6- Downtown*. Downtown has the highest intensity and mixture of uses including commercial, office, residential, civic and open space uses, serving the entire County and the Region as the center of commerce, governance and the arts.

7. *D- Districts*. A range of generally single use areas including medical centers, universities, industrial parks, office parks, and impact areas including airports, quarries, etc., which in some cases are designed to blend into the surrounding neighborhood or center and in other cases should be designed to limit impact on surrounding areas.

Past Subdivision Regulations have contained a uniform set of standards that were applied Metro-wide without regard to the diverse environmental and developed character of Davidson County. The regulations tended to result in conventional suburban patterns. As there are many development patterns across Davidson County, it is useful to have alternative development standards to implement varied development patterns in a variety of physical contexts. In addition to the suburban patterns, these Subdivision Regulations provide for rural and urban patterns of development through a Conservation Subdivision and a Walkable Subdivision, respectively. An applicant may continue to develop a subdivision using the conventional suburban subdivision method or may opt to use the rural or urban regulations in specific locations.

Transect Category	**Subdivision Standards**
T1 Natural	No specific regulations apply to these lands. They are intended to remain permanently preserved open space, so subdivision for development is not desired.
T2 Rural	Rural Character Subdivision Regulations provide for significant preservation of resources (natural, historical, cultural), views, and the rural character of an area. This type of subdivision is limited to those areas designated as Rural.
T3 Suburban	Conventional suburban subdivision regulations. There may be opportunities within this category to apply the Walkable Subdivision regulations.
T4 Urban	Walkable Subdivisions allow for the restoration and continuation of urban patterns of development as well as for the introduction of urban patterns in additional areas.
T5 Centers	
T6 Downtown	
D Districts	There are no specific regulations for these as the character of districts vary greatly from inner-city universities, to the airport, to industrial lands. The pattern of the specific district will determine which regulations will be most appropriate.

<u>How to Use These Regulations</u>

As noted above, an applicant may develop conventional suburban subdivisions, outside of T2 Rural Neighborhood and/or T2 Conservation policies. The requirements of Chapter 3. General Requirements for Improvements, Reservations, and Design will need to be met for these types of subdivisions. Within T2 Rural Neighborhood and/or T2 Conservation policies, the requirements of Chapter 4. Rural Character Subdivisions apply. Outside of T2 Rural Neighborhood and/or T2 Conservation policies, applicants may, however, choose to develop alternative subdivisions that are more rural or urban in nature. The requirements of Chapter 4. Rural Character Subdivisions must be met for a rural subdivision and the requirements of Chapter 5. Walkable Subdivisions must be met for a more urban pattern of development. Where there are no alternative standards included in Chapter 4, or Chapter 5, the regulations of Chapter 3 apply to these subdivisions.

Introduction.

TABLE OF CONTENTS

INTRODUCTION

CHAPTER 1. GENERAL PROVISIONS
1-1 Title
1-2 Authority
1-2.1 Authority
1-2.2 Planning Commission has Met State Law
1-2.3 Enforcing Officer
1-3 Purpose
1-3.1 Purpose
1-3.2 Provision of Options
1-3.3 How to Use these Regulations
1-4 Declaration of Development Preference
1-4.1 Declaration of Development Preference
1-5 Jurisdiction
1-5.1 Jurisdiction
1-6 Interpretation
1-6.1 Interpretation
1-7 Severability
1-7.1 Severability
1-8 Saving Provision
1-8.1 Saving Provision
1-9 Effective Date of the Regulations
1-9.1 Effective Date of the Regulations
1-9.2 Subdivisions Submitted or Approved Prior to the Effective Date
1-10 Amendments
1-10.1 Enactment
1-10.2 Codification and Distribution
1-11 Variances
1-11.1 General
1-11.2 Procedures
1-11.3 Conditions
1-11.4 Additional Findings
1-12 Vacation of Streets, Easements, or Other Public Facilities
1-12.1 Planning Commission Approval
1-12.2 Vacations After Sale of Lots
1-13 Fees, in-lieu contributions and other assessments, estimates or payments
1-13.1 Fees, in-lieu contributions and other assessments, estimates or payments

CHAPTER 2. PROCEDURES FOR PLAT APPROVAL
2-1 General Procedures
2-1.1 Review Procedures
2-1.2 Classification of Subdivisions
2-1.3 Official Submission Date
2-1.4 Coordination of Zone Change Application with Subdivision Application
2-1.5 Reserve Parcels

2-2 Concept Plan
2-2.1 Purpose of the Concept Plan
2-2.2 Concept Plan Pre-application Conference
2-2.3 Application Procedure and Requirements
2-2.4 Approval Procedures
2-2.5 Process for Planning Commission Hearing
2-2.6 Revisions to Approved Concept Plans
2-2.7 Reapplication of a Disapproved Concept Plan
2-3 Final Site Plan
2-3.1 Purpose of the Final Site Plan
2-3.2 Application Procedure and Requirements
2-3.3 Staff Review
2-3.4 Decision on Final Site Plan
2-3.5 Expiration of Final Site Plan
2-3.6 New Information
2-4 Final Subdivision Plat
2-4.1 Purpose of the Final Plat
2-4.2 Application Procedure and Requirements
2-4.3 Partitioning Large Tracts into Not More than Two Lots
2-4.4 Requirements for Improvements
2-4.5 Staff Review
2-4.6 Decision on Final Subdivision Plat
2-4.7 Expiration of Final Subdivision Plat
2-4.8 Vested Rights
2-4.9 Reapplication of a Disapproved Final Plat
2-5 Recording of Plat
2-5.1 Recording of Plat
2-6 Phasing Major Subdivision Plats
2-6.1 Phasing Major Subdivision Plats
2-7 Resubdivision of Land
2-7.1 Procedure for Subdivision Where Future Resubdivision is Foreseen
2-8 Miscellaneous Platting Situations
2-8.1 Converting Parcels to Building Sites
2-8.2 Combine Two or More Lots
2-8.3 Shifting Lot Lines
2-8.4 Dedication of Right-of-way, Public Use Lands, or Easements
2-8.5 Existing Structures

CHAPTER 3. GENERAL REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN
3-1 General Requirements
3-1.1 General Requirements
3-1.2 Conformance to Applicable Rules and Regulations
3-1.3 Subdivision and Street Names
3-2 Monument Requirements
3-2.1 Monument Requirements
3-2.2 Control Monuments
3-2.3 Internal Monuments and Lot Pins
3-3 Suitability of the Land
3-4.1 Suitability of the Land

3-4.2 Critical Lots
3-4.3 New Critical Lots
3-4.4 Prior to Concept Plan Approval
3-4.5 Critical Lot Plan Required
3-4.6 Grade Changing
3-4.7 Grade Changing Devices

3-4 Lot Requirements

3-4.1 Lot Arrangement
3-4.2 Lot Dimensions
3-4.3 Double Frontage Lots
3-4.4 Arterial or Collector Streets
3.4.5 Lot Drainage
3-4.6 Relationship to Watercourses

3-5 Infill Subdivisions

3-5.1 Infill Subdivisions
3-5.2 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, except where a Special Policy and/or a Designated Historic District exists
3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.
3-5.4 Criteria for Determining Compatibility for Designated Historic Districts
3-5.5 Infill Subdivision Frontage
3-5.6 Reasonable Conditions

3-6 Blocks

3-6.1 Block Widths
3-6.2 Block Lengths
3.6.3 Considerations for Block Length, Width, and Shape
3-6.4 Easements Through Blocks

3-7 Improvements

3-7.1 Authorization to Construct Improvements
3-7.2 Construction of Improvements

3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities

3-8.1 Requirements for Sidewalks on New Subdivision Streets
3-8.2 Requirements for Sidewalks on Existing Streets Fronting the Property Subdivided
3-8.3 Requirements for New Street Pedestrian and Bicycle Access Easements and Facilities
3-8.4 Sidewalk Dimensions
3-8.5 Sidewalk Encroachments/Obstructions
3-8.6 Sidewalk Tree Preservation

3-9 Requirements for Streets

3-9.1 General Requirements
3-9.2 Street Design Standards
3-9.3 Additional Regulations for Private Street
3-9.4 Street Construction and Related Requirements

3-10 Requirements for Dedication, Reservations, or Improvements

3-10.1 Application
3-10.2 Undeveloped Property

3-10.3 Developed Property
3-10.4 Required Improvements or Dedications
3-10.5 Relationship to Scenic Routes
3-10.6 Conservation Easements for Greenways
3-10.7 Park Dedications
3-11 Inspections During Construction
3-11.1 Inspections During Construction
3-11.2 Pre-construction Conference Required
3-11.3 Outline for Construction Process
3-11.4 Inspection Schedule
3-12 Street Name, Regulatory and Warning Signs for Public Streets
3-12.1 Signage Requirements
3-12.2 Street Name Signs
3-12.3 Regulatory and Warning Signs
3-13 Street Names, Regulatory and Warning Signs for Private Streets
3-13.1 Installation Requirements
3-13.2 Notes
3-13.3 Planned Unit Development
3-14 Drainage and Storm Sewers
3-14.1 General Requirements
3-14.2 Storm Water Facilities
3-14.3 Dedication of Drainage Easements
3-15 Public Water Facilities
3-15.1 Installation of Water Facilities
3-15.2 Compliance
3-16 Sewerage Facilities
3-16.1 General Requirements
3-16.2 Mandatory Connection to Public Sewer System or Provision for Future Connection
3-16.3 Specifications
3-17 Underground Utilities
3-17.1 Underground Utilities
3-18 Referral to Public Body
3-18.1 Referral to Public Body

CHAPTER 4. Rural Character SUBDIVISIONS
4-1 Intent
4-1.1 Purpose
4-1.2 Application
4-2 Development Standards
4-1.1 Identification of Primary Conservation Land
4-1.2 Preservation of Conservation Land
4-1.3 Development Footprint
4-1.4 Building Placement
4-1.5 Rural Character Design
4-3 Conservation Land and Common Property Management
4-3.1 Homeowner’s Association Required

CHAPTER 5. WALKABLE SUBDIVISIONS
5- 1 Purpose
5-1.1 Purpose

5-1.2 Design
5-2 Applicability
5-2.1 Applicability
5-2.2 Standards for Walkable Subdivisions
5-2.3 Alternative Standards
5-3 Lot Requirements
5-3.1 Frontage
5-3.2 Cottage Subdivision
5-3.3 Subdivisions for Attached Housing
5-3.4 Residential Lots Fronting on an Arterial or Collector
5-3.5 Non-Residential and Mixed-Use Lots Fronting on an Arterial or Collector
5-4 Requirements for Alleys
5-4.1 Requirements for Alleys
5-5 Blocks
5-5.1 Block Widths
5-5.2 Block Lengths
5-5.3 Block Perimeters
5-5.4 Easements Through Long Blocks
5-6 Minimum Sidewalk Width
5-6 Minimum Sidewalk Width
5-7 Requirements for Streets and Pedestrian Access
5-7.1 Purpose
5-7.2 Street Pattern
5-7.3 Street Design Standards
5-7.4 Through Streets and Pedestrian Access
5-7.5 Extension of Temporary Public Dead-end Streets and Pedestrian Access
5-7.6 Future extension of Proposed Temporary Dead-end Streets and Pedestrian Access
5-7.7 Pedestrian Access Easements
5-7.8 New Pedestrian Access Easements
5-7.9 Loop Streets
5-7.10 Cul-de-sacs
5-7.11 Requirements for Cul-de-sacs
5-7.12 Sidewalks Not Required
5-8 Additional Requirements for Streets and Pedestrian Access in Non-Residential and Mixed-Use Subdivisions
5-8.1 Pedestrian Access Required
5-8.2 Requirements for Internal Vehicular Circulation
5-8.3 Pedestrian Access
5-9 Variances from Access Standards
5-9.1 Variances
5-9.2 Circumstances for Variances
5-10 Unified Plat of Subdivision
5-10.1 Unified Plat of Subdivision
5-11 Open Space
5-8.1 Open Space Required.
5-8.2 Types of Open Space

CHAPTER 6. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS
6-1 Improvements and Performance Bond
6-1.1 Performance Bond
6-1.2 Composition of Performance Bond
6-1.3 Temporary Improvements
6-1.4 Costs of Improvements
6-1.5 Governmental Agencies
6-1.6 Failure to Complete Improvements
6-2 Inspection of Improvements
6-2.1 Inspection of Improvements
6-3 Release, Reduction, or Extension of Performance Bond
6-3.1 Certificate of Satisfactory Completion
6-3.2 Reduction of Performance Bond
6-3.3 Extension of Performance Bonds
6-3.4 Release of Bonds in Rural Character Subdivisions
6-3.5 Refer to Planning Commission
6-4 Maintenance of Improvements
6-4.1 Maintenance of Improvements
6-5 Expiration of Bond
6-5.1 Expiration of Bond
6-6 Certification of Private Street Completion
6-6.1 Certification of Private Street Completion
6-7 Disposition of Liquidated Securities
6-7.1 Disposition of Liquidated Securities

CHAPTER 7. DEFINITIONS
7-1 Usage
7-1.1 Usage
7-1.2 Meaning of Terms
7-2 Words and Terms Defined
7-2.1 Words and Terms Defined

CHAPTER 8. ADOPTION OF REGULATIONS AND AMENDMENTS
8-1 Original Enactment
8-1.1 Original Enactment
8-1.2 Public Hearing
8-1.3 Public Hearing Notice
8-1.4 Signatures
8-2 Notice of Public Hearing for Amendments to the Subdivision Regulations
8-2.1 Notice of Public Hearing for Amendments to the Subdivision Regulations
8-3 Codification of Amendments
8-3.1 Codification of Amendments

Appendix A. Plat Certificates
Appendix B. Critical Lots – Plans and Procedures
Appendix C. Outline for Construction

List of Figures

Figure 3-1: Sidewalk Dimensions
Figure 3-2: Sidewalk Encroachments/Obstructions
Figure 3-3: Alternatives to Cul-de-Sacs
Figure 4-1: Alternatives to Cul-de-Sacs
Figure 5-1: Cottage Subdivisions
Figure 5-2: Residential Lots Fronting on an Arterial or a Collector
Figure 5-3: Alternatives to Cul-de-Sacs
Figure 5-4: Pedestrian Access
Figure 5-5: Sidewalks not Required
Figure 5-6: Internal Vehicular Circulation
Figure 7-1: Pedestrian Benefit Zones

*Adapted from illustrations from Randall Arendt's "Growing Greener: Putting Conservation into Local Codes" (November 1997) and "Crossroads, Hamlet, Village, Town: Design Characteristics of Traditional Neighborhoods, Old and New" (April 2004).